

# Probation Officers Professional Association of Indiana, Inc.

## BYLAWS

Revised and Approved by Membership September 4, 2014

**DRAFT REVISION FOR 2015 POPAI Annual Meeting  
Approved by POPAI Board July 8, 2015**

### *Article I*    **NAME**

The Name of the organization shall be PROBATION OFFICERS PROFESSIONAL ASSOCIATION of Indiana, Inc. Henceforth, the Probation Officers Professional Association of Indiana, Inc. shall be referred to as POPAI.

### *Article II*    **STATEMENT OF PURPOSE**

To support, promote, and encourage quality probation services in the interest of communities and courts in Indiana.

### *Article III*    **OFFICES**

The principal address of the Association in the State of Indiana shall be located in the city of Fort Wayne, County of Allen. The Association may have such other offices and/or mailing addresses as the Executive Board may designate or as the affairs of the Association may require.

### *Article IV*    **DEFINITIONS**

- A. **Probation Officer** – A person appointed by the Court or contracted by a Probation Department to serve as a Probation Officer, who is certified or is working to be certified by the Judicial Conference of Indiana.
- B. **Majority** – A majority vote is defined as one half (1/2) plus one (1), of the total eligible voting members present.
- C. **Written Notice** – Written notice includes notice sent via U.S. mail, facsimile (fax), and/or via Electronic mail, most commonly abbreviated email or e-mail.

## Article V MEMBERSHIP

### A. Qualification

**Section 1. Probation Officer Membership.** Probation Officer membership shall be limited to persons currently employed as Probation Officers in the State of Indiana.

**Section 2. Associate Membership.** Associate membership shall be limited to individuals who are certified as Probation Officers in the State of Indiana who formerly worked in the field of Probation for a minimum of three (3) years, and are now working in a related correctional service in the State of Indiana.

**Section 3. Emeritus Membership.** Emeritus membership shall be limited to former Probation Officer members who have been members for a minimum of ten (10) years, and have now retired from the field.

**Section 4. Honorary Membership.** Honorary membership shall be awarded to certain individuals who have made a significant contribution to the field of Probation in the State of Indiana, following review and selection by a nominating committee.

**Section 5. Life Membership.** Life membership shall be awarded to **current or** former Probation Officer members, who have been members for a period of twenty (20) years. **Current or F** former Probation Officer members wishing to apply for a Life Membership must contact ~~his/her District Representative~~ **any member of the Executive Board** who will bring the application request to the Executive Board. The Executive Board will verify qualifications and award Life Membership to qualified applicants.

**Section 6. Contributing Membership.** Contributing membership shall be awarded/limited to corporations, foundations, or individuals who wish to contribute to POPAI.

**Section 7. Intern Membership.** Intern membership shall be limited to individuals working as interns in Probation Departments in the State of Indiana.

**Section 8. Support Staff Membership.** Support staff membership shall be limited to individuals directly involved in the delivery of Probation services in the State of Indiana (i.e., secretarial staff, administrative assistants, and any other administrative staff) as approved by the Executive Board if in question.

**Section 9. Student Membership.** Student membership shall be limited to individuals enrolled in a college or university with an interest in criminal justice or a related field, upon payment of annual dues.

**Section 10. Change of Status.** Any individual can petition to the Executive Board to change the status of membership, if he/she can show cause why such status change is needed (i.e., due to change of employment or job description).

## **B. Membership Year**

The membership year shall run from January 1<sup>st</sup> through December 31<sup>st</sup> for each year in which annual membership dues are received. Membership dues paid after September 1<sup>st</sup> in 2014 shall extend the membership until December 31, 2015. Membership dues paid after January 1, 2015, and each year thereafter, shall be credited to the year in which the dues are received.

## **C. Voting Privileges**

Each Probation Officer member and Life member shall be entitled to one (1) vote.

## **Article VI DUES**

- A. Establishment of Annual Dues** - Annual dues shall be set from time to time by a two-thirds (2/3) vote of the Executive Board.
- B. Payment of Annual Dues** - All membership levels except Emeritus, Honorary, and Life are subject to the payment of annual membership dues.
- C. Retention of Membership** – Individual membership is not transferable. An individual retains membership as long as he/she continues to qualify for the membership level as defined in *Article V MEMBERSHIP* and upon payment of annual dues if not an Emeritus, Honorary, or Life member.

## **Article VII EXECUTIVE BOARD**

### **A. Eligibility and Qualifications**

**Section 1. Election of Executive Board.** The Executive Board shall be elected by the voting membership of the Association.

**Section 2. Executive Board Qualifications.** All Executive Board members must **be employed as a probation officer in Indiana, be certified as a probation officer** ~~meet the qualifications to serve as a Probation Officer as set out~~ by the Judicial Conference of Indiana and be a probation officer member or life member of POPAI in good standing. ~~Any verifiable criminal, moral, or unethical act committed by an Executive Board member while acting in that capacity may result in the request for resignation from the Executive Board.~~

**Section 3. Office of the Past President.** The immediate Past President of the Association shall serve as a member of the Executive Board, and shall have a vote in the Executive Board matters.

**Section 4. Chair of Probation Officers Advisory Board.** The Chair of the Probation Officers Advisory Board (or designee) shall serve as a member of the Executive Board with full voting rights per the terms of a reciprocal agreement with the Probation Officers Advisory Board and the Indiana Judicial Center.

## **B. Composition**

**Section 1. Executive Board Composition.** The Executive Board shall consist of: one district representative from each POPAI district; President; Vice President; Secretary; Treasurer; Immediate Past-president of POPAI; and Chair of the Probation Officers Advisory Board (or designee).

**Section 2. Executive Board Selection.** District Representatives shall be elected by the membership of that district. **Life members no longer employed as a probation officer in Indiana shall not vote for district representatives.** The President, Vice-President, Secretary, and Treasurer shall be elected by the voting membership of the Association.

## **C. Duties**

The Executive Board shall conduct the business of the Association between annual meetings; implement the policies, practices and programs established by the Association; and approve the annual budget.

## **D. Term of Office**

**Section 1. District Representatives.** District Representatives from even numbered districts will be elected on even numbered years and District Representatives from odd numbered districts will be elected on odd numbered years. All terms for elected District Representatives shall be two (2) years.

**Section 2. Service.** Members of the Executive Board shall serve until their successors take office, and/or upon acceptance of their resignation by the Executive Board.

**Section 3. Terms.** District Representatives shall begin their term at the first Executive Board meeting following the date of the election at the annual Association business meeting.

**Section 4. Attendance.** If any District Representative fails to attend three (3) consecutive meetings without an excuse acceptable to the Executive Board, he or she may be discharged from the Executive Board by a two-thirds (2/3) vote of the Executive Board.

**Section 5. Term Limits.** A District Representative to the Executive Board may serve no more than two (2) consecutive elected terms in office.

## **E. Quorum**

Seven (7) voting Executive Board members shall constitute a quorum (not to include the President or acting President who may only vote in the event of a tie). A quorum must be present for the Executive Board to take official action on Association business matters.

## **F. Removal from Office**

**Section 1. Executive Board Member Removal.** Any Executive Board member shall be removed from office if approved by a majority vote of the total eligible voting Association membership present at the annual business meeting or special meeting called to address a petition for such.

**Section 2. Petition.** A petition to remove an Executive Board member shall be signed by 25% of the voting membership before being presented to the Executive Board. The petition should specify the Executive Board member in question, reason for the requested removal and suggested location for the special vote to take place. The petition should also include information and/or evidence as to the reason for the requested removal from the position on the Executive Board.

**Section 3. Presentation of Petition to Membership.** If the Petition for Removal is received 90 days or less prior to the scheduled annual business meeting of the Association, the petition will be presented to the membership at the annual business meeting by the Executive Board. If the Petition for Removal is received more than 90 days prior to the scheduled annual business meeting of the Association, the Executive Board will schedule a Special Meeting to address the petition.

**Section 4. Written Notice.** At least ten (10) days written notice shall be sent to each voting member of the Association, advising of the place, day, hour, and purpose of the Special Meeting.

## **G. Resignation from Office**

An Executive Board member may resign from office by submitting a letter of resignation to the members of the Executive Board. **Any verifiable criminal, moral, or unethical act committed by an Executive Board member while acting in that capacity may result in the request for resignation from the Executive Board.**

## **H. Vacancies**

**Section 1. Executive Board Vacancies.** Vacancies on the Executive Board shall be filled by a majority vote of the remaining membership of the Executive Board if the vacancy occurs more than 120 days before the term of office for that position expires. The position shall remain vacant until the next regular/annual or special election as defined in *Article XII ELECTIONS* if the vacancy occurs less than 120 days before the term of office for that position expires.

**Section 2. Assumption of Duties.** The newly appointed member shall assume the full duties and responsibilities of the position until the next regular/annual or special election can be held in order to allow the Association membership to confirm the newly appointed member if the position is not up for election or vote upon a replacement for the position if the position is up for election.

## Article VIII OFFICERS

### A. Eligibility and Qualifications

**Section 1. Officers of POPAI Board.** The officers shall be elected by the voting membership of the Association.

**Section 2. POPAI Officer Qualifications.** Any acting officer must **be employed as a probation officer in Indiana, be certified as a probation officer** ~~meet the qualifications to serve as a probation officer as set out~~ by the Judicial Conference of Indiana and be a probation officer member or life member of POPAI in good standing. ~~Any verifiable criminal, unethical act committed by an Executive Board Officer may result in the request for resignation of that officer.~~

### B. Officers

**Section 1. Composition.** Officers of the Association shall consist of the President, Vice-President, Secretary, and Treasurer. Each officer shall serve a two (2) year term upon election of the voting membership of the Association.

**Section 2. Executive Board.** The President, Vice-President, Secretary, and Treasurer shall be elected by the voting membership of the Association, and will serve as members of the Executive Board, in addition to the elected District Representatives.

**Section 3. Election Years for Officers.** The President and Secretary shall be elected in the even numbered years, and the Vice-President and Treasurer shall be elected in the odd numbered years.

**Section 4. Assumption of Duties.** Officers shall serve until their successors take office, and/or upon acceptance of their resignation by the Executive Board.

**Section 5. Officer Limitations.** No officer may simultaneously serve as a District Representative to the Executive Board.

### C. Duties

**Section 1. President.** The President shall serve as the chairman of the Executive Board and of the Association membership. The President shall chair meetings of the Executive Board. The President shall serve as the ex-officio member of all committees and shall also perform such other duties as may be specified by the Executive Board. The President shall inform the membership at the annual business meeting of the programs and activities pursued by the Executive Board.

**Section 2. Vice-President.** The Vice-President shall be responsible for the organization of the annual meeting of the Association. The Vice-President shall serve in the capacity of President in the absence of the President.

**Section 3. Secretary.** The Secretary shall keep the minutes of all Executive Board meetings which will be given to all Executive Board members with notice of the next meeting in accordance with notification requirements, keep the records of memberships, and maintain a corrected copy of the bylaws and articles of incorporation. The Secretary shall also serve in the capacity of President in absence of the President and Vice-President in a line of succession.

**Section 4. Treasurer.** The Treasurer shall be the chief financial officer of the Association and shall maintain all financial records. The Treasurer shall disburse funds upon approval of the Executive Board and submit a financial statement to the Executive Board at each regular meeting. The Treasurer shall submit a financial statement to the membership at the annual meeting of the Association. The Treasurer will provide an audited statement within sixty (60) days after the close of the fiscal year. The Treasurer will be bonded by a bond purchased by the Association. The Treasurer shall also serve in the capacity of President in absence of the President, Vice-President, and Secretary in a line of succession.

**Section 5. Vacancies.** Should a vacancy occur in the office of President, the Vice-President will assume the office. Should a vacancy occur in the office of Vice-President, Secretary, or Treasurer, the Executive Board shall fill the office by a majority vote of the eligible voting Executive Board members as defined by *Article VII, H. Vacancies.*

**Section 6. Voting Rights.** The Vice-President, Secretary, and Treasurer, along with the District Representatives, shall have voting rights. The President or acting President may only vote in the event of a tie.

#### **D. Term of Office**

**Section 1. Assumption of Duties.** Officers begin their term at the first Executive Board meeting following the date of the election at the annual business meeting.

**Section 2. Attendance.** If any officer fails to attend three (3) consecutive meetings without an excuse acceptable to the Executive Board, he or she may be discharged from the Executive Board by a two-thirds (2/3) vote of the Executive Board.

#### **E. Removal from Office**

Officers of the Executive Board are subject to removal from office pursuant to the same procedures which apply to all Executive Board members. Refer to POPAI Bylaws, *Article VII. F. Removal from Office.*

#### **F. Office of the Past President**

The immediate Past President of the Association shall serve as a member of the Executive Board, and shall have a vote in the Executive Board matters.

## **G. Chair of Probation Officers Advisory Board**

The Chair of the Probation Officers Advisory Board (or designee) shall serve as a member of the Executive Board with full voting rights per the terms of a reciprocal agreement with the Probation Officers Advisory Board and the Indiana Judicial Center.

## **H. Resignation from Office**

An Officer may resign from office by submitting a letter of resignation to the members of the Executive Board. **Any verifiable criminal, moral, or unethical act committed by an Officer while acting in that capacity may result in the request for resignation from the Executive Board.**

# ***Article IX COMMITTEES***

## **A. Committee Types**

Standing and special committees may be established by the President with the approval of the Executive Board.

## **B. Composition**

Each committee shall consist of at least three (3) members who may be chosen from the membership. At least one member of any committee shall be an Executive Board member.

## **C. Chairman**

The President of the Executive Board shall appoint a chairman for each committee; said chairman must be a Probation Officer member, a Life Member, or a member of the Executive Board.

## **D. Approval of Activities**

Each committee shall present to the Executive Board an outline of activities and programs for approval.

## **E. Appointment of Committees**

The President shall appoint the chairman (except in accordance with ***Article XII, C, Section 1, Composition***, the Election Committee chairman shall be appointed by the Election Committee) and members of each standing committee at the first regularly scheduled Executive Board meeting following the annual business meeting.

## **F. Absences**

Any committee member who fails to attend three (3) successive meetings of the committee without an excuse acceptable to the Executive Board shall be discharged from that committee.



**Article X EXECUTIVE COMMITTEE**

**A. Composition**

The Association will have an Executive Committee which shall consist of the elected officers of the Association.

**B. Duties**

The Executive Committee shall conduct necessary business of the Association between meetings of the Executive Board. It shall report its action for approval at the next Executive Board Meeting. The committee shall submit emergency action which exceeded its authority to the Executive Board for ratification.

**C. Meetings**

**Section 1. Executive Committee Meetings.** Meetings of the Executive Committee may be called by the President, or may be called by the Secretary of the Association upon written notice of three (3) members of the committee.

**Section 2. Written Notice.** At least twenty-four (24) hours written notice shall be given to all members of the Executive Board in the case of emergency meetings and at least seven (7) days otherwise. Written notice of a meeting shall include the reason for the meeting.

**D. Quorum**

A quorum shall consist of three (3) members of the Executive Committee.

**Article XI MEETINGS OF THE MEMBERSHIP**

**A. Annual Meetings**

The annual meetings of the members of the Association shall be held in conjunction with the Annual Probation Officers Fall Conference and Retreat sponsored by the Association for the purpose of electing officers and/or District Representatives and for the transaction of such other business as may come before the meeting.

**B. Special Meetings**

Special meetings of the members, for any purpose, may be called by the President or by the Executive Board. Special meetings shall also be called by the President at the request of not less than 50% of the members of the Association Executive Board. At such special meetings, special elections can be held if necessary.

### **C. Notice of Meetings**

**Section 1. Written Notice.** Written notice shall be sent to each Probation Officer member, Emeritus member, and Life member, and shall state the place, day, hour, and purpose of the meeting.

**Section 2. Advance Notice of Annual Meeting.** At least thirty (30) days written notice shall be given to the membership of an annual meeting.

**Section 3. Special Meetings.** At least ten (10) days written notice shall be given for any special meeting.

### **D. Proof of Voting Eligibility**

The Secretary of the Association shall maintain a complete list of the members entitled to vote which shall be arranged in alphabetical order and which shall include the address and/or email address of each member. Such list shall be reproduced and kept open at the time and place of the meeting and shall be subject to the inspection of any member during that time.

### **E. Quorum**

One-third (1/3) of the number of the active Association membership entitled to vote shall be present to constitute a quorum. If less than one-third (1/3) of the members are represented at the meeting, a majority of the members represented at any meeting may vote to conduct the business of the meeting.

## ***Article XII ELECTIONS***

### **A. When Elected**

The election of officers of the Association and of the District Representatives to the Executive Board shall be conducted at the annual business meeting of the Association.

**Section 1. Election of Officers.** Officers shall be elected by the voting membership of the Association. Voting for officers may be conducted by written ballot or by acclamation for uncontested elections.

**Section 2. Election of District Representatives.** The election of District Representatives will be conducted by written ballot or by acclamation for uncontested elections.

## **B. Candidates**

The chair of the Election Committee shall provide written notice to the membership indicating all Executive Board positions to be elected at least one hundred twenty (120) days prior to the annual business meeting. Letters of intent for election of Officers or District Representatives shall be submitted to the chair of the Election Committee by U.S. mail, via facsimile (fax), or via electronic mail sixty (60) days prior to the annual business meeting.

## **C. Election Committee**

**Section 1. Composition.** The non-running District Representatives to the Executive Board shall constitute the Election Committee. The Election Committee shall appoint a chair person.

**Section 2. Duties.** The Election Committee should attempt to provide at least one candidate for each office of the Association for a slate at the annual business meeting.

## **D. Slated Candidates**

**Section 1. Slate.** The chairman of the Election Committee shall provide written notice to the membership the names of the candidates as selected by the Election Committee at least thirty (30) days in advance of the annual business meeting of the Association.

**Section 2. Nomination from the Floor.** There shall be no nominations from the floor of the annual business meeting of the Association, unless there are no nominees for the position at the time of the annual business meeting.

## **E. Voting**

The President of the Association shall open the annual meeting of the Association for the election process. After the slate has been presented by the Election Committee, a vote by the voting membership of the Association shall be taken. Voting for Officers and District Representatives may be conducted by written ballot or by acclamation for uncontested elections.

**Section 1. Request for Absentee Ballot.** If a voting member cannot be present at the Annual Business Meeting, he/she may make a request to obtain an Absentee Ballot for the purpose of the election process by providing written notification to the Election Committee. Written notification to request an absentee ballot shall be received by the Election Committee no later than fifteen (15) business days prior to the annual meeting of the Association.

**Section 2. Submitting Absentee Ballots.** All Absentee Ballots must be submitted to the chair of the Election Committee by U.S. mail, via facsimile (fax), or via electronic mail at least three (3) business days prior to the first day of the annual meeting. Each ballot will be authenticated and tabulated in the manner provided by the Election Committee.

## **F. Appeals**

All appeals of the balloting and/or any questions regarding the election shall be determined by a vote of the Election Committee and Officers not slated for election or confirmation.

### ***Article XIII Districts***

Districts shall be as follows:

**District 1** – Jasper, Lake, LaPorte, Newton, Porter, Pulaski, and Starke counties;

**District 2** – Adams, Allen, DeKalb, Huntington, LaGrange, Noble, Steuben, Wells, and Whitley counties;

**District 3** – Carroll, Cass, Clinton, Elkhart, Fulton, Howard, Kosciusko, Marshall, Miami, St. Joseph, Tipton, and Wabash counties;

**District 4** – Blackford, Delaware, Fayette, Franklin, Grant, Henry, Jay, Madison, Randolph, Rush, Union, and Wayne counties;

**District 5** – Boone, Hancock, Hamilton, Hendricks, Johnson, Marion, Morgan, and Shelby counties;

**District 6** – Benton, Clay, Fountain, Greene, Montgomery, Owen, Parke, Putman, Sullivan, Tippecanoe, Vermillion, Vigo, Warren, and White counties;

**District 7** – Bartholomew, Brown, Clark, Crawford, Dearborn, Decatur, Floyd, Harrison, Jackson, Jefferson, Jennings, Lawrence, Monroe, Ohio, Orange, Ripley, Scott, Switzerland, and Washington counties;

**District 8** – Daviess, Dubois, Gibson, Knox, Martin, Perry, Pike, Posey, Spencer, Vanderburgh, and Warrick counties;

## ***Article XIV AMENDMENTS***

These bylaws may be altered, amended or repealed by the membership if a quorum is present at any regular or special meeting. Written notice of any proposed alteration to the bylaws shall be submitted to the President of the Executive Board at least sixty (60) days prior to the annual business meeting after approval by a majority vote of the Executive Board. Written notice of that proposed change shall be submitted to the membership thirty (30) days prior to the annual business meeting for action at the annual meeting.

## ***Article XV DISSOLUTION***

Upon dissolution of the Association, the Executive Board shall, after paying or making provisions for the payment of all liabilities of the Association, dispose of all the assets of the Association in a manner consistent with the purposes of the Association, and/or distribute any remaining assets to charitable or criminal justice agencies/organizations which qualify as an exempt organization(s) under section 501 (c) (3) of the Internal Revenue Code of 1954, (or the corresponding provision of any future Internal Revenue Law). Any assets not disposed shall be disposed by the Circuit Court of the county in which the principal office of the Association is located, exclusively for such purposes or such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

## ***Article XVI PARLIAMENTARY AUTHORITY***

Roberts Rules of Order, Revised, shall govern all proceedings of the Association not otherwise provided for in these bylaws.

## ***Article XVII EFFECTIVE DATE***

The original written bylaws of the Probation Officers Professional Association of Indiana, Inc. became effective when they were approved by the interim Board of Directors/Executive Board.

Revised and amended bylaws of the Probation Officers Professional Association of Indiana, Inc. become effective immediately upon passage at the annual Association meeting as outlined in the following list of amendments.

### **Amendments:**

**Section 1. 1989.** These amendments to the Bylaws of the Probation Officers Professional Association of Indiana, Inc., shall become effective, when approved by the general membership, on January 1, 1989.

**Section 2. 1991.** These amendments to the Bylaws of the Probation Officers Professional Association of Indiana, Inc., shall become effective when approved by the general membership, on May 14, 1991.

**Section 3. 1996.** These amendments to the Bylaws of the Probation Officers Professional Association of Indiana, Inc., shall become effective per approval of the Executive Board, on January 1, 1996 (regarding the change of Districts).

**Section 4. 2001.** These amendments to the Bylaws of the Probation Officers Professional Association of Indiana, Inc., shall become effective when approved by the general membership, on August 10, 2001.

**Section 5. 2005.** These amendments to the Bylaws of the Probation Officers Professional Association of Indiana, Inc., shall become effective when approved by the general membership, on September 20, 2005.

**Section 6. 2010.** These amendments to the Bylaws of the Probation Officers Professional Association of Indiana, Inc., shall become effective when approved by the general membership, on September 16, 2010.

**Section 7. 2012.** These amendments to the Bylaws of the Probation Officers Professional Association of Indiana, Inc., shall become effective when approved by the general membership, on August 15, 2012.

**Section 8. 2013.** These amendments to the Bylaws of the Probation Officers Professional Association of Indiana, Inc., shall become effective when approved by the general membership, on September 12, 2013.

**Section 9. 2014.** These amendments to the Bylaws of the Probation Officers Professional Association of Indiana, Inc., shall become effective when approved by the general membership, on September 4, 2014.

**Section 10. 2015.** These amendments to the Bylaws of the Probation Officers Professional Association of Indiana, Inc., shall become effective when approved by the general membership, on September 17, 2015.