

HILLSBOROUGH COUNTY ASSOCIATION OF CRIMINAL DEFENSE LAWYERS  
B Y L A W S

ARTICLE I

Name, Status, and Offices

1. Name. The name of this organization shall be the Hillsborough County Association of Criminal Defense Lawyers (hereinafter "HCACDL").

2. Status. The HCACDL shall be a not for profit corporation organized under the laws of the State of Florida.

3. Offices. The principal office of the HCACDL shall be in Hillsborough County, Florida. Its precise location shall be designated from time to time by the Board of Directors (hereinafter "Board").

ARTICLE II

Purposes

The HCACDL is formed exclusively for charitable, scientific, and educational purposes, including, without limitation, the following purposes:

1. To promote study and research in criminal defense law and related disciplines;

2. To disseminate by lecture, seminars, and publications, the advancement of knowledge of the law as it relates and is ancillary to the field of criminal defense practice;

3. To promote the proper administration of criminal justice, especially in Hillsborough County, Florida;

4. To foster, maintain, and encourage the integrity, independence, and expertise of defense lawyers in criminal cases; and

5. To foster periodic educational meetings of defense lawyers and to provide a forum for material exchange of information regarding the administration of criminal justice and thereby concern itself with the protection of individual rights and the improvement of criminal law, its practice, and procedures.

### ARTICLE III

#### Membership

1. Application for membership.

(a) Membership in the HCACDL shall be applied for on any form prescribed by the Board together with the membership dues. If no form is prescribed, then by payment of the membership dues.

(b) All memberships, with the exception of honorary and judicial memberships, are for one (1) year which shall begin on January 1st and end the following December 31st.

2. Regular membership. Regular membership in the HCACDL shall be available to those members of the Florida Bar who reside or practice law in Hillsborough County, Florida, and who are actively engaged in the defense of criminal cases. Regular members shall include both private practitioners and public defenders.

3. Judicial membership. Judicial membership shall be available to those members of the Florida Bar who are current members of the state or federal judiciary and who are not currently

engaged in the practice of law. Judicial membership shall last until the member leaves the judiciary or resigns from the HCACDL.

4. Honorary membership.

(a) Any person who shall have made an outstanding contribution to the public welfare and aided in the achievement of the goals of the HCACDL may be proposed for honorary membership by two (2) regular members of the HCACDL.

(b) The proposal for honorary membership shall be made in writing, subscribed by two (2) regular members, and submitted to the President of the HCACDL.

(c) An affirmative vote of the majority of the Board shall be required to elect any honorary member.

(d) Honorary membership shall last for five (5) years.

5. Law student membership. Law student membership shall be available to students enrolled in accredited law schools.

6. Affiliate membership. Affiliate membership in the HCACDL shall be available to persons who are not actively engaged as attorneys in the defense of criminal cases, but whose duties and responsibilities are part of, or contribute to, the defense of criminal cases and the goals of the HCACDL.

7. Revocation of membership. Membership of all classes may be terminated or suspended, in the following manner:

(a) Resignation. A member may at any time file his or her resignation in writing with the Secretary of the HCACDL and it shall become effective as of the date it was filed. Any resigned member may achieve reinstatement of membership status by reapplying

pursuant to the provisions of these bylaws. Resignation from membership in the Florida Bar shall automatically result in the termination of voting membership in the HCACDL.

(b) Failure to pay dues. Any member who fails to pay dues within ninety (90) days following the beginning of the fiscal year of the HCACDL shall automatically be terminated as a member of the HCACDL.

(c) Termination and suspension.

(1) Grounds. If any member is by a final order or judgment disbarred from the practice of law in Florida, such person's membership in the HCACDL automatically shall be terminated. Any failure to meet the membership qualifications shall constitute cause for suspension or termination.

(2) Board procedure. The HCACDL may suspend or terminate the membership of any member of the HCACDL for failure to meet the membership qualifications by an affirmative vote of 2/3 of the valid votes cast by members of the Board after a fair hearing held before such Board. The action of the Board shall be final.

(3) Reinstatement. Any member suspended or terminated from the rolls of the HCACDL may be reinstated by the method prescribed by these bylaws for new members.

ARTICLE IV

Finances

1. Annual dues. The annual dues of all classes of membership shall be set by the Board. All dues shall be payable annually with the exception of honorary members. Dues shall be collected by the Treasurer of the HCACDL.

2. Dues schedule. Until modified by the Board of Directors, the dues schedule is as follows:

Regular member . . . . .	\$35.00
Regular member, special rate (for Assistant Public Defenders practicing less than three (3) years) . . . . .	\$25.00
Judicial member . . . . .	\$00.00
Affiliate member . . . . .	\$20.00
Law student member . . . . .	\$10.00
Honorary member . . . . .	\$00.00

ARTICLE V

Board of Directors

1. Powers.

(a) The business and affairs of the HCACDL shall be managed by a Board of Directors.

(b) The Board shall have original jurisdiction to hear and decide charges that a member does not meet the membership criteria or has been suspended from the practice of law.

(c) The Board shall supervise the election of officers and directors of the HCACDL, and in the event of a vacancy in any

office or directorship, shall fill that vacancy as provided by these bylaws.

2. Composition. The Board shall consist of the elected officers of the HCACDL and from six (6) to twelve (12) directors.

3. Meetings. The Board shall meet as convened by the President. Five (5) members of the Board shall constitute a quorum for the transaction of business at all Board meetings. The President shall be the presiding officer of the Board.

4. Waiver of Meetings. Any action permitted by these Bylaws to be authorized upon a majority vote of the Board, may be authorized outside a meeting if a majority of the Board agrees on the action to be taken and to the waiver of a meeting. Where the expenditure of funds of five hundred dollars (\$500) or more is decided, the Secretary shall send a notice to each Board member confirming the action authorized and the names of those members of the Board who approved the action. For any expenditures over \$100 but less than \$500, the President needs the concurrence of the Treasurer to disburse the funds. The authorization shall take effect five (5) days following the mailing of the notice by the Secretary.

## ARTICLE VI

### Officers, Directors, and Executive Committee

1. Officers. The elected officers of the HCACDL shall be President, Vice-president, Treasurer, and Secretary. The Board may

appoint an executive director, whose title and duties shall be determined by the Board.

2. Qualifications of Officers and Directors. Only regular members in good standing immediately preceding election shall be eligible to be officers. Only regular members, judicial members, or honorary members shall be eligible to be directors.

3. Election of Officers and Directors.

(a) At each Annual Meeting, the HCACDL shall elect officers and directors to take office immediately after adjournment of the annual meeting. The officers and directors are to serve one (1) year or until their successors take office.

(b) There shall be a nominating committee consisting of at least three (3) people (members, officers, or directors, in any combination) as selected by the Board.

(c) Prior to the Annual Meeting, the nominating committee shall meet and consider nominations for officers and at large directors. The nominating committee shall then deliver to the secretary the names of the persons nominated. The Secretary or President shall announce these nominations to the general membership at or before the Annual Meeting.

(d) Any qualified member may seek election to any office or directorship. There shall be no formal requirements for nomination. Any member may nominate any other qualified member at the Annual Meeting.

(e) At the Annual Meeting all nominees for offices which are uncontested shall automatically be elected. Any offices for

which more than one candidate has been nominated shall be elected by majority vote of members in good standing voting at the Annual Meeting. The Secretary of the HCACDL shall be responsible for tabulating the ballots and assuring that all those who voted are members in good standing. The vote may be taken by voice vote at the discretion of the President.

(f) The results of the balloting shall be formally announced by the President at the Annual Meeting, and the respective offices shall be declared duly elected.

4. Vacancies. If the office of the President becomes vacant by resignation or otherwise, the Vice-President immediately becomes President for the unexpired term. Should any other office or directorship become vacant, by resignation or otherwise, during the term of office provided for herein, that office or directorship shall be filled by the Board for the unexpired term.

5. Duties of Officers and Directors.

(a) The President of the HCACDL shall be the HCACDL's chief executive officer; shall be responsible to oversee and coordinate the activities of the HCACDL; shall be the chief spokesperson for the HCACDL and, whenever practicable, shall appear publicly for the HCACDL and speak its policies; shall preside at the annual meeting of the HCACDL, and at any other meetings of the general membership which he or she may call from time to time; shall preside at the meetings of the Board; shall be the representative and directive head in the general conduct of HCACDL affairs; shall perform whatever other duties may be necessary to fulfill his



responsibilities prescribed by the bylaws; and shall be an ex officio member of all committees.

(b) The Vice-President shall perform such duties as the President may assign, and shall succeed to the duties of the President in the temporary absence or incapacity of the latter, and shall perform whatever other functions the bylaws may prescribe.

(c) The Secretary of the HCACDL shall record and permanently maintain the minutes of the Annual Meeting, all general membership meetings at which a vote is taken, and all meetings of the Board at which a vote is taken; shall maintain an inventory of HCACDL property other than bank deposits and cash on hand; shall serve the Board in the procedure governing elections and amendments of bylaws; shall send all the required notices to members; shall conduct whatever other correspondence the President, Board, or the HCACDL may require; shall manage and distribute the publications of the HCACDL; shall maintain a current mailing list of members and others designated to receive HCACDL publications but shall not release said list to non-members without prior permission from the Board; shall have general charge of the files of HCACDL correspondence; and shall perform whatever other duties the bylaws may prescribe or the President may assign.

(d) The Treasurer of the HCACDL shall collect and, where appropriate, bill the dues, assessments and other monies payable to the HCACDL; shall maintain all the financial records of the HCACDL; shall promptly record all HCACDL receipts and shall deposit same within one month of receipt in a banking institution approved by the

Board, shall issue and sign checks for the withdrawal of said receipts in payment of HCACDL obligations; shall endorse checks for deposit only in the bank account of the HCACDL; shall maintain a current record of the standing of all members in respect to the payment of dues and shall report to the Board the names of those persons who have been notified of their delinquency in the payment of dues in excess of ninety (90) days; shall cause to be prepared financial statements of the HCACDL as of the end of each fiscal year; shall maintain the financial statements and make them available to all members upon request; shall submit a report to the Board on the financial condition of the HCACDL whenever requested by that Board; and shall perform whatever other duties the bylaws may prescribe or the President may assign.

(e) The Directors of the HCACDL shall serve on the Board and participate thereon in the management of the HCACDL.

## ARTICLE VII

### Meetings

1. Annual meetings. There shall be an Annual Meeting of the HCACDL in May or June of each year. The business transacted at this Annual Meeting shall include together with whatever other matters the Board may deem appropriate, the election of officers and directors.

2. Special meetings. The President may call special meetings of the HCACDL.

3. Quorum. Six (6) voting members of the HCACDL in good standing shall be sufficient to constitute a quorum to transact business at the Annual Meeting of the HCACDL so long as the general membership was given at least fourteen (14) days advance notice of the meeting.

4. Resolutions, motions, and other actions generally. Resolutions, motions and other action shall be deemed approved by the affirmative vote of the majority of the valid votes cast in all instances except where it may be otherwise specifically prescribed by these bylaws.

5. Meeting procedure. Except as otherwise provided by these bylaws, meetings of general membership, the Board, and all committees shall be conducted informally, except when a vote is to be taken, in which case the vote shall be recorded.

## ARTICLE VIII

### Committees

1. Special Committees. The President shall appoint and designate the members and chairperson of all special committees created by the President for specific purposes and duration, but not to exceed the term of the appointing president

2. Functions of Committees. All special committees shall report to the Board as to their activities whenever requested by the Board.

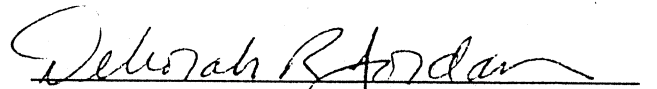
ARTICLE IX

Adoption and Amendment of Bylaws

1. Method. The bylaws may be adopted, amended, or rescinded at any meeting of the Board of Directors of the HCACDL by an affirmative vote of a majority of the board members in good standing present and voting, provided that notice of the proposed action shall have been given by the Secretary to the voting members of the HCACDL at least ten (10) days before the meeting at which such action is proposed to be taken. This notice may be by announcement at any meeting of the general membership or by written notice provided by mail or telefacsimile transmission.

2. Effective Date. These bylaws and all amendments thereto shall take effect immediately upon adoption by the HCACDL Board unless otherwise specifically so provided.

ADOPTED this 30<sup>th</sup> day of January, 1998<sup>5</sup>, by an affirmative vote of a majority of the Board of the HCACDL voting.

  
DEBORAH R. JORDAN, SECRETARY  
Hillsborough County Association  
of Criminal Defense Lawyers