

# **TEXAS ASSOCIATION OF PRETRIAL SERVICES BY-LAWS**

## **I. NAME/ADDRESS**

The name of this association is the Texas Association of Pretrial Services (hereinafter “TAPS” or “Association”). The principal address of the Association, which may be changed by the President, shall be Texas Association of Pretrial Services, George J. Beto Criminal Justice Center, Sam Houston State University, 816 17<sup>th</sup> Street, Huntsville, Texas 77340. The name of the registered agent of the Association is Ronald S. Morgan, Jr.

## **II. PURPOSE**

The purpose of the association is to advance the provision in the Eighth Amendment of the United States Constitution and Article 1, Section 13 of the Texas Constitution that proscribes excessive bail by supporting pretrial practices that are equitable, that are informed by an individual assessment of risk, that offer diversion alternatives, and that strive to impose the least restrictive, non-pecuniary bail conditions necessary to guard the public’s safety, maintain the integrity of court processes, and preserve the liberty interests of persons arrested for a crime in the State of Texas. The Association will pursue this goal by:

- serving as a statewide forum for ideas and issues specific to the field of pretrial services;
- encouraging the establishment of Texas-based standards for pretrial services that aspire to meet national standards;
- encouraging the delivery of pretrial services in a fair and just manner;
- providing training and education for professional development;
- providing information, data and technical assistance to policymakers as well as the general public;
- encouraging Texas pretrial professionals to earn and maintain pretrial certifications;
- developing academic curricula tailored to the administration of pretrial justice in Texas;
- promoting research, improvements, and best practices for the field of pretrial services in Texas; and
- adopting such other purposes as are consistent with the scope of this Association and which the members or Board may approve.

## **III. RECORDS AND ACCOUNTING**

The following records must be kept at the principal office of the Association: correct books of all the business and transactions of the Association, the By-laws, and the list of all members of the Association, showing each member’s mailing address, which shall be open for inspection to members by appointment during business hours.

The accounting year of the association shall begin on January 1 and end on December 31. The general accounting method of the Association is the cash method of accounting.

#### IV. MEMBERSHIP

##### Section 1: Membership Levels

The Association shall have four classes of members.

- a. **Professional.** An individual who is employed or has been employed in the field of pretrial services or services to the court and subscribes to the purposes and goals of the Association shall be eligible for a Professional membership. A Professional member in good standing shall be entitled to vote, hold office, and serve on special or standing committees of the Association. This class of membership is not open to financial sponsors or vendors.
- b. **Associate.** An individual, group or organization that subscribes to the purposes and goals of the Association shall be eligible for an Associate membership. An Associate member in good standing shall be entitled to serve on special or standing committees of the Association, but shall not be able to vote or hold office in the Association.
- c. **Organization.** Any pretrial services program that subscribes to the purposes and goals of the Association shall be eligible for an Organization membership. An Organization in good standing will be given the number of Professional memberships according to the size of their organization and as set forth in the Texas Association of Pretrial Services Fee Structure. The Professional membership(s) may be assigned by the member organization, and those members shall be entitled to vote, hold office, and serve on special or standing committees of the Association. Additionally, employees within the member organization who choose to become Professional members of TAPS will receive a discount on the Professional membership rate. This class of membership is not open to financial sponsors or vendors.
- d. **Corporate.** A Corporate membership may be held by any person, association, business, or service provider that supports and/or subscribes to the purposes and goals of the Association. A Corporate member in good standing shall be entitled to serve on special, standing or advisory committees of the Association, and shall be entitled to special benefits as determined by the Board of Directors. A Corporate member shall not be able to vote or hold office in the Association.

##### Section 2: Membership Fees

The amount of fees will be set in such amount as may be specified from time to time by resolution of the Board of Directors and shall be payable upon application for membership. In

order to attain and continue membership in the Association, a member must pay fees every calendar year, on or before the expiration date of his/her membership.

Each member of the Association shall be entitled to an acknowledgment of their membership, the form of which shall be prescribed by the Board of Directors.

For a person to be eligible to vote at the Annual Business Meeting, he or she must be a member in good standing of the Association at the time of the Annual Business Meeting.

### **Section 3: Member in Good Standing:**

A member is a member in good standing if he or she has paid an annual membership fee and continues to subscribe to the purposes and goals of the Association.

All memberships must be renewed annually. Persons must be members in good standing in order to participate in the Annual Business Meeting, and in any business conducted by the Association after the annual meeting but only until the end of the membership year. The Treasurer shall forward to the Secretary a list of all members in good standing prior to any event where membership in the Association is prerequisite for participation in that event.

## **V. OFFICERS/DUTIES**

This Association shall have a Board of Directors (hereinafter “Board”) consisting of the President, Vice President, Secretary, Treasurer, and the Regional Representatives who shall be elected from among the voting members in good standing, and whose terms shall be set forth in this section.

### **Officer Positions:**

- a. President** – The President shall conduct all meetings of the Association, appoint all Committee Chairs, represent the Association in all matters pertaining to the Association, exercise all powers and perform all duties commonly incident to the office. He/she may, with the approval of the Board of Directors, cause applications to go out to government and private agencies for funds or grants to carry out programs consistent with the goals of the Association. The President of the Association may, at any time during his/her term of office, invite his/her immediate predecessor, the outgoing President, to attend all functions of the Board of Directors, such invitation to extend for one year or until the following year’s election, whichever shall first occur.
- b. Vice President** – The Vice-President shall perform the duties and have the powers of the President in the absence of the latter. He/she may have other duties delegated to him/her by the President of the Board.
- c. Secretary** – whose duties shall include: keeping minutes of all meetings and furnishing copies of these minutes to all Board Members and Committee Chairpersons, and to all association members upon request. The Secretary shall maintain a roster of all paid

members and perform any other duties established by action of the membership. Term shall be for two years.

- d. Treasurer** – whose duties shall include: keeping an accurate record of the financial condition and transactions of the Association; handling banking of and expending of, as necessary, all monies held to the credit of the Association; reporting, at all meetings, the financial status of the Association; collecting all fees from members; receiving all other monies payable to this Association; serving, at-will, on all committees of this Association; and performing such duties as established by action of the membership. Any disbursement of Association funds must be approved by the Treasurer and President of the Association. Term shall be for two years.
- e. Regional Representatives** – whose duties shall include: bringing to the Board concerns of the members they represent and assisting with regional training. The number of regions shall be fixed at three, and shall consist of the Northeast, Southeast, and West Regions as determined by the Board to ensure sufficient representation throughout the state. Regional Representatives will perform such other duties as established by the Board of Directors. Terms shall be for two years.

Upon election, the officer's term shall begin at the next quarterly meeting following the election.

The President and Treasurer, along with the Northeast Regional Representative shall run for office in opposite times of the Vice-President, Secretary, Southeast Regional Representative, and Western Regional Representative.

## **VI. REMOVAL & REPLACEMENT**

Any officer may be removed at any regular meeting or called meeting at which a majority of the Board membership is present upon motion of any member of the Association and approval of three-fourths (3/4) of the voting members of the Association participating in the meeting in person or by another approved format.

In the event that an officer is removed, unable to fulfill his or her duties, or resigns, the President shall appoint a regular member in good standing to fill the vacancy until the next regular election.

## **VII. MEETINGS**

Meetings of the Association shall be at such time and place as directed by the Board. All members will be notified of the date, time and place a minimum of thirty (30) days prior to the meeting either through email by the Secretary, or by announcement in the TAPS Newsletter. The Board of Directors shall be authorized to act and transact business on behalf of the Association in furtherance of its purposes between its Annual Meetings. The Board of Directors shall operate in accordance with rules of procedure, which it shall establish.

### **a. Annual Business Meeting**

The President shall hold an Annual Business Meeting in conjunction with the Annual Conference. All Officers and Committee Chairs will report to the membership a summary of their activities since the last Annual Business Meeting. The Treasurer shall provide the membership with a written summary of the financial status of the Association and the Secretary shall provide a full listing of the current membership.

**b. Board Meeting**

A majority of the Board present at a general Board meeting shall constitute a quorum for purposes of conducting necessary business. All officers or directors shall be present at duly called meetings of the Board of Directors, or must be excused by the President. An officer or director shall be deemed to be present at a meeting for the purpose of constituting a quorum and transacting business if, at the time of such meeting, he/she participates by telephone in the transaction of the business thereof and if such officer or director shall subsequently approve and sign the minutes of that meeting. All members in good standing of the Association may attend meetings of the Board of Directors as non-voting participants. Notice of the date, time, location and/or format of Board meetings will be provided to members. Board meetings will be conducted quarterly, and emergency meetings may be held upon the call of the Board.

**c. Special Meeting**

Special meetings of the membership may be called by the President, the Secretary, a majority of the Board, or by a written request signed by at least five percent (5%) of the members of the Association. This request shall be presented to the Secretary who shall make the arrangements necessary to call the meeting.

**VIII. ELECTION**

The election of all Officers and Directors will be accomplished following the Annual Business Meeting. A call for nominations shall go out at least 30 days prior to the Annual Business Meeting. Submitted nominations must be received 15 days before the Annual Business meeting. Ten days prior to the Annual Business Meeting, a list of those nominated will be sent to members by the Secretary. Nominations for all open positions will also be accepted at the Annual Business Meeting. Nominations will close at the end of said meeting. To be eligible to hold an Association office, a candidate must be a Professional-class member in good standing at the time of nomination and remain in good standing throughout his or her term in office, if elected.

Ballots will be provided to all voting members fifteen (15) business days after the Annual Business Meeting. All ballots will identify the names of the candidates for each respective office. Ballots must be received within thirty (30) business days of the Annual Business Meeting. Each member in good standing may vote only once. Ballots received after the deadline or not meeting the criteria will be deemed ineligible. Results will be published to members within ten (10) business days of the end of the voting period.

All members in good standing who have voting rights may cast votes for the offices of President, Vice President, Treasurer, and Secretary. Regional Representatives may be elected only by votes cast by eligible voting members in their respective regions, and must be professional members who reside or are employed in the region for which they seek election.

In the event that there is no nominee for a position or a position is vacated before the end of a term, the President may appoint an eligible member in good standing to serve out the remaining term of that position.

## **IX. COMMITTEES**

The Board of Directors may create committees upon recognition of need. The president is responsible for appointing the Chair of all committees to serve for a one year term to serve at the pleasure of the President. The Committee Chair shall solicit members in good standing to serve on the committee and shall be responsible for the composition, direction, and work of the committee.

In addition to such other committees as the President may establish, there shall be the following standing committees:

### **a. Membership Committee:**

This committee shall be responsible for recruitment and retention of TAPS members. The Chair of this committee will work with the Secretary in maintaining a list of all members in good standing.

### **b. Professional Development Committee:**

This committee shall be responsible for coordinating the annual training conference, including: site selection, conference dates, themes, trainers, speakers, food, and networking activities. The Board will review and approve the recommendations. This committee may also help to organize regional trainings as requested by the Board. The committee, in conjunction with the Board and the Communications Committee, is responsible for identifying and communicating to members information about educational opportunities, newly released publications, or websites that may advance the professional development of the Association's members.

### **c. Legislative Committee:**

This committee shall be responsible for identifying and analyzing legislation relating to the pretrial services field, as well as keeping the membership informed of such legislation and assisting with drafting a position on behalf of the Association. This committee shall inform or request involvement by the Board or full membership by email, fax, mail or telephone as to concerns with or feedback about pending legislation that directly affects pretrial services. This committee shall also work to educate the legislature on issues that will improve the state of pretrial justice in the State of Texas.

**d. Communications Committee:**

This committee will work toward educating the public and private sectors regarding TAPS and pretrial services programs in Texas. This committee shall be responsible for the development and appropriate dissemination of TAPS news and promotional information about the Association.

**X. RESOLUTIONS**

All resolutions shall be submitted in writing to the Board. The Board will provide notice of the resolution not less than thirty (30) days prior to consideration by the Board to allow time for member commentary.

**XI. AMENDMENT TO THE BY-LAWS**

The power to make, alter or repeal all or any part of the By-Laws is vested in the Board of Directors. The affirmative vote of a majority of all Board members shall be necessary to effect any changes. However, the members of the Association present and voting at Annual or Special meetings may amend these By-Laws by a 2/3 vote.

*Revised 11/21/2022*