

**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 received or are receiving mental health services or who are family members of such individuals. The Council shall include at least one member who is a family member and primary caregiver for an individual who is a minor child who has received or is receiving mental health services. No two members of the same household may serve on the Council. The Chairperson must have received or is receiving mental health services or is a family member of someone who has received or is receiving mental health services.

Section 2: Terms of Membership

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 of disAbility Law Center of Virginia. 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.

Section 3: Nominations

Members shall self-nominate or be nominated by other Members for Office positions.

Section 4: Elections

Voting on the nominations by the Council shall take place annually at the last meeting of the year. An affirmative vote of a simple majority of Council members present at the last meeting of the year shall be required for election of officers.

Section 5: 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 the Vice Chairperson or Secretary position become vacant for any reason during the elected Term of Office, the Council will hold a special election at the following meeting to fill the position through the last meeting of the year. 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 6: Duties of Officers

Chairperson: The Chairperson shall preside at all meetings of the Council and the Steering Committee. The Chairperson shall be an ex-officio member of all committees of the Council. 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.

Section 7: Removal from Office

A special meeting may be called if there is a concern with an Officer's performance. The Council shall make attempts to correct the Officer's performance prior to voting to nominate removal. An affirmative two-thirds vote of Councilmembers will be required to nominate removal of an Officer from their position. The President of the Board will make the determination to remove an Officer.

ARTICLE V

STEERING COMMITTEE

Section 1: Composition

The Steering Committee shall consist of the Chairperson, Vice-Chairperson, Secretary, and Committee Chairpersons. The dLCV liaison to the PAIMI Advisory Council will serve as a non-voting member of the Steering Committee in an advisory role.

Section 2: Duties

In emergency situations, the Chairperson shall call a meeting of the Steering Committee. The Steering Committee shall act on behalf of the Council in circumstances where the failure to act prior to the next Council meeting would disrupt the operations of the Council. The Steering Committee shall keep the Council fully informed.

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. Special meetings may be called by the Chairperson or upon the request of three (3) Council members.

Section 2: Attendance at Regularly Scheduled Meetings

Council members are expected to attend regularly scheduled Council meetings. dLCV 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 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

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

Section 2: Special Committees

The Council, may establish other committees as deemed appropriate through an affirmative vote by a simple majority of Council members. The Council may decide the mission, committee members, and timeframe of the committee. Committees shall be disbanded upon completion of their mission, or by a majority vote of the Council.

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 (10) 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.