

Association of Clerks of Circuit Courts of Indiana

By-Laws (Adopted June 12, 2024)

ARTICLE I. NAME

This organization shall be known as “Association of Clerks of Circuit Courts of Indiana”.

ARTICLE II. PURPOSE

The object of the Association shall be:

Section 1. To promote interest in standardizing procedures used in the separate Circuit Court Clerk’s Offices by collaborating with the Southern Indiana Districts Clerks Association and the Northern Indiana Districts Clerks Association. The By-Laws of the Southern and Northern Associations are attached.

Section 2. To maintain a Legislative Committee for the purpose of cooperating with members of the General Assembly of Indiana in preparing and passing laws that clarify and benefit the offices of the Circuit Court Clerks.

Section 3. To hold meetings when necessary for the purpose of discussing issues pertaining to the several Clerk’s offices.

Section 4. To disseminate information to the members concerning new laws, procedures, and recommendations handed down by various state departments. To advise and educate Clerks, especially newly elected Clerks, on best-practices for their respective duties.

ARTICLE III. MEMBERSHIP

Section 1. Active membership in the Association shall be limited to the duly elected and qualified Clerks of Circuit Courts of the State of Indiana who have paid their annual dues.

Section 2. Associate membership in the Association shall be offered to the duly appointed deputies of active members, any person, corporation, or organization interested in furthering the purposes of the Association of Clerks of the Circuit Courts of Indiana.

Past active members may become associate members upon payment of dues.

Section 3. The dues of active members shall be one percent (1%) of their annual salary up to a maximum of \$450.00. Effective date is January 1, 2016.

Section 4. The dues of associate members shall be fifteen dollars (\$15.00) annually.

Section 5. A voluntary dues of one hundred (\$100.00) per county may be paid to the association for legal or legislative expenses. The voluntary dues shall be receipted separately and shall be used solely for the association's legal or legislative purpose.

ARTICLE IV. OFFICERS

Section 1. The officers of the Association shall be a President, Vice President, Secretary, Treasurer, and Immediate Past President. These officers shall perform their duties as prescribed by these by-laws.

Section 2. At the annual meeting held in conjunction with the State Board of Accounts Conference, the new President shall appoint a Nominating Committee of five members. The Nominating Committee shall contact all members of the Association by January 31st each year to solicit the interest of any members wishing to serve as an officer. The committee shall nominate officers of the Association and make their report at the next annual meeting held in conjunction with the State Board of Accounts Conference. Nominees shall represent the northern and southern districts and be, as nearly as possible, equal in political party affiliation. Before the election of officers at the annual meeting, nominations may be made from the floor.

Section 3. The officers shall be elected by acclamation to serve for one (1) year beginning January 1 of the ensuing year.

Section 4. The officers, once elected by the Association, shall automatically advance in rank each year, unless an officer resigns to the Association and Nominating Committee. Advancement may be waived by majority vote of the Executive Board.

Section 5. In the event a vacancy occurs in an office, the remaining officers shall advance in rank to fill that vacancy and the nominating committee shall nominate a person of the same political party, if possible, to fill the vacancy. A majority vote of the Executive Board will officially appoint the person.

ARTICLE V. DUTIES OF THE OFFICERS

Section 1. The President shall have general supervision of the work of the Association and shall preside at all meetings of the Association and all meetings of the Executive Board. The President

shall serve as the affiliate's representative on the AIC Legislative Committee or appoint a member of the Association's Legislative Committee to represent the Clerks of Circuit Courts.

Section 2. The Vice President shall in the absence of the President assume their duties. Vice President shall accept committee chair positions as designated by the President.

Section 3. The Secretary shall keep a record of the proceedings of each meeting. The Secretary, while considering the Treasurer's records, shall also keep an accurate list of the members of the Association and their respective addresses.

Section 4. The Treasurer shall have charge of all funds of the Association and shall collect and keep an accurate book account of all money received and disbursed. The Treasurer shall make a report at the annual meeting of the Association held in conjunction with the State Board of Accounts Conference of all money received and disbursed by the Treasurer during the year. The Audit Committee shall review the Treasurer's report before the conference. The Treasurer shall report the financial condition of the Treasury as of the date of the annual conference. Any records to be approved by the Treasurer shall be submitted to the Treasurer at least one week prior to the Treasurer's report being provided to the membership. The Treasurer and Secretary shall conduct registration of persons attending the State Board of Accounts annual conference for Clerks and the business meeting held in conjunction with the AIC Conference.

Section 5. The Treasurer shall be bonded in an amount determined by the Executive Board and the bond shall be approved by the Executive Board. The cost of the bond shall be paid by the Association.

Section 6. The immediate past President will act as an advising member of the Executive Board.

ARTICLE VI. MEETINGS

Section 1. There shall be an annual meeting of the Association held each year during the State Board of Accounts Conference.

Section 2. The President, or a majority of the Executive Board, may call special meetings any time during the year as the need arises.

Section 3. At the annual meeting of the Association held in conjunction with the State Board of Accounts Conference, annual reports shall be given by the officers and committee chair. A copy of all reports shall be filed with the Secretary at least one month prior to the Annual Conference and made a part of the minutes.

Section 4. A business meeting shall be held during the annual AIC Conference.

Section 5. In the event that an issue must be decided and it is not practical to call a physical meeting of the Executive Board or a physical meeting of the entire Association membership, voting may take place via electronic mail using the following procedures:

1. A motion's author must send an email to the Executive Board including the proposed motion, the reason(s) for proposing it, and the rationale for conducting an email vote.
2. With the approval of a majority of the Executive Board, the Secretary will email the motion to the Board or the entire Association membership asking for 48 hours of discussion by the Board or entire Association membership, followed by 24 hours of email voting. These time limits may be adjusted, as appropriate, by the Executive Board. All email correspondence should be in a "Reply to All" mode. Votes cast by email should be directed to the Secretary. Should revisions to the motion be proposed and agreed to by the motion's author, the Secretary will notify the Board of the change(s) and refer the new language to the Executive Board for instructions on how to proceed.
3. The email motion is considered as passed if it receives unanimous approval of all Board members. If the email motion is voted upon by the entire Association, it is considered passed if approved by a majority of the members who cast a vote by the deadline. As referenced in Article IX, amendments to the By-Laws require approval by two thirds of the members who cast their vote by the deadline.
4. The Secretary will promptly report vote results to the Executive Board and entire Association membership. Final vote totals will be emailed and included in executive minutes as issued for the next officially called meeting.

Section 6. In the event the Northern District Clerks Association and Southern District Clerks Association have a scheduling conflict with their respective district meetings, the President of the overall state-wide Association shall consult with the officers of each association to resolve the issue and, if necessary, shall exercise the final decision to remedy the issue.

ARTICLE VII. EXECUTIVE BOARD

Section 1. The officers of the Association, Immediate Past President, Committee Chairs and Presidents of the Northern and Southern Districts shall constitute the Executive Board.

ARTICLE VIII. COMMITTEES

Section 1. The following Committees assist the Association with advancing its purpose. Each of the following Committees shall call a meeting by March 31st each year in order to address any issues germane to that Committee's duties.

Section 2. The Legislative Committee shall be comprised of five (5) or more members selected by the President plus the elected officers. The President and the Secretary-Treasurer of the Southern and Northern District Clerks Associations shall also serve on this state-wide committee in accordance with their respective by-laws.

Near the beginning of every legislative session, the Legislative Committee shall distribute a summary of any proposed legislation which may affect the office of the Clerk of the Circuit Court. This summary shall include both legislation advocated by the Legislative Committee and proposals by other entities. The Legislative Committee shall compile any feedback from the membership regarding the legislation and discuss courses of action. The Legislative Committee shall keep in contact with members of the General Assembly, when it is in session, and shall secure accurate, up to the minute information regarding all legislation affecting the office of the Clerk of the Circuit Court.

This committee shall be charged with the responsibility of attendance, when needed, of Association members at meetings of the General Assembly.

Section 3. The Auditing Committee shall be comprised of three (3) members appointed by the President. They shall make an audit of the records of the Treasurer of the Association and shall make a report to the Association at the annual meeting held during the State Board of Accounts Conference.

Section 4. The President shall appoint an Awards Committee comprised of at least three (3) members. This committee shall be responsible for the selection of two plaques: one (1) for the outgoing President of the Association and one (1) for the Clerk who has given outstanding service to the Association.

Section 5. A Membership Committee shall be comprised of two (2) members from the Northern District and two (2) members from the Southern District. It is their responsibility to contact the Clerks in their assigned districts to encourage their participation and membership in the Association.

Section 6. A Nominating Committee shall be comprised of five (5) members. Either the Northern District or the Southern District shall have at least two (2) members for the Nominating Committee. It is their responsibility to nominate officers for the Association.

Section 7. The President shall appoint a Records Management Committee. The appointees shall be the same as those Clerks appointed to the Supreme Court Records Management Committee who responsibility it will be to represent the Association in Supreme Court called meetings and report activities to the Association. Additional members shall be appointed at the President's discretion.

Section 8. The By-Laws Committee shall be comprised of two (2) members from the Northern District, two (2) members from the Southern District, and the President of the Association. It is their responsibility to review the By-Laws and propose any amendments as needed. A draft of

the By-Laws with any proposed amendments shall be submitted to the entire membership for consideration and potential approval prior to an upcoming Annual Meeting.

Section 9. The Education Committee shall be comprised of two (2) members, preferably 2nd term Clerks, from the entire Association. It is their responsibility to assist other Clerks with best-practices of any Clerk related duty on an as needed basis. All members may volunteer to assist the two sitting members, especially members who provide experience and expertise in a given area. Reimbursement by the Association for estimated travel costs related to any on-site training offered by this committee shall first be presented to the Executive Board for final approval.

Section 10. The President may make appointments to other committees, especially those created by the Indiana Supreme Court, as the need arises. Depending on the structure of these outside committees, an effort shall be made to appoint members who provide experience, expertise, and perspectives sought by that committee. These members shall keep the Executive Board informed of developments within these outside committees.

ARTICLE IX. AMENDMENT OF BY-LAWS

These By-Laws can be amended, at the meeting of the Association held during the State Board of Accounts Annual State-Called Conference, by a two-thirds vote, or by a vote determined by Article VI, Section 5, provided the amendments have been submitted in writing to the Executive Board, or entire Association membership.

These By-Laws were approved, as amended, by a two-thirds majority vote at the Indiana State Board of Accounts Conference on June 12, 2024.

Nicole Browne, Clerk of the Monroe County Circuit Court, President

Jon Eads, Clerk of the Jay County Circuit Court, Vice President

Kay Kilgore, Clerk of the Posey County Circuit Court, Secretary

Lisa Lofgreen, Clerk of the Hancock County Circuit Court, Treasurer

2024 AMENDMENTS

Article II. Replaced OBJECT with PURPOSE in the title.

Article II, Section 1: Add "Indiana" to Northern Indiana Districts Clerks Association to coincide with the Southern Indiana Clerks Association.

Article II, Section 3: Replace “problems” with “issues”.

Article II, Section 4: Add “procedures” after new laws, replace “options” with “recommendations”. Add the sentence “To advise and educate Clerks, especially newly elected Clerks, on best-practices for their respective duties”.

Article IV, Section 2: Add the sentence “The Nominating Committee shall contact all members of the Association by January 3st each year to solicit the interest of any members wishing to serve as an officer.” Added “of officers” in the last sentence after Before the election.

Article IV, Section 5: Replace “entry office” with “vacancy”, add “A” and make the “M” in “majority” lower case, capitalize the “E” in Executive and capitalize the “B” in Board.

Article V, Section 1: Omitted “affiliation of” in the second sentence.

Article V, Section 2: Replaced “his” with “their”, replaced “chairmanships” with “chair positions”.

Article V, Section 3: Omitted the last sentence “The Secretary shall also conduct the correspondence of the Association.”

Article V, Section 4: Added the sentence “The Audit Committee shall review the Treasurer’s report before the conference.” Add “The” before Treasurer shall report..., Add the sentence “Any records to be approved by the Treasurer shall be submitted to the Treasurer at least one week prior to a Treasurer’s report being provided to the membership.”

Article V, Section 6: Replace “board” with “Executive Board”.

Article VI, Section 2: Add “a majority of the” before Executive Board.

Article VI, Section 3: Change “chairmen” to “chairs”. Add “at least one month prior to the Annual Conference” after Secretary.

Article VI, Section 5: Change “Board of Directors” to “Executive Board”.

Article VI, Section 5.1: Change “Committee including” to “Board including”.

Article VI, Section 5.2: Change “Executive” to “Board” in the first, second & fifth sentence; omit “during an email vote”, add a 4th sentence “Votes cast by email should be directed to the Secretary.”

Article VI, Section 5.4: Omit “Committee, the” and “dependent upon original or revised electoral participation” from the first sentence.

Article VII, Section 1: Omit “duly elected” and replace “Chairman” with “Chairs”.

Article VIII, Section 1: Add this Section and title it Section 1. "The following Committees assist the Association with advancing its purpose. Each of the following Committees shall call a meeting by March 31st each year in order to address any issues germane to that Committee's duties."

Article VIII, Section 2: This section was Section "1" and is now Section "2", omit the last sentence "They shall make suggestions to the Association relative legislation in which the Association may be interested." Add "Near the beginning of every legislative session, the Legislative Committee shall distribute a summary of any proposed legislation which may affect the office of the Clerk of the Circuit Court. This summary shall include both legislation advocated by the Legislative Committee and proposals by other entities. The Legislative Committee shall compile any feedback from the membership regarding the legislation and discuss courses of action."

Article VIII, Section 3: Replaced Section "2" with "3".

Article VIII, Section 4: Replaced Section "3" with "4".

Article VIII, Section 5: Replaced Section "4" with "5", omitted "four (4) members geographically located" and added "two (2) members from the Northern District and two (2) members from the Southern District". Also added "It is their" to the 2nd sentence and omitted "whose responsibility it will be".

Article VIII, Section 6: Replaced Section "5" with "6". Instead of 1 sentence this section now has 3. Added a 2nd sentence "Either the Northern District or the Southern District shall have at least two (2) members for the Nominating Committee" and omitted "geographically located who" from the 1st sentence. Added a 3rd sentence "It is their responsibility to nominate officers for the Association". Omitted "it will be" from the original sentence.

Article VIII, Section 7: Replaced Section "6" with "7".

Article VIII, Section 8: Added this entire Section "The By-Laws Committee shall be comprised of two (2) members from the Northern District, two (2) members from the Southern District, and the President of the Association. It is their responsibility to review the By-Laws and propose any amendments, as needed. A draft of the By-Laws with any proposed amendments shall be submitted to the entire membership for consideration and potential approval prior to an upcoming Annual Meeting.

Article VIII, Section 9: Added this entire Section "The Education Committee shall be comprised of two (2) members, preferably 2nd term Clerks, from the entire Association. It is their responsibility to assist other Clerks with best practices of any Clerk-related duty on an as needed basis. All members may volunteer to assist the two sitting members, especially members who provide experience and expertise, in a given area. Reimbursement by the Association for estimated travel costs related to any on-site training offered by this committee shall first be presented to the Executive Board for final approval.

Article VIII, Section 10: Replaced Section “7” with “10”. Instead of 1 sentence this Section now has 3. Added “make”, changed “appoint” to “appointments”, added “to” and “, especially those created by the Indiana Supreme Court,” to the 1st sentence. Added “Depending on the structure of these outside committees, an effort shall be made to appoint members who provide experience, expertise, and perspectives sought by that committee. These members shall keep the Executive Board informed of developments within these outside committees.

Article IX: Omit “Executive Committee” and “depending on the original or revised electoral participation”.