



## **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 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 is also recognized by the American Academy of Forensic Sciences, the International Association of Identification and the Mid-Atlantic Association of Forensic Scientists.

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 complete and document a full-time training period of at least two years in duration, in a forensic laboratory recognized by the ABFDE.

“Recognized” means that the applicant’s training program met the basic requirements for a training program described in ASTM E-2388 (Standard Guide for Minimum Training Requirements for Forensic Document Examiners). The ABFDE Credentialing Committee will consider how the applicant has met the basic requirements of this standard when reviewing an applicant’s training curriculum.

- 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 examination 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 and one-half (2 ½) 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. A candidate who fails to complete the testing program within the requisite amount of allotted time will be terminated from the program. If this terminated candidate re-applies to the program, s/he must re-apply as an applicant to become a candidate again, pay the then current application fee, and will begin the process at the Credentials Phase (beginning).



## 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.” Diplomates who resign in good standing are entitled to use the designation, “Former 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 submission can be found on ABFDE.org or obtained from the Administrative Office at: 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 paper work, 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 per a five (5) year recertification period.



2. Paper presentations: 10 credits per different paper, with no maximum 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 no maximum 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, with no maximum of points during a five (5) year recertification period.

*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, with a maximum of 6 credits per five (5) year recertification period.

- C. Attendance at or participation in a course or workshop approved by the Board: 3 credits per half-day, with no maximum credits per five (5) year recertification period.**

*Note: Workshops or courses that are not approved by the Board prior to the date(s) they are held are awarded a maximum of 2 points per half-day.*

**D. Contributions to the FDE community.**

1. 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.
2. Preparation of a practical test(s) that has been accepted by another testing service (e.g., CTS,): 2 credits per test, with a maximum of 10 credits per five (5) year recertification period.



3. 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 10 credits per five (5) year recertification period.
  2. Skill-Task Training, Assessment & Research, Inc. (ST<sup>2</sup>AR): 2 credits per test, with a maximum of 6 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 the ABFDE 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 tests, 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.
- IV. A total of 40 credits during a five (5) year recertification period are required for renewal of the Certificate.





## TESTING GUIDELINES

### I. Credentials Phase

- A. Upon receipt of all transcripts and references, the Administrative Office will forward the application documents to the Credentials Committee Chairman. The Chairman will send copies of the application to each Committee member no later than ten (10) working days after receipt of the application. The Credentials Committee will review the application for the sole purpose of determining whether the applicant meets the general requirements for certification.
- B. The Credentials Committee will submit its recommendation to the Chairman no later than fifteen (15) working days after receipt of the application. Votes may be cast or information transmitted or requested by telephone, fax, commercial or government mail or e-mail at this or any step in the testing procedures.
- C. The Credentials Committee Chairman will send a letter to the candidate concerning the decision of the Committee no later than ten (10) working days of receipt of all ballots pertaining to paragraph B (above). Copies of this letter will be sent to the President, Secretary, Administrative Office, and, in the event of an affirmative vote, the Testing Committee Chairman.
- D. An applicant who is unsuccessful may appeal the decision per section V. Appeals Process.

### II. Written Test Phase

- A. Upon successful completion of the Credentials Phase, the Testing Committee Chairman will contact (either by telephone or in writing) the candidate no later than ten (10) working days of notification by the Credentials Committee Chairman, outlining the testing procedure (as set forth herein and elsewhere) and requesting a desired date to begin the testing process. All candidates will be advised that they normally have two and one-half (2½) years after approval of their application to complete the examination process. The Testing Committee Chairman shall closely monitor satisfactory progress towards certification. Time periods longer than two and one-half (2½) years shall be closely scrutinized, with termination of the certification process as an option. Upon recommendation of the Testing Committee Chairman to the Board of Directors, a 2/3-majority vote of the Board of Directors is required to terminate a candidate for unsatisfactory progress. The candidate will be advised of the initiation of this procedure and provided an opportunity to provide input to the Board of Directors prior to their vote. A member of the Board of Directors may recuse him/herself from voting at this or any phase of the testing procedures, and the vote computation will then be based upon the remaining members of the Board of Directors.



- B. The written examination may be offered at least twice a year and will be administered by a member of the Testing Committee or other member of the Board of Directors at a meeting or event determined by the Board. If another member of the Board of Directors is needed to Proctor the written test, that member will be given a copy of the ***ABFDE Testing Committee Guidelines for Written Test Evaluators*** document and a **Proctor's Declaration form** to return with the graded test(s). The written test consists of 100 multiple choice questions. Specific dates for testing will be posted periodically on the ABFDE website at [www.ABFDE.org](http://www.ABFDE.org). In accordance with applicable local, state, and federal laws, reasonable accommodations shall be made for candidates with an identified disability. It is the responsibility of the candidate to notify the Testing Committee Chair of any specific needs.
- C. The Testing Committee Chairman or Proctor in charge of giving the written test in the place of the Testing Committee Chair, will grade the written test. The Testing Committee Chairman will inform the candidate of the test results no later than ten (10) working days after receipt of the test. A minimum passing score of 70% is required. The scoring of the written test must be verified by a second Director, preferably a member of the Testing Committee.
- D. A candidate who is unsuccessful in passing the Written Test Phase may re-enter after six (6) months at the written test phase of testing.
- E. A candidate who is unsuccessful may appeal the decision per section V. Appeals Process.

### III. Practical Test Phase

- A. Upon successful completion of the Written Test Phase, the candidate will receive a set of five (5) practical tests from the Testing Committee Chairman. Practical tests will consist of exercises that are designed to represent typical FDE casework. The candidate is allowed forty-five (45) days upon receipt of the material in which to complete the practical tests. Extensions may be granted on a per-case basis. Extensions should be liberally considered, as these procedures have been enacted for the primary benefit of the candidate. The original practical examinations must be returned, with or without the completed report and notes, within forty-five (45) days.
- B. Upon return of all practical tests, notes and results, the Testing Committee Chairman will submit copies of the results, along with a copy of the ***ABFDE Testing Committee Training Guidelines for Test Evaluators*** document, to each Testing Committee member no later than fifteen (15) working days after receipt of the material.
  - 1. If for some reason the original Directors assigned to this Committee are unavailable to fulfill their duties, other suitable Directors or Diplomates may be assigned, as determined by the President and/or Vice-President. Hereinafter, all original Directors from the Testing Committee and/or any alternate Directors or Diplomates will be referred to as *Practical Test Evaluators*. These alternate evaluators will be provided with one set of the candidate's work product and the ***ABFDE Testing***



*Committee Guidelines for Practical Test Evaluators* document, to be read, signed and returned to the Testing Chair,

- C. Each *Practical Test Evaluator* will review the conclusions and test notes to determine whether they meet the Required and Important criteria specified for each practical test. The outcome for each Practical Test will be determined as follows:
1. Pass: If all Required criteria and all Important criteria are satisfied in the practical test answer/notes, then the candidate passes that practical test.
  2. Failure: If all Required criteria are not satisfied in the practical test answer/notes, then the candidate fails that practical test.
  3. Rework: If all Required criteria are satisfied but Important criteria are not satisfied in the practical test answer/notes, then the candidate receives a new, comparable replacement test as a “rework” of that practical test.
- D. All *Practical Test Evaluators* will submit their recommendations to the Testing Chairman who will determine the outcome of the Practical Test Phase as follows:
1. If all five (5) practical tests are recommended as “Pass”, the Testing Chairman will conclude that the candidate has passed the Practical Test Phase.
  2. If one (1) or two (2) practical tests are recommended as “Reworks,” the Testing Chairman will issue an equivalent number of comparable test(s) to the candidate.
  3. If three (3) or more practical tests are recommended as “Reworks,” the Testing Chairman will conclude that the candidate has failed the Practical Test phase and must wait a minimum of six (6) months to re-enter the testing process at the Practical Test Phase and will be issued five (5) new practical tests. The candidate’s original two and one-half (2½) years termination date will remain in effect.
  4. If one (1) practical test is recommended as a “Failure,” the Testing Chairman will conclude that the candidate has failed the Practical Test Phase and must wait a minimum of six (6) months to re-enter the testing process at the Practical Test Phase and will be issued five (5) new practical tests. The candidate’s original two and one-half (2½) years termination date will remain in effect.
  5. If one (1) Rework practical test is recommended as either a failure or a rework, the Testing Chairman will conclude that the candidate has failed the Practical Test Phase and must wait a minimum of six (6) months to re-enter the testing process at the Practical Test Phase and will be issued five (5) new practical tests. The candidate’s original two and one-half (2½) years termination date will remain in effect.



- E. The *Practical Test* Evaluators are required to reach a unanimous decision. In the absence of a unanimous decision, all the *Practical Test Evaluators* will meet, either in person or by telephone, with the Testing Chairman in order to resolve the discrepancy.
- F. If the discrepancy cannot be resolved; the President shall form an ad hoc committee, consisting of three (3) Directors and/or Diplomates, to review the practical test, test criteria and evaluator comments in order to determine the cause of the discrepancy and a final resolution.
- G. The Testing Committee Chairman shall notify the candidate in writing regarding the *Practical Test Evaluator's* results no later than fifteen (15) working days following receipt of all *Practical Test Evaluators'* recommendations.
- H. After the candidate's testing process is successfully completed, including the Oral Board Phase, all Testing Committee members that evaluated the tests are duty bound to destroy all copies of answers/notes to practical tests submitted to them.
- I. The Testing Committee Chairman will keep all copies of answers/notes to practical tests with the records of the candidate, including those who withdraw or fail any phase of the testing process. The candidate's entire file will be maintained for a period of two (2) years by the Testing Committee Chair.
- J. A candidate who is unsuccessful may appeal the decision per section V. Appeals Process.

#### **IV. Oral Boards Phase**

- A. Upon successful completion of the Practical Test Phase, the Testing Chairman will contact the candidate and provide the option of having the Oral Boards take place at a meeting or an event at which a minimum of three Directors are expected to attend. Oral Boards will be offered at least twice a year.
- B. The Testing Committee Chairman shall inform the candidate in writing at least fourteen (14) days in advance of the oral examination as to the necessary preparations. The letter shall also set out the date and location of the examination and the name of the Director responsible for coordinating it.
- C. The panel for the Oral Boards shall be composed of three Directors. Whenever possible, a member of the Testing Committee shall sit on all panels.
- D. All panel members should be familiar with the practical tests being reviewed. Whenever possible, the actual practical tests should be available during the Oral Board.
- E. All panel members should be familiar with the candidate's results. Whenever possible, each member should be provided a copy of these results for review prior to the examination. (All copies disseminated to panel members must be returned to the Director coordinating the Oral Board at its conclusion.)



- F. The Oral Board should be conducted in a conference room or other suitable setting. Reasonable audiovisual requests of the candidate should be provided.
- G. In order to maintain the highest degree of professionalism, all panel members should be properly attired and conduct themselves accordingly. All members should offer their undivided attention during the Oral Board, and all distractions should be kept to a minimum. If an interruption is unavoidable, the examination should be adjourned for a brief recess.
- H. The Oral Board should last between 60 and 90 minutes. Additional time should be taken for critique and evaluation. All members should be provided with an evaluation form to be completed for each of the three (3) Oral Board presentations.
- I. The purpose of the Oral Board is to assess the candidate's reasoning, methodology, and underlying knowledge of the field of forensic document examination. As such, all candidates should be afforded the opportunity to properly present their findings, and all questions posed should be probative and constructive. Examples of sample questions that may be used during the oral boards are listed in the *ABFDE Testing Committee Standards for Evaluation of Candidate Tests*.
- J. At the conclusion of the Oral Board, the candidate is excused from the room while the panel deliberates and reaches a consensus. Strengths and weaknesses of the candidate's performance should be discussed.
- K. The candidate is then called back into the room, and a constructive critique of his/her performance is conducted. The panel is then permitted to convey to the candidate what their recommendation to the Testing Committee Chairman will be. It should be emphasized that it is a recommendation, and before a candidate is certified, a full vote of the Board is required.
- L. At the conclusion of the oral examination, all copies of testing materials, answers, and demonstrative aids should be collected from the candidate, as well as from the panel, by a member sitting on the oral panel. This member will have agreed, prior to the oral boards convening, that s/he will be in charge of destroying the documents properly. This is to ensure the continued integrity of the examination process.
- M. The panel will make their recommendation to the Testing Committee Chairman no later than five (5) working days of convening.
- N. The Testing Committee Chairman shall notify the Board Secretary of the Committee's recommendation. The Secretary will then transmit ballots to the Board of Directors. All ballots are to be returned to the Secretary no later than ten (10) working days after receipt.
- O. The Secretary will send a letter to the candidate regarding the results of the Board vote no later than five (5) working days following receipt of the last ballot. Copies of this letter will be sent to the President, Testing Committee Chairman, and Administrative



Office. The Secretary will make arrangements for the issuance of the ABFDE Certificate in a timely manner.

- P. In the event of a candidate's failure or withdrawal, the Testing Committee Chairman will forward a letter of a candidate's failure or withdrawal to the Administrative Office.
- Q. A candidate who is unsuccessful in completing the Oral Boards Phase may re-enter after six (6) months at the Practical Test Phase.
- R. A candidate who is unsuccessful may appeal the decision per section V. Appeals Process.

## **V. Appeals Process**

An applicant or candidate who is unsuccessful may appeal the decision of the appropriate committee (i.e., Credentials or Testing) as follows:

- A. The appeal request must be submitted to the President no later than forty-five (45) days from the date that the applicant/candidate received the decision letter from the appropriate committee.
- B. The appeal may be submitted in writing or presented orally to a quorum of the Board.
- C. If the appeal is submitted in writing: The President will forward copies of the appeal correspondence under confidential cover to the appropriate committee chairman (i.e. Credentials or Testing).
  - 1. The appropriate committee chairman will provide copies of correspondence and documents to be evaluated to those Directors who did not conduct the initial evaluation. A ballot will accompany each set of photocopies.
  - 2. All ballots and associated paperwork must be provided to the evaluators no later than fifteen (15) working days of receipt of the appeal letter to the Directors for a vote.
  - 3. The Directors will submit their vote to the President no later than fifteen (15) working days after receipt of the material. An appeal override vote must be by a 2/3 majority of the Directors.
    - a. A Director may recuse him/herself from voting at any phase of the testing procedures, and the vote computation will then be based upon the remaining Directors.
    - b. A physical vote may be taken if a Directors' meeting is scheduled within forty-five (45) days of receipt of the appeal request, at the discretion of the President.



4. The President will send a letter to the applicant/candidate regarding the results of the vote no later than ten (10) working days after receipt of the results. The President will provide the results and original materials to the appropriate committee chairman.
- D. Should the applicant/candidate request to make an oral presentation, the President will make arrangements for the earliest opportunity that a quorum of Directors can be physically present. The Board has the option of holding a special meeting to hear the presentation.
1. The oral presentation cannot be made by a person other than the applicant/candidate. As this is a procedural matter, rather than a legal proceeding, no legal counsel or other agent may be present. Should either party request a recording of presentation, the party requesting this action will bear the entire cost of this service and provide the other side (at no cost) with a complete copy of all recorded information including transcripts.
  2. At the conclusion of the presentation, the applicant/candidate is excused from the room while the Directors deliberate. The President will then call for a vote. A minimum of two-thirds (2/3) of those in attendance must vote in favor of the appeal, otherwise the appeal will be dismissed.
  3. The applicant/candidate is then called back into the room, and the President will convey the results of the vote and the options that the applicant/candidate has available. The applicant/candidate will be provided with an opportunity to ask questions and receive clarification of the decision.
  4. At the conclusion of the proceedings, all copies of testing materials, answers, and demonstrative aids should be collected from the applicant/candidate. This is to ensure the continued integrity of the examination process.
  5. The appropriate committee chairman will send a letter to the candidate detailing the results of the vote and the applicant's/ candidate's options no later than fifteen (15) working days following the presentation. Copies of this letter will be sent to the President and Administrative Office.
- VI.** If a candidate fails any phase of testing a second time, the candidate may agree to spend six months with a mentor to address the identified areas of deficiency. This mentor will be selected by the ABFDE BOD and will agree to devote a minimum of 80 hours of time in assistance to the candidate. At the end of the 6 months, if the mentor certifies in writing that the candidate has made significant progress in the specified areas, the candidate will be issued 5 new practical examinations. This option is available only once during a candidate's testing process. If the candidate chooses to decline this option, the candidate will be required to wait a minimum of two years before being allowed to test again. After a waiting period of two (2) years the candidate will have to re-submit an application and will



begin the process at the Credentials Phase (beginning). There is no limit to the number of times that a candidate may re-enter the testing process after the two year waiting period. The candidate will continue the testing program with the same anonymous candidate number s/he was originally assigned.

- VII.** The records of a candidate who withdraws from or fails any phase of the testing process will be maintained for a period of two (2) years by the Testing Committee Chairman. These records will then be retained for three (3) years in digital form by the Testing Committee Chairman and in original form by the Administrative Office.





## 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 shall be maintained by the Chairman of the Public Relations Committee.
- c. 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).



#### 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 is 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.
- f. In an effort to promote the purpose of the organization, all Diplomates are subject to review as outlined in the Professional Review Procedures. By agreeing to the terms and conditions placed upon the Diplomates as a condition of certification and membership, all Diplomates agree that any complaint made by one Diplomat against another Diplomat for Professional Review is done in order to maintain the purpose, integrity and reliability of forensic examination.

## 6. Lapse of Certification

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

- a. The Diplomat 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 Diplomat.
- b. The Diplomat 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 Diplomat.
- c. The Diplomat fails to earn the requisite 40 credits during a five (5) year period for recertification, in accordance with guidelines set by the Board of Directors and after proper notification of the lapse has been sent to the last known address of the Diplomat.
- d. Upon lapse of certification of qualification, a former Diplomat 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

- a. 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 STANDARD PRACTICES**

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, (hereinafter referred to as the “Respondent”) by any fellow Board-Certified Diplomate, Candidate or individual at the discretion of the President (hereinafter referred to as “Complainant”), as to allegations that he/she has violated 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, including those appointed to the Professional Review Committee (hereinafter referred to as “PRC”) are prohibited from discussing any aspect of these matters except during official deliberations. Likewise, the Complainant and Respondent are prohibited from discussing any aspect of the complaint and investigation with any parties other than their legal representative until which time as the matter has been concluded.
- C. The President and the PRC must rely on all evidence that can be verified and corroborated and only on such evidence.
- D. If the complaint involves pending litigation in which the Respondent is a testifying or consulting expert, no action will be taken by the Board until final adjudication of all court proceedings upon which this original complaint was based. Derivative litigation that may arise subsequent to the initial complaint will not warrant a suspension of action on the original complaint by the Board.
- E. The President may consider extending deadlines outlined in the below procedures, where extenuating circumstances exist. Such extensions shall be documented.
- F. 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 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 by the President.



- 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 by the President 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 a complaint is registered against the President, then the Vice President will serve as the Chairperson with the PRC and shall in that instance serve as spokesperson for the ABFDE regarding the matter and be responsible for all further actions related to the complaint as reserved and assigned to the President herein.
- E. If an unresolved complaint is registered against a Diplomat, such Diplomat cannot act as a PRC member until the matter has been dealt with and settled by the Board.
- F. 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.
- G. The PRC, after due consideration, shall recommend whatever disciplinary action they feel is appropriate in their report. The Board, upon review of the recommended disciplinary action, may consider that an alternative action is more appropriate and shall establish the final action to be taken.

### III. Registration of Complaints

- A. Before any action can be taken, a formal challenge or complaint against a Diplomat or Candidate must be submitted in writing to the ABFDE President. No anonymous complaints will be accepted.
- B. Only one Diplomat or Candidate can be named in each complaint. If an individual wishes to register complaints against more than one Diplomat or Candidate, then separate complaints must be registered for each Diplomat 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. If the complaint is made against the President, the complaint must be made in writing and addressed to the Vice-President of the ABFDE.
  - 3. The complaint must pertain to a violation of the Board's Code of Ethics and/or Competency.



4. The complaint must relate to a Diplomate currently certified by the Board or a Candidate of the Board.
  5. The complaint must clearly describe the disputed issues and include specific examples of the contested behavior.
  6. 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. In the event of a complaint against the President, the actions called for in this paragraph will be taken by the Vice-President.
- F. The Diplomate or Candidate against whom the complaint is registered (the Respondent) will be advised of the complaint in writing. The Respondent will be provided with an opportunity to respond to the allegations if the ABFDE President or Vice-President, as the situation warrants, determines on the basis of the complaint that it should be referred to the PRC.
- G. The Respondent will be provided with copies of all correspondence forwarded to the President by the Complainant. Any responsive submission by the Respondent must meet the following criteria:
1. The response must be submitted in writing and addressed to the ABFDE President (or the Vice-President if the complaint was filed against the 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 will select members to serve on the PRC, which will consider the allegations (Refer to Section II A-D). 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 materials 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 copied documents relating to the complaint must be destroyed by the Diplomat in possession of such documents. The original correspondence will be forwarded to the Executive Office for retention for five years from the date of the receipt of the PRC report by the President, after which time these records may be destroyed.

#### 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 be delivered to the Respondent by U.S. Certified Mail, return receipt requested.





- C. A U.S. Postal Certified Mailing will satisfy the requirements of paragraph **V.A** above even if the Certified Mailing 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;
  - 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. As this is a procedural matter, rather than a legal proceeding, no legal counsel or other agent may be present.
  - 4. Should either party request that a court reporter be present to record the presentation, the party requesting this action will bear the entire cost of this service and provide the other side (at no cost) with a complete copy of all recorded information including transcripts.
- 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 at least three-fourths (3/4) of those in attendance do not vote in favor of a breach of conduct then the complaint will be dismissed. All submitted materials will be returned to the President or Vice-President, as the case may be, and then forwarded by that individual to the Complainant and Respondent with a letter 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 sent to his/her current mailing address by U.S. Certified Mail; return receipt requested, and shall be deemed received even in the event the Respondent does not accept the certified mailing.
- 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 affect 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.
    - f. The Respondent, upon a finding of a breach by the Board, shall comply within 60 days with any recommendation by the Board and present documentation of compliance as requested. Failure to comply as instructed shall result in decertification.
  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.
  - f. The Respondent, upon a finding of a breach by the Board, shall comply within 60 days with any recommendation by the Board and present documentation of compliance as requested. Failure to comply as instructed shall result in decertification.
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.
  - h. The Respondent, upon a finding of a breach, shall comply within 60 days with any recommendation by the Board and present documentation of compliance as requested. Failure to comply as instructed shall result in decertification.



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 Diplomate 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 Diplomate. The letter will admonish the former Diplomate to cease and desist describing himself/herself as a Diplomate of the ABFDE. A request will be made in writing to the former Diplomate to return his/her certificate. The written notification can be personally delivered to the former Diplomate or sent to his/her mailing address under confidential cover via registered mail.
- d. A copy of the letter will remain in the former Diplomate'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.

VI. Notification of Investigation and Results to Membership and Complainant

- A. If the complaint is forwarded on to the PRC for investigation, the Complainant shall be notified in writing by the President that such complaint is under further investigation and discussion of such matter is prohibited.



- B. At the conclusion of an investigation by the PRC, the Complainant shall be notified in writing by the President of the results of the investigation and whether the complaint was upheld or dismissed. Upon a finding that the complaint was substantiated, the type of disciplinary action shall not be revealed to the Complainant.
- C. In an effort to educate the members of the ABFDE, an annual report shall be forwarded to the members of the ABFDE by the President, indicating the type of complaints received for the year, whether such were dismissed or substantiated, and the basis for such dispensation. The identities of all Complainants and Respondents shall remain anonymous.

## VII. Further Action

- A. In the event that there is a dispute between the Board and the Respondent as to the action to be taken by the Board upon a finding of a breach, all matters must be submitted to binding arbitration in Houston, Texas.
- B. Request for Arbitration must be postmarked to the President no later than 60 days after the final finding by the PRC. Failure to make such a request within the specified time frame shall render the finding by the PRC final.
- C. Arbitration shall take place in Houston, Texas within a reasonable time not to exceed one year from the scheduled date for Arbitration, or the PRC recommendation will stand. The Arbitration shall be conducted under the laws and procedures regarding the same of the state of Texas.
- D. The Arbitrator shall be selected by agreement of the Respondent and the President from one of the national arbitration organizations. Should the Respondent and President fail to reach an agreement on the arbitration organization within 30 days of the request for arbitration, the ABFDE President shall select such arbitrator
- E. The Respondent, ABFDE President and PRC Chair, acting on behalf of the ABFDE, may be present for the entire Arbitration proceeding. Each party may, in the presentation of their case to the Arbitrator, present oral testimony, experts, and findings by other investigators, or other evidence.
- F. Findings by the Arbitrator shall be final and binding on the Parties. In the event that an adverse finding is found against the Respondent, he/she shall have 60 days in which to comply with the recommendation(s) of the Arbitrator. Failure to do so shall result in de-certification of the Respondent.



## 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 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. 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.

### 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.

D. The Chairman of this committee will be the ABFDE Website Coordinator with the Webmaster.

E. This Committee will maintain custody of the seal of the Board.

### 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.