

**PROTECTION AND ADVOCACY FOR INDIVIDUALS WITH MENTAL  
ILLNESS ADVISORY COUNCIL BYLAWS**

**ARTICLE 1**

**NAME**

The name of this body shall be known officially as the Protection and Advocacy for Individuals with Mental Illness (PAIMI) Advisory Council, hereinafter referred to as the Council.

**ARTICLE II**

**AUTHORITY, MISSION, DUTIES**

**Section 1: Authority**

The Council is mandated by and operates within the express provisions of applicable Federal Statutory Law, to wit: The Protection and Advocacy for Mentally Ill Individuals of 1991, 42 U.S.C. 10801 et seq., hereinafter referred to as the PAIMI Act.

**Section 2: Mission**

The mission of the Council is to advise the disAbility Law Center of Virginia, hereinafter referred to as dLCV, on policies and priorities to be implemented to assure that individuals, covered by the PAIMI Act, are free from abuse, neglect, and related rights violations.

**Section 3: Duties**

- (1) To advise dLCV on policies and priorities to be implemented in protecting and advocating for the rights of individuals covered by the provisions of the PAIMI Act.
- (2) Together with the Governing Authority, to develop the formal statement of annual priorities for dLCV.
- (3) To prepare an annual report reflecting the Council's assessments of the operation of dLCV and the activities of the Council, pursuant to the PAIMI Act, 42 U.S.C., 10801 et seq.

**ARTICLE III**

**MEMBERSHIP**

**Section 1: Membership**

The Council shall be composed of twelve to fifteen members and shall be broadly representative of the population served by dLCV. The membership of the Council shall include attorneys, mental health professionals, individuals knowledgeable about mental illness, providers of mental health services, individuals who have received or are receiving mental health services, and family members. The PAIMI Act requires at least sixty percent of the membership of the Council to be composed of individuals who have or are receiving mental health services. The Council shall include at least one member who is the parent of a minor child with mental illness. No two members of the same household may serve on the Council.

## **Section 2: Terms of Office**

The Council shall make recommendations for appointments or dismissals to the Executive Director of dLCV. The Executive Director shall submit the Council's recommendations along with the Director's concurrence or disagreement with those recommendations to the President of the Board for Protection and Advocacy. The President of the Board, following established Board guidelines, shall appoint Council members to serve an initial four-year term. The President of the Board may remove a member from the Council for cause. A member of the Council, who has been appointed for a term may serve two consecutive four year terms (eight years). Upon the expiration date, with a two year respite, the former Council member may be appointed for a four year term, then be eligible for an additional four year term.

## **ARTICLE IV**

### **ORGANIZATION**

#### **Section 1: Officers**

The officers of the Council shall consist of the Chairperson, Vice-Chairperson, and Secretary.

#### **Section 2: Terms of Office**

The Council shall elect its officers each year with terms of office beginning January 1. Officers shall be eligible for nomination by the Nomination Committee of the Council and shall be eligible for election for two consecutive annual terms to the same office.

#### **Section 3: Election**

Nomination for the offices of Chairperson, Vice-Chairperson, and Secretary shall be presented formally to the Council by the Nominations Committee at the August meeting of the Council. Voting on the nominations by the Council shall take place at the November meeting and shall be included as part of the regular Order of Business by the

Last Revision July 2020

Nominations Committee. An affirmative vote of a simple majority of Council members present at the November meeting shall be required for election of officers.

#### **Section 4: Vacancies**

Should the position of Chairperson become vacant for any reason during the elected Term of Office, the Vice-Chairperson will assume the duties of the Chairperson and shall continue to discharge those duties for as long as the vacancy persists. Should a vacancy occur on the Steering Committee of the Council, the Steering Committee will offer a name to the Council for approval to fill the vacancy.

#### **Section 5: Duties of Officers**

**Chairperson:** The Chairperson shall preside at all meetings of the Council and of the Steering Committee. The Chairperson shall be an ex-officio member of all committees of the Council with the exception of the Nominations Committee. The Chairperson shall be the official representative of the Council but may delegate this responsibility to other Council members as appropriate and necessary. The Chairperson also serves on the dLCV Board of Directors.

**Vice-Chairperson:** In absence of the Chairperson, the Vice-Chairperson shall perform the duties of the Chairperson, and when so acting, shall have all the powers of and be subject to all restrictions upon the Chairperson.

**Secretary:** The Secretary shall be responsible for the process by which the minutes of the Council meetings are taken. The Secretary shall approve a draft of the minutes of the Council meetings and shall sign the minutes in the form in which they are approved by the Council. The Secretary, acting in close consultation with dLCV, shall assure that the minutes, as approved by the Council, are securely kept as a public record of Council activities.

### **ARTICLE V**

#### **STEERING COMMITTEE**

##### **Section 1: Composition**

The Steering Committee shall consist of the Chairperson, Vice-Chairperson, Secretary, and Committee Chairpersons.

##### **Section 2: Duties**

The Steering Committee shall conduct all business matters pertaining to the purposes and administration of the Council and shall keep the Council fully informed of such matters. In emergency situations, the Chairperson shall call a meeting of the Steering Committee.

### **Section 3: Meetings and Quorum**

The quorum required for a Steering Committee meeting shall be three members.

## **ARTICLE VI**

### **CONDUCT OF MEETINGS**

#### **Section 1: Meetings**

Regular meetings of the Council shall be held four times each year. The schedule will be approved annually. This schedule may be modified by a majority vote of the Council. The Chairperson is authorized to call special meetings of the Council after consultation with the Steering Committee.

#### **Section 2: Attendance at Regularly Scheduled Meetings**

Council members are expected to attend regularly scheduled Council meetings. dLVCV will make reasonable and necessary accommodations to facilitate the regular attendance of Council members at approved Council functions. Any council member who has two unexcused absences out of the four quarterly scheduled meetings may be removed, by the President of the Board, from membership on the Council. When compelling circumstances result in removal from the Council, the President of the Board may reappoint that individual to the Council in the future.

#### **Section 3: Voting**

Each member of the Council shall have one vote. In order to establish a quorum for the Council meetings, a simple majority of those members currently on the Council must be present.

## **ARTICLE VII**

### **REPORTS**

The Council, acting through the Steering Committee, shall provide an annual report to the Director of the Federal Program overseeing the PAIMI Program pursuant to the PAIMI Act, 42 U.S.C., 10801 et seq.

## **ARTICLE VIII**

### **COMMITTEES**

#### **Section 1: Steering Committee**

Last Revision July 2020

The duties and composition of the Steering Committee are noted in Article V, Section 1.

## **Section 2: Special Committees**

The Chairperson, acting with the Steering Committee approval, may establish other committees as deemed appropriate.

## **ARTICLE IX**

### **AMENDMENTS**

These By-Laws may be amended, repealed, or restructured, during any regular or special Council meeting by a majority vote of all members, providing that written notice of proposed amendments have been distributed to all Council members at least ten days prior to the Council meeting.

## **ARTICLE X**

These By-Laws shall go into effect and be binding when approved by a majority vote of all Council members and approved by the dLCV Board of Directors.