



NATIONAL ASSOCIATION OF LEGAL INVESTIGATORS, INC.

CONSTITUTION

PREAMBLE

We, the members of the National Association of Legal Investigators, Inc., in order to establish and promote a national association which will organize, serve and educate members, enforce professional canons of ethics, establish a mutual feeling of trust, goodwill and friendship among ourselves and other investigative agencies throughout the United States of America, do enact this Constitution.

ARTICLE I: NAME

Section 1. The name of this Association shall be known as the "National Association of Legal Investigators, Inc.;" hereinafter referred to as the "Association" and abbreviated "NALI".

Section 2. Its purposes shall be to endorse, promote and safeguard the highest professional ethics of the legal investigative profession and to explore, cultivate and advance those arts and sciences that will serve to raise the standards and techniques of legal investigation.

ARTICLE II: LOCATION, SEAL, EMBLEM

Section 1. The principal office shall be located at the address set forth in the By-laws.

Section 2. The official emblem of this Association shall be the following design: A wreath, making a full circle with the initials NALI in capital letters, located at the very top center inside, above the Scales of Justice, and the words "Founded 1967" below the Scales of Justice.

Section 3. The official emblem of the Association may be used only by members of the association on letterheads, cards and print or digital advertising for the member's services or business. The emblem shall not be used by a member for the purpose of identifying, promoting or advertising any school or training course. Neither shall a member use the emblem to promote, publicize or advertise any publication for sale. (6/2014)

Section 4. It is a condition of membership, and each and every member of this Association agrees, that the use of the emblem of this Association shall be limited to the time during which their membership shall be in good standing, and each member hereby agrees that upon termination of membership, the former member will discontinue the use of said emblem.

ARTICLE III: MEMBERSHIP

Section 1. Membership in this Association is restricted to active members, active international members, retired members, associate members, and professional affiliate members.

Section 2. Any membership in this Association shall be open to legal investigators of professional competence and integrity who provide litigation support investigative services to attorneys in the private practice of law in the common law courts and in the courts of equity. Active members may be employed by a law firm, a Public Defender's Office, and/or privately owned investigative firms. To qualify for membership, an applicant must have a minimum of twenty four (24) months or four thousand (4,000) hours of documented employment as an investigator in these fields. The Association may consider experience obtained in parallel fields toward the satisfaction of this requirement; however any waiver from the requirements set forth herein should be only granted upon full investigation of the submitted qualifications and only under exceptional circumstances.

Section 3. Any active member in good standing who has fully retired from active employment, either full time or part time, in the profession of a legal investigator and has been a member a minimum of five (5) years who has reached the age of fifty-five (55), or, due to health reasons, may apply, in writing, for retired member status. Requests for retired member status shall be submitted to the National Director for approval by the Executive Council. Upon approval, said applicant, the National Secretary, Association Management Company and the Editor will be notified in writing of the approved status. The retired member will not be required to pay annual dues. Any retired member who comes out of retirement shall notify the National Director in writing, voluntarily forfeit retired member status, and be placed back on the rolls as an active dues-paying member. Retired members may not vote and shall be ineligible to hold elected office. Retired Members will be identified as "Retired Member" on the Association webpage.

Section 4. All applications for membership must be made to the appropriate Regional Director in writing on a form to be approved and provided by the Association. (a) Each application must be

accompanied by the non-refundable application fee in the amount set forth in the By-laws, plus annual dues as required by ARTICLE IX.

Section 5. The applicant will be thoroughly investigated by the Regional Director. The application, the Regional Director's recommendations and results of the investigation shall be forwarded to the National Director. If the applicant is accepted as a member, the National Director shall notify the National Secretary and Association Management Company of said acceptance, providing the Association Management Company with the membership fees. If the applicant is not accepted, the membership fees shall be refunded by the Association Management Company. The original application and supporting documents shall be forwarded to the Association Management Company for permanent record storage. Applicant must submit a minimum of three (3) letters of recommendation from practicing attorneys, on firm letterhead, that attest to the applicant's reputation, character, and confirm the applicant's experience as outlined in Section 2.

Section 6. The resignation of any member in good standing shall be forwarded to the National Director, National Secretary and Association Management Company. The National Director shall then advise the Executive Council of such resignation. All resignations will be accepted without further action.

Section 7. Any active member of the Association whose employment changes so that it no longer conforms to ARTICLE III, Section 2, as determined by an investigation pursuant to Article VIII, shall be denied renewal of his or her membership at the end of the current year. A member so denied membership may appeal in accordance with Section 4 of ARTICLE VIII. However, any active member may take Associate Membership status in accordance with ARTICLE III, Section 9, or if eligible, pursuant to the terms of Section 3 above, may take Retired Member status.

- (a) Upon payment of annual dues, each active member shall certify, on a form approved by the Association, that the member's practice continues to conform to the requirements of ARTICLE III, Section 2, or in the alternative, state the member's desire to become an associate member. Any active member who declines to submit such certification shall be automatically granted associate membership.

Section 8. International members are members not residing in the United States, or its territories or possessions. They must meet all membership requirements and, upon approval for membership, be considered active international members and vested with all privileges extended to active members including the ability to vote and hold elected office. All active international members will be assigned to Region Eight (8). In accordance with Article VII, Section 2 (c) of this Constitution active international members will elect a member to serve as Regional Director with all the duties and responsibilities granted to such office. Members who reside or whose primary business operations are located in any United States territory or possession shall be classified as active members and also be included in Region Eight (8).

Section 9. Associate members are members who do not meet the minimum twenty-four (24) months or four thousand (4,000) hours of documented employment as an investigator in the private or governmental sector. Associate membership shall be open to investigators of professional competence and integrity who are actively engaged in providing litigation support

for attorneys, and who are employed by law firms, corporations, governmental entities and/or privately owned investigative firms. Associate members enjoy all Association benefits, with the exception of being able to vote or hold elective office. Associate members may upgrade their membership upon meeting the criteria for active membership.

Section 10. Professional affiliate members are licensed attorneys or individuals who are qualified as experts in their field, hold at least a Bachelor's degree and practice as expert witnesses, but whose services are not primarily for insurance defense. Professional affiliates enjoy all Association benefits, with the exception of being able to vote or hold elective office. (April 2016)

ARTICLE IV: ORGANIZATIONAL STRUCTURE

Section 1. This Association shall be governed by the Executive Council.

Section 2. Whenever the term "Executive Council" is used in this Constitution, it shall mean and include the National Director, Assistant National Director, National Secretary and eight (8) Regional Directors. Each member of the Executive Council shall have one vote with the exception of the National Director, who shall vote only to break a tie. (April 2016)

ARTICLE V: DUTIES OF OFFICERS

Section 1. NATIONAL DIRECTOR

(a) The National Director shall be the Chief Executive Officer of the Association.

(b) The National Director shall appoint all chairpersons to the following committees: (6/2014)

1. Election Committee (The Chairperson shall then appoint, at the annual conference, two members to assist in tabulating absentee ballots and ballots cast by members in attendance).
2. Editor of THE LEGAL INVESTIGATOR.
3. Certified Legal Investigator (CLI) Committee.
4. Continuing Education Committee (CEC).
5. Advisory Committee-Composed of all past National Directors who are members.
6. Constitutional Revision Committee. (6/94)
7. Such other committees and chairpersons as the National Director may deem necessary.

- (c) The National Director may initiate emergency or special Executive Council meetings for the purpose of voting to consider removal from office any elected officer who:
- 1) Has assumed duties or interest in conflict with or contrary to the best interest of the Association.
 - 2) Does not comply with ARTICLE III, Section 2 of this Constitution.
 - 3) Does not responsibly fulfill the duties of the office to which elected.

Section 2. ASSISTANT NATIONAL DIRECTOR

- (a) The Assistant National Director shall become National Director if for any reason the National Director cannot perform the duties of the office of National Director or on expulsion of the National Director from membership in the Association as provided in ARTICLE VIII.
- (b) The Assistant National Director shall perform whatever other duties that may be assigned by the National Director.
- (c) If for any reason both the offices of National Director and Assistant National Director become vacant, then the remaining members of the Executive Council shall elect one among them to be the National Director of the Association until the next Annual Conference.
- (d) It shall be the duty of the Assistant National Director to perform background investigation on International applicants.
- (e) It shall be the duty of the Assistant National Director to approve all disbursements.
- (f) In the event of vacancy of the office of Assistant National Director, the National Director may assume the duties of Assistant National Director, or may appoint an Acting Assistant National Director, who shall not qualify for to the office of National Director pursuant to ARTICLE V, Section 2 (a).

Section 3. REGIONAL DIRECTORS:

- (a) The principal duty of the Regional Director is to administer and coordinate the activities of the general membership within the assigned regions.
- (b) If the Regional Director is unable to attend the Executive Council meeting, the Director may designate, in writing, an alternate member of that region to act as Regional Director for that specific council meeting.
- (c) The Regional Director shall be responsible to attend the annual meeting and all Executive Council meetings.

(d) The Regional Director shall be responsible to promptly attend to and reply to all the inquiries, applications and correspondence pertaining to Association business.

(e) The Regional Directors may present to the members of their regions, the opportunity to attend a Regional Seminar, and, at least thirty (30) days prior to such Regional Seminar, must notify all members of that particular region, the Editor, and all Association officers of the date, time, place and agenda of that Regional Seminar. (6/2000)

(f) The Regional Director shall be responsible to communicate in writing to each member of that region for the purpose of promoting the Association programs, meetings, membership participation and recruitment of new members, on at least a quarterly basis. The Regional Director shall forward regional news to the Editor so that it may appear in an issue of THE LEGAL INVESTIGATOR or the NALI NEWS.

(g) Each Regional Director will encourage members to seek the office of the Regional Director.

(h) Any member intending to seek the office of Regional Director shall announce the member's candidacy in accordance with ARTICLE VII, Section 6(a). Each candidate will be allowed the opportunity to have the candidate's qualifications, opinions, or positions on issues published in an issue of the NALI NEWS electronic newsletter at least thirty (30) days prior to the annual conference. (Section amended 6/2017)

(i) Each declared candidate who complies with ARTICLE V, Section 3(h) will have her or his name placed on the absentee ballot.

Section 4. NATIONAL SECRETARY:

(a) The principal duty of the National Secretary shall be to oversee the maintenance and accuracy of the Association's meetings and records.

(b) The National Secretary shall be present at the Mid-Winter meeting, any special called meeting of the Council and the Annual Conferences and keep a record of proceedings at said meetings. At the conclusion of any official meeting of the Executive Council, the National Secretary shall produce a true copy of the minutes taken and in conjunction with the Association Management Company and distribute these minutes to the Executive Council for approval.

(c) The National Secretary shall also verify that copies of all books and records of the Association are accurate and available for inspection by any member in good standing.

(Section amended 6/2014)

Section 5. ASSOCIATION MANAGEMENT COMPANY:

- (a) A person or business, hereinafter known as the Association Management Company, shall be appointed by the National Director and approved by an affirmative vote of the Executive Council to manage the day to day affairs of the Association.

- (b) The duties of the Association Management Company will be:
 - a. To maintain a prescribed system of records, books, membership rolls, minutes of meetings, and other activities of the Association. The Association Management Company shall order, maintain and distribute stationery, informational brochures and other printed publications of the Association.
 - b. To tender semi-annual reports of the Association to the Executive Council. These reports shall be tendered at the Mid-Winter and Annual Conferences, Executive Council meetings or where otherwise required by the Executive Council.
 - c. To maintain all official lists of the Association and ensure the Association Website is updated regularly to reflect current membership status of each member.
 - d. The distribution by first class mail the official ballots and the authorized NALI publication containing candidates' statements and photographs, to be postmarked no later than May 10.
 - e. To receive, invest, disburse, and account for all monetary funds of the Association. The Association Management Company shall be responsible to perform annual billing and receiving of membership dues of the Association, payment of all bills and invoices on behalf of the Association, maintaining the financial books and records of the Association, and preparation of any income tax information returns required to be filed by the Association.
 - f. To tender a semi-annual financial report of the Association to the Executive Council. The financial report shall be tendered at the Mid-Winter and Annual Conferences, Executive Council Meetings, or where otherwise required by the Executive Council.
 - g. To provide to the Assistant National Director, prior to the Annual Meeting, the financial report of the Association and have available for inspection by members, books and financial records of the Association.
 - h. To monitor, revise and amend the Association's Website as necessary;
 - i. and all other duties delegated by the National Director which do not conflict with the terms of the contract for services in place at the time of the request.

- (c) The Association Management Company shall have a written contract to perform those duties of the Association Management Company as delineated in the Constitution, By-Laws and Executive Orders. The contract shall be renewed or negotiated by the National Director with the approval of the Executive Council on an annual basis.

(Section amended 6/2014)

ARTICLE VI: ANNUAL MEETING AND CONFERENCES

Section 1.

(a) The Executive Council shall meet for the purpose of conducting the business affairs of the Association at least semi-annually. Additional meetings of the Executive Council may be called by the National Director. Said meetings may be telephonic if so designated by the National Director. All Executive Council meetings shall be open to the membership. There shall be no "closed" or "executive session" meetings held by the Executive Council. Any member wishing to address Executive Council may do so after being recognized by the National Director.

(b) The Association shall hold at least one annual meeting of its members. The location and date of such called meeting will be determined by a vote of the Executive Council. The called meeting will include a meeting of the Executive Council and a training conference.

(c) A mid-term Executive Council meeting shall be held at such time and place as designated by the National Director. The Association may sponsor a semi-annual "Mid-Winter" Training Conference to fulfill this meeting requirement. Any such called meeting or training conference shall be called no later than March 1 of the year following the Annual Conference. The date and location of any Mid-Winter Training Conference is at the discretion of the National Director.

(d) Any member of the Association may submit a recommended location for the Annual Conference to the Executive Council for consideration. If any member should request the Annual Conference be held in their local area, the Executive Council shall give such a request the highest priority. A member wishing to act as a sponsor for the Annual Conference in their local area or who submits any location for consideration must present qualifying information as to the suitability of the site.

Section 2. In the event a place selected for an annual conference becomes unavailable due to unforeseen circumstances, the Executive Council shall select another site, either at a regular or special meeting or by a poll of the members of the Executive Council by electronic mail.

(Section amended 6/2014)

ARTICLE VII: ELECTION OF OFFICERS

Section 1. The National Director, Assistant National Director, National Secretary and Regional Directors shall be elected by a plurality of votes cast by all qualified members in each election. The term of office shall be one year and begin on September 1 of the year elected and continue through September 1 of the following year.

Section 2. Eligibility requirements for Candidates:

- (a) No person shall be eligible to hold any elected office unless he or she has been an active member in good standing for one year immediately prior to the Annual Conference. "Good standing" shall mean active membership of at least one year prior to the Annual Conference, uninterrupted by expulsion, suspension or forfeiture of membership by non-payment of dues as is set forth in ARTICLE IX. Each declared candidate who complies with this Section, and with Section 6 of this Article, will have his or her name placed on the ~~tee~~ ballot;
- (b) Candidates for national officers may reside in any Region; (April 2016)
- (c) Regional Director Candidates must reside within the Region they propose to represent. If there is no member from a particular region who wishes to serve as Regional Director, the National Director may approve an application of a member from another region to be placed on the ballot and serve as Regional Director if elected.

Section 3. In the event there are no declared candidates, nominations will be accepted from the floor at the Annual Conference.

Section 4. No voting by representation or proxy shall be allowed.

Section 5. Voting

- (a) All members in good standing shall be allowed the opportunity to vote in the annual election of officers. Members may vote for all national candidates on the ballot except that Regional Directors may only be elected by voting members of that region.
- (b) Votes may be cast in person at the Annual Conference, by requesting a written ballot by mail and returning this ballot to the Election Committee Chairperson at least 15 days prior to the first day of the Annual Conference or electronically, via e-mail or other electronic manner approved by the Executive Council.
- (c) All ballots will be verified and counted by the Election Committee. After the election is verified, the Election Committee Chairperson shall report to the membership the results of the election, including all vote counts. All ballots shall be preserved for ten (10) days before destruction, unless an election is challenged, and then they shall be preserved until the resolution of the challenge. All candidates shall be notified by the Election Committee Chairperson of the results of the election within twenty-four (24) hours of completion of the ballot tallying.

Section 6.

- (a) Any member desiring to become a candidate for an elected office within the Association, to wit: National Director, Assistant National Director, National Secretary or Regional Director, shall announce his or her candidacy to the National Director not later than March 31st. All declared candidates who qualify under this section shall be placed on the ballot of election for office.

(b) The general membership shall be informed of the intent to seek elected office by the various candidates, by items appearing in the THE LEGAL INVESTIGATOR or special newsletters preceding the Annual Conference. Candidates may inform the membership of their candidacy one time using the NALI Listserve. Such notice shall be limited to stating the office they are seeking and for what term. No candidate statements or other advocacy writings supporting or opposing any candidate or measure shall be posted to the NALI Listserve.

(c) A vacancy created in any elected office, except where otherwise provided for in this Constitution, shall be filled for the unexpired term of office by a majority vote of the Executive Council. The vote may be taken by a poll of the members of the Executive Council through correspondence by the National Director. Those vacancies created at a regular Annual Conference shall be filled by a vote of the majority of the members present. If a Regional Director vacates the office during the regular term the vacancy shall be filled with a member from that region in accordance with this section. If the National Director determines that no member in the region will accept the appointment, a member from another region may be appointed to hold the position for the remainder of the unexpired term.

Section 7. The candidates' statements, not to exceed 250 words, and other related announcements may be submitted to the Association Management Company to be published in an issue of the NALI NEWS electronic newsletters at least thirty (30) days prior to the annual conference to be distributed to the general membership.

(Section amended 6/2017)

ARTICLE VIII: DISCIPLINE

Section 1. Any member or officer of the Association may be censured, suspended or expelled from the Association or the office held therein by the Executive Council for unethical or unlawful behavior, or conduct that injures the interest, welfare and character of the Association or violates this Constitution or the By-laws or Code of Ethics adopted by this Association.

Section 2. Any member in good standing may seek the discipline of a member or officer by filing a written complaint in accordance with the procedures set forth in Section 3. Billing or other monetary disputes shall not be subject to disciplinary action under this Article.

Section 3. Procedures for Complaints:

(a) Requests for discipline against a member or officer shall be submitted to the National Director in the form of a written complaint. Said complaint may be submitted by mail or via electronic transmission and signed by the complaining member.

(b) The National Director will review the complaint and appoint a member in good standing to act as an Inquiry Officer. This member will be charged with the investigation of the complaint and preparing a written memorandum of the findings of the investigation to be submitted to the National Director within ninety (90) days from the date the

investigation is commenced. The Inquiry Officer may request additional time if unforeseen circumstance arise to delay the completion of the investigation. In addition, the Inquiry Officer may request additional members to assist in the investigation. In all cases, the Inquiry Officer shall inform the member of the nature of the allegations and offer the member the opportunity to present evidence.

(c) The National Director shall notify the accused member of the complaint and the identity of the Inquiry Officer appointed to investigate. If the offending member objects to the Inquiry Officer selected by the National Director the member shall be allowed ten (10) days to provide written objections to the National Director. All such objections shall be accompanied by supporting evidence. After review, the National Director may reconsider the appointment or reject the objection. The National Director shall exercise all prudence and care to ensure that the Inquiry Officer is qualified to conduct the investigation and completely impartial with regard to the issues and the accused member. Conflicts of interest on the part of the Inquiry Officer will not be tolerated and the member designated as Inquiry Officer must immediately disclose any such conflicts to the National Director prior to appointment. No member shall be appointed to act as an Inquiry Officer who cannot represent their absolute impartiality in the matter to the National Director.

(d) After receiving the findings of the Inquiry Officer, the National Director may elect to engage the complaining and accused members in mediation. The National Director may appoint a member to act as mediator on his behalf. The purpose of this mediation is to resolve the issue to the satisfaction of both parties without imposing sanctions.

(e) If the allegations are against the National Director, the complaint shall be submitted to the Assistant National Director, who in turn will perform the functions of the National Director in appointing the Inquiry Officer. If the allegations are against both the National Director and the Assistant National Director, in the same complaint, the complaint shall be submitted to the remainder of the Executive Council as a whole, which shall, by written majority vote, select one from among them to appoint the Inquiry Officer.

(f) The member concerned shall be advised promptly by certified mail of the findings of the Inquiry Officer, and shall have ten (10) days from the date of notice and the Inquiry Officer's report and recommendations, if any, to file a request for a formal hearing before the Executive Council at its next scheduled meeting.

(Section amended 6/2014)

ARTICLE IX: DUES

Section 1. The annual dues of this Association, the amount set forth in the By-laws, shall be determined by two-thirds vote of the Executive Council at the Midwinter Conference. The fiscal

year covering the payment of dues shall be July 1 to June 30 of the fiscal year following said vote. The annual dues shall be increased or decreased by no more than twenty-five dollars (\$25), and then only after written recommendations to the Executive Council by the Assistant National Director and the Association Management Company. Dues are to be paid each year by July 1st. (1/2002).

Section 2. A member whose dues have not been paid sixty (60) days after the due date, shall be classified as delinquent. If the dues are paid before ninety (90) days have elapsed, the member shall be automatically reinstated and not lose good standing status. If the dues are still delinquent at the expiration of ninety (90) days, membership in the Association shall be forfeited. Reinstatement may be made within the affected fiscal year, only upon majority vote of the Executive Council, plus payment of dues for the fiscal year and the reinstatement fee, as set forth in the By-laws. If payment is not received within one hundred twenty (120) days, the member will be removed from the Association mailing list.

Section 3. Upon payment of all dues, and reinstatement fee, any such member may be restored to membership upon approval by the Executive Council.

Section 4. Any member who has not requested reinstatement before the end of the fiscal year shall be dropped from membership.

Section 5. Any new member whose application is accepted on or after April 1st shall be considered paid through that fiscal year and the subsequent fiscal year and shall not be again required to pay Dues until the fiscal year following that (6/99).

ARTICLE X: THE LEGAL INVESTIGATOR AND OTHER MEMBER COMMUNICATIONS

Section 1. The official publication of the Association shall be known as THE LEGAL INVESTIGATOR. Said publication shall be prepared and distributed to all members as set forth in Section 4 of this Article.

Section 2. THE LEGAL INVESTIGATOR Editor, appointed by the National Director, shall be responsible for the preparation and distribution of the publications.

Section 3. The Editor of THE LEGAL INVESTIGATOR shall be reimbursed, by the Association, an amount set forth in the By-laws for preparing THE LEGAL INVESTIGATOR. Payment will be pro-rated for the number of issues published.

Section 4. The Editor shall publish THE LEGAL INVESTIGATOR at least two times each year but no more than four times on a schedule to be determined by the National Director and the Editor.

(Section amended 6/2017)

Section 5. Each year an Editor/Publisher Award will be given in honor of the late Anthony Golec, CLI (1/2002).

(Section amended 6/2014)

ARTICLE XI: BY-LAWS

Section 1. By-laws shall be promulgated as necessary for the implementation of the provisions of the Constitution and for the orderly operation of the Association.

Section 2. No By-laws shall be adopted that in any way alter, modify or violate any of the ARTICLES of the Constitution.

Section 3. Proposed By-laws or changes in By-laws shall be adopted by a majority vote of the Executive Council.

ARTICLE XII: AMENDMENTS

Section 1. After the initial adoption of this Constitution, it shall be amended by affirmative vote of two-thirds (2/3) of the general membership voting when present at the annual meeting of the Association and by those voting by absentee ballot.

Section 2. No Amendment shall affect or repeal any portion of the Constitution not specifically delineated in the Amendment.

Section 3. Proposed amendments will be published in THE LEGAL INVESTIGATOR/ NALI NEWS at least one issue prior to the annual conference.

Section 4. Proposed amendments shall relate only to a single Article.