

Association By-Laws

I. Name and Purpose

The name of this organization is the Oregon Criminal Defense Lawyers Association. The purpose of the Oregon Criminal Defense Lawyers Association will be to provide and to promote scholarship in the area of legal representation in criminal, juvenile, and mental commitment proceedings. Furthermore, the organization will promote public awareness as to the function and duties of the criminal defense practice in general, within the limitations imposed by law on non-profit organizations.

II. Membership

- A. **REGULAR MEMBERSHIP.** Regular membership in the Association shall be open to 1) all attorneys in good standing with the Bar who are engaged in defense of criminal, juvenile or mental commitment cases and 2) faculty members of law schools.
- B. **SUSTAINING MEMBERSHIP.** The title of Sustaining Member shall be conferred by the Board of Directors on a Regular Member who, in lieu of the payment of the established regular membership dues, pays the Association a sum to be set by the Board of Directors.
- C. **LIFE MEMBERSHIP.** The title of Life Member shall be conferred by the Board of Directors on a Member who, in lieu of the payment of the established membership dues, pays a one-time payment to be set by the Board of Directors. That person shall not be required to pay annual membership dues. A Life Member who fails to meet the requirements for membership at any time shall be suspended from membership during the time of such ineligibility.
- D. **PROFESSIONAL NON-LAWYER MEMBERSHIP.** Professional Non-lawyer membership shall be open to individuals who provide substantial contributions and services to the defense of criminal cases. Included in this membership category shall be investigators and legal assistants.
- E. **LAW STUDENT MEMBERSHIP.** Law student membership shall be open to students enrolled in accredited law schools.
- F. **VOTING.** Each Regular, Sustaining and attorney Life Member shall be entitled to one (1) vote at the Association's proceedings. Professional Non-lawyer Members and Student Members are not entitled to vote.

III. Board of Directors

- A. **ELIGIBILITY.** Professional Non-lawyer or Student Members shall not be eligible to become elected members of the Board. Eligibility for election to the Board shall be extended to all other classes of membership.
- B. **NUMBER OF DIRECTORS.** The Board shall consist of fourteen (14) Directors. Private attorney representation shall be by seven members, one elected from each of the six regions established by ORS 9.025(2), and one to be elected at large. "Private attorneys" are those members who are not employed by those organizations designated in 1 through 7 of section B. Private attorney Directors must maintain their principal business office in the district from which they are elected.
- Public defender representation shall consist of one representative each from the following offices: 1) the Metropolitan Public Defender, 2) Public Defender Services of Lane County, Inc., 3) the State Public Defender, 4) the Federal Public Defender, 5) Multnomah Defenders, Inc., 6) Southwest Oregon Public Defender Services, Inc./Umpqua Valley Defender Services, Inc. to share a representative, and 7) Southern Oregon Public Defender, Inc.
- C. **TERM OF OFFICE.** The members of the Board of Directors shall be elected at the Annual Meeting of the Association and hold office for a period of two years commencing with their election at said Annual Meeting.
- D. **ELECTION.** Private attorney Directors shall be elected by a majority vote of eligible and voting, dues-paid members at the Annual Meeting. Public Defender Directors shall be elected or appointed by their constituents in any manner determined by Public Defender Offices.

In odd-numbered years, Directors from Region 3, 5, 6 will be elected and Directors from the State Public Defender, Public Defender Services of Lane County, Inc., the Metropolitan Public Defender and Southern Oregon Public Defender, Inc. will be chosen. In even-numbered years, Directors from Region 1, 2, 4 and one At-Large will be elected and Directors from the Multnomah Defenders, Southwest Oregon Public Defender Services, Inc./Umpqua Valley Defense Services, Inc., and the Federal Defender will be chosen.

- E. **LIMITATION OF SERVICE.** In no event shall a Director hold that office for more than two (2) consecutive, complete two (2)-year terms.
- F. **ABSENCE.** A Director shall not accept office unless that Director intends to attend all meetings. A Director with more than two unexcused absences per year may be removed by a majority vote of the Board of Directors.

G. VACANCY. The unexpired term of a Board member shall be filled by majority vote of the Board of Directors.

H. QUORUM. A quorum for a Board of Directors meeting shall be seven (7) members.

I. BOARD OFFICERS. At the Annual Meeting and whenever necessary, the Board of Directors shall choose one (1) of its Directors as the President of the Board of Directors, one (1) of its Directors as Vice President, and one (1) of its Directors as Secretary to serve until the next Annual Meeting. The President shall have no greater powers than any other Director except to serve as spokesperson for the Board of Directors and to have ministerial authority subject to Board review. The President of the Association shall serve as Chairperson of meetings of the Board of Directors.

The Vice President shall assist the President in the performance of the President's duties and shall also perform such other duties as may be prescribed by the Board of Directors. In the case of the absence of the President, the Vice President shall act as President. In the case of the death of the President or in the event of resignation or removal from office, the powers and duties of the President shall devolve upon the Vice President who shall conclude the term of office of the President in accordance with the provisions of these by-laws.

The Secretary shall attend and keep minutes of all meetings of the Association and shall have such other powers and perform such other duties as are incidental to the office of Secretary or as may be assigned from time to time by the Board of Directors or by the President.

J. POWERS AND DUTIES. The Board of Directors may appoint such officers, agents, and committees including an executive officer as it may deem necessary. All such appointments shall serve at the pleasure of the Board. The Board shall set and annually review any and all compensation, if any, of such appointments. The Board shall organize all meetings of the membership. The Board as a body shall meet on a regular basis but not less than five (5) times in any one year. Furthermore, the Board of Directors shall have broad powers to carry out the purposes of the Oregon Criminal Defense Lawyers Association and to implement these by-laws.

IV. Meetings

A. TIME AND PLACE. The Association shall hold an Annual Meeting of all its members at a time and place as may be fixed by the Board of Directors and may hold such other meetings of all members when necessary.

B. QUORUM. Except for amendments to by-laws, those members who are eligible to vote and are present at any meeting of the Association shall constitute a quorum for the transaction of business at said meeting.

V. Membership Assessments

Individual membership assessments shall be set by the Board of Directors.

VI. Dissolution of Assets

In the event this Association shall dissolve, its assets shall be liquidated and distributed to charitable organizations.

VII. Amendments

Any amendment to the by-laws shall be made by a simple majority vote of all eligible and voting dues-paid Life, Sustaining and Regular Members. Only eligible, paid Life, Sustaining and Regular Members may vote for an amendment, and each member shall have only one vote. Each eligible member shall receive prior notice in writing of each proposed amendment and shall be given the opportunity to vote.

Original by-laws enacted July, 1978. By-laws amended September 22, 1978, October 27, 1979, March 21, 1980, October 16, 1980, September 18, 1981, March 16, 1984, March 28, 1986, May 8, 1987, May 13, 1988, May 1, 1989, April 9, 1996, March 5, 1997, and July 3, 2001.

Eve Oldenkamp, President

John R. Potter, Executive Director