

# **RIACDL BYLAWS**

## **ARTICLE I**

### **NAME, OFFICES**

Section 1. The name of this organization is the Rhode Island Association of Criminal Defense Lawyers, Inc.

Section 2. The Association may have offices at such place as the Executive Committee may from time to time appoint.

## **ARTICLE II**

### **OBJECTIVES AND PURPOSES**

Section 1. Objective and Purposes. The objectives and purposes of the Association are to foster, maintain and encourage the integrity, independence and expertise of lawyers engaged in the practice of criminal law; to work toward achieving justice and dignity for persons accused of crimes, and to influence the criminal law and criminal procedure for the betterment of the criminal justice system and members of the Association.

## **ARTICLE III**

### **MEMBERSHIP**

Section 1. Regular Membership. Membership in the Association shall be available to any lawyer admitted to the Rhode Island Bar who is actively engaged in the practice of criminal defense. Each regular member shall be

entitled to one vote on each matter brought for a vote to the membership. Regular members will have access to the “Regular Members Listserv” as well as the “General Listserv.”

Section 2. Associate Membership. Membership as an associate shall be available to any individuals whose work or expertise is substantially related to the field of criminal defense. Such associate member shall be a non-voting member of the Association. Associate members shall have access to the “General Listserv.”

Section 3. Student Membership. Membership shall be available to any law student who is interested in the field of criminal defense. Such student member shall be a non-voting member of the Association. Student members shall have access to the “General Listserv.”

Section 4. Emeritus Members. Non-voting membership shall be available to any former regular member who has substantially retired from the practice of law. Emeritus members shall be exempt from the payment of dues, and will be given access to the “General Listserv.”

Section 4. Annual Dues. There shall be annual dues, payable on or before the annual meeting of each year, the amount determined by majority vote of the Executive Committee. Renewal dues shall be paid at such time. Dues shall be paid by any person applying for membership at the time of such application.

Section 5. Expulsion from Membership. If any member fails to renew their dues within the month following the annual meeting, the Director of Membership will send that member notice (via email) that they are in arrears. If said member does not pay their dues by the following month, they will be suspended from the Association and be removed from the listserv.

Any member may be expelled from membership for cause or for his or her failure to meet the criteria for membership, by a vote of 2/3 of the Executive Committee, after proper notice to said member of the meeting at which expulsion is proposed.

## **ARTICLE IV**

### **OFFICERS**

Section 1. Designation. The Officers of the Association shall be a President, President-Elect, Director of Finance, Director of Communications, and Director of Membership.

Section 2. Election. The Officers shall be elected at the biennial meeting of the Association and shall hold office until the biennial meeting and until their successors are elected and qualified. The Officers shall be elected from candidates proposed at the biennial meeting by a Nominating Committee and such other candidates as are nominated by a regular member at the time of the election. Off-year elections shall be held for the election of a President Elect. Said elections shall be held consistent with all other provisions of these Bylaws.

Section 3. Qualifications for Officers. All regular members are qualified to stand for election as Officers. Expulsion of an Officer from membership in the Association shall automatically forfeit such Office.

Section 4. Vacancy. In the event of a vacancy by reason of death, incapacity, resignation or expulsion, an election shall be held at the next lawful meeting of membership, and nominations shall be received from the Nominating Committee if it has met during the interim between the vacancy and the meeting, and from any Regular Member.

Section 5. Duties of the Officers. The duties and powers of the elected Officers shall be as follows:

(a) President. The President shall be the Chief Executive Officer of the Association, and it shall be their responsibility to oversee and coordinate the activities of the Association and to call for and preside at its meetings. The President shall appoint the Chairs of all standing and special committees, and shall appoint the members of said committees. The President or their delegate shall be the spokesman for the Association and whenever practicable shall appear publicly for the Association and speak its policies. The President shall be responsible for declaring the agenda of all regular and special meetings. The President may authorize the expenditure of up to \$400.00 without the approval of the Executive Committee.

(b) President-Elect. The President-Elect shall assist the President in the performance of his or her duties and perform such other duties as may be prescribed for him or her by the President. In the absence of the President, the President-Elect shall preside over all meetings of the Association. In the event of the death, incapacity, resignation or removal from office of the President, the President-Elect shall carry out the duties of the President until that Office is filled by election.

(c) Director of Finance. The Director of Finance shall maintain the funds and pay the obligations of the Association, and provide periodic reports as directed by the President or the Executive Committee. The Director of Finance shall also collect the monies received from the dues of members, and report any arrearages to the Director of Membership within one month of the Annual Meeting, or as directed by the President or Executive Committee.

(d) Director of Communications. The Director of Communications shall attend and keep minutes of all meetings of the Association, shall chair the Communications Committee, shall maintain the Association's website, and shall provide periodic reports as directed by the President or Executive Committee. They shall also have such other powers and perform such other duties as are incident to the office

of Director of Communications or as may be assigned to them from time to time by the President or by the Executive Committee.

(e) Director of Membership. The Director of Membership shall actively seek and respond to the needs and interests of new members through events, meetings, phone calls, and email. The Director of Membership shall also review the membership base and both the Regular Members Listserv and the General Listserv, and will focus on expanding the membership of the Association.

Section 6. Executive Committee.

- (a) The purpose of the Executive Committee shall be to act on Association business and transactions during the interim periods between regular membership meetings.
- (b) The Executive Committee shall consist of the Officers of the Association, and eight (8) members of the Association elected at the biennial meeting by the voting membership. . Any past president of the Association who is a member of the Executive Committee as of [date of passage of these bylaws] may remain a member of the Executive Committee by giving notice to the President within fifteen days of the passage of these bylaws. After [date of passage of these bylaws], a past president may join the Executive Committee by giving notice to the President within fifteen days of the Annual Meeting at

which their term expires. Once notice is given and accepted, said past president will remain a member of the Executive Committee until they either resign, no longer meet the standards for membership in the Association, or are removed under the provision outlined in subsection (c) of this section.

- (c) Any past president who is a member of the Executive Committee must attend at least two meetings of the committee each year. (For purposes this section, a year is defined as the time between one Annual Meeting and the next.) If a past president does not attend at least two meetings in a year, they will be given notice that they are in jeopardy of being removed from the committee if they do not meet the attendance requirement the following year. If the attendance requirement is not met during the second year, said past president will be removed from the Executive Committee. Nothing in this section shall prevent a removed past president from rejoining the Executive Committee if they follow the procedures outlined in subsection (b) and meet the attendance requirements going forward.

The Executive Committee shall meet regularly between meetings of the memberships, and the times and agendas of said meetings shall be available to the membership upon request. . An affirmative vote of the majority of Executive Committee members present shall constitute action by the

Committee. The Executive Committee may conduct a vote over email if the President determines that time is of the essence.

The Executive Committee may authorize expenditures by the President or the Treasurer in excess of \$400.00. The Executive Committee shall also have authority to seek and apply for grants from any other agency where such grants will further the interests of the Association.

## **ARTICLE V**

### **MEETINGS**

Section 1. Biennial and Regular Meetings. There shall be a biennial meeting of the Association in during the even numbered years, at a time and location determined by the Executive Committee.. At least one regular meeting shall be held each year during the odd numbered years, at a time and place designated by the President. The President is authorized to schedule such other regular meetings as they deem appropriate to carry out the purposes of the Association. Notice of meetings shall be afforded to all members by email. The agenda for each regular meeting shall be available to all members at least 72 hours in advance of the meeting.

Section 2. Quorum. Those members who are eligible to vote and present at any meeting of the Association shall constitute a quorum for the transaction of business at said meetings.



Section 3. Program. The program of the biennial and regular meetings shall be devoted primarily to the furtherance of the aims, purposes, and objectives of the Association.

Section 4. Special Meetings. A special meeting may be called by written notice to the President, signed by members constituting at least 10 percent of the regular membership of the Association. A special meeting may be called only for a designated purpose, and no business beyond that purpose shall be entertained at such special meeting. Notice of a special meeting, including the designated purpose of the meeting, shall be given to all members accordance with the notice required for regular meetings.

Section 5. Any regular member in attendance may vote at any Association meeting.

Section 6. Form of meeting. Meetings may be held in person or through an electronic method of communication that permits all participating members to communicate with each other.

## **ARTICLE VI**

### **COMMITTEES**

Section 1. Standing Committees. After being elected, the President shall appoint a Chair of the following Standing Committees: Bylaws Committee, Continuing Education Committee, Legislative Committee, Judiciary Committee and Communications Committee. The President shall appoint the Chair and

members of those committees from the Regular Members of the Association. Committee members shall serve until the next biennial meeting, and there shall be no limit to the number of terms a member may be appointed or elected to serve as a committee member.

(a) Bylaws Committee. The Bylaws Committee shall review any changes to the Bylaws proposed by the President, the Executive Committee or any member of the Association, and shall recommend such changes it deems appropriate to the regular membership at any regular, or at any special meeting called for that purpose.

(b) Continuing Education Committee. The Continuing Education Committee shall propose a program of continuing education for attorneys engaged in the practice of criminal defense and shall carry out any programs approved by the Executive Committee. The expenses for any program shall be submitted for consideration before they are incurred and may be authorized by the Executive Committee.

(c) Legislative Committee. The Legislative Committee shall review all proposed legislation that affects the practice of criminal defense, and shall make such recommendations for policy of the Association as it deems appropriate to the membership or to the Executive Committee. The members of the Legislative Committee upon specific designation by the President or the Chair of the Committee, may lobby for or against

legislation which affects the practice of criminal defense, if the policy position of the Committee has been approved by the membership or the Executive Committee

(d) Judiciary Committee. The Judiciary Committee shall review appointments for judicial office and shall be responsible for developing recommendations and programs to effect the best interests of the Association in the administration of justice. The committee shall also have the responsibility for communicating the views and needs of the Association to the representatives of the Court.

(e) Communications Committee. The committee's focus will be to ensure the efficient and timely dissemination of materials and information to the membership, and to maintain the Association's website and electronic newsletter.

Section 2. Special Committee. The President shall appoint a Chair and members of any special committee which the Executive Committee authorizes. Such Special Committee shall serve for such periods, and shall have such responsibilities, as the President shall designate.

Section 3. Nominating Committee. The Nominating Committee shall, at least 15 days prior to the biennial meeting, forward to the president and Executive Committee its nominations for election to the Offices of the Association. The Nominating Committee shall ascertain, prior to making a

nomination, that the candidate is a regular member of the Association and is willing to accept the nomination.

## **ARTICLE VII**

### **BY-LAWS**

Section 1. Changes. Any member may propose a change to the By-Laws, which shall be forwarded to the By-Laws Committee for its recommendation. After review by the By-Laws Committee, that committee or any member may submit the proposed change to the membership. Any proposed change to the By-Laws shall be available upon request to any member at least 48 hours prior to the meeting at which it shall be entertained. The By-Laws may be changed by a vote of 2/3 of the members present at such meeting.

Section 2. Waiver. The notice required by Section 1, and the review by the By-Laws Committee may be waived by the unanimous vote those members present and voting at any regular quarterly meeting at which a change to the By-Laws is proposed.

The foregoing By-Laws, as amended, of the Rhode Island Association of Criminal Defense Lawyers, Inc. are effective as of February 29, 2024; as amended February 29, 2024.