

CONSTITUTION AND BY-LAWS

**AS REVISED NOVEMBER 1986
ARKANSAS ADJUSTERS ASSOCIATION**

PREAMBLE

We, Arkansas Adjusters, in order to establish professional standards, insure working relations with one another, promote our general welfare, and provide means for dealing without common problems, make this Constitution for our Association.

ARTICLE I NAME

The name of this Association shall be the ARKANSAS ADJUSTERS ASSOCIATION.

ARTICLE II

This association shall be a non-profit association.

ARTICLE III OBJECTS

The objects of the Association shall be to dignify the profession; to establish standards of conduct and technical ability; to encourage cooperation and foster cordial relations among them, to improve adjusting methods; to encourage educational efforts in all subjects in relation to adjusting; to promote cooperation in detection and vigorously resisting collusion, deception, and false or fraudulent claims; to promote cooperation in detecting and exposing dishonest, unscrupulous and unethical practices by either professional men and/or laymen.

**ARTICLE IV
MEMBERSHIP**

SECTION 1A: FULL MEMBERSHIP. Any person adjusting claims on a full time basis made by or against a policyholder of an insurance company, or any self-insurer, so long as such person is not engaged in the practice of representing claimants against insurance companies, or any self-insurer.

SECTION 1B: ASSOCIATE MEMBERSHIP. Associate members are persons involved in the insurance industry who are not directly involved in the adjustment of insurance claims, so long as such person is not engaged in the practice of representing claimants against insurance companies or any self-insurer.

Associate members are to abide by the constitution and by laws of the association and meet all other membership requirements.

Associate members will have no voting privileges nor can they hold any elective office or be members of any committees.

SECTION II: Such persons shall be eligible to make application for membership in this Association, at or before any regular meeting. Such applicants shall be investigated by the Membership Committee, who, at the next regular meeting shall report, with or without its approval, for confirmation or rejection by a two-thirds majority of voting members present at said meeting.

SECTION III: Any member may be expelled from the privileges of membership in this Association for j u s t and due cause, properly presented to the Association and approved by two-thirds majority of the voting members present. The President shall announce, at the preceding meeting, the subject to be voted upon.

SECTION IV: Any member whose eligibility ceases shall be dropped from membership. Any member whose dues are three (3) months delinquent shall be dropped from membership.

SECTION V: Every member of this Association shall abide by the Statement of Principles on Respective Rights and Duties of Lawyers and Laymen ' in the Business of Adjusting Insurance

Claims. Each member shall at all times diligently, fairly, honestly, and impartially perform his duties as a claims man.

**ARTICLE V
OFFICERS & DUTIES**

SECTION I: The officers of each chapter of this Association

shall be: President

1st Vice-President

2nd Vice-President--Program Chairman

Secretary

Treasurer

who shall serve for a period of one year or until their successors are duly elected.

SECTION II: The President shall preside at all meetings of the Association. He may call special meetings of this Association, whenever in his opinion such meeting is necessary in the best interest of the Association. Appoint Constitutional Committees and any special committees authorized by the Association. The President shall perform all other duties usual or incidental to the office of President.

SECTION III: The Vice-Presidents shall serve as aids to the President, assisting the President and perform such duties as he may require. The senior Vice President present at any meeting shall perform the duties of the President in his absence. The 2nd Vice-President shall preside as the monthly program chairman.

SECTION IV: The Secretary shall take the minutes of all business meetings, maintain the membership register, notify all members of all regular meetings, handle correspondence for and on behalf of this Association, and perform all other duties usual and incidental to the office of Secretary.

SECTION V: The Treasurer shall collect all funds due the Association, be custodian of all Association funds, disbursing same as and when authorized to do so by the Association. The Treasurer shall notify all members when dues are due, and in three (3) months advise the Secretary of the names of members to be dropped from the membership register for non-payment of dues. The Treasurer shall perform all duties usual or incidental to the office of Treasurer.

**ARTICLE VI
CONSTITUTIONAL COMMITTEES AND DUTIES**

SECTION I: EXECUTIVE COMMITTEE, composed of the Officers elected by this Association. The President shall serve as Chairman of the Committee. This Committee shall manage the affairs of this Association, subject to the approval of the members of the Association. The Executive Committee shall arrange for dispatching appropriate symbols of best wishes or sympathy to members of this Association in time of confinement or of death in their immediate family.

SECTION II: AUTOMOBILE PHYSICAL DAMAGE COMMITTEE, composed of three (3) members of this Association. This Committee to consult and advise the Association of all developments related to the repair or replacement of damaged automobiles. To establish liaison with the Appraisal Services, the National Theft Bureau, and all other appropriate related organizations to promote a better understanding between the respective organizations.

SECTION III: WORKMEN'S COMPENSATION COMMITTEE, composed of three (3) members of this Association. This Committee to consult and advise the Association of important rules or personnel changes of the Workmen's Compensation Commission, its opinions or order and the opinions of the several courts involving Workmen's Compensation claims. To establish liaison with the Arkansas Workmen's Compensation Commission to promote a better and fairer administration or the Arkansas Workmen's Compensation Act.

SECTION IV: MEDICAL AND HOSPITAL COMMITTEE, composed of three (3) members of this Association. This Committee to consult and advise the Association of developments in or about the medical profession pertaining to the treatment of accident victims. To establish liaison with the various medical societies, hospitals and/or hospital associations to promote a better understanding of common problems and strive for their solution.

SECTION V: LEGAL, LEGISLATIVE AND JUDICIAL COMMITTEE, composed of three (3) members of this Association. It is to consult and advise the Association of proposed, pending, or enacted legislation, and judicial opinions of the various appellent courts. This Committee to establish liaison with the various bar associations to promote a better understanding of common problems and strive for their solution.

SECTION VI: MEMBERSHIP AND GRIEVANCE COMMITTEE, composed of the immediate Past President, the 1st Vice-President, Secretary, and two (2) members appointed by the President, the 1st Vice-President serving as Chairman. This Committee shall investigate all applicants for membership and report to the Association with or without their approval. This Committee shall investigate all

complaints against any member of this Association, and report said complaint and the Committee's findings to the Association.

SECTION VII: PROGRAM COMMITTEE, composed of the 2nd Vice-President, serving as Chairman and two (2) members of the Association appointed by the President. This Committee shall plan and present programs of interest to the Association at all regular meetings and at all other meetings as directed by the Executive Committee.

SECTION VIII: PUBLIC RELATIONS COMMITTEE, composed of three (3) members of this Association. This Committee to consult and advise the Association of such programs activities or projects of which this Association is justified or capable or approving or sponsoring or participating. To prepare and distribute news releases reflecting the dignity and high professional standards of this Association. To promote interest in this Association of those persons who are prospective members, and encourage such persons to submit applications.

SECTION IX: FIRE AND INLAND MARINE COMMITTEE, composed of three (3) members of this Association. This Committee to consult and advise the Association of development in the repair and replacement of property covered by fire and E.C. and inland marine contracts. To establish liaison with appropriate organizations engaged in the repair or replacement or salvage of damaged property covered by fire and E.C. and inland marine contracts.

SECTION X: POLICY AND FORMS REVISION COMMITTEE, composed of three (3) members of this Association. This Committee to advise the Association of policy and forms revision, and of appellat court decisions concerning their interpretations.

SECTION IX: NOMINATING COMMITTEE, composed of the Past President serving as Chairman, and two (2) members of this Association appointed by the President. If the Past President is not a member of this Association, the Executive Committee shall elect a member of this Association to serve as Chairman of this Committee. This Committee shall nominate members of this Association to serve as officers of this Association, submitting their nominations at the May meeting of each year. Also, this Committee shall nominate members of this Association to complete unexpired terms of office becoming vacant.

**ARTICLE VII
AMENDMENTS**

SECTION I: This Constitution may be amended by submitting, in writing, such a proposed amendment to the Executive Committee, who shall consider such a proposed amendment and submit said amendment to the Association with its recommendations.

SECTION II: Such a proposed amendment shall be called for vote at the next regular meeting following the meeting at which it is presented by the Executive Committee.

SECTION III: Such a proposed amendment shall be adopted if approved by a two-thirds majority of the voting members present, and shall become effective immediately.

BY-LAWS

SECTION I: MEETINGS. Regular meetings of each chapter shall be held monthly at such place and time as approved by the membership. Written notice of all regular meetings shall be given by the Secretary. Special meetings may be called by the President when in his opinion such is necessary in the best interest of the Association. The President shall notify all members of any special meetings, the time and the place.

SECTION II: DUES. Each member of this Association shall pay dues as established by the chapter; said dues are due and payable on January 1 of each year. The Treasurer shall send statements to each member prior to January 1 of each year.

SECTION III: TENURE OF OFFICE. The elected officers of this Association shall take office on January 1, and serve until their successor is elected, or their written resignation is submitted or their membership is terminated, or their election is another office. Vacancies created by whatever reason shall be filled immediately, by election, at a regular meeting

SECTION IV: ELECTION. Officers of this Association shall be elected at the November meeting of each year. Nominations shall be made by the Nominating Committee. Nominations may be made from the floor.

Vacancies created by whatever reason shall be filled immediately, by election, at a regular meeting. Nominations to fill such vacancies shall be made by the Nominating Committee. Nominations to fill such vacancies may be made from the floor.

SECTION V: VOTING. The manner of voting is to be determined by the President or presiding officer at any given meeting. Matters presented to the Association shall be determined by the following votes:

General business matters - Majority vote of members present

Election of Officers - Majority vote of the members

Acceptance of member 2/3 majority of voting members present

Expulsion of member 2/3 majority of voting members present

Amendment of Constitution 2/3 majority of voting members present at each

chapter. The chapters shall submit a unanimous vote to the State Committee.

SECTION VI: PARLIAMENTARY AUTHORITY, shall be Roberts Rules of Order, revised, for all matters not covered by this Constitution and By-Laws.

SECTION VII: The present officers shall serve in their present office until the next regular election. New offices created by this Constitution and By-Laws shall be filled immediately.

SECTION VIII: These By-Laws may be amended in the same manner as the Constitution.

ARTICLE VIII

The Arkansas Adjusters Association shall be composed of chapters authorized by this Association.

SECTION I: ORGANIZATION.

A. The Arkansas Adjusters Association shall be composed of a State Committee of not less than six representatives. Each chapter shall have equal representation on the State Committee.

B. Each representative shall be a duly elected official of their respective chapter.

C. The Officers of the State Committee shall be as follows:

Chairman of the Committee

Secretary

Treasurer

Any other officer deemed necessary The State Officers shall be elected within the State Committee by the representatives.

D. The State Committee will convene from January I for one calendar year.

E. This Committee shall meet twice annually, the first meeting shall be no later than January 30, as called by the immediate past Chairman of the Committee. - The second meeting shall be in July of the following year as called by the presiding Chairman of the Committee. The presiding Chairman shall also call any other meeting.

SECTION II: FUNCTIONS

A. The State Committee shall grant charters to the chapters within the State of Arkansas.

B. The State Committee shall publish an annual state directory of the membership.

C. The State Committee shall arrange for an annual convention.

D. The State Committee shall preside over any state function.

E. The State Committee may call upon any of all chapters of this Association for aid and assistance.

SECTION III: FINANCING

The State Committee shall be funded by a one dollar per capita tax from each chapter. This tax shall be paid to the Treasurer at the first annual meeting. Such other funding as necessary shall be assessed each chapter on a pro-rata basis. Surplus funds shall be distributed to the chapters on a pro-rata basis.

Amendment to the Constitution

**Amendment to the Constitution and By-Laws of the Arkansas Adjusters Association:
Voted in at the December 2006 meeting. A change in the by-laws to allow Associate members to hold positions on the board, while the Associate members are serving as an officer they will have voting privileges.**