



## **NATIONAL ASSOCIATION OF COUNTY CIVIL ATTORNEYS**

The NATIONAL ASSOCIATION OF COUNTY CIVIL ATTORNEYS (NACCA) is an affiliate organization of the NATIONAL ASSOCIATION OF COUNTIES (NACo), whose membership is composed of attorneys representing counties throughout the United States. NACCA is dedicated to advancing the interests and education of attorneys who represent county governments and their agencies. The organization seeks to help county attorneys keep apprised of cutting edge legal issues facing county governments, and helps to identify best practices in resolving issues confronting local county departments and agencies.

NACCA holds its annual meeting each year in conjunction with the NACo annual conference and exposition. In addition to its annual meeting, the organization also holds a meeting during NACo's legislative conference each year, giving local county attorneys an opportunity to voice their opinions and concerns to members of Congress. NACCA's meetings provide an opportunity for attorneys to network with other legal professionals from around the country, as well as with the local elected officials that seek their guidance. Individuals interested in becoming a member of NACCA may fill out the Annual Application and Dues Invoice.

**CONSTITUTION and BYLAWS of the**  
**NATIONAL ASSOCIATION OF COUNTY CIVIL ATTORNEYS**  
**As Amended 2013**

**ARTICLE I**

**NAME AND PURPOSE OF ASSOCIATION**

Section 1. Name

This Association shall be known as “National Association of County Civil Attorneys”.

Section 2. Affiliation

This Association shall be affiliated with the National Association of Counties.

Section 3. Purposes

The purposes of this Association shall be:

- a) to study and disseminate to its membership information relative to statutory and case law of nationwide significance to county civil attorneys.
- b) to advance the official policies of the National Association of Counties, not inconsistent with the objective of the Association, by supporting or opposing, as conditions dictate, both legislation and litigation which, in the judgment of this Association, are of significance to county government.
- c) to provide a forum through which its membership may, from time to time, meet and exchange ideas and professional experiences of import to county civil attorneys throughout the United States.

**ARTICLE II**

**MEMBERSHIP**

Section 1. Active Members

Any attorney acting as chief civil attorney for a county that is a member of the National Association of Counties, or any duly appointed deputy or assistant thereof, shall be admitted to active membership upon written application therefore submitted to the Board of Directors and payment of such dues as further set forth herein.

Active members shall also include attorneys who act as civil advisor to any county association, organization or consortium of counties upon written application and payment of dues. The qualification of holding an elective office in this Association is limited to active members.

## **ARTICLE III**

### **OFFICERS AND DIRECTORS; ELECTIONS**

#### **Section 1. Officers**

The officers of the Association shall be a President, President-Elect, and a Secretary/Treasurer.

#### **Section 2. Directors**

The officers and Presidents' Council shall constitute the Board of Directors.

#### **Section 3. Elections; Terms of Office**

The President and President-Elect shall be elected at an annual meeting of the Association by the votes of a majority of the active members present, and they shall hold their offices for a term of two years or until their successors are elected and qualify. The President-Elect shall assume the office of President at the expiration of his/her term as President-Elect or upon a vacancy in the office of President.

The Secretary/Treasurer shall serve a staggered term of two years. The Secretary/Treasurer elected at the annual meeting of July, 2000, shall serve a one-year term and thereafter service a two year term.

#### **Section 4. Nominations**

Nominations for the elected officers of this Association shall be made by the Presidents' Council sitting as a nominating committee. After presentation of the nominations of the nominating committee, nominations for the position of any officer or director may be made from the floor upon the nomination and seconding by active members of the Association.

#### **Section 5. Board of Directors**

The Board of Directors shall consist of the President, President-Elect, Secretary/Treasurer and Presidents' Council.

#### **Section 6. Vacancies**

Subject to Section 3 herein, vacancies in any office occurring for cause shall be filled for the unexpired term by the President with the approval of the Board of Directors.

## **ARTICLE IV**

### **DUTIES OF OFFICERS AND DIRECTORS**

#### **Section 1. President**

It shall be the duty of the President to preside at all meetings of the Association and of the Board of Directors of the Association. He/she shall appoint all committees unless otherwise provided, and shall perform such other duties usually performed by the president of an organization. The President shall be an ex-officio member of all committees of the Association.

## Section 2. President- Elect

It shall be the duty of the President-Elect to develop, implement and supervise the membership activities of the Association. The President-Elect shall, in the absence or inability to act of the President, exercise the functions and perform the duties of the President.

## Section 3. Secretary/Treasurer

It shall be the duty of the Secretary/Treasurer to keep the minutes of the Association, to maintain an accurate roster of members, to give notice of all meetings of the Association or the Board of Directors and to perform such other duties as are usually incumbent upon that officer and such others as the Board of Directors may direct.

It shall be the duty of the Secretary/Treasurer to develop, implement and supervise the publications activities of the Association and to receive and disburse all monies of the Association, keep an accurate account of all financial transactions of the Association, submit at each meeting a report of all receipts and disbursements during the preceding six months and to perform such other duties as are usually incumbent upon that officer.

## Section 4. Board of Directors

It shall be the duty of the Board of Directors to exercise general control and supervision over the affairs of the Association, to assist in the successful achievement of the programs recommended and adopted by the Association and, except as otherwise provided in this Constitution, to decide upon all questions which may arise during the interval between meetings of the general membership of the Association. The Board of Directors shall be responsible for developing rules and by-laws for the Association, subject to approval of the active members, and for recommending revisions in such rules and by-laws as may be desirable from time to time. The Board of Directors shall be at such time and place as may be designated by the President or by any two (2) members thereof after no less than four (4) weeks' notice to each member of the Board. Four (2) members of the Board of Directors shall constitute a quorum thereof.

# **ARTICLE V**

## **COMMITTEES**

### Section 1. Standing Committees

The standing committees of this Association shall be the Committee on Legislation and the Committee on Litigation.

The Committee on Legislation shall consist of not less than three (3) active members appointed by the President. This committee shall study such subjects of legislation that may, in its opinion, be of national consequence to county government or county officers, and such other matters of legislation as are referred to it for study and report by the National Association of Counties. Subject to the approval shall be in the interest of county government. It shall perform such other duties as the Board of Directors may direct.

The Committee on Litigation shall consist of not less than three (3) active members appointed by the President. This committee shall advise the Board of Directors of all United States Supreme Court decisions and selected other federal and state decisions which, in its opinion, will have important effect upon county government or county officers or be of general

interest to county civil attorneys. Subject to approval of the Board of Directors, it may seek to intervene in any pending litigation which, in its judgment, is of such consequence to county government as to warrant such intervention.

#### Section 2. Other Committees

The President shall appoint such special committees as he/she may deem necessary for the proper transaction of the business of the Association.

## **ARTICLE VI**

### **PRESIDENTS' COUNCIL**

#### Section 1. Composition; Purpose

The Presidents' Council shall consist of all Past Presidents of this Association who continue to be active members and the President of the Association. Recognizing that the nature of the position of chief civil attorney of county legislative bodies carries a degree of risk to professional tenure, the purpose of the Presidents' Council shall be to insure a source of continuity, experience and stability for the Association under all circumstances. The most recent Past President still an active member shall chair the Presidents' Council.

#### Section 2. Duties

The Presidents' Council shall act as the nominating committee of the Association and shall have such other duties and responsibilities as may be assigned to it herein or, from time to time, by the President. However, at any time there are less than three (3) members of the Presidents' Council sitting as the nominating committee, the President shall appoint at least one active member to serve as member of the nominating committee.

## **ARTICLE VII**

### **SPECIAL REPRESENTATIONS**

#### Section 1. Representative to National Association of Counties

The Immediate Past President or, if the Immediate Past President is unable or unwilling to serve for any reason, the President or the President's Designee shall be this Association's representative to the Board of Directors and the Finance Committee of the National Association of Counties and shall serve for a period of two (2) years. Additional Representatives shall be named as allowed by National Association of Counties By-Laws and shall be Past Presidents who are active members with appointment determined by dates of most recent term of office.

#### Section 2. Other Representatives

The President shall appoint bi-annually:

- a) a representative to the American Bar Association Section on Urban, State and Local Government Law; and
- b) a representative and an alternate representative to the State and Local Legal Center.

The representatives provided for in this section shall not be limited to one term.

## **ARTICLE VIII**

### **MEETINGS**

#### Section 1. Annual and Special Meetings

The annual meeting of the Association shall be held at the time of the annual conference of the National Association of Counties. Special meetings of the Association may be held at such times and places as may be determined by the President or the Directors.

#### Section 2. Procedures

Procedures followed at annual or special meetings shall be in accordance with *Robert's Rules of Order* when not inconsistent with the Constitution, By-Laws, or rules of this Association.

## **ARTICLE IX**

### **DUES**

Section 1. Active members shall pay annual dues in the amount of \$50.00.

## **ARTICLE X**

### **AMENDMENTS**

#### Section 1. Vote Required: Notice

This Constitution may be amended at any annual meeting by a 2/3 vote of the active members present, provided that such amendment shall first have been submitted to the Board of Directors not less than seven (7) days prior to the annual meeting.

#### Section 2. Waiver

The seven (7) day notice requirement may be waived by 2/3 affirmative vote of the Board of Directors present. Any proposed amendment together with the Board of Directors' recommendation thereon, shall be submitted to the membership not less than twenty-four (24) hours prior to any vote being taken thereon.