



## 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.