

Proposed Amendments to AJA Bylaws

The Bylaws Committee, at the request of the Executive Committee, proposes the following amendments to the Bylaws of the American Judges Association (Words to be added are in bold; words to be deleted are ~~struck through~~)

Article VII BOARD OF GOVERNORS

Sec. 7. DISTRICTS.

District I: Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, Vermont, Quebec, Newfoundland, Prince Edward Island, Nova Scotia, New Brunswick, **Nunavut**

Rationale:

Nunavut was created April 1, 1999, as a follow-on to the Nunavut Land Claims Agreement, the largest Aboriginal land-claims settlement in Canadian history. The newest Canadian territory, Nunavut is nearly one-fifth the size of Canada. It comprises much of the Arctic area of Canada and has its own government for the approximately 29,000 Inuit and non-Inuit residents. As it is legally a territory of Canada, it should be represented in a district of the American Judges Association. Even though the territory stretches from the east coast to above the Northwest Territories, the primary population of Nunavut and its capital, Iqaluit, are located in the far northeastern part of Canada. Iqaluit is located on southeastern tip of Baffin Island, north of the province of Quebec and a little west of the Newfoundland border. Accordingly, District I is the most appropriate district to represent Nunavut.

ARTICLE VIII OFFICERS

Sec. 1. OFFICERS.

(a) The President-Elect shall become President of the Association upon the adjournment of **the General Assembly** of the next succeeding Annual Conference.

Sec. 4. TERMS OF OFFICE. Officers shall serve an annual term at the will of the Board of Governors beginning with the conclusion of the **Annual Conference General Assembly** at which elected, to the conclusion of the next succeeding Annual Conference **General Assembly**, or until their successors are elected and qualified except the Treasurer

who shall serve at the will of the Board of Governors beginning with the conclusion of the Board meeting at which elected, to the conclusion of the Board meeting provided for in Article VIII, 1(b) supra. ~~However, only for the election at the 2002 Annual Conference, the term of office for Secretary shall be two years, notwithstanding any other provisions of these bylaws.~~ If a vacancy. . . .

ARTICLE VII BOARD OF GOVERNORS

Sec. 1. TERM AND TENURE. The term of office of elected members of the Board of Governors shall be for three years, **beginning at the conclusion of the Annual Conference General Assembly at which they are elected**, and any qualified member shall serve only two successive elected terms as an elected Governor. . . .

Rationale:

The Executive Committee requested that the Bylaws be amended to clarify when the new officers take office. The proposed amendments conform with what has become practice in the last several years—the new president presiding at a Board of Governors meeting following the General Assembly meeting, and new Governors sitting at that Board meeting.

By changing the start of the office from the current “at the conclusion of the Annual Conference” to the proposed “at the conclusion of the Annual Conference General Assembly,” the new officers and governors are able to start to work immediately on problems and issues they are facing, without having to wait for a midyear Board meeting six or more months away or incurring the expense and difficulty of a specially called meeting.

In Article VIII, Section 4, the deletion of the reference to the term of office for the Secretary at the election at the 2002 Annual Conference is a house-keeping amendment, as this sentence is no longer applicable. It was inserted at the time the position of Second Vice-President was deleted, to provide for an orderly succession of officers.

Respectfully submitted,
James E. Heupel
Bylaws Chair