



**Michigan Association  
of Court Mediators**

**CONSTITUTION**

**STATEMENT OF PURPOSE**

1. To promote the legitimization and professionalism of mediation.
2. To promote mediation as an alternative for conflict resolution in the State of Michigan.
3. To promote the “best interests of the children” through the role of mediation in domestic relations issues.
4. To promote uniform statewide standards and procedures for Friend of the Court Mediators by working with Michigan Judicial Institute (MJI), Friend of the Court Bureau, Friend of the Court Association, Associations of Judges, etc., for the development of said standards.
5. To promote the education of Friend of the Court Mediators for improvement/enhancement of the profession of mediation in the State of Michigan.
6. To sponsor, promote and present training seminars relating to mediation, as needed and desired by the membership.
7. To develop a system designed for sharing of mediators’ ideas and experiences through networking at state and regional levels.
8. To provide a forum for the continued study of problems relating to mediation and the improvement of liaison b/w Michigan Association of Court Mediators and other states and territories, in carrying out the intent and spirit of domestic relations mediation, in the State of Michigan.
9. To provide a broad-based representation for all Friend of the Court Mediators throughout the various regions of the State of Michigan.
10. To promote progressive legislation, resolutions and other desirable programs representing common interests of the Friend of the Court Mediators in the State of Michigan.
11. To promote and foster effective communication between the members of the Association.
12. To solicit funding and accept funding for the purpose of promoting the purposes of this Association.

## **ARTICLE I – NAME**

The name of this association shall be Michigan Association of Court Mediators (hereafter referred to as MACM).

## **ARTICLE II – MEMBERSHIP**

- Section 1. Regular membership is limited to those persons who are actively doing domestic relations as to custody, visitation, or child support in a Court setting, as a Court employee or as a contract agent and qualify under guidelines set forth, in the Friend of the Court Act P.A. 1982, No. 294, Effective July 1, 1983. (Amended by majority vote of members present at annual meeting September 3, 1991)
- Section 2. Associate membership is open to those persons who are actively engaged in conducting domestic relations mediation or mediation in a family system involving children within a court setting, via court contract, or employment and/or in the private sector. Associate members may vote during a General Membership meeting. Associate members do not require approval of the Board of Directors. Associate members may hold a position on the Board of Directors. No more than ONE (1) may sit as a Board member at any time. Associate members may not hold office on the Board of Directors. Membership in the MACM Board is not subject to term limits.
- Section 3. Honorary membership shall be made available to all Circuit Court Judges upon recommendation by the Board of Directors.
- Section 4. The Michigan Association of Court Mediators shall not discriminate predicated upon age, height, weight, religion, physical handicap, sex, marital status, race, color, creed, national origin, political or union affiliation or sexual preference, as required by law.

## **ARTICLE III – GOVERNMENT – BOARD OF DIRECTORS**

- Section 1. The Board of Directors of MACM shall be comprised of NINE (9) members-at-large elected by the regular membership of the association at the annual conference each year. Of the NINE (9) Board positions, no more than ONE (1) may be held by an Associate Member, associate members shall not hold office on the MACM Board.

- Section 2. The term of office of each Director shall be for two (2) years with staggered terms to insure that no more than one-half of the membership shall have their terms expire annually.
- Section 3. The business and affairs of the association, including financial planning, shall be managed by the Board of Directors.
- Section 4. If any vacancy occurs on the Board of Directors prior to the expiration of his term the same shall be filled within 60 days by appointment of the Board.

#### **ARTICLE IV – LIMITATIONS**

- Section 1. The Michigan Association of Court Mediators is non-partisan.
- Section 2. Neither the General Membership, Executive Board, committee nor officer shall take any action which is not compatible with the objectives of the Board.
- Section 3. No debt shall be incurred in excess of the funds in the treasury of MACM.
- Section 4. Any proposal to merge with any other association or organization must be approved by a 2/3<sup>rd</sup> of the General Membership; this vote may be mail ballot.

#### **ARTICLE V – AMENDMENT OF CONSTITUTION**

An amendment to this constitution may be made by proposal made at a General Membership meeting, adopted by 2/3<sup>rd</sup> of the membership present and voting.

#### **BY-LAWS**

#### **ARTICLE I – MEETING**

- Section 1. Annual and special meetings of MACM.**
- (a). The annual meeting shall be held each year at a time and place fixed by the Board of Directors, and at least thirty (30) days notice shall be made to the membership.
- (b). Special meetings may be called by the Board of Directors provided notification and agenda of such meetings is made at least thirty (30) days prior to said meeting.

- (c). The Board of Directors upon receipt of a petition signed by twenty (20) percent of the general membership shall call a special meeting within thirty (30) days. Such petition shall contain reasons for requesting special meeting.
- (d). A quorum for any meeting of the General Membership shall be the members present at the meeting.
- (e). The order of business shall be decided upon by the Board of Directors and included in the notice given to the General Membership prior to or at that meeting. All meetings shall be conducted by Robert's Rules of Order, as newly revised.

**Section 2. Meetings of the Board of Directors**

- (a). The Board of Directors shall meet at the call of the President and shall meet at least once forty-five (45) days or more prior to the annual meeting.  
  
Notice of the Board of Directors meetings shall be at least fourteen (14) days prior to the meetings.
- (b). A quorum for any Board of Directors meeting shall be 50% of the designated members comprising the Board of Directors.
- (c). Meetings of the Board shall be open to the General Membership.

**Section 3. Meetings of Committees**

- (a). Committee members and chairpersons shall be appointed be appointed by the President and/or the Board of Director.
- (b). Meetings shall be held at the call of the Chairperson of each committee. No meetings shall be held without at least fourteen (14) days notice being given to the committee members. This provision may be expressly waived by unanimous vote of all committee members.
- (c). A quorum for any meeting of each committee shall be the members present at that meeting.

**Section 4. Resolutions**

- (a). Resolutions for the consideration of the General

Membership may be submitted by the Executive Board Committee of MACM and/or any member of MACM.

- (b). A resolution intended for consideration at a business meeting of the General Membership and need not be in writing.

## **ARTICLE II – BOARD OF DIRECTORS**

- Section 1.** The Board of Directors shall be comprised of NINE (9) members-at-large elected by the General Membership of the association at the annual conference.
- Section 2.** The term of office of each Board member, beginning at the conclusion of the annual meeting, shall be for a period of two (2) annual meetings, except that the 1<sup>st</sup> Board organized under these By-Laws shall designate, by lot, one-half of the membership to serve a term of one (1) annual meeting in order to stagger terms and insure that no more than one-half of the membership shall have their terms expire annually. Membership in the MACM Board is not subject to term limits.
- Section 3.** The Board shall meet as needed, at the discretion of the President, with a minimum of 30 days advance notice of each of the Board members.
- Section 4.** The business and affairs of the association, including all expenditures of funds shall be managed by the Board of Directors consistent with the criteria established within the By-Laws.
- Section 5.** Each member of the Board may be reimbursed by the association for necessary expenses incurred in the performance of duties, subject to the approval of the Board of Directors.
- Section 6.** Board members may be removed by a two-thirds vote of the total membership of the Board. Proper notice, with reasons for removal, shall be given the member at least 14 days prior to the vote. If such a removal occurs, the vacancy shall be filled pursuant to Article II, Section 7 of the By-Laws.
- Section 7.** If any vacancy occurs on the Board of Directors prior to expiration of that member's term, the vacancy shall be filled within 60 days

by appointment of the Board.

### **ARTICLE III – OFFICERS**

- 1. The President, Vice President, Secretary, and Treasurer shall be elected from within the Board of Directors at the conclusion of the annual meeting. Each officer will serve in said capacity, through the next annual meeting.**
  
- 2. President**
  - (a) Shall call and preside over all General Membership meetings.
  - (b) Shall call and preside over all Board of Directors meetings.
  - (c) Shall be a voting member of the Board of Directors.
  - (d) May appoint all committee members, subject to approval of the Board of Directors.
  - (e) Shall be an ex-officio member of all committees.
  - (f) Shall order that an audit of the financial accounts of the association be performed within 30 days from the close of the meeting.
  - (g) Shall be an ex-officio member of the Board of Directors for a period of one year after the expiration of his/her term.
  
- 3. Vice President**
  - (a) Shall assume the duties of the President if the President is not attending a session or has resigned for any reason.
  
- 4. Secretary**
  - (a) Shall record the minutes of all General Membership meetings and Board of Directors meetings.
  - (b) Shall handle all correspondence of the association.
  - (c) Shall maintain a membership roster.
  
- 5. Treasurer**
  - (a) Shall receive, deposit, and disburse funds as directed by the Board of Directors.
  - (b) Shall present a financial statement at all meetings.
  - (c) Shall submit the books for an audit as directed by the President or Board of Directors.

### **ARTICLE IV – COMMITTEES**

Section 1. The Board of Directors by majority vote of those present may from

time to time establish various committees with various members from the General Membership, or from the Board, or from both to assist the Board in special issues. The President shall appoint the members of said committees upon the advice and consent of the Board of Directors.

Section 2. The Board of Directors may recognize the need to establish standing committees to advise, promote, or perfect the role of mediators of the Court. The President shall appoint the members of said committee.

#### **ARTICLE V – DUES**

1. The dues of the Association shall be determined by the Board of Directors. There shall be no dues for honorary members.
2. The annual membership dues shall be effective from January 1<sup>st</sup> of each year through December 31<sup>st</sup> of each year.
3. The annual membership fee is \$25.
4. The dues may be changed by the Board of Directors according to the needs of the association.
5. The Board of Directors may assess registration fees for meetings.