

BYLAWS

Of the

LAFAYETTE PARALEGAL ASSOCIATION

Revised October 20, 2016

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LAFAYETTE PARALEGAL ASSOCIATION

BYLAWS

Revised February 25, 2016

ARTICLE I

Name

The name of this Association shall be the **Lafayette Paralegal Association, Inc.**

ARTICLE II

Objects and Purposes

- 2.1 To establish good fellowship among Association members and members of the legal community.
- 2.2 To encourage a high order of ethical and professional attainment.
- 2.3 To further education and promote certification among members of the paralegal profession.
- 2.4 To establish a working relationship with the state and local bar associations.
- 2.5 To encourage and foster relations with all other paralegal associations.
- 2.6 To provide educational information about the paralegal profession to the community.

ARTICLE III

Policy

This Association will be nonsectarian, nonpartisan, nonprofit and nonunion.

ARTICLE IV

Membership

There shall be four classifications of membership in this Association, namely: Active, Associate, Student, and Sustaining.

- 4.1 Active Members: (Voting) Any individual who meets at least one of the following requirements may become an Active, voting member of LPA.
 - A. Any individual who has graduated from an ABA approved program of study who is working as a paralegal/legal assistant.
 - B. Any individual who has graduated from a course of study for paralegals/legal

assistants which requires not less than 60 semester hours of classroom study.

- C. Any individual who has attained a nationally recognized paralegal certification, whose certification remains valid.
- D. Any retired individual who has been an ACTIVE member of LPA for at least five (5) years and who has either attained the age of 55 years or received mandatory retirement because of physical disability and who provides evidence of a minimum of five (5) hours of continuing legal education within the immediately preceding year.
- E. Any individual who has graduated from a course of study for paralegals/legal assistants other than those set forth in (A) and (B) above and has at least six months of experience working as a paralegal/legal assistant. (Attorney Attestation Required)
- F. Any individual who has attained a minimum of an Associate's Degree in any field and has at least six months of experience working as a paralegal/legal assistant. (Attorney Attestation Required)
- G. Any individual who has at least one year of experience working as a paralegal/legal assistant. (Attorney Attestation Required)

4.2 Sustaining Members: (Non-voting)

- A. Corporate Membership - Any individual attorney, law firm, corporation, partnership, organization or other business entity interested in supporting this Association, who contributes \$75.00 or any amount in excess thereof annually.
- B. Individual Membership - Any individual who does not meet the requirements of active, associate or student membership who wishes to support this Association by contributing \$50.00 or more to the Association annually.

4.3 Associate Members: (Non-voting)

- A. Any paralegal/legal assistant who does not meet any of the qualifications for Active (Voting) membership above.

4.4 Student Members: (Non-voting members)

- A. Any individual who is a student, actively pursuing a course in paralegal studies at any university, college, junior college, or other school, who can provide evidence of current enrollment and attaches same to his/her application.

- 4.5 The Executive Committee of this Association may at any time or from time to time amend the Executive Committee Policy to prescribe further rules and regulations defining and governing the admission of individuals to any classification of membership in this Association.
- 4.6 Only Active members may vote, hold office, be appointed as chairman; however, Active and Associate members may serve on committees in this Association. No Active member who is delinquent in the payment of dues or assessments shall be qualified to vote.
- 4.7 Active and Associate Members will be entitled to attend all membership meetings, both annual and special.
- 4.8 Only members of the Association may be provided with a copy of the Membership Roster, the Bylaws and the Association's budget.
- 4.9 Members shall be given a copy of the Association's budget upon request.

ARTICLE V
Application for Membership

- 5.1 Applications for membership shall be submitted to the Association. Approval of membership shall be noted on the forms in accordance with the Executive Committee Policy adopted by this Association.
- 5.2 Rejection of Membership Applications - An application for any class of membership shall be rejected by the membership officer if (a) the applicant has not met any one or more of the qualifications as set out in Article IV, Sections 4.1 through 4.43, or (b) the applicant has been deemed to be a detriment to this Association. This applicant shall be informed in writing within thirty (30) days of the receipt of the application of the rejection and stating the specific reason(s) of the rejection.
- 5.3 Membership Roster - Not more than ninety (90) days after March 31st of each year, the Vice President shall cause to be prepared a list with the names, preferred contact addresses and telephone numbers of all active, associate and sustaining members of this Association. Such lists shall constitute the membership roster of this Association and a copy of same shall be made available to each member of the Association upon request. Such information shall be released only to members of this Association.
- 5.4 Resignation of Members - A member may resign at will by submitting a written resignation of the Association directed to its President. Such resignation shall be deemed to be effective when accepted by the Executive Committee. Upon resignation, a member's dues are forfeited for the current year.

- 5.5 Removal from Membership - The Executive Committee shall cancel the membership of any member in accordance with the Executive Committee Policy adopted by this Association. Upon determining that such member has: a) violated the Code of Ethics of this Association; b) been guilty of conduct actually and substantially injuring the good name of the Association; or c) failed to maintain a high standard of professional ethics, which would have been deemed sufficient for a rejection of membership application. Right to appeal shall be as set out in Section 5.6 below.
- 5.6 Appeal from Cancellation of Membership - Any individual whose membership shall have been cancelled may make written appeal for reinstatement as follows:
- a) To the Executive Committee which appeal shall be considered at the next meeting of the Executive Committee held thirty (30) days or more thereafter. Appellant shall have the right to appear before the Executive Committee at said meeting and present additional evidence on her/his behalf. After a final determination by the Executive Committee, the appellant shall have the right to appeal and/or appear before the general membership for final determination of said membership.
 - b) No individual whose membership shall have been cancelled and whose application for reinstatement shall be pending shall exercise any rights of membership pending the determination of such application.
 - c) No individual whose membership shall have been cancelled as aforesaid shall have the right to apply for reinstatement more than one time.

ARTICLE VI
General Membership Meetings

- 6.1 Place of Meeting - All meetings of the general membership shall be held in such place as designated by a majority vote of the Executive Committee, until such time when a permanent meeting place is determined, subject to the approval by the general membership.
- 6.2 A general meeting of the Association membership shall meet at not less than quarterly intervals which may include attendance at Association sponsored seminars or workshops. A majority of the active members of this Association present at any meeting shall constitute a quorum. In the event of a vote of dissolution a quorum shall consist of fifty-one (51%) percent of the voting members of the Association.
- 6.3 Special meetings may be called by the President upon fifteen (15) days' written notice to all members of record.
- 6.4 Annual programs and meetings shall be held in February for the purpose of electing new officers, submission of annual reports of officers and chairpersons, and adopting a budget for the coming fiscal year. Notice of annual meetings shall be given to all members of record at least fifteen (15) days prior to the meeting.

- 6.5 Majority Defined - At any meeting of the membership, all questions before such meeting shall be determined by a simple majority vote of the active members present, except as shall otherwise be contrary to any specific provisions of these Bylaws.

ARTICLE VII
Dues and Assessments

- 7.1 The dues of this Association shall be due March 1st of each year and payable by March 31st.
- 7.2 Beginning the fiscal year, dues and any other fees shall be determined by a majority vote of the Executive Committee, subject to the approval of the membership, and shall be set out in the Executive Committee Policy of the Association.
- 7.3 A renewing member whose dues shall not have been paid by March 31st shall be considered delinquent and may have her/his membership rights reinstated for the current fiscal year upon payment of such delinquent dues, however, said delinquent dues shall not be pro-rated.
- 7.4 A member whose dues are unpaid for more than one (1) year shall reapply for membership and comply with Article IV, Sections 4.1 through 4.3 of Article IV of the Association's Bylaws.
- 7.5 New Active and Associate members may join the Association at any time during the calendar year. The first year's dues will be pro-rated according to the schedule set forth on the Membership Application. The month in which the new member joins will be counted as a full month regardless of the day of the month joined. Sustaining Memberships are not subject to pro-ration.
- 7.6 The Association will charge any bank fees associated with an NSF charge plus \$5.00 over the Bank's charge for handling all returned checks.

ARTICLE VIII
Officers, Executive Committee and Board

- 8.1 The elected officers shall be: President, Vice-President, Treasurer and Secretary. These officers must be active members of this Association and actively employed as paralegals.
- 8.2 The appointed officers shall be the Parliamentarian and Corresponding Secretary. These officers must be active members of this Association and actively employed as paralegals.
- 8.3 Term of office for each officer shall be one (1) year.

- 8.4 The Executive Committee shall be composed of the elected and appointed officers. The Board shall be composed of the Executive Committee and the committee chairpersons. The Board shall meet at least quarterly and at other times as called by the President. Motions and seconds to motions shall be made by members of the Executive Committee only. Privilege of the floor is granted to all Board members to participate in discussions of motions or any other item under consideration at the meeting, however, only members of the Executive Committee are authorized to vote. Each member of the Executive Committee present at the meeting shall be allowed one vote; no proxy voting will be permitted.
- 8.5 No officers, chairpersons or members shall be compensated for Association duties. However, upon a majority vote of the Executive Committee, persons may be reimbursed for out-of-pocket expenses in connection with Association related activities. All officers and committee chairpersons shall submit all reimbursable expenses to the Treasurer of this Association after it has been incurred, whether said expense has been incurred by the officer, committee chairperson, a law firm or other business entity, within a reasonable amount of time. In addition, any and all expenses shall be submitted to the Treasurer of this Association no later than fifteen (15) days following the close of the fiscal year. The Association shall not be held responsible for any expenses submitted more than fifteen (15) days following the close of the fiscal year without approval of a majority vote of the Executive Committee.
- 8.6 Any officer of the Association may resign at any time by delivering written notice to the President. Such resignation shall take effect on the date of the receipt of the notice by the President. As deemed necessary by the Executive Committee, any vacancies of elected and appointed offices shall be filled by appointment by the President, subject to approval by a majority vote of the Executive Committee. Each person so approved to fill a vacancy shall retain that office until the election of his/her successor by the members of this Association at the annual meeting called for that purpose.

ARTICLE IX
Executive Committee

- 9.1 General Powers - Except as provided herein, the business of this Association shall be managed by its Executive Committee. The Executive Committee shall act as a planning committee, bringing recommendations to the membership for a vote when deemed necessary. This committee shall meet at least quarterly and at other times as called by the President
- 9.2 Specific Powers - By way of extension rather than limitation, the Executive Committee (by majority vote of Executive Committee members present at any meeting of said committee) shall be vested with the following authority, discretion and powers:

- a) The right to choose, appoint, hire, contract with, remove, suspend, discharge or otherwise deal with any person or entity as it may in its discretion deem fit and to the best interest of this Association.
 - b) To create, make or authorize the creation or issuance of checks, drafts, notes, bonds, debentures, mortgages, leases, trust agreement instruments, contracts or agreements of whatever nature and type and to do each and every other act and thing necessary, incident or convenient in effectuating the same.
 - c) The above specific powers shall be subject to the financial limitations set out in Article 12.4.
 - d) The Executive Committee, as it may in its sole discretion deem necessary, shall have the authority to act on any such extraordinary situation that would affect the best interests of this Association.
- 9.3 Qualifications of Executive Committee - An Executive Committee member must be legally competent to enter into contracts and must be a citizen of the United States of America and must be an active member of this Association. The President, Vice-President, Secretary and Treasurer shall automatically be members of the Executive Committee, along with appointed officers.
- 9.4 Meetings - The President may also call other Executive Committee meetings from time to time as deemed necessary. These other meetings may take place in person, by telephone conference call or by electronic internet means, whichever method is deemed by the President to be the most appropriate, efficient and economical method to conduct and accomplish the business of the Association. Minutes of said meeting shall be taken by the Secretary and made of record and shall be approved by the Executive Committee at the next Executive Committee meeting.

ARTICLE X Election of Officers

- 10.1 The President shall appoint a Nominations and Elections Chairman at least sixty (60) days prior to the annual meeting of the Association to present a slate of officers to the membership fifteen (15) days prior to election. No name shall be on the slate without consent of the candidate. Only if there is a vacancy in the slate, then nominations from the floor shall be accepted for that office.
- 10.2 Names of appointed officers must be presented by the President at the first meeting of the new fiscal year.
- 10.3 Unexpired terms of office shall be filled by appointment by the President, approved by a majority of the members of the Executive Committee.

Bylaws. The President shall be ex-officio (non-voting) member of all committees, but shall not be a member of the Nominations and Elections Committee. The President shall pass files to successor immediately upon installation and shall cause all other officers' and chairpersons' files to be passed to respective successors.

- 12.2 Vice-President - The Vice-President shall preside and shall assume all duties assigned to the President in the President's absence. The Vice-President shall automatically be Chairperson of the Membership Committee and shall be charged with the responsibility of developing programs to encourage membership in the Association. This officer shall receive applications for membership and present names of applicants to the Membership Committee for acceptance or rejection. The Vice President shall cause the dues to be delivered to the Treasurer, and advise new members of acceptance of membership. The Vice President shall assist the President at any time requested. The Vice President shall prepare and maintain a current roster of all Active, Associate and Sustaining Members. The Vice President shall send to all members, by regular mail or email, on or about March 1st of each year, notice of dues due for the current fiscal year as well subsequent reminders as deemed necessary.
- 12.3 Secretary - The Secretary shall prepare minutes for all meetings of this Association and edit the minutes as directed. The Secretary shall maintain a permanent file of minutes of all meetings of the Association. The Secretary shall maintain a copy of the Annual Report filed by the Registered Agent of the Association with the Secretary of State.
- 12.4 Treasurer - The Treasurer shall deposit all funds and make all disbursements, subject to approval of the Executive Committee and as provided in the budget. Any extraordinary expenses over \$250.00 must be approved by the Executive Committee before obligation to pay. The Treasurer shall be Chairman of Finance Committee, which committee shall prepare a budget for the ensuing fiscal year which shall be adopted by the membership at the annual meeting. The budget shall be submitted to the Executive Committee prior to presentation at the annual meeting. All disbursements of Association funds must be by Association check, signed by the Treasurer or the President. This officer shall submit a written financial report at each Board meeting to be attached to the official minutes as part of the permanent record. The Treasurer is also responsible for filing IRS Form 990N annually or as required by the applicable IRS regulations.
- 12.5 Parliamentarian - The Parliamentarian shall attend all meetings and give opinions on parliamentary procedure upon request of the President. This officer shall be familiar with the Association's Bylaws, Executive Committee Policy, and *Robert's Rules of Order; Newly Revised*; shall receive all proposed bylaw amendments, and prepare bylaw amendments upon request of the Executive Committee and submit the proposed revisions to the membership pursuant to the provisions of these By-Laws and the Executive Committee Policy.

- 12.6 Corresponding Secretary - The Corresponding Secretary shall prepare and mail correspondence requested by the President or Executive Committee. The Corresponding Secretary shall prepare and mail thank you notes to all speakers at all Association functions and assist all officers and committee chairpersons, when requested, with all mailings of this Association.
- 12.7 Chairpersons - See Lafayette Paralegal Association, Inc.'s Executive Committee Policy and Article VIII of these By-Laws.

ARTICLE XIII
Fiscal Year

The fiscal year of this Association shall be from March 1 to the last day of February. The Annual meeting shall be held in February of each year.

ARTICLE XIV
Code of Ethics

- 14.1 Every member of this Association shall be bound by the Code of Ethics for Legal Assistants as established by the National Association of Legal Assistants (NALA).
- 14.2 Removal or cancellation from membership and appeal thereof. See Article V Section 5.5 and 5.6.

ARTICLE XV
Amendments to Bylaws

Bylaw amendments may be adopted by a simple majority (51%) of the active members present at any regular meeting or at the annual meeting.

ARTICLE XVI
Dissolution

In the event of dissolution of this Association, all property and assets shall be distributed to a non-profit charitable organization defined by the Internal Revenue Code to be selected by a majority vote of the remaining members of the Association notice having been given to members of the Association at least fifteen (15) days prior to the meeting. In no event shall any of such property and assets be distributed to any member or private individual.

ARTICLE XVII
Parliamentary Authority

Robert's Rules of Order, Newly Revised shall be the parliamentary authority where applicable and where there is no conflict between said rules and the Bylaws of this Association.