

**BYLAWS OF
THE
COUNCIL OF PROBATE COURT JUDGES**

ARTICLE I

NAME

The name of this Association shall be THE COUNCIL OF PROBATE COURT JUDGES OF GEORGIA.

ARTICLE II

OBJECTIVES

The objectives of this Council shall be to gather, study and disseminate information to the Probate Court Judges of Georgia; to formulate and recommend plans and policies relating to the improvement of the administration of justice in the State of Georgia and to the problems of and solutions for the trial and disposition of judicial business in the Probate Court; to improve the position of the Probate Court Judiciary and respect therefore; to present and conduct programs relating to judiciary matters; to maintain the independence of the Probate Court and to promote the responsiveness thereof to the legitimate needs of the respective courts and of the public which the Courts serve; and to establish and maintain a close working relationship with the Supreme Court of Georgia, the Councils of other classes of courts, the Judicial Council of Georgia, the General Assembly of Georgia and the Executive Branch to the end that the stated objectives of this Council shall be accomplished.

ARTICLE III

MEMBERSHIP

All probate judges of the State of Georgia shall be members of the Council.

ARTICLE IV

NUMBER OF MEETINGS

The meetings of the Council shall be convened biannually and specially at such time and place as may be directed by the Executive Committee, notice thereof being given to the membership by the Secretary-Treasurer. The Annual meeting of the Council shall be held in the spring of each year. The Semi-Annual meeting of the Council shall be held in the fall of each year.

ARTICLE V

QUORUM OR MAJORITY OF MEMBERS PRESENT TO PASS ON ANY ACTION

All business of the Council must be adopted by a majority of those present at any business meeting.

ARTICLE VI

OFFICERS AND THEIR TERMS

Section 1. The officers of the Council shall be a President, President-Elect, First Vice President, and Secretary-Treasurer.

Section 2. Election and Term. The officers of this Council shall be nominated as herein provided and shall be elected at each spring meeting to hold office for one year or until their successors are duly nominated, elected and qualified. Officers may not succeed themselves, provided, however, that the Secretary-Treasurer will not be limited in the number of terms served.

The officers of the Council shall be nominated and elected as follows: The Nominations Committee, appointed and announced as hereinafter provided, shall nominate a qualified member for President-Elect, First Vice President and Secretary-Treasurer and submit a list of its nominations to the Secretary-Treasurer, who shall mail a copy thereof to the members of the Council as a part of the notice of the next Annual Meeting of the Council at least 30 days prior thereto. These nominations and any others made from the floor at the Annual Meeting shall be submitted to the Council at such Annual Meeting and from those so nominated, the members of the Council in attendance at the Annual Meeting shall, at such Annual Meeting, elect such officers by majority vote. The officers so elected shall take office at the close of the Annual Meeting and shall hold office for one year or until their successors are elected and qualified.

Section 3. President. The President shall preside at all meetings of the Council. The President shall be Chair of the Executive Committee of the Council and shall preside at all meetings thereof. If probate court judges are represented on the Executive Committee of the County Officers Association of Georgia, the President shall serve as the representative and may make a report to the full membership of the County Officers Association of Georgia of the action of the Council, together with any recommendations and such other matters as may be desired.

Section 4. Immediate Past President. The Immediate Past President shall participate in sessions of the Executive Committee.

Section 5. President-Elect. The President-Elect shall become President upon the expiration of the term of office of the President. The President-Elect shall perform such duties as the President may delegate and such other duties as the Executive Committee may prescribe. The President-Elect shall also succeed to the office of the President in the event of a vacancy in that office at any time and for any reason and shall serve as President until the next Annual Meeting and for the following term. In the event of the absence of the President, the President-Elect shall preside at all meetings of the Executive Committee and Council, and shall perform all other duties of the President.

Section 6. First Vice President. The First Vice President shall perform such duties as the President may delegate and such other duties as the Executive Committee may prescribe. In the event of the absence of the President and the President-Elect, the First Vice President shall preside at all meetings of the Council and of its Executive Committee. The First Vice President shall also serve as a liaison between the Council and District Officers. First Vice President shall inform District Directors of their responsibilities, update them on Council decisions, and assist them in identifying technological and training needs. The First Vice President will also review their duties based on the Council Bylaws that state districts are to meet four (4) times a year. The chair of the membership committee shall assist the First Vice President as needed in carrying out the aforementioned duties.

Section 7. Secretary-Treasurer. As secretary, the Secretary-Treasurer shall keep minutes of all meetings of the Council and of the Executive Committee, and shall keep a record of all matters of which a record shall be deemed advisable by the President. The Secretary-Treasurer shall give the required notice of all meetings and shall include with the notice of the spring meeting a list of the nominations of the Nominations Committee for the officers of the Council. The Secretary-Treasurer shall notify the officers, the members of the Executive Committee, and the membership of the elections, shall perform the duties specified in Article VI hereof, and shall keep a roll of the members. The Secretary-Treasurer shall be Ex-officio Secretary of the Executive Committee and shall perform all such other duties as the President and as the Executive Committee may from time to time prescribe.

As Treasurer, the Secretary-Treasurer shall notify all members of all assessments made, shall receive the same from the membership and, upon direction of the Executive Committee, shall disburse all funds of the Council. The Secretary-Treasurer shall make a report of all receipts and disbursements annually at the Annual Meeting or more often if required by the President or the Executive Committee. The Secretary-Treasurer shall keep regular accounts which shall at all times be open to the inspection of members of the Council, and shall give bond for the faithful performance of duties as treasurer in such sum and with such surety or sureties as the Executive Committee may determine.

Section 8. In the event of a vacancy in any office for the filling of which there is no other provision in these Articles, the Executive Committee shall designate a member to serve in said office until a successor is elected at the next meeting.

ARTICLE VII

JUDICIAL COUNCIL OF GEORGIA REPRESENTATIVES

Section 1. Representation. The members of this Council who will be the representatives on the Judicial Council of Georgia shall be the President and President-Elect of this Council. In the event this Council is authorized more than two representatives on the Judicial Council of Georgia, such additional representatives shall be selected for one year terms by the Executive Committee unless otherwise provided for in these bylaws.

Section 2. Vacancies. Appointment. In the event of a vacancy other than at the expiration of a term, the President may appoint another probate judge to complete the term.

ARTICLE VIII

EXECUTIVE COMMITTEE MEMBERSHIP, ELECTION AND DUTIES

Section 1. Membership. The Executive Committee shall consist of the officers of the Council, the Immediate Past President, the Chair or Chairs of the Court Rules Committee, Chair or Chairs of the Nominations Committee, Chair or Chairs of the Legislative Committee, Chair or Chairs of the Audit and Budget Committee and the Chair of the Probate Judges Training Council.

Section 2. Duties. The Executive Committee shall be the governing body of the Council between meetings of the Council and shall have such other duties as the Council may from time to time delegate to it. A quorum at any meeting of the committee shall consist of five members present in person. The Committee may act upon the affirmative vote of a majority at any such meeting. The Committee may also act upon a proposal fully expressed to them by the President by letter, telephone or in person if at least four other members of the Committee shall concur therein.

Section 3. Advisory Members. All District Directors and the members of the Clerks Advisory Committee shall be advisors to the Executive Committee and shall be authorized to attend Executive Committee meetings. As advisory members, such advisors shall not have voting privileges. The voting rights of a District Director who is otherwise a full member of the Executive Committee shall not be affected. Advisory members may be excused from any Executive Committee meeting, upon a vote of a majority of the Executive Committee, when matters of a confidential or sensitive nature are under discussion. The expenses of attendance by advisory members at Executive Committee meetings shall be paid in the same manner as are those of full members of the Executive Committee.

ARTICLE IX

COMMITTEES

Section 1. Court Rules Committee. The President shall annually appoint a Court Rules Committee. This Committee shall develop recommendations for Uniform Court Rules and record keeping rules and otherwise cooperate with the Supreme Court of Georgia as required by Art. VI, Sect. 4, Para. 1 of the Georgia Constitution.

Section 2. For the purpose of nominating one person for each elective office in accordance with Article VI, there shall be a Nominations Committee consisting of one member from each of the ten judicial districts, plus the President of the Council. The President shall only vote in case of a tie, and shall have a vote in that situation whether or not the President also cast the vote for his or her district. The Nominations Committee member from each district shall be selected annually by a majority vote of a quorum of the judges of that district. The President of the Council shall serve as chair and shall be notified of the name of the Nominations Committee member from each district prior to January 1 of each year. At least sixty days prior to the April annual meeting, the President shall hold a meeting or canvass the Committee members in person, by telephone, or by mail, for the purpose of arriving at a nominee for each of the elective offices. At least forty-five days prior to the April annual meeting, the names of the nominees shall be provided to the Secretary-Treasurer for dissemination to the Council members as provided in these bylaws. In the event that a district fails to elect its representative on the Nominations

Committee, or to notify the President of such selection, the representative of that district serving on the Probate Judges Training Council shall also represent that district on the Nominations Committee.

Section 3. Legislative Committee. The President shall annually appoint a Legislative Committee composed of such numbers as deemed necessary. The Legislative Committee shall make recommendations concerning legislative changes for approval by the Council.

Section 4. Audit and Budget Committee. The President shall annually appoint an Audit and Budget Committee composed of such members as deemed necessary. The Audit and Budget Committee shall propose to the Executive Committee budgets for any monies appropriated from the State and monies collected from dues and fees and from the County Officers' Association of Georgia. The Audit and Budget Committee shall review expenditures and report to the Executive Committee at the annual meeting and at other meetings as deemed necessary.

Section 5. The President shall also from time to time appoint such other committees as may be deemed necessary to carry out the work of the Council. These committees shall be comprised of such members as the President may determine.

ARTICLE X

PUBLIC RELATIONS POLICY, OFFICIAL OPINIONS AND POLICY STATEMENTS

From time to time the Council shall issue, publish and distribute official opinions or policy statements concerning recommendations for the improvement and administration of the Probate Court System, including the recommendations of new legislation or repeal or modifications of existing laws. An opinion or policy statement shall be authorized by a majority vote of the Council.

Section 1. Right to Dissent. Any member of the Council shall have the right to dissent from the majority of any official opinion or policy statement. The dissenting opinion shall be published and made a part of the statement of the majority.

Section 2. Public Relations and Dealings with the News Media. The President shall be the official spokesperson for the Council of Probate Court Judges, although the Council, by majority vote, may direct the president in communications with the public and the news media. Other members of the Council are discouraged from communication directly with the news media unless directed to by the Council or the President. In the event a member of the Council is approached by the news media concerning work of the Council, that particular member should direct the reporter to the President. Should a member be asked to participate in a forum, panel discussion, seminar, or television or radio program concerning work of the Council, the member should consult with the President or the Council, if practical, before making such appearance.

ARTICLE XI

DUES AND ASSESSMENT

Annual dues shall be fixed by the Executive Committee. In addition to dues, an assessment may be fixed by vote of the Council whenever there may be a legitimate and unanticipated need therefore to finance the work of the Council. Each member of the Council shall pay such dues and assessments promptly upon being notified thereof.

ARTICLE XII

DISTRICT DIRECTORS

The Georgia Council of Probate Court Judges shall be divided into districts to ensure communication and interaction on a local level. Each district shall elect a representative to be known as a District Director for a two-year term. Each District shall have the option to elect two other officers to be known as Vice-Director and/or Secretary and whose functions shall be to assist in the activities in the District. All officers shall be elected by a vote of the membership of the District. Any person so elected may serve more than one term as District Director but not consecutive terms. Each Director shall be responsible for communicating to the members of the district all issues concerning the probate courts; encouraging participation in training and continuing education; for submitting information for publication about the activities of the District to the editor of the probate court newsletter; and for promoting programs sponsored by the related organization of the probate courts. Furthermore, each Director shall make nominations to the appropriate committee for awards and recognition of accomplishments. Approved recognition should be submitted to the newsletter for publication. Each Director shall ensure the election of a member of the District to serve as a member of the Probate Judges Training Council and the election of a member of the District to serve as a member of the Nominations Committee.

District meetings should be held no less than four times per year. At the discretion of the District Director, meetings may be held in excess of four times a year. Each Director shall make a report of the District activities to the Executive Committee as directed by the Council.

ARTICLE XIII

FISCAL YEAR

The fiscal year of the Council will commence on January 1 of each year and end on December 31 of each year.

ARTICLE XIV

AMENDMENTS TO ARTICLES OF COUNCIL

Any proposed amendment to these Articles may be introduced at any Annual or Semi-Annual Meeting of the Council, provided that notice of such proposed amendment be sent to the membership with the notice of said meeting. It shall be adopted if approved by two-thirds (2/3) of the members present at said meeting or by a majority of the membership.