

BYLAWS

Of The

Process Server Association of Colorado, LLC

Article I - NAME

The name of the Association shall be **PROCESS SERVER ASSOCIATION OF COLORADO, LLC**, also referred to as **PSACO**

Article II - OFFICE

The office and principal place of business of the corporation shall be in the State of Colorado, at such place as specified by the Board of Directors.

Article III - PURPOSE

Section 1. Promoting any legislation and rule changes which may help the industry.

Section 2. Combating any legislation and rule changes which may harm the industry.

Section 3. Creating and maintaining an ethical standard for the industry.

Section 4. Improving relations between the industry and the legal community, attorneys, judges, clerks, offices of the court, local law enforcement and the general public.

Section 5. Assisting in the formation of regional associations.

Article IV - MEMBERSHIP

Section 1. Membership in the Association shall be open to all persons who are affiliated with the profession of process serving. Membership is approved on an individual basis and is not transferable.

Section 2. Active members are those who reside in the State of Colorado and are authorized to be a process server under the laws of the State of Colorado or as determined by the Board of Directors.

Section 3. Associate members are those persons or associations who do not maintain a residence or office within the State of Colorado.

Section 4. Partner members are attorneys, clients or vendors who either conduct business or support the industry. The Board of Directors shall determine the criteria for acceptance of Partner members and the benefits of such membership.

Section 5. Honorary membership shall be determined by the Board of Directors.

Section 6. Only active members shall have the right to vote or to hold office.

Section 7. All applications for membership must be completed in full on a form provided by the Association. Each application must be accompanied by one year's dues. No applicant shall be considered for membership if the applicant has been convicted of a felony within the past five years or who has had their license, permit, or right to serve process revoked by any issuing authority unless said conviction or revocation has been pardoned or expunged.

Section 8. Membership may be revoked by the Board of Directors for violations of the Bylaws, the Code of Ethics or failure to comply with decisions of the Arbitration and Grievance Committee. In addition, any member who is convicted of a felony or who has their license, permit, or right to serve process revoked by any issuing authority may have their membership revoked after review by the Board of Directors.

Section 9. A member convicted with a felony shall report the full details within 10 days of being convicted to the Board of Directors by notification to the Secretary.

Section 10. A member who has their process serving authority, license, appointment or certification suspended, revoked or cancelled, shall report the full details of such suspension, revocation, or cancellation within 10 days to the Board of Directors by notification to the Secretary.

Section 11. The Secretary shall publish the names of all applicants to the membership. If no objection is received within 30 days after publication, the applicant is accepted. If an objection is received within 30 days the Secretary shall advise the applicant and the applicant may submit a written response to the objection or request to appear in person before the Board of Directors to answer questions regarding the objection and their qualifications for membership.

Article V - DUES

Section 1. The annual dues shall be determined by a majority of the Board of Directors at the annual meeting and shall remain in effect until changed.

Section 2. The annual dues for Associate Members and Partner Membership shall be determined by a majority of the membership at the annual meeting and shall remain in effect until changed. Honorary members shall be dues exempt.

Section 3. The fiscal year covering the payment of dues shall be January 1st to December 31st of each year, and are due December 1st of each year for the following year. The Association shall notify the membership by independent mailing at least 30 days prior to December 1st that the annual dues are due by January 31st and if not paid a late fee will be assessed. All renewal dues must be postmarked prior to December 31st to avoid paying the late fee. Any member delinquent on December 31st shall be sent a follow up mailing informing them they have until January 31st to submit their annual dues and also pay a \$25 delinquent fee to be renewed. Any member delinquent on January 31st shall have their membership revoked.

Article VI - ELECTION OF OFFICERS AND DIRECTORS

Section 1. No member shall be eligible to be an officer or director until they have been a member in good standing for one year. Anyone on probation shall not be eligible to run for office.

Section 2. The officers shall consist of a President, Vice-President, Secretary and Treasurer. Terms of each officer shall be for two years.

Section 3. Five Directors shall be elected. Terms of each director shall be for one year.

Section 4. No member shall hold the office of President for more than four consecutive years.

Section 5. No more than one person from the same immediate family or from the same firm may serve as an officer or director at the same time.

Section 6. Officers shall be elected by a majority vote by the members present at the annual meeting. Directors shall be elected in a single ballot with each member casting one vote for each seat to be filled. Nominees receiving the highest plurality of votes will fill all seats in the order of total votes received. A majority vote shall not be required. No proxies shall be allowed.

Section 7. A vacancy in any office or directorship shall be filled by the Board of Directors.

Section 8. Each member of the Board shall receive the following from the Association for attendance at board meetings, excluding the annual meeting.

a. Any Board member traveling more than 100 miles round trip shall receive \$100.00 for travel expenses and be reimbursed for one night's stay, if used, at the designated hotel at the rate approved by the Board. Any Board member attending a Board meeting traveling less than 100 miles round trip shall be reimbursed for one night's stay, if used, at the designated hotel at the rate approved by the Board.

b. Any Board member traveling more than 500 miles round trip shall receive \$200.00 for travel expenses and be reimbursed for up to two nights stay, if used, at the designated hotel at the rate approved by the Board.

Article VII - DUTIES OF OFFICERS

Section 1. The administration and management of the Association shall be controlled by the Board of Directors consisting of the officers and directors. They shall have the authority to do any and all things necessary for the administration of the Association.

Section 2. The President shall preside at all meetings, make all appointments that are deemed necessary to run the Association, and submit a report describing programs and board actions at the annual meeting. The President shall not vote on any matter except to break a tie or when vote is by secret ballot.

Section 3. The Vice President shall perform the duties of the office of President whenever the President is unable to do so.

Section 4. The Secretary shall cause to be recorded the minutes of all board meetings and the annual meeting.

Section 5. The Treasurer shall be responsible for carrying out all fiscal policies and procedures adopted by the Board; and be responsible for preparation of financial statements and presentation of these to the Board at each regular meeting; and shall submit a written report at the annual meeting. All checks are to be signed by two officers.

Section 6. The Board of Directors shall adopt a Code of Ethics and Policy and Procedure Manual and the President shall appoint an Arbitration & Grievance Committee which together with these Bylaws shall constitute the governing authority of each member. All persons accepting membership in the Association agree to abide by the above as a condition of membership and continued membership.

Article VIII - MEETINGS

Section 1. There shall be a minimum of one board meeting per quarter. Board meetings shall be called by the President. A Board meeting must be called within thirty days if petitioned by a majority of the members. The membership shall be notified at least two weeks prior to all regular board meetings and encouraged to attend.

Section 2. Special meetings of the Board may be held by mail or fax. Special meetings of the Board shall be held upon call of the President or at the request of five directors. Such meetings are to be called only in case of emergency or dire circumstances which condition could not wait until the next regular Board meeting. Matters brought up can be voted upon without full discussion or debate. Minutes of a special meeting shall be sent to all directors within forty-eight hours of the meeting and each director shall be required to approve or correct the minutes within twenty-four hours of receipt.

Section 3. At any meeting of the Board of Directors, a majority of the members of the Board shall constitute a quorum. Decisions shall be reached by majority vote. No proxy voting shall be allowed.

Section 4. Members shall be admitted to all meetings except executive sessions. Non-members may be admitted to all meetings unless disapproved by a majority of the members present. Only matters involving the personal affairs of an individual may be held in executive session.

Section 5. An annual meeting shall be held. Officer's reports, committee reports, and any new or old business as the membership sees fit will be discussed. The annual meeting shall also serve the purpose of nominating and electing the officers and directors for the upcoming year. Those present at the meeting shall constitute a quorum.

Section 6. All notices provided for in the Bylaws shall be sent by mail or email to the addresses recorded with the Secretary and the posting of such notices to said addressee shall be regarded as notice to the members.

Section 7. At any meeting where a vote has been taken, the Secretary shall publish the following information in the next issue of the Association's newsletter; (a). a description of the motion or amendment, (b). the result of the vote and (c). the final wording of the order or amendment if passed.

Section 8. The latest edition of Robert's Rule of Order Newly Revised shall govern the conduct of all meetings where the Bylaws or the Policy and Procedure Manual does not specifically address.

Article IX -LOGO

Section 1. The logo shall be of a design to be determined by the Board of Directors. It shall be used only for the purpose of Association identification, signifying membership therein, on letterheads, business cards, and advertising matter.

Section 2. As a condition of membership, every member of the Association agrees that use of the logo shall be and is limited to the time during which their membership herein shall be in good standing, and each member hereby agrees that upon termination of their membership, they will discontinue use of such logo.

Section 3. No member of the Association shall use their official position in the Association for advertising purposes in any manner whatsoever.

Article X - BYLAW AMENDMENTS

Section 1. Proposed Bylaw amendments must be submitted to the Secretary sixty days prior to the date of the annual meeting and published to the membership not less than thirty days prior to the annual meeting.

Section 2. The Bylaws may be amended or revised by an affirmative (2/3) vote of the membership present and voting at the annual meeting.

Section 3. Bylaw amendments or revisions may be acted upon only at the time published in the meeting agenda unless the majority of the membership presents at that time agree to a later time for further action.

Bylaws revised December 17, 2010
