

CANADIAN JUDGES' FORUM

Article 1: Name

1.1 The name of the Conference is the Judges' Forum of the Canadian Bar Association ("the Forum").

Article 2: Purpose

2.1 The purpose of the Forum is to:

1. promote the views and interests of judges;
2. provide a means for judges' participation in the Canadian Bar Association that respects judicial independence;
3. provide a forum for the exchange of information and ideas amongst judges of all Courts of Record, and between judges and members of the Bar;
4. develop member services relevant to judges.

Article 3: Membership and Dues

3.1 Any member in good standing of the Association who is a judge of any Court of Record in Canada is a member of the Forum.

3.2 Application for membership in the Forum shall be in such form and manner as prescribed by the Association, and shall be accompanied by the full amount of the dues prescribed.

3.3 Dues for membership in the Forum shall be in the amounts set by the Forum, and approved by the Council of the Association, payable upon enrolment and thereafter annually in advance each year, at the beginning of the Association's fiscal year next following such enrolment.

3.4 Any member of the Forum whose annual dues are more than five months past due shall cease to be a member of the Forum. Any person who ceases to be a member of the Association shall also cease to be a member of the Forum.

3.5 No member of the Forum is eligible to be an elected member or alternate member of the Council of the Association, nor is any member eligible to be a member of the Board of Directors of the Association. (98-01-M)

Article 4: Officers

4.1 The officers of the Forum shall be two Co-Chairs, the Vice-Chair, the Secretary Treasurer, the Past Chair and two members at large. (99-08-M; 99-15-A)

4.2 The Co-Chairs shall preside over all meetings of the Forum and of the Executive Committee and shall appoint members to and supervise the work of all committees. It shall be the duty of the Co-

Chairs to take such action as may be necessary to inform members of the activities of the Forum and the Executive Committee. (99-08-M)

4.3 The Vice-Chair shall succeed one of the Co-Chairs upon the expiration of his or her term of office and shall perform the duties of the Co-Chairs in their absence. The Vice-Chair shall perform such other duties as the Co-Chairs or Executive Committee may from time to time direct. (99-08-M)

4.4 The Secretary-Treasurer shall:

- (a) prepare and keep minutes of all of the meetings of the Forum and Executive Committee and shall keep an accurate roll of the officers and committees and shall keep the Constitution, resolutions and all books and records;
- (b) keep financial records of the Forum, recommend financial policies for the Conference to the Co-Chairs and the Executive Committee and shall liaise with National Office with respect to financial matters and the receipt and disbursement of funds. (99-15-A)

The Secretary-Treasurer shall succeed the Vice-Chair upon the expiration of his or her term of office.

4.5 The Past Chair shall assist the officers to carry out their mandate.

4.6 Each member-at-large shall perform such duties as the Co-Chairs or the Executive Committee may direct from time to time.

4.7 The term of office for the Co-Chairs shall be two years, and for all other officers shall be one year. (99-08-M)

Article 5: Forum Executive Committee

5.1 There shall be an Executive Committee of the Forum which shall consist of the aforementioned officers, including the members-at-large. The Secretary-Treasurer and members-at-large shall be elected at the Annual Meeting of the Forum, by vote, as set out in Article 6. The Executive Committee shall plan the activities of the Forum, shall represent it, shall manage its affairs during the intervals between meetings and shall perform such other duties as may from time to time be prescribed.

5.2 Powers and Functions

- (a) The Executive Committee shall be vested with the powers and duties necessary for the supervision and control of the affairs of the Forum.
- (b) The Executive Committee shall authorize all commitments or contracts which shall entail the payment of money in accordance with an approved budget. The expenditures of any money not authorized in the approved budget shall require express Executive Committee approval. The Executive Committee shall not authorize commitments, contracts or expenditures which entail the payment during a fiscal year of more money than the funds available from the revenues of the Forum reasonably projected for such fiscal year without the approval of the Board of Directors of the Association, except that it may

authorize the expenditure, in addition to current revenues, of such amount or all of any surplus or previously accumulated reserve funds of the Forum as it shall deem advisable. If the above is contrary to current Bylaws or financial policies of the Association, the Association Bylaws and financial policies take precedence.

- (c) Between meetings of the membership, the Executive Committee shall have authority to perform the functions that the membership of the Forum might perform. The Executive Committee shall report to the membership of the Forum at each meeting upon any actions taken since the last meeting of the membership of the Forum.
- (d) The Executive Committee may direct a referendum by mail ballot of the members of the Forum. A majority of the votes cast in the referendum shall determine the policy of the Forum with respect to the question submitted. Such referendum shall be conducted according to rules established by the Executive Committee.

5.3 Compensation

No salary or compensation for services shall be paid to or by any officer, member of the Executive Committee, or member of any committee, except as may be specifically authorized by the Board of Directors of the Association. (98-01-M)

5.4 Vacancies

In the event that an office on the Executive Committee becomes vacant by death, resignation or any other cause, the same may be filled by decision of the remaining members of the Executive Committee. The successor shall serve until the end of the term of the position for which the vacancy exists.

- 5.5 If any member of the Executive Committee fails to attend two successive meetings of the Executive Committee, that member's seat on the Executive Committee shall be automatically vacated unless the member is excused for good cause by action of the Executive Committee.

Article 6: Election of Secretary-Treasurer and Members-At-Large

- 6.1 A Nominating Committee composed of the Immediate Past Chair as chair, one of the Co-Chairs, and Vice-Chair shall nominate at least one member of the Forum for the office of Secretary-Treasurer and shall nominate at least two members of the Forum for the offices of Members-at-Large. The said nominations shall be announced to the membership by way of notice in a Forum publication at least 30 days prior to the date of the next Annual Meeting of the Forum, and shall include a brief statement of each nominee's activities in the Forum and in the law profession generally. Other nominations may be received in writing prior to the date of the Annual Meeting or upon nomination and second from the floor at the Annual Meeting. (99-08-M; 99-15-A)

Each member present at the Annual Meeting shall be entitled to vote. The Chair shall count all votes and the nominee receiving the majority of votes for the office of Secretary-Treasurer shall be declared elected to that office. A run-off election to choose between the two leading candidates shall be held if a majority vote is not initially obtained. The nominees receiving the first and second highest number of votes for the position of member-at-large shall both be declared elected to that office. Nothing shall preclude a member-at-large from running for the office of Secretary-Treasurer at the end of his or her term as member-at-large.

- 6.2 Participation and interest in the activities of the Forum, their effectiveness, as well as gender representation and regional composition of the Executive Committee shall be the criteria by which candidates are considered for nomination for the office of Secretary-Treasurer and member-at-large.

Article 7: Forum Meetings

7.1 Annual Meeting

The Forum shall meet annually in conjunction with the Annual Meeting of the Association. The Co-Chairs shall give advance notice to the membership in an appropriate Association publication of the date and time, place and tentative agenda for the Annual Meeting. (99-15-A)

7.2 Special Meetings

The Forum may hold a Special Meeting for the transaction of business upon 30 days notice by the Co-Chairs and shall hold a Special Meeting upon the request in writing addressed to the Chair of 10% of the members of the Forum; such meeting to be held not more than 60 days after receipt of the request. Notice of a Special Meeting shall contain the time, date, place and purpose of the meeting. (99-15-A)

7.3 Executive Committee Meetings

The Executive Committee shall meet at least one time per year at a time and place designated by the Co-Chairs. A special meeting of the Executive Committee may be called by one of the Co-Chairs on the Chair's own motion or upon request of two or more members of the Executive Committee. The Executive Committee may pass such resolutions as it deems necessary for the management of the affairs of the Forum, such resolutions to be reduced to writing and maintained by the Secretary-Treasurer in an appropriate binder. (99-15-A)

7.4 Meetings of the Executive Committee may take place by telephone conference call and the Secretary-Treasurer shall keep minutes of such meetings.

7.5 A quorum to do business at either regular or special meetings of the Forum shall be not less than four members present and in good standing.

7.6 A quorum at any meeting of the Executive Committee shall be a majority of the members thereof.

Article 8: Committees

- 8.1 The Co-Chairs, with the advice of the Executive Committee, may establish such committees as are deemed necessary and desirable to promote the purpose and goals of the Forum or to assist the Executive Committee in the orderly management of the affairs of the Forum. (99-15-A)

Article 9: Branch Divisions

- 9.1 The Executive Committee shall establish divisions of the Forum within each provincial and territorial branch where interest of the local membership has been manifested. Chairs of Branch Divisions shall be ex officio members of the Executive Committee.

Article 10: Amendments

- 10.1 This Bylaw may be amended at any Annual Meeting or Special Meeting of the Forum by a majority vote of the members of the Forum present and voting, providing such proposed amendment shall first have been approved by the Executive Committee. Notice of an intention to amend the Constitution must be given to the membership no later than 30 days prior to the date of the next Annual Meeting or Special Meeting. Amendments shall become effective upon approval by the Forum and the Council of the Association.

Article 11: Representation of Association Position

- 11.1 Any action by the Forum must be approved by the Board of Directors of the Association before the action can be effective as the action of the Association. Any resolution or recommendation adopted or action taken by the Forum, on request of the Executive Committee or the Forum, shall be reported by the Chair to the Board of Directors of the Association for action by the Association. (98-01-M)
- 11.2 Any resolution or statement of the Association on a matter of policy or public interest shall not be construed as the position of the Forum.

Article 12: Coming into Force

- 12.1 This Bylaw comes into force upon approval of the Council of the Association. For the purpose of the establishment of the Forum and the first Executive Committee, the provisions of Article 6 are suspended until the end of the organizational meeting. The persons in attendance at that meeting may elect or appoint the first Executive which shall have all the powers and responsibilities of the Executive Committee. (95-09-A)