

# **CONFERENCE OF APPELLATE TECHNOLOGY OFFICIALS**

## **BY LAWS**

Adopted: December 15, 2004

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BYLAWS  
OF  
THE CONFERENCE OF APPELLATE TECHNOLOGY OFFICIALS  
Adopted: December 15, 2004 in Las Vegas Nevada

**ARTICLE I**

Name

The name of this organization is the Conference of Appellate Technology Officials.

**ARTICLE II**

Objects

The objects of this Conference are: to improve the skill and knowledge required of those performing the duties of appellate technology officials by providing appellate court technology related conferences, seminars or other educational programs; to promote and improve the contribution of the offices of appellate technology officials within the area of court management and administration; to maintain facilities for the collection and dissemination of information and ideas with regard to the operation and improvement of the offices of appellate technology officials.

**ARTICLE III**

Membership

1. Types of Members.

(a) Regular Members. Regular membership shall be open to all technology officials, or similar positions bearing different titles of courts of last resort or intermediate appellate courts in any federal, state, commonwealth, or District of Columbia court system, and in the court systems of United States territories and possessions.

(b) Retired Members. Retired membership shall be open to all retired technology officials or similar positions bearing different titles of courts of last resort or intermediate appellate courts in any federal, state, commonwealth, or District of Columbia court system, and in the court systems of United States territories and possessions.

(c) Associate Members. Associate membership shall be open to any person whose eligibility for regular membership has ceased for reasons other than retirement. Associate membership shall also be open to any person serving as a judge, justice, clerk, assistant clerk, deputy clerk, or similar position bearing a different title, in any appellate court system not eligible for regular membership.

(d) Sustaining Members. Sustaining membership shall be open to any individual, unit of government, corporation, association, or organization upon invitation

of the Executive Committee proved that thirty days prior to the invitation the Executive Committee has referred the name of any such individual, unit of government, corporation, association, or organization to the general membership for consideration and comment.

(e) Organization Members. Organization membership shall be open to all courts of last resort or intermediate appellate courts in any federal, state, commonwealth, or District of Columbia court system, and in the court systems of United States territories and possessions whereby a named position within the organization could be represented by different individuals at different times. Only one named position shall be considered a voting member.

2. Eligibility Upon Retirement or Termination as Court Employee. A regular member of this Conference may continue as a member upon retirement or termination of his or her service with an appellate court, but shall not be eligible to hold office, except that the immediate past chairperson may continue to serve as a member of the Executive Committee as provided in Article VII, Section 2(b), even though no longer serving with an appellate court.

3. Eligibility for Elective Office. Eligibility for office is limited to regular members in good standing with the Conference.

4. Membership Subscription. Memberships are renewable by payment of annual subscription. The annual subscription shall be set by the Executive Board. Increases of more than 15% per annum must be approved by a quorum of regular members at the Annual Meeting. On its own motion or on the application of a Member, the Executive Committee may waive the payment of subscription for good cause shown.

## **ARTICLE IV**

### Meeting and Voting

1. Annual Business Meetings, Seminars and Education Programs. The annual business meeting and all seminars or other educational programs of the Conference shall be held at such times and places as may be fixed by the Executive Committee.

2. Special Meetings. Special meetings may be held at such times and places as may be designated by the Executive Committee. Except in cases of emergency, at least ten days notice shall be given to members of the special meetings.

3. Quorum for Meeting of Conference. One third of the regular members of the Conference at the annual business meeting or any called meeting of the full conference shall constitute a quorum. OR: The active Regular Members attending the business session of the annual meeting or other meeting convened for the transaction

of business shall constitute a quorum.

4. Voting. All matters coming before any meeting of the Conference shall be determined by a majority vote of the members present and entitled to vote. Subject to Article III, Section 2, regular and retired members who are in good standing by virtue of the payment of dues pursuant to Article III, Section 4, shall be entitled to vote. Associate and sustaining members shall not be entitled to vote.

5. Rules of Order. The most current version of Robert's Rules of Order shall govern the conduct of all business meetings of the Conference except as provided otherwise in these Bylaws.

## ARTICLE V

### Officers

1. Officers of Conference. The officers of the Conference shall be Chairperson, Chairperson-elect, Vice-chairperson, Secretary, Treasurer, and Past-chairperson (when applicable).

2. Term of Office. The officers shall serve until the close of the annual business meeting following that in which they have been elected or succeeded to the office pursuant to Section 3 of this Article, except that the Secretary and the Treasurer shall serve for two years.

3. Election and Succession of Officers. The Chairperson-elect shall succeed to the office of the Chairperson at the expiration of the term as Chairperson-elect. The Vice-chairperson shall succeed to the office of Chairperson-elect at the expiration of the term as Vice-chairperson. The Chairperson shall succeed to the office of Past-chairperson at the expiration of the term as Chairperson.

At each annual business meeting, the Vice-chairperson shall be elected by a vote of a majority of the members present at the meeting and entitled to vote; the Secretary and the Treasurer shall be elected for two-year terms, the Secretary in even-number years and the Treasurer in odd-numbered years. The Treasurer and the Secretary shall be limited to two consecutive terms.

4. Filling of Vacancies. In case a vacancy occurs in the office of Chairperson or Chairperson-elect, the next officer in the order of succession as stated in Section 3 of this Article shall succeed to such office and shall serve the unexpired term and for the following year. In case a vacancy occurs after the annual business meeting in the office of Vice-chairperson, Secretary, Treasurer, or Past-chairperson, the Executive Committee shall choose a successor who shall serve until the close of the next annual business meeting. If the vacancy filled is that of the Vice-chairperson, it shall be an interim appointment and an election shall be held at the next annual business meeting

for the offices of Chairperson-elect and Vice-chairperson. If the vacancy filled is that of Secretary or Treasurer, an election shall be held at the next annual business meeting to fill the unexpired term, if any. If the vacancy to be filled is in the office of Past-chairperson, the Executive Committee shall appoint an eligible former Chairperson of the Conference to complete the unexpired term. Eligibility shall be determined by reference to Article III, Section 3 and Article VI, Section 5.

5. Duties of Secretary. The Secretary shall be responsible for the taking of the minutes of the Executive Committee and the annual business meeting or any called meeting and for distributing them to the Executive Committee. The minutes of the annual business meeting or any called meeting of the full conference shall be mailed or e-mailed to the members of the conference with the call of the next annual business meeting; this requirement may be met by publication the CATO newsletter. The Secretary in conjunction with the Membership Committee shall be responsible for overseeing the billing of every member of the Conference for the annual subscription.

6. Duties of Treasurer. The Treasurer shall be responsible for overseeing the receipt of all dues and other monies paid to CATO. The Treasurer shall be responsible for the investment of funds and the finances of the conference as the Executive Committee deems proper. The Treasurer shall serve as the chairperson of the Finance and Investment Committee. The Treasurer shall be responsible for furnishing all members with a financial report by the annual business meeting each year; this requirement may be met by publishing the financial report in the CATO newsletter.

## ARTICLE VI

### Office of the Chairperson

1. Duties of the Chairperson. The Chairperson shall serve as the chief executive officer and shall preside at all meetings of the Conference and its Executive Committee.

2. Power of Chairperson to Appoint Committee members; Parliamentarian. The Chairperson shall appoint or reappoint members of all committees, including the filling of vacancies, and shall designate or re-designate the Chairperson for each committee, except as provided in Article VII. The Chairperson may appoint a regular or retired member as Parliamentarian, to serve at his or her pleasure.

3. Agenda Distribution for Executive Committee Meetings. Two weeks prior to each meeting of the Executive Committee, the Chairperson shall prepare and distribute an agenda to all officers and members involved. The agenda should be a clear and reasonable explicit list of the topics to be discussed and should be

accompanied by necessary and pertinent supporting materials.

4. Voting Restriction of Presiding Officer. The Presiding Officer shall have a vote in all matters coming before the Executive Committee and in all matters at the annual business meeting of the Conference if: (1) a vote is by written ballot, or (2) when necessary to decide a tie non-written vote by the members present and eligible to vote pursuant to Article IV, Section 4.

5. Eligibility for Office After Being Chairperson. Two years from the expiration of a term as Past-chairperson, a member shall be eligible for election or appointment to any office in the Conference, provided the requirements of Article III, Section 3, have been met.

6. Chairperson as Official Representative of the Conference. The Chairperson shall serve as the official representative of the conference when attending meetings that relate to the business of the Conference. With the approval of the Executive Committee, the reasonable expenses incurred in connection with attending such meetings shall be borne by the Conference. The Chairperson may designate a Conference member as the representative of the Conference. Expenses incurred by such a designee shall be paid in the same manner as those of the Chairperson.

7. Authority of the Chairperson. Unless specifically enumerated, nothing in this Bylaw shall be construed to limit the authority of the Chairperson to perform such tasks as may be reasonably necessary to promote the goals and objectives of the Conference.

8. Absence of Officers.

(a) Absence of Chairperson. In the absence of the Chairperson, the Chairperson-elect shall preside.

(b) Absence of Chairperson and Chairperson-elect. In the absence of the Chairperson and Chairperson-elect, the Vice-chairperson shall preside.

(c) Absence of Chairperson, Chairperson-elect and Vice-chairperson. In the absence of the Chairperson, Chairperson-elect, and Vice-chairperson, the most immediate Past-chairperson in attendance shall preside.

## **ARTICLE VII**

### Committees

1. Statement of Committee's Work. The executive and administrative work of the Conference is conducted in its committees. Conference committees shall include an Executive Committee, standing committees, select committees and special

committees. Standing committees shall have Committee Operation Guidelines. Proposed changes to these guidelines will be made in writing to the Executive Committee by April first pursuant to Article XI, Section 1 for approval. The chairperson of each standing, select and special committee shall submit a written status report for dissemination at the annual executive Committee meeting.

2. Executive Committee.

(a) Powers and Duties. The Executive Committee is the Board of Directors. It shall direct the affairs of the Conference and shall meet annually prior to the annual business meeting of the Conference and at other times at the call of the Chairperson or seven members of the Committee. All matters before the Executive Committee shall be determined by a majority vote of those present. Seven members of the Executive Committee shall constitute a quorum. The Executive Committee shall decide any question raised on the interpretation and application of these Bylaws.

(b) Composition. The Executive Committee shall consist of the five officers, the immediate Past-chairperson who shall serve for one year, and six members of the Conference who shall each serve for two years. Three members of the Conference shall be elected in even-numbered years and three shall be elected in odd-numbered years at the annual business meeting by a majority of the members present and entitled to vote. In case a vacancy occurs among the six members after the annual business meeting, the Executive Committee shall choose a successor who shall serve until the close of the next annual business meeting. The successor so chosen shall be eligible at the next annual business meeting for election to that or any other vacant position on the Executive Committee. Members elected to one of the six member positions on the Executive Committee shall not be eligible for election to another term thereon until one year after the expiration of their term.

3. Standing Committees.

(a) Duties. Standing committees are constituted to perform a continuing function of the Conference.

(b) Creation and Termination. Standing Committees may be created by specific provision of these Bylaws or by resolution of the Conference at any meeting called pursuant to Article IV of these Bylaws and shall remain in existence permanently, or until terminated in like manner.

(c) Composition. Except as noted in (2), (4), (6), (10), (12) and (15) of this subsection, standing committees shall consist of no more than nine members, one of whom shall be designated by the Chairperson as the Chairperson. The membership of the Program Committee and the Public Relations/Web Committee shall also include a Vice-chairperson appointed by the Chairperson-elect. The term of the members, the

Chairperson and, when applicable, the Vice-chairperson, of a standing committee shall be one year. The Executive Committee, upon request of the Chairperson or the committee Chairperson, or upon its own initiative, may remove a member of a standing committee for good cause.

(1) Awards Committee. The purpose of this committee is to recommend to the Executive Committee nominees for any awards the committee may deem appropriate.

(2) Bylaws Committee. The purpose of this committee is to consider amendments to these Bylaws and to make written report to the Executive Committee each year by April first. The Bylaws Committee shall consist of no more than five members, including the Chairperson and any ex-officio members.

(3) Convention Assistance Committee. The purpose of this committee is to provide practical guidance, advice and assistance to technology officials who are hosts of upcoming annual meetings.

(4) Long Rang Planning Committee. The purpose of this committee is to recommend to the Executive Committee strategies with positive impact on Conference Purposes and steps to implement those strategies. The Long Range Planning Committee shall consist of no more than nine members, including its Chairperson and any ex-officio members. The Vice-chairperson of the Conference shall serve ex-officio on this committee.

(5) Membership Committee. The purpose of this committee is to solicit new members and distribute information about the Conference and its activities to new or prospective members.

(6) Nominating Committee. The purpose of this committee is to recommend the nomination of regular members to office. The Nominating Committee shall consist of at least five members, including its Chairperson (who must be an existing member of the Board), and shall be appointed by the Chairperson, with the approval of the Executive Committee, at least six months before the annual business meeting.

(a) Nomination Timetable. At least thirty days before the annual business meeting, the Nominating Committee shall report to the members its nominations for the offices of Vice-chairperson, Secretary, Treasurer and members of the Executive Committee to succeed those individuals whose terms will expire at the close of the annual business meeting and to fill other Executive Committee vacancies then existing or vacancies that may be created as a result of the Nominating Committee's nominations. In the event the office of Vice-chairperson becomes vacant, the Nominating Committee shall submit nominations for the offices of Chairperson-elect and Vice-chairperson. In the event the offices of Chairperson-elect and Vice-

chairperson both become vacant, the Nominating Committee shall submit nominations for the offices of Chairperson, Chairperson-elect and Vice-chairperson. Nominations made for anticipated vacancies shall be specified as such in the Nominating Committee's report. The Nominating Committee shall have its report available to new members of the Conference at least forty-eight hours before the annual business meeting.

(7) Program Committee. The purpose of this committee is to organize and present an educational program at the annual meeting of the Conference to further the objectives of the Conference and to enhance the skill and knowledge of appellate technology officials.

(8) Publication Committee. The purpose of this committee is to inform the membership of the activities of the Conference, to provide information to enhance the professionalism of appellate technology officials and their offices, and to publish the CATO newsletter at least quarterly.

(9) Resolutions and Memorials Committee. The purpose of this committee is to prepare appropriate resolutions for adoption by the Conference as formal expressions of its will and intent, and to prepare and arrange memorials for deceased members.

(10) Site Selection Committee. The purpose of this committee is to solicit potential hosts for future annual meetings, to evaluate invitations from states, and to make appropriate recommendations to the Executive Committee.

(11) Finance and Investment Committee. The purpose of this committee is to recommend finances and investments to the Executive Committee. The Finance and Investment Committee shall consist of the Treasurer, who shall serve as its Chairperson, and four members appointed by the Executive Committee.

(12) Standards Committee. The Standard Committee will actively work with all relevant protocol and standards groups towards the goal of achieving full interoperability amongst all protocols for the mutual benefit of the Courts and the customers. The Standard Committee will achieve this through the following:

(a) Membership in CATO (where possible);  
(b) Provide opportunity for protocol groups to exchange ideas, to discuss issues with other interested parties and to identify potential problems and concerns, especially as they relate to interoperability;

(c) Establish special subcommittees when sufficient members of CATO express an interest in an issue requiring that action;

(d) Define guidelines concerning the use of XML and Web Services in court related applications;

(e) Provide members with regular updates on protocol groups and standards and facilitate the opportunity for members to give feedback; provide a standards/protocol section on the CATO web site with current information, trends, hotlinks and industry interoperability activities.

(13) Public Relations/Web Committee. The purpose of this committee is to gather news items promoting the Conference and the conference members and their accomplishments for publication in professional journals, local newspapers and the CATO website. The Public Relations Committee shall be composed of three members of the Conference.

4. Select Committees. Select Committees are constituted to perform a continuing function of the Conference.

(a) Creation and Termination. Select Committees may be created by specific provision of these Bylaws or by resolution of the Conference at any meeting called pursuant to Article IV of these Bylaws and shall remain in existence permanently, or until terminated in like manner.

(b) Composition. Select Committees are made up of members specified in these Bylaws or appointed by other than the Chairperson.

5. Special Committees. Special Committees may be constituted by the Conference, the Chairperson or the Executive Committee, as the need arises, to carry out a specified task in furtherance of the purposes of the Conference. At the completion of the task, or the presentation of the special committee's final report to the Conference, the special committee automatically ceases to exist.

## **ARTICLE VIII**

### Host Official

1. Assigned Duties. A host technology official shall have the obligation to establish a separate financial account for registration fees and any other incoming funds for the annual meeting. The account may be reviewed by the Treasurer at any time. The host official shall prepare, with the assistance of the Treasurer, a detailed budget and accounting of income and expenses that relate to the management of the annual meeting. The financial statements shall be made a part of the reports by the Treasurer to the Executive Committee.

2. Alternate Duties. Other responsibilities may be assumed by the host

official as provided in the procedures developed by the Convention Assistance Committee.

## **ARTICLE IX**

### Dissolution Clause

Upon the dissolution of the corporation, the Executive Committee shall, after paying or making provision for the payment of all of the liability of the corporation, dispose of all assets of the corporation in such manner, or to such organization or organizations organized and operated exclusively for charitable or educational purposes, as shall at the time qualify as an exempt organization or organizations under Section 501(c)(3) of the Internal Revenue Code of 1954 (or corresponding provision of any future United States Internal Revenue Law), as the Executive Committee/Board of Directors shall determine.

## **ARTICLE X**

### Amendments

1. Procedures for Amending Bylaws. These Bylaws may be amended at the annual business meeting of the Conference by a majority vote of the members of the Conference present and entitled to vote, provided that each amendment to be considered shall have been submitted to the Executive Committee by mailing (postmarked) or e-mailing to the Secretary no later than ninety (90) days prior to the next Conference. The text of each amendment to be considered shall be included in the call for the annual business meeting; this requirement may be met by publication in the CATO Newsletter or List-serve.

2. Procedures for Considering Late Amendments to Bylaws. Notwithstanding the foregoing provision, amendments to the Bylaws submitted less than 90 days prior to the next Conference may be considered by the membership at the annual business meeting provided that the membership consents to a suspension of the provisions of Article XI, Section 1, by a vote of seventy-five percent (75%) of the members then present and entitled to vote, and provided further that the quorum requirements of Article IV have been met.

3. Effective Date of Amendments. Amendments to these Bylaws become effective on the adjournment of the annual business meeting of the Conference at which the amendments are adopted unless an earlier time is specified by the Conference at the time an amendment is adopted.



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