

**BY-LAWS OF THE NEW JERSEY ASSOCIATION OF FORENSIC SCIENTISTS, INC.**  
**ADOPTED BY RESOLUTION OF THE MEMBERSHIP JANUARY 1, 1996**  
**AMENDED FEBRUARY 24, 1998**  
**AMENDED SEPTEMBER 14, 1999**  
**AMENDED SEPTEMBER 18, 2001**  
**AMENDED DECEMBER 15, 2004**  
**AMENDED JUNE 27, 2008**  
**AMENDED DECEMBER 14, 2011**  
**AMENDED OCTOBER 9, 2015**

**Article I: Organization**

**Section 1.** The organization shall be known as the New Jersey Association of Forensic Scientists, Inc. and shall be incorporated in the State of New Jersey, and shall herein be called "the Association".

**Article II: Purposes**

- Section 1.** To exchange ideas and information within the field of forensic science, and to foster fellowship and cooperation among the various forensic laboratory personnel.
- Section 2.** To encourage a high level of competency among professionals in the field of forensic science.
- Section 3.** To promote recognition of forensic science as an important component of the criminal justice system.
- Section 4.** To stimulate increased implementation of existing techniques, along with research and development of new techniques within the field, and to encourage financial support for these efforts.

**Article III: Areas of Activity**

- Section 1.** Establish and enforce a code of ethics.
- Section 2.** Establish a board for review, when requested, of each instance involving differences of professional opinion.
- Section 3.** Lend assistance, whenever possible, in the formulation of college curricula and law enforcement training programs.
- Section 4.** Review and act upon pending legislation which appears to be related to the field when and where possible and so requested by competent authority.
- Section 5.** Organize and/or sanction meetings, symposia and discussions to further the exchange of information and to educate persons working in the fields of forensic science and law enforcement.

**Article IV: Board of Directors**

**Section 1.** **The Board of Directors of the Association, herein called "the Board", shall consist of four Officers and three Directors (one of whom shall be the Immediate Past President).**

- A. The four Officers shall be the President, Vice-President, Secretary, and Treasurer.
- B. Each of the three Directors shall be called Director.

**Section 2. Officers: Descriptions and Duties**

- A. The President**
1. Shall be the Chief Executive of the Association and preside over business meetings, form committees and appoint Chairmen and execute all official organizational business.
  2. Shall be the Chairman of the Board.
  3. Shall serve on and be Chairman of the Executive Committee.
  4. Shall be empowered to sign checks.
- B. The Vice-President**
1. Shall act in place of the President in the case of temporary absence or disability of the President, or when so ordered by the President to carry out the full or partial responsibilities of the President. When acting in place of the President, the Vice-President shall be empowered as the President.
  2. Shall serve on the Executive Committee.
  3. Shall be empowered to sign checks.
- C. The Secretary**
1. Shall assist the President, under direction, in executing organizational business.
  2. Shall keep the minutes of all meetings.
  3. Shall provide to the Publications Chairman the minutes of all quarterly membership meetings in a timely fashion for quarterly publication in the NJAFS Newsletter.
  4. Shall keep the membership roster.
  5. Shall serve on the Executive Committee.
  6. Shall be empowered to sign checks.
- D. The Treasurer**
1. Shall receive all monies due the Association and keep accurate records of all transactions, and shall be responsible for the preparation and submission of the Association's tax forms to the appropriate authorities, when necessary.

2. Shall present an Annual Financial Report for the previous year to the Board and shall make it available to the Publications Chairman for publication in the second quarterly NJAFS Newsletter.
3. Shall receive from Committee Chairmen and the Secretary budget requests and shall prepare the Association's annual budget draft and present it to the full Board for discussion and approval. The full Board shall have final approval of the Association's annual budget draft.
4. Shall maintain the Association's checking account and shall make all deposits and withdrawals in a timely fashion.
5. Shall be empowered to sign checks.
6. Shall make the dispersal of all funds in accordance with the approved annual budget or other approvals for such dispersals made by the Board.
7. Shall serve on the Executive Committee.

**Section 3. Director: Descriptions and Duties**

- A. A Director**
1. Shall help maintain information exchange within the Association.
  2. Shall vote in all matters brought before the Board.

**Section 4. Terms of Office**

- A.** Each Officer and Director shall be elected by the voting members and shall serve a term of two years, except the President who shall serve an additional two years as Immediate Past President-Director.

**Section 5. Duties, Powers, and Succession of the Board**

- A.** The Board shall have the power to assign functions to each Officer for the advancement of the Association within the purview of their duties, and that such assignments shall be available for review by the members as requested.
- B.** Shall meet at least twice each year.
- C.** Shall be responsible for an annual audit of financial records, either personally, or by an outside concern, and shall present said annual audit to the membership for ratification by a quorum of a quarterly members meeting.
- D.** Shall present an annual budget to the membership for ratification by a quorum of a quarterly members meeting.
- E.** Shall recommend Amendments to these By-Laws, when deemed necessary, and shall maintain within these By-Laws a clear and distinct procedure by which members in good standing may propose Amendments to these By-Laws.
- F.** Vacancies on the Board are to be filled by election by the remaining Board members for the remainder of the term of the vacated Board member; except that, in a permanent Presidential vacancy, the Vice-President shall accede to the Presidency and hold such position for the remainder of the term; in addition, in a permanent Vice-Presidential vacancy, including the Vice-President's ascension to the Presidency due to a permanent Presidential vacancy, the Treasurer shall temporarily accede to the position of Vice-President and hold said position until the full Board can convene to appoint a Vice-President who will serve for the remainder of the term. The Treasurer will not vacate his/her duties as Treasurer during his/her temporary appointment as Vice-President.
- G.** Meetings of the Board will be held at the request of the President, or any three other Board members, and the full Board must be notified of all meetings.
- H.** A majority of the Board shall constitute a quorum and shall be entitled to conduct business meetings of the Board, except in those instances where these By-Laws specifically call for the presence of the full Board.
- I.** The Board shall have full power and authority to borrow money on behalf of the Association.
- J.** The Board may authorize the Treasurer to pay up to \$250 for any single, non-budgeted expense, in accordance with Article XI, Section 4-A of these By-Laws, if it can be considered a regular expense of doing business, said consideration to be ruled on by the Board.
- K.** The Board shall provide a suitable seal for the Association.

## Section 6. Compensation of the Board

- A. [No part of the net earnings of the organization shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in the purpose clause hereof. No substantial part of the activities of the organization shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the organization shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of this document, the organization shall not carry on any other activities not permitted to be carried on (a) by an organization exempt from federal income tax under section 501(c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or (b) by an organization, contributions to which are deductible under section 170 (c) (2) of the Internal Revenue Code, or corresponding section of any future federal tax code.]<sup>4</sup>

## Section 7. Removal From Office

- A. The Board may by vote remove from office for any cause any Officer and/or Director who has failed to perform, in a reasonable manner, the duties of his/her office as outlined in the By-Laws, or as reasonably directed by the Board.
- B. Any voting member of the Association may initiate a removal proceeding with proper notice of charges filed in writing to the President and Secretary, along with a petition of not less than 25% of the voting members in good standing. The highest ranking Officer/Director not charged will preside.
- C. In those cases where charges are brought by the Board, the decision of the Board in a matter of retaining or removing an Officer and/or Director shall be final. Removal is effected by a 3/4 vote of the remainder of the full Board not charged.
- D. All charges brought by the membership must be filed not less than twenty days before a quarterly members meeting. Following charges filed, the Board must act in order to present a recommendation to the membership at the upcoming quarterly members meeting. All action must be resolved within three months of the date on which charges were filed.
- E. In those cases where charges are brought by the membership, in a matter of retaining or removing an Officer and/or Director, the Board shall make a recommendation, subject to a vote of the membership. The vote shall be held at a quarterly members meeting. For this vote, a quorum of 25% of the voting membership shall be required. A 3/4 majority vote shall rule. This vote of the membership shall be final.

## Article V: Membership

### Section 1. Qualifications.

- A. Applicants for membership shall be expected to have previously demonstrated moral and ethical conduct befitting the profession. The Board shall retain the right to reject any application for membership for any reason, however, neither the Board nor the Executive Committee shall retain the right to approve appointment without the consent of the members as described in Sect. 5 of this Article.
- B. The following education and experience requirements are established.
1. A Doctorate degree in the natural, physical, chemical, or forensic sciences, and one year of forensic science experience.
  2. A Master's degree in the natural, physical, chemical, or forensic sciences, and one year of forensic science experience.
  3. A Bachelor's degree in the natural, physical, chemical, or forensic sciences, and two years of forensic science experience.
- C. "Forensic science experience" shall mean,
1. Working a minimum of fifteen (15) hours per week doing examination and interpretations of physical evidence or,
  2. Working as a full-time professor in forensic science or criminalistics in an undergraduate or graduate program at an accredited college or university.
- D. The following membership categories and additional requirements are established,
1. **Regular** - Above education and experience, currently working as a forensic scientist [or, in the opinion of the NJAFS Executive Committee and the NJAFS membership, have made significant contributions to the field and or NJAFS to warrant Regular membership.]<sup>1</sup>

2. **Provisional** - Above education, currently working as a forensic scientist, but lacking the required experience for Regular membership.
3. **Associate** - Open to persons who in the opinion of the membership demonstrate a personal and/or professional dedication to the field of forensic science, but do not possess the education and/or experience requirements for Regular or Provisional membership.
4. **Student Affiliate** - College students majoring in the natural, physical, chemical, or forensic sciences.
5. **Organizational** - Any recognized institution engaged in the practice, instruction, or research of topics of interest to forensic science, or any company, organization, or institution that provides services or products to the field of forensic science.
6. **Life** - Conferred upon Regular members who have held such status for at least ten years, and who in the opinion of the Board and the membership have demonstrated continued dedication to the profession and the Association and have made significant contributions on behalf of the Association. A [Regular, Life, or Emeritus]<sup>3</sup> member in good standing shall be eligible to nominate a Regular member, other than oneself, to the Board for consideration and vote for conferment of Life Member status. The nomination shall be made by the member and announced by the [President]<sup>2</sup> at a quarterly members meeting. [The President shall open the floor to discussion of the nomination. A vote shall be taken at the following quarterly meeting to confer or reject the proposed Life candidate. A majority vote is required for confirmation. Life Members shall retain all rights and privileges of Regular members, and shall be excused from all dues and assessments.]<sup>7</sup>
7. **Emeritus** - Conferred upon persons who are at least fifty-five years of age, retired from full-time work in the field of forensic science, and who in the opinion of the Board and the membership have demonstrated continued dedication to the profession. A [Regular, Life, or Emeritus]<sup>3</sup> member in good standing shall be eligible to nominate a person to the Board for consideration and vote for conferment of Emeritus Member status. The nomination shall be made by the member and announced by the [President]<sup>3</sup> at a quarterly members meeting. [The President shall open the floor to discussion of the nomination. [A vote shall be taken at the following quarterly meeting to confer or reject the proposed Emeritus candidate. A majority vote is required for confirmation.]<sup>8</sup> Emeritus Members shall retain all rights and privileges of Regular members, and shall be excused from all dues and assessments.]<sup>3</sup>

### Section 2. Eligibility to Vote and Hold Office.

- A. Only Regular, Life, and Emeritus members in good standing shall be eligible to hold office and vote at quarterly members meetings, elections, and in all other business where a membership vote is required.
- B. A "member in good standing" shall be one whose moral, ethical, and professional conduct is not under the consideration of the Board for judgment, and who has paid the appropriate annual fee.

### Section 3. Fees and Dues.

- A. Application fee for Membership shall be set by the Treasurer, approved by the Board.
- B. All members' dues shall be set by the Board, approved by the membership.
- C. The annual dues payment deadline will be January 15th of each year.

### Section 4. Membership shall not be transferable or assignable.

### Section 5. Application Process and Membership Appointment.

- A. The Executive Committee shall receive, process, review and conduct the initial vote on all applications for membership.
- B. The Executive Committee shall then present the approved application to a quorum of a quarterly members meeting for final action on appointment.

### Section 6. Methods of Termination of Membership.

- A. Any member may resign his/her membership in the Association by written request directed to the Secretary. The Board will then act upon the request for resignation, and inform the membership.
- B. Membership will be terminated at the discretion of the Board upon information supplied by the Treasurer and Secretary that the member has been delinquent in payment of their prescribed dues or assessments for at least six (6) months. A member who

has been terminated for failure to pay prescribed dues or assessments shall be entitled to reapply to the Board for reinstatement. Such reinstatement shall be contingent upon re-election by a quorum of a quarterly members meeting and payment of a penalty equal to one year's dues.

**C.** A member may be suspended or expelled from the Association for unethical conduct, or conduct detrimental to the profession and/or the Association. Any voting member may initiate proceedings concerning unethical behavior or conduct detrimental to the profession and/or Association by filing written charges with the Board.

**D.** A member will be expelled from the Association following his/her conviction of a criminal offense.

#### **Section 7. Investigative Action and Judiciary Process Related to Charges of Unethical Conduct.**

**A.** Investigative action may be initiated in either of the following ways:

1. As stated in Article V, Section 6-C of the By-Laws proceedings may be initiated concerning unethical behavior by filing charges with the Board in writing. Charges so filed must have a reasonable foundation and are not to be arbitrary or capricious.

2. The Board itself may initiate an investigation based on evidence brought to its attention, which necessitates further inquiry under the Code of Ethics.

**B.** Copies of the written charges filed will be supplied to the accused as soon as possible.

**C.** The President shall call a special meeting of the Board which will hold a preliminary hearing on the charges. If the Board finds grounds to proceed, the President will appoint a special Ethics Committee consisting of five voting members in good standing which will hold the final hearing on the charges. The special Ethics Committee will make a decision and recommendation and present it to the Board for action, specifying either censure, suspension, expulsion or acquittal. The Board will reconvene for a decision on final action. The Board is not bound to follow the recommendation of the special Ethics Committee.

**D.** The Board by a majority vote of those present and voting, and with a minimum of four votes cast may recommend censure, suspension, or expulsion of the accused to the membership. The accused shall have the right to appeal censure, suspension, or expulsion to the entire membership. In the event that the Board selects censure or suspension the accused must be notified of such action at least twenty (20) days prior to the next quarterly meeting so that the accused may appeal to the full membership.

**E.** The Board will then prepare a written statement of the reasons for its decision and file a copy with the Secretary, available for review by the membership.

**F.** The appellant must file a written appeal, along with any supporting statements in his behalf, with the Secretary not less than ten (10) days prior to the next quarterly meeting of the Association. The Secretary shall immediately advise the members of the Board of the appeal and shall send each of them a copy of the appeal and supporting statements.

**G.** At the quarterly meeting immediately following the action and/or recommendation of the Board and the filing of the members written appeal, both the Board's action and the members appeal will be read, open to discussion, but with no further action at this meeting.

**H.** At the quarterly meeting immediately following the meeting at which the first reading was made, the matter will again be opened for discussion, followed by a vote of the membership. A majority vote of the quarterly meeting quorum will be required to overrule the action of the Board regarding censure, suspension, or expulsion.

**I.** If the accused member is acquitted of the charges by the Board or membership such acquittal shall be complete and no further punitive action shall be taken within the Association by any member of the Association.

**J.** After an action of suspension, censure, or expulsion has become final, a notice will be published in the Newsletter advising that the individual has been suspended, censured, or expelled. A record of censure, suspension or expulsion shall be maintained in the individual's permanent record.

**K.** If a member against whom charges have been filed resigns, a record will be maintained in the members file that the resignation occurred with charges pending.

**L.** Reinstatement of a member after suspension will be automatic when the period of the suspension has ended. A former member who has been expelled may apply to the Board for reinstatement in the Association after a period of time no less than one year from the time of his expulsion. Reinstatement of membership will be in accordance with Article V, sections 1-5 of these By-laws.

**M.** In order to be aware of the ethical standards expected by the Association and possible violations of the Code of Ethics, every member will receive a copy of the Code of Ethics whether it is incorporated into the By-laws or is a separate publication of its own. It is the responsibility of the individual member to read the Code of Ethics and be aware of its implications.

**N.** Majority rule shall govern in all decisions made in judgment of a member's unethical behavior or detrimental conduct.

**O.** Any member so charged shall be notified, as soon as possible, of the charges and the time and place of each hearing. The member so charged shall be allowed to be present during all hearings on the charges against him/her and shall be permitted an opportunity to be heard in any hearing on the matter.

**P.** The member bringing charges must be present at the preliminary hearing of the full Board and the final hearing of the special Ethics Committee. The absence of the member bringing charges at either of these meetings shall result in the dismissal of all charges.

**Q.** All charges left unresolved after six (6) months from the initial filing shall be dismissed.

#### **Article VI: Committees**

**Section 1.** The following committees are established as standing committees.

- A.** The Executive Committee
- B.** The Education Committee
- C.** The Publications Committee

**Section 2.** The Executive Committee shall consist of the four Officers and;

- A.** Shall execute all of the official organizational business of the Association.
- B.** Shall serve those functions not coming under the purview of the standing committees.
- C.** Shall prepare an annual committee budget request for presentation to the Treasurer.

**Section 3.** The Education Committee shall consist of a Chairman and any members appointed by the Chairman and;

- A.** Shall establish, design, implement, and direct all programs which serve to educate those inside and outside the Association, not including the Annual Seminar.
- B.** Shall consult with and assist the special committee formed to establish, design, implement, and direct the Annual Seminar.
- C.** Shall prepare an annual committee budget request for presentation to the Treasurer.

**Section 4.** The Publications Committee shall consist of the Chairman and any members appointed by the Chairman and;

- A.** Shall direct the publication of the NJAFS Newsletter, which shall be the official publication of the Association.
- B.** Shall direct the publication of other Association documents.
- C.** Shall publish The NJAFS Newsletter quarterly and must distribute it to the membership according to the requirements of Art. VIII., Sect. 1.
- D.** Shall prepare an annual committee budget request for presentation to the Treasurer.

**Section 5.** Special Committees may be established by the Board, their duties and powers to be described subordinate to these By-Laws, and shall include but not be limited to Nominations, Elections, Ethics, Seminar and Social.

**Section 6.** All Committee Chairmen, excluding the Executive Committee, serve by appointment and at the discretion of the President.

**Section 7.** All Committee members, excluding the Executive Committee, serve at the discretion of the Committee Chairman.

**Section 8.** The President is an ex-officio member of all committees.

#### **Article VII: Voting**

**Section 1.** Voting will be carried out either by mail, [electronic mail (e-mail)]<sup>7</sup> or in person. For all business of the Association where a vote is taken, a majority will rule, except where these By-Laws specifically state otherwise. When voting is conducted by mail [or e-mail]<sup>7</sup>, 25% of the members in good standing shall constitute a quorum.

#### **Article VIII: Meetings**

**Section 1.** The general membership meeting of the Association shall be held quarterly, also called "the quarterly members meeting", at a site chosen by the Executive Committee after notice of the meeting is published in the issue of the NJAFS Newsletter immediately preceding the meeting. The NJAFS Newsletter must be published and distributed to the membership such as to allow at least one week between its receipt and the meeting. If for any reason an issue of the NJAFS Newsletter is canceled, or cannot be published such as to meet the time requirements of this section, the Board will provide for an alternative means of notifying the membership so as to meet the time requirements of this section.

**Section 2.** [A quorum of quarterly members or special members meeting shall be established by the presence of at least nine voting members except where these by-laws specifically state otherwise.]<sup>8</sup>

**Section 3.** For all business conducted at the quarterly members meeting in which members vote, a majority of the established quorum shall rule, except where these By-Laws specifically state otherwise. A tie vote shall be ruled in the negative.

**Section 4.** The Order of Business at the Quarterly Members Meetings shall be as follows,

- A.** Opening

- B. Roll call of Officers and Staff
- C. Reading of the Minutes of the previous meeting
- D. President's Report
- E. Officer's Reports
- F. Director's Reports
- G. Reports of Standing Committees
- H. Reports of Special Committees
- I. Old/Unfinished business
- J. New Business
- K. Adjournment

**Section 5.** The President will convene a special Board meeting and/or a special members meeting when presented with a petition from the membership signed by at least 10% of the voting membership. Said meeting will be convened within at least two weeks of the date on which the petition is presented. A quarterly members meeting may be substituted only when approved by a consensus of the members named in the petition.

**Section 6.** The President may call a special members meeting when deemed necessary.

**Section 7.** All meetings of the Board, and of the Association, shall be governed by Robert's Rules of Order, Revised, unless otherwise stated in these By-Laws.

#### Article IX: Elections of the Board

**Section 1.** Elections of the Board will be held bi-annually in October, beginning in 1996.

**Section 2.** The President will appoint a special Nominations Committee consisting of five members in good standing, by July 1 of the election year, which will propose a slate of candidates and notify the President by September 1. After notifying the President, the Nominations Committee will notify the full membership of the proposed slate, by mail, by September 15. In notifying the membership, the committee will include a copy of Art. IX., Sect. 3 of the By-Laws.

**Section 3.** Members that are eligible to hold office and wish to run, but are not on the proposed slate may place their name on the slate by presenting to the Nominations Committee a petition of 20 voting members, or 10% of the voting membership, whichever is greater, by September 29. If the petition is deemed valid by the Nominations Committee, the committee will amend the slate and notify the President of the new slate. Nominations are to close on September 30.

**Section 4.** The President will appoint a special Elections Committee consisting of five members in good standing by October 1 of the election year, which will receive the slate, as it stands on September 30, from the President. The committee will design a ballot, and mail it to the voting membership by October 15, with a deadline of October 31 for return of the ballot. All ballots postmarked after the deadline will be deemed invalid. The committee will count the votes and notify the President by November 15.

**Section 5.**

- A. In elections of the Board a plurality of votes cast shall rule.
- B. Ties will be decided by a runoff for the tied position only. Ties in the runoff will be decided by the Board.

**Section 6.** The Executive Committee will provide in its annual budget funds necessary for the business of the Nominations and Elections Committees.

#### Article X: Transfer of Office

**Section 1.** Officers and Directors of the Board elected in a bi-annual election shall assume office on January 1 of the year immediately following the year in which the election was held.

**Section 2.** Officers and Directors of the Board holding office on the date on which these By-Laws were adopted shall remain in office until the first bi-annual election governed by these By-Laws is held in 1996, and subsequent transfer of office occurs according to Art. X., Sect. 1.

#### Article XI: Budget

**Section 1.** The fiscal year for the Association shall be January 1 through December 31.

**Section 2.** The expenses of the Association shall be of the following types;

- A. Regular-to include the operating expenses of the Association as set forth in the NJAFS Annual Budget.
- B. Special-to include non-budgeted expenses.
- C. Added-to include new and/or additional operating expenses of the Association which come to the attention of the Chairmen and/or Board during the fiscal year.

**Section 3.** This section outlines the procedure for the preparation of the NJAFS Annual Budget.

- A. Each Committee Chairman shall present to the Treasurer, by September 1, a Committee's Budget Draft for the upcoming fiscal year. The Treasurer will discuss each draft with the Chairmen and will prepare a Treasurer's Budget Draft for presentation to the Board in October. The Board will discuss the Draft with the Treasurer, make any agreed upon changes, and hold a vote to accept the Treasurer's Draft as the NJAFS Final Budget Draft For The Upcoming Fiscal Year.
- B. The Board will present the Final Budget Draft to the membership at the last quarterly members meeting of the year. The membership in attendance will vote to accept or amend the Final Budget Draft. A majority vote of a quarterly meeting quorum shall rule. If the vote is affirmative, the Final Budget Draft shall become the NJAFS Annual Budget For The Upcoming Fiscal Year.

- C. The NJAFS Annual Budget For The Upcoming Fiscal Year shall be published in the January issue of the NJAFS Newsletter in the year in which the Budget is current.

**Section 4.** This section outlines the procedure for the authorization of Special, non-budgeted expenses.

- A. The Board may authorize the Treasurer to pay up to \$250 for any single, non-budgeted expense if it can be considered a regular expense of doing business, said consideration to be ruled on by the Board. This authority of the Board shall be limited to a total of \$500 in any fiscal year. If the single expense shall exceed \$250 or if the total for any one year shall exceed \$500, then the Board will consider the need to be an "Added" expense and will follow the procedure set forth in Section 5 of this Article.
- B. Annual Seminar Expenses - Any and all income generated by the Annual Seminar shall be made available to the Seminar Chairman, with the approval of the Board, for the payment of any expenses incurred during the planning, pre-production, and post-production of the Seminar from which the income is generated. Said income may be utilized during any phase of the Seminar production process. This section is not intended to preclude the assignment of other Association funds for the purpose of the payment of expenses associated with the Annual Seminar.

**Section 5.** This section outlines the procedure for the authorization of Added expenses.

- A. All Added expenses will be presented to the membership at an NJAFS quarterly members meeting or special members meeting. If a quorum is present, the membership may vote to accept, amend or reject the Added expenses. A majority vote shall rule.

**Section 6.** For the purpose of preparing the NJAFS Annual Budget for Fiscal Year 1996, the timetable set forth in Section 3 of this Article shall be suspended. The remaining parts of the Section will apply. The budget preparation process for Fiscal Year 1996 will be undertaken starting January 1, 1996 with the NJAFS Final Budget Draft For The Upcoming Fiscal Year ready for presentation to the members at the first 1996 quarterly members meeting.

#### Article XII: Amendments to the By-Laws

**Section 1.** Any Regular, Life or Emeritus member in good standing may propose an amendment to the By-Laws.

**Section 2.** The member must submit the proposed amendment to the President in writing at least twenty (20) days before a quarterly members meeting.

**Section 3.** The President shall read the proposed amendment for the first time at the next quarterly members meeting. The first reading will take place open to discussion, but with no vote taken.

**Section 4.** The President shall read the proposed amendment for the second time at the next quarterly members meeting immediately following the meeting at which the first reading took place. The President will then open the floor for discussion and vote.

**Section 5.** [This section outlines the voting process:

- A. Vote will be taken by written ballot.
- B. Voting members who are unable to attend the meeting at which the vote will be held, may obtain an absentee ballot from a member of the Executive Committee prior to the meeting. The completed ballot must be returned to a member of the Executive Committee prior to the meeting at which the vote is held. The absentee ballot will be counted along with the written ballots taken at the meeting.
- C. Majority vote of all votes cast will rule.
- D. All ties will be ruled in the negative.
- E. Absentee ballots will not take the place of a member's presence for purposes of establishing a meeting quorum.]<sup>2</sup>

#### Article XIII: Geographical Area

**Section 1.** The activity of the Association shall not be geographically limited.

#### Article XIV: Definition of Forensic Science

**Section 1.** The field of forensic science is defined as the application of science to matters of the law.

#### Article XV: Transfer of Funds

**Section 1.** All transfers of Association funds shall be by check over the signatures of two Officers with signatory power.

#### Article XVI: Dissolution of the Organization

**Section 1.** [Upon the dissolution of the organization, assets shall be distributed for one or more exempt purposes within the meaning of section 501 (c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose.]<sup>3</sup>

#### Article XVII: Code of Ethics

**Section 1.** It is the intent of this Code of Ethics to assist the members of the Association in maintaining high standards of ethical conduct. In addition, it is meant to offer them clear guidance in the pursuit of their own work and the goals of the association. It is recognized that no set of guidelines can deal with every circumstance. The principles set forth in the Code should be regarded as reflecting to a significant degree, the conduct requirements expected of the

members. Article V, Section 7-M of these By-Laws states, 'In order to be aware of the ethical standards expected by the Association and possible violations of the Code of Ethics, every member will receive a copy of the Code of Ethics whether it is incorporated into the By-laws or a separate publication of its own. It is the responsibility of the individual member to read the Code of Ethics and be aware of its implications.

- Section 2.** Matters for consideration by the Committee are primarily those related to the Association; secondly, those matters concerning the profession in general; and thirdly, serious unethical conduct per se.
- Section 3.** No member shall solicit or accept any gift in any form under circumstances where it might be inferred that the gift was intended as a reward to influence him while acting in an official capacity for the Association.
- Section 4.** No member shall improperly disclose confidential information regarding other members of the Association or the activities of the Association itself.
- Section 5.** Members shall not attempt to use their membership to obtain unjustified benefits, privileges, or exemptions for themselves or others.
- Section 6.** Unauthorized public statements representing the Association are specifically forbidden.
- Section 7.** It shall be deemed both ethical and proper for a member to bring violations of the Code of Ethics to the attention of the Association.
- Section 8.** It is imperative that the forensic scientist be aware of personal limitations in training or experience.
- Section 9.** The forensic scientist must avoid any intentional misrepresentation of training, experience, or areas of expertise.
- Section 10.** The forensic scientist will make a thorough examination of evidence applying a sufficient number of tests to reach valid and reliable conclusions.
- Section 11.** The use of generally accepted methods for analysis is desirable, however, this is not meant to discourage individual initiative when circumstances warrant.
- Section 12.** The forensic scientist should issue technically correct statements in all written or oral reports; testimony and public addresses. The interpretation results should avoid any ambiguous or inaccurate claim.
- Section 13.** It is essential for the forensic scientist to clearly differentiate between scientific results and expert opinion.
- Section 14.** The forensic scientist is interested only in scientific fact and the correct interpretation of data from the evidence under consideration. In this regard, one must present results in an impartial manner and must never withhold information that would be unfavorable to the side by whom one has been retained. It is recognized that the scientist's testimony is often governed by the rules of evidence and/or the adversarial practice within a particular jurisdiction.
- Section 15.** As an expert witness, the forensic scientist will make every effort to give a clear presentation before a judge or jury. The use of intentionally ambiguous or misleading language with the purpose of confusing an issue is unethical.
- Section 16.** The open sharing of information concerning new techniques and developments in the field of forensic science is encouraged.
- Section 17. The functions of the special Ethics Committee in the above areas will be:**
- A.** To conduct or supervise investigations and serve as a hearing agency regarding possible violations of the Code of Ethics.
- Section 18. Violations of the Code of Ethics**
- A.** Material and intentional misinformation on the application for membership to the Association may be sufficient reason for termination of membership.
  - B.** Unethical conduct detrimental to the profession or the Association, or serious unethical conduct per se, which is not specified in this Article is also considered a violation of the Code of Ethics.
  - C.** Penalties for the above listed infractions of the Code of Ethics may range from censure to termination of membership for the person involved.

\*\*\*\*\* END OF BY-LAWS \*\*\*\*\*

\*\*\*\*\* AMENDMENT ANNOTATIONS FOLLOW \*\*\*\*\*

**Amended: February 24, 1998**

Deleted by amendment - Article V. Section 1.B.4. "A High School diploma or equivalent and five years of forensic science experience."

Added by amendment to Article V. Section 1.D.1. - Part in brackets [ ]<sup>1</sup>

**Amended: September 14, 1999**

Changed by amendment - Article XII. Section 5. Section re-written to provide for the use of an absentee ballot by members who are unable to attend the quarterly members meeting at which an Added By-Laws amendment vote is taken.

Added by amendment to Article XII. Section 5. - Part in brackets [ ]<sup>2</sup>

**Amended: September 14, 1999**

Changed by amendment - Article V. Section 1.D.6&7 Section re-written to provide for the following:

- \* Changed the status of the member making the nomination from "member" to Regular, Life or Emeritus member
- \* Changed the responsibility for announcing the nomination at a quarterly members meeting from the "Board" to the President
- \* Changed the manner in which Emeritus and Life members are voted on from a vote at a quarterly meeting to a vote by mail.

Added by amendment to Article V. Section 1.D.6&7. - Parts in brackets [ ]<sup>3</sup>

**Amended: September 18, 2001**

Changed by Amendment - Article IV. Section 6.A. Section re-written to comply with specific language required by the Internal Revenue Service for tax-exempt organizations.

Added by Amendment to Article IV. Section 6.A.. Part in brackets [ ]<sup>4</sup>

**Amended: September 18, 2001**

Changed by Amendment - Article XVI. Section 1. Section re-written to comply with specific language required by the Internal Revenue Service for tax-exempt organizations.

Added by Amendment to Article XVI. Section 1. Part in brackets [ ]<sup>5</sup>

**Amended: June 27, 2008**

Changed by Amendment: Article VIII: Meetings Section 2. Section written to change the quorum of a quarterly meeting from 10% of the voting membership to nine voting members.

From: Article VIII: Meetings, Section 2. A quorum of quarterly members or special members meeting shall be established by the presence of at least 10% of the voting membership except where these by-laws specifically state otherwise.

To: Article VIII: Meetings, Section 2. A quorum of quarterly members or special members meeting shall be established by the presence of at least nine voting members except where these by-laws specifically state otherwise.

Added by Amendment to Article VIII. Section 2. Put in Brackets. [ ]<sup>6</sup>

**Amended: December 14, 2011**

Changed by Amendment: Article VII: Voting Section 1. Section re-written to include electronic mail (e-mail) as a suitable method for voting purposes.

From: Article VII: Voting Section 1. Voting will be carried out either by mail or in person. For all business of the Association where a vote is taken, a majority will rule, except where these By-Laws specifically state otherwise. When voting is conducted by mail, 25% of the members in good standing shall constitute a quorum.

To: Article VII: Voting Section 1. Voting will be carried out either by mail, electronic mail (e-mail), or in person. For all business of the Association where a vote is taken, a majority will rule, except where these By-Laws specifically state otherwise. When voting is conducted by mail or e-mail, 25% of the members in good standing shall constitute a quorum.

Added by Amendment to Article VII: Voting Section 1. Put in Brackets. [ ]<sup>7</sup>

**Amended: December 14, 2011**

Changed by Amendment: Article V: Membership Section 1 D7. Section re-written to change the way in which Emeritus status is voted upon.

From: Emeritus - Conferred upon persons who are at least fifty-five years of age, retired from full-time work in the field of forensic science, and who in the opinion of the Board and the membership have demonstrated continued dedication to the profession. A [Regular, Life, or Emeritus]<sup>3</sup> member in good standing shall be eligible to nominate a person to the Board for consideration and vote for conferment of Emeritus Member status. The nomination shall be made by the member and announced by the [President]<sup>3</sup> at a quarterly members meeting. [The President shall open the floor to discussion of the nomination. The vote to confer Emeritus Membership shall be taken by mail immediately following the meeting at which the nomination is announced and discussed. Returned ballots representing at least 20% of the voting membership shall constitute a quorum for this vote. Deadline for returned ballots will be determined by the President. Conferment of Emeritus Member shall be made by the Board following the affirmative vote of two-thirds of the quorum established for this vote. All ties will be ruled in the negative. Emeritus Members shall retain all rights and privileges of Regular members, and shall be excused from all dues and assessments.]<sup>3</sup>

To: Emeritus - Conferred upon persons who are at least fifty-five years of age, retired from full-time work in the field of forensic science, and who in the opinion of the Board and the membership have demonstrated continued dedication to the profession. A [Regular, Life, or Emeritus]<sup>3</sup> member in good standing shall be eligible to nominate a person to the Board for consideration and vote for conferment of Emeritus Member status. The nomination shall be made by the member and announced by the [President]<sup>3</sup> at a quarterly members meeting. [The President shall open the floor to discussion of the nomination. A vote shall be taken at the following quarterly meeting to confer or reject the proposed Emeritus candidate. A majority vote is required for confirmation. Emeritus Members shall retain all rights and privileges of Regular members, and shall be excused from all dues and assessments.]<sup>3</sup>

Added by Amendment to Article V: Membership Section 1 D7. Put in Brackets. [ ]<sup>8</sup>

**Amended: October 9, 2015**

Changed by Amendment: Article V: Membership Section 1 D6> Section rewritten to change the way in which Life status is voted upon.

From: Life - Conferred upon Regular members who have held such status for at least ten years, and who in the opinion of the Board and the membership have demonstrated continued dedication to the profession and the Association and have made significant contributions on behalf of the Association. A [Regular, Life, or Emeritus]<sup>3</sup> member in

good standing shall be eligible to nominate a Regular member, other than oneself, to the Board for consideration and vote for conferment of Life Member status. The nomination shall be made by the member and announced by the [President]<sup>3</sup> at a quarterly members meeting. [The President shall open the floor to discussion of the nomination. The vote to confer Life Membership shall be taken by mail immediately following the meeting at which the nomination is announced and discussed. Returned ballots representing at least 20% of the voting membership shall constitute a quorum for this vote. Deadline for returned ballots will be determined by the President. Conferment of Life Member shall be made by the Board following the affirmative vote of two-thirds of the quorum established for this vote. All ties will be ruled in the negative. Life Members shall retain all rights and privileges of Regular members, and shall be excused from all dues and assessments.]<sup>3</sup>

To: Life - Conferred upon Regular members who have held such status for at least ten years, and who in the opinion of the Board and the membership have demonstrated continued dedication to the profession and the Association and have made significant contributions on behalf of the Association. A [Regular, Life , or Emeritus]<sup>3</sup> member in good standing shall be eligible to nominate a Regular member, other than oneself, to the Board for consideration and vote for conferment of Life Member status. The nomination shall be made by the member and announced by the [President]<sup>3</sup> at a quarterly members meeting. [The President shall open the floor to discussion of the nomination. A vote shall be taken at the following quarterly meeting to confer or reject the proposed Life candidate. A majority vote is required for confirmation. Life Members shall retain all rights and privileges of Regular members, and shall be excused from all dues and assessments.]<sup>3</sup>