

JUSTICES OF THE PEACE AND CONSTABLES ASSOCIATION OF TEXAS, INC.

CONSTITUTION AND BY-LAWS

ARTICLE I (Name and Purpose)

Section 1.

The name of the association shall be Justices of the Peace and Constables Association of Texas, Inc., hereinafter referred to as "The Association".

Section 2.

The purpose of The Association is to:

- A. Further the interests of local government for the people of Texas.
- B. Advance the interests of Justices of the Peace and Constables in their official capacities.
- C. Provide continuing education for Justices of the Peace, Constables, and their respective personnel.
- D. Publish and distribute reports, data and other pertinent information relative to increasing efficiency and administration of Texas Justice Courts and Constables offices.

ARTICLE II (Members)

Section 1.

Every person who holds the office of Justice of the Peace or Constable and every person serving as a Deputy Constable or Clerk or Deputy Clerk in the office of any Justice of the Peace or Constable in the State of Texas shall be eligible for regular membership. Any person so eligible may join The Association by paying the annual dues or lifetime dues in an amount set under Article XI. A person paying an annual dues amount shall be a member in good standing with all rights stated herein for the calendar year in which the dues are paid unless membership is canceled as provided in these Bylaws. A person paying lifetime dues shall be a member for life unless canceled under Article XIV.

Section 2.

Any person that is not a regular member of The Association may be appointed as an Honorary Member by the Board of Directors of The Association upon payment of a fee to be set by the Board of Directors, but shall not have a vote.

Section 3.

Any person who is eligible for membership under Section 1 and who has legally retired from that position under the terms of the Texas District and County Retirement System shall be eligible for regular membership and all rights or privileges granted by The Association except for holding elected office or an appointed committee chair.

Section 4.

The President may from time to time award not more than five "honorary life memberships". No fee may be charged for this category and no rights or privileges granted to other categories shall be available to this class of membership. The President will make these awards in writing, no more than 30 days after such award is made, and will submit this writing to the Secretary/Treasurer so a permanent records may be maintained. The President may also award not more than two "fulltime memberships" to active members that have made significant contributions to the association. These memberships shall carry all the rights and privileges as "paid" memberships. The President will make these awards in writing, no more than 30 days after such award is made, and will submit this in writing to the Secretary/Treasurer so a permanent record may be maintained.

ARTICLE III (Annual Election)

Section 1.

The Association shall hold an Annual Conference and business meeting. The Association shall at the Annual Conference elect the following officers, whose powers and duties shall be as hereinafter set forth: President, President-Elect, Second Vice-President, Third Vice-President, Secretary/Treasurer, Judge Advocate/Parliamentarian, Sergeant-At-Arms, and ten District Directors. The Incumbent President-Elect will automatically ascend to Presidency.

Section 2.

The State of Texas shall be divided in ten (10) districts, each of which shall be represented by a Director who resides therein and shall be elected at the Annual Conference.

Section 3.

District boundary lines shall be established by the Board of Directors. The boundary lines may be re-drawn from time to time by the Board of Directors, subject to the ratification of the membership at the next Annual Conference.

Section 4.

In the event that no member of the district is present at the Annual Conference, the office of director of this district becomes vacant and a member shall be appointed by the President pursuant to Article V, Section 5.

Section 5.

The Association members, at the Annual Conference, shall also elect a duly qualified Deputy Constable and a Court Clerk to serve as Directors of the Association. Each shall have voting privileges.

Section 6.

Nominations for the office of Third Vice-President shall be so regulated as to provide for the election of a Justice of the Peace one year and a Constable the next year, etcetera.

Section 7.

When any member of the Board of Directors ceases to qualify as a regular member of The Association pursuant to Article II, Section 1, he/she shall be disqualified and the office that he/she holds shall automatically become vacated.

Section 8.

Any regular member may be nominated for office or director by a regular member from the floor except as provided in Article III, Section 4.

Section 9.

A vacancy in the office of President shall be filled by a majority vote of the Board of Directors. If a vacancy in the office of the President occurs simultaneously with vacancies in other offices, the duties of the office will be performed by President-Elect or one of the Vice Presidents in their order. Should vacancies occur in all of these offices simultaneously, the Board of Directors member with the longest tenure will serve as interim President until the Board of Directors select a new president. Should two or more Board Members have the longest tenure, the succession shall be determined by the lowest district number.

ARTICLE IV
(Duties of the Board of Directors)

Section 1.

The Board of Directors shall consist of the Officers and Directors and the Immediate Past President, each of whom must be a Justice of the Peace or Constable plus the elected Deputy Constable and Court Clerk pursuant to Article III, Section 5, and who shall serve for a term of one (1) year and may be re-elected or re-appointed for additional terms.

Section 2.

The President shall call a Board of Directors meeting as needed. One day's reasonable expenses may be paid by The Association to each member thereof attending.

Section 3.

A majority of the members of the Board of Directors shall constitute a quorum for the transaction of business. The Board of Directors shall have the management and control of The Association and shall transact all business thereof, subject only to such limitations and directions as may be prescribed by vote of the regular members of The Association.

Section 4.

A two-thirds vote of the Board of Directors may call a Board of Directors meeting at any time and place, as they deem proper.

Section 5.

In the event of a vacancy in the office of President, the Secretary/Treasurer shall call a meeting of the Board of Directors at the earliest possible time. A vacancy in the office of President shall be filled by a majority vote of the Board of Directors.

Section 6.

Any regular or honorary member may be appointed by the Board of Directors as an advisory member thereof, but shall not have a vote in the transaction of business thereof.

Section 7.

The Secretary/Treasurer shall notify The Association members, through the Gavel and Badge, of any action taken at a Board of Directors meeting, other than the meeting scheduled on the day preceding the Annual Conference, no later than 90 days following the Board of Directors meeting.

Section 8.

DUTIES OF DIRECTORS shall include but not be limited to:

- A. Attendance at all meetings of the Board of Directors if possible.
- B. Contacting the members of their regions or represented groups at the direction of the President or Board of Directors concerning JPCA matters of business.
- C. Contact information for the elected officers shall be maintained on the JPCA website.
- D. Performing all other duties as assigned by the President or prescribed in the parliamentary authority adopted in these bylaws.
- E. Directors should attend regional training events to represent the JPCA if at all possible.

Section 9.

There shall be no secret ballot voting.

**ARTICLE V
(Duties of the President)**

Section 1.

The President shall preside at all meetings of the general membership of The Association and over all Board of Directors meetings.

Section 2.

The President may sign all checks. Checks over \$750.00 shall be co-signed by Secretary/Treasurer and the President. Any checks less than \$750.00 the Secretary/Treasurer will have the authority to sign.

Section 3.

The President's name shall be imprinted upon all membership cards and certificates.

Section 4.

The President may call meetings of the general membership and/or Board of Directors at such times and places as he/she may deem proper.

Section 5.

The President, with the consent of a majority of the members of the Board of Directors, shall appoint a duly qualified member to fill any vacancy on the Board of Directors. A vacancy in a District Director office shall be filled by a member that resides within said District.

Section 6.

The President shall perform all other duties pertaining to his/her office.

Section 7.

The President, unless otherwise as denoted in this Constitution, shall serve on every committee as an Ex-Officio member.

ARTICLE VI (Duties of Vice-Presidents)

In the absence of the President, the President-Elect or Vice-Presidents shall, in their numerical order, preside over all meetings.

ARTICLE VII (Duties of the Judge Advocate/Parliamentarian)

The Judge Advocate/Parliamentarian shall advise the President and the Board of Directors on the Constitution and By-Laws of the Association's procedures, and all legal questions referred to him/her.

ARTICLE VIII (Duties of the Secretary/Treasurer)

Section 1.

The Secretary/Treasurer shall keep minutes of all meetings and shall distribute a "draft" version of the minutes to the entire board within 30 days of commencement of a meeting.

Section 2.

The Secretary/Treasurer shall keep the records, books and reports of The Association, and shall make a monthly report to the President and the board of directors of all cash on hand, all expenses, all receipts, and disbursements, including all money on hand and a list of the assets and liabilities of The Association.

Section 3.

The Secretary/Treasurer shall pay all bills from the funds of The Association, and shall prepare all checks. Any checks over \$750.00 shall be cosigned. The Secretary/Treasurer shall sign all checks under \$750.00

Section 4.

The Secretary/Treasurer shall keep a complete record of all membership fees paid and all such fees that are due and unpaid, and shall file any and all necessary or proper reports required by law or under these By-Laws. The Secretary/Treasurer shall also maintain a complete record of all honorary life memberships awarded by the President from time to time, show the class of such membership and indicate in the records that no fee is due. The Secretary/Treasurer will receive notice of the awards from the President in writing.

Section 5.

The Secretary/Treasurer shall prepare all membership cards. His/her name shall be imprinted on all membership cards.

Section 6.

The Secretary/Treasurer shall be under a surety bond to The Association, in the amount to be determined by the Board, and the premium on such bond to be paid by The Association.

Section 7.

At least ninety (90) days prior to the 1ST business session of each Conference the Secretary/Treasurer shall notify the membership of The Association the date of such business session and the contact information of the Chairman of the Constitution and By-Laws Committee and advising that all resolutions to amend or add to the Constitution and By-Laws shall be delivered or mailed to such chairman not less than sixty days prior to the date of such business session. The Chairman shall then meet with the by-laws committee to discuss the proposed changes. Once agreed change is reached, it shall be posted on the website and in the Gavel and Badge at least thirty (30) days prior to the 1ST business session for the membership to consider.

ARTICLE IX (Duties of Sergeant-at-Arms)

The Sergeant-at-Arms shall maintain order at all meetings and shall assist the President by carrying out all necessary errands and by securing necessary equipment.

ARTICLE X (Duties of Chaplain)

The President shall appoint an appropriate member to serve as Chaplain. The duties shall include coordinating a Prayer Breakfast Meeting during the Annual Conference, and other duties deemed appropriate.

ARTICLE XI
(Dues)

Regular membership dues shall be set, from time to time, by a two-thirds vote of the membership at the Annual Conference. Life membership dues for regular members shall be set from time to time by the Board of Directors. Ten dollars (\$10.00) of the membership dues are to be annually deposited in the JPCA Scholarship Fund.

DUES WERE RAISED BY TEN (\$10.00) BEGINNING 2023 AT THE ANNUAL MEETING IN JUNE 2022.

ARTICLE XII
(Membership Cards and Certificates)

Section 1.

If a membership card is requested as stated in Article VIII, Section 5, card shall designate the type of membership held in The Association and the expiration date of the card.

Section 2.

Honorary membership cards shall be evidence only of such members' financial support of the proper administration of justice and law and order and their interest in the work of The Association

ARTICLE XIII
(Annual Conference)

Section 1.

The **ANNUAL BUSINESS MEETING** of JPCA shall be conducted at an annual conference to be held each year at a location selected approved by the board of directors.

- A. The Site Selection Committee shall consist of the current President, President-Elect, Secretary/Treasurer and four members of the Association appointed by the President.
- B. Cities or local host committees wishing to submit a written bid for a conference to JPCA shall submit same to the Secretary/Treasurer not later than January 31 of the year two years prior to the bid year. Should no bids be timely presented, the Site Selection Committee shall contact appropriate cities for a bid to be submitted before May 1st.
- C. The Site Selection Committee shall present proposed conference sites and dates to the membership for their approval at the Annual Conference.
- D. Once a site is selected by the membership a Conference Oversight Committee shall be appointed by the President and shall include the current President, President-Elect, 2nd and 3rd Vice-Presidents and the Secretary/Treasurer and 2 Directors from the host regions. To direct all financial and contract matters of the conference. This committee shall also be responsible for all program features of the conference.
- E. A conference Host Committee may be organized locally to provide the necessary day-to-day contact and coordination to assist the Conference Oversight Committee.

Section 2.

Records of all matters relating to the Conference shall be maintained, including the following: 1. Expenditures 2. Revenue generated and the source; 3. The number of hotel rooms booked. An itemized statement of these records shall be submitted to the President by the Chairman of said Committee within thirty days of the close of the Conference.

Section 3.

All revenue from the Conference in excess of the expenditures shall be forwarded to the Secretary/Treasurer within thirty days of the close of the Conference and is to be deposited in The Association's Legislative Fund.

Section 4.

The Board of Directors shall enter into a contract with a hotel within the host city or county, which shall be known as Conference Headquarters. The distribution of all complementary rooms and all gift items shall be vested in The Association's Oversight Committee.

Section 5.

The host city or county sponsor may form a Committee to be known as the Host Committee. This Committee shall arrange for Entertainment, Decorations, Excursions, and Meals outside Conference Headquarters. This Committee shall make certain that all persons attending the Conference are properly registered. The Host Committee shall also make available an official Conference program book and furnish door prizes and/or other incentives to insure member attendance and participation. The Host Committee shall obtain authorization from the Conference Oversight Committee before entering into any contract or agreement that would make The Association liable for payments of money.

ARTICLE XIV (Cancellation of Membership)

The Board of Directors may cancel the membership and call in the membership card of any member who has been convicted of any criminal offense involving moral turpitude or has been guilty of conduct unbecoming a member of this Association. The Board may, without cause, suspend membership privileges with a two-thirds vote. A membership suspension may be reinstated with a majority vote.

**ARTICLE XV
(Committees)**

Section 1.

The President shall appoint the following committees:

- A. Justice Court Education
- B. Constable's Education
- C. Justice Court Personnel/Clerk Education
- D. Conference Oversight
- E. Auditing
- F. Constitution and By-Laws
- G. Conference Site Selection
- H. J.P. Legislation
- I. Constable Legislation
- J. Scholarship
- K. Resolutions
- L. Promotions & Membership
- N. Special Awards Committee for Judges and Constables
- O. Special Awards Committee for Clerks and Deputies
- P. Other Committees that he/she may deem proper.

A written list of all committee appointments shall be furnished to the Secretary/Treasurer for permanent record and posted on the website as well as published in The Gavel and The Badge as called for in Article IV, Section 7.

Section 2.

The Nominating Committee shall be a standing committee, which shall consist of all past Presidents of The Association that are in good standing. Any member seeking nomination by the nominating committee may submit in writing thirty (30) days prior to the annual Conference meeting their qualifications and office sought. A list of the nominating committee shall be maintained on the association's web site.

Section 3.

The President shall not be appointed to nor may he/she serve upon any Committee of this article during his/her term as President except as specifically provided for by these By-Laws.

Section 4.

There shall be a Justices of the Peace Education Committee composed of nine Justices of the Peace who shall serve terms of three years each, with three members terms expiring each year.

Section 5.

There shall be a Constables Education Committee composed of six Constables, three Deputy Constables who shall serve terms of three years each with two Constables and one Deputy Constable Terms expiring each year. For the Texas Justice Court Training Center to be a Texas Commission on Law Enforcement education provider, there shall be an advisory Board formed in accordance with the requirements composed of the Constable Education Committee members and five members of the public who do not hold a Texas Peace Officer's license. The members shall serve terms of three tears each, with two members of the public terms expiring each year. The Advisory Board shall meet annually to approve the curriculum.

Section 6.

There shall be a Justice Court Personnel/Clerk Education Committee composed of six Justices of the Peace and three Justice of the Peace Court Clerks who shall serve terms of three years each with two Justices of the Peace and one Clerk term expiring each year.

Section 7.

Each Education Committee shall be responsible for developing curriculum and standards for the education of either Justices of the Peace, Constables, or Justice Court Personnel/Clerks as indicated by the name of the Committee, and shall monitor the implementation of their curriculum throughout the year so as to ensure a high level of effectiveness.

Section 8.

The President shall appoint from the membership of each Committee a Chairman, Vice Chairman, and a Secretary to serve for that Committee. The duty of the Chairman shall be to set the date and place of all meetings and to preside over said meetings. The duties of the Secretary shall be to keep accurate and complete minutes of all meetings of the Committee and to submit to all members of the Committee, both appointed and non-voting, a written copy of said minutes. The President shall appoint members of special committees and sub-committees pursuant to section one of this Article. These members shall serve for the duration of the project, subject to the B&O Committee Policies and Procedures.

Section 9.

The President and the Secretary/Treasurer shall be non-voting members of all three Education Committees listed herein, except the President shall vote when necessary to break a tie. So as to acquaint themselves with the important work of the Education Committees, President-Elect and all Vice-Presidents shall be non-voting members of all three Committees. In the absence of the President, the President-Elect and Vice-Presidents, in their numerical order, shall be able to vote to break a tie.

Section 10.

The Training Center Budget and Oversight Committee, hereinafter referred to as the "B. & O. Committee" shall consist of the President, President-Elect, all Vice-Presidents of The Association, the Secretary/Treasurer, the Immediate Past President, the Judge Advocate/Parliamentarian, Sergeant-at-Arms, the Chairman of the Justice Court Education Committee, the Chairman of the Constables Education Committee, and the Chairman of the Justice Court Personnel/Clerk Education Committee. The President shall be Chairman. The B. & O. Committee shall coordinate the budget requests of the Justice Court Training Center and each educational and training Committee. The B. & O. Committee shall make recommendations on budget requests for Grants on behalf of The Association. The B. & O. Committee will approve adjustments to the ongoing Grants on behalf of The Association. The B & O Committee shall establish, as needed such committees and special project committees, and shall oversee same. The B. & O. Committee shall oversee the operations of the Justice Court Training Center and set policies and guidelines for the Executive Director of the Training Center. No other Committee or person shall direct the Executive Director to set alternate policies or guidelines or to disregard policies or guidelines set by the B. & O. Committee. Final Acceptance of all Grant awards and all policies or guidelines must be presented to and remain vested in The Association's Board of Directors. The President shall call a meeting of the B. & O. Committee at least once a year before Grant applications are made and at such other times and places that he/she may deem appropriate.

Section 11.

Any appointed member of any Committee provided for by this Article may be removed by the existing President with approval of two-thirds of the Board of Directors, without cause.

Section 12.

At any meeting of any committee provided for in this article if any member is unable to attend he/she may designate any member to attend in his/her place and said person shall have the same voting rights as the absent member.

Section 13.

The President, when a Constable, shall appoint a Constable to serve as a Director for the Texas Association of Counties. The term shall be for a period of two years beginning January 1 of the following year. The President, when a Justice of the Peace, shall appoint a Justice of the Peace to serve as a Director for the Texas Association of Counties. The term shall be for a period of two years beginning January 1 of the following year. The President shall notify the President of the Texas Association of Counties by November 1 of the preceding year of the appointments. If a vacancy occurs in either position, the President at the time shall appoint a successor for the remainder of the term. If the President so chooses he/she may appoint himself/herself to one of the positions to represent the Justice of the Peace and Constables Association board as a Director for the Texas Association of Counties.

Section 14.

President-Elect, all Vice-Presidents and the Secretary/Treasurer shall serve as non-voting members of all committees. They may vote on a committee if specifically provided for in these by-laws, or if an appointed member of a committee.

Section 15.

At any meeting of any Committee, except for the Nominating Committee, provided such Committee is not in executive session, any regular member of The Association may, after being recognized by the Chairman, address an opinion on the subject under consideration by the Committee.

Section 16.

The Chairman of any Committee may limit discussion or debate on any subject matter so as to provide for an orderly and efficient flow of business.

Section 17.

The Auditing Committee and other Committees as directed by the President, shall make a report to the Annual Membership meeting of The Association prior to the election of Officers and Directors.

**ARTICLE XVI
(Fiscal Year)**

The fiscal year of The Association shall be a 12-month period to be determined by the Board of Directors.

**ARTICLE XVII
(Distribution of Funds on Dissolution)**

In the event the Justices of the Peace and Constables Association of Texas, Inc. should cease to exist, all funds of The Association on deposit in any bank or banks or on hand shall be disbursed to the State of Texas.

**ARTICLE XVIII
(Suspension of the Rules)**

There shall be no suspension of the by-laws at an Annual Conference Business Meeting concerning Conference site selection as provided for in Article XIII.

**ARTICLE XIX
(Amendments)**

Section 1.

These Bylaws may be amended by a majority vote of the voting members at the Annual Conference on a motion to amend submitted at least ninety (90) days prior to the Annual Conference to the Chair of the Bylaws Committee in writing. Such proposals shall be published on the website and in the Gavel and the Badge immediately preceding the Annual Conference. Any amendment offered from the floor of the Annual Conference without first having been considered by the Constitution and By-Laws Committee shall require a two-thirds vote of the members present.

Section 2.

In addition to the Section 1 provisions for amending the By-Laws, the By-Laws may be amended by mailing to each voting member of The Association, a proposed By-Law amendment, and by allowing at least 30 days' time for return of said ballot to the Secretary of the Association. The passage of said amendment is determined by the returns of at least two-thirds of the voting members. This mail out procedure may only commence after approval of a quorum of the Board of Directors.

Section 3.

All changes in these by-laws adopted at the Annual Conference will take effect upon adjournment of the Annual Business Meeting.

**ARTICLE XX
(Parliamentary Authority)**

Robert's Rules of Order, Newly Revised, shall be used as the parliamentary authority for all meetings and operations of the Association unless specifically detailed in this Constitution and By-Laws.

**ARTICLE XXI
(Time Capsule)**

The Justices of the Peace and Constables Association of Texas, Inc. has created a Time Capsule Project with letters, mementos, photos and articles from the various members and other state officials. This Capsule was sealed in June 2001, in the vault of the Lyndon B. Johnson Presidential Library in Austin, Texas, to be opened in the year 2050, and the items distributed to those office holders addressed. This Time Capsule should be remembered annually at the Annual Business Meeting to keep it fresh before the members.