

Seminole Tribe of Florida

Judicial Commission Selection Panel

By-Laws

Article I. Name

The name of this Committee shall be the Seminole Tribe of Florida Judicial Commission, hereinafter referred to as the “Commission.”

Article II. Objectives and Purposes

The objectives and purposes of the Commission are:

- A) The Judicial Commission’s function is to insure that complaints concerning the ability and behavior of judicial officers are investigated in a timely and effective manner in order to enhance public confidence in the judiciary and to promote good practices and high standards of judicial performance.
- B) The Judicial Commission, with the assistance of the Administrative Office of the Court, shall be charged with developing and enforcing the Rules of Judicial Conduct of the Seminole Court.
- C) The Judicial Commission Selection Panel is also charged with recommending highly qualified individuals for open judicial positions in accordance with the Constitution of the Seminole Tribe of Florida and the Judicial Code of the Seminole Tribe of Florida.

Article III. Membership

- A) **Judicial Commission.** The members of the Judicial Commission shall consist of the following individuals:
 - 1) Chairman of the Tribal Council
 - 2) Chief Justice or next senior justice or Judge if the Chief Justice is the person listed in the complaint
 - 3) Three Tribal Members to be selected from the Judicial Commission Selection Panel

B) **Judicial Commission Selection Panel.**

- 1) The Judicial Commission Selection Panel (SP) shall be made up of seven Tribal Members from which three individuals shall be selected to hear complaints under the authority of the Judicial Commission.
- 2) The initial SP shall, as determined by the Court Committee, consist of those Tribal Members actively involved with the Court Committee on the date of the ratification of this Code by the Tribal Council.
- 3) The SP shall select one person to act as their Chairperson.
 - (a) The Chairperson shall be the sole individual responsible for the intake and safekeeping of all complaints and applications for open judicial positions.
 - (b) The Chairperson shall be responsible for scheduling and notifying the Judicial Commission when a complaint has been filed.
 - (c) The Chairperson shall also be responsible for the selection of the SP Tribal Members for the Judicial Commission hearings.
 - (i) SP Tribal Members shall be selected on a rotating basis for each complaint filed.
 - (ii) If a SP Tribal Member has a conflict with the complaint filed, then the next SP Tribal Member in the rotation shall be selected.

C) **Selection of New Members.**

- 1) When there is a vacancy created within the SP, then the Chairperson shall make a Tribal wide announcement of the open position.
- 2) In the event of a vacancy in the SP, the remaining SP members shall select the replacement from those completed applications received by the SP Chairperson.
- 3) The SP members shall not be removed except by majority vote of all SP members.
- 4) The SP shall develop the rules governing the meetings of the SP.

- D) **Voting Rights.** Each Active Member in good standing shall be entitled to one vote on each matter submitted to a vote of the members.
- E) **Termination of Membership.** The SP may, by a majority vote of the entire membership of the SP at any regular meeting, terminate the membership of any member who becomes ineligible for membership.
- F) **Resignation.** Any member may resign by filing a written resignation with the Chairperson.
- G) **Reinstatement.** On written request signed by a former member and filed with the Chairperson, the SP, by the affirmative majority vote of the members of the SP may reinstate such former member on such terms as the SP may deem appropriate.

Article IV. Meetings of the Commission

- A) **Annual Meeting.** An annual meeting of the members of the SP shall be held each fiscal year at such time and place as shall be fixed by the SP.
- B) **Regular Meetings.** Regular meetings of the members of the SP may be called by the Chairperson in order to conduct business of the SP as needed.
- C) **Notice of Meetings.** Written notice stating the place, day, and hour of any meeting of members of the SP shall be delivered either personally or by email to each member entitled to vote at such meeting, not less than 3 working days before the date of such meeting by or at the direction of the Chairperson. Notices of all meetings shall state the purpose or purposes for which the meeting is called and any items of business, including but not limited to amendments to these Bylaws or the selection of members to the SP, which shall be voted on at said meeting.
- D) **Attendance at Meetings.** All meetings are mandatory. Any member not able to attend a meeting must notify the Chairperson, or Secretary if the Chairperson is unavailable, that they are unable to attend. A member missing two consecutive meetings, unexcused, will be automatically removed from the SP.

- E) **Quorum**. Four (4) of the seven (7) SP members present at any meeting shall constitute a quorum. If a quorum is not present at any meeting of members, a majority of the members present may organize into the Committee of the Whole, take such action as may be necessary in the best interests of the SP and submit such action to the membership for approval or disapproval by mail ballot, at the next regular meeting, or may adjourn the meeting from time to time without further notice.

Article V. Officers

- A) **General**. The Officers, as hereinafter described, shall be elected by the membership of the SP at the Annual Meeting.
- B) **Number and Qualifications**. The Officers shall be a Chairperson and a Secretary.
 - 1) Chairperson. The Chairperson shall preside when present at meetings of the SP.
 - 2) Secretary. The Secretary shall keep the minutes of all meetings of the SP, shall issue proper notices of all meetings, and shall perform such other duties as the Chairperson or SP may direct.
- C) **Term Limits**. There shall be no term limits for Officers.

Article VI. Resignations, Removals, Vacancies

- A) Resignations. Any Officer of the SP may resign at any time in accordance with Article III, Section F, and shall resign in the event he or she ceases to be eligible for active membership. Such resignation shall be made in writing and shall take effect at the time specified therein.
- B) Removal. Any member of the SP may be removed from office for misfeasance, malfeasance, or non-feasance in office, or for any act or failure to act in any capacity, which may reflect adversely on the SP or Tribal Court. A majority vote of the members voting at a meeting is required for removal; however. Any member of the SP shall automatically be removed when he or she misses two (2) consecutive meetings of the SP. If any vacancy shall occur in the SP or in any office of the SP by reason of death, resignation, or otherwise, the SP, shall elect a qualified member to fill the vacancy.

Article VII. Miscellaneous

- A) Fiscal Year. The fiscal year of the SP shall begin on the first day of October and shall end on the 30th day of September of the succeeding calendar year.
- B) Waiver of Notice. Whenever any notice is required to be given to any of the SP members under the provisions of these Bylaws, a waiver thereof signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be equivalent to the giving of such notice. Presence without objection also waives notice.

Article VIII. Amendments of Bylaws

- A) Any active member may petition the SP at a regular meeting as provided in Article IV, Section B, prior to the annual meeting to place, or the SP on its own motion may place, on the agenda of the annual meeting one or more amendments to these Bylaws, and these Bylaws may be amended by a majority vote of active members at an annual meeting, a quorum being present. The SP may call a special meeting of the membership for the purpose of amending these Bylaws at any time, subject to the same voting requirements as apply to an annual meeting. A copy of any proposed amendment to these Bylaws shall be mailed to all active members no later than fifteen (15) days in advance of such annual meeting or special meeting.