

# **National Council of Child Support Directors - By-Laws**

## **ARTICLE I - NAME**

This organization shall be known as the National Council of Child Support Directors.

## **ARTICLE II - PURPOSES**

This Council is established:

A. to promote the development of legislation and/or policies which will have a positive effect upon the Title IV-D Child Support Program and upon the operation of the Uniform Interstate Family Support Act or similar acts in the several states and foreign nations;

B. to provide a forum for State IV-D Child Support Directors to discuss common problems and solutions associated with program administration, interstate and international cooperation, federal-state-local relations, and other matters as deemed important;

C. to provide a structured medium for communicating with federal agencies the views, opinions or consensus of the Council on selected issues, and for maintaining a continuing dialogue with federal agencies on matters of concern or interest to the Council;

D. to act independently on any matter before the Council and implement any decision of the Council in any manner as provided for in these Bylaws or as may be deemed appropriate by the Council; and

E. to perform other acts as the Council may from time to time decide are necessary for the operation, promotion and well-being of the organization.

Funds collected by the Council are to be used solely for expenses related to these purposes.

## **ARTICLE III - MEMBERSHIP AND VOTING RIGHTS**

A. Membership on the Council is open to the director of the IV-D child support enforcement program of each state and territory.

B. Each state and territory, through its director, has one vote on the Council. When a director is not present at a meeting of the Council, the director may designate a person who shall have full privileges of membership for purposes of that meeting.

C. Honorary memberships shall be recommended by the Nominating Committee. Honorary members shall not have voting privileges.

D. Officers and members of the Executive Committee must be members of the Council.

#### **ARTICLE IV - OFFICERS AND DUTIES**

A. The officers of the Council shall be a President, a Vice-President, a Secretary, and a Treasurer.

B. The President shall preside at all meetings of the Council and the Executive Committee. The President may appoint such committees and committee chairs as deemed necessary to carry out the activities of the Council. All Committees so appointed will continue to exist until the President dissolves the Committee. The President shall reconfirm Committee chairs or appoint new chairs at the beginning of his/her term of office. The President shall sign all letters, position papers, and other documents of the Council, and shall cause a copy of each to be sent to each member of the Council. In the event of a vacancy in the office of Vice-President, Secretary, or Treasurer the President shall appoint someone from the Executive Committee to complete the remainder of the term of office. This action shall be ratified by the Executive Committee.

C. The Vice-President shall carry out the duties of the President in the absence of the President at any meeting of the Council or Executive Committee, and shall succeed to the Office of President upon the resignation of the President, or upon a vacancy in the Office of the President as decided by the Executive Committee. The Vice-President shall carry out such additional duties as the President may direct.

D. The Secretary shall prepare a summary of the events and actions that take place at each meeting of the Council. This summary shall be completed within thirty days of the conclusion of the meeting. The Secretary shall also prepare a summary of events and actions that take place at each meeting or conference call of the Executive Committee. Such summaries shall be completed within twenty-one days of the conclusion of the meeting or call. Copies of summaries from all meetings and calls shall be distributed to all Council members electronically, via either e-mail or posting on the NCCSD website. The Secretary shall serve as Parliamentarian during all meetings. When the Secretary is unavailable for a meeting, the President may appoint a Parliamentarian for that meeting.

The Secretary shall be the custodian of the Bylaws, Resolutions, and Minutes of the Council for the current year. Upon the conclusion of the year, the original records mentioned above as well as the financial records, and other records as deemed appropriate by the President for the year concluded, will be stored, along with all previously archived Council records, in storage in a location determined by the Executive

Committee. Such records will be placed into storage after the completion of the annual review of the financial records and the filing of the taxes. Copies of all of the Council's records for the year completed will be forwarded to the incoming Secretary by October 31. Copies of the prior year's Council records, as requested, will also be sent to the incoming President.

E. The Treasurer shall have a review of the Council financial records conducted, and completed by January 15 each year. The Treasurer shall establish an independent member review committee within the NCCSD to sign off on the financial review. The Treasurer shall ensure that all appropriate federal and state income tax forms are filed by February 15 each year, and that all forms and any fees due to state of Incorporation are filed timely. The Treasurer shall be the custodian of the financial records of the Council for the current year. Treasurer shall deposit all funds belonging to the Council in an account, and shall report the current balance and any past financial transactions at each meeting of the Council and Executive Committee. Any disbursement of Council funds by the Treasurer must have the prior approval of the President. The Treasurer shall carry out the duties of the President in the absence of the President, Vice-President and Secretary at any meeting of the Council or Executive Committee, and shall succeed to the Office of President upon the resignation of the President, Vice-President, and Secretary or upon a vacancy in the Office of the President, Vice-President, and Secretary as decided by the Executive Committee.

F. In the event that all four Council officers resign at the same time, or there are vacancies in all four Council officer positions as decided by the Executive Committee, then the Executive Committee shall elect a President, Vice-President, Secretary, and Treasurer from among members of the Executive Committee, and the Officer thus elected shall serve out the remainder of each unexpired term of office.

## **ARTICLE V – ELECTIONS**

The President, Vice-President, Secretary, and Treasurer shall be elected by a majority vote of the members, in attendance in person and via conference call, at the Annual Meeting of the Council.

A. During the Annual Meeting of the Council, and after the election of the President, Vice-President, Secretary, and Treasurer, the members, in attendance in person and via conference call, from each federal region shall caucus and elect by majority vote one representative to the Executive Committee. This representative may also be the President, Vice-President, Secretary, Treasurer or the immediate Past President. In the event that a federal region representative is no longer able to serve on the Executive Committee he or she shall designate an interim replacement in writing to the President within 20 calendar days. The interim representative shall be confirmed in writing by the President and shall serve until such time as the Council members from the affected federal region elect a permanent replacement. In the event that an interim representative is not so designated, the President shall appoint an interim representative.

B. The term of office for all persons elected or appointed shall coincide with the Federal Fiscal Year immediately following the election. An elected Treasurer's term shall be two years.

## **ARTICLE VI - EXECUTIVE COMMITTEE**

A. The Executive Committee shall be composed of the President, Vice-President, Secretary, Treasurer, the immediate Past-President and a representative from each federal region, unless the President, Vice-President, Secretary, Treasurer and/or the immediate Past-President have been duly elected to also serve as their respective federal region representative.

B. The Executive Committee is authorized to act for the Council between meetings of the Council, and shall meet upon the call of the President, or upon receipt by the President of a written request for a meeting from a majority of the Executive Committee. The President or Secretary shall issue notice of all Executive Committee meetings.

C. The Executive Committee may take a position on any issue and take action in support of its implementation or defeat, with the approval of a two-thirds majority of either the Executive Committee or of those Council members who respond to a request for their respective positions. Notice of any such actions approved shall be transmitted to all Council members together with a count of the number responding and of the votes for or against.

D. Any member of the Executive Committee, except the President, Vice-President, Secretary, Treasurer and immediate Past-President, who is unable to attend a meeting of the Executive Committee may designate a Council member from his or her federal region to attend that meeting, and that designated person shall have the same authority to act at that meeting as the Executive Committee member whose place is being temporarily taken. This designation must take place in writing before that meeting and a copy of the written designation must be provided to the President and the remaining Council members from the affected federal region.

E. All motions duly seconded shall be decided by majority vote, except as provided in paragraph C of this Article. A quorum shall be one more than half of the Executive Committee. No action may be taken by the Executive Committee unless a quorum is present.

F. Individual members of the Executive Committee shall not be bound on any matter by the actions of the Council. In expressing a position that is different from an official position of the Council, individual members shall not represent their position as the position of the Council.

## **ARTICLE VII - NOMINATIONS**

The President shall appoint a three-member nominating committee to nominate candidates for President, Vice-President, Secretary, and Treasurer, in addition to which nominations shall be received from the floor. The Nominating Committee may also, from time to time, recommend someone for honorary membership.

## **ARTICLE VIII - MEETINGS**

A. Meetings are open to Council members or their designees. State or county representatives may attend upon invitation of the IV-D director of that state or territory. Other groups or individuals may attend Council meetings only by invitation of the President. There shall be an Annual Meeting of the Council and such other meetings of the Council during the year as the President may call. All members of the Council shall receive thirty days written notice of each Council meeting by the President or by the Secretary, when directed by the President. The notice requirement may be waived by the President for good and sufficient reasons.

*B. The business of the Annual Meeting of the Council shall include:*

- Report of the President
- Report of the Secretary
- Report of the Treasurer
- Old Business
- Report of the Nominating Committee
- Election of Officers and Federal Region Representatives
- New Business

C. The President must prepare a budget of anticipated revenues and expenditures for the annual meeting of the Council no later than January 1<sup>st</sup> and for such other called meetings of the Council at least one month prior to the event. The President must seek approval of the Executive Committee for the budget, and for any subsequent change to budgeted expenditures exceeding ten percent (10%) in total, before obligating or incurring any related expenses. Actual expenditures must not exceed budgeted expenditures by more than 10%.

## **ARTICLE IX - COUNCIL ACTION**

A. At a duly called meeting to the Council, the presence of 34% of the members, in attendance in person and via conference call, shall constitute a quorum.

B. The Council, voting at any duly called meeting, may take any action to further the purposes of the Council as set forth in Article II. All motions duly seconded shall be decided by a majority vote.

C. In order to be considered at a meeting of the Council, a proposed resolution must be received by members at least two weeks prior to the meeting, with sufficient copies for each member of the Council attending the meeting. This requirement may be waived by a vote of at least 60 percent of members, in attendance in person and via conference call.

## **ARTICLE X - CONFLICTS OF INTEREST**

A. Individual members of the Council shall not be bound on any matter by the actions of the Council. In expressing a position that is different from an official position of the Council, individual members shall not represent their position as the position of the Council.

B. Donations in cash or in kind from any private entity shall only be used for the annual meeting of the Council and shall be limited to a value of \$1,500 from each entity per year. The Council or members acting on behalf of the Council will not accept donations for any other meeting or purpose except for other uses approved by the Council.

## **ARTICLE XI- AMENDMENTS**

A. These Bylaws may be amended at a meeting of the Council properly noticed under Article VIII. A.

B. In order to be considered at a meeting of the Council, all proposed amendments must be sent to members at least two weeks prior to the meeting, with sufficient copies for each member of the Council attending the meeting. This provision may be waived by the unanimous consent of those members of the Council, in attendance in person and via conference call.

C. Upon the majority vote of those members of the Council, in attendance in person and via conference call, amendments shall be adopted.

## **ARTICLE - XII ADOPTION**

These Bylaws were adopted on Saturday, September 13, 1980, at the 1980 Annual Meeting of the Council in San Francisco, California, and amended on Wednesday, May 5, 1982, at the 1982 Annual Meeting of the Council in Bethesda, Maryland, and further amended on Friday, May 4, 1984, at the 1984 Annual Meeting of the Council in Washington, DC, and further amended on May 18, 1985, at the 1985 Annual Meeting of the Council in Washington, DC, and further amended on May 4, 1999, at the Annual Meeting of the Council in Traverse City, Michigan, and further amended on July 20,

1999, at the APHSA Meeting in Washington, DC, and further amended on August 8, 1999, at a meeting of the Council in Chicago, IL., and further amended on July 30, 2000, at a meeting of the Council in San Diego, CA., and further amended on February 2, 2003 at a meeting of the Council in Washington, D.C, and further amended on May 27, 2003 at the annual meeting of the Council in Chicago, IL., and further amended on May 23, 2004 at the annual meeting of the Council in Hood River, Oregon, and further amended on June 5, 2005 at the annual meeting of the Council in Savannah, Georgia, and further amended on May 20, 2007 at the annual meeting of the Council in Galloway, New Jersey, and further amended on June 13, 2010 at the annual meeting of the Council in New Orleans, Louisiana and further amended on July 1, 2013 at the annual meeting of the Council in Washington, D.C..