

**BY-LAWS
OF
THE FEDERAL ADMINISTRATIVE LAW JUDGES CONFERENCE**

Article I – Duties of Officers

Section 1. Duties of the President. The President shall:

- A. Be the Chief Executive Officer of the Conference;
- B. Speak officially for the Conference;
- C. Be a member, *ex officio*, of all Standing Committees;
- D. Preside at all meetings of the Conference;
- E. Preside at all meetings of the Executive Committee;
- F. Designate the membership of all Standing Committees and Special Committees, subject to any conditions prescribed in the By-Laws;
- G. Prepare an annual report of Conference activities which shall contain a description of undertakings of the Conference during the past year.

Section 2. Duties of the First Vice-President. The First-Vice President shall:

- A. Perform the duties of the President in the absence or inability of the President to discharge the duties pertaining to the office of President;
- B. Chair the Conference Committee;
- C. Be a member of the Legislative Committee;
- D. Perform such other duties as may be required by the President, the Executive Committee, and the Conference membership.

Section 3. Duties of the Second Vice-President. The Second Vice-President shall:

- A. Perform the duties of the President in the absence or inability of the President and First Vice-President to discharge the duties pertaining to the office of President;
- B. Chair, *ex officio*, the Communications Committee;

C. Perform such other duties as may be required by the President, the Executive Committee, and the Conference membership.

Section 4. Duties of the Secretary. The Secretary shall:

A. Prepare and maintain a record of the proceedings of all meetings of the Conference and the Executive Committee;

B. Give notice of all meetings as required;

C. Handle all correspondence and other matters as directed by the President and the Executive Committee;

D. Conduct all mail ballots other than those concerning annual election of Conference officers, and certify the results of the mail ballots to the Executive Committee;

E. Notify any member who is in arrears in payment of dues of such fact on or before the first day of September of each year.

Section 5. Duties of the Treasurer. The Treasurer shall:

A. Be the financial officer of the Conference;

B. Collect and receive all money, including dues, payable to the Conference;

C. Deposit all money received to the credit of the Conference in a bank or in such investments as may be approved by the Executive Committee;

D. Disburse money of the Conference as directed by the President and authorized by the Executive Committee or the Conference;

E. Inform the Secretary of any member who is not current in the payment of dues on the fifteenth day of August of each year;

F. Keep itemized records of all money received and from whom and for what purpose the money was paid;

G. Keep itemized records of all money disbursed and to whom and for what purpose the money was disbursed;

H. Submit a written report to the Executive Committee annually and at other times as directed by the President or the Executive Committee, on all receipts and disbursements of money;

I. Administer a Reserve Fund in an amount to be fixed by the Executive Committee, which may be drawn upon only with the express advance authorization of the Executive Committee;

J. Serve as a member of the Conference Committee.

Article II – Expenditure of Funds

Any expenditure of funds for carrying out Conference Activities shall be authorized, in advance of the expenditure, by the Executive Committee, or by the Conference at a regular or special meeting. Unless otherwise directed by the Executive Committee, the President may authorize expenditures not exceeding one thousand five hundred dollars (\$1,500.00) each for any appropriate Conference activity, and shall report such authorization at the next meeting of the Executive Committee.

Article III – Duties of Standing Committees

Section 1. Executive Committee. The representatives and alternates to the Executive Committee shall:

A. Perform those duties and obligations set forth in the Constitution of the Conference;

B. Assist the Treasurer in collecting dues from the Conference members in the agency represented by each Executive Committee representative;

C. Encourage non-members of the agency represented by each representative to affiliate with the Conference;

D. Inform Conference members in the agency represented by the representative of Conference affairs;

E. Disseminate, when requested, to members in the agency represented by the representative, published or other written materials of the Conference.

Section 2. Conference Committee. The Conference Committee shall:

A. Be the finance committee of the Conference;

B. Prepare an annual budget for the fiscal affairs of the Annual Conference, including the Annual Meeting and Seminar;

- C. Approve all regular and special fund raising;
- D. Recommend to the Executive Committee or Conference membership the amount of fees applicable to special functions of the Conference;
- E. Organize the Annual Meeting and Seminar;
- F. Have, among its membership, the First Vice-President who shall chair the Committee, the Treasurer, and the immediate past-President.

Section 3. Legislative Committee. The Legislative Committee shall:

- A. Study and report to the Executive Committee and Conference membership on all proposed legislation and Congressional activities which may affect Administrative Law Judges;
- B. Have among its membership the First Vice-President and the Second Vice-President.

Section 4. Communications Committee. The Communications Committee shall:

- A. Maintain the FALJC website and publish all reports and newsletters of the Conference prepared for the members;
- B. Publish at least three times in each Conference year a newsletter including (i) a news report of Conference activities; (ii) digests of and comments on judicial and administrative decisions of special significance to Administrative Law Judges; and (iii) a Letter to the Editors section wherein members of the Conference may write on matters of timely and substantial interest to Administrative Law Judges, or in the alternative make such matters available through the FALJC website;
- C. Have among its members the Second Vice-President who shall chair the Committee, and the Secretary.

Article IV – Elections

Section 1. Nominations.

- A. On or before February 1 of each year the President shall nominate and the Executive Committee shall appoint a Nominating Committee. The Nominating Committee shall consist of eight Conference members, not more than three of whom may be representatives or alternate representatives to the Executive Committee or Conference officers. In addition to the eight appointed

members, the immediate past-President of the Conference shall serve as an *ex officio* member of and shall chair the Nominating Committee. No more than one member of the Nominating Committee may be from or elected to represent a single agency. Any agency entitled to two or more Executive Committee representatives shall be represented by one member of the Nominating Committee. If the Executive Committee has not appointed a Nominating Committee pursuant to this Section on or before February 1, the immediate past-President shall, on or before February 25, appoint a Nominating Committee composed as provided in this Section. Within 10 days after appointment of the Nominating Committee, the Conference Secretary shall mail to each Conference member a list of the names and addresses of, and agencies represented by, the members of the Nominating Committee.

B. The Nominating Committee shall select at least one, but not more than two, candidates for each office, having previously determined that each candidate selected is willing to serve if elected. At least thirty days before the regularly-scheduled April regular meeting of the Conference membership, the list of such candidates shall be submitted to the Conference Secretary who shall mail notice of the nominations to each Conference member at least twenty days before that meeting.

C. Additional nominations may be made by written petition of not less than twelve Conference members representing at least three agencies. The petition shall be signed by the candidate so nominated, indicating a willingness to serve if elected. The petition shall be presented to any member of the Nominating Committee prior to the presentation of the report of that Committee at the April regular meeting of the Conference membership. Any nomination so received will be included as a part of the report of the Nominating Committee.

D. Only one candidate may be nominated for office from any one agency, except that more than one candidate from the same agency may be nominated for the same office, so that in any year no more than one Conference member from any one agency shall be elected to office. If a candidate is nominated by petition and the Nominating Committee nominates a candidate from the same agency for a different office, the candidate nominated by the Committee shall have priority and the name of the candidate nominated by petition will not be placed on the ballot, unless the candidate nominated by the Committee withdraws from or refuses the nomination.

Section 2. Contested Elections. In the event that more than one person is nominated for any elected office of the Conference, the Nominating Committee shall prepare a ballot, on or before April 30 of that year, in such form as it may deem desirable. The ballot, listing all candidates for each contested office in alphabetical sequence, together with instructions for use and return of the ballot, shall be mailed, as directed by the Nominating Committee, to all Conference

members. All ballots to be counted must be returned to the Committee or to the Secretary of the Conference not later than a date fifteen days after the ballot was mailed by the Nominating Committee. The ballots so received shall be opened and counted by the Committee at a time and place designated by it, notice of which shall have been given to each candidate so that they or a representative designated by the candidate may be present. The candidate for each contested office who has received a plurality of the votes cast for the office shall be certified by the Committee to the President to be the person duly elected to that office for the ensuing membership year.

Section 3. Uncontested Elections. Any candidate who is duly nominated for an elective office and not opposed shall be certified by the Nominating Committee as being duly elected to the office for which nominated for the ensuing year.

Article V – Voting

Section 1. Voting by mail or electronic mail ballot shall be required for the purposes of amending the Constitution and By-Laws, for the election of officers, and for any other matter authorized or directed by the Executive Committee.¹

Section 2. A. Except as provided in paragraph B of this section, no votes by proxy will be permitted.

B. An elected representative of an agency to the Executive Committee may authorize another elected representative or FALJC member of that agency to cast his or her vote by proxy at a particular meeting or vote of the Executive Committee, if the President has been notified in writing or by electronic mail by the representative giving the proxy that he or she agrees to have his or her vote cast under the procedures specified in this paragraph, and if an elected alternate delegate is not present for the meeting or vote.

Section 3. Any Executive Committee member may participate and vote in any meeting of the Executive Committee by teleconference.²

Section 4. The President may, after consultation with the other officers and determining that circumstances require a vote prior to the next regularly scheduled meeting of the Executive Committee, request a vote by electronic mail.

Article VI – Amendments of By-Laws

The By-Laws may be amended by a vote of a majority of those voting members who return mail or electronic mail ballots. An amendment shall be proposed by a vote of a majority of the Executive Committee or by petition of not

less than 10 percent of the voting members of the Conference presented to the Conference Secretary. The specified proposed amendment must be set forth in the ballot provided to all voting members of the Conference. The proposer of an amendment and a person opposing adoption of the amendment, if any, as designated by the Executive Committee shall prepare statements of their views, not to exceed one page each, to accompany the ballot. The Conference Secretary shall be responsible for distributing ballots and statements, if any, together with appropriate instructions to all voting members, and for counting the returns and certifying the results to the Executive Committee at its next meeting. Upon adoption of an amendment to the By-Laws, the Secretary may correct punctuation, grammar or numbering where appropriate in the By-Laws, if the correction does not change meaning.³

¹ The Bylaws were amended in 2011 to provide for voting by electronic mail.

² The Bylaws were amended in November 2012 to allow all Executive Committee members regardless of location to participate in meetings by teleconference.

³ The Bylaws were amended in 2011 to provide for voting by electronic mail.