

INTERNATIONAL ASSOCIATION OF LAW LIBRARIES

Sample Ballot 2015

The proposal to amend the IALL Constitution has been made by the Board of Directors of the IALL in accordance with Article XII of the IALL's current Constitution.

This is the official ballot to indicate your vote. You can read the marked text of the proposed amendments to the IALL Constitution [HERE](#) before casting your vote.

The Official ballot will be sent via email for electronic voting. The Official Ballot will not include commentary and the question will be as follows:

APPROVAL OF AMENDED IALL CONSTITUTION

(VOTE FOR ONE)

Do you approve the amendments to the IALL Constitution?

YES

NO

Proposed Amendments to the IALL Constitution with commentary

Article I. Name

No changes proposed

The name of this organization shall be the International Association of Law Libraries.

Article II. Duration

No changes proposed

The period of duration of the Association is perpetual.

Article III. Incorporation

No changes proposed

The Association shall be incorporated and its legal residence shall be in Washington, D.C., U.S.A.

Article IV. Purpose

No changes proposed

The purpose of the Association is to promote on a worldwide, cooperative and nonprofit basis the work of individuals, libraries, and other institutions and organizations concerned with all aspects of legal information and to facilitate the use of such information.

Article V. Members

Section 1. CLASSES OF MEMBERS. ~~Membership shall be of~~ **IALL provides the following classes of membership: individual regular, student, retired, associate, life and honorary.**

There are several changes in the categories of membership proposed and this has entailed adding new sections to Article V and renumbering, and amending others.

The change from regular to individual membership is further clarified in Section 2 and is related to discontinuing institutional memberships. The introduction of a student and retired member category updates the constitution with the categories introduced at the Board Meetings in Barcelona and Buenos Aires.

This section has also been reworded for clarity.

Section 2. **INDIVIDUAL REGULAR MEMBERS.** Any person ~~or institution~~ involved in the creation, distribution or use of legal information may become **an Individual** ~~personal or institutional~~ member ~~respectively~~ upon the payment of membership dues. ~~An institutional regular member will designate a person as its representative and notify the secretary of the Association of such person's name.~~ **Only Individual members have the right to vote in elections and to be elected as officers or members of the Board of Directors. Each individual member has one vote. Individual members are also eligible for Board appointment to serve on IALL committees.**

The majority of institutional members are for the purpose of subscribing to the journal. Designated representatives of institutional members are often acquisitions staff or subscription agents who are responsible for subscriptions to the IJLI; such representatives are not interested in the work of the association beyond receiving the journal. IALL is working to make it possible to subscribe to the journal without requiring membership. When this is accomplished, the institutional membership category will be redundant. Note that Institutional memberships will be available in 2016 but will be phased out by the end of 2016 as subscriptions become available. Eliminating the current institutional memberships and changing this category to the Associate category with no rights or benefits will ensure that voting members are individually interested in the work of the association. See Section 5 relating to permitting institutions to join IALL as Associate members with no rights or benefits.

Section 3. **STUDENT MEMBERS.** **A student member must be enrolled in a degree program related to law librarianship and becomes a student member upon payment of membership dues. Membership in this category is limited to five consecutive years. Student members have no voting rights and may not serve on the Board of Directors or IALL committees.**

The wording of this addition is identical to the one found in the AALL bylaws. Student members should not have voting rights because they will not have strong enough ties to the association or profession to make choices on behalf of the association or serve on the board of directors.

Section 4. **RETIRED MEMBERS.** **Any person who is interested in the objectives of the Association and has retired from full-time work within the field of legal**

The wording of this addition is identical to the one found in the AALL bylaws. Even though IALL welcomes retired members who wish to remain involved in the association

information may become a retired member upon payment of membership dues. Retired members have no voting rights and may not serve on the Board of Directors or IALL committees.

and attend our annual courses, in light of the definition in section 2 above it is logical that elections and serving as a representative of the association is reserved for those active in the profession who pay full dues as Individual members. Exceptions include those who are completing terms of office on the Board or those serving as immediate Past President if retirement coincides with the end of their term as president.

Section ~~53~~. ASSOCIATE MEMBERS. Any ~~person or institution not directly involved in the creation, distribution or use of legal information or an~~ institution may become an associate member ~~subject to the approval of the Board of Directors and upon~~ payment of membership dues. Each Associate member must designate a person as its representative and notify the Secretary of the Association of such person's name. Associate members have no voting rights, may not serve on the Board of Directors or IALL committees, and are not eligible for Individual member benefits.

Associate memberships will be available to those institutions interested in the work of the IALL. These members will have no voting rights or benefits but such membership may make it possible for designated institutional representatives to obtain permission and/or funding to attend IALL courses as representatives of their institutions. Dues for this category will reflect the fact that this membership has no Individual member benefits or rights.

This section was renumbered as a result of the addition of the Student and Retired membership categories.

Section 64. LIFE MEMBERS. Any person who has been an Individual regular member of the Association for more than twelve years and who has retired may be elected life member of the Association by the Board of Directors. Life members have no voting rights and may not serve on the Board of Directors.

This is a technical change to make this section consistent with the changes in membership categories.

Section 75. HONORARY MEMBERS. Any person may be elected honorary member of the Association by the Board of Directors for outstanding and distinguished service to the Association. Honorary members have no voting rights and may not serve on the Board of Directors.

This section was renumbered as a result of the addition of the Student and Retired membership categories.

Section 86. MEMBERSHIP DUES. The Board of Directors shall determine membership dues to be paid by all categories of members, except life and honorary members who shall not be required to pay dues. Changes in dues will be proposed during the Annual General Meeting of the Association by resolution and voted upon. ~~The secretary shall send notice of any proposed change in the amount of~~ Notification of changes in dues will be sent to all members no later than 60 ~~120~~ days before the start of the next fiscal year.

This proposed change enables the membership to discuss and vote on proposed due changes during the AGM.

This section was renumbered as a result of the addition of the Student and Retired membership categories.

Article VI. Officers

The officers of the Association shall consist of the President, first Vice-President, ~~second vice president~~, Secretary, and Treasurer to be elected by the regular individual members of the Association. Each shall serve a three year term or until his or her successor is

The proposed change to officer positions eliminates one officer position that has no clear function.

elected. Terms are to commence at the conclusion of the annual course. In the event no such meeting is held, terms will commence on October 1. In the discretion of the Board of Directors, the offices of Secretary and Treasurer may be combined in the same person who thereafter shall be entitled to one vote on the Board of Directors. **Officers shall serve no more than two successive terms in the same office. Only residents of the United States may serve as Treasurer for the Association, except in extraordinary circumstances when the Treasurer is replaced and no U.S. resident is able to assume the responsibilities of the office.** The officers shall perform the duties usually ascribed to their respective offices. In the event of the resignation or death of the President, the first Vice-president shall assume the duties of the President for the remainder of his or her term or until his or her successor is elected. In the case of the resignation or death of the Secretary or Treasurer, the President may fill the office for the remainder of the term by **resolution and a majority vote of the Board of Directors.** Vacancies due to resignation or death among other officers or members of the Board of Directors shall be filled for the remainder of their respective terms by a majority vote of the Board of Directors. Annual reports shall be prepared by the President, Secretary, and Treasurer and distributed to all classes of members of the Association. Reporting for the annual reports shall be based on the Association's fiscal year.

Article VII. Board of Directors

Section 1. COMPOSITION. The Board of Directors shall consist of the officers specified in Article VI **and eight seven** additional members, ~~and the immediate past president.~~ **Five of The seven** Board members shall be elected by the regular **Individual** members of the Association, ~~and three shall be appointed by the outgoing Board of Directors.~~ There shall be two ex-officio members of the Board of Directors: the Editor of the Journal of Legal Information and the **immediate past president** Director of Communications. Ex-officio members shall ~~participate in~~ carry out all of the duties of the Board of Directors, but shall not be voting members. All regular members of the Board, ~~regular and ex-officio,~~ and the ex-officio Editor of the Journal of Legal Information shall serve for terms of three years. **Terms are to commence at the conclusion of the annual course. In the event that no such meeting is held, terms will commence on October 1.** ~~Officers shall serve no more than two successive terms in the same office.~~ Regular members of the Board of Directors, other than the ex-officio members, shall serve no more than two successive terms as regular members of the Board. The office of immediate past president shall be held for ~~three~~ **one** years.

The term limits for officers are the same as those for regular Board members. The term limit language is being added to this section for clarity; it also appears in Article VII, Section 1.

This proposed change clarifies the need for the Treasurer to be a U.S. resident. Since the association is incorporated in the United States, practical issues dictate that the treasurer must be resident in the USA. By making this requirement explicit in the constitution, it adds transparency to what has been a long standing practice in IALL.

This section was also reworded for clarity.

Reducing the size of the Board by eliminating the ex-officio position of Director of Communications and one of the regular Board positions will help to increase Board efficiency and decrease expenses. An officer or Board member will take on the responsibilities of the Communications Committee.

This proposal also eliminates the past practice of having three Board members appointed by the outgoing Board to achieve geographic diversity. If adopted, all Board positions will be elected except the ex-officio positions of journal editor and immediate past president.

Wording has been added to clarify that the commencement of the terms of office for regular Board members and ex-officio Board members is the same as that for officers.

The term limits for officers have been moved to Article VI.

Currently the immediate past president serves a three year term as a voting member of the Board. Having the immediate past president in a voting position for a three year term may inhibit change and new initiatives. The possibility of informal contact and guidance would be preserved even if the past president did not remain on the board for an additional three years. The term for service as immediate past president should therefore be reduced to 1

year and be changed to an ex-officio role.

Section 2. POWERS. The Board shall exercise all of the powers of the Association between membership meetings, except those specifically reserved to the members in this constitution. **The Board** shall keep members informed of Association activities, and it may poll or consult them on important questions ~~if it so desires.~~

This section was edited for clarity and to remove the phrase “if it so desires” to clarify the Board’s obligation to keep members informed.

Section 3. NOMINATION AND ELECTION OF OFFICERS AND MEMBERS OF THE BOARD OF DIRECTORS. ~~By October 31 of~~ **Prior to Ahead of the Annual General Meeting in** the year preceding an election year, ~~the president~~ **Individual members will be asked to submit the names of nominees for the Nominating Committee to the Board. The Board shall appoint propose** a Nominating Committee **consisting of three Individual members from among the names submitted for approval at the Annual General meeting preceding the election. The Nominating Committee** ~~which shall poll members for proposed candidates for the offices described in Articles VI and VII, with the exception of the ex officio members and the immediate past president.~~ The Nominating Committee shall submit its slate of candidates to the Secretary by February 1 of the year in which the election is to be held. The Secretary shall provide notice of the proposed list of candidates to all members for at least 60 days. During this period names of ~~regular~~ **Individual** members may also be submitted as candidates for any elected office by petition ~~signed by ten or more regular members.~~ Such nominations shall be submitted to the secretary by April 1. **Nominations by petition shall be reviewed by the Nominating Committee to ensure eligibility and ability to serve; if qualifications are met such candidates shall be included in the ballot.** The Secretary shall conduct the election by ~~written~~ ballot containing the names submitted as provided above **using current technology.** Such election shall be completed no later than July 1.

The nominating committee has an important role to play in ensuring that there is at least one candidate for each officer and board member position. Without a committee slating candidates there is no guarantee that all positions will be filled or that candidates will meet the requirements for serving on the Board. The committee will consider the need for geographic and gender diversity in the composition of the board when reviewing nominations. The committee will also review all candidates for eligibility and ability to serve.

The Nominating Committee should be independent of the sitting members of the board. To increase transparency and fairness, Individual members will be asked to nominate candidates to serve on the Nominating Committee. The Board will review member nominees and propose the committee of three be approved by a vote of individual members at the AGM preceding the election.

The requirement of a petition of at least 10 signatures in order to run for election should be eliminated. It poses a substantial hurdle for members who want to serve the association and sends a signal that volunteers are unwanted. However, all candidates must be reviewed by the Nominating Committee to ensure they meet requirements for serving on the Board. All nominees and candidates by petition must submit a personal statement outlining their qualifications, eligibility and ability to serve.

Adding a generic term relating to current technology for conducting election will enable the association to conduct future elections using the best and most modern means.

Article VIII. Committees

No changes proposed

The President may appoint such additional committees as he or she believes appropriate, and designate the chair to serve during his or her presidency. Sub-committees may be established by a committee to assist it in its work. The President shall be an ex-officio member of all committees except the Nominating Committee.

Article IX. Membership Meetings

The phrase “if they so desire” is removed as unnecessary.

Membership meetings shall be held annually in

conjunction with the annual course, and may be called by the President from time to time as circumstances indicate. When a membership meeting is called, members should be given as much advance notice of the time, place, and agenda as is practicable. The Board of Directors shall provide for the preparation of a suitable program and those in attendance shall be given an opportunity to discuss questions of such interest or importance to the Association, and they may vote on such issues ~~if they so desire~~.

Article X. Voting

The members of the Board of Directors, at meetings of the Directors, and the ~~regular~~ **Individual** members at membership meetings, may vote on any issue. They may also vote by ballot ~~by mail~~ **using current technology** ~~by mail~~. Unless otherwise specifically provided by this constitution, any issue before ~~regular~~ **Individual** members ~~for mail~~ **by** ballot shall be determined by a simple majority of those voting on the issue involved. A quorum consisting of at least ~~20 percent of the regular~~ **35 Individual** members of the Association shall be required for any vote in a membership meeting. A simple majority of members of the Board of Directors shall be required for voting on any issue before the Board of Directors.

The issue of a quorum in the current constitution is problematic because not all members are able to attend the conference and AGM and it has been difficult to achieve a quorum using a percentage. A quorum of 35 individual members is therefore more feasible.

Wording has been edited so it is consistent with changes in other sections of the Constitution.

Article XI. Fiscal Year

The fiscal year shall begin on January 1 and end on December 31.

No changes proposed

Article XII. Amendments

This constitution may be amended only by a vote of the ~~regular~~ **Individual** members in which a majority of those voting are in favor of the proposed amendment. The Board of Directors or ten percent of the regular members in good standing may propose an amendment to the constitution. When an amendment is proposed by the ~~regular~~ **Individual** members, a copy shall be submitted to the Secretary ~~in writing~~ **using current technology**. The Secretary shall, within 90 days, distribute the text of the proposed amendment to all of the ~~regular~~ **Individual** members and provide them the opportunity to vote by ~~written~~ ballot for or against the proposed change.

These are technical changes to make the wording consistent with other changes and to permit balloting using current technology.

APPENDIX: Comparison between the current and proposed board

Current Board of Directors

1. President
2. First vice-president
3. Second vice-president
4. Secretary
5. Treasurer
6. Board member (elected)
7. Board member (elected)
8. Board member (elected)
9. Board member (elected)
10. Board member (elected)
11. Board member (appointed)
12. Board member (appointed)
13. Board member (appointed)
14. Immediate past president
15. Director of communications (ex-officio)
16. Editor of the journal (ex-officio)

Proposed Board of Directors

1. President
2. Vice-president
3. Secretary
4. Treasurer
5. Board member (elected)
6. Board member (elected)
7. Board member (elected)
8. Board member (elected)
9. Board member (elected)
10. Board member (elected)
11. Board member (elected)
12. Immediate past president (ex-officio, 1 year term)
13. Editor of the journal (ex-officio)