

## **BY-LAWS OF THE INTERNATIONAL SOCIETY OF FAMILY LAW**

### **Article I**

#### **Name, Domicile, and Duration**

1. The name of the Society is “International Society of Family Law.”
2. The Society is domiciled in the Municipality of Amstelveen, The Netherlands.
3. The Society has been established for an indefinite period.

### **Article II**

#### **Objective**

1. The Society is an international, voluntary membership organization not for profit. The Society is non-political and shall not engage in any political activities nor take a position on any international or national political or religious matter.
2. The Society’s objective is the study and discussion of family law.
3. To this end, the Society sponsors and promotes:
  - (a) international co-operation in research on family law and family law reform;
  - (b) periodic international conferences on family law subjects of world-wide interest;
  - (c) collection and dissemination of information in the field of family law by the publication of a Survey and newsletter concerning developments in family law throughout the world, and by publication of relevant materials in family, including papers presented at conferences of the Society;
  - (d) co-operation with other international, regional or national associations having the same of similar objectives;
  - (e) interdisciplinary contact and research;
  - (f) the advancement of legal education in family law by all practical means including furtherance of exchanges of teachers, student, and practicing lawyers;
  - (g) other objectives furthering or connected with the above objectives.

### **Article III**

#### **Membership and Dues**

1. There are five categories of membership in the Society:
  - (a) Ordinary membership, which is open to academic teachers of law or related disciplines and members of the legal or related professions, which grants to the member voting rights, eligibility for Council membership, the Annual International

Survey, and access to both the newsletter and the “members-only” portion of the Society website.

(b) Associate membership, which is open to academic teachers of law and related disciplines and members of the legal or related professions, which grants to the member access to the newsletter and the “members-only” portion of the Society website, but not the Annual International Survey, voting rights, or eligibility for Council membership.

(c) Institutional membership, which is open to interested organizations, at the discretion of and on terms approved by the Council.

(d) Student membership, which is open to interested students of law and related disciplines at the discretion of and on terms approved by the Council.

(e) Honorary membership. The Council may propose to the General Meeting of the Society that persons of distinction be elected as Honorary Members. Election shall be by majority vote of members present. Proposals for honorary membership should be made through a Committee consisting of the President, the General Secretary and the two past presidents.

2. Membership is strictly personal and may not be transferred.

3. Membership ends:

(a) on the death of the member;

(b) on notice of termination by the member;

(c) on notice of termination by the Society.

4. If the Council refuses membership to an applicant, the General Meeting may grant membership to that applicant.

5. All members except Honorary Members must pay an annual membership fee. Membership fees for each membership category are established by the Council.

## **Article IV**

### **Officers**

1. The officers of the Society are:

(a) the President and six Vice-Presidents;

(b) the General Secretary (and any Regional Secretary who may be approved by the General Meeting on the recommendation of the Council);

(c) the Treasurer;

(d) the Editor of the International Survey (appointed by the Council); and

(e) the Editor of the Newsletter (appointed by the Council).

2. The Council may establish such other officers as it may consider appropriate.
3. Any ordinary member of the Society is eligible to serve as an officer. The officers hold office until the end of the next General Meeting held in conjunction with the Society's periodic Conference following their election. Excepting the President, the officers are eligible for re-election, but may not (except the Treasurer) serve more than three consecutive terms in the same office. If an officer resigns or for any other reason cannot hold office, the other officers shall appoint a successor from among the membership of the Council to hold office for the unexpired term.
4. President and Vice-Presidents. The President, or in his absence a Vice-President, shall preside at all meetings of the Society and the Council. The President and the Vice-Presidents shall appoint the chairman and members of all Committees of the Society and shall plan and superintend the program of the Society, its conferences and General Meetings during their terms, subject to the advice and approval of the Council. The President and the Vice-Presidents shall superintend the performance of all activities of the Society, shall keep the Council duly informed and carry out its decisions. The President and the Vice-Presidents shall perform such other duties and acts as usually pertain to their offices or as may be designated by the Council.
5. General Secretary. The Secretary shall consult with and assist other officers of the Society in the work of the Society in such manner and to such an extent as they may request. The Secretary is custodian of all books, papers, documents and other property of the Society, except money. He shall keep a true record of the proceedings of all meetings of the Society and of the Council. In conjunction with the President and the Vice-Presidents and as authorized by the Council, he shall attend generally to the business of the Society.
6. Regional Secretary of Secretaries. The Council may appoint Regional Secretaries and delegate to them such portion of the General Secretary's functions as it may deem necessary or desirable.
7. Treasurer. The Treasurer shall be the custodian of the money belonging to the Society. He shall keep a full and accurate record of all money appropriated to and expended for the use of the Society.
8. The General Meeting may remove from office any officer of the Society based on a petition circulated to all ordinary members at least 21 days before a General Meeting and an affirmative vote of two-thirds of members voting on the petition. Before a vote on removal or suspension of an officer, the officer must be accorded the opportunity to account to the General Meeting. Such officer may, on such occasion, be assisted by counsel.

## **Article V**

### **Council**

1. The Council comprises members who are the Officers of the Society, and nineteen other elected council members. All former presidents and world conference conveners are also eligible to serve on the Council. The Council may appoint further members as it may deem necessary or desirable.
2. The composition of the Council shall reflect so far as reasonable and possible the international character of the Society.
3. Elected members of the Council shall vacate their office after the General Meeting three years following their election. They are eligible for re-election.
4. The Council is the Society's governing body. It is charged with the general management of the Society's affairs, supervision of the officers, and has such additional powers, duties, and responsibilities as are delegated to it by the General Meeting. Committees to further the objects of the Society may be established by the Council with such powers, functions, and duties as the Council may determine.
5. The Officers shall call meetings of the Council at such places and at such times as they may consider convenient and necessary, but at least one each year.
6. Three of the members of the Council and two officers shall constitute a quorum for the transaction of business at any duly called meeting of the Council. Binding action of the Council shall be by majority vote of the members present or voting by mail as hereinafter provided. There shall be no voting by proxy.
7. As soon as practicable after each Council meeting, the Secretary shall submit to each member of the Council a copy of the minutes of the meeting specifying the decisions reached and actions taken at the meeting.
8. On matters deemed by them to be of substantial importance and when time permits, the President and the Vice-Presidents may direct that the Council vote by fax or e-mail. In such a case, the Secretary shall circulate to the members of the Council a statement describing the matter(s) to be voted on, along with other available information which may include position statements prepared by the Officers or by proponents or opponents of the action proposed. The Secretary shall prepare appropriate ballots and establish reasonable time limits and procedures for the transmission of information and the taking of the vote. He shall keep on file all ballots returned to him. The votes of a majority of the members of the Council who are participating in the vote shall constitute binding action.
9. Reports and publications shall be prepared and distributed upon such terms and conditions as the Council may provide.

## **Article VI**

### Nomination and Election of Officers, Council Members, and Auditing Commission Members

At each General Meeting held in conjunction with the Society's periodic Conference, the Officers (other than the Editors of the International Survey and the Newsletter), elected members of the Council, and the Auditing Commission shall be elected in the following manner:

1. Any two members of the Society may nominate an ordinary member to the Council or Auditing Commission, if the name of such nominee signifying his approval to the nomination is contained in a communication signed by the nominating members and received by post, fax, or email not later than 60 days in advance of the General Meeting.
2. Any five members of the Society may nominate an ordinary member to be an officer if the name of such nominee signifying his approval to the nomination is contained in a communication signed by the nominating members and received by post, fax or e-mail not later than 60 days in advance of the General Meeting.
3. No later than 60 days in advance of the General Meeting, each candidate must submit to the Secretary General a biographical statement of no more than 200 words. Each candidate may submit an additional statement of not more than 100 words.
4. The ballot for members of the Council and the Officers with appropriate instructions and all Candidate statements shall be sent by post, fax, or e-mail to all ordinary members of the Society not later than 45 days in advance of the General Meeting.
5. Each ordinary member shall be required to return his ballot to the General Secretary so that it will be received at least 10 days in advance of the General Meeting, unless it is to be handed to the Secretary or his representative in person at least 24 hours before the General Meeting. Ballots may be returned by post, fax, email, or hand delivery. No ballot shall be counted unless the member has paid his dues.
6. Ballots shall be secret, but members may waive confidentiality and return ballots by fax or email if they choose. In order to ensure that a ballot is legitimate, a member may be required to sign a separate enclosure accompanying the ballot.
7. Not later than 24 hours in advance of the General Meeting, at least three people, none of whom is a candidate, and appointed by the Council, shall jointly open the ballot boxes and tally the votes. Election shall be by a plurality of the votes cast.

## **Article VII**

### General Meeting

1. A General Meeting of the membership shall be held at least annually. A General Meeting shall be held in conjunction with the Society's periodic Conference during a

Conference year. In other years, a General Meeting shall be held in conjunction with a meeting of the Council.

2. A General Meeting must be convened by a written notice to all members of the Society, sent with the Agenda and ballot papers not later than 21 days in advance of the General Meeting. The Agenda for the General Meeting shall be prepared by the Secretary in consultation with the officers and members of the Council. The agenda shall include a report by the President on the work of the Society during the prior year, a report by the Society's Treasurer and Auditing Commission, and such other matters as may be relevant. All members of the Society may attend a General Meeting. All ordinary members of the Society may vote at a General Meeting in person or by post, fax, email, or hand delivery to the Secretary at least 24 hours before commencement of the General Meeting.
3. The President or, in his absence, one of the Vice Presidents, shall preside at a General Meeting. The President or presiding Vice President shall resolve any procedural matter arising at a General Meeting by reference to Roberts' Rules of Order.
4. Ordinary members of the Society present at the General Meeting, who are in good standing, shall constitute a quorum. All binding action, except the election of officers and members of the Council and the amendment of these by-laws, shall be by a majority vote of such members.
5. In its discretion, the Council may direct that a matter be submitted to the ordinary members of the Society for vote by fax or e-mail. In such event, binding action shall be by a majority of the votes received from members in good standing in accordance with rules fixed by the Council.
6. The General Meeting may adopt and amend regulations concerning matters not fully addressed in these by-laws. Such regulations may not conflict with these by-laws or any governing law.
7. The Secretary shall make and retain a record of the proceedings of all General Meetings. The Secretary shall also submit a copy of such record to the membership within 45 days of a General Meeting.

## **Article VIII**

### **Representation**

1. The Council represents the Society.
2. Authority to represent the Society is also vested in the President, acting jointly with the General Secretary or the Treasurer, and in the General Secretary, acting jointly with the Treasurer. Either the Council or any two of the aforementioned officers may delegate authority to represent the Society to any two members of the Council, acting jointly.

3. The Treasurer, acting alone, may make payments on behalf of the Society in accordance with guidelines established by the Council.

## **Article IX**

### Conferences

1. Conferences shall be held on such family law subjects of current interest and at such times and places as may be determined by the Council, taking into account recommendations made by the General Meeting. The Council shall appoint a Convener and an Organizing Committee which shall have authority to make decisions as authorized by the Council. If practicable, such conferences shall be held at least every three years in conjunction with the General Meeting.
2. The following persons shall be entitled to attend the conferences:
  - (a) members of the Society;
  - (b) all persons accredited by member organizations;
  - (c) persons invited by the Convener and Organizing Committee to attend;
  - (d) observers approved by the Convener and Organizing Committee;
  - (e) members of the press.

## **Article X**

### Amendment of the By-Laws

Provided a proposed amendment shall first have been approved by a majority of the Council, the By-Laws of the Society may be amended by the vote of a majority of the members of the Society voting at a General Meeting or by mail, fax or email. Notice of any proposed amendment shall be given in writing, delivered by post, fax, or e-mail, to all members and the text of the proposed amendment(s) shall be included on the ballot. The Council may, in its discretion, include a supporting statement and any other information it deems appropriate with the proposed amendment. A by-law amendment takes effect immediately after approval by a majority of voting members. The Secretary-General shall promptly notify the membership of the results of a vote on any proposed by-law amendments.

## **Article XI**

### Financial Affairs and Accounting

1. The expenses of the Society shall be met by dues from the members and subscribing organizations and by such subsidies, donations, and other income as the Council shall see fit to accept. No expenditures shall be made or liabilities incurred beyond the amount of the funds available.

2. The financial affairs of the Society involving fundraising and budgeting shall be the responsibility of the Council which may delegate certain duties to the officers or to appropriate committees.

3. The Society's financial year shall be the calendar year.

4. The General Meeting shall elect at least two members of the Society as members of an Auditing Commission. Such members may not be members of the Council. They shall serve for a three-year term and may be reelected for an indefinite period. They shall submit to the General Meeting a statement of accounts, for each fiscal year, by March 31 of the following year. If, in the opinion of the Commission, proper preparation of its statement of accounts requires specialized knowledge of accounting, the Commission may obtain assistance from an accounting expert at the Society's expense. The Treasurer and the Council shall cooperate with the Commission and promptly provide any information it may request.

## **Article XII**

### Dissolution and Asset Distribution

1. The Society may be dissolved by the General Meeting based on a petition, submitted to ordinary members of the Society by the Secretary after a majority vote of the Council in favor of dissolution. Such petition shall be circulated at least 21 days before a General Meeting and shall describe with particularity the reasons for the proposed dissolution.

2. Upon the dissolution of the Society, assets shall be distributed by the Council to one or more nonprofit organizations for purposes that accord as closely as possible with the Objective of the Society.

3. The Society shall continue to exist after its dissolution to the extent necessary for distribution of its assets. During the distribution period, the provisions of these by-laws shall remain in force as far as possible.

## **Article XIII**

### Final Stipulation

1. All powers not assigned to other bodies by law or pursuant to these by-laws are vested in the General Meeting of the Society.

2. Dutch law applies to all matters concerning the Society not governed by these by-laws.