

**BYLAWS OF THE
NATIONAL ORGANIZATION OF FORENSIC SOCIAL WORK**

Originally Adopted 2019 and repealed and adopted on 12.7.2023.

ARTICLE I

Name and Offices

The name of this Non-Profit Corporation shall be the **NATIONAL ORGANIZATION OF FORENSIC SOCIAL WORK [NOFSW]**. The registered office shall be as filed with the Michigan Secretary of State's office and NOFSW may conduct business in such other places and as the Board of Directors may determine.

ARTICLE II

Mission, Definitions, Purposes, and Limitations

Section 1. Mission. It is the mission of the NOFSW to support, educate, and improve the professional identity, practices, and role of "forensic social work" consistent with the NOFSW Code of Ethics and the NASW Code of Ethics, as may be amended, and the duties of the profession of forensic social work and its core value of social justice.

Section 2. Definitions. Forensic social work is the application of social work ethics, values, and evidence-informed practices to issues relating to law and policies which impact the rights and freedoms of individuals and communities, and the intersection of individuals and communities with civil, criminal, and administrative judicial systems. Forensic social work includes interdisciplinary collaborations, advocacy for social justice and providing the expertise and experience of forensic social work to policy change at the institutional and governmental levels. All other definitions of terms and words herein, unless applicable law otherwise requires, shall be as defined by the Bylaws, or by the Executive Committee, in that order of precedence.

Section 3. Purposes. The purposes for which the NOFSW is formed is to provide professional and interdisciplinary education and policy design and

implementation for professionals providing forensic services to clients, agencies, and courts. NOFSW is not organized for profit, as contemplated by Section 501(c)(3) of the Internal Revenue Code of 1986 or any other successor provision. Any references herein to any provision of such Code shall be deemed to mean such provision as is now, or hereafter existing, amended, supplemented, or superseded by subsequent legislation or rulemaking. NOFSW shall have all the powers necessary to carry out the foregoing purposes and all the powers of non-profit corporations organized under the laws of the State of Michigan.

Section 4. Objectives. The NOFSW objectives for purposes of serving its mission include, but are not limited to, the following:

- (a) Development and delivery of courses of instruction including training programs, forums, panels, and/or lectures to improve and implement ethical and evidence-based forensic practices.
- (b) The improvement of relationships between social work and other professional disciplines and organizations providing services and expertise related to the law and judicial system.
- (c) Dissemination of information and professional opinions regarding the training, roles, and concerns of forensic social work, and the potential contributions of the field to protect and assist historically marginalized individuals and populations consistent with the core values of social justice.
- (d) Development of ethical and evidence-based standards of practice between social work and related interdisciplinary professionals providing forensic consultation and services for individuals and organizations subject to civil, criminal, and administrative adjudicative systems.
- (e) Promotion and encouragement of relevant, reliable, and valid scholarship and research and its application to forensics and evidence-informed policy, legislation, and judicial decision-making.
- (f) Publication of journals, newsletters, books, or pamphlets receiving grants and awards, and monitoring research activities conducted under its auspices.

Section 5. Duties and Limitations For purposes of serving its mission and consistent with the core values of the profession of social work, the NOFSW states the following:

- (a) NOFSW shall be an equal opportunity and affirmative action

employer, and it shall not discriminate based on race, color, religion, sex (including pregnancy, sexual orientation, or gender identity), national origin, disability, age (40 or older) or genetic information (including family medical history).

- i. in the persons served, or in the manner of service;
- ii. in the hiring, assignment, promotion, salary determination or other conditions of staff employment; or
- iii. in the membership of its Board of Directors.

(b) NOFSW shall neither have nor exercise any power, nor shall it engage directly or indirectly in any activity that would invalidate its status as a corporation which is exempt from federal income taxation as an organization described in §501(c)(3) of the Internal Revenue Code of 1986, or any successor provision, or as a corporation to which contributions are deductible under the Internal Revenue Code of 1986, or any successor provision.

(c) NOFSW is not organized for pecuniary profit and shall not have any capital stock. No part of its net earnings or of its principal shall inure to the benefit of any Officer or Director, or any other individual, partnership or corporation, but reimbursement for expenditures or the payment of reasonable compensation for services rendered shall not be deemed to be a distribution of earnings or principal.

(d) On dissolution, after provision is made for payment of debts, all property of NOFSW, from whatever source arising, shall be distributed only to such organizations as are then exempt from tax by virtue of §501(c)(3) of the Internal Revenue Code of 1986, or any successor provision, and as the Board of Directors shall determine, unless otherwise provided in the instrument from which the funds to be distributed derive.

ARTICLE III

Membership

Section 1: Eligibility: A person is eligible for membership whose educational background or professional role within the field or related fields

of forensic social work. As determined by the NOFSW application process, the applicant will be admitted into the appropriate category of membership, as described in Section 2 below.

Section 2. Categories of Membership: Membership shall consist of Founding Members, Members, Associate Members, Allied Professional Members, Retired Members, and Student Members, as determined by the NOFSW application process. Under procedures developed by the Executive Council, after study by the Membership Committee, NOFSW may create other categories of membership.

- (a) **Founding Member:** Founding Member status shall be limited to persons listed in the official records of NOFSW as a founding member.
- (b) **Member:** A Member is a person who is professionally educated, trained, and licensed in social work or a related forensic field and currently serves in a forensic-related professional role.
- (c) **Associate Member:** An Associate Member is a person who has a professional interest in forensic social work, or a related discipline, but may not be actively practicing forensic social work.
- (d) **Allied Professional Member:** An Allied Professional Member is a person who is a professional actively engaged in forensic practice.
- (e) **Retired Member:** A Retired Member is a person who has a professional interest in forensic social work, related discipline, but has retired from active practice.
- (f) **Student Member:** A Student Member is a student currently enrolled full-time in an accredited program leading to a social work degree, or a related professional degree that involves providing forensic services after graduation from an accredited bachelors or graduate school program.

Section 3. Application for Membership. The Board shall establish an admission application and annual dues. An applicant shall submit the application to the Executive Director of NOFSW. The Executive Director shall review the application and submit a recommendation to

Section 4. Voting Rights. Each Member, as defined in Article III, section 2(b), who is in good standing in accordance with Article IV, section 13, and is current in the remittance of dues shall have the right to vote at annual meetings or such matters as the Board may place before the body of the NOFSW.

ARTICLE IV

Board of Directors

Section 1. Board. The business of NOFSW shall be conducted by a Board of Directors of no less than ten (10) directors nor more than fifteen (15) directors; though if less than ten (10) Directors due to resignation, death, or unavailability the NOFSW may still operate while selecting new Directors during any calendar year. The Directors shall include a President, President Elect, Treasurer, and Secretary, who shall constitute the Board's **Executive Committee**. The Officers and Directors shall be elected for a term by a majority vote of the Board at the annual meeting to be held on or before July 1st of each calendar year. For the purposes of these Bylaws references to the Board, or Directors includes the Officers.

Section 2. Officers. The President, President-Elect, Secretary, and Treasurer shall be elected by the Board for an annual term of two (2) years. The President-Elect shall, at the conclusion of the President's term, automatically succeed to the office of President unless otherwise ineligible for membership. The President and President-Elect may not serve more than one full consecutive term in each office, but the Secretary and Treasurer may serve consecutive terms if elected annually by the Board at its annual meeting.

Section 3. Directors. All non-officer Directors shall be at-large members. Directors may serve successive terms without limit provided a director has remained a member in good standing as set forth in these Bylaws, has not been removed from office for good cause, or resigned. An officer who completes a term in office may remain a member of the Board as a Director.

Section 4. Absences. Any Director who is absent from three (3) consecutive Board meetings or NOFSW sponsored events without good cause acceptable to the Executive Committee may be considered to have resigned and, upon approval by a majority vote of the Directors present and voting at any regular meeting of the Board, such Director's resignation shall be accepted.

Section 5. Voting Rights. All eligible Board Members shall be entitled to vote upon the following matters:

- (a) Uncontested or contested elections to the Board or Officers;
- (b) Amendments to these Bylaws;
- (c) Any member-initiated action;
- (d) Any financial and organizational duties required to operate and manage the mission of the NOFSW;

- (e) Hiring of an executive director or staff; and
- (f) All such other actions or votes as required to facilitate the mission and responsibilities of the NOFSW.

Section 6. Quorum. A quorum of sixty (60%) percent of eligible voting Board Members shall be required for a vote at any meeting. A vote of a simple majority of the Board present at the meeting shall be required to approve a proposed vote. No proxies shall be allowed at meetings. Participation to vote by telephone or electronic media at the meeting may be approved by the Executive Committee.

Section 7. Business Meetings. An annual business meeting of shall be held at a time and place designated by the Board. Special or monthly meetings shall be calendared annually by the Board or special meetings may be called by the President or a quorum of the Board upon no less than fourteen (14) days' notice to the Board.

Section 8. Notice. Each member of the Board is entitled to vote at a meeting and shall receive notice in writing or electronically of the place and time of the meeting. Notice of the meeting shall include the purpose or purposes for which the meeting is called. Notice of business or operational meetings shall be electronic at the email address provided by the Director annually and on file with the Executive Director.

Section 9. Agenda at Annual Meeting. The agenda of regular or annual meetings of the Board shall be determined by the Executive Director, the Executive Committee, or at the request of any member of the Board upon reasonable notice to the Executive Director or Executive Committee.

Section 10. Dues and Assessments. The expenses of NOFSW will be met by dues and assessments distributed among the members and by income from various NOFSW revenue-producing activities. The Board shall annually set the amount of such dues or assessments. A member in arrears in payment for one (1) year shall be reported to the Executive Committee which may waive or reduce payment of dues for sufficient reason, or the member shall be suspended. Suspension from membership means that the member shall lose all benefits of membership.

Section 11. Contracts, Loans, Checks, Deposits. Only the Board may authorize any officer or officers, agent, or agents, to enter into any contract or deliver any instrument or loan in the name of and on behalf of NOFSW, and such authority may be general or confined to specific instances. All funds of NOFSW not otherwise employed for operations shall be deposited in an NOFSW established account of fiduciary investments with banks, trust companies, investment groups, or other

depositories as the Board may select, and which are consistent with the duties of non-profit under federal and state laws. The Board of Directors will approve, by 2/3 majority vote, an asset distribution plan in accordance with savings and investment policies prior to any allocations to savings and investment accounts.

Section 12. Resignation. A Board member may resign in writing to the President or Executive Director and such resignation shall be effective immediately.

Section 13. Misconduct. Any Director may be censured, suspended, or expelled by the Board for misconduct in the Director's relations with NOFSW or if the conduct of the Director is inconsistent with the mission of NOFSW or impairs the ability of the Director to perform the functions required by these Bylaws. This removal shall be by two-thirds (2/3rds) vote of the Directors. Any Director may, within ten (10) days after notice of the action taken has been provided to the Director at the Director's preferred address, request in writing an opportunity for a hearing before the Board on its action. If no such request is received by the Board within ten (10) days after notice as aforesaid, the Director will be deemed to have waived the right to request a hearing thereon and the action of the Board is final.

Section 14. Vacancies. A majority vote of Directors at a regular or special meeting may fill vacancies by electing a new Director who shall fill any remaining annual term until the next annual meeting of the Board.

Section 15. Conflicts of Interest. Any actual or potential conflict of interest which may implicate the ethical duties under the NOFSW Code of Ethics or the NASW Code of Ethics with respect to any member of the Board acting in a capacity under shall be disclosed to the Board or Executive Committee prior to any discussion or action by the Board or Executive Committee. A conflict of interest shall be made a matter of record. A Board or Executive Committee member with any conflict of interest shall not vote or exercise personal influence in the disposition of such a matter.

ARTICLE V

Officers and Executive Committee

Section 1. President. The President is the Chief Executive Officer of the Board and presides at all meetings of the Board. The President shall be responsible

for communicating the policies and directives of the Board to the Executive Director and other Officers and the Board.

Section 2. President-Elect. The President-Elect shall serve in the absence or incapacity of the President and perform the duties of the President. The President-Elect shall also perform other duties that may be prescribed by the Board.

Section 3. Treasurer. The Treasurer shall be elected to a two (2) year term by the Board and shall:

- (a) Be directly responsible to the Board for the review and general oversight of NOFSW's financial affairs.
- (b) Have responsibility for the hiring of accountants to prepare audits or financial reports for the NOFSW and directly receive communications or reports by such accountants.
- (c) Perform other duties as the Board may prescribe.

Section 4. Secretary. The Secretary shall be elected to a two (2) year term by the Board and, a designee if the Secretary is unavailable, shall be responsible for recording the minutes of any meeting and providing a report of any action taken by the Board and Executive Committee.

Section 5. Resignation, Removal, or Vacancies. Any Officer, Board Member, or Committee or Advisory Member may resign or be removed, and any vacancies filled in accordance with Article IV.

Section 6. Executive Committee. The Executive Committee shall consist of the Officers as set forth in this Article, and shall act, as follows:

- (a) The Executive Committee shall meet at a place and time designated by the President. Special meetings may be called by the President or by any three (3) members of the Executive Committee. At least seven (7) days' notice of such a special Executive Council meeting shall be given to the Board. The Executive Committee may transact its business telephonically or by other media approved by a majority of the Committee.
- (b) The Executive Committee may act on behalf of NOFSW in conjunction with the Executive Director as it relates to personnel matters or other matters which may require confidentiality or actions that cannot wait for action by a quorum of the Board at a regular or special meeting.
- (c) Any action taken by the Executive Committee shall be transmitted to the Board within fourteen (14) days for ratification or review.

Section 7. Temporary Filling of Officer Vacancies. If the position of President becomes vacant, the President-Elect succeeds to that title and office. If any other office or committee position becomes vacant, the Board shall elect a member to complete the term. If any committee seat becomes vacant, the President then in office shall name a member for the unexpired term.

ARTICLE VI

Executive Director

Section 1. Duties. The Executive Director shall be appointed by the Board on terms the Board shall establish and shall have the following duties:

- (a) Be directly responsible for the administration and management of NOFSW subject to the policy directives, programs, and budgets adopted by the Board.
- (b) Be responsible for the employment, termination of employment, and supervision of all staff and supporting personnel and coordinate the activities of and provide appropriate staff support.
- (c) Prepare, at times designated by the Board, an annual budget for the next fiscal year, and such other reports as the Board may require.
- (d) Be responsible for the receipt and disbursement of funds and the maintenance of accurate books of account except that the Board may require the Treasurer or other officer designated by the Board to countersign checks over a designated amount.
- (e) Collect and deposit receipts in a manner approved by the Board and inform the Treasurer on a regular basis of all significant financial activities of NOFSW, and promptly provide all information requested by the Treasurer that may relate to financial affairs; and
- (f) Perform such other duties as the Board may otherwise prescribe and which are consistent with the mission of NOFSW.

ARTICLE VII

Committees

Section 1. Standing Committees. Standing Committees shall consist of the following and shall include the Executive Director as an *ex officio* member and may include such other *ex officio* members as the Board may designate annually:

- (a) Program Committee: The Board shall appoint the members of the Committee and designate the Committee chairperson. The Program Committee will develop education and training consistent with the mission of the NOFSW and design and develop scholarly products and promote other activities and agendas that further the purposes of NOFSW.
- (b) Membership Committee: The President shall appoint the members of the Committee and designate the Committee chairperson. The Membership Committee shall, in conjunction with NOFSW staff, examine credentials of applicants for membership in NOFSW and make recommendations thereon.
- (c) Finance Committee: The Finance Committee shall be chaired by the President-elect and consist of the Treasurer, and at least one (1) non-executive committee board member. The Committee will formulate an operating budget for NOFSW and advise the Executive Committee and Board on financial matters. The Committee shall consult with such professionals as may be required to effectuate its duties, and with the approval of the Board as needed.
- (d) Additional Committees: Other committees, including additional standing committees and ad hoc committees may be created annually by the Board as appropriate to foster the mission of the NOFSW.

Section 2. Committee Chairpersons. Chairpersons are appointed by the Board, with their terms expiring annually and shall submit a report as may be requested by the Executive Director and Executive Committee, indicating Committee activity or absence thereof.

Section 3. Committee Membership: Any member may be appointed to or removed from a committee by the vote of the Board. When a vacancy occurs in any committee, the President will designate another member of NOFSW to

complete the unexpired portion of the term. The President at the request of the committee chairperson may appoint additional committee members to any committee.

ARTICLE VIII

Calendar Year

The business year of the NOFSW shall begin on the first day of January and end on the last day of December of each year.

ARTICLE IX

Waiver of Notice

Unless otherwise provided by law, whenever any notice is required to be given to any member or executive councilperson of NOFSW under provisions of these Bylaws or under the provisions of the Michigan Non-Profit Corporation Act, a waiver thereof in writing, signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

ARTICLE X

Amendments

Section 1. Proposed Amendments by the Executive Council or Board. The Executive Committee or Board has the authority to submit any proposed amendments to these Bylaws to the Board at an annual meeting and upon no less than forty (40) days' notice of the amendment(s).

Section 2. Proposed Amendments by the Membership. Any member may submit a proposed amendment by mail or at an annual meeting on a written petition signed by at least twenty (20) members or ten (10) percent of the eligible members as defined in Article III, section 2(b), or , whichever is less.

Section 3. Approval of Amendments. To become effective, a by-law amendment must be approved by two-thirds of the Board. The Executive Committee shall prescribe procedures for voting on amendments, provided that such procedures must provide for no less than for forty (40) days' notice with the specific language

and purpose of any proposed amendments.

ARTICLE X

Parliamentary Authority

Section 1. Parliamentary Authority. Unless otherwise provided in the Bylaws, the conduct of meetings of NOFSW shall be governed by rules promulgated by the Executive Committee or, in the absence of such rules, by the rules contained in *Robert's Rules of Order, Newly Revised*, latest edition available.

ARTICLE XI

General Provisions

Section 1. NOFSW shall not engage in activities of public nature, except those activities that comport with the mission of NOFSW, nor shall any Director, member, or Officer receive any benefit from NOFSW except as may be established as policy by the Board in carrying out its purposes and consistent with its fiduciary duties under law.

Section 2. The Board of Directors shall have exclusive jurisdiction to determine the nature of any activity under these Bylaws, except as herein provided.

Section 3. To implement the permissible activities of NOFSW, the Board is authorized to appoint such professionals or agents as the Board may deem appropriate from time to time.

Section 4. In the event of any conflict between these Bylaws and the provisions of applicable statutes, the statute shall control.

Section 5. Any interpretation or disputes which may arise concerning NOFSW shall be governed Michigan as its state of incorporation.

Section 6. The dissolution or termination of the NOSFW may occur only in accordance with applicable federal and state law which shall govern the distribution of any assets or payment of expenses as a non-profit or tax-exempt organization.

ARTICLE XII

Effective Date

Section 1. Effective Dates of Bylaws. If approved by a 2/3rds majority vote of the Board, the By- Laws in effect shall be repealed and rendered void and these Bylaws, as approved, shall be enacted and effective 1.1.2024.