

BY-LAWS

GREENE COUNTY ESTATE PLANNING COUNCIL

ADOPTED JANUARY 10, 1968
AMENDED SEPTEMBER 17, 1969
AMENDED APRIL 24, 1974
AMENDED APRIL 25, 1979
AMENDED DECEMBER 19, 1979
AMENDED MARCH 18, 1981
AMENDED MARCH 20, 1996
AMENDED NOVEMBER 16, 1996
AMENDED OCTOBER 17, 2001
AMENDED NOVEMBER 16, 2005
AMENDED NOVEMBER 27, 2017

ARTICLE I-NAME

Name

Section 1.—The name of the association shall be the GREENE COUNTY ESTATE PLANNING COUNCIL.

ARTICLE II-OBJECTS

Objects

Section 1.—The objects of the Council shall be:

- (a) To provide a better understanding of the services which chartered life underwriters and chartered financial consultants, trust officers, lawyers and certified public accountants can render to the general public, and to improve and maintain the skills and abilities of the members.
- (b) To promote cooperation between members of the four categories mentioned and to foster a better understanding of the proper relationship which each group bears to the other, to its clients and to the general public.

ARTICLE III-MEMBERSHIP

Membership

Section 1. The membership of the Council shall consist of two classes of membership:

(a) Full Membership. Full Membership shall be granted to persons who are both interested in estate planning, and who are currently and actively engaged in some aspect thereof of estate planning in the Southwest Missouri area as either:

~~a~~(1) a lawyer who is in good standing and duly licensed to practice law in the State of Missouri;

(2) a certified public accountant who is in good standing and duly licensed to practice in the State of Missouri;

(3) ~~a chartered~~ life underwriter, chartered financial consultant, or certified financial planner who is in good standing in the State of Missouri, and who is qualified, at a minimum, as either a Certified Financial Planner (CFP), Chartered Financial Consultant (ChFC), Chartered Financial Analyst (CFA), Certified Investment Management Analyst (CIMA), Personal Financial Specialist (PFS), Master of Science in Financial Services (MSFS), or Chartered Life Underwriter, (CLU); or

(4) an officer or other fiduciary professional of a bank, trust department, ~~or~~ trust company, or other financial institution, and who is qualified, at a minimum, as either a Certified Trust and Financial Advisor (CTFA), Certified Financial Planner (CFP), Chartered Financial Analyst (CFA), Certified Public Accountant (CPA), or Juris Doctor (J.D.).

~~The initial membership shall include t~~Those persons qualified under Section 4 of this Article shall retain Full Membership in the Council. Any member of this Council in good standing shall retain his eligibility as a Full Member so long as he is currently and actively engaged in some aspect of estate planning in the Southwest Missouri area, and is qualified in one of the four aforementioned group categories, even though his capacity may have changed from one category to another. Full Members shall be eligible to vote on any and all matters brought before the Council from time to time by the Officers or Board of Directors.

(b) Associate Membership. Any ~~Full m~~Member of the Council may propose, for non-voting ~~a~~Associate ~~m~~Membership in the Council, any person not otherwise qualified under ~~this Section~~Subsection (1)(a) of this Article, who is currently and actively engaged in some aspect of estate planning in the Southwest Missouri area. This may include, but is not limited to, those who are as an employees or members of an educational, charitable, or other not-for-profit entity. Such persons proposed will be voted upon by the Membership Committee as provided by Section 3 of this Article except that ~~three-fourths (3/4)~~ two-thirds (2/3) of the ballots counted must be favorable for approval. Associate Members shall not be eligible to vote on any matter brought before the Council from time to time by the Officers or Board of Directors. Any Associate Member who, at any time, becomes eligible for Full Membership in accordance with the requirements of Subsection (1)(a) of this Article may apply for Full Membership in the Council in accordance with the provisions of this Article.

(c) Change of Employment. Full ~~M~~members in good standing who, through a change of employment, have become ineligible for Full Mmembership in accordance with the requirements of these By-Laws may be retained as ~~a~~Associate ~~m~~Members ~~of time~~ as long as their membership dues do not lapse and they continue to be currently and actively engaged in ~~an~~ some aspect of estate planning. These members must resubmit a statement describing how they continue to meet the requirement of being currently and actively engaged in some aspect of estate planning. Said continuing membership must be approved by ~~three-fourths (3/4)~~ two-thirds (2/3) of the Board of Directors prior to acceptance as an ~~a~~Associate ~~m~~Member.

(d) Effective Date. The foregoing shall not apply to ~~any all-associate~~ members in good standing as of the 2017~~04~~-2018~~05~~ membership year, as long as they maintain their current employment as of the enactment of this provision (November 27, 2017~~September 1, 2005~~) and their dues do not lapse.

Section 2. There shall be no limitation on the number of members in the Council.

Section 3. Any Full ~~m~~Member of the Council may propose in writing a qualified person for membership. A person proposed for membership shall:

- 1) submit a resume, containing at least the education and degrees earned, professional designations earned, memberships in professional associates, degree of involvement in local, state, or national association activities, and
- 2) submit a short statement describing how he or she meets the “currently and actively engaged in some aspect of estate planning in the Southwest Missouri area” criteria.

The Board of Directors shall act as the Membership Committee and review such resumes and statements as they believe appropriate. After such review and upon a two-thirds (2/3) or greater favorable vote of all members of the Membership Committee, a written invitation to join shall be made to the proposed member. Acceptance of membership will be made by the payment of dues within thirty (30) days of the written invitation.

To ensure a reliable exchange of information, all information submitted by proposed members shall be open to inspection by any Full ~~m~~Member in good standing. However, all information obtained by the Membership Committee in their review of such information shall be confidential and not available to the membership or public.

Section 4. This Council succeeds the Springfield Estate Planning Council and the Greene County Estate Planning Council and all of the members of the aforementioned organizations and this Association, in good standing on the date of the adoption of these By-Laws, shall constitute the charter members of this Council.

Section 5. The fiscal year of the Council shall be from July 1 through the following June 30.

ARTICLE IV-OFFICERS

Officers

Section 1. The officers of the Council shall consist of a President, a President-Elect, a Secretary and a Treasurer.

Section 2. The officers shall hold office for one (1) year or until their successors shall be elected.

ARTICLE V-BOARD OF DIRECTORS

Board of Directors

Section 1. The Board of Directors shall consist of the officers of the Council and eight (8) other Full Members, two (2) to be selected from each of the four (4) categories comprising the Council. The immediate past president of the Council shall be a non-voting ex-officio member of the Board of Directors and serve for a term of one (1) year. The officers of the Council shall serve for the term of their office. At the first election of the Board of Directors, one (1) member shall be elected for a term of one (1) year and one (1) member shall be elected for a term of two (2) years from each category. Thereafter, there shall be elected annually one (1) person from each category as a representative on the Board of Directors to serve for a term of two (2) years. Each member of the Board of Directors shall have the power to fill, for the unexpired term, any vacancy which may occur either in their own body or among the officers.

The Board of Directors shall have the power to terminate the membership of any person from either the Board of Directors or the Council, subject to ratification by two-thirds (2/3) of the voting members of the Council. Such vote of the Council shall be subject to the same limitations set forth in Article III, Section 3 of these By-Laws.

Grounds for termination of membership shall include, but not be limited to, unethical conduct.

Section 2. The Board of Directors shall make policies and shall exercise such administrative authority as may be necessary to carry out the objectives and purposes of the Council. All of said powers shall be exercisable by a majority vote of all members of the Board of Directors. ~~Ex-officio members shall be full voting members of the Board of Directors.~~

Section 3. Meetings of the Board of Directors may be called by the President at his discretion, or by three (3) members of the Board. It shall be the duty of the Board to establish rules of procedures and practice for its meetings.

Section 4. Any seven (7) members of the Board of Directors shall constitute a quorum for the transaction of business.

ARTICLE VI-DUTIES OF OFFICERS

Duties of Officers

Section 1. The President shall preside at all meetings of the Council and the Board of Directors and perform such other duties as are herein set out or as are usually incident to the Office of President.

Section 2. The President-Elect shall perform the duties of the President in the absence of the President, and succeed to the Presidency at the beginning of the next fiscal year of the Council. It shall be the duty of the President-Elect to plan the programs for the year during which he shall serve as President of the Council.

Section 3. The Treasurer shall have the custody of all the funds and property of the Council. He/she shall deposit all funds of the Council in the name of the Council in a bank or trust company designated by the Board of Directors. All withdrawals of such funds shall be on checks or orders signed by an officer of the organization. The treasurer shall prepare and submit a statement of the financial condition of the Council to the Board of Directors as of the end of the fiscal year in which he/she serves as Treasurer and at such other times and in such manner as the Board of Directors may require. The Treasurer shall be responsible for sending statements of dues to all members and the collection thereof.

Section 4. The Secretary shall keep a record of the proceedings of all meetings of the Council and board of Directors, and shall be responsible for the mailing of notices of meetings and other communications to members, including, but not limited to, the mailing of ballots to all category members and the general membership when required by these By-Laws.

ARTICLE VII-COUNCIL MEETINGS

Council Meetings

Section 1.—The Council shall meet each month except May, June, July and August, and such meeting shall be held at such hour and place as may be designated by the President.

ARTICLE VIII-QUORUMS

Quorums

Section 1.—One third (1/3) of the Full mMembers of the Council shall constitute a quorum for the transaction of business.

ARTICLE IX-NOMINATIONS AND ELECTIONS

Nominations and Elections

Section 1. Nominations for officers and members of the Board of Directors of the Council shall be made by a nominating committee and may be made at the March meeting by any member of the Council.

Section 2. Election of officers and Board of Directors members shall be by a majority vote of the voting members of the Council. Tabulating votes shall be performed by the nominating committee and Secretary.

The vote for Council officers and Board of Directors members shall be conducted at either the March or April meeting.

Section 3. The nominating committee may submit one or more nominees for each position to be filled.

Section 4. The officers serving as of the date of the adoption of these By-Laws shall continue in office until their successors have been elected in accordance with this Article.

Section 5. The officers and members of the Board of Directors shall take office at the beginning of the fiscal year of the Council.

ARTICLE X-COMMITTEES

Committees

The President of the Council shall have the power to appoint a committee on programs, nominations, and such other committees or positions, including, but not limited to, a Parliamentarian.

The Parliamentarian shall be a member of the Board of Directors, but not an officer of the Council, and shall serve in such capacity at all Council and Board meetings.

ARTICLE XI-EXPENSES AND DUES

Expenses and Dues

The expenses of the Council, including the cost of dinners, shall be provided for by annual dues, the amount of which shall be determined by the Board of Directors each year. ~~payable in advance on or before the 1st day of October, of each year.~~ New members entering the Council on or before January 1 of the fiscal year of the Council will be required to pay the full annual dues. All members entering the organization after January 1 shall pay only one-half (1/2) of the annual dues for the fiscal year. ~~and any initiation fee as determined.~~

The Treasurer shall render a statement of annual dues to the members of the Council by September 1 of each year. In the event that a member has not paid his dues by ~~November~~ February 1 of each year, the Treasurer shall render to such member a second statement setting forth such member's dues, which shall include a late-payment fee in an amount determined by the Board of Directors. In the event that a member has not paid his dues and late-payment fee by March 1 of each year, the Treasurer shall render to such member a statement to the effect that his membership in the Council has been terminated, effective immediately. ~~and a statement to the effect that his membership in the Council will terminate if such dues are not paid by January 1, as provided in Article III, Section 5 of these By-Laws.~~

The amount of annual dues required to be paid by each member of the Council shall be attached to these By-Laws as Schedule A, and such amounts shall be periodically revised by the Board of Directors as necessary.

ARTICLE XII-ETHICS

Ethics

No members of the Council shall use his membership in any form of advertisement or solicitation of business.

ARTICLE XIII-AMENDMENTS

Amendments

These By-Laws may be amended at any regular monthly meeting of the Council or at any special meeting on a date determined by the President with the advice and consent of the Board. Amendment of these By-Laws shall require two-thirds (2/3) vote of the Full mMembers of the Council present. A meeting to amend By-Laws shall require notice thereof one (1) week in advance, in writing to the Secretary.

ARTICLE XIV-DISPOSITION OF FUNDS UPON TERMINATION

Disposition of Funds Upon Termination

It is anticipated that the need for the organization will exist indefinitely and that it will be perpetual. Should it terminate, however, all funds and assets belong to the organization at the time shall be contributed to an organization which is approved under Section 501(c)3 of the Internal Revenue Regulations or equivalent Internal Revenue Code or Regulation. The organization shall be selected and approved by the existing Board of Directors at the time.

GREENE COUNTY ESTATE PLANNING COUNCIL

NEW MEMBERSHIP PROCEDURES

1. Any Full Member of the Council in good standing may nominate a prospective new member by signing a written nomination (in no particular form) and forwarding it to the Council Secretary.
2. If the nominating member did not give the prospective new member an application form, the Council Secretary shall forward the form to the nominee. The Secretary is encouraged to either phone or write the applicant to briefly welcome the applicant, explain the membership process and how the Council works, and give the applicant an opportunity to ask questions.
3. Upon receiving the completed application, the Council Secretary should review it to determine if all the required information is included. If not, the Council Secretary should tactfully contact the applicant and request the missing information. Applications should be processed promptly when all information is received. The Secretary should forward copies of the application, resume, etc. to all Officers and Directors, who will act as the Membership Committee. ~~The Council Secretary should publish in the next newsletter the name, discipline, employer and brief biographical sketch of the applicant and invite members who wish to comment on the applicant to contact a Director or the Membership Committee.~~
4. ~~The Council Secretary should also forward to- all Full Members of the Council who are also a part of the~~ Directors in the applicant's discipline the name, discipline, employer, and brief biographical sketch of the applicant and invite such Full Members who wish to comment on the applicant to contact a member of the Membership Committee within five (5) business days. ~~(or President and President Elect for an Associate Member applicant) shall promptly review the applicant's qualifications per the By Laws and report to the Membership Committee. It is assumed that Directors in the applicant's discipline should be able to merely read the information and from their general knowledge be able to say that the information supplied appears correct and that the applicant, in the Reviewer's opinion, is or is not qualified for membership. See #6 below.~~
5. Membership Committee meetings shall be held ~~at least monthly, or more~~ as frequently as is necessary if needed to promptly process applications. Eight (8) affirmative votes ~~(not merely 2/3 of those attending)~~ are required for membership approval. ~~Officers' and Directors' attendance is important.~~ The Council Secretary shall then communicate with the applicant in the appropriate manner and, if invited to join, the Secretary shall publish new members' names in the next newsletter *after* their dues have been paid.
6. ~~Directors who are not familiar or comfortable with an application shall none the less promptly act upon the application and should do any and or all of the following: a) ask other members in their discipline about the applicant, b) ask the officers for assistance, or c) contact the schools, associations, etc. listed by the applicant for additional information. Any application not voted upon at the first meeting of the Membership Committee after it is received, shall be reported or voted on at the next and all subsequent meetings until a~~

~~vote is taken. The Council Secretary shall maintain a log of all applications so no application is allowed to become lost.~~