



NATIONAL COUNCIL OF
JUVENILE AND FAMILY COURT JUDGES

WWW.NCJFCJ.ORG

NCJFCJ Board Governance Handbook

Effective March 14, 2010

Revised to include policy changes implemented:

July 17-21, 2010

January 21-22, 2011

March 27, 2011

July 23, 2011

January 19-20, 2012

July 13, 2013

November 19, 2013

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- www.ncjfcj.org

• BOARD GOVERNANCE HANDBOOK

Introduction

The National Council of Juvenile and Family Court Judges (NCJFCJ) is committed to working with and assisting its Board members to fulfill the mission and vision of the NCJFCJ. This Board Governance Handbook is designed to be a resource for Board members, as well as a guide concerning the legal and fiduciary responsibilities you have undertaken as a Board member.

Since its organization in 1937, the NCJFCJ membership has grown, not only in numbers, but in the scope of issues addressed and the breadth of its national and international influence. Similarly, the NCJFCJ Board of Directors has grown and evolved and is actively engaged in its own development and growth. NCJFCJ staff and Board members have examined various ways to formalize and document organizational Bylaws and Board policies, and other processes including Board procedures, staff/Board relations, and guiding principles or statements. The Board Governance Handbook collects and centralizes this critical information for Board members.

The Board Governance Handbook remains a work in progress. As the Board changes and develops, so will this Handbook. Your active participation is critical to the mission and vision of the NCJFCJ. It is the responsibility of each Board member to read the Handbook and review the Appendices. Please share your questions and comments with the Office of the Chief Executive Officer.

Notice/Reserve the Right

This Handbook contains general information as well as official policy of the NCJFCJ Board of Directors. Only the Board of Directors is authorized to alter or modify any official Board policies. Notice of policy changes will be given in advance when possible.

Replaces Previous Policies

This NCJFCJ Board Governance Handbook replaces all previously issued NCJFCJ Board Governance policies whether written or oral, and any other previous manuals or guides.

Effective Date

The effective date of this Board Governance Handbook is March 14, 2010.

Description of the NCJFCJ

The National Council of Juvenile and Family Court Judges (the NCJFCJ) is a tax-exempt, non-profit corporation under Section 501(c)(3) of the Internal Revenue Code (formerly the National Council of Juvenile Court Judges). The NCJFCJ's principal place of business is at 300 E. Second Street, Suite 1500, Reno, Nevada 89501, and is affiliated with the University of Nevada, Reno. NCJFCJ also has an office located in Pittsburgh, Pennsylvania for its research division, the National Center for Juvenile Justice.

The NCJFCJ is the over-arching organization for its related entities, including the National Juvenile Court Foundation, and the NCJFCJ Fund, Inc., described below, as well as the program departments of the NCJFCJ, which include the National Center for Juvenile Justice (NCJJ), Family Violence and Domestic Relations, and Juvenile Law.

Founded in 1937 by judges dedicated to improving the effectiveness of the nation's juvenile courts, NCJFCJ strives to increase awareness and sensitivity to issues facing children and families. The organization focuses on providing meaningful assistance to judges, court administrators, and related professionals in whose care the concerns of children and their families have been entrusted. Today, there are approximately 1,600 members and professionals from all 50 states, Washington, D.C., territories, and several foreign countries who rely on NCJFCJ to offer regular training, site visits and evaluation, policy development, and resource distribution.

Headquartered in Reno, Nevada since 1969, the NCJFCJ is a recognized leader on matters of state, national, and international juvenile and family law, juvenile justice, family violence, trauma, child abuse and neglect, custody and visitation, termination of parental rights, adoption, substance abuse, and other critical issues. NCJFCJ membership consists of judges, referees, commissioners, masters, probation officers, court administrators, social and mental health workers, lawyers, and other related professionals, advocates and volunteers who confront a variety of juvenile and family related issues in state, local, and tribal jurisdictions across the country, as well as in territories and foreign countries. The NCJFCJ offers to our membership continuing education, both in Reno and nationwide; technical assistance; strategic planning; systems change; research; publications; and policy development, all of which provide needed information on changing issues and improved practices in the field.

To accomplish NCJFCJ's mission, various departments offer expertise in broad areas of juvenile and family law and in supporting the organization and its functions. Reno-based departments are the Office of the Chief Executive Officer, Administration, Conference and Travel Management, Development, Finance, Family Violence and Domestic Relations, and Juvenile Law. The National Center for Juvenile Justice is the research division of the NCJFCJ, often referred to as "The Center," and located in Pittsburgh, Pennsylvania. The purpose of the Center includes: encouraging the progressive administration of juvenile justice and family law through independent research, technical assistance and the dissemination of information; and disseminating acquired knowledge and information to judges, court personnel, other disciplines and any interested persons. (See organizational charts and department descriptions.)

The work of each program department is guided by an advisory committee as described in the Bylaws. The advisory committee for the NCJJ is also known as the Board of Fellows.

Please refer to the NCJFCJ website at www.ncjfcj.org for more information about the NCJFCJ and each of the departments. An overview of department functions and departmental organizational charts is provided in the Appendices.

The NCJFCJ Board of Directors

The National Council is guided by a Board of up to 29 Directors from throughout the nation, of which five (5) Directors are Officers of the NCJFCJ – President, President-Elect, Treasurer, Secretary, and Immediate Past President. At the July 2014 Board meeting, the Articles of Incorporation were amended, changing the governing body from a Board of Trustees to a Board of Directors, and Bylaws changes were made to allow participation by non-judicial members. Within this document, any reference to Board of Trustees is synonymous with the Board of Directors.

The National Juvenile Court Foundation, Inc.

The National Juvenile Court Foundation, Inc., a Pennsylvania corporation, hereinafter called “The Foundation,” is a non-profit corporation related to and associated with the Council. Founded in 1950, the National Juvenile Court Foundation (NJCF) was created as the 501(c)(3) charitable entity through which NCJFCJ received its grant funding. The Foundation held 501(c)(3) status, and funding was received by the Foundation, then provided to the NCJFCJ for projects or other needs. NJCF was guided by a 15-member Board of Directors.

In 1970, the NCJFCJ went through a comprehensive organizational assessment, and a consulting firm recommended that the NCJFCJ obtain its own 501(c)(3) status and the two governing Boards merge into one Board of Trustees. The NCJFCJ followed the recommendations in the early 1990s, but in order to maintain the Foundation and its 501(c)(3) status, and to be able to receive funds from certain charitable foundations, at least one Foundation Director was appointed. Directors serve a three-year term, expiring in July.

In 2010 an effort was made to reinvigorate the Foundation, with a comprehensive updating of the Bylaws to allow for non-judge Board members so that the Foundation can serve as a fund raising entity for the NCJFCJ. Proposed 2015 changes reduce the Foundation Board to between three and five Directors, including the President, Treasurer, and Chief Executive Officer of the NCJFCJ.

The NCJFCJ Fund, Inc.

The National Council of Juvenile and Family Court Judges Fund, Inc., hereinafter “The Fund, Inc.,” is a Nevada nonprofit 501(c)(3) corporation.

The Fund, Inc. was established in 1989 to operate as a "supporting organization" for the benefit and assistance of the National Council of Juvenile and Family Court Judges, and programs which support or benefit the NCJFCJ; and to receive, manage and invest endowment funds and apply the net income and principal for the use or benefit of NCJFCJ. The Fund, Inc. holds assets pledged to the endowment of the NCJFCJ and assets to support the work of the NCJFCJ.

The Fund, Inc. is governed by a five-member Board of Directors who serve three-year terms. The Board includes the President, President-Elect, and Chief Executive Officer of the NCJFCJ, and two other members appointed by the NCJFCJ President.

Vision Statement

The **VISION** of the National Council of Juvenile and Family Court Judges is for a society in which every family and child has access to fair, equal, effective and timely justice.

(Vision Statement developed and adopted July 1999, Annual Conference, Chicago, IL; modified and adopted January 2009, Mid-Winter Meeting of the Board of Trustees, Reno, NV)

Mission Statement

The **MISSION** of the National Council of Juvenile and Family Court Judges is to provide all judges, courts, and related agencies involved with juvenile, family and domestic violence cases with the knowledge and skills to improve the lives of the families and children who seek justice.

(Mission Statement developed and adopted July 1999, Annual Conference, Chicago, IL; modified and adopted January 2009, Mid-Winter Meeting of the Board of Trustees, Reno, NV)

Goals

The National Council of Juvenile and Family Court Judges will seek to fulfill its **MISSION** through the following **GOALS**:

- Improving the standards, practices, and effectiveness of the nation's courts handling juvenile delinquency, family law, dependency and domestic violence cases;
- Providing training for judges and other professionals who serve in these courts;
- Providing support for judges and other professionals through continuing education, research, publications, and technical assistance;
- Providing technical support to court systems regarding their structure, management, and procedures;
- Contributing to the development and implementation of national policy, standards, and procedures regarding children and families;
- Acknowledging and upholding the rights of all parties and victims, the safety of all family members, and the safety of the community;
- Informing the nation as to the work of the courts that hear juvenile delinquency, family law, dependency and domestic violence cases.

(Adopted by the NCJFCJ Board of Trustees at their meeting in conjunction with the 72nd Annual Conference, July 11, 2009, Chicago, IL)

Board Responsibilities and Duties

[Derived from Not-for-Profit Board Member Handbook (Grant Thornton, LLP) and non-profit Encompass U.S. Board Manual]

Demands on the Board member of a not-for-profit organization continue to mount. Meeting these demands requires commitment of time and expertise, commitment to shaping the direction of the organization, and commitment to protecting the interests of the people who support it and are served by it. When a not-for-profit organization thrives, the Board can see the tangible benefits of their efforts. And, when an organization faces financial or managerial difficulties, the expertise and contributions of the Board can make recovery easier.

Board members have legal and fiduciary responsibilities, both as a Board and as individual Board members. To assist the NCJFCJ Board of Directors in fulfilling its role and responsibilities, the NCJFCJ has provided this Handbook and its Appendices as tools for governance.

Role of the Executive Committee

1. The NCJFCJ Executive Committee exercises the authority of the Board according to the Board and the Bylaws. The Executive Committee acts in the intervals between meetings; subject to the control and direction of the Board of Directors; must communicate to the Board of Directors any actions taken. (Bylaws Article IV, subd. G.)

Comment: To the extent that the Executive Committee acts for the Board, it acts within parameters established by the Board in advance of its actions. To act without Board guidance puts the Executive Committee at risk of being overruled by the Board. This provision should be interpreted narrowly.

2. The President in consultation with the Executive Committee makes committee appointments. (Bylaws Article VIII, subd B, C, E, F, G.)
3. To the extent not inconsistent with the Bylaws, the Board of Directors may, in its discretion, further define and delineate the roles and duties of the Executive Committee. (Bylaws Article IV, subd. G.)

Comment: The task of setting the agenda for Board of Director meetings has been assumed by the Executive Committee. It is unclear whether this has been done in the past by the Executive Committee, the President, Chief Executive Officer, or some combination of the three. The Board has officially delegated that task to the Executive Committee per the above language, and approved the following procedure:

1. The agenda is established by the President, Chief Executive Officer and the Executive Committee.
2. Agenda items may be suggested to the President or Chief Executive Officer from any director, member, staff person, or elsewhere.
3. Upon discussion by the Executive Committee, the Executive Committee shall decide if the issue is ripe for presentation to the Board.
4. If an issue needs further discussion or research, the President in consultation with the Chief Executive Officer shall assign the discussion or research to an existing committee or shall create a new committee for that purpose in the event an existing committee on the subject matter does not exist.
5. The committee shall prepare a report documenting its meetings, discussions, decision points and recommendations.
6. The recommendations in the form of an Action Item shall be sent to the Executive Committee for review and decision on whether the item is ready to be presented to the Board of Directors. The Executive Committee may refer the item back to the committee for additional information and development. If the Executive Committee decides an issue is not ready for the agenda, the reasons for such will be noted in the minutes of the Executive Committee meeting

distributed to the Board. If 50% of the Board of Directors notify the President that they disagree with the decision of the Executive Committee, the item will appear on the Board's agenda as an Action Item.

7. **Consent Agenda:** Once action items are determined by the Executive Committee as ready for the Board Agenda, the Executive Committee will determine which may be appropriate for a Consent Agenda. The draft meeting Agenda, with items to be considered for the Consent Agenda, shall be distributed to Board members not less than two weeks prior to the Board meeting for a period of review and

The timeframe for review and questions should be clearly articulated, but in no case should it be less than one week.

During the review period, if any Board member believes an item requires debate or further discussion, the Board member may request an item be removed from the consent agenda for full discussion at the Board meeting.

When the review period is concluded, the Executive Committee will finalize the consent agenda based on the comments, questions and responses, and items requested by a Board member to be removed from the Consent Agenda will be placed on the meeting Agenda with a specified time for discussion.

8. The final Board meeting Agenda, with details listed as to items included on the Consent Agenda or referred to the meeting Agenda for full discussion, and all related Exhibits (action items, Consent Agenda items, discussion items, and reports) shall be distributed to the Directors not less than one week prior to any Board meeting.
9. The Board of Directors will discuss and vote accordingly at the meeting.

Comment: The above procedure should also be utilized with respect to substantive resolutions. Ceremonial resolutions should be prepared and presented by the Secretary to the Membership for a vote at the annual meeting. With respect to substantive resolutions they should be decided by the Board of Directors, the policy making body for NCJFCJ. In voting on resolutions, the following procedure is adopted:

1. Once a resolution is presented to the Board, if it is passed by a two-thirds majority of the Board of Directors, it is adopted by NCJFCJ. If the vote is less than two-thirds, three or more Directors may request the resolution be presented to the Membership at the annual meeting and will be adopted by a majority vote.

(Role of the Executive Committee developed and adopted January 2010, Mid-Winter Meeting of the Board of Trustees, Pittsburgh, PA; revised and adopted by the NCJFCJ Board of Trustees at its meeting on November 20, 2013, Reno, Nevada.)

Responsibilities of the Board

Duties of the Board can be categorized under four main areas of responsibility: Legal, Governance, Financial, and Organizational.

Legal

- Exercise the legal duty of obedience by being faithful to the NCJFCJ mission, by acting in a manner consistent with its goals, and by ensuring the NCJFCJ operates in compliance with the laws that govern it.
- Exercise the legal duty of care by acting in a reasonable, honest, fair, and informed manner and by being in attendance, well informed, prepared, and attentive.
- Exercise the duty of loyalty by giving undivided allegiance to the NCJFCJ and the representation of its members, by exercising powers in good faith and in the best interest of the NCJFCJ, and by no self-dealing.
- Follow the NCJFCJ Conflict of Interest Policy and Standards of Conduct.
- Exercise effective risk management by being cognizant of Board activities that may create some risk, understand the risk management tools of the NCJFCJ, and evaluate risks to be sure they are effectively managed and minimized.

Governance

- Determine, preserve, and when necessary, modify the Vision, Mission, and Goals of the NCJFCJ.
- Represent Board decisions in a manner that is consistent with the direction of the Board and the Vision, Mission, and Goals of the NCJFCJ.
- Review and approve policies, as required.
- Represent the external world to the organization and the NCJFCJ to the external world.
- Protect the NCJFCJ from external threats.
- Evaluate NCJFCJ's projects and programs against its purposes.

Financial

- Exercise financial stewardship.
- Approve the annual operating budget.
- Monitor ongoing financial performance.
- Participate in development and fund raising activities as allowed by the individual's Judicial Code of Conduct.
- Oversee policies as needed to manage finances.
- Ensure policies and procedures are adequate for providing positive responses to questions on filed public documents.
- Review all financial public documents prior to filing.

Organizational

- Participate in organizational planning and goal setting.
 - Select, support, and evaluate the Chief Executive Officer.
 - Monitor the overall management of the NCJFCJ.
 - Serve as a link between the NCJFCJ and the people who support it and are served by it.
 - Promote the organization to potential members.
 - Support and participate in committee work.
-

Individual Responsibilities of a Director

In addition to adherence to the NCJFCJ Articles of Incorporation and Bylaws and relevant policies, each person serving as a Director has the following responsibilities:

- Attend all Board of Directors meetings and all sponsored functions;
- Prepare for all meetings by reviewing the agenda and supporting documents in advance;
- Understand the budget and budget process;
- Contribute and participate;
- Stay current on issues and trends impacting the NCJFCJ and its Membership;
- Recruit members and future leaders to help govern the NCJFCJ;
- Communicate effectively at all levels, exhibit professionalism and respect to other Board members and staff, and handle issues and conflicts appropriately;
- Work as a Board “team” member, treating information and Board discussions as “confidential”;
- Adhere to the NCJFCJ’s Standards of Conduct;
- Participate on NCJFCJ committees as requested by the President, Chief Executive Officer, or department directors;
- Contribute financially to the NCJFCJ on an annual basis as required by the NCJFCJ Director Duties and Responsibilities Agreement;
- Be familiar with and adhere to the Mission, Vision, and Goals of the NCJFCJ;
- Adhere to and support decisions made by the Board of Directors, even if he or she voted against them;
- Adhere to the Conflict of Interest Policy and file annually the Acknowledgment and Disclosure form;
- Serve as an ongoing ambassador of the NCJFCJ in public and private contexts; and
- Fulfill any commitments made to represent the NCJFCJ in any capacity, and where such representation is supported by the NCJFCJ, to bear financial responsibility for any costs incurred due to inability to fulfill such commitment.

Specific responsibilities and additional information can be found in the NCJFCJ Bylaws.

Board Meetings

- The NCJFCJ Board of Directors typically holds regularly scheduled in-person Board meetings three times annually, as follows:
 - ◆ **Meeting(s) during the NCJFCJ Annual Conference**
 - Immediately prior to the Annual Conference in July. Judicial Board members must register and participate in the conference, and support their own expenses related to conference registration. All Directors must support their own expenses related to lodging, meals and transportation.
 - ◆ **Spring Meeting**
 - A Spring Meeting. Attend in person. Judicial Board members must register and participate in the conference, and support their own expenses related to conference registration. All Directors must support their own expenses related to lodging, meals and transportation.
 - ◆ **Fall Meeting**
 - NCJFCJ provides funding for a Fall meeting, including transportation, lodging and meals for this meeting. Each Board member will be contacted in the Fall regarding procedures for travel arrangements to attend this meeting.
 - *Site Location:* The Fall Meeting is typically held in Reno, the headquarters city of the NCJFCJ. This Meeting may also be utilized as an opportunity for Board members to see the offices of the NCJFCJ.

Board members agree to attend all in-person Board meetings. If unable to attend a meeting due to extraordinary circumstances, a Board member must notify the President of the Board of Directors and/or the Office of the Chief Executive Officer.

The Bylaws also make provision for telephonic meetings or extraordinary meetings as may be necessary to conduct the business of the NCJFCJ. Directors will make every effort to attend telephonic, electronic or other extraordinary meetings of the Board.

For purposes of the Bylaws, Article VII. C. Removal, a Board meeting is defined as an in-person meeting, and telephonic and electronic meetings will not be considered in calculating attendance.

Applicability of Open Meeting Laws

Pursuant to legal advice (Governance Committee, February 2013), the NCJFCJ is not subject to open meeting laws and may use its own discretion to include or exclude outside participants.

Board Self-Assessment

The NCJFCJ Board of Directors shall undergo an annual or biennial self-assessment. The process and form for the self-assessment shall be determined by the Governance Committee. The process and tools utilized shall be reviewed and modified as necessary on a regular basis, and shall be institutionalized for a period of time for consistency from year to year.

The Governance Committee will make a decision as to the format and tools for the assessment at the Fall Meeting of the Board of Directors; conduct the assessment during February; and disseminate results of the assessment prior to the Spring Meeting of the Board of Directors.

The Board shall discuss the results of the assessment during the Spring Meeting of the Board of Directors and the Executive Committee shall utilize the information in planning for the subsequent year.

Code of Ethics

Juvenile and family court judges face many challenges while performing their responsibilities in providing leadership for systems improvement and fulfilling their mandate of serving the best interests of children and their families in compliance with state canons of ethics. The NCJFCJ has been a leader in providing information, education and support to judges so they may exercise a proper judicial leadership role within the community to provide for better services for children and their families. While the controlling authority for judges is their code of judicial ethics as adopted by their state supreme court or tribe, the NCJFCJ provides curricula, articles, and other information about judicial leadership and ethics.

See ABA Model Code of Judicial Conduct; American Judicature Society, Center for Judicial Ethics; NCJFCJ Resolutions.

Standards of Conduct Policy

I. Statement of Policy

It is the policy of the Board of Directors of the National Council of Juvenile and Family Judges (NCJFCJ) that the highest standards of conduct must be followed by all members including the Board of Directors and all officers of the organization. The NCJFCJ represents the highest standards of conduct and expects members, directors and officers to set an example for their communities. Honesty and integrity are the necessary characteristics required of members, directors and of officers in the conduct of their duties. The following standards of conduct establish the guidelines members, directors and officers must follow.

II. Basic Policy

Members, directors and officers must:

- A. Conduct themselves in accordance with any applicable state, tribal or federal codes of conduct. Any standards in this code should be followed in conjunction with, and in addition to, but not in place of, other applicable ethical codes.
- B. Conduct themselves in a manner that avoids not only impropriety, but also the appearance of impropriety.
- C. Not give, or in any way appear to give, unjustified, favored treatment or advantage to any person, unit of government, or organization in matters related to the performance of the director's or of the officer's duties, or the duties of the NCJFCJ.
- D. Avoid any action which might result in, or create the appearance of:
 1. using NCJFCJ membership for private gain,
 2. making an NCJFCJ decision outside of the official channels, or
 3. affecting adversely the confidence of the public in the integrity of the NCJFCJ.
- E. Violations of these standards of conduct include, but are not limited to:
 1. convictions for felonies,
 2. willful misconduct in connection with duties as members, directors, or officers of the NCJFCJ or of the duties of the NCJFCJ, or
 3. willful misconduct, not in connection with duties as members, directors or officers of the NCJFCJ which tends to bring the NCJFCJ into disrepute.

III. Conflict of Interest

- A. All individuals within the organization, including Board of Directors members, staff, committee members and others as necessary will be required to sign Conflict of Interest Acknowledgment and Disclosure forms annually. Board members and staff are also required to complete conflict of interest training at time of election or hire. Additionally, all real or perceived conflicts of interest will be brought to the attention of the Audit Committee or the National Council Conduct Committee, depending on the nature of the conflict, for consideration, resolution and direction.
- B. All individuals covered by this Standards of Conduct Policy must agree to abide by the NCJFCJ Conflict of Interest Policy. The purpose of the

Conflict of Interest Policy is to protect the National Council of Juvenile and Family Court Judges' interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an officer, staff member, committee member or director of the organization or might result in a possible excess benefit transaction. This policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest applicable to nonprofit and charitable organizations.

IV. Improper Use of Official Information

- A. No director or officer shall use for their financial gain or for that of another person, or make any other improper use, whether by direct action on their part or by counsel, recommendation, or suggestion to another person, information which comes to the director or the officer by reason of their status as a member of the Board, as an officer of the NCJFCJ, or as a member of the NCJFCJ, and which has not become part of the body of public information.

V. National Council Conduct Committee

- A. There shall be established a National Council Conduct Committee to review matters arising under, and to render advice regarding, this Code of Conduct and the NCJFCJ Director Duties and Responsibilities Agreement.
- B. The make up, appointment, and terms of the Conduct Committee, as well as roles and responsibilities, are defined within the NCJFCJ Bylaws, Article VIII. E. 2.

(The "Standards of Conduct," with language specific to each Board, were adopted July 17, 1991, in Rapid City, SD by: Officers and Members, Board of Trustees, NCJFCJ; Officers and Members, Board of Trustees, NCJFCJ Fund, Inc.; Officers and Members, Board of Trustees, National Juvenile Court Foundation, Inc.; Revised Jan. 10, 1998, and adopted at the NCJFCJ Board of Trustees' Meeting, Santa Barbara, CA; Revised July 26, 2008, and adopted at the NCJFCJ Board of Trustees' Meeting, Norfolk, VA)

Conflict of Interest Policy

This Conflict of Interest Policy, related forms and training programs are in effect for all Officers, Board members, committee members, directors or employees of the National Council of Juvenile and Family Court Judges and its related entities, which are designated as the National Council of Juvenile and Family Court Judges Fund, Inc. and the National Juvenile Court Foundation. Hereinafter, all references to NCJFCJ shall be inclusive of the three organizations named in this paragraph. All NCJFCJ employees and Board members are required to complete a Conflict of Interest Training within 30 days of date of hire or joining the Board. Officers, Board members, committee members, directors or employees are also responsible for reading the policy below, signing the Conflict of Interest Policy Acknowledgment Form and Disclosure Form, and returning them as directed. **As noted below, these forms must be signed annually and as necessary.**

Article I. Purpose

The purpose of the Conflict of Interest Policy is to protect the NCJFCJ's interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an Officer, Board member, committee member, director or employee of the organization or might result in a possible excess benefit transaction. This policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest applicable to nonprofit and charitable organizations.

No Officer, Board member, committee member, director or employee of the NCJFCJ shall participate personally through decisions, approvals, disapprovals, recommendations, or other actions in any circumstance or particular matter involving the expenditure of grant or contract funds where, to his or her knowledge, he or she, his or her immediate family, business partners, or organizations other than the NCJFCJ in which he or she is serving as an officer, director, trustee, partner, or employee, or any person or organization with whom the employee is negotiating or has any arrangement concerning prospective employment, has an apparent or actual financial interest in the transaction.

This policy is also intended to cover potential conflicts of interest in hiring or entering into contracts on behalf of the organization where any Officer, Board member, committee member, director or employee of the NCJFCJ may have an apparent or actual personal interest in the outcome of the hiring or contracting decision; and potential conflicts of interest arising from employment or ownership of competing entities.

If such circumstances arise involving an employee, the employee shall, at a minimum, promptly notify the Chief Executive Officer and shall immediately recuse himself or herself from participating in any way in the transaction. The Chief Executive Officer shall make the determination as to whether in any given situation recusal will be sufficient to mitigate the apparent or actual conflict of interest. In the case of an apparent or actual conflict of interest involving the Chief Executive Officer, such determinations will be made by the President of the NCJFCJ.

In the case of an apparent or actual conflict of interest involving Officers, Board members, or committee members, such determinations will be made by the Audit Committee or National Council Conduct Committee, depending upon the nature of the conflict.

In addition, in the use of grant or contract funds, interested persons should avoid even the appearance of:

- Using his or her position for private gain;
- Giving preferential treatment to any person;
- Losing complete independence or impartiality;
- Making decisions outside normal administrative procedures; or,
- Adversely affecting the confidence of the public in the integrity of the NCJFCJ and its programs.

The Audit Committee shall address all reported concerns or complaints regarding corporate accounting practices, internal controls or auditing, and shall be immediately notified of any such complaint. Interested persons are encouraged to report any concerns

they may have relating to the above situations to the Chief Executive Officer or the Audit Committee.

All individuals within the organization, including Officers, Board members, committee members, directors, and employees will be required to sign a Conflict of Interest Policy Acknowledgment Form and Disclosure Form annually and as required through the year. Additionally, all real or perceived conflicts of interest will be brought to the attention of the level of authority as designated above for consideration, resolution and direction.

Article II. Family and Personal Workplace Relationships

It is prohibited for relatives to occupy positions in which one supervises the other or is in a position to exert direct influence on the appointment (including temporary), promotion, transfer, pay or discipline of the other. For purposes of this rule, “relative” includes:

- one’s husband, wife, son, daughter, mother, father, brother, sister, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, father-in-law, aunt, uncle, niece, nephew, stepparent, or stepchild;
- an individual residing in the same household as the employee; or
- an individual sharing a committed, personal relationship with an employee.

If a transfer or termination is required to comply with this rule, the employees affected shall determine who shall transfer or resign and shall complete the action within 90 calendar days from the date the violation of this rule began or was discovered, whichever is later. If the affected employees fail to address the situation within the 90 calendar days, the administrative authority shall work with the affected employees to resolve the situation in the best interest of the department and NCJFCJ.

Article III. Definitions

1. Interested Person

Any Officer, Board member, director, employee, or member of a committee with governing Board delegated powers, is an interested person.

2. Financial Interest

A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:

- a. An ownership or investment interest in any entity with which the organization has a transaction or arrangement;
- b. A compensation arrangement with the organization or with any entity or individual with which the organization has a transaction or arrangement, including him or herself; or
- c. A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the organization is negotiating a transaction or arrangement.

Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial.

A financial interest is not necessarily a conflict of interest. A person who has a financial interest may have a conflict of interest only if the appropriate authority decides that a conflict of interest exists.

A voting member of any NCJFCJ committee who receives compensation from the organization for services, directly or indirectly, is precluded from voting on matters pertaining to that member's compensation, and is prohibited from membership on any committee regarding compensation matters and from providing information to such committees. No judge is prohibited from providing information to any committee regarding judicial compensation.

3. Other Interest

This policy is also intended to cover potential conflicts of interest in hiring or entering into contracts on behalf of the organization where any Officer, Board member, committee member, director or employee of the NCJFCJ may have a perceived or actual personal interest in the outcome of the hiring or contracting decision.

This policy is also intended to cover potential conflicts of interest arising from dual employment with or ownership of businesses or organizations that directly compete with the work of the NCJFCJ.

Article IV. Procedures

1. Duty to Disclose

In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the appropriate authority.

2. Procedures for Addressing the Conflict of Interest

- a. An interested person may make a presentation to the appropriate authority, but after the presentation, he/she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.
- b. The appropriate authority may appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.
- c. After exercising due diligence, the appropriate authority shall determine whether the organization can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.
- d. If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the appropriate authority shall determine, by a majority vote where applicable, whether the transaction or arrangement is in the organization's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination a decision will be made as to whether to enter into the transaction or arrangement.

3. Violations of the Conflicts of Interest Policy

- a. If the appropriate authority has reasonable cause to believe an interested person has failed to disclose actual or possible conflicts of interest, it shall inform the interested person of the basis for such belief and afford the person an opportunity to explain the alleged failure to disclose.

- b. If, after hearing the interested person's response and after making further investigation as warranted by the circumstances, the appropriate authority determines the interested person has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

Article V. Records of Proceedings

Records shall be kept of all deliberations of the appropriate authority, and shall contain:

- a. The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the appropriate authority's decision as to whether a conflict of interest in fact existed.
- b. The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

Article VI. Annual Statements

Each Officer, Board member, director, employee, or member of a committee with governing Board delegated powers shall annually sign a statement, (Conflict of Interest Policy Acknowledgment Form) which affirms such person:

- a. Has received a copy of the Conflict of Interest policy;
- b. Has read and understands the Policy;
- c. Has agreed to comply with the Policy; and
- d. Understands the organization is charitable and in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

Each interested person shall also complete a Conflict of Interest Disclosure Form annually and as necessary throughout the year, indicating whether he or she has or knows of any possible or perceived conflicts to be considered by the appropriate authority.

Article VII. Periodic Reviews

To ensure the organization operates in a manner consistent with charitable purposes and does not engage in activities that could jeopardize its tax-exempt status, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects:

- a. Whether compensation arrangements and benefits are reasonable, based on competent survey information and the result of arm's length bargaining.
- b. Whether partnerships, joint ventures, and arrangements with management organizations conform to the organization's written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further charitable purposes and do not result in inurement, impermissible private benefit or in an excess benefit transaction.

(Adopted January 12, 2007; Revised October 1, 2007; Revised March 15, 2009 at the Board of Trustees Meeting, Orlando, FL; revised and adopted at the Mid-Winter Meeting Board of Trustees, January 2010, Pittsburgh, PA; revised and adopted July 17, 2010 at the Board of Trustees Meeting, San Diego, CA; revised July 23, 2011 at the Board of Trustees Meeting, New York, NY.)



Conflict of Interest Policy Acknowledgment Form

Name: _____

Position: _____

I have been provided a copy of the NCJFCJ Conflict of Interest Policy, which is attached to this Acknowledgment Form. I have read and understand the policy, and agree to abide by its provisions. I understand the NCJFCJ and its related entities are charitable organizations, and that to maintain federal tax exemption must engage primarily in activities which accomplish one or more of their tax-exempt purposes.

I agree to bring to the attention of the proper authority any real or perceived conflicts of interest that may arise or that I may become aware of during the course of my tenure with the NCJFCJ. Such conflicts include, but are not limited to, personal affiliations, professional affiliations, business dealings, dealings with other boards, and so forth. Additionally, I agree to abide by the direction and decision rendered by the organization.

With this Acknowledgment Form, I am submitting my annual Disclosure Form and will submit additional forms throughout the year should I become aware of any real or perceived conflicts of interest as defined by this policy.

Signature: _____

Date: _____

Please return this form to: Office of the Chief Executive Officer, NCJFCJ, P.O. Box 8970, Reno, NV 89507; Fax: (775) 507-4855.



Conflict of Interest Disclosure Form

In order to comply with the NCJFCJ Conflict of Interest Policy, each Officer, Board member, committee member, director or employee of the NCJFCJ shall review the Conflict of Interest Policy, sign acknowledgment and receipt of the policy each calendar year, **and complete and submit this Conflict of Interest Disclosure Form. This form should be returned with the Acknowledgment form, and again as necessary during the course of the year to bring to the attention of the proper authority any real or perceived conflicts of interest.** Annual acknowledgement and disclosure forms are due no later than December 1 of each year.

Any interested person, as defined in the Conflict of Interest Policy, must disclose any actual or possible conflict of interest, including the existence of personal or financial interest, and be given the opportunity to disclose all material facts. Such conflicts include, but are not limited to, personal affiliations, professional affiliations, business dealings, dealings with other boards, and so forth. Though the following may not be determined to be a conflict, Board members should disclose situations where the appearance of a conflict could arise through involvement in Council-sponsored projects; for example, involvement in a Model Court project, training program or research project, where there could be an appearance that the site was chosen due to the Judge's position on an NCJFCJ Board.

Name (please print): _____

Capacity: ___ Executive Committee
 ___ Board Member
 ___ Committee Member
 ___ Staff
 ___ Other, specify: _____

DISCLOSURE:

Please describe below any relationships, positions, expected benefits and circumstances in which you are involved that you believe could contribute to a Conflict of Interest (as defined in NCJFCJ's Conflict of Interest Policy, Article III. Definitions), or that may create competing interests for you in your capacity with NCJFCJ. Attach additional sheets as needed.

Are you aware of any circumstances where an NCJFCJ Officer, Board member, committee member, director or employee is participating personally through decisions, approvals, disapprovals, recommendations, or any other actions involving the expenditure of NCJFCJ funds – either directly or indirectly – where he or she, his or her immediate family, business partners, or organizations he or she is involved with or has an arrangement concerning prospective employment, may appear to benefit personally?

Do you serve on the Board of Directors or Trustees of a separate organization? If so, please list the organization and your roles and responsibilities.

Are you aware of any concerns regarding accounting practices, internal controls or auditing, or timekeeping within any department of the NCJFCJ?

Are you aware of any hiring or contract negotiations on behalf of the organization where any Officer, Board member, committee member, director or employee of the NCJFCJ may have an apparent or actual personal interest in the outcome of the hiring or contracting decision?

Are you aware of any situation at NCJFCJ or in any of its departments where relatives (husband; wife; son; daughter; mother; father; brother; sister; brother-in-law; sister-in-law; son-in-law; daughter-in-law; mother-in-law; father-in-law; aunt; uncle; niece; nephew; stepparent; stepchild; individuals residing in the same household; or individuals sharing a committed, personal relationship) occupy positions in which one supervises the other or is in a position to exert direct influence on the appointment (including temporary), promotion, transfer, pay or discipline of the other?

Are you or any of your relatives (see above) affiliated with, or have a direct or indirect interest in, a business that supplies property, goods or services to NCJFCJ?

In the past 12 months, or since last completing the disclosure form, have you received any compensation, loan, gift, benefit or unusual hospitality from any supplier to NCJFCJ? If so, please list the item, value, and from whom the gift, benefit, etc., was received.

*NCJFCJ employees and all other interested persons are prohibited from soliciting gifts for themselves or anyone with whom the employee or a member of their family has a relationship, or from anyone with whom NCJFCJ has an actual or potential business relationship or that might be viewed as influencing the individual's objective judgment on behalf of NCJFCJ. Gifts accepted on behalf of or because of involvement with the NCJFCJ must be de minimis in nature. No gift may be accepted if it in any way influences business or purchasing decisions. **The maximum value of any single gift accepted by an employee or other interested person may not exceed \$50.00, or \$150.00 in combined value for multiple gifts in any calendar year.** All persons subject to this policy must avoid situations which may be unethical or have the appearance of impropriety. (See complete Gift Policy in Board Governance Manual.)*

Item Received	From Whom Received	Estimated Value	Additional Information

Are you aware of any situations where an employee is involved through dual employment with, or ownership of, a business that may be in direct competition with the work of NCJFCJ? If so, please describe:

Are you aware of any other events, transactions, arrangements or other situations that you believe should be examined by NCJFCJ in accordance with the terms and intent of the NCJFCJ's Conflict of Interest Policy? Yes No If yes, please describe:

CERTIFICATION:

The information contained in the Conflict of Interest Disclosure Form is true to the best of my knowledge. I have read and understand the NCJFCJ's policy regarding Conflict of Interest and supply this information for review by NCJFCJ and understand that it will become part of my personnel or membership record, and NCJFCJ will not disclose it to other persons, to the extent permitted by law.

Signature: _____ **Date:** _____

Please return this form to: Office of the Chief Executive Officer, NCJFCJ, P.O. Box 8970, Reno, NV 89507; Fax: (775) 507-4855.

Governance Policy

It is the responsibility of the NCJFCJ Board of Directors to set and articulate the policies of the Council. Policies can be symbolic, substantive, and/or procedural.

Symbolic policy embodies the values and ideals of the National Council as articulated in the Vision and Mission of the NCJFCJ.

Substantive policy entails the allocation of resources and is expected to have a significant impact on the Mission of the Council. These policies are contained in the budget and various publications, position papers and written policy statements of the National Council.

Procedural policy outlines the stages or steps in a process. With procedural policy statements, the members of the Board of Directors give the Chief Executive Officer guidance as to how the Board of Directors wants its policies to be implemented.

It is the procedural policy of the NCJFCJ that in all matters involving the Constitution and Bylaws, vision, mission, budget, location, publications, position papers, and all other matters having the potential of altering the stated policies of the NCJFCJ, or establishing new policies, the Chief Executive Officer shall discuss those matters with the President of the NCJFCJ who shall, in turn, inform each of the members of the Executive Committee. It shall be the Executive Committee's responsibility to decide whether the action is one with such policy implications that it requires Board action or whether it is a management action within the purview of the Chief Executive Officer.

Management takes place in the context of political reality and involves the art of interpersonal relationships, communicating, implementing, and carrying out the policies of the Board while balancing the needs and best interests of the organization and the employees (individually and collectively).

The Executive Committee's role in relation to the Board of Directors must also be defined as part of the overall Governance Policy of the National Council.

Recognizing the following:

- a. There is insufficient funding for the Board of Directors to meet more than three (3) times per year (with two (2) of these meetings being unfunded);
- b. The process of electronic discussion and voting on necessary policy questions between regularly scheduled Director meetings, although in need of some refinement, is an effective process;
- c. The Executive Committee shall have regular meetings;
- d. Because of its size, continuity and ability to meet more frequently, the Executive Committee is in the best position to acquire information, make recommendations and disseminate these to the Board of Directors for its consideration; and
- e. Shall operate as defined under the Role of the Executive Committee adopted by the Board of Directors and stated previously in this manual.

It is recommended that:

1. On all “policy” decisions, the Executive Committee has the responsibility for defining the decision that needs to be made, gathering information on the financial and programmatic impact of the decision on the National Council, and transmitting that information and, where appropriate, a recommendation to the Board, in person or by other means. The Board will then have the opportunity for discussion and to vote on the policy decision, again in person or electronically.
2. In addition to the Chief Executive Officer’s Report and the President’s Report being prepared and distributed to the Board at least quarterly, the minutes of all Executive Committee meetings will be promptly provided to the Board.

(The NCJFCJ Governance Policy was adopted Saturday, January 17, 2004, NCJFCJ Board of Trustees Meeting, New Orleans, LA; Revised July 26, 2008, and adopted at the Board of Trustees Meeting, Norfolk, VA)

Board Director/Legacy Ambassador’s Council Recruitment Policy

I. Overview

NCJFCJ Board service includes a commitment of a Board member’s skills, time, talent and treasure to further the mission of the organization.

Applicants/candidates for Board and Legacy Ambassador’s Council positions identified to serve will be vetted by the Vice President for Development, Chief Administrative Officer, and/or others as designated by the Chief Executive. Recruitment and Election shall be done in accordance with the NCJFCJ Bylaws and the NCJFCJ Process for Recruitment/Election of Non-Judicial Directors.

Applicants/candidates identified must have a strong passion for the purpose and mission of the NCJFCJ and commitment to serve in accordance with the Bylaws, Board Roles, Responsibilities and Expectations, and the Director Duties and Responsibilities Agreement.

II. Policy

It is the policy of the NCJFCJ Board to uphold diversity in its members and shall recruit in such a manner that board membership is varied with regard to the diversity, experience and expertise factors outlined herein.

III. Considerations

The following considerations will be applied when deliberating any potential Director or Legacy Ambassador’s Council applicant/candidate:

Core Values. Are the candidate’s background, experience, and associations consistent with the NCJFCJ’s standards, principles, and core values?

Compatibility of Cause. Will the candidate bring skills, abilities and attributes that enhance the organization’s ability to further its mission, goals, or objectives?

Public Relations. Will any associations held by the candidate, currently or in the past, present NCJFCJ in an unfavorable light? Does it appear there may exist a conflict of interest between the applicant and the organization?

Motivation. Is there clear motivation on the part of the candidate for wanting to serve on the NCJFCJ Board or Advisory Council?

Consistency. Will the election of the applicant be compatible and in agreement with previous decisions for electing an individual to the Board or Legacy Ambassador's Council?

Credibility/Ethical Standards. Is the individual credible and known to have high ethical standards? Are there any circumstances surrounding the applicant that may cause the NCJFCJ's standards to come into question? Any circumstances that may cause the NCJFCJ to be questioned by its members or its donors?

Ability to Provide Financial Support. Is the individual in a position to provide financial support or provide connections to individuals/entities who may provide financial support?

Source of Financial Support to NCJFCJ. Is the individual contributing from his or her own resources? Will the individual seek contributions from other individuals or corporations, and if so, do those individuals or corporations have high ethical standards? Do those individuals or corporations present any concerns that may result in disqualification as outlined in Section V of this policy?

IV. Relevant Factors/Attributes

Additional relevant factors or attributes that may be considered include, but are not limited to:

1. Participation on other boards;

Diversity in all its forms, including race, ethnicity, national origin, gender, sexual orientation, gender identity or expression, socio-economic status, religion, age, disability status, profession, geography, and jurisdiction, and commitment to the principles of the Diversity Policy Statement;

Financial support of the organization;

Expertise or experience in areas such as business, finance, investment, fundraising, philanthropy, marketing, public relations, government relations, technology, insurance, legal, academic/research, former youth, victim, professional or volunteer involved in the juvenile and family court system;

Governance experience or senior executive level experience guiding organizations;

Collegiality and attributes of collaborative leadership, seeking and valuing working with a diverse group of people with varied expertise;

Recognizing that major funding sources take the Board's financial contribution into account when assessing NCJFCJ as a potential beneficiary, the members of the Board commit to achieving 100% compliance with this policy every year.

V. Disqualification

Applicant shall submit to a background check. NCJFCJ will not accept any applicants/candidates who:

- As an adult in his or her jurisdiction, have a standing felony conviction;
- As an adult in his or her jurisdiction, have a standing conviction of a domestic violence, stalking, or battering crime;
- Are debarred, suspended, proposed for disbarment, declared ineligible or voluntarily excluded from covered transactions by any Federal department or agency;
- Have been convicted of, had a civil judgment for, or is presently indicted for or otherwise criminally or civilly charged for fraud or other prohibited activities;

- Have had any professional license or certification revoked for misconduct, fraud, or other illegal or prohibited activities;
- Have been charged with or convicted of a crime against a child;
- Have association with an organization or company with known child labor violations;
- Have association with an organization or company, or close association with individuals who discriminate based upon race, ethnicity, national origin, gender, sexual orientation, gender identity or expression, socio-economic status, religion, age, disability status, profession, geography, and jurisdiction, and commitment to the principles of the Council’s Diversity Policy Statement, or any other basis prohibited by federal, state, and local laws;
- Have association with an organization or company that is undertaking or doing business in violation of local, state, federal, or international law;
- Currently serve as a state or federal lobbyist or have current obligations that create a conflict of interest for NCJFCJ;
- Request as a condition of service that contributions given or brought to the NCJFCJ will be spent by the organization for the personal benefit of a named individual or individuals;
- Request the organization and its administration to employ a specified person now or at a future date;
- Inhibit the organization from seeking gifts from other donors;
- Expose the organization to adverse publicity, litigation, or other liabilities.

Exceptions to the above disqualifications may be made for good cause, as shall be determined by the Executive Committee, who shall then report such circumstances to the Board.

Adopted by the NCJFCJ Board of Directors, November 15, 2016, Reno, Nevada.

Excerpted from *The Nonprofit Policy Sampler, Second Edition* by Barbara Lawrence and Outi Flynn, a publication of BoardSource, formerly the National Center for Nonprofit Boards. BoardSource © 2006.

Communication and Consultation Policy

“Communication” means to inform both before and after an action is taken.

“Consultation” means to inform and request input before an action is taken.

- I. It is the policy of the NCJFCJ that matters relating to Council operations be communicated to the Executive Committee and Board as promptly as possible. To this end, the following are adopted:
 - A. The Chief Executive Officer shall regularly report to the Board and Executive Committee concerning the NCJFCJ operations.
 - B. The President shall regularly report to the Board concerning the NCJFCJ operations and the President’s activities.
 - C. The Executive Committee shall have regular meetings.

- D. The Chief Executive Officer and the President shall regularly report to the membership on the NCJFCJ operations.
- E. Agendas and minutes of the Executive Committee meetings shall be promptly provided to the Board in order to inform the Directors of the content of the agenda and decisions, so Directors can respond in a timely manner to those matters.

Communication shall be used in its broadest sense, including conference calls, e-mail, website, as well as NCJFCJ publications and meetings.

- II. Pursuant to the Governance Policy, the Chief Executive Officer shall consult with the Executive Committee or Board before taking action on issues requiring Executive Committee or Board input.
- III. Prior to a vote by the Board, the Executive Committee may provide the Board its views on the issue, both pro and con, and any impact such action might have on the NCJFCJ, as well as its recommendation.

(Adopted January 17, 2004, Board of Trustees Meeting, New Orleans, LA; Revised July 26, 2008, and Adopted at the Board of Trustees Meeting, Norfolk, VA)

Congressional Contact Policy

The legislative effort of the National Council of Juvenile and Family Court Judges shall be structured according to the following protocol:

1. The Chief Executive Officer will request members of the Council to make contacts with members of the House and Senate Appropriations subcommittees on Commerce, State and Justice, or other Committees relevant to Council work, using materials developed by staff to request their support for funding. Contacts will also be made with Senators and Representatives from Nevada, Pennsylvania and other states.
2. The Executive Committee and Board of Directors will receive monthly updates about legislative, policy and federal funding issues from the Chief Executive Officer.
3. Any NCJFCJ member or staffer who makes contact with a federal legislator, legislative staff person, or member of the administration about an issue of interest to NCJFCJ should notify the Chief Executive Officer or designated Reno staff person in advance if possible of the contact, using the Congressional Contact form.
4. The Chief Executive Officer and dedicated Reno staff will maintain regular contact with members of the Nevada Legislature.
5. Staff will compile, update and index a database of all NCJFCJ members and staff who have contacts with federal legislators or administration officials.
6. Any member of NCJFCJ who is asked to testify before a congressional committee or subcommittee will inform the Chief Executive Officer prior to testifying and, if possible, submit a copy of any written testimony to the Chief Executive Officer.

7. In addition to other fund raising responsibilities, the Chief Executive Officer will actively seek unrestricted funds with which NCJFCJ can maintain and/or upgrade its educational and legislative policy efforts.

(Adopted January 16, 2004, Board of Trustees Meeting, New Orleans, LA; modified March 14, 2010 at the Spring Meeting of the Board of Trustees, Las Vegas, NV within the Board Governance Manual.)

Diversity Policy Statement

Diversity in the judiciary is vital to upholding public trust and confidence in the legal system. The National Council of Juvenile and Family Court Judges (“NCJFCJ”) is committed to diversity in every aspect of its composition and in performing its mission. Diversity in the judiciary is vital to upholding public trust and confidence in the legal system. Diversity in this context refers to communities and individuals who are identified by race, ethnicity, national origin, gender, gender identity or expression, sexual orientation, socio-economic status, religion, age, or disability status. To achieve its mission and promote diversity, the NCJFCJ asserts its commitment to diversity through the following principles:

- The NCJFCJ will recruit membership and leadership which reflects the diversity of the children and families we serve.
- The NCJFCJ will provide educational and training programs, publications, and policy positions that are relevant and culturally-sensitive.
- National policy and standards developed by the NCJFCJ affecting courts will promote and encourage judges to be knowledgeable of diversity issues.
- NCJFCJ will engage in recruitment practices and retention strategies to achieve a diverse staff.

(Adopted March 2007 at the Board of Trustees Meeting, San Diego, CA.)

Whistleblower Policy

Board members are responsible for reading the Whistleblower Policy, signing the Acknowledgment form, and returning the form to the Chief Executive Officer.

General

The NCJFCJ Standards of Conduct, Conflicts of Interest Policy, and Employment and Organizational Policy Manual require Directors, officers, Board members, and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities and comply with all applicable laws and regulations. This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns within NCJFCJ prior to seeking resolution outside the NCJFCJ.

Employees and Board members with questions regarding this policy should contact the Human Resources Manager.

Definitions

A whistleblower as defined under this policy is an employee or Board member of the NCJFCJ who reports an activity that he or she considers to be illegal or dishonest to one or more of the parties specified in this policy.

Illegal or dishonest activities covered by this Whistleblower Policy may include, but are not limited to: a violation of applicable local, state or federal laws; billing for services not performed or for goods not delivered; fraudulent financial reporting; improper internal accounting controls or auditing matters; or the use of NCJFCJ property, resources, or authority for personal gain or other non organization-related purpose.

Reporting Responsibility

It is the responsibility of all directors, officers and employees to comply with the NCJFCJ Standards of Conduct, Employment and Organizational Policy Manual, and related policies and to report violations or suspected violations in accordance with this Whistleblower Policy. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures; appropriate officials are charged with these responsibilities.

Reporting

If an employee or member of the Board of Directors has knowledge of or a concern of illegal or dishonest fraudulent activity, the employee or Board member should submit such concerns in writing to the Board Treasurer or Audit Committee Chair on a confidential, anonymous basis. The Board Treasurer or Audit Committee Chair shall promptly notify the President and the Audit Committee of complaints received.

Investigation

The Audit Committee shall address all reported concerns or complaints regarding corporate accounting practices, internal controls, or auditing. Other complaints may be delegated to an appropriate authority for investigation by the President.

Each matter will be investigated by the appropriate authority and the results of the investigation reported to the President and Audit Committee Chair. The President and Chief Executive Officer will take corrective and disciplinary actions, as appropriate, up to and including termination of employment or dismissal from the Board of Directors or membership in NCJFCJ.

Employees of the NCJFCJ or outside legal, accounting or other advisors as appropriate, may be enlisted to conduct investigation of complaints. In conducting any investigation, reasonable efforts shall be made to protect the confidentiality and anonymity of the complainant.

Confidentiality and No Retaliation

Whistleblower protections are provided in two important areas – confidentiality and against retaliation. Insofar as possible, the confidentiality of the whistleblower will be maintained. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law and to provide accused individuals their legal rights of defense.

The NCJFCJ will not retaliate against a whistleblower. This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, poor work assignments and threats of physical harm. Any whistleblower who believes he or she is being retaliated against must contact the NCJFCJ President or the chair of the Audit Committee immediately. An employee or Board member who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment or removal from the Board of Directors. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

False Reporting

An employee or member of the Board of Directors who intentionally files a false report of wrongdoing will be subject to discipline up to and including termination of employment or dismissal from the Board of Directors or membership in the NCJFCJ. Anyone filing a complaint concerning a violation or suspected violation must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation or fraudulent activity. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

Records

The Audit Committee shall retain as a part of its records any such complaints or concerns for a period of no less than seven (7) years.

(Adopted by the Board of Trustees, January 12, 2007.)

**Whistleblower Policy
Acknowledgment Form**

Name: _____

Position: _____

I hereby acknowledge that I have received and reviewed this Whistleblower Policy. By signing below, I agree to comply with this policy and understand that I can be held accountable for any failure to do so.

Signature: _____

Date: _____

Please return this form to: Office of the Chief Executive Officer, NCJFCJ, P.O. Box 8970, Reno, NV 89507; Fax: (775) 507-4855.

Development and Fund Raising

NCJFCJ fund raising includes annual campaigns to support the operating budget, which include Board, staff, friends of the Council, and member campaigns; and when needed, capital campaigns to raise funds for endowment and facilities. While the Chief Executive Officer is responsible for the development and solicitation of gifts for special projects and campaigns and shall participate on the coordination of these projects and campaigns, Board involvement in campaigns is critical to their success, with Board members providing personal leadership and making personal gifts. The Board shall assist the Chief Executive Officer in identifying and developing sources and prospects for gifts to the NCJFCJ, shall develop and manage a program through which Directors actively donate to the NCJFCJ, and shall participate with staff in annual giving and campaign giving. Judges' participation in development and fund raising may be circumscribed by their state codes of judicial ethics.

The Board should exercise oversight of fund raising by approving the fund raising procedures and policies, and ensuring appropriate accounting for and expenditure of donated funds.

Fund raising and development also includes other activities by staff, as outlined in the NCJFCJ Employment and Organizational Policy Manual.

Donor Relations

It is the policy of the NCJFCJ to treat donors with respect, gratitude and consideration. The NCJFCJ follows the request of donors concerning confidentiality and anonymity.

It is the policy of the NCJFCJ to send thank you letters on official letterhead acknowledging all contributions, regardless of the amount. The letters should indicate the dollar amount contributed. It is also NCJFCJ policy that a letter is sent to all contributors, no later than January 31 of each year, informing the donor of the total donations they provided to the organization in the prior year for purposes of their tax preparation.

Appropriate rules of accounting are followed in recording unrestricted and restricted donations. The NCJFCJ will inform contributors in writing of a good faith estimate of the nondeductible portion of any quid pro quo contributions made for any fundraising activity, if the contribution exceeds the amount specified in IRS guidelines. Major donors are provided audited financial statements and annual reports of the NCJFCJ.

Organizational Gift Acceptance Policy

Acceptance of any financial commitment, gift or bequest is at the discretion of NCJFCJ and NCJFCJ reserves the right to decline any financial commitment, gift, or bequest. No financial commitment, gift or bequest will be accepted unless it may be used consistent with the purpose and mission of NCJFCJ. In addition, NCJFCJ has the right to determine how a gift will be credited and/or recognized.

1. Routine and unrestricted gifts of cash or cash equivalents are accepted and administered through the Development Department, with final authority to accept routine gifts lying with the chief executive. Routine gifts shall be defined as gifts that are transferred without the expectation of receiving a benefit and are less than \$15,000.
2. Gifts that are not routine or have restrictions on the use must be approved by the chief executive in conjunction with the Executive Committee, and legal counsel, if necessary.
3. Gifts will only be accepted where there is charitable intent on the part of the donor. NCJFCJ will not accept gifts that are overly restrictive in purpose. Unless the board grants a specific exception, NCJFCJ will not accept any gifts that:
 - Contain a condition that requires any action on the part of the organization that is unacceptable to the chief executive or the Executive Committee;
 - Contain a condition that the proceeds will be spent by the organization for the personal benefit of any third party;
 - Require the organization and its administration to employ a specified person now or at a future date;
 - Inhibit the organization from seeking gifts from other donors;
 - Expose the organization to adverse publicity, litigation, or other liabilities;
 - Require undue expenditures, or involve the organization in unexpected responsibilities because of their source, conditions, or purpose;
 - Involve unlawful discrimination based upon race, religion, gender, sexual orientation, gender identity or expression, age, national origin, color, disability, or any other basis prohibited by federal, state, and local laws.
4. Noncash gifts will be accepted only when it is reasonably expected they can be converted into cash within a reasonable period of time or when NCJFCJ can utilize the property in its operations. Generally, one year shall be considered reasonable for conversion to cash. All noncash gifts to NCJFCJ will be sold at the discretion of NCJFCJ, whose express policy is to convert the property to cash at the earliest opportunity, keeping in mind current market conditions and the potential use of the property in the accomplishment of the mission of NCJFCJ.

5. Property encumbered by a mortgage or other indebtedness cannot normally be accepted as a gift unless the donor agrees to assume all carrying costs until the property is liquidated. Exceptions to this guideline can be made when the value of the property exceeds the anticipated exposure, or will produce income, or will be used by NCJFCJ in its programs.
6. Associated expenses of a gift made to NCJFCJ are to be borne by the donor.
7. Donors of non-cash gifts of over \$5,000, except for gifts of publicly traded stock, must obtain an appraisal by an independent third-party appraiser and must be readily marketable.
8. Donations of real property shall be reviewed for title issues, environmental issues, and compliance with local, state and federal laws at the expense of the donor. In addition, copies of all contracts and leases affecting the real property shall be provided. It shall be the responsibility of the donor to pay all applicable transfer taxes and fees associated with the transfer of the real property and appraisal fees as required for IRS reporting.
9. To avoid conflicts of interest, the unauthorized practice of law, the rendering of investment advice, or the dissemination of income or estate tax advice, all donors of noncash gifts must acknowledge that NCJFCJ is not acting as a professional advisor, rendering opinions on the gift. All information concerning gift planning from NCJFCJ is to be for illustrative purposes only and is not to be relied upon in individual circumstances. Upon request, NCJFCJ may provide to the donor sample bequest language for proposed gifts to ensure that a bequest is properly designated. NCJFCJ may require a letter of understanding from a donor of a property gift, along with proof of outside advice being rendered, before such a gift will be accepted.
10. All gifts of life insurance must comply with applicable state insurance regulations, including insurable interest clauses.
11. NCJFCJ does not accept any gifts requiring annuity payments that will be guaranteed by the organization.
12. All gifts and gift consideration must meet all applicable local, state, and federal laws and regulations.

Adopted by the NCJFCJ Board of Directors, November 15, 2016, Reno, Nevada.

Excerpted from *The Nonprofit Policy Sampler, Second Edition* by Barbara Lawrence and Outi Flynn, a publication of BoardSource, formerly the National Center for Nonprofit Boards. BoardSource © 2006.

Chief Executive Officer Performance Evaluation Policy

The evaluation of the Chief Executive Officer (CEO) is one of the most important responsibilities of the Board of Directors. The evaluation process provides a formal opportunity for the Board and the CEO to have a constructive discussion regarding the performance of the NCJFCJ and the CEO's leadership of the organization. A policy for

evaluating performance of the Chief Executive Officer was formally adopted by the Board of Directors in February 2012.

This policy sets out the roles and responsibilities, evaluation period, timing, and general process and criteria the Board of Directors will use in evaluating the performance of the CEO.

External Communications Policy

Media Inquiries

From time to time, an NCJFCJ employee not directly involved in public affairs may receive an inquiry from a media representative, seeking general information or specific information about an area of juvenile or family law. The NCJFCJ expects the information or opinions attributed to the Council to accurately reflect its mission, policies, positions, and activities.

Employees receiving media calls for information or comments should note the name of the caller, the organization telephone number, what the call is regarding, and the deadline, and provide it to the NCJFCJ Media and Public Relations Specialist, the Chief Executive Officer, or if they are unavailable, another Chief Officer or Director. Employees should not transfer a reporter directly to a senior NCJFCJ official. Time should be allowed to research the call and prepare an appropriate answer.

The NCJFCJ Media and Public Relations Specialist will discuss the issue with the appropriate Chief Officer or Director (if requesting information or materials on a subject relevant to our work), the Chief Executive Officer, or the President and Executive Committee. When approved to do so, employees may offer to provide media representatives with relevant NCJFCJ materials.

All requests for press passes to NCJFCJ conferences, meetings, or other events should be referred to the Media and Public Relations Specialist.

If a representative of the media wishes to discuss matters that do not concern the NCJFCJ, e.g., an issue affecting an employee's neighborhood association, the employee should talk with the media representative outside of work hours and not on NCJFCJ premises. The employee should be clear in talking with the representative that any opinion given is that of the employee and not the opinion of the NCJFCJ.

Press Releases

The NCJFCJ is complemented by its diverse, accomplished leadership, members, faculty, and staff with a broad variety of projects and initiatives underway or being initiated at any given time. As a result, the NCJFCJ is pleased to provide press releases as outlined in

the Press Release Policy and Procedures. All press releases are issued through the NCJFCJ Media and Public Relations Specialist and/or NCJFCJ's public relations agency with approval by the Chief Executive Officer, as appropriate.

Press Release Procedure

Staff may request dissemination of press releases from the NCJFCJ Media and Public Relations Specialist for the following purposes:

- Announcing new NCJFCJ projects or initiatives, with consideration to funding agency guidelines.
- Training conferences/meetings in Reno, Pittsburgh, Washington, D.C., or other locations, when appropriate and with consideration to security concerns.
- Staff hires, retirements, major accomplishments, or recognitions.
- NCJFCJ Board or member retirements, major accomplishments, or recognitions.

Departments should provide a draft press release to the NCJFCJ Media and Public Relations Specialist outlining pertinent information, such as:

NCJFCJ Projects or Initiatives

- Title of the project and project period
- Funding agency
- Amount of funding
- Summary of the purpose and activities of the project

Training Conferences and Meetings

- Title of the program
- Dates and location of the conference, if appropriate with consideration to security concerns
- Number and disciplines of expected attendees
- Whether or not the program is open for registration, and if so, cost of conference, lodging, and other expenses as applicable
- Summary of the learning objectives and topics covered by the program

Note: Press releases for new projects or initiatives, or conferences supported primarily by specific grant funds, should have the approval of the funding agency if required, prior to submission to the NCJFCJ Media and Public Relations Specialist.

Staff Hires, Retirements, Major Accomplishments, or Recognitions

- Staff person's name
- Degree(s) and educational institution(s) where degrees were earned
- Accomplishments prior to and including work with the NCJFCJ
- Other recognitions received
- Longevity with the NCJFCJ
- Other information pertinent to the purpose of the press release

NCJFCJ Board or Member Retirements, Major Accomplishments, or Recognitions

- Name, title, organization or court jurisdiction

- Degree(s) and educational institution(s) where degrees were earned
- Accomplishments including work with the NCJFCJ
- Other recognitions received
- Longevity with the NCJFCJ
- Other information pertinent to the purpose of the press release

All press releases should have the review and approval of the person(s) featured in the release.

Staff shall submit press releases to the NCJFCJ Media and Public Relations Specialist following review and approval by the Chief Officer or Director. The NCJFCJ Media and Public Relations Specialist will address any questions or concerns with the Director or Chief Officer. If concerns are unresolved, the Chief Executive Officer will be consulted. The Office of the Chief Executive Officer or the NCJFCJ Media and Public Relations Specialist will approve all press releases before dissemination.

Project or initiative announcements will be submitted to media outlets in the state or district of the office implementing the project (Nevada, Pennsylvania, etc). Departments should indicate if there are specific media outlets in that state or in other states that should receive the press release.

Staff releases will be forwarded to media outlets in Reno, Sparks, Las Vegas, Pittsburgh, and Washington, D.C., or other areas as appropriate and requested. Board or member releases will be approved by the NCJFCJ member, and forwarded to media outlets in their home city, and other locations, including Reno or Pittsburgh, as appropriate.

Membership/Mailing List Dissemination

It is the policy of the NCJFCJ that its Membership/Mailing List may not be sold for any purpose.

However, this list may be shared with partner organizations, determined on a case-by-case basis, and taking into consideration the purpose for which the list will be used. The NCJFCJ may share its list in order to promote conferences, products, or other items which it feels will be of interest and benefit to its membership, and may request lists from partner organizations for the same purpose. The Chief Executive Officer shall have the authority to make this determination.

Any organization provided the NCJFCJ list may use the list only for the purpose stated, and may not sell, share, give, or provide in any way the NCJFCJ list or any portion thereof to any other party.

Members of the NCJFCJ shall have the opportunity to opt out of inclusion on the mailing list. NCJFCJ staff shall annually report to the Board of Directors all organizations that have been provided the NCJFCJ list.

Individual Gifts

NCJFCJ employees and all other interested persons are prohibited from soliciting a gift, or any consideration of value for themselves, members of their families, or anyone with whom the employee or a member of their family has a relationship, personal or professional (including charitable organizations), or from anyone with whom the NCJFCJ has an actual or potential business relationship or that might be reasonably viewed as actually or potentially influencing the individual's objective judgment on behalf of the NCJFCJ.

Gifts accepted on behalf of or because of involvement with the NCJFCJ from vendors and others who do business with the NCJFCJ must be *de minimis* in nature. Regardless of pecuniary value, no such gift may be accepted if it in any way influences business or purchasing decisions. The maximum value of any single gift accepted by an employee or other interested person may not exceed \$50.00, or \$150.00 in combined value for multiple gifts in any calendar year. All persons subject to this policy must avoid situations which may be unethical or have the appearance of impropriety.

NCJFCJ employees and all other interested persons must not offer a gift, meal, or other consideration that might be reasonably viewed as actually or potentially intended to influence the objective business judgment of anyone with whom the NCJFCJ does business. It may be illegal for government officials and employees, including grant managers, to accept gifts, meals, or other consideration. The NCJFCJ does not permit the offering of any gift, meal, or other consideration that is not *de minimis* in value, to any government or regulatory official, employee, or other representative.

(Adopted March 14, 2009 at the Board of Trustees Meeting, Orlando, FL)

Insurance

The NCJFCJ carries and provides general liability and directors and officers liability insurance. The Council also holds an accidental death and dismemberment policy that covers Board members while traveling on Council business. Contact the Finance Department for additional information concerning coverage.

Intellectual Property and Work Products

Intellectual Property

The intellectual property of the NCJFCJ, including books, journals, magazines, articles, computer generated materials, curricula, and other publications, reflects the national and international scope of the work of NCJFCJ staff and its members. It is the responsibility of all staff, the Board of Directors, and members to promote the work of the NCJFCJ and safeguard copyrighted materials; for example, by correct citation to referenced work in oral presentations as well as written products.

Work Products

The NCJFCJ strives to ensure appropriate recognition is provided to staff, members, and other contributors to NCJFCJ work products. All such products, including technical developments, articles, texts, writings, files, correspondence, computer generated materials, etc., created by staff members in the course of their employment by NCJFCJ become the exclusive property of the NCJFCJ unless otherwise expressly and specifically provided by the Chief Executive Officer.

NCJFCJ Recognition

When the NCJFCJ is involved in development, planning or implementation of training, publications, curricula, research, or other services or products, the NCJFCJ staff, Directors and members should request that recognition for the work be given as may be appropriate and whenever possible.

This may include recognizing NCJFCJ efforts at any level of program assistance, including agenda development, faculty recommendations, or co-sponsoring of a program or event. Recognition may include, but is not limited to, displaying the NCJFCJ logo during the program, mentioning the NCJFCJ and its work during presentations, making available NCJFCJ materials throughout the program and including the NCJFCJ's name in media press releases, sound bites, or articles.

Contact the NCJFCJ Media and Public Relations Specialist with any questions.

Intermediate Sanctions (IRC 4958) Policy

The enactment of IRC 4958 was an important change in the federal income tax law relating to tax-exempt organizations. The purpose of IRC 4958 is to impose sanctions on influential persons in charities and social welfare organizations who receive excessive economic benefits from the organization.

It is the intent of the National Council of Juvenile and Family Court Judges to comply with all provisions of IRC 4958 – Intermediate Sanctions. Accordingly, the following will help ensure compliance:

The following individuals are considered “disqualified individuals”:

- President
- President-Elect
- Board of Directors
- Chief Executive Officer
- Senior Management Directors
- Comptroller

- Other persons having substantial influence inherent in their relationship with NCJFCJ

Disqualified individuals will be informed and receive documentation on IRC 4958 Intermediate Sanctions (see Appendix).

NCJFCJ's Intermediate Sanctions Policy will be reviewed and disseminated yearly.

NCJFCJ's policy and practice is to reimburse individuals for ordinary and necessary business expenses, **with supporting documentation**, while conducting official business of the organization.

Finance Department personnel will review expense reimbursements to ensure compliance with the criteria of an "accountable plan" under Reg. 1.62-2(c)(2) as authorized by the Board of Directors.

Noncompliance with NCJFCJ's Travel Policy could result in excess benefit transactions. Amounts exceeding federal per diem will automatically be considered an excess benefit if supporting documentation is not provided at the time of submission for reimbursement. Supporting documentation must meet the requirements of IRC 4958.

Loans and transfer of property to disqualified persons from the Organization are strictly prohibited.

Individuals receiving excess benefits will reimburse NCJFCJ within 10 days of being notified of such transactions. Failure to reimburse excess benefit transactions will cause said amounts to be reported as taxable compensation.

The Board of Directors or Board appointed committee will review and determine the reasonableness of the compensation of disqualified individuals yearly, at the Annual Meeting in July, or more frequently as necessary.

In reviewing and evaluating compensation of disqualified individuals the Board of Directors or Board appointed committee, none of whom will have a conflict of interest with respect to the proposed compensation, will:

Approve compensation and/or benefits in advance of implementation using appropriate comparability data and documenting in writing, by the Secretary of the organization, the basis for such determinations.

The Board of Directors will review the Conflict of Interest Policy annually to ensure compliance with IRC 4958.

Nondistribution of Earnings

The NCJFCJ prohibits any distribution of earnings to members in general, members of the board of directors, committee members and chairs, and the like. These individuals can be reimbursed for reasonable travel expenses as noted in the NCJFCJ Travel Policy.

Legislation

The NCJFCJ provides information and education to state and federal legislators, executive branch leaders, and other policy makers concerning all the issues and concerns that touch on juvenile and family law in accordance with its Congressional Contact Policy. Any NCJFCJ member or staffer who makes contact with a state or federal legislator, legislative staff person, or member of the administration about an issue of interest to the NCJFCJ should notify the Chief Executive Officer or designated Reno staff person in advance, if possible, using the Congressional Contact Form. If a federal legislator, legislative staff person, or member of the administration contacts a staff person about an issue of interest to the NCJFCJ, the staff member should notify the Chief Executive Officer, using the Congressional Contact Form.

Any lobbying or public policy activities regarding specific bills, legislation, or funding must follow guidelines outlined in the Policy on Public Policy. Most grantors require applicants for certain grants and cooperative agreements to certify that no funds have been or will be used in lobbying or disclose such activities or require disclosure of such activities. It is the responsibility of employees to be familiar with the certification documents for their specific grants.

The NCJFCJ cannot support or promote any political campaign.

Meeting Minutes

The NCJFCJ may record proceedings of various meetings of the NCJFCJ Board of Directors, Sr. Management or other committees as appropriate. A recording of a meeting serves as a tool to verify a recorder's notes and ensure accurate minutes. A recording is not an official record or replacement of meeting minutes. Typically such meetings will be recorded for ensuring accuracy of minutes, and will be transcribed as a concise record of actions and key points of discussion. Participants will be notified of any taping at the beginning of the meeting and may be suspended upon request of participants. A key employee in each department should be assigned the duty of maintaining the recordings made in that department. It is the policy of the NCJFCJ to destroy audio tape or other recordings of each meeting. The assigned employee is responsible for ensuring that such audio or other recording of each meeting is destroyed within 30 days after the minutes are formally approved.

Executive Session Policy and Guidelines

This document provides guidelines and procedures for conducting executive session discussions and the handling of related materials in accordance with the NCJFCJ Bylaws and Policies and Robert's Rules of Order. Implementation of these procedures is considered to be in the best interest of NCJFCJ to guide the usage of executive session discussions at meetings.

Board members and staff involved with meeting procedures, the handling of NCJFCJ information, and the recording and approval of minutes from these sessions should become familiar with these procedures. Any questions or issues related to these procedures should be directed to the Chief Executive Officer (CEO) or the Chief Administrative Officer (CAO). The overriding procedures for executive sessions, as approved by the Board of Directors, are embodied in (1) This policy, which defines when executive sessions should be used by boards and committees, who may attend, and who may have access to approved minutes, and (2) Roberts Rules of Order, which further clarifies attendance and the recording and approval of minutes.

Relevant passages from Robert's Rules of Order are provided below:

Robert's Rules of Order (11th Edition) executive session *An executive session in general parliamentary usage has come to mean any meeting of a deliberative assembly, or a portion of a meeting, at which the proceedings are secret. This term originally referred to the consideration of executive business - that is, presidential nominations to appointive offices, and treaties - behind closed doors in the United States Senate. The practice of organizations operating under the lodge system is equivalent to holding all regular meetings in executive session. In any society, certain matters relating to discipline (61,63), such as trials, must be handled only in executive session. A meeting enters into executive session only when required by rule or established custom, or upon the adoption of a motion to do so. A motion to go into executive session is a question of privilege (19), and therefore is adopted by a majority vote.*

Whenever a meeting is being held in executive session, only members of the body that is meeting, special invitees, and such employees or staff members as the body or its rules may determine to be necessary are allowed to remain in the hall. Thus, in the case of a board or committee meeting being held in executive session, all persons – whether or not they are members of the organization – who are not members of the board or committee (and who are not otherwise specifically invited or entitled to attend) are excluded from the meeting.

A member of a society can be punished under disciplinary procedure if he violates the secrecy of an executive session. Anyone else permitted to be present is honor-bound not to divulge anything that occurred. The minutes, or record of proceedings, of an executive session must be read and acted upon

only in executive session, unless that which would be reported in the minutes—that is, the action taken, as distinct from that which was said in debate—was not secret, or secrecy has been lifted by the assembly. When the minutes of an executive session must be considered for approval at an executive session held solely for that purpose, the brief minutes of the latter meeting are, or are assumed to be, approved by that meeting.

USE OF EXECUTIVE SESSION

This section addresses which NCJFCJ bodies may utilize executive sessions and for what purpose, and who should be present.

As a general rule, the CEO should be included in all executive sessions, and Board members should be willing and able to address issues with the CEO present. The CEO should be excluded only in the following circumstances:

- Annual audit review and discussion with the independent Auditor
- Annual performance review of the CEO
- Discussion of CEO compensation
- Legal issues regarding the CEO
- Board/Director behavior or performance issues

As outlined in “Procedures,” the President or Chair may designate additional appropriate persons to participate in an executive session.

- **Executive Committee (EC)**

The EC may use executive sessions for:

- CEO employment matters, e.g., contract negotiations, etc. (EC, CEO)
- Personnel matters related to the CEO, e.g., performance review, compensation, etc. (EC, appropriate counsel, Human Resources - HR)
- Litigation matters (EC, CEO, appropriate counsel, HR if personnel-related, appropriate staff)
- Director or Member conduct matters brought forward by the Conduct Committee (EC, CEO, Conduct Committee Chair, and if circumstances warrant, appropriate counsel, appropriate staff)
- Discussion of other sensitive issues (EC, CEO)

- **Board of Directors**

The Board of Directors may use executive sessions for:

- CEO employment matters (EC, Directors, CEO)
- Personnel matters related to the CEO (EC, Directors, appropriate counsel, HR)
- Litigation matters (EC, Directors, CEO, appropriate counsel, HR if personnel-related, appropriate staff)
- Review of reasonableness of executive compensation (EC, Directors, CEO, HR, appropriate staff)

- Annual audit review with the independent Auditor (EC, Directors, CEO, Chief Financial Officer - CFO)
 - Board performance issues (EC, Directors)
 - Discussion of other sensitive issues (EC, Directors, CEO)
- **Audit Committee**
The Audit Committee may use executive sessions for:
 - Review of audit processes, procedures, or findings and management interactions with the independent Auditor (Audit Committee, EC, Finance Committee)
 - Audit processes, procedures, or findings (Audit Committee, EC, CEO, CFO, appropriate staff)
 - Discussion of conflict of interest disclosures directly involving CEO or CFO (Audit Committee, EC)
 - Director, Member or Staff conflict of interest matters (Audit Committee, CEO, involved Member, Director, or Staff, and other appropriate staff)
 - Litigation matters (Audit Committee, CEO, CFO, appropriate counsel, HR if personnel-related, appropriate staff)
- **Finance Committee**
The Finance Committee may use executive sessions for:
 - Review of reasonableness of executive compensation (Finance Committee, CEO, CFO, HR, appropriate staff)
 - Concerns regarding financial management (Finance Committee, EC, CEO, appropriate counsel)
- **Conduct Committee**
The Conduct Committee may use executive sessions for:
 - Director or Member conduct complaint matters (Conduct Committee, CEO, involved Member or Director, appropriate staff)

PROCEDURES

Note: Consistent distribution of executive session and non-executive session documentation should always be made to the following persons, regardless of how the documentation is delivered (whether paper or electronic, Board of Directors secure web page, or other means during meetings).

- Members of the Board of Directors, the CEO (unless specific to personnel issue regarding the CEO) and appropriate counsel shall have access to all documentation.
- Additional individuals may have access to specific documentation based on need, as determined by the President, CEO, and appropriate counsel.

Pre-Meeting

- **Agenda:** As much as possible, all items and presentations to be considered in executive session are grouped together. The President or Chair, in discussion with the CEO or designated staff, determines which items should be included in

executive session. A non-specific name for each topic is used on the agenda and the presentations are not made public. Executive session items are listed under the heading of “Executive Session” on the agenda.

- **Meeting preparation:** Guidelines for handling the executive session and the determination of individuals who will be invited to stay should be made in advance. The President will consult with the EC and CEO when determining attendees; Committee Chairs will consult with the President and CEO, unless the matter involves them, in which case another Officer will be consulted. Conflicts of interest are taken into account when deciding who will be invited to be present, and Directors or Committee members with conflicts will be requested to not vote on the related matter or recuse themselves (leave the room) from the meeting.

Meeting Management

- **General:**
 - The Chair specifically lists those that are invited to remain in the executive session.
 - The Chair calls for a motion to enter executive session, and a roll call vote is taken.
 - At the beginning of the executive session, the Chair will review the executive session procedures that will be followed, the proper treatment of confidential information during and after the executive session, and the obligation of participants to keep all executive session information confidential. Pursuant to Roberts Rules of Orders and this Policy, disciplinary action may be taken for violating the confidentiality of an executive session
 - The Chair ensures the discussion remains on topic with respect to the agreed upon agenda items for the executive session.
 - Signs are posted on the meeting room doors to indicate an executive session is taking place.
 - Staff, the Secretary, or an assigned Director or Committee member records all individuals present, the start/end times of each session, and any motions made or votes taken. Should the participants change, a new list of attendees and the times they joined or left the executive session are also noted.
 - Presentations and motions may be made, discussed, and voted on during the executive session.
 - Motions made and the outcome of votes held are recorded in the official meeting minutes.
- **Documentation/Materials:** Depending on the topic, some executive session documentation may require distribution to the members of the body pre-meeting or at the beginning of the discussion. Documentation for executive session items is marked confidential and only made accessible to the body conducting the executive session, appropriate counsel, and appropriate staff. These documents may be collected immediately following the executive session and destroyed.

One single copy should be preserved and appended to the final version of the minutes.

Should anyone not present wish access to information considered or distributed during the executive session, they are directed to the President or Chair who may provide information, only when appropriate.

- Executive Session Closure (Return to Open Meeting): Upon conclusion of all executive session discussions, the Chair calls for a motion to exit the session. A vote is taken to exit executive session and return to open meeting.

In open session, the Chair should report actions taken in the executive session. These reported actions are included in the full meeting minutes.

- Minutes
The Chair should determine and announce before the executive session who will be responsible for writing that portion of the meeting minutes. Typically a staff member is assigned, but in cases where all staff are asked to leave the room, the Secretary, another Director, or another Committee member may be tasked with taking minutes.

Minutes of the executive session do not include detailed discussion, but must include time of session, all participants present during the executive session, general purpose of the executive session, and any motions or actions taken by the body exactly as they are presented and voted on, regardless of being approved, not approved, amended, tabled, or withdrawn. If any action is unclear, it should be clarified before a vote is taken.

Executive sessions should not be audio-recorded or video recorded. Minutes are the only record of the executive session and should only capture the information noted above.

All minutes (both unapproved and approved), including executive session, are stored on an internal, secure drive, accessible only by designated staff. These minutes, including executive session, are provided to the Chair, Officers/Directors, current members of the relevant Committee, and designated staff via a secure, password-protected web page. Additional individuals may have access to the minutes or documentation, as determined by the President, CEO, and appropriate counsel.

Minutes are not considered official until approved at the next meeting of the body. Once minutes are approved, all notes should be destroyed in accordance with the records retention and destruction policy.

All approved minutes, including executive session, are secured and maintained by the CAO in a secure Minutes folder; or in the case of historical minutes, in bound Minute Books.

Adopted by the NCJFCJ Board of Directors, November 17, 2014, Reno, NV.

Establishing Public Policy (Formerly the Policy on Public Policy)

The National Council of Juvenile and Family Court Judges (Council) is a national membership organization that works to improve court systems and advocate for best practices in the juvenile and family courts.

The **Mission** of the National Council of Juvenile and Family Court Judges is to provide all judges, courts, and related agencies involved with juvenile, family and domestic violence cases with the knowledge and skills to improve the lives of the families and children who seek justice.

It is the Council's policy to advocate for public policies that further its mission. Because the Council is a not-for-profit organization, it does not support or oppose candidates for public office or political parties. The Council acts only on public policy issues that meet specific criteria and are related to the Council's mission. The Council is aware of and complies with 501(c)(3) limitations regarding advocacy, and each year will consider the IRS 501(h) election to guide compliance with allowable expenditure amounts for this purpose.

This Policy is divided into three parts:

Part One defines “public policy” within the context of this Policy and distinguishes it from positions the Council takes on procedural matters and court management, which are not considered to be public policy issues.

Part Two establishes the criteria the Council will consider when it develops or takes a position on a public policy issue, and it also defines public policy actions which may be taken by the Council.

Part Three describes the procedure used by the Council to develop and approve positions on public policy issues. It also identifies the Council Members and staff who may speak or take action on behalf of the Council on matters of public policy.

PART ONE: DEFINING PUBLIC POLICY

As used in this Policy, the phrase “public policy” means the substantive law, legislation, regulatory measures, courses of action, funding priorities, and emerging issues or practices that impact the operation of the family and juvenile courts, related agencies, and the people served by those courts.

The Council may address public policy issues in various ways, including through the following activities:

Committee/Project Work

The Council may develop positions that affect public policy through the work of grant- or contract-funded projects or through Council committees.

Membership Direction

The Membership Committee may survey the Membership of the Council to develop a list of priorities for the upcoming year.

The Council may take the results of the survey, examine research related to the survey and additional comments from Members, partner agencies, and staff, and develop public policy positions for adoption by the Council, consistent with the procedures set forth herein. Polling Members and setting priorities consistent with the results, makes the Members valuable partners in the work of the Council.

Participation in Coalitions/Partnerships

The Council may participate in coalitions and associations with groups whose work is aligned with the Council and its mission.

Emerging Issues in the Field

The Council may be called upon to take positions on emerging issues that affect the juvenile and family courts, related agencies, and the children and families of our nation. The Council may develop position statements and be asked to support or sponsor programs or legislation on issues related to its work or its mission. Requests may come from other national organizations, legislators, or Council Members.

Educational Advocacy

Government officials, legislators, members of the media and others often call upon the Council to take positions on policy issues related to its mission or to share knowledge and expertise relevant to ongoing policy deliberations.

The Chief Executive Officer (CEO) may authorize participation in activities furthering educational advocacy, and the providing of information, policy statements, or resolutions of the Council when the CEO determines such participation is consistent with the mission and the policies of the Council. Where participation is warranted, the CEO shall determine the nature and extent of participation.

PART TWO: CRITERIA FOR ESTABLISHING PUBLIC POLICY POSITIONS

The Council may take a position only on a public policy issue that meets one or more of the following criteria:

- The issue affects the Council's ability to fulfill its mission; or
- The issue affects the administration of justice and well-being for children, families, victims of domestic violence, or communities.

PART THREE: PROCESS FOR DETERMINING POSITIONS ON PUBLIC POLICY

1. Policy Statements, Position Statements and Resolutions

Policy statements, position statements, and resolutions represent the official positions of the Council. As stated in Part One, positions on public policy issues may originate from the Membership, the Board of Directors, the Executive Committee (EC), Advisory Committees, Legislative Committee, Council staff or from projects. The Council recognizes the importance of providing relevant information to the Legislative, Executive and Judicial branches of government as they consider and develop public policy. The Council may utilize its policy statements, position statements, resolutions, best practice documents, principles, research and statistics to guide the public policy development process. The Council may consider support of legislation that affects children and families involved with or potentially involved with any court or part of the justice system.

Only the EC, CEO, or their designees may speak or take action on local, state, or federal public policy issues on behalf of the Council.

The format for submission (e.g., policy statement, position statement, resolution, or motion to support) should be determined based on the use for which the Council's public policy position will be used if adopted. For any item to become official policy of the Council, the following procedure shall be used:

- a. A Committee, Officer, Director, Council member or staff may draft a policy statement, position statement, resolution, motion to support, or submit proposed legislation for support. The proposed item shall be submitted to the CEO using the "Policy or Legislation Consideration Submission Form," who shall submit to the EC for initial review.
- b. The EC shall decide if the issue is within the criteria for Council public policy decisions (as outlined in Part Two), and may assign it to the Council Committee whose focus is most relevant to the issue being addressed. If no such Committee exists, the President may appoint an *ad hoc* Committee to evaluate the proposed legislation, policy statement, position statement, resolution, or motion. The EC may include a response time and a summary of the issue, proposed legislation, or other document with the assignment.
- c. The EC will notify the committee of the time line for response. The Committee shall submit the issue electronically for comment, along with any past resolutions, position statements, policy statements or historical background information related to the subject matter, to those Members who have provided an email address. Members will be notified of the time line for response. In addition, the issue will be circulated to all Advisory Committees for review and comment. This ensures a broad perspective of review prior to adoption of official policy.
- d. The Committee shall review and analyze the public policy issue, including consideration of Member comments and any past resolutions, position statements, policy statements, or legislation related to the issue.

- e. The Committee shall make a recommendation to the EC concerning the proposed resolution, position statement, policy statement, or legislation. The EC will determine whether the recommendation requires Board consideration or action, and where appropriate, the EC shall refer the proposed legislation, resolution, policy statement or position statement to the Board of Directors as an action item from the Committee that considered the issue.
- f. If the proposed legislation, resolution, position statement, or policy statement is passed by a two-thirds majority of the Board of Directors then present and voting, it is adopted by the Council. If the vote is less than two-thirds, a motion by three or more Directors may request that the matter be submitted to a vote by the Membership of the Council, as allowed under the Bylaws and NRS regulations. In that situation, the proposed policy position shall be presented to the Membership at a meeting of the Membership or as allowed under the Bylaws and NRS regulations, and will be adopted by a majority vote. (See NCJFCJ Bylaws Articles III and V; and NRS Chapter 82, sections 82.271, 82.276, 82.281, 82.291, 82.316, 82.321, 82.326, 82.331, 82.336, and 82.341 regarding meetings, notice, and voting for Board and Membership.)
- g. If time is of the essence, the EC shall have the authority to take an official position on behalf of the Council. When the EC takes action under this section, the matter shall be submitted to the Board of Directors for ratification as soon as practicable.
- h. The Membership will be notified electronically or by other means of any public policy supported by the Council's Board of Directors.

2. Collaboration Process

If any organization desires to co-sponsor legislation, a regulation or a position on public policy, that relates to and furthers the mission of the Council, the request must be presented as follows:

- a. A letter must be provided detailing the position for which advocacy or sponsorship is sought. The letter shall also include information regarding other sponsors and other information relevant to evaluating the request.
- b. The organization's request will be reviewed by the CEO who will then advise the EC and the Board of Directors, who shall make a decision.

3. Diversity

Where the Council is considering a proposed policy or resolution statement, the Council shall always consider the impact of the policy or resolution on matters of race, creed, color, national origin, gender or sexual orientation.

(Adopted by the NCJFCJ Board of Trustees at the Annual Meeting, July 11, 2009, Chicago, IL; modified and adopted at the Mid-Winter Meeting of the Board of Trustees, January 2010, Pittsburgh, PA; modified and adopted by the NCJFCJ Board of Trustees by action without a meeting, June 6, 2010; modified and adopted by the NCJFCJ Board of Trustees at their Annual Meeting, July 17, 2010, San Diego, CA; adopted by the NCJFCJ Membership at their Annual Meeting, July 20, 2010, San Diego, CA; modified and adopted by the NCJFCJ Board of Trustees at their Spring Meeting, March 27, 2011, Reno, NV; modified and adopted by the NCJFCJ Board of Directors, November 15, 2016, Reno, NV.)

POLICY OR LEGISLATION CONSIDERATION SUBMISSION FORM

(In accordance with the Policy on Public Policy, submissions for consideration of public policy or legislation may be submitted as resolutions, policy statements, or position statements as determined most appropriate for the subject matter by the submitting party. The subject matter will determine the process for consideration as outlined in the Policy on Public Policy.)

TO: **Joey Orduna Hastings, Chief Executive Officer, NCJFCJ**
FROM: _____
DATE: _____

The undersigned, on behalf of _____, does hereby submit the attached policy or legislation item, entitled _____, for consideration and adoption by the _____ NCJFCJ Board of Directors or the _____ NCJFCJ Membership.

Following is a short summary: _____

This item has previously been adopted by: _____
_____ and has been submitted, or will be submitted, to the following for consideration and adoption: _____

If adopted, the item will be disseminated to the following: _____

The goal or expected benefit is as follows: _____

The undersigned _____ would or _____ would not like to attend and make a presentation of any discussion.

The undersigned may be contacted at: _____

Summary of discussion leading up to the resolution, policy statement, or position statement; pros/cons discussed; relevant specifics; etc.:

Signature

Date

Amicus Briefs

After debate and discussion, and consideration of the advantages and disadvantages of participation in amicus briefs, a decision was made by the NCJFCJ Board of Trustees on January 22, 2011, that the NCJFCJ does not participate in amicus briefs.

Annual Conference Fee Policy

In accordance with a motion passed by the Board of Trustees of the National Council of Juvenile and Family Court Judges at their July 1990 meeting, all members, participants, and faculty of the National Council who participate in the NCJFCJ's Annual Conference must pay the full Annual Conference registration fee, with the exception of Past Presidents of the NCJFCJ.

This includes any person attending meetings held in conjunction with the conference who wishes to participate in any portion of the training component or any other activity related to the conference. Should a person's attendance at an activity related to the conference be required for other purposes, a department director may request that a fee waiver be considered.

However, it is the policy of NCJFCJ that a faculty person who arrives the night before their presentation and leaves immediately following, and does not participate in any portion of the Annual Conference or its related activities, will not be required to pay the registration fee.

Applicability for waiver of the registration fee will be decided by the Chief Executive Officer on a case-by-case basis. Departments shall submit the necessary information a minimum of 30 days prior to the conference to request waiver of the fee.

(Adopted by the NCJFCJ Board of Trustees at their Mid-Winter Meeting, January 9-10, 2008, Rancho Mirage, CA)

Annual Conference Fee Waiver for NCJFCJ President and President-Elect

Pursuant to an action by the Board of Trustees on July 23, 2011, subsequent to a motion brought forward by the Governance Committee, the Annual Conference registration fee is waived for the Officer serving as NCJFCJ President during the Annual Conference (outgoing President), and the Officer serving as NCJFCJ President-Elect that shall be installed as President during the Annual Conference (incoming President).

Annual Conference Fee Waiver for NCJFCJ Past Presidents

Pursuant to an action by the Board of Trustees on January 10, 2008, subsequent to a resolution forwarded to the Trustees by the July 2007 Resolutions Committee, the Annual Conference registration fee is waived for all NCJFCJ Past Presidents.

Faculty and Speaker Selection Policy

This policy governs the selection of faculty and speakers for National Council of Juvenile and Family Court Judges (“NCJFCJ”) programs, trainings and conferences. In fulfilling its mission, the NCJFCJ aims to select faculty and speakers who represent the best practices in the field of juvenile and family justice. NCJFCJ staff should balance the interest of the organization or Department and the needs of the training or technical assistance service when selecting faculty and consultants. Individuals chosen should reflect the NCJFCJ commitment to diversity, and although not exhaustive, factors NCJFCJ staff should consider in selecting faculty and consultants include expertise, history, prior evaluations, funding, fees, membership/staff status, and availability. When necessary, appropriate, and feasible, judicial officers and content area experts will be paired to provide training and technical assistance.

Expectations for Training and Technical Assistance

The National Council of Juvenile and Family Court Judges (NCJFCJ) aims to provide the highest quality training and technical assistance possible to improve practice in juvenile and family courts. The following expectations are designed to help NCJFCJ staff, faculty, and consultants develop and deliver these critical services in an efficient, consistent, and effective manner.

1. The NCJFCJ will develop and utilize a diverse faculty and consultant pool. NCJFCJ Departments will make every effort to secure faculty and consultants who represent diverse racial, ethnic, sociologic, and professional groups.
2. NCJFCJ faculty shall work closely with Department staff through conference calls or e-mail correspondence to develop their training topics and materials to ensure appropriateness for a given audience, and to make those materials available for dissemination to the given audience in the most economically feasible manner.
3. NCJFCJ faculty and consultants will submit presentation materials, AV needs, and NCJFCJ paperwork by established deadlines and be responsive, reasonable, and timely in planning travel and other logistics.
4. NCJFCJ faculty and consultants are required to comply with the NCJFCJ travel policy.
5. NCJFCJ training should be delivered through traditional and alternative methods, including distance and web-based education.
6. NCJFCJ major trainings should incorporate crossover topics, including trauma-informed justice systems, gender and culture responsiveness, and mental health/substance abuse issues.
7. Although theory and policy are essential training topics, training should include a strong practice component. Training that is applied in nature should be evaluated by its impact on outcomes and practice changes. Action planning in conjunction with priming of self-efficacy tends to encourage goal attainment. Thus, NCJFCJ training should include a mechanism for attendees to reflect on their professional successes and outline how they will incorporate new information with existing knowledge and experience to change practice.
8. Training participants are expected to attend the entirety of an event to receive NCJFCJ funding or continuing education credit.
9. NCJFCJ staff will inform funders or on-site contacts if funded attendees leave training sessions prior to completion unless otherwise requested by funding agencies.
10. NCJFCJ staff should balance the interest of the organization or Department and the needs of the training or technical assistance service when selecting faculty and consultants. Although not exhaustive, factors NCJFCJ staff should consider in selecting faculty and consultants

include funding, fees, expertise, membership/staff status, availability, history, and prior evaluations. When necessary, appropriate, and feasible, judicial officers and content area experts will be paired to provide training and technical assistance.

11. All faculty and consultants are expected to be courteous and respectful to staff, co-faculty and consultants, and participants. Faculty, consultants, and staff will work together to clearly identify roles and responsibilities before the training event or technical assistance service. Faculty and consultants are encouraged to ask their staff liaison if roles and responsibilities are not clear.
12. NCJFCJ training should incorporate adult learning theory, and faculty are expected to use various teaching modalities to engage different learning styles.
13. NCJFCJ staff will secure venues for conferences and training that are accessible, comfortable, and conducive to adult learning and professional development.
14. NCJFCJ major conferences are led by and the province of the NCJFCJ. Although host states should certainly contribute to the conference agenda, the NCJFCJ must ensure the overall program targets a national audience and reflects its commitment to diversity.
15. Content area Department Directors are expected to be involved in planning the substantive portions of major conferences.

(Adopted March 15, 2009 at the Board of Trustees Meeting, Orlando, FL)

Requirements and Process for Election of Non-Judicial Directors

NCJFCJ BYLAWS PROVISIONS RELATED TO NON-JUDICIAL DIRECTORS

Rev. 7/2016

ARTICLE IV. DIRECTORS.

B. Qualifications for Non-Judicial Directors. Each non-judicial candidate seeking nomination for the office of Director must possess the following minimum qualifications at the time of election:

- 1) Must be a Sustaining member of the Council and remain in good standing;
- 2) Have submitted a completed application in a time and manner prescribed by the Development Committee;
- 3) Certify that he or she will comply with the Individual Responsibilities of a Director as outlined in Article IV. C. and the Standards of Conduct as currently issued by the Board of Directors;
- 4) Additional relevant factors or attributes that may be considered include, but are not limited to:
 - Participation on other boards
 - Diversity in all its forms, including race, ethnicity, national origin, gender, sexual orientation, socio-economic status, religion, age, disability status, profession,

geography, and jurisdiction, and commitment to the principles of the Council's Diversity Policy Statement

- Financial support of the organization
 - Expertise or experience in areas such as business, finance, investment, fundraising, philanthropy, marketing, public relations, government relations, technology, insurance, legal, academic/research, former youth, victim, professional or volunteer involved in the juvenile and family court system
 - Governance experience or senior executive level experience guiding organizations
 - Attributes of collaborative leadership, seeking and valuing working with a diverse group of people with varied expertise
- 5) Any non-judicial candidate seeking nomination for a first term as Director shall provide the names of two references, including one Active member or Principal Staff member, as defined herein, of the Council

C. Individual Responsibilities of Directors. Each person serving as a Director, judicial and non-judicial, have the responsibilities stated in this section.

D. Collective Responsibilities. All Directors, acting as a Board, shall have the responsibilities in this section.

E. Election of Directors.

- 1) **Non-Judicial Directors.** Non-Judicial Directors shall be elected by the Board of Directors.
 - a. Election of Non-Judicial Directors may be conducted at any regularly scheduled meeting of the Board of Directors, or at a special meeting called for that purpose.
 - b. The Development Committee may accept applications for Non-Judicial Directors at any time, and may propose candidates to the Board after consultation with the Executive Committee and Principal Staff. Candidates for Non-Judicial Directors must meet the qualifications stated in Article IV. B.
 - c. The election of such Directors to the Board shall be confirmed by the affirmative vote of a majority of the Directors. If there is a tie vote after the casting of three ballots, the Presiding Officer will be called upon to cast a vote in order to break the tie.
 - d. Names of all Non-Judicial Directors elected to the Board shall be published within thirty (30) days following election.

NCJFCJ PROCESS FOR RECRUITMENT/ELECTION OF NON-JUDICIAL DIRECTORS.
Rev. 11/2016

1. Recruiter identifies potential candidate(s) within the requirements and considerations outlined in the Bylaws and the Board Director/Legacy Ambassador's Council Member Recruitment Policy. Recruiter talks with potential BOD candidate - gauges interest, talks about the work of the NCJFCJ, etc.
2. Recruiter contacts CEO or CAO for informational materials to give to Candidate regarding roles, responsibilities, expectations of Directors, work of the NCJFCJ, etc. Recruiter makes clear the obligation to contribute or obtain a contribution of \$10,000 each year. Legacy Council members must make an initial ten percent (10%) contribution toward this obligation within ninety (90) days of appointment, submitted with a plan for contributing or obtaining the remaining balance within six (6) months of appointment. The total \$10,000 obligation may be paid or obtained in increments during that time frame.
3. Staff does initial internet, social media, and SAM check on the candidate name and their organization.
4. Recruiter provides information and if person is interested, sets a call w/CEO and President or President's designee to give more information, discuss expectations, answer questions.
5. (If a yes) Candidate completes application and sends to NCJFCJ staff with signed Roles, Responsibilities and Expectations document, a current resume, and signed authorizations for formal background check..
6. Staff does internet and social media search on other organizations listed on the candidate's application and resume; requests formal background check through NCJFCJ's current vendor.
7. Once background check results are received, staff summarizes all findings and forwards summary and application documents to the CEO, Development Director, and Development Committee.
8. Development Committee adds to agenda of scheduled call/meeting if timely, or schedules a special conference call to discuss.
9. Development Committee includes CEO and EC on calls/meetings where a candidate application will be reviewed. Applications are reviewed according to the requirements and considerations outlined in the Bylaws and the Board Director/Legacy Ambassador's Council Member Recruitment Policy.
10. (If a yes) EC sets Board election in one of the following ways:
 - In-person meeting already scheduled (if timing is immediate)

- Materials disseminated with 5-day notice of date/time of call
 - If quorum of Directors can join the call, discussion and vote held during the telephone meeting
 - Action without a meeting (requires majority of directors to agree to hold action without a meeting)
 - Materials disseminated with 7-day notice to review, discuss by email or contact President, CEO or recruiting member with questions, and to respond approval/disapproval of the action without a meeting
 - If action without a meeting is approved by majority of Directors, electronic vote held over 24-hour period where each Director can access the vote via a link and cast his or her vote at their convenience
 - ***An action without a meeting or telephone meeting is preferable in order to engage the non-judicial Director as quickly as possible, and allow them sufficient time to be noticed of the next in-person meeting, receive materials and prepare for the meeting***
11. The non-judicial Director’s term begins upon date of election. Swearing-in of the Director takes place at the next in-person Board meeting or the Business Meeting of the General Membership, whichever occurs first.
12. A non-judicial director is considered a paid member in good standing if he or she has signed the **Roles, Responsibilities and Expectations of a Director** document and pledged to fulfill their \$10,000 obligation each year. They must make an initial ten percent (10%) contribution toward this obligation within ninety (90) days of election, submitted with a plan for contributing or obtaining the remaining balance within six (6) months of election. The total \$10,000 obligation may be paid or obtained in increments during that time frame.

Process for Appointment of Legacy Ambassador’s Council Members

NCJFCJ BYLAWS PROVISIONS RELATED TO NCJFCJ LEGACY AMBASSADOR’S COUNCIL

Rev. 7/2016

ARTICLE II. MEMBERSHIP. (extracted sections)

The Council encourages and supports diversity in its membership, committees, Board of Directors, and Executive Committee.

A. Qualifications. The Membership shall consist of the following types:

Sec. 3. Sustaining Membership. Any person, firm, corporation, foundation, or association may become a Sustaining Member of the Council by making an annual contribution and meeting the eligibility requirements as set by the Board of Directors. Except as otherwise provided in these Bylaws, each Sustaining Member shall have all the rights and privileges of an Active Member.

ARTICLE VIII. COMMITTEES. (extracted sections)

A. Introduction. Much of the work of the Council is done through its committees. Committees may be established by the Board of Directors or the President as may be deemed proper, and such committees may be delegated such powers and authority, as, in the discretion of the Board of Directors, it deems proper; provided, however, that such authority shall not be inconsistent with the provisions of these Bylaws nor any other authority delegated to any other committee created by these Bylaws, or by the Board of Directors. The Board of Directors shall establish committees which have or may exercise the powers of the Board; otherwise the President may establish committees as needed. The various types of Council committees are delineated below. Each Committee shall establish a charter, consistent with the Vision and Mission of the Council, to guide its process and its work, and clarify the role of Committee members. To the extent any committee charter conflicts with the Bylaws, the Bylaws shall prevail.

E. Special Standing Committees. These are permanent committees which serve the Council and which have special criteria delineated in these Bylaws.

5) NCJFCJ Legacy Ambassador's Council. There shall be established a Legacy Ambassador's Council to promote the organization and assist with fundraising efforts and increase visibility of the NCJFCJ in local communities, their respective states, and nationally.

The NCJFCJ Legacy Ambassador's Council shall operate in accordance with its Charter, as adopted by the NCJFCJ Board of Directors.

- 1) The President, in consultation with the Chief Executive Officer, shall appoint members of the Legacy Ambassador's Council.
- 2) Legacy Ambassador's Council members are Sustaining Members of the Council.
- 3) The President shall appoint the Chair of the Legacy Ambassador's Council.
- 4) No authority of the Board of Directors may be delegated to the Legacy Ambassador's Council.
- 5) The Legacy Ambassador's Council shall have a liaison to the Board of Directors who shall provide a report at one meeting of the Board each year.

NCJFCJ PROCESS FOR RECRUITMENT/ELECTION OF LEGACY AMBASSADOR'S COUNCIL MEMBERS 11/2016

1. Recruiter identifies potential candidate(s) within the requirements and considerations outlined in the Bylaws and the Board Director/Legacy Ambassador's Council Member Recruitment Policy. Recruiter talks with potential candidate - gauges interest, talks about the work of the NCJFCJ, etc.
2. Recruiter contacts CEO or CAO for informational materials to give to Candidate regarding roles, responsibilities, Legacy Ambassador's Council Charter, work of the NCJFCJ, etc. Recruiter makes clear the obligation to contribute or obtain a contribution

of \$10,000 each year. Legacy Ambassador's Council members must fulfill this obligation within ninety (90) days of appointment.

3. Staff does initial internet, social media, and SAM check on the candidate name and their organization.
4. Recruiter provides information and if person is interested, sets a call w/CEO and President or President's designee to give more information, discuss expectations, answer questions.
5. (If a yes) Candidate completes application and sends to NCJFCJ staff.
6. Staff does internet and social media search on other organizations listed on the candidate's application.
7. Staff summarizes findings and provides summary and application to CEO, Development Director, Development Committee.
8. Development Committee adds to agenda of scheduled call/meeting if timely, or schedules a special conference call to discuss. At the time of notification to Development Committee, the full Board is notified of the Legacy Ambassador's Council candidate, so that any Board member may participate in Development Committee call and discussion.
9. Development Committee includes CEO and EC on calls/meetings where a candidate application will be reviewed. Applications are reviewed according to the requirements and considerations outlined in the Bylaws and the Board Director/Legacy Ambassador's Council Member Recruitment Policy.
10. If Development Committee recommends appointment to the Legacy Ambassador's Council, the President considers the application, and makes the appointment or rejects the recommendation.
11. Within seven (7) days of decision by the NCJFCJ President, the Development Committee and Board are notified of the appointment (or rejection). The Legacy Ambassador's Council term begins on date of appointment and is a two-year term.
12. A Legacy Ambassador's Council member is considered a paid member in good standing if he or she has signed their application, certifying they will adhere to the Legacy Ambassador's Council Charter, including the obligation to contribute or obtain a contribution of \$10,000 each year.



LEGACY AMBASSADOR’S COUNCIL CANDIDATE APPLICATION

TO BE COMPLETED BY REFERRING PARTY:

CANDIDATE INFORMATION

Name:

Business or Organization *(if applicable)*:

Title *(if applicable)*:

Preferred Address:

Phone: _____ Mobile: _____

Primary Email: _____

Secondary Email: _____

BACKGROUND

1. Please tell us about the candidate’s interest in NCJFCJ and interest in serving on the Legacy Ambassador’s Council. Attach additional sheet if necessary.

2. List the areas of philanthropic interest of the candidate and candidate’s current organization/ employer, and organizations/causes to which they have contributed over the past three years. Attach additional sheet if necessary.

3. **Please list boards and committees on which the candidate serves or has served** (business, civic, community, fraternal, political, professional, recreational, religious, social). *Attach additional sheet if necessary.*

Organization	Role/Title	Dates of Service
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4. **Name any business, professional, occupational, civic, or fraternal organization(s)** of which the candidate is now a member, or of which the candidate has been a member during the past five (5) years, the organization address(es), and date(s) of membership(s). *Attach additional sheet if necessary.*

Organization Membership	Office(s) Held	Term/Date(s) of
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TO BE COMPLETED BY CANDIDATE:

5. Are you or have you ever been a registered lobbyist?
 No Yes **If yes, please provide additional information on a separate sheet.**
6. Are you now, or have you within the past four (4) years, been a member of any club or organization that, to your knowledge, in practice or in policy, restricts membership or restricted membership during the time that you belonged, on the basis of race, ethnicity, national origin, gender, sexual orientation, socio-economic status, religion, age, or disability status?
 No Yes **If yes, please provide additional information on a separate sheet.**
7. Have you ever been convicted for any violation of federal, state, county or municipal law, regulation, or ordinance? (Exclude traffic violations for which a fine or civil penalty of \$150 or less was paid.)
 No Yes **If yes, please provide additional information on a separate sheet.**
8. Have any judgments been entered against you as a result of any civil proceeding that would reflect negatively on the work of NCJFCJ?
 No Yes **If yes, please provide additional information on a separate sheet.**
9. Have you in the past, or are you now, engaged in activities that will reflect unfavorably on the NCJFCJ, its membership, or its board?
 No Yes **If yes, please provide additional information on a separate sheet.**
10. Are you aware of any conflicts of interest that would preclude you from participating in the decision-making activities of NCJFCJ's board?
 No Yes **If yes, please provide additional information on a separate sheet.**



CERTIFICATIONS

By initialing each item below, typing my name or signing and submitting this application, I certify:

- _____ I am in good standing in my profession.
- _____ Business(es) and organization(s) with which I am involved are not in conflict with NCJFCJ’s Bylaws, published policies or position statements.
- _____ If accepted as a Member of NCJFCJ and its Legacy Ambassador’s Council, I will assist NCJFCJ to raise funds, tap into existing community resources, use my networks and relationships to integrate the NCJFCJ into the national arena and activities in my community, and to adhere to the Legacy Ambassador’s Council Charter.

Signed

Date

PLEASE ATTACH:

- **additional** information sheets as applicable

SUBMIT application and attachments to the NCJFCJ Development Committee by FAX to (775) 507-4855. **QUESTIONS?** Email us at cdavidek@ncjfcj.org

CHECKLIST FOR INITIAL SCREENING OF PROSPECTIVE LEGACY AMBASSADOR'S COUNCIL MEMBERS

At Referral of Candidate

CANDIDATE NAME: _____

REFERRED BY: _____

Individual Review

- Internet
 - Social media
 - Facebook
 - Twitter
 - LinkedIn
- SAM (Federal Excluded Parties Listing)

Current Employer Review

- Internet
 - Social media
 - Facebook
 - Twitter
 - LinkedIn
- SAM (Federal Excluded Parties Listing)

At Receipt of Application

Associated Organizations Review (Listed on the candidate's application, resume, or arose from individual review)

- Internet
 - Social media
 - Facebook
 - Twitter
 - LinkedIn
- SAM (Federal Excluded Parties Listing)

REVIEW COMPLETED BY: _____
Vice President for Development

_____ Date

Protocol for Consideration of Endorsements, Sponsorship, or Co-Sponsorship

When a request for NCJFCJ endorsement, sponsorship, or co-sponsorship of an event, activity, or resource of another organization is received, the following protocol for consideration of the request shall be followed.

1. The request shall be submitted to the NCJFCJ Chief Executive Officer (CEO).
 - If the request is a continuation of a former sponsorship or endorsement, the CEO will make a determination, based on the considerations outlined below.
 - If the request is a new sponsorship or endorsement, the CEO shall provide a summary of the request to the Executive Committee (EC). The summary shall include a recommendation which evaluates the advantages and disadvantages of approving or not approving the request, utilizing the questions set out in this protocol.
 - The EC may decide the matter or refer the matter to the Board for a majority vote.
 - When endorsement of a resource (e.g., publication, tool, guidelines, program, methodology, etc.) is requested, the item will be circulated to all Advisory Committees for review and comment. This ensures a broad perspective of review prior to official endorsement.
 - Among other things, the deciding body shall consider:
 - a. Whether the request relates to the mission and vision of NCJFCJ, and is consistent with established policy.
 - b. Whether the endorsement or sponsorship will advance the interest of a population on which NCJFCJ focuses.
 - c. The advantages and disadvantages of the endorsement or sponsorship, including, but not limited to, cost and potential funding implications to NCJFCJ.
 - d. The effect of NCJFCJ's decision whether or not to provide an endorsement or sponsorship; including analysis of the practical implications (i.e., staffing costs), as well as ethical, legal or policy implications.
 - e. Other organizations that have endorsed or provided sponsorship on the matter, and the pros and cons of being linked to them.
 - f. Whether the organization is one with which we have had a previous collaboration and whether it was a positive experience.
 - g. How active the role of the NCJFCJ would be in the planning and implementation of the activity, and how much decision-making authority NCJFCJ would have.

- h. Whether the content, topics, or perspectives being presented during the activity indicate that the NCJFCJ should make a statement that participation in the event does, or does not, imply concurrence with certain points of view.

(Adopted July 23, 2011, Board of Trustees Meeting, New York, NY; modified and adopted by the NCJFCJ Board of Directors, November 15, 2016, Reno, NV.)

Protocol for Payment of Judges or Judicial Officers

The NCJFCJ supports the judiciary of juvenile and family court jurisdiction to engage in leadership, education, consultation with colleagues, and community outreach to foster the effective administration of justice, and is dedicated to supporting the professional development of member judges and others through learning opportunities and opportunities for national exposure, impact on policy and practice, and professional growth on issues pertinent to juvenile and family courts.

Except in rare exceptions as noted below, the NCJFCJ does not provide fees to sitting judges or judicial officers in exchange for services, such as faculty for training programs, facilitation, on-site consulting, or other services. However, sitting judges or judicial officers may be reimbursed the normal, reasonable expenses related to travel, lodging and per diem as allowed by funding requirements and NCJFCJ policies, and as incurred in the course of NCJFCJ funded project activities.

A retired judge or retired judicial officer may be paid a fee for serving as faculty or for other consulting services only in the following circumstances:

1. There is no sitting judge or judicial officer who is available and qualified to provide the services; or
2. There is no retired judge or retired judicial officer, or other expert consultant, who is willing and qualified to provide the services without being paid a fee.

No fee or rate should be offered until determination can be made that there is no qualified sitting or retired judge, or other individual who can provide the services without a fee.

Should a judge or judicial officer hear cases after retirement, that shall not be a disqualifying factor.

Any judge holding the position of Director or Officer of the NCJFCJ is not eligible for payment. Also, any potential consultant may not be a member of the same committee that seeks hiring of that individual as a consultant for a project under the purview of that same committee.

Before a retired judge or retired judicial officer may be offered a paid consulting role, staff must follow the established process for procurement and engagement of consultants, including consideration of most appropriate, cost-effective consultant, submission of justification and a

Consultant Agreement outlining the scope of work to be performed, source of funds, and terms of payment, to the Chief Executive Officer for approval prior to engaging any retired judicial consultant.

In some instances, a pro tem or part-time judge may be paid as a consultant. This instance arises only when:

- the person is uniquely qualified,
- no judge who can work for free is similarly qualified,
- performing work for the Council would create a financial hardship (due to loss of income) for the needed judge, and
- the Chief Executive Officer approves the hiring of the pro tem or part-time judge consultant prior to engagement of services.

Prior to engaging the services of a pro tem or part-time judge as a consultant, staff must document the unique circumstances and show all four conditions are satisfied. This section of the policy helps ensure the Council has the broadest possible pool of uniquely qualified judicial talent available (including tribal court judges and judges from smaller jurisdictions).

Any pro tem, part-time, or retired judge or retired judicial officer selected for consulting services must sign a Consultant Agreement prior to performing services, releasing all individual rights or claims to any work product resulting from the contract, and certifying compliance with all rules of judicial conduct and laws in his or her state of residence.

At each Annual Conference meeting of the NCJFCJ Board of Directors, a written report will be provided to all Directors, listing all judicial consultants paid within the preceding twelve (12) months and the total sum of their payments.

(Adopted July 18, 2001 at the Board of Trustees Meeting, Monterey, CA; modified March 14, 2010 at the Spring Meeting of the Board of Trustees, Las Vegas, NV, within Board Governance Manual; modified on July 13, 2013, at the annual meeting of the Board of Trustees, Seattle, Washington.)

Pursuant to direction from the Directors, the annual report to the Board shall also include justification regarding selection of each judicial consultant.

Publications

Juvenile and Family Court Journal

The *Juvenile and Family Court Journal* is a quarterly peer-reviewed journal, containing articles of interest to the field of juvenile and family justice which has been published by the NCJFCJ since 1949. Articles of interest to the readership, which includes juvenile and family court

judges, court administrators, and others in the field of juvenile and family law, will be considered.

Manuscript Guidelines:

1. Only previously unpublished material will be considered. The *Journal* has a sole submission policy; please do not submit articles under consideration by another publisher.
2. Manuscript length should be no more than 30 typed, double-spaced pages, including a 100-word abstract (required), any tables, notes and references.
3. Please follow style guidelines of the Publication Manual of the American Psychological Association (4th or 5th ed.) or the Bluebook.
4. A very brief biography of each author, including addresses, is requested.
5. Submissions can be sent via hard copy or e-mail to the address below
6. Review process may take up to ten weeks.

Please submit manuscripts to: Journal@ncjfcj.org

Requests for Assistance of Staff

A request for assistance from an NCJFCJ staff member which may go beyond the scope of his or her normal or funded workload should be requested of the Chief Executive Officer, who will forward the request on to the appropriate Director for handling or referral to another staff member. If such a request can be handled in an hour or less, the department will support that work effort. If more time is needed, the Department Director will consult with the Chief Executive Officer, and it will be determined if administrative funds can be spent to cover the work (if related to membership/Board work, for example) or if the requesting judge, or his or her jurisdiction, can support the work.

Board members are requested to contact the Chief Executive Officer directly to ask for specific technical assistance on projects related or unrelated to specific grant work assigned. Because of limited funds available for performance of such work, each request must be carefully reviewed.