

## **BACKGROUND, FUNCTIONS, AND PURPOSES OF THE ABFDE**

The need to identify forensic scientists qualified to provide essential professional services for judicial and executive branches of government, as well as society in general, has been long recognized. In response to this professional mandate, the American Board of Forensic Document Examiners, Inc. (ABFDE) was incorporated in 1977 to provide, in the interest of the public and the advancement of the science, a program of certification in forensic document examination. In purpose, function, and organization, the ABFDE is thus analogous to certifying boards in many other scientific fields.

The objectives of the Board are to establish, enhance, and maintain standards of qualification for those who practice forensic document examination and to certify, as qualified specialists, those voluntary applicants who comply with the requirements of the Board. In this way, the Board aims to make available to the judicial system and others in the public a practical and equitable system for readily identifying those persons professing to be specialists in forensic document examination who possess the requisite qualifications and competence.

Certification is based upon the candidate's personal and professional education, training, experience, and achievement, as well as on the results of a formal examination process.

The Board is a nonprofit organization incorporated in the District of Columbia. Its sponsors include the American Academy of Forensic Sciences, the American Society of Questioned Document Examiners, the Canadian Society of Forensic Science, the Southeastern Association of Forensic Document Examiners, and the Southwestern Association of Forensic Document Examiners.

The Board's Standards for Certification in Forensic Document Examination are contained in the statement on "Qualifications and Requirements for Certification in Forensic Document Examination" which follows.

**QUALIFICATIONS AND REQUIREMENTS  
FOR CERTIFICATION IN  
FORENSIC DOCUMENT EXAMINATION**

I. General Qualifications

- A. Applicants must be persons of good moral character, high integrity, and good repute, and must possess high ethical and professional standing.
- B. Certification is limited to permanent residents of the United States of America, Canada, Mexico, their territories and possessions, and other such places as the Board of Directors may, from time to time, authorize and direct.

II. Educational Qualifications

Applicants must possess at least an earned baccalaureate degree from an accredited academic institution or from an institution or higher education program whose degrees would be considered the equivalent of an earned baccalaureate degree.

III. Professional Experience Qualifications

- A. Applicants are required to document a full-time training period of at least two years in duration, or the equivalent, in a forensic laboratory recognized by the Board. (“Full-time” should be construed as meaning that a major portion of the applicant’s activities is devoted to either training in or the examination of questioned documents.)
- B. Applicants should submit as references the names and addresses of three (3) forensic document examiners certified by the Board and attesting to his/her qualifications for certification and high ethical character. (References from persons other than forensic document examiners will be evaluated on an individual basis.)
- C. Applicants must be actively engaged in the practice of forensic document examination at the time they apply for certification.
- D. Each applicant will be required to demonstrate a record of appropriate professional activity in forensic document examination in keeping with the following definitions:
  - 1. Forensic document examination is the practice of the application of document examination to the purposes of the law.
  - 2. Forensic document examination relates to the identification of handwriting, typewriting, the authenticity of signatures, alterations in documents, the significance of inks and papers, photocopying processes, printing processes, writing instruments, sequence of writing, and other elements of a document relative to its authenticity or spuriousness.

3. Forensic document examination does not involve the employment of calligraphic or engrossing skills, nor does it involve a study of handwriting in an attempt to create a personality profile or otherwise analyze or judge the writer's personality or character.

#### IV. Examinations

- A. In addition to meeting the requirements in paragraphs I, II, and III above, applicants will be required to successfully complete comprehensive written, practical, and oral examinations based upon the broad range of problems frequently encountered in document examination. These problems may include questions concerning the authorship of handwriting; the authenticity or spuriousness of a signature; the source of typewritten material; the presence or absence of alterations, additions, or deletions on documents; the comparison of inks, papers, and writing instruments; or similar questions as promulgated by the Board.
- B. An applicant must complete all testing phases within two (2) years after his/her application is approved. Limited exceptions for minimal extensions may be permitted on a case by case basis (e.g., illness), as determined by the Testing Chair.
- C. Upon successful completion of the testing program, the candidate will be recognized as a Diplomate of the ABFDE.
- D. An applicant who fails to complete the testing process in either the written, practical, or oral testing phase) may re-enter the process after six (6) months at the phase in which the failure occurred.
  1. Written Test: a minimum grade of 70% is required to pass the written test.
  2. Practical Test:
    - a. If a practical test is evaluated with one (1) or two (2) "Reworks", the Candidate will be issued an equivalent number of comparable test(s).
    - b. If a practical test should be evaluated with three (3) or more "Reworks." the Candidate will have failed this portion of the testing process and must wait a minimum of six (6) months to re-enter the testing process at the practical testing phase and will be issued five (5) new problems.
    - c. If a practical test should be evaluated with one (1) or more "Failures," the Candidate will have failed this portion of the testing process and must wait a minimum of six (6) months to re-enter the testing process at the practical testing phase and will be issued an equivalent number of test(s).
    - d. If a Candidate's "reworked" practical test(s) is evaluated as either a failure or rework, the Candidate will have failed this portion of the testing process and must wait a minimum of six (6) months to re-enter the testing process at the practical testing phase and will be issued five (5) new problems.

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- e. If a Candidate has two (2) successive failures, he/she must wait a minimum of two (2) years to re-enter the testing process at the practical testing phase and will be issued five (5) new problems.
3. An applicant re-entering within two (2) years of his/her termination in the testing process may do so by correspondence (e.g., letter, email, telephone) to either the President or the Testing Chair.
4. An applicant reapplying after two (2) years of his/her termination in the testing process will be considered a new applicant.

## GENERAL PROVISIONS CONCERNING CERTIFICATION

- I. The right to deny certification is reserved by the Board.
- II. Certificates of Qualification in Forensic Document Examination are valid for a period of five (5) years and are renewable at the end of that period according to standards of currency in the field set forth below:
  - A. Active participation in case examination or other duties relating to the field of forensic document examination.
  - B. Fulfilling the recertification requirements of earning at least forty (40) continuing education credits as established by the Board during the five-year renewal period. Credit is earned by such activities as demonstrating registered attendance at Board-recognized forensic meetings, participating in scientific programs of those meetings, publishing articles in Board-recognized journals, etc. Credit may also be earned by providing written summaries of appropriate journal articles and/or passing a written/practical examination.
- III. Persons holding a valid Certificate of Qualification issued by the Board are entitled to use the designation “Diplomate of the American Board of Forensic Document Examiners.”
- IV. Certificates issued by the Board are not transferable. They remain the property of the Board, but every person to whom a Certificate has been properly issued is entitled to its continued possession unless the Certificate is revoked. Legal action may be used to recover any Board property, to include the surrender of a Diplomate’s certificate. Diplomates that do not possess a current certification are prohibited from advertising as Diplomates of the Board, unless they cite their actual years of certification.
- V. A Diplomate or candidate who is found by the Professional Review Committee (PRC) to have violated ethical or professional rules of conduct or competency as set forth by the American Board of Forensic Document Examiners may be subject to disciplinary action as follows:
  - A. Oral reprimand; or
  - B. Written reprimand; or
  - C. Suspension of Diplomate’s Certificate for a specific period of time; or
  - D. Decertification and removal of Diplomate from ABFDE rolls, including surrender of his/her Certificate.

## PROCEDURE FOR APPLICATION AND CERTIFICATION

- I. Application forms and instructions for their submission can be obtained from the American Board of Forensic Document Examiners, Inc., 7887 San Felipe, Suite #122, Houston, Texas 77063; Telephone: (713) 784-9537.
- II. The completed application should be returned to the above address, together with the application fee of \$250.00, of which \$50.00 is refunded if the applicant is found ineligible for certification. Hence, only persons who believe they clearly meet the stated qualifications and requirements for certification should submit applications. No refund is made to accepted applicants whether they take an examination or not.
- III. Two copies of a recent photograph must accompany the application.
- IV. An official transcript from the college or university that awarded the applicant's baccalaureate degree must be sent directly to the Board's office by the registrar.
- V. If an application packet remains incomplete after six months of receipt of initial paperwork, it will be returned to the applicant, along with the application fee, less \$100.00 for processing.
- VI. Successful candidates are issued a Certificate of Qualification in Forensic Document Examination by the Board to attest to their status as Diplomates of the American Board of Forensic Document Examiners and are listed in the next revision of the Directory.
- VII. Diplomates of the American Board of Forensic Document Examiners are required to pay an annual fee beginning with the fiscal year (July-June) following certification.
- VIII. Qualifications, requirements, fees, and application procedures are subject to revision by the Board. The latest official version can be obtained from the administrative office of the ABFDE.
- IX. With the exception of the certification status (e.g. certified, not certified), information about a particular individual shall not be disclosed to a third party without the written consent of that individual. Where the law requires disclosure, the individual shall be notified by the President or designee of the information provided.

## RECERTIFICATION REQUIREMENTS

There are two basic requirements that document examiners *must* meet in order to be recertified. These requirements are as follows:

- I. Applicants for recertification must be actively engaged in forensic document examination, be in direct supervision of other forensic document examiners or the training of forensic document examiners.
- II. Applicants for recertification must be able to demonstrate that they have maintained *currency* in the profession. This will be done by a system of accumulating and documenting credits in a manner prescribed by the Board. To further this end, the Board has created a procedure and set of guidelines to efficiently collect, monitor, and report the accumulation of the necessary recertification points by all Diplomates. The implementation of requiring annual recertification updates began on a voluntary basis August 15, 1997, and became mandatory August 15, 1999. Each Diplomate is assigned a Manager who will be responsible to the Diplomates assigned to them. The system will adhere to the following schedule of events:
  - A. Recertification points are for five years and begin with the actual date first certified.
  - B. Mandatory annual updates shall be required August 15 of each year. Diplomates shall send all updates directly to their Diplomate Managers.
  - C. A 60-day grace period shall follow each mandatory update deadline for administrative activity between the Diplomate and the Diplomate Manager. Credits that could be requested for the current update period shall be forfeited if the annual update is not received by the Diplomate Manager, properly documented and postmarked prior to the end of the 60-day grace period.
    1. As appropriate, the Diplomate Managers will send letters of notification to the Diplomates regarding mandatory update deadlines, the activation of grace periods, to advise of the expiration of grace periods, and to provide a Notification of Points Awarded (NOPA) for current and to-date credits.
    2. Failure to timely submit an annual update shall not affect credits previously awarded or credits to be requested in the future. It shall only result in a forfeiture of credits requested in the current update period.
- III. The various activities for which credits can be accumulated are described as follows:
  - A. Registration and attendance at forensic meetings recognized by the Board.
    1. Registered attendance: 2 credits per half-day, with no maximum number of credits during a five (5) year recertification period.
    2. Paper presentations: 10 credits per different paper, with a maximum of 30 credits per five (5) year recertification period.

*Note: In order to receive credits, the paper must be in written form and available for distribution at the meeting. A copy of the paper must accompany the yearly update form.*

*Note: Credit cannot be claimed under this category if credit is claimed for publishing this paper in a journal, under paragraph II.B below.*

3. Panel/plenary discussion in one's capacity as a professional FDE: 2 credits per participation, with a maximum of 6 credits per five (5) year recertification period.
4. Conduct training workshop or seminar for document examiners: 5 credits for each half-day presentation, with a maximum of 20 credits per five (5) year recertification period.
5. Poster presentation: 3 credits per participation, with a maximum of 9 credits per five (5) year recertification period.

B. Publication of articles.

1. Articles published in Board-recognized forensic journals: 15 credits per article.

*Note: Credit is limited to 5 points in this category if credit is claimed for presenting this paper at a meeting in paragraph A.2 above.*

2. QD-related article published in a non-QD magazine or publication: 2 credits per article

C. Attendance at or participation in a course or workshop recognized by the Board: 3 credits per half-day.

*Note: When a workshop is held in conjunction with a meeting of a professional organization, the workshop should require registration separate from that of the organization's meeting. When a workshop is held as part of the meeting's program, it is included in paragraph A.1 above.*

D. Contributions to the FDE community.

1. ABFDE Board Committee participation by a non-Director (i.e., evaluation of practical tests, editing syllabus, etc.): 2 credits per year, with a maximum of 10 credits per five (5) year recertification period.
2. Recognized professional QD organization Board Committee participation by a non-Director: 2 credits per year, with a maximum of 10 credits per five (5) year recertification period.
3. Preparation of a practical test(s) that has been accepted by the ABFDE: 5 credits per test, with a maximum of 15 credits per five (5) year recertification period.

4. Preparation of a practical test(s) that has been accepted by another testing service (e.g., CTS, FEPL): 2 credits per test, with a maximum of 10 credits per five (5) year recertification period.
  5. Participation at SWGDOC Committee meetings: 1 credit per meeting, with a maximum of 5 credits per five (5) year recertification period.
- E. Participation in Proficiency Testing.
1. Collaborative Testing Services (CTS): 1 credit per test, with a maximum of 5 credits per five (5) year recertification period.
  2. LaTrobe University, Forensic Expertise Profiling Laboratory (FEPL): 2 credits per test, with a maximum of 6 credits per five (5) year recertification period.
  3. Skill-Task Training, Assessment & Research, Inc. (ST<sup>2</sup>AR): 1.5 credit per test, with a maximum of 5 credits per five (5) year recertification period.
- F. Provide formal lectures on any aspect of questioned document examination to groups consisting of non-document examiners: 1/2 credit earned for each half-day of lecture provided, with a maximum of 5 credits allowed per five (5) year recertification period.
- G. Tour a manufacturing plant (e.g., paper, dandy roll, rubber-stamp): 1/2 credit per half-day, with a maximum of 5 credits per five (5) year recertification period.
- H. Participation in QD-Related Education Programs.
1. Successful completion of a QD-based college or graduate school course: 3 credits per class, with a maximum of 18 credits per five (5) year recertification period.
  2. Successful completion of a QD-related course: 2 credits per half-day, with a maximum of 10 credits per five (5) year recertification period.
- I. Provide an in-service QD workshop to at least 5 FDE's: 1 credit per half-day, with a maximum of 5 credits per five (5) year recertification period.
- J. Passing a written/practical examination: 40 credits per five (5) year recertification period allowed.
1. Candidate must successfully complete a written examination of 100 multiple-choice questions, the examination of five (5) practical problems, and the oral examination.
  2. Candidate must pay the recertification testing fee (\$1,000) prior to initiating the testing process.
  3. This method of recertification shall not be used by a candidate twice in succession.

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- IV. A total of 40 credits during a five (5) year recertification period are required for renewal of the Certificate.

## **BYLAWS**

### **ARTICLE I. DEFINITIONS**

All definitions of terms and words herein, unless applicable law otherwise requires, shall be as defined by the Articles of Incorporation, the Bylaws, or the Board of Directors, in that order of precedence.

### **ARTICLE II. NAME AND PURPOSES**

#### 1. Name

- a. The name of this organization shall be the AMERICAN BOARD OF FORENSIC DOCUMENT EXAMINERS, INC., hereinafter referred to as the Board.
- b. The name of the ABFDE, Inc. may be used by a Diplomate of the ABFDE recognizing the fact that the individual is certified by the Board; i.e., "Certified by ABFDE."
- c. Non-Diplomates may use the name of the ABFDE, Inc. provided that they were previously a Diplomate of the ABFDE, and the date of the certification status is included (e.g., Diplomate 2000-2005.)

#### 2. Logo

- a. There shall be an official logo.
- b. The official logo may be used by any ABFDE Diplomate provided that the use of the logo is in compliance with Article II, Sections 1.a-b (above).
- c. (copy of official logo)

#### 3. Purposes

The purposes of the Board, in the public interest, shall be:

- a. To encourage the study of, improve the practice of, establish and enhance standards for, and advance the science of forensic document examination.
- b. To encourage and promote adherence to high standards of ethics, conduct, and professional practice in forensic document examination.
- c. To grant and issue Certificates and/or other recognition in cognizance of special qualifications in forensic document examination to applicants who voluntarily conform to the standards established by the Board and who have established and maintained their currency in the profession and their fitness and competence thereof.

- d. To cooperate with the several branches of federal and state governments and appropriate governmental and private agencies and organizations and to secure general recognition and acceptance of certification by the American Board of Forensic Document Examiners.
- e. To maintain and furnish lists of individuals who have been granted Certificates by the Board, hereinafter referred to as Diplomates.
- f. To engage in any activities, not prohibited by law or by the Board's Articles of Incorporation, which may contribute to the above purposes or which are in furtherance of the objectives and purposes enumerated in the Articles of Incorporation.

### **ARTICLE III. SPONSORS**

#### **1. Founding Sponsors**

Initially the Board was sponsored by the American Academy of Forensic Sciences and the American Society of Questioned Document Examiners.

#### **2. Other Sponsors**

The Board of Directors may, by two-thirds (2/3) affirmative vote of the Directors, invite organizations having a legitimate interest in forensic document examination, other than the organizations named in Section 1 of this Article, to become sponsors of the Board.

#### **3. Termination of Sponsorship**

A sponsoring organization may, at its discretion, terminate its sponsorship of the Board upon written notice to the Board. Such sponsorship may also be terminated by a two-thirds (2/3) affirmative vote of the Directors of the Board.

#### **4. Responsibility of Sponsors**

A sponsoring organization shall not have any obligation for financial support of the Board and shall not, by virtue of its sponsorship of the Board, have authority over or responsibility for any of the Board's operations or activities. The principal role of a sponsoring organization is endorsement and support of the objectives and purposes of the Board and recognition of the Board's activities and programs.

### **ARTICLE IV. OFFICES**

#### **1. Office of Record**

The Administrative Office of Record of this Board shall be 7887 San Felipe, Suite #122, Houston, Texas 77063.

2. Other Offices.

The Board may have such other offices at such locations as the Board of Directors may from time to time designate.

**ARTICLE V. OFFICERS**

1. Officers of the Board

The officers of the Board shall be a President, a Vice-President, a Secretary, and a Treasurer. They shall be elected biannually by the Board of Directors from its membership.

2. Officers of the Board of Directors

The officers of the Board shall serve, in the same respective capacities, as officers of the Board of Directors of the Board.

3. Functions and Duties

The functions and duties of the President, Vice-President, Secretary, and Treasurer shall be such as usually and customarily pertain to their respective offices, and also such other functions and duties as may, from time to time, be delegated or designated by the Board of Directors or as are herein prescribed. The President shall be the Chief Executive Officer of the Board.

**ARTICLE VI. BOARD OF DIRECTORS**

1. Authority

The governing body of the Board shall be a Board of Directors, which shall be empowered to have, hold, control, manage, and administer all of the property, funds, business affairs, and operations of the Board pursuant to its Articles of Incorporation, with authority to do everything necessary and desirable in the conduct of the affairs and business of the Board and in accordance with these Bylaws.

2. Composition

The Board of Directors shall consist of at least eight (8) and not more than fifteen (15) persons, elected from among qualified persons.

3. Qualifications of Directors

a. Directors shall be chosen with due regard for their general attainments and their professional qualifications and experience in forensic document examination.

- b. Every person elected as a Director shall be a Diplomate of this Board. One (1) position on the Board of Directors may be held by a qualified public member who cannot be a Diplomate of the Board.
- c. Any Diplomate of the Board may be elected as a Director of the Board of Directors whenever an eligible vacancy exists.

4. Duties and Functions

- a. The duties and functions of the Board of Directors shall be as follows:
- b. The Board of Directors shall exercise overall control over the affairs and operations of the Board.
- c. The Board of Directors shall be charged with establishing professional standards for forensic document examinations in accordance with the Articles of Incorporation and these Bylaws. These standards shall not be discriminatory and shall apply on an equal basis to all persons applying for certification or recertification.
- d. The Board of Directors shall hold at least one (1) meeting annually and may hold additional meetings under the provisions of Article XI,2.
- e. The Board of Directors may, from time to time, designate qualified persons (who need not be Directors) or organizations to act on behalf of the Board in performing such duties and functions as the Board may direct. Such persons and organizations may be compensated for their services and reimbursed for the actual and necessary expenses incurred in the discharge of such duties and functions and shall serve at the pleasure of the Board of Directors.
- f. Confidentiality: The business conducted by the Board shall be in strict confidence. Only the President shall act as official spokesperson for the Board.

**ARTICLE VII. EXECUTIVE COMMITTEE**

1. Composition

The Executive Committee of the Board of Directors shall consist of the President, who shall serve as its chairman, the Vice-President, the Secretary, and the Treasurer. A quorum of the Executive Committee shall consist of a majority of its members, and its formal actions shall require a majority vote of the Executive Committee unless otherwise provided herein.

2. Authority

The Executive Committee shall have full authority and power to act for and on behalf of the Board of Directors between meetings of said Board, except as herein otherwise provided. Actions taken by the Executive Committee on behalf of the Board of Directors shall be reported to the Board of Directors as soon as practicable.

## **ARTICLE VIII. COMMITTEES**

### **1. General**

The Board of Directors may, by resolution adopted by a majority of the Directors in office, designate, establish, and determine the scope of authority, functions, and duties of such standing and special committees as, from time to time, it deems necessary.

### **2. Composition**

Each standing or special committee shall consist of two (2) or more persons. The chairperson of each committee shall be a member of the Board of Directors, or in the instance of the Nominations Committee, it may be a past President of the Board of Directors; other members of a committee may be members of the Board of Directors or other qualified persons. The President shall be an ex-officio member of all committees.

### **3. Appointment and Authority**

The chairman and other members of each standing or special committee, unless otherwise provided herein, shall be appointed by the President of the Board with the advice and consent of the Board of Directors. Every committee may, unless otherwise provided herein, exercise the authority of the Board of Directors in the manner and to the extent provided for in the resolution establishing the committee.

### **4. Term of Office**

Unless otherwise provided herein or in the resolution of the Board of Directors establishing a standing or special committee, the chairman and other members of every standing or special committee shall serve one (1) year terms and may be eligible for reappointment.

## **ARTICLE IX. ELECTIONS AND TERMS OF OFFICE**

### **1. Election of Officers**

The Board of Directors shall biennially elect from its membership a President, a Vice President, a Secretary, and a Treasurer. The election shall be by ballot, and a majority of votes cast shall be required to elect an officer.

### **2. Terms of Office of Officers**

The officers shall take office on July 1 following their election, and each shall hold office for two (2) years, or until his/her successor has been duly elected and qualified.

### **3. Vacancies Among Officers**

The Vice President shall fill a vacancy in the office of President occurring during his/her term of office as Vice President. Other vacancies among officers shall be filled by election by the Board of Directors from its membership. Such election may be conducted by mail ballot.

4. Election of Directors

- a. No less than one-half (1/2) of the members at large of the Board of Directors shall be elected by Diplomates at large whenever a vacancy exists. These members shall be elected from a ballot consisting of a slate of candidates prepared by the Nominations Committee. A provision will be made on the ballot for write-in candidates. Such elections shall require a simple majority affirmative vote. In the event of a tie vote, a majority affirmative vote by the Board of Directors shall break the tie.
- b. No more than one-half (1/2) of the members at large of the Board of Directors shall be elected by the members of the Board of Directors whenever a vacancy exists. Such elections shall require a majority affirmative vote.
- c. One (1) position on the Board of Directors may be filled by a public member. A public member will be elected by the Board of Directors.

5. Term of Office of Directors

A Director may serve not more than two (2) consecutive terms without an intervening period, unless necessary to complete service on the Executive Committee. A full term shall be four (4) years. Each Director's term of office shall commence on the first Monday following the annual Board of Director's meeting and shall end on June 30 of his/her final year in that office, or when his/her successor has been duly elected and qualified.

6. Vacancies Among Directors

A vacancy resulting from an unexpired term or resignation in the office of a Director shall be filled by vote of the remaining Directors as soon as practicable after the vacancy occurs and for the unexpired term of said office as long as Article IX4.b is satisfied. Otherwise, the vacancy shall be filled by vote of the Diplomates as soon as practicable. Such election may be conducted by ballot.

**ARTICLE X. INDEMNIFICATION AND SURETY**

1. Indemnification

The Board shall indemnify any person made a party to any action, suit, or proceeding by reason of the fact that such person, or such person's testator or intestate, is or was a Director, officer, or employee of the Board or of any corporation which such person served as such at the request of the Board, against the reasonable expenses, including attorney's fees actually and necessarily incurred by such person in connection with any appeal therein, except in relation to matters as to which it shall be adjudged in such action, suit, or proceeding that there was negligence or misconduct in the performance of such person's duties. The Board may also reimburse to any such Director, officer, or employee the reasonable costs of settlement of any such action, suit, or proceeding if it shall be found by a majority of a committee composed of the Directors not involved in the matter in controversy (whether or not a quorum) that it was in the interests of the Board that such settlement be made and that such Director, officer, or employee was not guilty of negligence or misconduct. Such rights

of indemnification and reimbursement shall not be deemed exclusive of any other rights to which such Director, officer, or employee may be entitled, apart from the provisions of this section.

2. Surety

The Board of Directors may, at its discretion, procure or cause to be procured, at the Board's expense, appropriate liability insurance coverage for the Board's officers, Directors, agents, and employees.

3. Fidelity Bonds

The Treasurer of the Board and such other officers, Directors, agents, and employees of the Board of Directors may, from time to time, be required to furnish, at the expense of the Board, an appropriate fidelity bond approved by the Board of Directors in such sum as the Board of Directors shall prescribe.

## **ARTICLE XI. MEETINGS AND OPERATIONS**

1. Annual Meeting

The annual meeting of the Board shall be held at a location designated by the President. Notice of the annual meeting shall be given to each Director at least thirty (30) days before the meeting date. An annual meeting may be conducted by mail or by conference upon the written consent of two-thirds (2/3) of the Directors in office.

2. Special Meetings

Special meetings of the Board may be called by the President, or upon the written request of a majority of the Directors in office, on a date and at a time and location to be designated by the President. Notice of a special meeting shall be given to each Director at least fifteen (15) days before the meeting date, with information regarding the subject(s) to be considered. Minutes of the special meeting shall be maintained

3. Quorum

A quorum for all purposes herein, unless otherwise provided, shall consist of a majority of the Directors. In the event that less than this number are present at a meeting, the President may adjourn the meeting from time to time until a quorum is present. No Director shall be entitled to vote through use of a proxy.

4. Conduct of Board Business

- a. Business of the Board, including that of an annual meeting, may be conducted by mail, by conference, or by a committee of the Board comprised of not less than two (2) persons when authorized by a majority of the Directors in office.
- b. When such business conducted by mail requires a vote of the Board of Directors, a two-thirds (2/3) affirmative vote shall be required to carry a motion.

- c. Business of the Board carried on by conference or by standing or special committees of the Board shall be conducted in such a manner as the Board of Directors may direct, or in the absence of such directions, as the committees may elect in accordance with the general spirit of these Bylaws and the requirements of the Articles of Incorporation.

5. Territory

The operations of the Board are to be conducted in the United States of America, Canada, Mexico, and/or their territories and possessions, and in such other place(s) as the Board of Directors may, from time to time, authorize and direct.

## **ARTICLE XII. FINANCES**

1. Fiscal Year

The Board's fiscal year shall be from July 1 through June 30, inclusive.

2. Income

The income of the Board shall be derived from application fees and other fees and charges; from gifts, grants, and contributions; and from such other sources and activities as may be approved by the Board of Directors. All monies accruing to the Board shall be collected by such person(s) as the Board of Directors may designate.

3. Compensation and Reimbursements

No member of the Board of Directors shall be paid any salary or fee for services as a Director or an officer. Subject to the availability of funds, a Director or an officer may be reimbursed for actual and necessary expenses incurred in attending meetings of the Board or in performing other duties or functions on behalf of the Board. The Board of Directors shall determine the compensation and reimbursements to be paid to other parties than officers and Directors of the Board for services performed or for activities carried out on behalf of the Board.

## **ARTICLE XIII. CERTIFICATION**

1. Standards

The Board of Directors shall establish, maintain, and revise as necessary, standards and qualifications for the granting, issuing, and renewing of Certificates and/or other forms of recognition in cognizance of special qualifications in forensic document examination.

2. Evaluation of Applicants

The Board of Directors shall arrange for suitable means to evaluate the fitness, competence, and qualifications of persons seeking certification or recertification by the Board. This function may be carried out, in part, by a Credentials Committee whose membership shall

include at least two (2) Directors and, in part, by a Testing Committee whose membership shall include at least two (2) Directors.

3. Certificates

The Board of Directors shall have authority to issue or cause to be issued Certificates of Qualification in Forensic Document Examination to persons who have met the standards of the Board and have fully complied with all applicable requirements. Certificates of Qualification shall be in such forms as prescribed or approved by the Board of Directors and shall be valid for such period of time as the Board of Directors may determine. Each Certificate shall be and remain the property of the Board, but every person to whom a Certificate has been properly issued shall be entitled to its continued possession unless and until such Certificate is revoked. A person holding a valid, unrevoked Certificate of Qualification issued by this Board shall be entitled to use the designation "Diplomate of the American Board of Forensic Document Examiners."

4. Fees

The Board of Directors shall annually establish the fees and other charges incident to application for the granting, issuing, and renewal of Certificates of Qualification and/or other forms of recognition.

5. Denial and Revocation of Certificates

The right to deny Certification or Recertification and to suspend or revoke Certificates of Qualification shall reside with the Board of Directors. Certificates issued by the Board are subject to revocation by two-thirds (2/3) affirmative vote, only for one or more of the following reasons:

- a. A misstatement or misrepresentation, concealment, or omission of a material fact or facts in an application or any other communication to the Board or its representative(s).
- b. Conviction of an applicant for certification or recertification or holder of a Certificate of this Board by a court of competent jurisdiction of a felony or of a crime involving, in the opinion of the Board of Directors, moral turpitude.
- c. Issuance of a Certificate contrary to or in violation of any of the laws, standards, rules, or regulations governing the Board and its certification programs at the time of its issuance; or determination that the person certified was not in fact eligible to receive such Certificate at the time of its issuance.
- d. Unethical conduct or other conduct by an applicant or holder of a Certificate of this Board which, in the judgment of the Board, brings the specialty of forensic document examination into disrepute.
- e. Action to suspend or revoke certification may only be taken after at least thirty (30) days advance written notice of the nature of the charges or reasons for such action has been given to the individual concerned and opportunity for such person to be heard has been provided by the Board.

6. Lapse of Certification

The Certificate of Qualification will be deemed to have lapsed under the following conditions:

- a. The Diplomate fails to pay the assessed annual fee in a timely manner in accordance with guidelines set by the Board of Directors and after proper notification of the delinquency has been sent to the last known address of the Diplomate.
- b. The Diplomate fails to submit an application for recertification in a timely manner, in accordance with guidelines set by the Board of Directors and after proper notification of the delinquency has been sent to the last known address of the Diplomate.
- c. Upon lapse of certification of qualification, a former Diplomate may reapply for certification in accordance with Article XIII.2 after a period of one (1) year, providing any monies in arrears, while certified, have been satisfied.

7. Resignation and Reapplication

Subsequent to resignation as a Diplomate in good standing of the ABFDE, an applicant may reapply for certification in accordance with Article XIII.2.

**ARTICLE XIV. PARLIAMENTARY AUTHORITY**

1. Parliamentary Authority

Unless otherwise provided in its Articles of Incorporation or Bylaws, the conduct of meetings of the Board shall be governed by rules promulgated by the Board of Directors or, in the absence of such rules, by the rules contained in Robert's Rules of Order, Newly Revised, latest edition available. Any question as to priority of business shall be decided by the chair without debate.

2. Suspension of Rules

The rules promulgated by the Board of Directors governing the conduct of meetings may be suspended at any meeting by a majority vote of the Directors present.

**ARTICLE XV. SEAL AND INSIGNIA**

The Board shall have a corporate seal, and may have other devices and insignia of such design as the Board of Directors adopt.

**ARTICLE XVI. AMENDMENTS**

These Bylaws may be amended, altered, or repealed, in whole or in part, in the following ways:

- a. Upon two-thirds (2/3) affirmative vote of the Directors present at a meeting of the Board of Directors at which a quorum is present, provided that a copy of the proposed change(s) has been submitted to all Directors at least thirty (30) days prior to such meeting;
- b. Upon two-thirds (2/3) affirmative vote by ballot of the Directors within thirty (30) days after a copy of the proposed change(s) has been submitted to all Directors,-(A ballot may be USPS or electronic. The Secretary shall maintain a copy of all ballots, whether by USPS or electronic, for the record.)
- c. By the unanimous written consent of all members of the Board of Directors.

#### **ARTICLE XVII. EFFECTIVE DATE OF BYLAWS**

These Bylaws shall become effective upon adoption by all of the Directors of the Board.

## **CODE OF ETHICS AND COMPETENCY**

As a means to promote the highest quality of professional and personal conduct of its Diplomates and candidates, the following constitutes the Code of Ethics and Competency, which is endorsed and adhered to by all Diplomates and candidates of the American Board of Forensic Document Examiners (ABFDE):

- a. A Diplomate or candidate of the ABFDE shall not exercise professional or personal conduct adverse to the best interest and objectives of the ABFDE.
- b. A Diplomate or candidate of the ABFDE shall not provide any material misrepresentation of education, training, experience or area of expertise.
- c. A Diplomate or candidate of the ABFDE shall not provide any material misrepresentation, in reports, conversations, or testimony of data upon which an expert opinion or conclusion is based.
- d. A Diplomate or candidate of the ABFDE shall not issue public statements, which appear to represent the position of the ABFDE without specific authority first obtained from the President.
- e. A Diplomate or candidate of the ABFDE shall treat all information obtained from a client/ agency or through the examination of a document in the strictest confidence.
- f. A Diplomate or candidate of the ABFDE shall not knowingly perform any service for a person whose interests are opposed to those of his/her client/agency unless directed to do so by the client/agency or by a special order issued by the court.
- g. A Diplomate or candidate of the ABFDE shall not accept cases where the payment for the services to be rendered is made contingent upon the outcome of either the Diplomate's or candidate's examination or the litigation in which the client/agency is or will be involved. Any compensation exacted by a Diplomate or candidate shall also be fair and equitable.
- h. A Diplomate or candidate of the ABFDE will only render opinions which are within his/her area of expertise, and will act, at all times, in a completely impartial manner by employing scientific methodology to reach logical and unbiased conclusions.

## **DIPLOMATE/CANDIDATE LIABILITY**

Any Diplomate or candidate of the American Board of Forensic Document Examiners, who has violated any of the provisions of the Code of Ethics and Competency, or portion thereof, may be liable to censure, suspension or expulsion by action of the Board of Directors, as provided in the Professional Review Procedures.

## **PROFESSIONAL REVIEW PROCEDURES**

### **I. General**

- A. Complaints may be registered against any Board-certified Diplomate or candidate, provided there is evidence that he/she has infringed the Board's Code of Ethics and Competency, hereinafter referred to as the Code. The Board will review all legitimate complaints which are made in the proper fashion.
- B. All complaints referred to the ABFDE will be treated in strict confidence. The President is the only spokesperson for the ABFDE regarding breaches of the Code. Other members of the Board, especially those appointed to the Professional Review Committee (PRC), are prohibited from discussing any aspect of these matters except during official deliberations.
- C. The President and the PRC must rely on all of the evidence that can be verified and corroborated.
- D. If the complaint involves pending litigation, no action will be taken until final adjudication of all court proceedings upon which the original complaint was based. However, if the complaint to the Board also involves pending litigation arising out of the same facts against a Diplomate, the above suspension of action by the Board will not apply and the Board may proceed with an immediate fact investigation by the PRC in accordance with the procedures set out hereafter.
- E. The President will annually publish the statistics of formal written complaints.

### **II. Professional Review Committee Appointments**

- A. The body responsible for conducting inquiries into the conduct of Board Diplomates or candidates is the Professional Review Committee (PRC). This Committee will consist of the ABFDE Vice President as Chairperson, and two other Directors who will be chosen to serve on the Committee.
- B. If, however, a complaint is registered against a Director serving on the Board, two Diplomates in good standing who are not Directors will be chosen to serve with the Vice- President on the Committee.
- C. If a complaint is registered against the Vice President, then the President will serve as Chairperson of the PRC.
- D. If an unresolved complaint is registered against a Diplomate, that person cannot act as a PRC member until the matter has been dealt with and settled by the Board.
- E. The PRC must be as free as possible from compromising influences. Consequently, members of the Committee must be chosen with a view toward minimizing any prejudice or perceived prejudice connected with the complaint.

- F. Because the PRC is familiar with the circumstances involving the complaint, they are encouraged to include whatever disciplinary action they feel is appropriate in their report. It should be emphasized, however, that such proposals are recommendations only; and the Board may consider that an alternative action is more appropriate.

### III. Registration of Complaints

- A. Before any action can be taken, a formal challenge or complaint against a Diplomate or candidate must be submitted in writing to the ABFDE President. No anonymous complaints will be accepted.
- B. Only one Diplomate or candidate can be named in each complaint. If an individual wishes to register complaints against more than one Diplomate or candidate, then separate complaints must be registered for each Diplomate or candidate.
- C. The PRC, however, may combine complaints if it is practical to do so.
- D. Every complaint concerning the conduct of ABFDE Diplomates or candidates must meet the following criteria:
  - 1. The complaint must be made in writing and addressed to the President of the ABFDE.
  - 2. The complaint must pertain to a violation of the Board's Code of Ethics and Competency.
  - 3. The complaint must relate to a Diplomate currently certified by the Board or a candidate.
  - 4. The complaint must clearly describe the disputed issues and include specific examples of the contested behavior.
  - 5. The complaint must be accompanied by supporting evidence.
- E. Upon receipt of a written complaint, the ABFDE President will determine, on the basis of the complaint alone, whether or not the complaint should be referred to the PRC for review. If the President decides not to refer the complaint to the PRC, all submitted materials from the complainant, along with a letter from the President stating his/her decision, will be returned to the complainant within one-hundred twenty (120) days. A summary disposition is not appealable to the Board.
- F. The Diplomate or candidate against whom the complaint is registered (the respondent) will be advised of the complaint in writing and provided with an opportunity to respond to the allegations.
- G. The respondent will be provided with copies of all correspondence forwarded to the President by the complainant. Any submission by the respondent must meet the following criteria:

1. The response must be submitted in writing and addressed to the ABFDE President.
  2. The response must be submitted within the time limit designated by the President, not to exceed ninety (90) days.
  3. The response must refer to issues central to the complaint.
  4. The response must be accompanied by supporting evidence.
  5. The response must be financed by the respondent or agents acting on his/her behalf.
- H. If the matter should be referred to the PRC, the ABFDE President, in consultation with the Vice President, will select members to serve on the PRC which will consider the allegations. Apart from the Chairperson (normally the Vice President), the identity of the PRC members will be treated as confidential.
- I. Once all materials from the complainant and respondent have been received, the President will prepare three photocopies of the correspondence and attachments and distribute them under confidential cover as follows:
1. The original copy will be forwarded to the PRC Chairperson.
  2. Two photocopies will be forwarded to other members of the PRC.
  3. The third photocopy will be retained on file at the ABFDE administrative office.
- IV. Professional Review Committee Procedures
- A. Members of the PRC will independently examine all of the material forwarded by the President and decide whether the actions of the respondent constitute a breach of the Code. Each member of the PRC, including the Chairperson, will prepare his/her own written report outlining his/her opinion concerning the allegations and the supporting arguments for that opinion. All reports will be sent to the PRC Chairperson.
  - B. The PRC Chairperson will examine the reports and attempt to reach a consensus concerning the findings of individual Committee members. If no consensus can be reached, a 2-to-1 decision of the PRC in favor of the complainant will allow the complaint to go to the Board; a 2-to-1 decision by the PRC in favor of the respondent will result in the dismissal of the complaint.
  - C. The Chairperson will be responsible for preparing a PRC report to the President stating the findings of the Committee and any matters which did not receive consensus.
  - D. Each PRC member must sign either the original or a copy of the Committee's report, and the Chairperson will forward all signed copies to the President for appending to the appropriate file.

- E. The PRC report will be presented at the next full Board meeting for final resolution, unless dismissed by the PRC.
- F. Once the Committee has submitted its report to the President, all original and copied documents relating to the complaint must be returned to the President. The President will destroy all copies of the documentation and retain all original correspondence for a period not exceeding five (5) years. Or, at the discretion of the President, members may destroy their copies and submit a signed affidavit of destruction to the President.

V. Disciplinary Action by the Board

- A. The respondent will be given at least thirty (30) days written notice of the time and place when the Board will meet to discuss the PRC report.
- B. This notice will be in the form of a letter signed by the President and will either be delivered to the respondent in person or sent to his/her address by registered mail.
- C. A mailed notice will satisfy the requirements of paragraph V.A above even if the mail is refused or ignored by the respondent.
- D. Each written notice will include the following:
  - 1. The time, date, and place when the Board will consider the complaint;
  - 2. A copy of the PRC report issued to the President; and
  - 3. Notice that the respondent may, within fifteen (15) days of receipt of the notice, submit a written acknowledgment of his/her intention to make either an oral presentation before the Board or provide a written statement to further explain the circumstances. The oral presentation of the respondent cannot be made by a person other than the respondent; no legal counsel or other agent may be present.
- E. The Board will receive the respondent's written or oral submission during a meeting of the Board for which there is a quorum present. The Board has the option of holding a special meeting to hear the respondent's submission.
- F. If the respondent chooses not to make a written or oral submission, the Board will proceed on the basis of whatever information is available.
- G. The President will provide each Director with a copy of the PRC report at a Board meeting. These copies will only be made available at the Board meeting and will be collected before the meeting adjourns.
- H. After the matter has been discussed, a vote will be taken to determine if a violation of professional or ethical conduct has taken place. If less than three-fourths (3/4) of those in attendance decide that a breach of conduct has occurred, all submitted materials will be returned to the complainant and respondent, along with a letter from the President stating the Board's findings.

- I. If the Board decides that a breach of conduct has occurred, the Board will consider what disciplinary action is appropriate under the circumstances and take the following factors into account if they are applicable:
  1. The severity of the breach of conduct or competency;
  2. The circumstances surrounding the breach of conduct or competency;
  3. Whether or not this is the respondent's first infraction or the number of previous infractions;
  4. The length of time since respondent's last infraction; and
  5. The severity of earlier infractions.
- J. The Board will decide by majority vote what disciplinary action is most appropriate. The respondent will be advised of the Board's decision in a letter from the President. This will be presented to the respondent in person or sent to his/her current mailing address by registered mail.
- K. If the Board decides that a breach of conduct has occurred, the Board must determine which disciplinary action is appropriate. The disciplinary rulings which the Board may effect are as follows:
  1. Oral Reprimand
    - a. This is the least severe form of corrective action which the Board can take.
    - b. Its purpose is to bring a particular problem to the attention of a Diplomate and correct a problem which could become more serious.
    - c. One or more Directors of the Board will meet with the Diplomate and explain the nature of the complaint, the section of the Code pertaining to the complaint, and any action which the Board deems necessary to correct the problem.
    - d. Immediately following the discussion, the Director(s) will complete a record that such a discussion occurred but will not include any details. This document will be filed in the Diplomate's official records for a period of five (5) years. A copy of this document will be given to the Diplomate.
    - e. The Board should help the Diplomate correct a problem in any manner which is reasonable.
  2. Written Reprimand
    - a. The written reprimand is considered more severe than an oral reprimand. Its purpose is to help a Diplomate correct improper actions which would have serious consequences if allowed to continue.

- b. This reprimand is a written statement issued by the President. It should briefly cite the incident(s) that caused the ruling, the section of the Code pertaining to the complaint, and any action necessary to correct the problem.
- c. The written reprimand can be delivered personally to the Diplomate or sent to his/her mailing address under confidential cover via registered mail.
- d. A copy of this document will remain in the Diplomate's file for a period of five (5) years.
- e. The Board should help the Diplomate correct a problem in any manner which is reasonable.

### 3. Suspension

- a. Suspension involves the temporary removal of a Diplomate's association with the Board and his/her certification status. The Board will not refund any certification fees for the current year, in whole or in part.
- b. A Diplomate who has been suspended can resume active status without reapplying for certification. He/She must, however, express an interest to resume active status in writing to the President.
- c. This action is reserved for situations when the Code has been breached several times. Despite the seriousness of these violations, there should be reason to believe that the Diplomate is capable of correcting the problem(s).
- d. The President will write a letter to the Diplomate which briefly cites the incident(s) that caused the ruling, the section of the Code pertaining to the complaint, and any corrective action that is necessary.
- e. The suspension notice can be delivered personally to the Diplomate or sent to his/her mailing address under confidential cover and via registered mail.
- f. A copy of this document will remain in the Diplomate's file for a period of five (5) years.
- g. The Board should help the Diplomate correct a problem in any manner which is reasonable.

### 4. Decertification

- a. This is the most severe disciplinary action that can be taken by the Board and is used to permanently remove a Diplomate's certification.
- b. This action is appropriate in situations where it is not reasonable to expect that the Diplomate will be able to correct the problem(s). It is also pertinent when a Diplomate would severely damage the reputation of the Board if he/she were associated with the Board in any way.

- c. The President will write a letter to the former Diplomat which briefly restates the incident(s) that caused the ruling and the section of the Code pertaining to the complaint. The letter will indicate that the PRC has evaluated all evidence and has come to the decision that the appropriate course of action is to decertify the Diplomat. The letter will admonish the former Diplomat to cease and desist describing himself/herself as a Diplomat of the ABFDE. The former Diplomat will also be required to return his/her certificate. The written notification can be personally delivered to the former Diplomat or sent to his/her mailing address under confidential cover via registered mail.
  - d. A copy of the letter will remain in the former Diplomat's file in perpetuity.
  - e. Because the incident which prompted the decertification was found to be so egregious, the Board cannot be expected to resolve the problem. The Board can exercise discretion in evaluating any future mitigating factors not previously considered.
5. Termination from Testing
- a. If the Board has decided the candidate has incurred a breach of conduct or competency, the candidate will be terminated from the testing process. In the case of competency, mentoring may be offered to the candidate, upon the discretion of the Board.
  - b. Reapplication may be made in accordance with Paragraph IV.D of Qualifications and Requirements for Certification in Forensic Document Examination.

## OFFICERS

### I. President

- A. The President is the Chief Executive Officer of the Board and will preside as Chairperson during all Board meetings. The President is the chief spokesperson for the Board and is, therefore, responsible for all public statements made on behalf of the Board.
- B. In consultation with the Board of Directors, the President is responsible for forming all standing or special committees and for appointing members and chairpersons of these committees. The President is an ex officio member of all Board committees.
- C. The President is the recipient of all correspondence dealing with subjects of a serious nature. All written complaints against Board Diplomates, for example, must be evaluated by the President and referred to a Professional Review Committee for review if the situation warrants.
- D. The President is responsible for scheduling and determining the location of all Board meetings. The most important function of the President's responsibilities is to consider what issues are important to Diplomates and to communicate the Board's activities as well as its future initiatives.

### II. Vice President

- A. The Vice President serves as the presiding officer of the Board in the absence of the President. The Vice President will fill a vacancy in the office of President occurring during his/her term of office. These two executive officers must, therefore, communicate effectively and often to ensure both are aware of all issues which may require immediate action.
- B. The Vice President serves as Chairperson of Professional Review Committees and, as such, is responsible for evaluating all written complaints against other Board Diplomates.
- C. The Vice President serves as Chairperson of the Testing Committee and is responsible for coordinating the testing process.

### III. Secretary

- A. The Secretary will maintain custody of the seal of the Board and have charge of all correspondence and records, except those relating exclusively to finance or to complaints about Diplomates. The Secretary, however, may delegate these responsibilities to administrative office staff in the interest of economy and efficiency.

- B. The Secretary will keep minutes of all meetings of the Board, promptly circulate these to all Board Directors, and submit to the Board a report of the activities the Secretary performed during the preceding year.
- C. The Secretary serves as Chairperson of the Credentials Committee and is responsible for coordinating the application for certification process.

#### IV. Treasurer

- A. The Treasurer will supervise the collection and keep on deposit the funds and securities of the Board. A full, correct, and clear record of all financial transactions of the Board will also be maintained by the Treasurer; and it will be his/her duty to support all disbursements with proper vouchers.
- B. The Treasurer will notify those Diplomates in default of the payment of certification fees and inform the Secretary of the names of all persons whose memberships have expired or have otherwise been terminated.
- C. The Treasurer will prepare an annual financial statement which shall be submitted to the Board of Directors prior to the annual Board meeting.
- D. The Treasurer is responsible for completing all forms that must be completed by law, and will ensure that all debts incurred by the Board or its representatives are discharged promptly. The Treasurer has charge of the Board's securities and is the Chairperson, or is a key member, of the Financial Planning Committee. The Treasurer also oversees the financial operations of the newsletter.
- E. The Treasurer makes recommendations about ongoing expenditures; and makes recommendations about upcoming financial commitments, such as contributing to workshops or publishing monographs.

## COMMITTEES

### I. Continuing Education

This Committee encourages and supports continuing education opportunities on a local basis. Members of this Committee work in conjunction with the various national and regional forensic associations rather than setting up workshops which are solely ABFDE sponsored. Also, this is the primary committee responsible for approving workshops for recertification credit. However, this is done in consultation with the Recertification Committee so that that Committee knows which workshops are approved. Also, any significant commitment of funds is discussed with the Financial Planning Committee prior to making the commitment.

### II. Credentials

This Committee handles applications for certification between the time all information has been received from the applicant and the time the applicant is approved or disapproved for testing.

### III. Rules and Procedures

This Committee reviews procedures and makes recommendations regarding those procedures to the full Board.

### IV. Public Relations

A. This Committee is responsible for developing and implementing plans to promote and advertise the Board's certification program.

B. This Committee produces information packages and other types of promotional materials suitable for distribution to any interested party.

C. The Committee also provides assistance to any individual wishing to make a presentation concerning the structure, policies, or certification program of the ABFDE.

### V. Recertification

This Committee considers all applications for recertification. The most important work of this Committee is the assigning of continuing education points and notifying Diplomates of points awarded.

### VI. Testing

This Committee establishes guidelines for testing applicants for certification and recertification and administers or directs the administration of the written test, practical problems, and oral board examinations. This Committee is chaired by the Vice President.

VII. Professional Review

This Committee reviews and makes recommendations on complaints regarding the competency and/or ethics of Diplomates or candidates. This Committee is chaired by the Vice President.

VIII. Test Preparation and Validation

This Committee establishes guidelines for the development and validation of prospective written test questions and practical test problems. Validated written questions and practical problems shall be forwarded to the chairman of the Testing Committee for certification and recertification purposes. This Committee also periodically reviews active written test questions and practical test problems for retention or deletion/destruction. This Committee is chaired by an ABFDE Director selected by the President, and the members of the committee shall consist of ABFDE Diplomates only.

IX. Nominations

This committee will be chaired by the immediate past-president or a Director designated by the President and at least two additional members that must be Diplomates that are not current Directors. This committee is responsible for preparing a slate (at least 2) of candidates willing to serve as Directors when vacancies occur.

**CODE OF CONDUCT FOR OFFICERS,  
DIRECTORS, COMMITTEE MEMBERS AND  
OTHERS ACTING IN AN OFFICIAL CAPACITY**

I. Maintain Integrity of the Profession

All Officers, Directors, Committee Members and Others Acting in an Official Capacity shall follow and enforce all of the provisions of the Rules and Procedures Guide, as well as any additional rules and procedures which shall, from time to time, be put forward by the Board of Directors. All Officers, Directors, Committee Members and Others Acting in an Official Capacity shall also conduct themselves in a professional manner while representing the Board or conducting business pursuant to a Board certification. No Officers, Directors, Committee Members or Others Acting in an Official Capacity shall take action to bring discredit to the Board.

II. Confidentiality

Officers, Directors, Committee Members and Others Acting in an Official Capacity shall not disclose to any unauthorized party any information or business of the Board that is generally considered confidential by the Board as a whole, or that is specifically designated confidential by the President. This information includes, but is not limited to, information regarding the testing process of any individual applying for certification or recertification. An Officer, Director, Committee Member or Other Acting in an Official Capacity may be in breach of this confidentiality provision regardless of the form of communication, whether it be by e-mail, verbally, in writing or communicated by other means.

III. Security of Documents and Records

Officers, Directors, Committee Members and Others Acting in an Official Capacity shall maintain documents and records in a secure manner which allows no unauthorized access.

IV. Duties of Officers, Directors, Committee Members and Others Acting in an Official Capacity

Any individual accepting a position as an Officer, Director, Committee Member or Other Acting in an Official Capacity agrees to use all reasonable efforts to fulfill the duties and obligations of said assignment as detailed in the Rules and Procedures Guide, this Code of Conduct or as may be detailed by other Officers, Directors, Committee Chairpersons or Others Acting in an Official Capacity.

V. Return of Property

Officers, Directors, Committee Members and Others Acting in an Official Capacity agree to take all reasonable measures to protect Board property and to return such property to the President, or individual designated by the President, within thirty (30) days of the completion of any assignment or responsibility involving the use of the property, or upon request in any form, by the President. "Property" includes, but is not limited to, computer

hardware, software, other equipment, documents, files, applications, etc. Property may also include the work product generated by any Officer, Director, Committee Member or Others Acting in an Official Capacity when pursuing Board responsibilities, duties or activities.

## VI. Disciplinary Action

- A. In the event any Officer, Director, Committee Member or Other Acting in an Official Capacity is in breach of Section II, Confidentiality, or IV, Return of Property, any Director may move that the Board take one or both of the following actions: removal of the breaching party from office and/or decertification.
- B. In the event any Officer, Director, Committee Member or Other Acting in an Official Capacity is in breach of Section I, Maintain the Integrity of the Profession, or III, Duties of Officers, Directors and Committee Members and Others Acting in an Official Capacity, the Board shall discuss the breach and determine appropriate action as detailed in this Section. In the event two-thirds (2/3) of the Board considers the breach to be a serious infraction, any Director may move the Board to remove the breaching party from office. In the event the majority of the Board considers the breach to be of a less serious nature, any Director may move the Board to issue a written reprimand to the breaching party, directing said party to correct the infraction immediately.
- C. In the event any Officer, Director, Committee Member or Other Acting in an Official Capacity is in breach of any ABFDE rule, policy or procedure, as established by the Board and its committees, the individual(s) responsible for and involved in such breach will be served with a written notice if the Board determines the breach has merit. Such written notice shall be sent, within sixty (60) days, only upon two-third (2/3) vote of the Executive Committee to proceed. The President shall be responsible for signing and sending any written notice. In the event the President is the breaching party, the Vice President shall be responsible for signing and sending any written notice. Any Officer, Director or Committee Chairperson may request that the Executive Committee put consideration of such notice on the agenda for the next regularly scheduled meeting, or in the event of circumstances which necessitate quicker action, the Officer, Director or Committee Chairperson may request that the Executive Committee hold an emergency meeting by telephone or other means to consider issuing such a notice.
- D. In the event the breaching individual served with such notice fails to come into compliance with the written notice within thirty (30) days of its date, any Director may move the Board to consider removing the Diplomat's certification, pursuant to the Professional Review Procedures, Section V, paragraph K. Such removal can only be undertaken upon majority vote of the Board.
- E. In the event the Board finds it necessary, by two-thirds (2/3) vote, it may also direct the President or another Officer or Director to pursue necessary and appropriate legal action against the breaching individual.