

**Proposed Bylaws Amendment #5—2019
Regular Winter Session**

Submitted by
Board of Directors

JUDICIAL COUNCIL

Amend Bylaws **ARTICLE II, Section 5; Article VIII, Section 2**
Conforming Amendment: Discussed separately, voted on together in one vote.

Present and Proposed Wording
(deletions are ~~struckthrough~~; additions are underlined)

Proposed Bylaw Amendment #5A—2019

ARTICLE II MEMBERSHIP

Section 5. Disciplinary Action/Termination of Membership

b. Procedures. Discipline may include, but not be limited to, censure, suspension, probation, and expulsion. Disciplinary action may be taken provided that a statement of the charges shall have been sent to the last recorded address of the member at least 2 fifteen (15) days before final action is to be taken. This statement shall be accompanied by a notice of the time and place of the meeting at which the charges shall be considered, and the member shall have the opportunity to appear in person and/or to be represented by counsel and to present any defense to such charges before action is taken by the Association. Notwithstanding the foregoing, in the event a member has been convicted of a felony and the fact of such conviction is not contested, such member may be expelled from the Association without a hearing. Such disciplinary actions shall be conducted in accordance with ~~the Rules of Disciplinary Procedures of the Judicial Council, which shall be established by the Judicial Council and~~ rules approved by the Board of Directors.

Proposed Bylaw Amendment #5B—2019

ARTICLE VIII COMMITTEES/COUNCILS/TASK FORCES

Section 2. Councils.

~~a. Judicial Council~~

~~1. Composition. The Judicial Council shall consist of five voting members of the Association. The Executive Vice President, or his or her designee, shall be the secretary of the Judicial Council.~~

~~2. Responsibility. The Judicial Council shall:~~

~~i. Investigate all matters concerning allegations of unethical conduct on behalf of members of the Association and take action regarding disciplinary action and dismissal of members in accordance with the Association's Rules of Disciplinary Procedures, as may be amended by the Board of Directors;~~

~~—— ii. Advise on all questions of veterinary medical ethics;~~

~~—— iii. Advise on all questions relating to interpretation of the Bylaws; and~~

~~iv. Investigate general professional conditions and all matters pertaining to the relations of veterinarians to one another or to the public and make such recommendations to the Board of Directors, House of Delegates, or the organizations represented in the House of Delegates as it deems necessary.~~

[Subsequent paragraphs in Article VIII, Section 2 would be renumbered]

Statement about the Bylaws Amendment

This proposed bylaw amendment is consistent with the findings of the Task Force on Volunteer Engagement and the Working Group on Volunteer Engagement. The Task Force was composed of seven—one HOD member, one member of the Governance Performance Review Committee, a former chair or other member of an AVMA council or committee currently not serving on an AVMA entity, a Past President of SAVMA who served in that capacity within the last seven years, and an executive of an association other than AVMA and the Working Group on Volunteer Engagement. The Working Group was composed of three BOD members and two HOD members.

If the HOD adopts this proposed Bylaw amendment, the AVMA will need a [revised process for disciplinary action](#), and a [process for advising on questions of veterinary medical ethics](#), as set forth in the bylaws.

The restated Rules of Disciplinary Procedure would establish a process for evaluating complaints against AVMA members and replace the Judicial Council with an ad hoc hearing panel to adjudicate complaints. This new procedure alleviates the need to maintain a standing committee due to the infrequent occurrence of disciplinary hearings.

The Procedure for Issuing Advisory Opinions on the Principles of Veterinary Medical Ethics would enable members and others to request an advisory opinion on questions relating to the Principles of Veterinary Medical Ethics. The Procedure allows the BOD to issue an advisory opinion based on the recommendation of a panel of AVMA members selected to consider the request. The Board would also have the option to not issue an opinion.

If the HOD does not adopt this proposed Bylaw amendment (2019-5) the current Rules of Disciplinary Procedure will remain in place.

	RECOMMEND APPROVAL	RECOMMEND DISAPPROVAL	RECOMMEND REFERRAL TO...	NO RECOMMENDATION
<i>Board of Directors</i>	X			
<i>House Advisory Committee</i>	X			
<i>Reference Committee #1</i>				
(*Use this space for additional narrative, if needed.)				

	APPROVED	DISAPPROVED	REFERRED TO...
HOD ACTION			