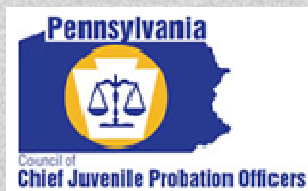


# The Pennsylvania Council of Chief Juvenile Probation Officers

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*Adopted Bylaws*



*Pursuing Balanced and Restorative Justice*



<http://www.pachiefprobationofficers.org>

3/1/2015

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# The Pennsylvania Council of Chief Juvenile Probation Officers

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# **The Pennsylvania Council of Chief Juvenile Probation Officers**

## **BYLAWS**

### **ARTICLE I            Name**

- Section 1.    The Name of this organization shall be “The Pennsylvania Council of Chief Juvenile Probation Officers.”
  
- Section 2.    The principal office of the Council shall be in the city of Greensburg, County of Westmoreland, Commonwealth of Pennsylvania. The Council also may have offices at such other places within the Commonwealth of Pennsylvania, as the Executive Board may from time to time decide, or as the business of the Council may require.

### **ARTICLE II           Purposes and Objectives**

- Section 1.    To work and cooperate with all existing agencies in the Commonwealth of Pennsylvania to prevent crime among juveniles and to rehabilitate said juveniles alleged or declared delinquent and to promote the social welfare of the Commonwealth of Pennsylvania by combating community deterioration and juvenile delinquency.
  
- Section 2.    To help plan and coordinate certain education programs to ensure that Juvenile and Family Court personnel and other related professionals become aware of the ways and procedures of the Juvenile Justice System in the Commonwealth of Pennsylvania.
  
- Section 3.    To provide authoritative and professional expression of the views, policies and positions of the Pennsylvania Council of Chief Juvenile Probation Officers on major issues in juvenile justice and juvenile corrections, such as legislation, trends and developments, treatment standards, as they relate to delinquency.
  
- Section 4.    To increase community understanding of the problems of delinquency and to seek greater support of treatment programs for delinquents and their families.

- Section 5. To encourage the utilization of community-based programs as an alternative to out of home placement, when possible.
- Section 6. To engage in other educational and research activities designed to upgrade and improve the Juvenile Justice System in the Commonwealth of Pennsylvania.
- Section 7. To influence legislation that is in furtherance of the above purposes, provided, however, that the corporation shall not participate or intervene, directly or indirectly, in any political campaign on behalf of, or in opposition to, any candidate for public office.
- Section 8. To do everything necessary, proper, advisable or convenient for the accomplishment of the foregoing general purpose and all things incidental thereto or connected therewith that are permitted organizations described in section 501 (C) (4) of the Internal Revenue Code and that is not forbidden by an applicable law, these By-Laws or the articles of incorporation.

### **ARTICLE III      Membership**

- Section 1. There shall be two classes of membership in the Pennsylvania Council of Chief Juvenile Probation Officers: a. Active b. Associate.
- Section 2. Active Membership defined: any person employed as a Chief Juvenile Probation Officer or Supervisor in the Commonwealth of Pennsylvania and/or the head of a Juvenile Probation Department, if designated by a different title, may be eligible for active membership by enrolling his/her name with the Treasurer and paying the required dues. This class of membership shall conduct the business of the Council and elect officers of the Council with the qualification that only one vote may be cast from each county represented.
- Section 3. Associate Member defined: any individual interested in the Juvenile Justice System in the Commonwealth of Pennsylvania may become entitled to the rights of an associate membership as listed below:
- a. Shall have the right to participate in all meetings and programs and serve on Council committees.
  - b. Shall receive all emails and printed publications and other material produced by the Council.

- c. Shall not have the right to vote in the election of officers or business of the Council.
- d. The dues for the associate membership shall be one-half the annual dues of active members.

Section 4. A retired Chief Juvenile Probation Officer and/or head of a Juvenile Probation Department if designated by a different title may be eligible to become as associate member by enrolling his/her name with the Treasurer and paying the required dues.

### **AMENDED AND RESTATED ARTICLES OF INCORPORATION**

In conformity with Subchapter B of Chapter 57 of Title 15 Corporation and Unincorporated Associations the Articles of Incorporation of the Pennsylvania Council of Chief Juvenile Probation Officers are amended and restated to read as follows:

1. The name of the corporation is Pennsylvania Council of Chief Juvenile Probation Officers.
2. The location and post office address of the current registered office of the corporation in this Commonwealth is 2490 South Grande Boulevard, Greensburg, Pennsylvania, 15601.
3. The corporation is incorporated under the Nonprofit Corporation Law of the Commonwealth of Pennsylvania for the following purposes:
  - a. To promote the social welfare of the Commonwealth of Pennsylvania by combating community deterioration and juvenile delinquency.
  - b. To collaborate with other agencies concerned with juvenile probation services and combating juvenile problems where such services are consistent with the corporation's goal of helping prevent crime among juveniles, and rehabilitating said juveniles declared delinquent through probation or parole services.
  - c. To promote research and staff development in juvenile probation services.
  - d. To influence legislation that is in furtherance of the above purposes, provided, however, that the corporation shall not participate or intervene, directly or indirectly, in any political campaign on behalf of or in opposition to any candidate for public office.

- e. The corporation does not contemplate pecuniary gain or profit, incidental or otherwise. The corporation is not organized and shall not be operated for profit.
  - f. Upon dissolution of the cooperation or the winding up of its affairs, the assets of the corporation shall be distributed to one or more organizations organized and operated for the same or similar purposes as the corporation and which organization or organizations qualify as charitable organizations or social welfare organization within the meaning of Section 501 (c) (3) or 501 (c) (4) of the Internal Revenue Code, respectively, or the corresponding sections of any future federal tax code.
4. The term for which the corporation is to exist is perpetual.
5. The corporation is organized upon a non-stock basis.

**ARTICLE IV            Dues**

- Section 1.        The Executive Board shall have the power to fix the amount of dues to be paid by various members of the Council and to establish uniform classification for this purpose.
- Section 2.        All members shall be notified by the Membership Chair, at the beginning of each calendar year, of delinquent dues for the immediate preceding year, and dues for the current year. Those members who have not paid delinquent dues for the immediate preceding year by the time of the first yearly meeting shall be dropped from the membership rolls, the email distribution list, and the mailing list for any publications.
- Section 3.        Only individual active members who hold a paid membership card for the current year are entitled to vote within the one vote for county rule.

**ARTICLE V            Executive Officers**

- Section 1.        Executive Officers of the Council must be active members.
- Section 2.        The Executive Officers of the Council shall consist of the following: a President, a Vice President, a Secretary and a Treasurer.
- Section 3.        The term of all officers excluding the Treasurer shall be for two (2) years, or until their successors be elected and installed.

- Section 3a. The term of the Treasurer shall be for four (4) years plus 120 days or until their successors be elected and installed.
- Section 4. In election years, all officers shall be elected by ballot at the final yearly meeting.
- Section 5. The Treasurer shall be bonded, the expense of which shall be paid by the Council.

## **ARTICLE VI      Executive Board**

- Section 1. The Executive Board shall consist of all elected officers as enumerated in Article V, Section 2, the immediate Past President, the Chairman of the Standing Committees, and the Chairman of Ad Hoc Committees. The Executive Board as herein constituted as the Board of Directors of this non-profit organization and shall have the authority to establish as many regions as deemed necessary to conduct the business of this organization.
- Section 2. A majority of the membership of the Executive Board shall constitute a quorum.
- Section 3. All vacancies on the Executive Board will be filled by appointment of the President for the unexpired terms with the approval of the Executive Board. In the event of the President's resignation, death or removal from office, the Vice President shall automatically assume the office of President for the balance of the predecessor's term.
- Section 4. The duties of the Executive Board shall be:
- a. To have general charge of the business of the Council between meetings.
  - b. To set times and places of all meetings of the Council.
  - c. To consider legislation concerning the objectives of the Council with power to approve or disapprove proposed legislation in the name of the organization in the interim between meetings.
  - d. To approve the appointment by the President of such committees as shall be necessary for the work of the Council.
  - e. To plan programs for the various meetings of the Council.

- f. To assist the Treasurer in the preparation of the association's annual budget. The budget shall be reviewed and approved by the Executive Board during the May meeting. The approved budget shall be presented to Council by the Treasurer during the June meeting.
- g. The President or other designee of the Executive Board shall authorize the expenditure of funds within the approved budget as is necessary for Council operations and activities.
- h. Any modification of the approved annual budget shall be presented to Council by the Executive Board for approval.

## **ARTICLE VII Meetings**

- Section 1. Regular meetings of the Council shall be convened no less than four times per year at a site in Pennsylvania to be determined by the Executive Board.
- Section 2. Notice of these meetings shall be emailed to all members by the Secretary at least ten (10) days prior to the meeting.
- Section 3. A majority of the active members of the Council present at any meeting shall constitute a quorum.
- Section 4. Special meetings of the Council may be called by the President upon ten (10) days written notice to the members.
- Section 5. Executive Board meetings - There shall be at least one meeting of the Executive Board each year. The Board shall meet at the time and place designated by the President, however, no more than twelve (12) months may elapse between meetings of the Board. If there is not more than one meeting a year, it must take place at least thirty (30) days before the final yearly meeting for election ballot and referendum purposes.

## **ARTICLE VIII Committees**

- Section 1. The President, with the approval of the Executive Board shall appoint the following standing committees and the chairman of these committees shall be on the Executive Board as enumerated in Article VI, Section 1. These committees shall serve for two (2) years and each committee shall have at least three (3) members. In addition, the President, with the approval of the Executive Board may appoint such Ad Hoc Committees to the board as deemed necessary in the interests of the Council.



The Chairman of the Ad Hoc Committees shall become members of the Executive Board for the length of their appointment.

The Chairmen of standing and Ad Hoc Committees must be active members of the Council.

- a. Committee on Membership.
- b. Committee on Nominations.
- c. Committee on Legislation.
- d. Committee on Standards.
- e. Committee on Research
- f. Committee on Planning.
- g. Committee on By-Laws
- h. Committee on Programs and Training.
- i. Committee on Public Relations/Education.
- J. Committee on BARJ (Balanced and Restorative Justice)

Section 2. Committee on Membership - It shall be the duty of this committee to act on application for membership in the Council and provide for recruitment of new members.

Section 3. Committee on Nominations - It shall be the duty of this committee to prepare a slate from the list of individual members of the Council for each office.

- a. The President shall appoint a chairman and at least three (3) members.
- b. This committee shall prepare a slate of qualified candidates for available elected offices and present the slate to the Executive Board at least thirty (30) days prior to the final yearly meetings.
- c. Candidates for the office of President, Vice President, Secretary and Treasurer must be active individual members of the Council for at least two (2) years prior to their nominations.

- d. An active member may run for only one executive office (President, Vice President, Secretary, and Treasurer) at any given election.
- e. The names of the nominees and proposed officers shall be emailed or distributed to all members of the Council no later than ten (10) days prior to the final yearly meeting.
- f. No candidate shall be proposed for the slate unless that proposed candidate has given his/her consent to serve if elected.

- Section 4. Committee on Legislation - It shall be the duty of this Committee to be responsible for liaison between the Council and programs on juvenile justice established by legal enactment (official agencies) at the State and Municipal levels. The Committee shall cooperate with the Council in making recommendations to the Executive Board regarding initiation of needed legislation on the state level in the juvenile justice field, and will evaluate pending legislation in the field of juvenile justice, making recommendations to the Council and Executive Board in support or disapproval of such bills.
- Section 5. Committee on Standards - It shall be the duty of this Committee to ensure the standards set forth by the Juvenile Court Judges' Commission or other responsible body are appropriate for the proper functioning of the Juvenile Justice System.
- Section 6. Committee on Research - It shall be the responsibility of this committee to evaluate trends and propose changes to the Juvenile Justice System.
- Section 7. Committee on Planning - It shall be the responsibility of this committee to study methods which may improve the overall functioning of the juvenile and family courts and foster improvement of the Council.
- Section 8. Committee on By-Laws - It shall be the responsibility of this committee to maintain the Council's By-Laws and to make recommendations for amendment as necessary.
- Section 9. Committee on Programs and Training - It shall be the responsibility of this committee to prepare presentations and recruit speakers as needed for Council meetings and to ensure that available training is adequate for the needs of juveniles and family court personnel.
- Section 10. Committee on Public Relations/Education - It shall be the responsibility of this committee to promote and to develop public awareness and support of the Pennsylvania Juvenile Justice system through media outreach and community collaboration.

Section 11. Committee on BARJ (Balanced and Restorative Justice) - It shall be the responsibility of this committee to advance the values, principles, programs, and practices of Balanced and Restorative Justice in the Commonwealth of Pennsylvania.

## **ARTICLE IX           Duties of Officers**

Section 1. The duties of the Executive Officers of the Council shall be governed according to “Robert’s Rules of Order, Revised” except as otherwise provided herein.

Section 2. It shall be the duty of the President to preside at meetings of the Executive Board and the general membership.

- a. The President, with approval of the Executive Board, shall appoint such committees as are necessary to carry out the purposes of the Council and shall serve ex-officio on all committees.
- b. The President shall be the official spokesman for the Council and shall sign all contracts and legal documents.
- c. The President shall make an annual report to the membership. Said report shall be presented at the final yearly meeting.
- d. The President may designate any member of the Executive Board to serve as his/her official representative in any function related to the business of the Council.
- e. The President shall request a motion and subsequent vote for approval, via email, for any expenditures not previously approved in the annual budget.

Section 3. The Vice President shall preside at all meetings in the President’s absence.

Section 4. The Secretary shall keep a record of the proceedings of the Executive Board and all meetings of the Council, and shall distribute minutes accordingly to the Council membership.

- a. The Secretary shall present meeting minutes to the Council for approval. Upon approval, meeting minutes shall be made available for public inspection. Audio recording of open meetings may be conducted by the Secretary solely for the purpose of facilitating the preparation of written minutes. Such tape recordings shall be retained until the Council approves the minutes to which they relate. Thereafter, the audio tape recording shall be destroyed.

- b. The Secretary shall maintain a record of all motions made by Council membership, and motion outcomes, to be reviewed by the Executive Board and/or Council as deemed necessary.

Section 5. The Treasurer is entrusted with the custody of the Council's funds and shall be responsible for insuring the maintenance of all financial records of the Council. The Treasurer shall be responsible for the collection and disbursement of all monies on behalf of the Council. .

- a. The Treasurer shall make all the necessary arrangements and insure the submission of all financial records for an annual audit to a recognized firm of certified public accountants. The submission report shall include all information related to sources of funds including grants, contracts, etc. Upon receipt, the resulting audit report shall be submitted at the Council's final yearly meeting.
- b. The Treasurer shall be prepared to report on the membership status and finances of the Council at meetings of the Executive Board.
- c. The Treasurer shall prepare an annual budget, based on a fiscal year, to be presented for approval to the Executive Board at the May meeting. He/she shall further present the approved budget to the Council at the June membership meeting.
- d. The Treasurer shall insure the preparation of an Annual Financial Report, dated as of June 30th, and other financial reports as requested by the Executive Committee
- e. The Treasurer shall serve on various committees consistent with the responsibilities of this office and as directed by the President.
- f. Financial records for the Chief's Council shall be kept by the Treasurer for a period of seven (7) years.

## **ARTICLE X        Elections**

Section 1. Elections of officers shall be conducted on alternate years at the final yearly meeting.

Section 2. A slate of candidates provided by the Committee on Nominations and provisions for write-in candidates will be sent to all members no later than ten (10) days prior to the final yearly meeting.

- Section 3. The Treasurer of the Council shall certify all members in good standing as eligible voters for the final yearly meeting within the one vote per county rule.
- Section 4. Installation of the officers and Executive Board shall be at the first yearly meeting following the elections.

## **ARTICLE XI Voting**

As it relates to Council business, there shall be one vote per Active Member. Active members may cast a proxy vote by providing written notification to the Secretary of the Association at or prior to any membership meeting. Associate Members shall not have the right to vote in the election of officers or business of the Council.

## **ARTICLE XII Newly Created Board membership and Vacancies**

- Section 1. Newly created Board memberships resulting from an increase in the number of Board members and vacancies occurring in the Board for any reason shall be filled by the President with approval of the Executive Board for the un-expired term of his/her predecessor.
- Section 2. Any or all of the Board members may be removed for cause by vote of the membership or by action of the Board. Board members may be removed without cause only by vote of the membership.
- Section 3. A Board member may resign at any time by giving written notice to the Board, the President or the Secretary of the Council. Unless otherwise specified in the notice, the resignation shall take effect upon the receipt thereof by the Board or such officer, and the acceptance of the resignation shall not be necessary to make it effective.
- Section 4. Unless otherwise provided in the articles of incorporation, a majority of the entire Board shall constitute a quorum for the transaction of business.
- Section 5. Unless otherwise required by law, the vote of a majority of the Board's active members present at the time of the vote, if a quorum is present at such time, shall be the act of the Board. Each Board member shall have one vote, except when a single county has more than one active member on the Board, in which case the one vote for county rule will apply.
- Section 6. The Executive Officers are empowered to use absentee votes or proxy votes duly assigned in situations where there will not be quorum of Executive Board members physically present.

## **ARTICLE XIII      Contracts, Loans, Checks and Deposits**

- Section 1.      Contracts. Except as otherwise provided in the By-Laws, the Executive Board may authorize any officer or officers, agent or agents to enter into any contract or execute and deliver any instrument in the name and on behalf of the Council and such authority may be general or confined to specific instances.
- Section 2.      Loans. No Loans shall be contracted on behalf of the Council without the specified authority of the Executive Board and such authority may be general or confined to specific instances.
- Section 3.      Checks, Drafts, etc. All checks, drafts, or other orders for the payment of money, notes, or other evidences of indebtedness issued in the name of the Council shall be signed by such officers of the Council and in such manner as shall be determined by resolution of the Executive Board.
- Section 4.      Deposits. All funds of the Council not otherwise employed shall be deposited from time to time to the credit of the Council in such banks, trust companies or other depositories as the Executive Board may select.
- Section 5.      Donations and Grants. The Council will accept all federal, state and local government grants and donations from other financial resources for deposit to the Council account.

## **ARTICLE XIV      Parliamentary Authority**

- Section 1.      The rules contained in “Robert’s Rules of Order, Revised” shall govern the Pennsylvania Council of Chief Juvenile Probation Officers in all cases not provided for in the By-Laws and in which they are not consistent with the By-Laws of this Council.

## **ARTICLE XV      Corporate Seal**

- Section 1.      The seal of the Council shall be circular in form and bear the name of the Council, the year of its organization and the words, “Corporate Seal, PCCJPO.” The seal may be used by causing it to be impressed directly on the instrument or writing to be sealed or upon adhesive substance affixed thereto.

**ARTICLE XVI      Execution of Instruments**

Section 1.      All corporate instruments and documents shall be signed or countersigned, executed, verified or acknowledge by such officers, or officers or other person or persons as the Board may from time to time designate.

**ARTICLE XVII      Fiscal Year**

Section 1.      The fiscal year shall begin July 1st unless otherwise changed by the Executive Board.

**ARTICLE XVIII      Reference to Articles of Incorporation**

Section 1.      Reference to the articles of incorporation in these By-Laws shall include all amendments thereto or changes thereof unless specifically accepted.

**ARTICLE XIX      Amendments to By-Laws**

Section 1.      Amendments and revisions to these By-Laws shall be proposed by any active member at any membership meeting.

Section 2.      Notice of proposed amendments to the By-Laws to be voted on at any membership meeting must be published in the notice of the meeting which notice shall be mailed at least ten (10) days prior to the meeting

Section 3.      Amendments must be adopted at any membership meeting and must have at least two-thirds of the vote.

Section 4.      These By-Laws shall not operate retroactively and shall be effective from the date of adoption of these By-Laws. The tenure of the current officers shall not be construed as applicable to limiting their function as described in Article V.

**ARTICLE XX      Association Employees**

Section 1.      Executive Director - The Executive Board may employ an Executive Director whose duties shall include the day-to-day operation of the

Council, the promotion of the objectives of the Council as stated in these By-Laws, and other tasks as may be delegated by the Executive Board.

- Section 2. Other Employees - The Executive Board may employ additional staff as deemed necessary or upon the recommendation of the Executive Director.

## **ARTICLE XXI      Dissolution**

- Section 1. Upon dissolution of the corporation or the winding up of its affair, the assets of the corporation shall be distributed to one or more organizations organized and operated for the same or similar purposes as the corporation and which organization or organizations qualify as charitable organizations or social welfare organizations within the meaning of Section 501 (c) (3) or 501 (c) (4) of the Internal Revenue Code, respectively, or the corresponding sections of any future federal tax code.

## **ARTICLE XXII      Liability**

- Section 1. Except for responsibility or liability pursuant to any criminal statute, and liability for payment of local, state or federal taxes, an Officer of this Association shall not be personally liable for monetary damages for any action taken, or any failure to take any action, unless the officer has breached (or failed to perform) the duties of his/her office under Subchapter B of Chapter 57 of Title 15 Corporation and Unincorporated Associations the Articles of Incorporation.

- Section 2. This Association shall indemnify any Officer or Director and shall advance expenses, including attorney's fees to any Officer or Director for any action taken or any failure to take any action, whether or not the indemnified liability arises or arose from any threatened, pending or completed action, by or in the right of the Association, and advancement of expenses as to a former Officer or Director. It shall include indemnification and advancement of expenses as to a former Officer or Director. It shall also insure to the benefit of the heirs, executors or administrators of such person. In all cases this shall be applied as broadly as permitted by Subchapter B of Chapter 57 of Title 15 Corporation and Unincorporated Associations the Articles of Incorporation.

ADOPTED AS OF MARCH 1<sup>ST</sup> 2015