

# BYLAWS OF COLLABORATIVE DIVORCE VANCOUVER SOCIETY

## ARTICLE 1: DEFINITIONS

- 1.1 In these Bylaws, unless the context otherwise requires:
- a. “Act” means the *Societies Act* and all amendments to it;
  - b. “Society” means Collaborative Divorce Vancouver Society;
  - c. “Collaborative Process” is a voluntary dispute resolution process, governed by a Participation Agreement, in which parties to the Participation Agreement seek resolution without resort to litigation;
  - d. “Directors” means the directors of the Society and includes the Officers of the Society;
  - e. “Officers” means the officers of the Society, namely the two Presidents, the two Vice-Presidents, the two Past-Presidents, the Secretary and the Treasurer;
  - f. “Participation Agreement” is a contract between parties engaged in the Collaborative Process and their professionals, and provides that:
    - i. the parties agree to use good faith efforts in their negotiations to reach a mutually acceptable settlement;
    - ii. the parties voluntarily disclose all information which is relevant and material to the matter that must be decided;
    - iii. a lawyer’s representation of a party terminates upon the undertaking of any contested family law court proceeding between the parties engaged in the Collaborative Process;
    - iv. the parties may engage other professionals pursuant to the terms of the Participation Agreement;
  - g. “Registered Email Address” of a Member means the Member’s email address as recorded in the Register of Members;
  - h. “Registered Mailing Address” of a Member means the Member’s civic mailing address as recorded in the Register of Members.
- 1.2 The provisions of the *Societies Act* on the date these Bylaws become effective apply to these Bylaws. In the event of a conflict between the provisions in the *Societies Act* and these Bylaws, the definitions in these Bylaws will prevail, to the extent permitted by law.
- 1.3 Words importing the singular include the plural and vice versa, and words importing a male person include a female person and a corporation.

## **ARTICLE 2: MEMBERSHIP**

- 2.1 The Members of the Society are the applicants for incorporation of the Society and those persons who subsequently become Members in accordance with these Bylaws.
- 2.2 Membership Eligibility: All Members must be licensed and in good standing in an administrative body that governs or regulates members of that profession. All Members must agree to and sign an annual membership application certifying compliance with membership eligibility requirements as set forth in the membership application form and as determined by the Board of Directors.
- 2.3 Classes of Members: The following are the classes of membership in the Society, and are further and better defined in the membership application forms as amended from time to time by the Board of Directors:

- a. General Members are those Members who are supportive of the Collaborative Process, and are either:
- i. Affiliates, which means professionals supportive of the Collaborative Process but who do not meet the eligibility requirements of Participating Members, or
  - ii. Apprentices, which means professionals who intend to pursue or are pursuing Collaborative training with the objective of becoming Participating Members within 2 years of their membership application, unless granted an extension by application to the Board.

General Members:

- i. must pay annual dues, as determined by the Directors from time to time;
  - ii. may attend meetings, trainings or other events organized by the Society;
  - iii. are included in the Directory of General Members on the Society's website, where they may advertise and indicate their support;
  - iv. are not eligible to vote on the Society's business or serve on the Society's Board of Directors; and
  - v. must sign a General Members pledge as part of the application and membership renewal process.
- b. Participating Members enjoy the benefits of General Members and, in addition, are included in the Directory of Collaborative professionals on the Society's website and are eligible to vote on the Society's business and serve on the Society's Board of Directors.

Participating Members must:

- i. be current members of the International Academy of Collaborative Professionals (IACP);

- ii. have completed a level of training in the Collaborative process as described in the Society's Membership Application Form;
- iii. satisfy ongoing training requirements as determined by the Directors from time to time;
- iv. sign the Participating Member pledge which appears on the annual membership application and renewal form, which includes, without exception, the following terms:
  - A. Signing a Participation Agreement in every Collaborative case which includes an agreement not to participate in any contested family law proceedings between the parties to the Participation Agreement, or serve as a representative of the Collaborative law client in contested court proceedings after the Participation Agreement is signed;
  - B. In any case where all of the conditions of sub-paragraph A above are not met, the Participating Member expressly agrees not to create, support, or allow any impression that the case and/or his or her representation is Collaborative and to affirmatively dispel any confusion or impression which may arise that the case is being handled as a Collaborative case.
- v. must attend at least 50% of monthly meetings of the Society per year, unless exempted by application to the Board; and
- vi. actively serve on either a committee or on the Board of Directors at a minimum once every three years, unless exempted by application to the Board.
- c. Honourary Members are Collaborative Professionals who have made a significant contribution to the Collaborative Process and are appointed at the discretion of the Board.

Honourary Members:

- i. are exempt from paying annual dues, with the exception of annual membership dues for the International Academy of Collaborative Professionals, should the Honourary Member wish to maintain his or her membership in said organization;
- ii. may attend meetings, trainings or other events organized by the Society;
- iii. are included in the Directory of Honourary Members on the Society's website;
- iv. are not eligible to vote on the Society's business or serve on the Society's Board of Directors; and
- v. if they are engaged in Collaborative Practice, must sign an Honourary Member pledge as part of the application and membership renewal process.
- d. Retired Members are Collaborative Professionals who have retired from their profession but wish to remain members of the Society.

Retired Members:

- i. are exempt from paying annual dues, with the exception of annual membership dues for the International Academy of Collaborative Professionals, should the Retired Member wish to maintain his or her membership in said organization;
  - ii. may attend meetings, trainings or other events organized by the Society, subject to applicable fees;
  - iii. are included in the Directory of Retired Members on the Society's website;
  - iv. are not eligible to vote on the Society's business or serve on the Society's Board of Directors; and
  - v. must sign a Retired Members pledge as part of the membership renew process.
- 2.4 Only Participating Members in good standing may vote at annual or general meetings or in respect of elections of Directors.
- 2.5 Only Participating Members in good standing may become Directors.
- 2.6 Membership Dues: The Directors at the annual general meeting will determine the membership dues for each class of membership. Members must pay membership dues to remain active and in good standing with the Society.
- 2.7 A person may apply to the Directors for membership in the Society and on acceptance by the Directors is a Member of the Society.
- 2.8 Every Member must uphold the Constitution of the Society and comply with the Bylaws of the Society.
- 2.9 A person ceases to be a Member of the Society:
- a. by delivering his or her resignation in writing to the Secretary of the Society or by emailing it to the general email address of the Society;
  - b. on failing to pay dues, fees or assessments set by the Directors within the due date set by the Directors or on failing to adhere to the other requirements of membership as provided these Bylaws;
  - c. on having been a Member not in good standing for 3 consecutive months;
  - d. in the case of lawyers, if a Member ceases to be a member in good standing of the Law Society of British Columbia other than by reason of appointment to a judicial office;
  - e. in the case of mental health professionals, if the Member ceases to be a member in good standing of the regulatory body indicated on his or her registration form;

- f. in the case of financial experts, if the Member ceases to be a member in good standing of the regulatory body indicated on his or her registration form; or
  - g. on being removed as provided in Article 2.10 of these Bylaws; or
  - h. on his or her death.
- 2.10 a. A Member may be suspended by a vote of the Board of Directors in the following circumstances:
- i. a Member fails to comply with the terms of the annual membership pledge;
  - ii. a Member fails to act honourably and with integrity in the Collaborative Process;
  - iii. a Member fails to be courteous and civil and act in good faith with persons with whom the Member has dealings in the course of his or her Collaborative practice;
  - iv. any other circumstances as the Board in its discretion deems appropriate.
- b. A Member who is being considered for suspension as a Member will be given notice of the reason or reasons for the suspension and be given an opportunity to be present at and to be heard at the meeting of the Board of Directors prior to the vote by the Board.

### **ARTICLE 3: ANNUAL GENERAL MEETINGS**

- 3.1 One annual general meeting will be held each year at such time and place as the Directors decide.
- 3.2 Notice of the annual general meeting will be given to each Member at least 30 days in advance by written notice delivered either personally, by mail to the Member's Registered Mailing Address, or by email to the Member at the Member's Registered Email Address.
- 3.3 A notice sent by mail is deemed to have been given on the second day following the day on which the notice is posted, and in proving that notice has been given, it is sufficient to prove the notice was properly addressed and put in a Canadian post office receptacle.
- 3.4 A notice sent by email is deemed to have been given on the day on which the notice is sent, and in proving that notice has been given, it is sufficient to prove the notice was properly addressed and sent.
- 3.5 Notice of an annual general meeting must specify the place, day and hour of the meeting, and the nature of the business to be conducted at the meeting.
- 3.6 The accidental omission to give notice of a meeting to, or the non-receipt of a notice by, any of the Members entitled to receive notice does not invalidate proceedings at that meeting.
- 3.7 The first annual general meeting of the Society must be held not more than 15 months after the date of incorporation and after that an annual general meeting must be held at least once in every calendar year.

- 3.8 At the annual general meeting, Directors will be elected in accordance with Article 3.14.
- 3.9
- a. A quorum is 25% of the Participating membership at the time.
  - b. Business, other than the election of a chair and the adjournment or termination of the meeting, must not be conducted at an annual general meeting at a time when a quorum is not present.
  - c. If at any time during an annual general meeting there ceases to be a quorum present, business then in progress must be suspended until there is a quorum present or until the meeting is adjourned or terminated.
- 3.10 If within 30 minutes from the time appointed for the annual general meeting a quorum is not present, the meeting must stand adjourned to the same day the following week, at the same time and place, and if, at the adjourned meeting, a quorum is not present within 30 minutes from the time appointed for the meeting, the Members present constitute a quorum.
- 3.11 The two Presidents are the chairs of the annual general meetings, provided however that:
- a. either chair may delegate his or her function to the other chair or to a Vice-President;
  - b. if at the annual general meeting neither President is present within 15 minutes after the time appointed for holding the meeting, both or either of the Vice-Presidents must act as chair, but if neither is present, the Directors present may choose two Directors to chair that meeting.
- 3.12
- a. The annual general meeting may be adjourned from time to time and from place to place, but business must not be conducted at an adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.
  - b. When a meeting is adjourned for 10 days or more, notice of the adjourned meeting must be given as in the case of the original meeting.
  - c. Except as provided in this bylaw, it is not necessary to give notice of an adjournment or of the business to be conducted at an adjourned general meeting.
- 3.13
- a. A resolution proposed at the annual general meeting must be seconded, and the chair of a meeting may move a resolution.
  - b. In the case of a tie vote, the chair does not have a casting vote or second vote in addition to the vote to which he or she may be entitled as a Participating Member, and the proposed resolution will not pass.
- 3.14 The voting process for the election of Directors will be as follows:
- a. Each Participating Member in good standing present at the annual general meeting is entitled to one vote.
  - b. Voting is by secret ballot.

- c. Voting by proxy is not permitted.
  - d. Any two Past-Presidents will count the votes.
  - e. At the first annual general meeting following the implementation of these Bylaws, the 9 nominees receiving the greatest number of votes for the position of Director will be elected as Directors.
  - f. At every subsequent annual general meeting, the number of nominees receiving the greatest number of votes for the position of Director as there are vacancies on the Board of Directors for the upcoming term will be elected as Directors.
- 3.15 The voting process for resolutions proposed at the annual general meeting will be as follows:
- a. A Participating Member in good standing present at a meeting of Members is entitled to one vote.
  - b. Voting is by show of hands.
  - c. Voting by proxy is not permitted.

#### **ARTICLE 4: GENERAL MEETINGS**

- 4.1 Regular general meetings of the Members will be held as the Directors deem appropriate at such times and places as the Directors decide.
- 4.2 Every general meeting, other than an annual general meeting, is an extraordinary general meeting.
- 4.3 Notice of general meetings will be given to each Member at least seven days in advance by written notice delivered either personally, by mail to the Member at the Member's Registered Mailing Address, or by email to the Member at the Member's Registered Email Address.
- 4.4 A notice sent by mail is deemed to have been given on the second day following the day on which the notice is posted, and in proving that notice has been given, it is sufficient to prove the notice was properly addressed and put in a Canadian post office receptacle.
- 4.5 A notice sent by email is deemed to have been given on the day on which the notice is sent, and in proving that notice has been given, it is sufficient to prove the notice was properly addressed and sent.
- 4.6 Notice of a general meeting must specify the place, day and hour of the meeting, and the nature of the business to be conducted at the meeting.
- 4.7 The accidental omission to give notice of a meeting to, or the non-receipt of a notice by, any of the members entitled to receive notice does not invalidate proceedings at that meeting.
- 4.8
  - a. A quorum is one-third of the Participating membership at the time.

- b. Business, other than the election of a chair and the adjournment or termination of the meeting, must not be conducted at a general meeting at a time when a quorum is not present.
  - c. If at any time during a general meeting there ceases to be a quorum present, business then in progress must be suspended until there is a quorum present or until the meeting is adjourned or terminated.
- 4.9 If within 30 minutes from the time appointed for the general meeting a quorum is not present, the Members present constitute a quorum.
- 4.10 The two Presidents are the chairs of all general meetings, provided however that:
- a. either chair may delegate his or her function to the other chair or to a Vice-President;
  - b. if at a meeting neither President is present within 15 minutes after the time appointed for holding the meeting, both or either of the Vice-Presidents must act as chair, but if neither is present, the Directors present may choose one or two Directors to chair that meeting.
- 4.11
- a. A general meeting may be adjourned from time to time and from place to place, but business must not be conducted at an adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.
  - b. When a meeting is adjourned for 10 days or more, notice of the adjourned meeting must be given as in the case of the original meeting.
  - c. Except as provided in this bylaw, it is not necessary to give notice of an adjournment or of the business to be conducted at an adjourned general meeting.
- 4.12
- a. A resolution proposed at a meeting must be seconded, and the chair of a meeting may move a resolution.
  - b. In the case of a tie vote, the chair does not have a casting vote or second vote in addition to the vote to which he or she may be entitled as a Member, and the proposed resolution will not pass.
- 4.13
- a. A Participating Member in good standing present at a meeting of Members is entitled to one vote.
  - b. Voting is by show of hands.
  - c. Voting by proxy is not permitted.

## **ARTICLE 5: DIRECTORS AND OFFICERS**

- 5.1 The Directors may exercise all the powers and do all the acts that the Society may do, and that are not by these Bylaws or by statute or otherwise lawfully directed or required to be done by the Society in a general meeting, but subject, nevertheless, to



- a. all laws affecting the Society,
  - b. these Bylaws, and
  - c. rules, not being inconsistent with these Bylaws, that are made from time to time by the Society in a general meeting.
- 5.2 Subject to the control of the Directors, the Officers will have the power to transact all business of the Society in the interim between the meetings of the Directors.
- 5.3 The Officers of the Society will consist of two immediate Past-Presidents, two Presidents, two Vice-Presidents, a Secretary, and a Treasurer.
- 5.4 With the exception of the immediate Past-Presidents, the Officers will be appointed by the Board of Directors.
- 5.5 At the first meeting of the Board of Directors convened following the annual general meeting, and no later than September 1 of each year, the Board of Directors will appoint Directors to fill any vacancies in the Officers.
- 5.6 Whenever possible, the two Presidents will consist of one lawyer together with one mental health professional or one financial professional.
- 5.7
- a. The term of office of the two Presidents will be two years from September 1<sup>st</sup> of the calendar year of the election at the annual general meeting.
  - b. The maximum term of office for the Presidents will be one term.
  - c. After serving his or her term in office as President and Past-President, a Member may stand for election as a Director after a break of two years following their term as Past-President.
- 5.8
- a. The term of office of the Treasurer will be two years from September 1<sup>st</sup> of the calendar year of the election at the annual general meeting.
  - b. The Treasurer may serve for an unlimited number of consecutive or non-consecutive terms.
- 5.9
- a. Subject to Articles 5.7 and 5.8, the term of office of the Directors will be two years from September 1<sup>st</sup> in the calendar year of their election at the annual general meeting.
  - b. The incumbent Directors may stand for re-election and serve for two additional terms.
  - c. The maximum term of office for the Directors will be six consecutive years.
  - d. After three consecutive terms of service, a Participating Member may stand for re-election as a Director following a break of two years.
- 5.10 The minimum number of Directors in addition to the eight Officers is three and the maximum number of Directors in addition to the Officers is six.

- 5.11 Elections will be held per Article 3.14.
- 5.12 After serving as the Vice-Presidents, the incumbent Vice-Presidents will automatically become the Presidents of the Society to serve in such office per Article 5.7.
- 5.13 After serving as Presidents, the incumbent Presidents will automatically become the immediate Past-Presidents of the Society to serve in such office for a term of two years following the expiration of their term as Presidents.
- 5.14 Any Director may resign upon providing written notice to the Secretary in person, by mail or by email. Such resignation will be effective upon receipt, unless it specifies an effective date.
- 5.15 A Director will immediately cease to be a Director if:
- a. in the case of lawyers, if the Director ceases to be a member in good standing of the Law Society of British Columbia other than by reason of appointment to a judicial office;
  - b. in the case of mental health professionals, if the Director ceases to be a member in good standing of the regulatory body indicated on his or her registration form;
  - c. in the case of financial experts, if the Director ceases to be a member in good standing of the regulatory body indicated on his or her registration form;
  - d. by notice in writing to the Presidents or the Secretary, the Director resigns as a Director or as a Member of the Society;
  - e. the Director is removed as a Member of the Society pursuant to Article 2.9 or 2.10;
  - f. the Director fails to attend 3 consecutive meetings of the Directors.
- 5.16
- a. A Director must retire at the end of his or her term of office and may seek election for two additional terms of office as permitted under these Bylaws.
  - b. An election may be by acclamation, otherwise it must be by secret ballot.
- 5.17
- a. The Directors may at any time appoint a Participating Member as a Director to fill a vacancy in the Directors.
  - b. A Director so appointed holds office only until the conclusion of the next annual general meeting of the Society, but is eligible for re-election at the meeting.
- 5.18 An act of the Directors is not invalid merely because there are less than the prescribed number of Directors in office.
- 5.19 The Participating Members may, by special resolution, remove a Director, before the expiration of his or her term of office, and may elect a successor to complete the term of office.

- 5.20 A Director must not be remunerated for being a Director but a Director may be reimbursed for all expenses necessarily and reasonably incurred by the Director while engaged in the affairs of the Society.
- 5.21 To the full extent permitted by the *Societies Act* or any other applicable laws of the Province of British Columbia, each Director and Officer of the Society, and his or her heirs and legal representatives, will be indemnified by the Society against expenses, reasonably incurred by him or her in connection with any action, suit or proceeding to which he or she may be made a party by reason of his or her being or having been a Director or Officer of the Society, provided however, the indemnity will not apply where the Director or Officer has been finally adjudged in such action, suit or proceeding to have been derelict in the performance of her or his duty as an Officer or Director. “Derelict” will mean grossly negligent, criminally negligent or intentionally engaged in tortious conduct with the intent to defraud, deceive, misrepresent or take advantage of an opportunity available to the Society.

#### **ARTICLE 6: PROCEEDINGS OF DIRECTORS**

- 6.1 The Directors may:
- a. meet wherever they think fit to conduct business;
  - b. have a meeting by conference call;
  - c. regulate their meetings as they see fit, subject to the provisions of this Article 6;
  - d. from time to time set the quorum necessary to conduct business, and unless so set, the quorum is a majority of the Directors then in office.
- 6.2 The two Presidents are the chairs of all meetings of the Directors, provided however that:
- a. either chair may delegate his or function to the other chair or to one of the Vice-Presidents;
  - b. if at a meeting neither President is present within 15 minutes after the time appointed for holding the meeting, both or either of the Vice-Presidents must act as chair.
- 6.3 A meeting of the Board of Directors must be convened upon notice of either of the Presidents or upon the request of three Directors.
- 6.4 Meeting notices may be sent to each Director via email to the Director’s Registered Email Address, or to such other email address provided by the Director to the Secretary.
- 6.5
- a. A resolution proposed at a meeting must be seconded, and the chair of a meeting may move a resolution.
  - b. Questions and resolutions arising at a meeting must be decided by a majority of votes.
  - c. In the case of a tie vote, the chair does not have a second or casting vote.

- 6.6 The Society will have the right to purchase and maintain insurance to the fullest extent permitted by law on behalf of its Directors, employees and other agents, to cover any liability asserted against or incurred by any Director, employee, or agent in such capacity.
- 6.7 The Members and Directors of the Society will not be personally liable for any debt, liability or obligation of the Society.
- 6.8 Consent Resolution: A Board resolution in writing, which has been signed by all the Directors or confirmed by email and deposited with the Chairs, is as valid and effective as if it had been passed at a meeting of the Board duly called. Such Board resolution may be in two or more counterparts which together will be deemed to constitute one resolution in writing.

#### **ARTICLE 7: COMMITTEES**

- 7.1 The Directors will appoint such committees as they deem necessary to carry out the purposes of the Society or to assist the Directors with the management of the affairs of the Society.
- 7.2 A committee, in the exercise of the powers delegated to it, will conform to any rules imposed by the Directors and will report its activities at each meeting of the Directors.
- 7.3 The committees will be chaired by one or two Directors and will consist of as many other Directors and Members as the Board of Directors decides, from time to time, is necessary for the committee to undertake its designated purpose.
- 7.4 The members of a committee may meet and adjourn as the committee chair or chairs deem necessary.

#### **ARTICLE 8: DUTIES OF OFFICERS**

- 8.1 The Presidents preside at all meetings of the Society and of the Directors.
- 8.2 The Presidents are the chief executive officers of the Society and must supervise the other Officers and Directors in the execution of their duties.
- 8.3 The Vice-Presidents must carry out the duties of the Presidents during the absence of both Presidents.
- 8.4 The Secretary must do the following:
- a. attend to the correspondence of the Society;
  - b. issue notices of meetings of the Society and of the Directors;
  - c. keep minutes of all meetings of the Society and of the Directors;
  - d. have custody of all records and documents of the Society except those required to be kept by the Treasurer;
  - e. have custody of the common seal of the Society; and

- f. maintain an accurate Register of Members, which register must include each Member's Registered Mailing Address and Registered Email Address.
- 8.5 The Treasurer must do the following:
- a. keep the financial records, including books of account, necessary to comply with the *Societies Act* ; and
  - b. render financial statements to the Directors monthly, to the Members annually at the annual general meeting, and to others as required.
- 8.6
- a. The offices of Secretary and Treasurer may be held by one person who is to be known as the Secretary Treasurer.
  - b. If a Secretary Treasurer holds office, the total number of Directors must not be less than 11 or greater than 13.
- 8.7 In the absence of the Secretary from a meeting, the Directors must appoint another person to act as Secretary at the meeting.

#### **ARTICLE 9: NOMINATIONS**

- 9.1 A nominating committee will be appointed among Participating Members annually at the first meeting of the Directors following the annual general meeting.
- 9.2 The nominating committee will consist of the two Presidents and such other Participating Members as may be appointed by the Directors from time to time.
- 9.3 The nominating committee will select candidates from the Participating Membership for the upcoming vacancies at the next annual general meeting.
- 9.4 Any Participating Member in good standing may nominate another Participating Member as a candidate or may apply to be a candidate for a position as Director.
- 9.5 Nominations will be in writing to the Secretary in the form prescribed by the Directors and delivered by at least one nominator and one seconder and must be accompanied by the nominee's acceptance of his or her nomination at least 45 days in advance of the annual general meeting.
- 9.6 All nominations will be announced to the Participating Members at least 30 days in advance of the annual meeting by written notice delivered by email to the Participating Members' Registered Email Address.

#### **ARTICLE 10: SEAL**

- 10.1 The Directors may provide a common seal for the Society and may destroy a seal and substitute a new seal in its place.

- 10.2 The common seal must be affixed only when authorized by a resolution of the Directors and then only in the presence of the persons specified in the resolution, or if no persons are specified, in the presence of one of the Presidents and the Secretary, or one of the Presidents and the Secretary Treasurer.

#### **ARTICLE 11: BORROWING**

- 11.1 In order to carry out the purposes of the Society, the Directors may, on behalf of and in the name of the Society, raise and borrow money and secure the repayment of money in the manner they decide and, in particular but without limiting that power, by the issue of debentures.
- 11.2 A debenture must not be issued without the authorization of a special resolution.
- 11.3 The Participating Members may, by special resolution, restrict the borrowing powers of the Directors, but a restriction imposed expires at the next annual general meeting.

#### **ARTICLE 12: AUDITOR**

- 12.1 This Article applies only if the Society is required or has resolved to have an auditor.
- 12.2 The first auditor must be appointed by the Directors who must also fill all vacancies occurring in the office of auditor.
- 12.3 At each annual general meeting the Society may appoint an auditor to hold office until the auditor is re-elected or a successor is elected at the next annual general meeting.
- 12.4 An auditor may be removed by ordinary resolution.
- 12.5 An auditor must be promptly informed in writing of the auditor's appointment or removal.
- 12.6 A Director or employee of the Society must not be its auditor.
- 12.7 The auditor may attend general meetings.

#### **ARTICLE 13: NOTICES TO MEMBERS**

- 13.1 A notice may be given to a Member, either personally, by mail to the Member at the Member's Registered Mailing Address, or by email to the Member at the Member's Registered Email Address.
- 13.2 A notice sent by mail is deemed to have been given on the second day following the day on which the notice is posted, and in proving that notice has been given, it is sufficient to prove the notice was properly addressed and put in a Canadian post office receptacle.
- 13.3 A notice sent by email is deemed to have been given on the day on which the notice is sent, and in proving that notice has been given, it is sufficient to prove the notice was properly addressed and sent.
- 13.4 a. Notice of a meeting must be given to:

- i. every Member shown on the Register of Members on the day notice is given, and
  - ii. the auditor, if Article 12 applies.
- b. No other person is entitled to receive a notice of a general meeting.

#### **ARTICLE 14: BYLAWS**

- 14.1 On being admitted to membership, each Member is entitled to, and the Society must make available without charge, a copy of the Constitution and Bylaws of the Society.
- 14.2 These Bylaws may only be altered or added to by special resolution.

#### **REGULATIONS**

##### **Regulation 1 - Professional Relationship Assistance Protocol Policies (“PRAP”)**

- a. The PRAP should only apply to active members of the Society, as there is no mechanism to ask non-members to participate (ie. they have not signed the Society’s pledge to be bound by the PRAP).
- b. The PRAP can be used in either a “case” specific situation (as reflected in clause 1(a) of the PRAP), or in circumstances related to the “relationship between or among the Society’s members” (as reflected in clause 1(b) of the PRAP), and for this latter use, more in the context of 1, 2 or 3 professionals engaged in Collaborative practice.
- c. If a PRAP process is initiated and there is a cost for a facilitator under the PRAP, the initiator of the PRAP may be required to cover the fees which may be charged by the facilitator, which is the preferred approach; however, the initiator can request financial assistance from the Society’s Board from the PRAP Fund, currently at a maximum of \$1000 per process, so as not to dissuade a PRAP process due to the initiator’s fear of being exposed to costs or fees.
- d. The PRAP is intended for clinical or professional disruptions in serving clients, not necessarily for dealing with professional offences between the Society’s members and/or grievances with the Society itself and/or the Society’s trajectory.
- e. Prior to engaging in a PRAP process, there should be agreement about process, issues and people that need to be involved.

##### **Regulation 2 - Medical and Parental Leave**

A member who is on medical or parental leave from his or her professional practice:

- a. may apply to the Society’s Board of Directors to be exempt from paying annual dues, with the exception of annual membership dues for the International Academy of Collaborative Professionals should the member wish to maintain his or her membership active in said organization;

- b. may apply to the Society's Board of Directors to be exempt from the mandatory dinner meetings attendance requirements;
- c. may apply to remain in the Directory of Members on the Society's website, in which case a notation will be made on the member's profile that they are on medical or parental leave;
- d. will not receive a refund for annual dues already paid for that fiscal year;
- e. may attend meetings, trainings or other events organized by the Society;
- f. if they are a Participating Member, continue to be eligible to vote on the Society's business and to serve on the Society's Board of Directors.

The application for leave must be made to the Society's Board of Directors on an annual basis.

### **Regulation 3 - Email Protocol**

The Society provides to its members an email list consisting of all active members of the Society. In order to ensure that this list is used in a manner as would be expected by the members and in accordance with the Society's mission statement and bylaws, as well as IACP principles, the following protocol applies to the use of the Society's members' group email list:

- a. Members must submit to the Society's Board of Directors for approval any email that they would like to circulate to the members' group email list. Requests for approval are to be sent to [info@collaborativedivorcebc.com](mailto:info@collaborativedivorcebc.com).
- b. Members must not use the Society's members' group email list to circulate emails that have not been approved by the Society's Board of Directors

### **PROVISIONS FROM THE SOCIETY'S PRE-TRANSITION CONSTITUTION**

1. In the event of the winding up or dissolution of the Society, all funds and assets of the Society remaining after the payment or satisfaction of all costs, charges, expenses, debts and liabilities of the Society, including the remuneration (if any) of the liquidator and after payment to employees of the Society of any arrears of salaries or wages, shall be given, transferred and distributed to such organizations that are registered charities pursuant to the provisions of the *Income Tax Act* that shall be designated by the Members of the Society at the time of the winding up or dissolution of the Society and if effect cannot be given to the aforesaid provisions, such funds shall be given, transferred and distributed to such organizations that are determined by the Members of the Society to be such registered charities which have purposes similar to those of the Society. **This provision was previously unalterable.**
2. The activities and purposes of the Society shall be carried on without purpose or gain for its Members and any income, profits or other accretions to the Society shall be used in promoting the purposes of the Society. **This provision was previously unalterable.**



3. No director or officer shall be remunerated for being or acting as a director or officer, but a director or officer may be reimbursed for all expenses necessarily and reasonably incurred by him while engaged in the affairs of the Society. **This provision was previously unalterable.**