

CONSTITUTION AND BYLAWS OF THE
ILLINOIS ASSOCIATION OF ADMINISTRATIVE LAW JUDGES

PREAMBLE

Whereas, during recent years there has been a phenomenal growth in the field of administrative law which affects the everyday affairs of a large segment of our population; and

Whereas, this field involves many important functions, judicial in character, including among others: the establishment of tribunals to afford fair procedure and hearings to interested and contesting parties; the conduct of impartial hearings; the control of the introduction of evidence; the maintenance of judicial decorum; and the preparation and issuance of written decisions, judicial in character; and

Whereas, these functions involve important decisions and precedents affecting, among other things, important human rights, property and contract rights, tax liability, and social and economic security;

Now therefore, we, who are members of the legal profession in the State of Illinois charged with the duties and responsibilities of exercising these judicial functions, do hereby join together and associate ourselves for the purposes of maintaining the highest professional standards and advocating improvements in the field of administrative law.

Article I - NAME

The name of this organization shall be the Illinois Association of Administrative Law Judges, hereinafter referred to as "the Association." The Association is an Illinois not-for-profit corporation.

Article II - OBJECTIVES

To foster, advocate and advance the broad purposes outlined in the Preamble, the Association will provide a common meeting ground where those persons charged with the performance of judicial functions in administrative law may:

- (A) Participate in actively seeking attainment of professional standards which will, in the interests of justice, result in the greatest service to the public.
- (B) Exchange ideas and opinions as well as invite recognized authorities in this field to appear and share their views with the members.
- (C) Study and advance improved operating procedures and techniques.
- (D) Obtain information and study material for the continuing education of members of the Association.

(E) In conjunction with the National Association of Administrative Law Judges, establish a code of ethics.

(F) Cooperate with other judicial or quasi-judicial societies or associations composed of Lawyers, Hearings Referees, Administrative Law Judges, Arbitrators, Trial Examiners, Hearings Supervisors, Administrative Supervisors, etc., in this state or in any other state, or in the United States, on problems of mutual interest and concern.

(G) Engage in such other activities as may be deemed necessary and proper to further the objectives of the Association.

Article III - MEMBERSHIP

Section 1. Eligibility

(A) Active Membership.

All Hearing Examiners, Hearing Officers, Hearings Referees, Arbitrators, and "Administrative Law Judges," as defined in the Illinois Administrative Procedure Act, shall be eligible to apply for membership in this Association, and upon payment of dues shall be entitled to all rights and privileges of such membership.

All other persons employed by governmental agencies within Illinois, who are empowered to preside over statutory fact-finding hearings or appellate proceedings arising within, among or before public agencies or who are empowered to prepare decisions for a higher tribunal, or manage such activities, are eligible for active membership in the Association and upon payment of dues shall be entitled to all rights and privileges of such membership.

(B) Associate Membership.

Associate membership in the Association may be granted by the Executive Board to those persons not eligible for active membership. Associate members shall pay dues, shall be welcome to participate in meetings of the Association, but shall not be entitled to hold office or vote on any business or in any election of the Association.

(C) Honorary Membership.

Honorary membership may be conferred, by a majority vote of the membership voting thereon, on those persons who have rendered outstanding services in administrative law or related fields. Honorary members will have the same rights and privileges as associate members. Honorary members shall not be required to pay dues.

Section 2. Membership in National Association

All active members of the Association shall be members of the National Association of Administrative Law Judges. All associate members of the Association shall be associate members of the National Association of Administrative Law Judges.

Section 3. Termination of Membership.

Active membership in the Association shall be terminated for the following causes:

(A) Resignation or permanent separation from qualifying employment or office.

(B) Failure to pay dues.

(C) Expulsion for cause upon vote of the Executive Board.

Article IV - DUES

Section 1. Due Annually

The fiscal year of the Association shall be the twelve-month period beginning July 1 of each year. The annual dues of the Association shall be paid to the Association in the amount of \$35.00 for each active and associate member unless changed by a majority vote of the membership at a regular or special meeting. Dues not paid within three months of the beginning of each fiscal year are delinquent.

Section 2. New Members

An individual becoming an active or associate member of the Association prior to January 1 of the fiscal year shall pay a full year's membership dues. An individual becoming a new active or associate member on or subsequent to January 1 of the fiscal year shall pay a full year's membership dues but shall be considered fully paid through the current and next fiscal year.

Section 3. Special Assessments

Special assessments may be proposed by the Executive Board and shall be submitted to the membership-at-large for approval by a majority of those voting.

Section 4. Forfeiture of Rights

Members of the Association whose annual dues are not paid within three months after the beginning of the fiscal year, or new members within three months of becoming active members, shall be, after thirty days' notice, declared delinquent and shall forfeit all rights to vote, hold office and serve on committees. The notice may be sent at any time after the dues have become delinquent. Dues shall be accepted up to the time of expiration of the thirty days' period of notice, which shall be in writing.

Section 5. Reinstatement

Membership forfeited for failure to pay dues may be reinstated at any time upon the payment of the delinquent dues and any other amounts due, if any.

Article V - LIMITATIONS

Section 1. Representations

The general membership, the Executive Board, the officers, or the committees shall take no action and shall make no representation on behalf of the Association that is incompatible with the objectives of the Association.

Section 2. Political Advancement

No action or representation shall be made by the general membership, the Executive Board, the officers, or the committees t.

Article IV - DUES

Section 1. Due Annually

The fiscal year of the Association shall be the twelve-month period beginning July 1 of each year. The annual dues of the Association shall be paid to the Association in the amount of \$35.00 for each active and associate member unless changed by a majority vote of the membership at a regular or special meeting. Dues not paid within three months of the beginning of each fiscal year are delinquent.

Section 2. New Members

An individual becoming an active or associate member of the Association prior to January 1 of the fiscal year shall pay a full year's membership dues. An individual becoming a new active or associate member on or subsequent to January 1 of the fiscal year shall pay a full year's membership dues but shall be considered fully paid through the current and next fiscal year.

Section 3. Special Assessments

(1) Four quarterly meetings of the membership, to be known as "regular meetings."

(2) Special meetings of the membership.

(B) Any active member in good standing of the Association shall be entitled to attend and vote in any membership meeting.

Section 2. Membership Meetings

(A) The regular membership meetings shall be held quarterly at a time and place determined by the Executive Board. At least ten of the members must be present to constitute a quorum.

(B) Special meetings of the membership may be held as directed by the Executive Board. The same requirements for a quorum shall prevail as for the regular meetings.

(C) The regular meeting held during the second calendar quarter of each year shall be designated as the "annual meeting" of the Association, at which time the officers and five Executive Board members shall be elected.

Article VII. EXECUTIVE BOARD

Section 1. Composition

The Executive Board shall consist of the immediate past president, the elected officers of the Association, and five Executive Board members who shall be elected at the annual meeting of the Association. The term "Executive Board" as used in these bylaws shall be deemed synonymous with and as referring to the term "Board of Directors" as used in the applicable statutes, including the "Illinois General Not-for-Profit Corporation Act." The Executive Board shall also include one member as an "agency representative" for each governmental agency, as determined by the Board, unless already represented on the Board, for each agency in which a member of the Association is employed.

Section 2. Election

The five Executive Board members excluding officers and the immediate past president shall be elected each year by majority vote of those voting at the annual meeting. The agency representatives shall be elected by those members within such agency.

Section 3. Replacement of Members

Whenever any elected member of the Executive Board vacates an office, a majority of the remaining members shall have the power and duty to appoint a substitute for the remaining portion of the term.

Section 4. General Administration

The administration of the affairs of the Association shall be vested in the Executive Board, which shall carry out any and all authorized recommendations and instructions emanating from the membership. It shall give special attention to the executive detail to the end that the general policies of the Association as provided in the Constitution and Bylaws may have power and effect.

Section 5. Meetings

Meetings of the Executive Board shall be called at the discretion of the President or upon the request of a majority of the members of the Executive Board. The meetings shall be at the time and place designated by the President or a majority of the members of the Executive Board if the meeting is not called by the President. Five members of the Executive Board shall constitute a

quorum for the transaction of business, however, at no time shall this number constitute less than one-third of the members of the Executive Board.

Section 6. Appeal

The right to appeal to the Executive Board and to the membership is hereby granted to all active members. Decisions on appeal to the membership shall be final and binding on the Executive Board and all officers and members.

Article VIII - OFFICERS

Section 1. General

The officers of this Association shall be the President, who will be Chair of the Executive Board, a Vice-President, who will be Vice-Chair of the Executive Board, a Secretary and a Treasurer. Officers must be paid-up active members in good standing of the Association.

Section 2. Election

(A) The officers shall be elected each year by a majority vote at the annual meeting and installed to take office at the conclusion of the meeting. The officers shall hold office for one year or until their successors are elected and installed. All elections shall be by secret written ballot.

(B) Where no candidate for an office has received a majority on the first ballot in such an election the two candidates having the highest number of votes shall be considered in a further ballot by the membership and the highest of these on the second ballot shall be declared elected.

Section 3. Duties of the President

(A) The President shall be the chief executive officer of the Association. The President shall preside at all membership meetings of the Association and meetings of the Executive Board. The President may call meetings of the Executive Board and all regular and special committees.

(B) In the absence of a chair of any of the committees, or in the event of disability of such chairs, the President shall designate a member thereof to act temporarily.

(C) It is the duty of the President to appoint the members and designate a chair of all the regular committees of the Association. The President may also appoint and dissolve for cause special committees, subject to the approval of the Executive Board. Such chairs and members of committees appointed by the President shall serve until replaced by the President.

(D) The President shall render an annual report to the Annual meeting and may submit such recommendations as the President deems necessary.

(E) The President shall perform all duties that pertain to the office and such other duties as may from time to time be prescribed by the Executive Board.

Section 4. Duties of the Vice-President

(A) In the event the President is unable to perform the duties of the office, the Vice-President shall serve as acting President until such time as the Executive Board shall elect a successor.

(B) The Vice-President shall also perform such duties as are assigned by the President, and shall act for the President upon request.

Section 5. Duties of the Secretary

(A) The Secretary shall be responsible for keeping a correct record of the Association and of the regular and special meetings of the membership.

(B) The Secretary shall be custodian of the records of the Association.

(C) The Secretary shall be responsible for such other duties as may be assigned from time to time by the President or the Executive Board.

(D) The Secretary shall prepare the minutes of each meeting of the Executive Board or meeting of the membership. In addition, within thirty days after each meeting the Secretary shall prepare a summary of the substance of actions taken or declined to be taken at each meeting and make such summary available to the Executive Board and to the membership.

(E) The Secretary shall file an annual report with the Illinois Secretary of State in the form and manner required by statute.

Section 6. Duties of the Treasurer

(A) The Treasurer shall be responsible for the collection of dues for the Association; shall establish a bank account or accounts in the name of the Association; shall be responsible for paying all bills and expenses of the Association; shall submit to the President or the Executive Board regular statements of the condition of the treasury; and shall be responsible for keeping the accounts and books of the Association and the filing of financial reports or statements required by statute.

(B) The Treasurer shall render a statement of the financial condition of the Association to the Annual Meeting and at such other times as requested by the President or the Executive Board.

Section 7. Signatures

Funds of the Association may be withdrawn from the bank by checks which shall be signed by any two of the following four officers: President, Vice-President, Secretary, Treasurer.

Section 8. Rules of Procedure

Proceedings of all meetings shall be governed according to Robert's Rules of Order, except as otherwise established by the Articles, the Constitution and Bylaws or the rules adopted by the Executive Board.

Section 9. Replacement of Officers

Whenever any officer resigns a position that officer shall no longer be a member of the Executive Board and a replacement will be selected as provided in Section 3 of Article VII of these Bylaws.

Article IX - COMMITTEES

Section 1. Identity of Standing Committees

The Standing Committees shall be the Program, Professional Advancement, Legislative and Civil Service, and Nominating, and there shall be special committees as may be authorized from time to time appointed by the President subject to the approval of the Executive Board.

Section 2. General Committee Functions

(A) All committees shall be appointed by the President with the consent of the Executive Board.

(B) The standing committees shall report to the President and the Executive Board and, on request, to the general membership.

(C) The President shall be an ex-officio member of all committees.

(D) Committees shall meet upon the call of their respective chairs or upon the request of the President.

(E) The various standing committees shall have such duties as are outlined below and such other duties as may be assigned to them from time to time by the President or by the Executive Board.

(F) All committees shall consist of two (2) or more members.

Section 3. Program Committee

The Program Committee shall design, develop, and initiate programs for the education and training of the membership. This committee shall make recommendations to the Executive Board for conferences, seminars, panels, lectures and discussion groups, relating generally to the work of administrative law judges.

Section 4. Professional Advancement Committee

The Professional Advancement Committee shall concern itself with the professional advancement of the members in their chosen field of administrative law. To this end it will set

forth and recommend standards of qualification and performance in the professional work of hearing and deciding administrative appellate proceedings, shall organize current available information on professional requirements in the field, and shall make recommendations for a program calculated to advance the professional skills and achievements of the members and to enhance the status and quality of administrative appellate proceedings. To this end it may study the organization, management, and administration of appropriate governmental agencies and make available to them constructive technical advice and suggestions compatible with the aims of the Association. It shall cooperate with the Legislative and Civil Service Committee to develop such laws, job specifications, examination techniques, and civil service rules as will promote the highest professional development of the members.

Section 5. Legislative and Civil Service Committee

The Legislative and Civil Service Committee shall investigate, initiate and develop legislative measures; inquire into the causes and effects of legislation or policy inconsistent with the aims and policies of this organization, in order to further the development and maintenance of high professional standards and efficiency in the conduct of administrative hearings and in the field of administrative law. In cooperation with the Professional Advancement Committee, it shall advocate, develop, and recommend to the Executive Board and the membership such action in connection with job specifications, civil service standards, rules, laws, and other matters within the framework of the legal and the civil service structure as is calculated to advance the best professional standards of the membership.

Section 6. Nominating Committee

The President shall appoint a Nominating Committee. The Nominating Committee shall nominate a slate of all officers and five elected Board members. The slate shall be submitted in writing to each of the members of the Association at least thirty days before the annual membership meeting. At the annual membership meeting at which the election is held, those members nominated by the committee shall be considered as automatically nominated and additional nominations may be taken at the time of the election. All nominees shall be treated in the same fashion at the election.

Article X - AMENDMENTS

Section 1. Proposed Amendments

- (A) Amendments may be proposed by a majority vote of the Executive Board.
- (B) Amendments may be proposed by members by means of a petition signed by at least ten members. Such petition must be delivered to the Secretary at least four weeks prior to a meeting of the Association.
- (C) Proposed amendments must be presented in writing to all members at least two weeks prior to a meeting of the Association.

Section 2. Approval

Amendments to these Bylaws shall be approved by a two-thirds vote of the active members present at a regular meeting of the Association.

Article XI - RATIFICATION

By the adoption of these Bylaws all prior acts and resolutions performed and promulgated by the predecessor Illinois Society of Hearings Referees are hereby confirmed, ratified and adopted as the acts and resolutions of this Association.

10/99