

# **TEXAS COURT CLERKS ASSOCIATION**

**CHARTER #309589**

**ORGANIZED—MARCH 14, 1972**

# **BYLAWS**

**Revised October, 2009**

## FOUNDERS

Alexander, Gloria  
Bryant, Ruby  
Coe, Elizabeth  
Corney, Jean  
Gibson, Nadine (Proxy L.E.N.)  
Gillespie, Jennie  
Kennedy, Zelle  
Nelson, Lorna  
O'Neal, Margaret  
Sease, Joyce  
Thomas, Minnie  
Walker, Leonida

Baytown, Texas  
Galena Park, Texas  
Baytown, Texas  
Friendswood, Texas  
Hedwig Village, Texas  
Webster, Texas  
Jacinto City, Texas  
Deer Park, Texas  
Brookside Village, Texas  
La Porte, Texas  
Webster, Texas  
Shoreacres, Texas

## CHARTER MEMBERS

Aboosh, Norman D  
Akers, Anne  
Alexander, Gloria  
Anderson, Doris  
Beach, Wanda  
Bryant, Ruby  
Coe, Elizabeth  
Folkner, Truman  
Ferguson, Gail  
Gibson, Nadine  
Guthrie, Farrell  
Harris, Barbara  
Kennedy, Zelle  
Larsen, Margaret T  
Monkres, Poline  
Nelson, Lorna E  
O'Neal, Margaret  
Pittman, James C  
Prukop, Anna V  
Sease, Joyce  
Southard, John  
Thompson, Dorothy  
Walker, Leonida  
Walker, Nina M  
Weatherly, Dorothy

Beaumont, Texas  
Texas City, Texas  
Baytown, Texas  
Deer Park, Texas  
Hurst, Texas  
Galena Park, Texas  
Baytown, Texas  
Texas City, Texas  
Deer Park, Texas  
Houston, Texas  
Pearland, Texas  
Katy, Texas  
Jacinto City, Texas  
Hurst, Texas  
DeSoto, Texas  
Deer Park, Texas  
Brookside, Texas  
Houston, Texas  
Victoria, Texas  
La Porte, Texas  
Fort Worth, Texas  
Pearland, Texas  
Shoreacres, Texas  
Deer Park, Texas  
Bedford, Texas

# BY LAWS

## ARTICLE I

1. The name of the Association shall be Texas Court Clerks Association.
2. This Association was founded in 1972 by and for Texas Municipal Court Clerks and Justice Court Clerks.

## ARTICLE II PURPOSES

1. Specific and Primary Purposes. To associate any person serving in a nonjudicial capacity as court clerk, administrator, or in any other administrative capacity within the framework of court administration in an effort to better court administration.
2. General Purposes. To engage in any activity, undertaking, business or venture as shall assist or be pertinent to the carrying out of the specific and primary purposes of this corporation, so long as those activities, undertakings, businesses or ventures are non-political in nature and are concomitant with the purposes and intent of this organization in refraining from any politically motivated or associated activity.

## ARTICLE III GENERAL POWERS

The Association shall have the power to own, accept, acquire, mortgage, and dispose of real and personal property, and to obtain, invest, and retain funds in advancing the purposes stated in Article II above.

Further, the Association shall have the power and authority to conduct any activities designed to promote or implement the following:

- Organization or reconstitution of new or existing Chapters.
- Instruction or education of the members of this Association regarding their duties, responsibilities, and procedures as an authorized member of this Association.

The Association shall have the authority to secure the funds of any chapter that becomes inactive.

## ARTICLE IV MEMBERSHIP AND DUES

1. The membership of this Association shall be divided into three classes: Regular Membership, Honorary Membership, and Sustaining Membership. Non-members may attend the TCCA Annual Conference and chapter training sessions as non-members, but shall not vote, hold office, or attend the Annual Business meeting or chapter business meetings. If qualified, a non-member may serve on a committee (See Article IX).
  - A. Regular Membership. Any person serving in a non-judicial, non-vendor capacity as Court Clerk, Administrator, or in any other capacity within the framework of municipal court or justice of the peace court, serving on a full time or part time basis, is eligible for membership upon paying the dues as provided for herein.

Regular members in good standing shall be entitled to receive copies of the Association newsletter and other mailings, attend the Annual Conference, attend the Annual Business Meeting and chapter meetings, vote, hold office, and serve on committees.

- B. Honorary Membership. Any non-vendor person who has made a significant contribution to the science of court administration or rendered distinguished service in related fields may be elected an Honorary Membership in the Association by a majority vote of the membership in attendance at an Annual Meeting.

An Honorary Member shall be entitled to receive copies of the association newsletter. An Honorary Member may not hold another class of membership in the Association and does have the right to attend the Annual Business Meeting and chapter meetings, but may not vote or hold office. An Honorary Member may serve on a committee.

- C. Sustaining Membership. Vendors may apply for Sustaining Membership of the Texas Court Clerks Association. Sustaining Members are entitled to receive copies of the association newsletter as well as a copy of the Association's current membership list. Copies of the Association newsletter and membership lists will be mailed to the representatives indicated in the Sustaining Membership application.

Sustaining Members shall register as vendors to attend the Annual Conference of the Texas Court Clerks Association. Sustaining Members shall not have the right to attend the Annual Business Meeting and chapter meetings, vote, hold office or serve on a committee.

Sustaining Members may advertise they are members of the Texas Court Clerks Association; however, membership does not constitute endorsement of their product, nor are vendors to imply as such. Any violation or appearance of a violation of this bylaw will result in revocation of the Sustaining Member's membership by the Board of Directors.

Sustaining Members may underwrite any hospitality and promote their product. Sustaining Members may not use the Texas Court Clerks Association logo on their advertising material. Application for Sustaining Membership will be reviewed and voted on by the Board for approval.

- 2. The annual dues of each member shall be as follows:
  - A. Regular Membership. \$40.00 each year. Annual dues shall be payable in January and shall be for the calendar year. The calendar year shall run from January through December. Regular Membership dues include automatic chapter affiliation. \$25.00 will be applied to state membership and \$15.00 will be applied to chapter membership.
  - D. Honorary Membership. No dues required.
  - E. Sustaining Membership. \$200.00 each year. Annual dues shall be payable in January and shall be for the calendar year.

## **ARTICLE V OFFICERS**

- 1. The elected officers of the Association shall be a President, Vice-President, Recording Secretary, Treasurer, and Directors At Large.
- 2. President and Secretary shall be elected at the Annual Meeting of the even years of the Association. No one should be elected President without first having served as an officer for at least one full term. Vice-President and Treasurer shall be elected at the Annual Meeting of the odd years of the Association.

3. The length of term of office shall be two years, with each officer assuming their duties immediately after the meeting at which he/she was elected. No officer shall serve more than two consecutive terms in the same office, with the exception of the Treasurer. An incumbent who has already served two terms may be nominated from the floor only if there are no nominations on the ballot at the time of the Business Meeting.

## **ARTICLE VI DUTIES OF OFFICERS**

1. **President.** The President shall have active executive management of the operation of the Association, subject, however, to the control of the Board of Directors. He/She shall preside at all meetings of the members and at all meetings of the Board of Directors, discharge all the duties incumbent upon a presiding officer and perform such other duties as these bylaws provide or the Board of Directors may prescribe. He/She shall be ex-officio member of all Standing Committees. He/She shall make a semi-annual report to the officers and Board members, advising them on all Association business transacted.
2. **Vice-President.** In the absence of the President, the Vice-President shall assume the duties of the President. He/She shall also assume such other duties as are assigned to him/her by the President, or the Board of Directors. In the event of a vacancy occurring in the office of President, the Vice-President shall serve as President until the next general election.
3. **Recording Secretary.** The Recording Secretary shall keep the minutes of all meetings of the Association and of the Board of Directors, and shall preserve and retain all papers, letters and transactions of the Association. He/She shall deliver to his successor all Association property and records in his/her possession immediately after the installation of a new secretary. He/She shall assume all duties in connection with the work of Recording Secretary as shall be specified or assigned by the Board of Directors.
4. **Treasurer.** The Treasurer shall collect, receive and have custody of all funds of the Association with the exception of the Certification Program Funds (see ARTICLE IX; Paragraph 14). He/She shall deposit such funds in a bank designated by the Board of Directors and shall provide for the expenditures of such funds. He/She shall make a semi-annual financial report to the officers and Board members of the Association and shall make a report to the Association at the Annual Meeting. He/She shall assume such duties in connection with the work of Treasurer as shall be designated, specified or assigned by the Board of Directors.

The retiring Treasurer shall immediately after the close of the Annual Meeting deliver to the newly installed Treasurer all money, voucher books, and papers of the Association in his/her custody. The Treasurer shall be required to furnish bond in such amount as shall be determined by the Board of Directors. The premium of said bond shall be a proper expenditure of Association funds. All checks shall have the signature of the Treasurer or President, and on the unavailability of the either, the Vice-President.

The Treasurer shall present a proposed line item budget for the next fiscal year to the membership at the Annual Meeting. A simple majority of members present shall be deemed sufficient to adopt said budget. The Board of Directors shall be authorized to perform a line item transfer, providing the transfer does not result in exceeding the overall budget. Any realized line item overage shall require the Treasurer to submit a revised budget for Board approval as stated above. This may require Board approval by mail. There shall be a full compliance review of all books and records of the Association each year. IRS tax forms shall be completed in compliance with current Federal law.

5. The Executive Board shall be comprised of the President, Vice-President, Secretary and Treasurer. A simple majority of the Executive Board shall constitute a quorum for the purposes of conducting the regular business of the Executive Board. The Executive Board shall conduct business only with a quorum and may do so at regularly scheduled meetings, specially called meetings or by electronic means such as email, teleconferences or facsimiles.

6. Meetings of the Executive Board shall be called at the will of the President, upon the request of another Executive Board Member in exigent circumstances or may be pre-set by the President. The management and business affairs of the TCCA Board shall be vested in the Executive Board. Actions taken by the Executive Board shall be relayed to the TCCA Board following the action taken.

## **ARTICLE VII BOARD OF DIRECTORS**

1. Composition. The Board shall consist of the President, Vice-President, Recording Secretary, Treasurer of the Association, Texas Municipal League Representative, six Directors at Large, the immediate past President, and the President of each Chapter who shall be elected as hereinafter provided.
2. Classification of Directors at Large. At the first Annual Meeting of the members, the Directors at Large shall be divided into two classes of three members each. The members of the first class shall hold office for a term of one year and the members of the second class shall hold office for a term of two years. At all annual elections thereafter, three Directors at Large shall be elected by the members for a term of two years to succeed the three directors whose terms then expire; provided that nothing herein shall be construed to prevent the election of a Director to succeed himself except as limited herein.
3. Vacancies. Vacancies in the Directors at Large shall be filled by appointment made by the remaining members of the Board of Directors. Each person so selected to fill a vacancy shall remain a Director for the unexpired term of his/her predecessor and until his/her successor is duly elected and qualified.
4. Quorum. A majority of the Board of Directors shall constitute a quorum for the transaction of business at any meeting of the Board; but if less than majority, the Directors present may adjourn the meeting from time to time without further notice.
5. Action of Directors at a Meeting. The act of a majority of the Directors present at a meeting at which a quorum is present shall be the act of the Board of Directors, unless the act of a greater number is required by law or by these bylaws.
6. Action of Directors without a Meeting. Any action required by law or these bylaws to be taken at a meeting of Directors or any action which may be taken at a meeting of Directors, may be taken without a meeting if a consent in writing or by electronic means such as email, teleconferences or facsimiles, setting forth the action so taken, shall be signed by a majority of the directors.
7. Reimbursement. All Board members as such shall not receive any compensation for their services. The Board of Directors by a simple majority vote of the members thereof may authorize reimbursement of all or part of the actual expenses incurred in attending any special meeting, including the mid-year board meeting. The Board may request specific individuals to provide information which would require personal appearance at a called meeting and may authorize reimbursement of all or part of the actual expenses incurred by them.
8. All actions of Directors at a meeting or actions of Directors without a meeting as herein before outlined, other than at the regular Annual Meeting of the Board of Directors, shall be preceded by formal notice of such pending action in the form of a letter or by electronic means such as email, teleconferences or facsimiles prior to such action, to all members of the Board.

## **ARTICLE VIII DUTIES OF BOARD OF DIRECTORS**

1. A regular annual meeting of the Board of Directors shall be held without other notice than this bylaw, immediately before and immediately after, and at the same place as, the Annual Meeting of members, and at any other time and place as approved by at least three quarters of the Board.
2. The management and government of the affairs of this Association shall be vested in the Board of Directors which shall transact the general business of the Association in the interim between Annual Meetings. In the event of a vacancy or resignation from the Board of Directors the remaining members of the Board shall appoint a member to fill the unexpired term.
3. The Board shall have the power to remove any officer or Board member from office for any good cause shown; provided, that such removal shall be by two-thirds majority vote of the Board with the member or officer in question not being allowed to exercise his vote. The Board shall appoint a member to fill the unexpired term.

## **ARTICLE IX INDIVIDUAL APPOINTEES AND STANDING COMMITTEES**

1. The President shall appoint a regular member as the Chairperson of the Standing Committees or a regular member to a non-board position with the approval of the Board of Directors except as otherwise provided herein.
2. The Chairperson of the following Standing Committees or appointed individual to a non-board position shall be appointed at or immediately after each Annual Meeting to serve until the next Annual Meeting, or until their respective successors are appointed.
  - Bylaws
  - Nominations
  - Annual Meeting
  - Publications
  - Certification and Educational Programs
  - Membership
  - Legislative
  - Advisory
  - Public Relations
  - Chapter Steering Committee
  - Certification Program Financial Manager
  - Internal Audit Committee
  - Website Committee
3. Standing Committees shall be composed of non-vendor individuals, who may provide value and expertise in that area, appointed by the Chairperson of each of the respective committees.
4. Bylaws. The Chairperson of the Committee on Bylaws shall act as parliamentarian of the Association. It shall be the duty of this Committee to review the Bylaws of this Association as to their practicality and application. The Committee shall also review the needs of the Association for amending or adding to the Bylaws. The Chairperson shall make a report of its findings to the Board of Directors.
5. Nominations. The Committee shall prepare and mail nominations for officers and members of the Board of Directors of this Association at least 30 days prior to the Annual Meeting to permit circulation of the Committee's nominations to all the members of the Association. They must submit at least two (2) names for all T.C.C.A. Board Member positions with the exception of President, for which there will be three (3) names submitted. Any member in good standing may be nominated from the floor on the day of the election at the Annual Meeting. The list of members as disclosed by the Recording Secretary's record shall be conclusive as to the total membership of this Association.

6. Annual Meeting. The Chairperson of the Annual Meeting Committee shall be from a court in, or immediately contiguous to, the city chosen as host city for the next Annual Meeting of the Association. This Committee shall be responsible for the selection of meeting facilities, housing accommodations and planning of the entertainment program for the Annual Meeting, subject to approval by the Board of Directors. The Chairperson of the Annual Meeting Committee is not authorized to financially commit the Association to any specific expense except by written authorization of the President, with the approval of the Board of Directors.
7. Publications and Reports. The Publications and Reports Committee shall circulate questionnaires and compile the answers from them and shall prepare other reports for distribution to the membership. The Committee shall be responsible for the Association publication and for its distribution to the members.
8. Certification and Education Program. The Certification and Educational Program Committee or Committees shall be responsible for the planning and development of the educational program at the Annual Meeting and such other educational and development programs as are approved by the Board of Directors, and shall be responsible for educational articles to be included in the Association publication.
9. Membership. The Membership Committee shall be responsible for the recruiting of members, the circulation of information about our Association to other organizations and individuals, the formulating of plans for the inclusion of subsidiary association, and the formulating of plans for the merging of other national organizations, subject to the approval of the Board of Directors. This Committee shall be responsible for carrying out decisions of the Board of Directors relative to the recruitment, maintenance, and eligibility of members in the Association.
10. Legislative Committee. The Legislative Committee shall be responsible to assimilate information from the membership regarding suggested legislative changes and to provide that information to proper sources for subsequent presentation to legislative authorities. It shall be the duty of the Committee to advise the Membership of proposed legislation, Attorney General Opinions, and/or any other source of information which might affect the operation of municipal/justice courts.
11. Advisory Committee. The Advisory Committee shall be comprised of those Board Members that have completed their term of office and are no longer serving in the capacity of Chapter President or an elected Board Member.
12. Public Relations Committee. The Public Relations Committee shall be responsible for soliciting nominations for a Professionalism and/or Honorary Award to be presented at the Annual Banquet. Qualifications for this award shall include but not be limited to outstanding contributions to the Texas Court Clerks Association and/or its local chapter. Recipients must be members of the Texas Court Clerks Association. The Public Relations Committee shall also be responsible for obtaining the outgoing Board Members awards and any other award deemed necessary by the Board.
13. Chapter Steering Committee. The Chapter Steering Committee shall be responsible for promoting state chapters. The Committee shall be responsible for assisting potential and existing chapters in establishing or defining their boundaries. The Chapter Steering Committee shall be responsible to provide a copy of the TCCA Procedures Manual to potential and existing chapters for guidance and instruction for conformance to the policies contained therein.
14. Certification Program Financial Manager. The Certification Program Financial Manager shall collect, receive and have custody of all funds derived by and from the Court Clerks Certification Program. He/She shall deposit such funds in a bank designed by the Board of Directors and shall provide for the expenditures of such funds. All checks shall have the signature of the Certification Program Financial Manager or Education Committee Chairperson, and on the unavailability of either, the TCCA President. He/She shall perform all other duties required of the Treasurer (see ARTICLE VI, Paragraph 4) as they relate to the Certification Program funds.
15. Internal Audit Committee. The Chairperson of the Internal Audit Committee shall perform a compliance review of all financial records of TCCA and make a report to the Board of Directors. The Audit Committee Chairperson and Committee Members will meet the Saturday before the Annual Conference and submit a report to the TCCA Board at the Pre-Conference Meeting. The

Chairperson will submit the report to the President for review prior to the Pre-Conference meeting.

16. Website Committee. The Website Committee shall be responsible for the development and maintenance of the TCCA website. The Committee will continuously exchange information with the membership regarding the organization by utilizing the Internet as its main information source and email as a vital communication tool. The TCCA website will serve as an additional tool to recruit members, promote upcoming events and activities, as well as engage members in opportunities for professional and personal development. The Committee shall coordinate with the Board of Directors to post information and serve as the main communication tool for the general membership.

## **ARTICLE X ANNUAL MEETING**

1. This Association shall hold an Annual Meeting for all members.
2. The city selected for the site of the Annual Meeting shall be determined by vote of the membership at a previous Annual Meeting.
3. The order of business at each Annual Meeting shall be fixed to allow for publication or notice of the agenda and shall include the following:
  - Address of the President
  - Reports of the Board of Directors
  - Reports of Officers
  - Reports of Special Committees
  - Reports of Standing Committees
  - Election of Officers and Directors
  - Miscellaneous Business

## **ARTICLE XI QUORUM**

A Quorum at an Annual Meeting shall consist of a simple majority of the members present and registered and shall be deemed sufficient to elect officers and Directors at Large, approve reports and amend the Bylaws of the Association.

A quorum at a Chapter business meeting shall consist of a simple majority of the members present and registered as attending that chapter meeting and shall be deemed sufficient to elect officers, approve reports and conduct chapter business.

## **ARTICLE XII FISCAL/MEMBERSHIP YEAR**

The Fiscal Year of the Association shall be September 1st through August 31st. The membership year shall be January 1st through December 31st.

## **ARTICLE XIII PARLIAMENTARY AUTHORITY**

Parliamentary procedure at the Annual Meeting, meetings of the Board of Directors and chapter meetings shall be governed by Robert's Rules of Order.

**ARTICLE XIV  
NEGOTIABLE INSTRUMENTS DEEDS AND CONTRACTS**

All checks, drafts, notes, bonds, bills of exchange and orders for the payment of money of the Association; all deeds, mortgages, and other written contracts and agreements to which the Association shall be a party; and all assignments or endorsements of stock certificates, registered bonds, or other securities owned by the Association, shall unless otherwise required by law, be signed by the President.

**ARTICLE XV  
AMENDMENTS**

Recommendations for bylaw amendments must be presented to the TCCA Board for consideration. Any member of good standing may make a recommendation to the Bylaws Committee. All proposed bylaw amendments shall be referred to the Committee on Bylaws for study and recommendation. These Bylaws may be amended at any Annual Meeting by a majority of the registered members present and voting. Amendments offered from the Floor shall be referred to the Committee on Bylaws for study and recommendation to the Board and will come back to the membership.

**ARTICLE XVI  
RESPONSIBILITY OF LOCAL CHAPTERS**

The local chapters shall provide a membership list, bank name and address, bank account number, a proposed budget and financial statement to the TCCA Board of Directors, with all final documents submitted to the TCCA Board of Directors for the Pre-Conference Board Meeting in October. In the event that a local chapter should cease to exist, all funds and records must be returned to the State Association Treasurer within sixty (60) days after the chapter ceases to exist.

**ARTICLE XVII  
RESPONSIBILITY TO LOCAL CHAPTERS**

The Treasurer will remit chapter membership dues to chapter Treasurers at least twice per year. Local chapters will receive \$15 from each Regular Membership that is registered from that chapter's region.

The Membership Committee Chairperson will send updated membership lists to Chapter Presidents every 1<sup>st</sup> and 15<sup>th</sup> of each month during the calendar year.

**ARTICLE XVIII  
CHAPTER OFFICERS**

The Officers of each Chapter of TCCA shall consist of a President, Vice-President, Secretary and Treasurer.

The officers shall be elected at the Chapter's last business meeting of each year and shall serve two-year terms beginning January 1 and ending December 31. The President and Secretary shall be elected at the Chapter's last business meeting of the even years of the Association. The Vice-President and Treasurer shall be elected at the Chapter's last meeting of the odd years of the Association. There are no term limits for Chapter Officers.

The President, with a majority approval of the Chapter membership, shall fill any vacancy left by an Officer, irrespective of the length of term remaining before annual Chapter elections.

## **ARTICLE XIX DUTIES OF CHAPTER OFFICERS**

**CHAPTER PRESIDENT:** The Chapter President shall serve as the Executive Manager of the Chapter, subject, however, to the control of the TCCA Board of Directors. The President shall preside over all meetings of the chapter, discharge all the duties incumbent upon a presiding officer and perform such other duties as these bylaws provide or the TCCA Board of Directors may prescribe. He/She shall be an ex-officio member of all Chapter committees. The Chapter President shall also serve as a voting member of the TCCA Board of Directors for as long as he or she holds the office of Chapter President and shall be required to attend TCCA Board Meetings.

**CHAPTER VICE PRESIDENT:** In the absence of the Chapter President, the Vice-President shall assume the duties of the President. He/She shall also assume such other duties as are assigned to him/her by the President, or the TCCA Board of Directors. In the event of a vacancy occurring in the office of Chapter President, the Vice-President shall serve as President until the next Chapter election.

**CHAPTER RECORDING SECRETARY:** The Chapter Recording Secretary shall keep the minutes of all meetings of the Chapter and shall preserve and retain all papers, letters and transactions of the Chapter. He/she shall deliver to his/her successor all Chapter property and records in his/her possession immediately after the installation of a new secretary. He/she shall assume all duties in connection with the work of Chapter Recording Secretary as shall be specified or assigned by the Chapter President.

**CHAPTER TREASURER:** The Chapter Treasurer shall collect, record and otherwise maintain all funds of the Chapter and shall deposit such funds in a bank agreed to by a majority of the Chapter membership. He/she shall make a financial report to the Chapter at each chapter meeting. He/she shall assume such duties in connection with the work of Treasurer as shall be designated, specified or assigned by the Chapter President.

The retiring Chapter Treasurer shall immediately after the close of the final chapter meeting of the Chapter Treasurer's term deliver to the newly installed Chapter Treasurer all money, voucher books, and papers of the Chapter in his/her custody. All checks of the Chapter shall have the signature of the Chapter Treasurer or Chapter President, and on the unavailability of either, the Chapter Vice-President.