

# J. F. L. A.

JERSEY FAMILY LAW ASSOCIATION



## RULES

1. The name of the Association shall be "Jersey Family Law Association".
2. The aims and objectives of the Association are:
  - 2.1 To encourage Members to represent their clients in a manner which promotes the sensitive efficient and economic handling of family disputes and assists individuals to reconcile their differences, and to seek solutions fair to all members of the family and to the children in particular.
  - 2.2 To establish, maintain and promulgate a Code of Practice for Members practising in Family Law.
  - 2.3 To promote the concept and practice of Family Law as a major subject in its own right, with its own special attributes, and not merely as a branch of litigation.
  - 2.4 To study the principles and operation of rules of law, practice and procedure of Family Law and the harmonisation of such between the Channel Islands, the UK and the EC so as to devise, promote and monitor reforms.
  - 2.5 To promote and encourage the use by Members of effective conciliation and mediation procedures.
  - 2.6 To promote and encourage education and training in Family Law and practice and in related professions and skills.
  - 2.7 To provide opportunities and facilities for Members to meet and to exchange views and ideas.
  - 2.8 To undertake such other activities as the Association or Committee may determine in order to further the foregoing aims and objectives.
  - 2.9 To make donations for charitable or voluntary purposes in furtherance of the foregoing aims and objectives.

### 3. **Membership**

The Membership of the association shall comprise Full, Honorary and Associate Members.

- 3.1 (a) The Founder Members who adopted the Rules at the inaugural meeting of the Association held at Samares Manor, St. Clement, Jersey on 25 July 1996.
- (b) Advocates or Solicitors qualified under Jersey Law and who have been in the practice of Family Law in Jersey ~~for at least two years since admission as an Advocate or Solicitor~~ prior to the date of application or who are in the employ of the Judicial Greffe, who have qualified as an Advocate or Solicitor and who are principally concerned with Family Law.

3.2 The Associate Members of the Association shall comprise:-

- (a) Advocates or Solicitors qualified under Jersey Law who have not been in the practice of Family Law in Jersey for two years or more since admission as an Advocate or Solicitor.
- (b) Persons in the employ of the Judicial Greffe who are not qualified as an Advocate or Solicitor under Jersey Law, but who are principally concerned with Family Law.
- (c) Persons other than Advocates or Solicitors who are regularly involved with the practice of Family Law in Jersey.
- (d) Any other person who may be admitted as a member of the Association at the discretion of the Committee.

3.3 Honorary Members shall comprise the Bailiff, the Deputy Bailiff and such other persons as the Association may from time to time determine.

#### 4. **Application for Full and Associate Member**

- 4.1 Application shall be in the form prescribed by the Committee from time to time, proposed and seconded by two Full Members. The proposer shall not be in the same firm or associated firm as the applicant.
- 4.2 The Committee may decline to accept any application for membership without providing any reason for its decision.

#### 5. **Register of Members**

- 5.1 The Secretary shall maintain separate registers of Full, Associate and Honorary Members.
- 5.2 The Register of Associate Members shall be clearly divided into qualified lawyer Members and non-qualified Members so that an Associate Member who is not an Advocate or Solicitor shall not be held out to be a Jersey qualified lawyer.

#### 6. **Voting Rights of Members and Entitlements of Members and Non-Members**

- 6.1 Only Full Members shall be entitled to vote.
- 6.2 All Members shall be entitled to receive such Newsletters as the Association may publish from time to time and to receive such other benefits as the Committee shall from time to time determine. All Members shall be entitled to attend the Annual General Meeting of the Association.
- 6.3 The Committee may invite non-Members to be on the Association's mailing list and if required, may make a charge therefor.

## **7. Termination of Membership**

- 7.1 A Full Member shall automatically cease to be such in the case of an Advocate or Solicitor in the event that he or she is struck from or suspended from the role of Advocates or Solicitors.
- 7.2 An Associate Member shall automatically cease to be such upon:-
- (a) In the case of an Advocate or Solicitor upon his or her being struck from or suspended from the role of Advocates or Solicitors.
  - (b) In the case of persons other than Advocates or Solicitors in the event that he or she is prevented from practising as a lawyer by his or her governing body, ceases to be involved in the practice of Family Law.
- 7.3 The Committee shall have the power to expel a Full or Associate Member but not until such Full or Associate Member has been notified of the Committee's intention to consider such expulsion and has been afforded an opportunity of appearing before the Committee to show cause why he or she should not be expelled.
- 7.4 Any Member may resign by giving notice to that effect to the Secretary.
- 7.5 In the event of a Full or Associate Member having failed to pay his or her subscription for a period of 6 months after the same shall have been due, the Committee may at its discretion treat such non-payment as the resignation of the Full Member or Associate Member in question.

## **8. General Meeting – Notices of General Meetings Proceedings at General Meetings**

- 8.1 The Association shall hold an Annual General Meeting each year.
- 8.2 Notice should be given in writing to all members of General Meetings of the Association at least twenty-one days in advance of the proposed date of such a meeting. The quorum for such a general meeting shall be seven Full Members of the Association.

## **9. The Officers**

- 9.1 The Officers of the Association shall consist of:-
- (i) The Chairman
  - (ii) The Vice-Chairman
  - (iii) The Secretary
  - (iv) The Treasurer
  - (v) The Liaison Officer
- 9.2 Each officer shall be elected by the Association at the Inaugural Meeting and subsequently at the Annual General Meeting from amongst Full Members who are Advocates or Solicitors. Each officer shall serve from the date of his or her election until the close of the second Annual General Meeting following his or her election.

9.3 In the event of any office becoming vacant the Committee may appoint one of its number to fill the vacancy for the remainder of the unexpired term of office.

## **10. Committee**

10.1 The Committee shall consist of:-

- (i) The Officers.
- (ii) Not more than two elected Full Members.
- (iii) Such other <sup>full</sup> Members as the Committee may from time to time co-opt to serve as co-opted Members.
- (iv) The most recently retired Chairman, Vice-Chairman, Secretary and Treasurer of the Association, each of whom shall serve as an ex officio member of the Committee for a maximum of two years from the date of their retirement.

10.2 Subject to the provisions of paragraph 9.2 hereof at each Annual General Meeting one third of the Committee or the number nearest to one third shall retire from office but all members shall have the right to offer themselves for re-election.

10.3 Subject to the provisions of paragraph 9.2 hereof the Members to retire at an Annual General Meeting shall be those who have been longest in office.

10.4 The quorum of the Committee shall be one third of its Members.

## **11. Elections**

At each Annual General Meeting the Secretary shall be responsible for supervising the election of the Officers and the Committee Members for the ensuing year. Nominations for Officers of the Committee shall be sent to the Secretary at least ten days prior to the appointed date for the Annual General Meeting.

## **12. Subscriptions**

The rates of subscription for Full and Associate Members for the calendar year 1996 and (until varied) for all subsequent calendar years shall be £5.00.

## **13. Accounts**

13.1 The Treasurer shall ensure that all subscriptions and other income are placed to the credit of a banking account in the name of the Association and proper books of account are maintained. The Treasurer shall produce to each Annual General Meeting the accounts of the Association.

13.2 Withdrawals from the Association's Accounts may be effected in such manner as the Committee shall from time to time determine.

#### **14. Amendments to the Rules**

- 14.1 The Committee or failing them any 5 Full Members may by notice delivered to the Secretary of not less than 28 days call an Extraordinary General Meeting to propose an amendment to the Rules to be put to the Membership at such Meeting. Such amendment will be carried and put into effect only upon 65% of the Full Members voting in favour of the amendment.
- 14.2 The Secretary shall cause a Notice of the Extraordinary meeting together with the Association's proposed amendments to the rules to be sent to all Full Members not less than 31 days before the Extraordinary General Meeting.

#### **15. Complaints and Disciplinary Procedure**

- 15.1 In the event that any Member fails to comply with the code of conduct of the Association prevailing from time to time then the Committee shall have a discretion to revoke the Membership of such Member, the decision of the Committee being final.
- 15.2 In the event that the Chairman of the Association receives a complaint as to the conduct of a Member of the Association the Chairman shall refer such complaint to the Jersey Law Society for determination.
- 15.3 In the event that the Committee of the Jersey Law Society or any duly appointed sub-committee thereof finds that a Member of the Association has been guilty of misconduct then the Committee shall be entitled to revoke the Membership of the Association of such a Member.
- 15.4 The Members of the Association hereby submit to the non-exclusive jurisdiction of the Jersey Family Law Association in all disciplinary matters.