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## **BYLAWS**

### **TITLE I**

#### **NAME, SEAT, DURATION**

##### **Article 1- Name**

The association will be called “l'Association Internationale des Magistrats de la Jeunesse et de la Famille” (AIMJF) “The International Association of Youth and Family Judges and Magistrates” (IAYFJM), International Association of Youth and Family Magistrates (AIMJF), hereinafter referred to as “The Association”

##### **Article 2 – Headquarters**

The Association has its seat at Palais de Justice de Bruxelles, Place Poelaert, 1, à 1000, Bruxelles, Belgium. The Seat may be transferred to any other place within Belgium following the decision of the Council by a simple majority.

##### **Article 3 – Duration**

The Association is established for an indefinite period of time.

### **TITLE II**

#### **OBJECTIVES AND ACTIVITIES OF THE ASSOCIATION**

##### **Article 4 – Definition and rationale of the association.**

The Association is a world organization composed mainly of specialized judges and magistrates, dedicated to the study and exchange of information on issues that concern children and adolescents who need care and protection and/or who are in conflict with the law and their rights. It aims

to identify, publish and promote best practices in these fields. The languages of the Association are French, English and Spanish.

## **Article 5 – Objectives**

The objectives of the Association are:

**5.1.** Establish and maintain networks and links between judges, magistrates and specialists from around the world who are linked to the judicial authority of any nature or who are related to the protection of children and adolescents or with the family.

**5.2.** Study at an international level the problems that have arisen in the functioning of judicial institutions and organizations for the protection of children and adolescents and the family

**5.3.** Promote the application at the national or international level of the principles and conventions by which these authorities are governed in article 5.2 and make them more widely known.

**5.4.** Examine the legislation related to the protection of children and adolescents and their families in the various systems that exist for the protection of those at risk with a vision of improving systems at the national and international levels.

**5.5.** Promote awareness and implementation of children's rights.

**5.6.** Provide collaboration between nations and their competent authorities in the consideration of foreign minorities and their families.

**5.7.** Promote research into the causes of criminal behavior and imbalances of children and adolescents to combat its effects and seek permanent prevention, reparation and rehabilitation programs.

**5.8.** Commit to improving the living conditions of children and adolescents and, in particular, with the future of children and adolescents at risk.

**5.9.** Provide collaboration with International Associations interested in the protection of children and adolescents and their families.

## **Article 6 - Activities**

The Association aims to make your voice effective through:

- a.** The publication of its bi-annual magazine (The Chronicle) in English, French and Spanish by electronic distribution to its members and subsequently to the world through the Association's website. The Chronicle seeks contributions from all leading professionals in order to present up-to-date analysis across all relevant disciplines.
  
- b.** Holding a world congress (normally every four years) for its members and other professionals to examine, discuss and publicize developments in the field of justice, youth and family.
  
- c.** Promoting International Conventions relevant to the objectives of the Association, in particular the United Nations Convention on the Rights of the Child and cooperation with the corresponding United Nations Committee.
  
- d.** Participate in seminars, conferences and congresses around the world as designers, speakers, round table participants, moderators, communications designer and participants
  
- and.** Preparation and distribution of training materials related to local law and international conventions that reflect the specialization in the Courts of Children and Families.
  
- F.** Being support in the programs of the Institute for the Rights of the Child in Sion, Switzerland in which the IAFJM is a co-founder
  
- g.** Taking relevant cases of law from different countries available through the Association's website
  
- h.** Work with NGOs and other agencies operating in the fields of youth and family justice.
  
- Yo.** Match those who have specific knowledge about youth and family courts with those who are seeking that knowledge.

**J.** Providing advice to governments on policies and legislation concerning children, adolescents and families.

**k.** Regularly revising the Activities of the Association to reflect the pursuit of the objectives of Article 5

### **TITLE III**

#### **MEMBERSHIP AND REGIONAL SECTIONS**

##### **Article 7 - Membership.**

The members of the Association can be:

**a)** Ordinary members

**b)** Affiliated national associations

**c)** Associate members

**d)** Honorary Members

##### **Article 8. Ordinary members.**

**8.1.** Subsidized ordinary membership can only be granted to judges and magistrates who have or had an office in a Juvenile or Family Court or who are performing similar functions .

**8.2.** Ordinary members may be admitted by the Secretary General or another official to whom power has been delegated and they may require proof of their eligibility. In case of rejection, an appeal may be

submitted to the Executive

**8.3.** Ordinary members must pay an annual subscription of a sum to be set by the Council within the limits established by the General Assembly.

#### **Article 9 – National Associations.**

**9.1.** Memberships may be subsidized by national associations of judges, magistrates and other persons who have, in whole or in part, the objectives of the association and which are composed of a minimum of five persons.

**9.2.** They are admitted by the Executive. In case of rejection, it may be appealed to the Council.

**9.3.** They may organize themselves in the way that is convenient for them, although they must observe these statutes.

**9.4.** Members of national associations are collectively affiliated to the Association and pay their subscriptions through their Association and in prescribed amounts.

**9.5.** The national associations constitute differentiated bodies of the Association and likewise their properties are also different from those of the Association. These cannot compromise the Association in any way vis-a-vis, its members or third parties.

#### **Article 10 – Associate members**

**10.1.** Organizations, specialist groups or those persons who, due to their qualifications in the fields defined in article 6, their skills and their achievements, can contribute to the work of the association and can be considered associate members.

**10.2.** They will be admitted by the General Secretariat, in case of rejection, an appeal may be submitted to the Executive.

**10.3.** Associate members may take part in the work of the Association. They must pay an annual subscription of the amount fixed by the Council within the limits determined by the General Assembly.

**10.4** They have the right to vote.

**10.5.** Member Associations, with the exception of specialist organizations and groups, may be candidates for election to the Council with the provisions of articles 22.

### **Article 11 – Honorary Members**

People who have provided notable service to the Association may be appointed honorary members by the General Assembly. Honorary members do not pay a subscription and have the right to vote at the General Assemblies.

### **Article 12 – Subscription and Appeal**

**12.1.** To obtain the quality of ordinary member or associate member, a request is made in writing to the Secretary or the Treasurer. To obtain the quality of the national association, a written request is made to the Executive

**12.2.** In case of rejection, the appeal must be in writing and be submitted to the Secretary General three months before the date of the meeting of the Board with regard to quality or the ordinary or associate member of the Council with regard to quality national association.

**12.3.** If the Board or Council refuse to convert the national affiliation or association, a final appeal may be made against their decisions to the General Assembly. The appeal must be submitted in writing to the Secretary General three months before the date of the General Assembly meeting.

### **Article 13 – Loss of Membership**

**13.1.** Membership is lost:

a) by written resignation addressed to the General Secretariat or the Executive Committee

b) for having been removed from the list of members of the Council for lack of payment or

c) by exclusion following the decision made by two thirds of the members of the General Assembly for damaging the prestige, good name or interests of the Association.

**13.2.** The person who for any reason ceased to be a member and the heirs or personal representatives of a deceased member shall not be entitled to any claim on the assets of the Association.

**13.3.** The Council can, by two thirds of its members, suspend a member, pending the decision for the next General Assembly, to whom the case will be reported.

#### **Article 14 – Regional Sections**

Ordinary members and any national association whose objectives, goals and programs are in accordance with those of the International Association of Youth and Family Judges and Magistrates, may apply to the Council for authorization to create a regional section.

#### **Article 15 - Contribution of members**

**15.1.** Ordinary members, associates and national associations pay the association an annual fee determined by the General Board or by the Board within the limits established by the General Assembly.

**15.2** The members of the national associations and institutions are affiliated with the Collective Association; They pay through their organization / institution.

**15.3.** Enter it effectively only upon receipt of the contribution

**15.4.** In case of resignation, removal or exclusion, the fee is non-refundable.

## **TITLE IV**

### **BODIES OF THE ASSOCIATION**

#### **Article 16- Organs of the Association**

- a) The General Assembly
  
- b) The Council
  
- c) The Executive Committee
  
- d) The General Committee

### **CHAPTER 1 GENERAL ASSEMBLY**

#### **Article 17 - Ordinary General Assembly**

**17.1.** The General Assembly includes all members of the Association. Each member shall have one vote and a national association and associated institution member shall have a number of votes equal to the average number of annual contributions made each year since the last General Assembly, but not more than 30 votes.

**17.2.** The General Assembly is held every four years at the Association Congress Headquarters, convened by the President. . The Assembly will be chaired by the President of the Association or, failing that, the Vice President.

**17.3.** The call and all the information related to the general assembly are sent by the Secretary to all the members at least three months before the meeting.

**17.4.** The agenda is approved by the Board and distributed to members at least three months before the General Meeting.



**17.5.** Members wishing to place an item on the agenda must notify the Secretary General no less than three months before the meeting. The Council may accept or reject any of these requests.

**17.6.** If the Council rejects any request, the member who made the request may, provided the request is signed by not less than twenty members in support, bring the matter directly before the General Assembly.

#### **Article 18 – Extraordinary General Assembly**

An Extraordinary General Assembly may be called by the Council or by a written request sent to the Secretary General and signed by a number of not less than fifty members representing a number of not less than five countries.

The Summons and all notices calling such meetings must be sent by the Secretary General to the members not less than three months before the meeting.

#### **Article 19 – Power of the General Assembly**

The General Assemblies will have the power to make decisions to carry out the purposes of the association and, in particular, they can:

**a)** Elect the President, the Vice President, the Secretary General, the Undersecretary and the Treasurer; the President and at least two other members of the Executive must be ordinary members;

**b)** Elect the other members of the Council, a majority of them must be ordinary;

**c)** Elect Honorary Members

**d)** Hear and decide appeals on decisions of the Council and the Executive Committee in relation to the admission of memberships;

**e)** Expel members of the Association

**f)** Receive and approve the balance

**g)** Fix the annual subscription or determine the limits within which the Council can determine the subscription;

**h)** Receive reports on all the activities of the Association

**i)** approve the internal regulations submitted to it by the Association's bodies

**j)** Decide on the proposals to modify the Statutes according to Article 31

**k)** Discuss all agenda items and other items in accordance with these Statutes with the permission of the President;

**l)** Decide on a resolution to dissolve the Association in accordance with the provisions of Article 30.

## **Article 20 – Votes**

**20.1.** The General Assembly is chaired by the President or, in his absence, the Vice President.

**20.2.** Except as otherwise provided in these Bylaws, decisions must be reached by a simple majority of voting members present or with a signed, written proxy. Such voters may act as proxy for not more than three absent members.

**20.3.** Decisions must be taken by a show of hands but Council members will be elected by secret ballot if required.

**20.4.** The National Association and associated organizations shall be represented by a person designated in writing by such association or associated organization; this representative must have all the votes of this association or organization.

Differences relating to the representation of national associations and member institutions are fixed by the Council.

**20.5.** Members whose subscriptions are paid and up to date will have the right to vote.

**20.6.** In case of equality of votes, the President shall have the decisive vote.

**20.7.** The minutes of the General Assemblies, registered by the Secretary General, signed by the President must be sent to the members of the Council and must be available for the members who require them and kept in the register maintained by the Secretary General and made available Of the members.

#### **Article 21 – Decisions of the General Assembly by written procedure**

Between its statutory meetings every four years, the General Assembly may take decisions on any matter within its powers based on proposals made by the Council and sent by the Executive Committee in writing via email to the members of the General Assembly.

The following rules apply to:

- a)** The proposals and any attached documents will be sent to the members of the General Assembly at the most recent email addresses taken by the Executive Committee. Members of the General Assembly are responsible for ensuring that the Executive Committee has updated email addresses;
- b)** The documents of the proposals will indicate that a decision of the General Assembly must be made under written procedure;
- c)** The members of the General Assembly will be given a deadline to respond, which must be at least [3] three weeks after the date of sending;
- d)** The proposal(s) will be considered accepted by the General Assembly not having received more than 10 dissenting responses before the deadline;

e) The Executive Committee will inform the members of the General Assembly and the Council of the decision(s) taken within [3] weeks of the deadline established in point c.

## **CHAPTER 2 THE COUNCIL.**

### **Article 22 – The Council**

**22.1.** The Council shall manage and promote the activities of the Association.

It has all the powers necessary to achieve the objectives of the Association and carry out all acts of management, administration and disposition, with the exception of the powers specified by law or reserved to the General Assembly in these Statutes.

**22.2.** It must be composed of a minimum of seven and a maximum of twenty people, a majority of whom must be ordinary members. It should not be made up of more than three people from the same country.

**22.3.** The Council should include:

a. President

b. the vice president

c. The secretary general

d. the undersecretary

**and.** The treasurer

F. Members

**22.4.** The majority of members of the Council must be ordinary members

**22.5.** The last ex-president participates in the meetings of the Council in the capacity of consultant to him.

**22.6.** The members of the Council are elected by the General Assembly, by secret ballot if required. They will maintain their position until the next General Assembly. They will be eligible for re-election. Vacancies can be filled by co-option and this will remain in effect until the next Ordinary General Assembly.

**22.7.** Members of the Council may be removed or suspended from office by a General Assembly, as provided in Article 13. The Council may also replace a member of the Council or Bureau if he or she has not attended meetings for a period of two years without giving a reason.

**22.8.** The Council will meet at least once a year. A member may be represented at a meeting by another member, but no member may act as proxy for more than one absent member. The Council attends the General Committee meetings.

**22.9.** The President, the Secretary General or two members convene the sessions of the Board. Except in an emergency, notices will be sent at least two months in advance.

**22.10.** Decisions will be made by a simple majority of members present or represented by a proxy. The President shall have the deciding vote in the event of a tie. The decisions must be recorded in the minutes of the meetings,

which will be available to the members of the Association who require them.

**22.11.** The Council shall have the power to establish committees or working groups as it deems necessary. The membership and activities of these committees and task forces shall be under the control of the Council.

**22.12.** The Council shall be represented in legal actions by the Secretary General or by another member appointed by the Council.

**22.13.** The Council may accept or reject gifts or inheritances...

**22.14.** The Council may accept or reject donations and legacies

**10:15 p.m.** The Council may authorize the creation of a Regional Section. This, then, issues a certificate that establishes the geographical area of the new regional section.

### **Article 23 - Representation of the Association**

**23.1.** The Association is validly committed to third parties acting the President and two other members of the Executive all together or acting two members and the specific authority of the Council together.

**23.2.** The Association is validly represented in Court, as plaintiff or defendant, by its Secretary General or by a member appointed by the Council.

## **CHAPTER 3 EXECUTIVE, PRESIDENT, GENERAL SECRETARY, TREASURER AND CONFERENCE OFFICERS**

### **Article 24 – The Executive Committee**

**24.1.** The President, the Vice President, the Secretary General, the Assistant Secretary and the Treasurer make up the Executive Committee.

**24.2.** The Council delegates day-to-day business to the Executive Committee. The Executive Committee administers the Association in accordance with the decisions and directives of the Council.

**24.3.** The Executive Committee shall meet at least twice a year.

### **Article 25 – The President**

**25.1.** The President will direct all the activities of the Association and will preside over the General Assemblies, the meetings of the Council and the General Committee. He will be assisted by a Vice President to whom he can temporarily delegate all or some of his functions.

**25.2.** The President shall not commit the Association without prior approval of the Council, with respect to the expenses and management of the assets of the association.

#### **Article 26 – The Secretary General**

Under the direction of the Council the Secretary General shall:

- a)** Represent the Association in all legal procedures;
  
- b)** Maintain an up-to-date list of members, record and keep minutes of meetings, deal with correspondence, call meetings and maintain files;
  
- c)** Not commit the Association without prior approval of the Council, in regard to the expenses and management of the assets of the Association.
  
- d)** Be assisted by an Undersecretary;

#### **Article 27 – The Treasurer**

**27.1.** The Treasurer must administer the finances of the Association. He must receive subscriptions, pay debts and maintain documentation that corroborates his expenses and income.

**27.2.** He must prepare the budget and, together with the President and the Secretary General, prepare annual reports to present to the Council and the General Assembly.

**27.3.** It will not bind the Association without the prior approval of the Council.

**27.4.** The annual balances must be maintained and closed on December 31 of each year: these must be presented to the Council at the first meeting of each year.

**27.5.** The balances of the previous four years must be presented to the Ordinary General Assemblies.

## **Article 28 – The General Committee.**

**28.1.** The General Committee will consist of the representatives of the national associations, the members of the Council and the honorary members.

**28.2.** Each national association will designate its representative for the next four years at each congress, as well as a substitute, who will replace it when it is not possible to attend.

**28.3.** It meets at least once every two years by invitation and under the direction of the President of the Association.

**28.4.** It will make proposals in relation to the places, dates and themes of the Congresses and will formulate requests and suggestions to the Council, which will then immediately discuss and decide.

**28.5.** It stimulates contact between national associations and promotes the establishment of new national associations.

**28.6.** It will initiate and direct the scientific activities of the Association.

## **CHAPTER V**

### **MEETINGS HELD THROUGH ELECTRONIC MEANS**

#### **Article 29 – Meetings held through electronic means**

**29.1.** The Executive Committee may hold meetings through electronic means.

The following rules then apply:

**a.** For teleconference or other electronic means (eg internet or other) as long as 80% of the participants give their consent and they have easy access to the means of communication identified.



**b.** Notice to participants to obtain consent to this type of meeting is 10 days unless notice is waived by all participants

**c.** The quorum for the meeting is a simple majority, which is observed and recorded in the minutes by the meeting secretary.

**d.** To be valid, the decisions of the Executive Committee must be recorded in minutes, which are transmitted to the Council.

**29.2.** The Council is authorized to hold meetings by electronic means (eg Internet or others) according to the following rules:

**a.** For Council meetings as long as 40% of the Council members agree with the proposed electronic meeting and they have similar ease of access to the electronic means identified.

**b.** The quorum will be the same as that established in the Association's statutes for Council meetings. The secretary of the meeting must be seen and recorded in the minutes.

**c.** To be valid, Council decisions must also be recorded in the minutes of the meeting.

**d.** The notice to obtain the consent of the members of the Council for such a meeting is 10 days.

**29.3.** Notifications sent by the Secretary General to the most current email addresses of the members of the Executive or the Council are considered validly transmitted and received. Members are responsible for informing the Secretary General of their current email addresses.

## **CHAPTER VI**

### **BUDGET AND ACCOUNTS**

#### **Article 30 - Budget and Accounts**

**30.1.** The fiscal year begins on January 1 and ends on December 31 of the same year.

**30.2.** The Council is obliged to present a balance every four years for the approval of the General Assembly on behalf of the corresponding exercises and the budget for the following year.

## **TITLE VII**

### **AMENDMENT OF BYLAWS**

## **Article 31 – Amendment of the Statutes.**

**31.1.** No proposal to amend the Statutes shall be considered unless it is made by:

**a.** the council

**b.** a national association

**c.** In writing, signed by a minimum of twenty members sent in such a way that it reaches the Council a minimum of three months before the General Assembly Any proposal must be sent to all members with the right to vote at least three months before the Assembly General

**31.2.** The proposals for the amendment of the Statutes must be sent to the General Assembly and must be approved only with two thirds of the majority of the members present or proxies.

**31.3.** The Council shall have the power to convene an Extraordinary General Assembly for the purpose of considering proposals to amend the Bylaws, but shall give a minimum of three months' notice of this meeting and shall send a copy of the proposed amendments to all voting members.

**31.4.** The Council may seek the consent of the General Assembly using the written procedure in Article 21

## **CHAPTER VIII**

### **DISSOLUTION OF THE ASSOCIATION**

#### **Article 32 - Dissolution of the Association**

**32.1.** The General Assembly will determine the method of dissolution of the Association and the distribution of its assets.

**32.2.** The Association can only be dissolved by a proposal from the Executive or Council which must be sent to the General Assembly and approved by a simple majority of members present or represented in accordance with Article 20 of the Statutes.

**32.3.** In the event of dissolution, the General Assembly appoints an administrator and decides on his powers.

**32.4.** Any assets remaining after dissolution can be transferred to associations that have activities similar to those of The Association.

## **CHAPTER IX**

### **GENERAL PROVISIONS**

**Article 33 - Internal Regulations**

The General Assembly, on the recommendation of the Council, may adopt one or more rules compatible(s) with the provisions of these rules to guarantee an agile management and administration of the Association. These regulations will apply to all members provided they are approved by a two-thirds majority of the votes cast. Abstentions will not be taken into account.

**Article 34 - Applicable legislation**

Everything that is not provided for in these statutes will be decided in accordance with the provisions of Chapter III of the Law on Associations of June 27, 1921, as amended.

**Article 35 - Interpretation**

Any difficulty regarding the interpretation of these Statutes will be resolved by referring to the same text in French.

Text adopted at the Extraordinary General Assembly of the Association in Brussels, Belgium, on December 11, 2017