

# **BYLAWS**

## **Connecticut Probate Assembly**

Adopted January 1988  
Rev. 11/95, 6/09, 3/10, 1/11, 6/15

*Article One.* **NAME**

This organization shall be known as the Connecticut Probate Assembly.

*Article Two.* **MEMBERS**

All Judges of Probate Courts of this state shall be members of this Assembly. Any member who ceases to hold office shall be an honorary member, without vote, of this Assembly.

*Article Three.* **MEETINGS**

a) In addition to the Annual Meeting of this Assembly as prescribed by statute, this Assembly shall hold regular meetings during each quarter of the year.

b) The President-Judge may call a special meeting. Upon receiving a written request from ten (10) voting members of this Assembly, the President-Judge shall call a special meeting. Such requested special meeting shall be scheduled on a date not later than four (4) weeks from the receipt of such request. The purpose of said meeting shall be stated on such request and notice.

c) Except as otherwise provided for by statute or these bylaws, the regular and special meetings shall be held at such place, date, and time as the President-Judge shall designate.

d) Written notice of each meeting shall be sent by mail or electronic means to each member of this Assembly by the President-Judge or by the Executive Secretary at the direction of the President-Judge at least ten (10) days prior to such meeting. In the case of a special meeting, said notice shall indicate whether the same was called for upon the written request of the members of this Assembly and the purpose of said meeting.

e) Quorum of members. The minimum number of members who must be present at any Assembly meeting for the transaction of business shall be forty percent (40%) of the voting membership.

f) All votes by the members of this Assembly shall be cast in person. No absentee, internet, facsimile, mail votes, or proxies will be permitted.

*Article Four.* **OFFICERS**

a) The elective officers of this Assembly shall be a President-Judge, First Vice President-Judge, Second Vice President-Judge, Executive Secretary, Recording Secretary, and Treasurer, elected at each Annual Meeting of this Assembly by a majority vote of the voting members present. Each officer shall hold office until the next Annual Meeting or until his or her successor is elected. However, no President- Judge shall serve more than two (2) terms in addition to any unexpired term that he/she might fill. To be elected as an officer

of this Assembly, a judge must be a voting member of this Assembly and shall serve without direct or indirect salary, compensation, or emolument.

b) Except as hereinafter provided for in these bylaws, in the event of a vacancy or disability in any elective office, a successor or acting officer shall be designated by the Executive Committee to serve until the next Annual Meeting or until the disability is removed.

c) The President-Judge shall preside at all meetings of this Assembly and the Executive Committee and shall have other duties as may be prescribed by these bylaws, this Assembly, or by the Executive Committee. In the absence or disability of the President-Judge, the First Vice President-Judge shall have the duties of the President-Judge. In the absence or disability of both the President-Judge and the First Vice President-Judge, the Second Vice President-Judge shall have the duties of the President-Judge. In the event of a vacancy in the office of President-Judge, the First Vice President-Judge shall become the President-Judge. In the event of a vacancy in the office of First Vice President-Judge, the Second Vice President-Judge shall become First Vice President-Judge. In the event of a vacancy in the office of Second Vice President-Judge, the vacancy shall be filled in accordance with Article Four (b).

d) The Recording Secretary shall make and maintain minutes of the proceedings of this Assembly and of the Executive Committee and shall have such other duties as may be prescribed by these bylaws or by the President-Judge.

e) The Executive Secretary shall attend to and prepare all reports, correspondence, and notices required for the proper functioning of this Assembly in accordance with the terms of the bylaws and applicable state laws and regulations and shall have such other duties as may be prescribed by these bylaws or by the President-Judge.

f) The Treasurer shall annually prepare a proposed budget for the Assembly in accordance with Article Six. Expenditures made pursuant to the budget shall be made only on the written authorization of the Treasurer. Except for disbursements prescribed by the budget, the Treasurer shall not authorize disbursements of any monies without the authority of a majority of the Executive Committee.

g) The functions of the offices of Recording Secretary, Executive Secretary, Treasurer, and all Committee Chairs shall be exercised under the supervision and control of the Executive Committee.

#### *Article Five.* **COMMITTEES**

a) The standing committees of this Assembly shall be an Executive Committee, a Nominating Committee, a Continuing Education Committee, an Ethics Committee, a Legislative Committee, a Procedures Review Committee, a Public Information Committee, and a Planning Committee. The President-Judge shall appoint the Chair and other

members of all standing committees, except for the Executive Committee and the Nominating Committee.

Special committees may be appointed by the Executive Committee or by the President-Judge.

b) The Executive Committee shall consist of all of the elected officers of this Assembly; the immediate Past President, with vote, whether or not a voting member of this Assembly the chairpersons of all standing committees; and nine other voting members elected by this Assembly. No member of the Executive Committee shall be entitled to more than one vote. Three of said nine elected members, each of whom shall be from a different county, shall be chosen each year at the Annual Meeting of this Assembly for a term of three years. In selecting members of the Executive Committee, the Nominating Committee shall take into consideration the geographic makeup of the entire Executive Committee. No member shall be elected to serve more than two consecutive three-year terms and the portion of any unexpired term that he/she may fill. After an absence of at least one year, said member may be elected again for not more than two consecutive three-year terms.

The Executive Committee shall have authority over the direction and management of this Assembly and shall have direct supervision and control of the offices of Executive Secretary, Recording Secretary, and Treasurer. All actions of the Executive Committee shall be subject to modification by the majority vote of members present at a subsequent meeting of this Assembly. Additionally, the Executive Committee shall hold a meeting during the month of April each year to review and make recommendations on the budget proposed by the Probate Court Administrator pursuant to C.G.S. § 45a-84, as amended. Additionally, the Executive Committee shall not overrule any actions approved by the Assembly during any regular or special meetings.

To establish a quorum for the transaction of business at any Executive Committee meeting there shall be forty percent (40%) of the voting members present.

Except as hereinbefore provided in these bylaws, in the event of any vacancy or disability that may occur on this committee, a successor shall be appointed by the Executive Committee to serve the unexpired term. In the event any member of this committee becomes a non-voting member of this Assembly, his or her position shall be considered vacant.

c) The Nominating Committee shall consist of a Chair and two other voting members appointed by the Executive Committee. No member of the Nominating Committee shall be selected from among the members of the Executive Committee. Any vacancy that may occur on this committee shall be filled by the Executive Committee, which shall report the name of its appointee to the Executive Secretary.

The Nominating Committee shall prepare and present to the membership of this Assembly its slate of nominees for elective office and the Executive Committee as part of the notice or call of the January meeting. Nominations from the floor may be made only at

the January meeting by any voting member of this Assembly. Said nominees shall be voted on at the next Annual Meeting of this Assembly. If any nominee dies, resigns, or declines after being nominated, or ceases to be a voting member of this Assembly, the Executive Committee is empowered to nominate an alternate. The Executive Committee may direct the Nominating Committee to undertake such other duties as may be consistent with its purpose. In accordance with C.G.S. §§ 45a-62 and 45a-85, the Nominating Committee shall present to the membership of this Assembly, nominees for membership to the Council on Probate Judicial Conduct and the Probate Court Budget Committee whenever a vacancy shall occur and for each new term of office thereon.

The Nominating Committee shall report the candidates for office to the members not less than twenty (20) days prior to the Annual Meeting. If there is an election where there is more than one (1) candidate for an elected office, each voting member of this Assembly shall be given a written ballot with each candidate's name as he or she arrives at the Annual Meeting. Prior to the start of business at that meeting, the chairperson of the Nominating Committee or his/her designee shall collect all the ballots, appoint three (3) members to count them, and report the results during the meeting.

d) The Continuing Education Committee shall consist of a Chair and at least two other voting members of this Assembly appointed by the President-Judge.

The Continuing Education Committee shall be responsible for providing and encouraging continuing education in cooperation with the Probate Court Administrator on the local, state, and national level.

e) The Ethics Committee shall consist of a Chair and at least four other voting members of this Assembly appointed by the President-Judge.

The Ethics Committee shall be responsible for periodic review of the Code of Probate Judicial Conduct and for making recommendations for amendments and additions thereon when appropriate.

f) The Legislative Committee shall consist of a Chair and at least four other voting members of this Assembly appointed by the President-Judge.

The Legislative Committee shall recommend to the Executive Committee and to the Probate Court Administrator legislation for introduction in the General Assembly, and, if approved by the Executive Committee and the Probate Assembly, shall have such legislation introduced. It shall also consider all other legislation affecting the Probate Courts before the General Assembly, whether substantive or procedural, and, with the approval of the Executive Committee, shall appear before the committees of the General Assembly to speak for or against such legislation.

g) The Procedures Review Committee shall consist of a Chair and at least four voting members of this Assembly appointed by the President-Judge.

The Procedures Review Committee shall inquire into and investigate all matters relating to practices and procedures in the Probate Courts referred to it in writing by any voting member of this Assembly or by the Probate Court Administrator and shall report its findings to the Executive Committee for appropriate action. It shall also cooperate with the Probate Court Administrator in devising new forms and procedures necessary to implement and carry out the purport and intent of any new legislation passed by the General Assembly and to review and update present practices and procedures in the Probate Courts.

h) The Public Information Committee shall consist of a Chair and at least two other voting members of this Assembly appointed by the President-Judge.

The Public Information Committee shall be responsible for the promotion of the Probate Courts and the probate court system within the State of Connecticut and shall provide the media and any voting member of this Assembly with appropriate materials for publication.

i) The Planning Committee shall consist of a Chair and at least eight other voting members of this Assembly appointed by the President-Judge. The Planning Committee shall be responsible for the study of the role and structure of the Probate Courts, for planning for changes that affect the probate court system, and may undertake any duties and assignments designated by the Executive Committee or President-Judge.

j) The President-Judge shall be an ex-officio member of all committees except the Nominating Committee. The Executive Secretary shall also be an ex-officio member of all committees except the Nominating Committee.

*Article Six.* **ASSEMBLY FUNDS**

a) For the purpose of paying the expenses of this Assembly, the Treasurer of this Assembly shall prepare an annual budget for this Assembly for the upcoming fiscal year, which budget shall be voted upon by this Assembly at its Annual Meeting. The total expenditures under the budget shall not exceed the amount allocated for the Assembly in the budget for the Probate Court system under C.G.S. § 45a-84.

b) No part of the funds of this Assembly shall be used or expended, directly or indirectly, as salary, compensation, or emolument for any voting member of this Assembly.

c) The Assembly was created by statute exclusively for the improvement of, and uniformity in, the procedure and practice and the administration of justice in the Courts of Probate and the administration of the Connecticut Probate Assembly. No part of the net earnings of the Assembly shall inure to the benefit of, or be distributable to, its members, trustees, officers, or other private persons, except that the Assembly shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes of the Assembly. The Assembly shall not participate in, or intervene in, any political campaign on behalf of any candidate for public office.

In the event that the Assembly is dissolved by the legislature of the State of Connecticut or in any other manner, any funds remaining on hand and any other assets of the Assembly remaining after the payment of any debts or legal obligations against the Assembly shall be transferred and paid over to the Treasurer, State of Connecticut, to be added to the Probate Court Administration Fund established under the provisions of C.G.S. § 45a-82, but if said Fund is no longer in existence or unable for any reason to receive said proceeds, then said funds on hand and remaining assets shall be distributed to the Treasurer of the State of Connecticut to be added to the General Fund.

*Article Seven.* **AMENDMENTS**

Amendments to these bylaws shall be made only by the affirmative vote of two-thirds (2/3) of all voting members present at any regular or special meeting, provided that there shall have been inserted in the notice of such meeting a copy of such proposed amendment.

*Article Eight.* **ROBERT'S RULES OF ORDER, as revised**

In the event of any controversy or dispute in conducting the business of this Assembly that is not specifically provided for in these bylaws, Robert's Rules of Order, as revised from time to time, shall govern.

These bylaws, as amended, shall be effective as of the date of passage, and any limitation of time pertaining to terms of office or committee appointments hereinbefore referred to shall not commence to run until the said date of passage.

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