

Probation Officers Professional Association of Indiana, Inc.

BYLAWS

Revised and Approved by Membership September 16, 2020

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 AND MISSION

To promote, support, and grow the profession of probation in Indiana by collaborating with criminal justice partners, advancing and protecting the interests of our membership, and providing education and professional development opportunities in the use of evidence based community supervision practices.

Article III OFFICES

The principal address of the Association in the State of Indiana shall be located in the city of Indianapolis, County of Marion. 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. Any vote or approvals stated in the bylaws shall be based on a majority vote unless otherwise specified.
- C. **Written Notice** – Written notice includes notice sent via U.S. mail, facsimile (fax), postings on the Association’s website, and/or via electronic mail, most commonly abbreviated email or e-mail.
- D. **Fiscal Year** – The fiscal year of the Association shall be consistent with each calendar year beginning January 1st and ending December 31st of the same year.

Article V **MEMBERSHIP**

A. Qualification

Section 1. Probation Officer Membership. Probation Officer membership shall be awarded to persons currently employed as probation officers in Indiana.

Section 2. Associate Membership. Associate membership shall be awarded to individuals who are former probation officers in Indiana who do not qualify for a Life Membership; interns or support staff currently involved in the delivery of probation services in Indiana; students currently enrolled in a college or university in Indiana with an interest in criminal justice or a related field; and other individuals involved in the delivery of criminal justice services in Indiana.

Section 3. Honorary Membership. Honorary membership shall be awarded to individuals who have made a significant contribution to the field of probation in Indiana, following review and selection by a nominating committee and approved by the Executive Board.

Section 4. Life Membership. Life membership may be awarded to former Probation Officer members, who have been members for a period of twenty (20) years. Former Probation Officer members wishing to apply for a Life Membership must contact any member of the Executive Board who will bring the application request to the Executive Board. Any member of the Executive Board may also nominate former Probation Officer members for Life Membership. The Secretary of the Executive Board shall verify the applicant's qualifications. Life Membership shall be awarded to qualified applicants upon approval of the Executive Board.

Section 5. Corporate Membership. Corporate membership shall be awarded/limited to corporations or foundations who wish to contribute to POPAI and whose products, services, philosophy, and/or conduct are not in conflict with the Association.

Section 6. Change of Status. Any individual may request approval from the Executive Board to change the status of membership, if they can show cause why such status change is needed (i.e., due to change of employment or job description).

Section 7. Miscellaneous. All Emeritus Members as of September 5, 2018 shall retain their Emeritus Membership status as a non-voting member of the organization unless the individual applies for and is awarded a change of status. All Life Members as of September 5, 2018 shall retain their voting privileges and be entitled to one (1) vote on matters presented to the membership unless the individual applies for and is awarded a change of status by the Executive Board.

B. Membership Year

The membership year shall run from January 1st through December 31st for each year in which annual membership dues are received. Membership dues paid after January 1 shall be credited to the year in which the dues are received. Membership dues paid in a year in which dues have already been received shall be credited to the next calendar year.

C. Voting Privileges

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

D. Dues

Section 1. Establishment of Annual Dues. Annual dues shall be set by a two-thirds (2/3) vote of the Executive Board.

Section 2. Payment of Annual Dues. All membership levels except Honorary and Life are subject to the payment of annual membership dues.

E. Retention of Membership

Individual membership is not transferable. An individual retains membership as long as they continue to qualify for the membership level as defined in *Article V MEMBERSHIP* and upon payment of annual dues, if not an Honorary or Life member.

Article VI EXECUTIVE BOARD

A. Eligibility, Qualifications, and Disclosure

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 by the Judicial Conference of Indiana and be a probation officer member of POPAI in good standing.

Section 3. Office of the Past President. The immediate Past President of the Association shall serve as a member of the Executive Board.

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 per the terms of a reciprocal agreement with the Probation Officers Advisory Board and the Indiana Office of Court Services.

Section 5. Disclosure of Interest. Each member of the Executive Board shall disclose any financial or other interest the member may have with an individual, business, or entity before the Executive Board votes on entering into any contract or agreement for services with such individual, business, or entity.

B. Composition and Voting Rights

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 Probation Officer membership of that district. The President, Vice-President, Secretary, and Treasurer shall be elected by the voting membership of the Association.

Section 3. Voting Rights. The Vice-President, Secretary, Treasurer, immediate Past President, Chair of the Probation Officers Advisory Board, and District Representatives, shall have one vote each in matters brought to the Board. The President or acting President may only vote in the event of a tie.

Section 4. Officers. Officers of the Association shall consist of the President, Vice-President, Secretary, and Treasurer.

Section 5. Limitations. No member of the Executive Board may simultaneously hold two or more positions on the Executive Board.

C. Duties

Section 1. Board. 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 and expenses of the Association.

Section 2. President. The President shall serve as the chair 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. The President (or their designee) shall represent the Association on external committees or other activities where POPAI representation is requested or required. The President, with Executive Board approval, may negotiate and endorse contracts to facilitate the activities of the Association.

Section 3. Vice-President. The Vice-President shall be responsible for the supervision of individuals, businesses, and entities contracted to perform services for the Association. The Vice President shall act as the legislative liaison for the Association keeping abreast of all legislative issues relating to the field of probation or which may affect the members of the Association. The Vice-President shall serve in the capacity of President in the absence of the President.

Section 4. Secretary. The Secretary shall keep the minutes of Association meetings and of all Executive Board meetings. The Secretary shall keep the records of the Association, memberships, and maintain a corrected copy of the bylaws and articles of incorporation. The Secretary shall be responsible to submit all applications, forms, and reports required to maintain the Association's status and activities. The Secretary shall also serve in the capacity of President in absence of the President and Vice-President in a line of succession.

Section 5. Treasurer. The Treasurer shall be the chief financial officer of the Association and shall maintain all financial records. The Treasurer shall accept and disburse funds upon approval of the Executive Board in accordance with the established budget 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 shall 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 6. District Representatives. District Representatives shall communicate and collaborate with POPAI members in their district and bring forth any issues, concerns, and/or matters raised or pertaining to the district they represent. District Representatives shall encourage membership and promote activities and educational opportunities provided by the Association.

Section 7. Office of the Past President. The Past President shall serve as a mentor to the President on issues that have an impact on the Association.

Section 8. Chair of the Probation Officers Advisory Board. The Chair of the Probation Officers Advisory Board (POAB) shall report on the activities of the POAB to the Executive Board, serve as a liaison and promote partnership between the Association and the POAB.

D. Term of Office

Section 1. Election Years. District Representatives from even numbered districts will be elected during even numbered years and District Representatives from odd numbered districts will be elected during odd numbered years. All terms for elected District Representatives shall be two (2) years. The President and Secretary shall be elected during the even numbered years, and the Vice-President and Treasurer shall be elected during the odd numbered years. All terms for elected Officers shall be two (2) years.

Section 2. Service. Members of the Executive Board shall serve until their successor takes office, their term expires, and/or upon acceptance of their resignation by the Executive Board.

Section 3. Terms. Executive Board members 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 Executive Board member fails to attend three (3) consecutive meetings, in person or through other means of live communication, without an excuse acceptable to the Executive Board, they may be discharged from the Executive Board by a two-thirds (2/3) vote of the Executive Board.

Section 5. Term Limits. Members of the Executive Board may serve no more than two (2) consecutive elected terms for the same office. Appointed terms as outlined in *Article VI, H. Vacancies* do not apply when calculating term limits.

E. Quorum and Meetings

Section 1. 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 in attendance for the Executive Board to take official action on Association business matters.

Section 2. Meetings. The Executive Board shall hold at least four (4) meetings per calendar year as called by the President. Meetings shall be open to the membership and guests of the Executive Board. Notice shall be provided to the membership as to the date, time, and location of all Executive Board meetings.

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 unless removal is completed according to *Article VI, D. Section 4.*

Section 2. Petition. A petition to remove a District Representative shall be signed by 25% of the voting membership of that district. A petition to remove the President, Vice President, Secretary, Treasurer, or immediate Past-president shall be signed by 25% of the voting membership of the Association before being presented to the Executive Board. The petition shall specify the Executive Board member in question, reason for the requested removal, and suggested location for the special vote to take place on the removal of the Executive Board member.

Section 3. Presentation of Petition to Membership. If the Petition for Removal is received 120 days or less prior to the scheduled annual business meeting of the Association, the petition shall be presented to the membership at the annual business meeting by the Executive Board for a vote on the removal of the Executive Board member. If the Petition for Removal is received more than 120 days prior to the scheduled annual business meeting of the Association, the Executive Board shall schedule a Special Meeting to vote on the removal of the Executive Board member.

Section 4. Written Notice for a Special Meeting. At least ten (10) days written notice shall be sent to each voting member of the district, if the subject of the petition is a District Representative; or each voting member of the Association, if the subject of the petition is the President, Vice President, Secretary, Treasurer, or immediate Past-president, 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.

H. Vacancies

Section 1. President. Should a vacancy occur in the office of President, the Vice-President shall assume the office.

Section 2. Executive Board Vacancies. Other than the President, 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 Executive Board shall provide written notice to the membership of the vacancy and shall accept applications to fill the vacancy for no less than fifteen (15) calendar days before voting. The position shall remain vacant until the next regular/annual or special election as defined in *Article X ELECTIONS* if the vacancy occurs less than 120 days before the term of office for that position expires.

Section 3. Assumption of Duties. If the position is filled by a majority vote of the Executive Board, the newly appointed member shall assume the full duties and responsibilities of the position until the term of office expires for that position.

Article VII 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 by the President (except in accordance with *Article X, C. Section 1.*). At least one member of any committee shall be an Executive Board member.

C. Chair

The President of the Executive Board shall appoint a chair for each committee (except in accordance with *Article X, C. Section 1.*). Said chair must be a Probation Officer member and shall set the agenda for their committee.

D. Approval of Activities

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

E. Appointment of Standing Committees

The President shall appoint the 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) consecutive meetings of the committee, in person or through other means of live communication, without an acceptable excuse, may be discharged from that committee by the President.

G. Quorum

A quorum shall be required of any standing or special committee where a vote within the committee is necessary and shall consist of at least one-half of the members appointed to the committee.

Article VIII 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. The committee shall report its activities and submit any necessary approval for action at the next Executive Board meeting. The committee shall provide notice of emergency action which exceeded its authority to the Executive Board within 72 hours and submit the same for ratification at the next Executive Board meeting.

C. Meetings

Meetings of the Executive Committee may be called by the President, or may be called by any officer of the Association upon approval of three (3) members of the committee.

D. Quorum

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

Article IX MEETINGS OF THE MEMBERSHIP

A. Annual Business Meetings

An annual business meeting of the members of the Association may be held in conjunction with the annual fall conference sponsored by the Association for the purpose of announcing election results and for the transaction of such other business as may come before the Association.

B. Special Meetings

Special meetings of the members, for any purpose, may be called by the President or by the Executive Board. Special meetings called at the request of Executive Board shall be approved by a majority vote of the Executive Board. At such special meetings, special elections may be held, if necessary.

C. Notice of Meetings

Section 1. Written Notice. Written notice shall be given to the membership 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 to the membership 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 District in which the member is employed and the 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

At least ten percent (10%) of the number of the active Association membership entitled to vote shall be present to constitute a quorum.

Article X ELECTIONS

A. Conducting Elections

Section 1. Election Timing. The election of officers of the Association and of the District Representatives to the Executive Board shall be conducted prior to the annual business meeting of the Association unless a special meeting for the purpose of holding an election has been called. A special meeting called for the purpose of electing officers and/or District Representatives shall be conducted in the same manner as described when holding elections prior to the annual business meeting.

Section 2. Election of Officers. Officers shall be elected by the voting membership of the Association. Voting for officers shall be conducted by electronic and/or written ballot.

Section 3. Election of District Representatives. District Representative shall be elected by the voting membership employed in that district. The election of District Representatives shall be conducted by electronic and/or written ballot.

B. 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 shall verify the qualifications of each member submitting an application for election of officers and district representatives and select candidates to be slated in each position by a majority vote. The Election Committee shall be responsible for the duties associated with conducting the elections and counting of electronic and/or written ballots.

C. 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 or special meeting. An application for candidacy shall be developed by the Election Committee and be made available to the membership when notice is provided indicating all Executive Board positions to be elected. Applications shall be

submitted to the chair of the Election Committee by U.S. mail, via facsimile (fax), or via electronic mail forty-five (45) days prior to the annual business or special meeting.

D. Slated Candidates

The chair 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. If there are no candidates for an Executive Board position and the position becomes vacant after the annual business meeting, then the vacancy shall be filled in accordance with *Article VI, H. Vacancies*.

E. Voting

Section 1. Method of Voting. Voting may be conducted solely or with a combination of electronic or written ballots deemed appropriate by the election committee.

Section 2. Ballot Requirements. Ballots shall be provided to all members requesting to vote after membership has been verified. Ballots shall be delivered in a manner to allow a member to vote only once and for District Representatives representing the district where the member is employed. Tabulation of ballots shall be conducted in a manner that allows for a member to cast an anonymous ballot.

Section 3. Voting Period. For electronic voting, ballots shall be available to members for no less than fifteen (15) calendar days. For written ballots, voting shall take place upon commencing the annual fall conference sponsored by the Association until the beginning of the annual business meeting.

Section 4. Request for a Written Absentee Ballot. If a voting member cannot be present at the annual fall conference, the member may make a request to obtain an absentee ballot by providing written notification to the chair of the Election Committee. Written notification to request an absentee ballot must be received by the chair of the Election Committee no later than fifteen (15) business days prior to the annual meeting of the Association.

Section 5. Submitting a Written Absentee Ballot. All absentee ballot must be submitted to the chair of the Election Committee at least three (3) business days prior to the first day of the annual fall conference. Each ballot shall be authenticated and tabulated in the manner consistent with these bylaws.

F. Appeals

All appeals of the balloting and/or any questions regarding the election shall be determined by a majority vote of the Election Committee and officers not slated for election. The appeal or matter brought to a vote shall fail in the event of a tie.

Article XI 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 XII 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 forty-five (45) days prior to the annual business or special meeting after approval by a majority vote of the Executive Board. Written notice of the Board approved proposed alteration to the bylaws shall be submitted to the membership by the President at least thirty (30) days prior to the annual business or special meeting for action at the annual meeting. Amendments to the bylaws may be presented to the Association for a vote prior to the annual business or special meeting in the same manner as described in *Article X Elections*.

Article XIII 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 XIV PARLIAMENTARY AUTHORITY

The most recently revised Roberts Rules of Order shall govern all proceedings of the Association not otherwise provided for in these bylaws.

Article XV 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.

Section 11. 2018. 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 6, 2018.

Section 12. 2020. 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, 2020.