

Citizens Advisory Committee For The Charlottesville-Albemarle Public Defender Office Bylaws

ARTICLE I

PURPOSE

Section One: Purpose

The purpose of the Citizens Advisory Committee is to advise and counsel the Public Defender on issues considered relevant and to receive input from the community so as to promote the successful operation of the Public Defender Office.

Section Two: Mission Statement

The mission of the Charlottesville-Albemarle Citizens Advisory Committee is to support and assist the Charlottesville-Albemarle Office of the Public Defender in achieving the highest level of public service to our community. The committee will advise the Office of the Public Defender on the community's concerns about indigent criminal defense, and, where appropriate, help in resolving problems which may come to the committee's attention. The committee will act as community advocate for the Office of the Public Defender and actively encourage public participation in our mission. The committee will encourage full utilization of existing community resources, and actively promote the development of new resources.

ARTICLE II

ADVISORY COMMITTEE

Section One: Appointment of Members

Each appointing authority shall appoint one representative to the Citizens Advisory Committee in the following manner. Initial appointments taking place January 1, 1999, shall consist of: a one year appointment by the Public Defender, a two year appointment by the Thomas Jefferson Area Community Criminal Justice Board, a two year appointment by the Senator of the 25th District and Delegates of the 57th and 58th Districts, a three year appointment by the Albemarle County Board of Supervisors, and a three year appointment by the Charlottesville City Council. The Charlottesville-Albemarle NAACP shall make a three year appointment effective January 1, 2003. All

future appointments of committee members shall be for three years. Lawyers are ineligible to serve.

ARTICLE II **(Continued)**

Section Two: Vacancies

Appointments occurring for reasons other than the expiration of a member's term shall be to fulfill the remainder of the term. Appointments to fill vacancies shall be made in the same manner and by the same appointing authority as provided in Section One for full-term appointments.

Section Three: Tenure

At the end of the initial appointment committee members may be re-appointed and shall serve for a term of three years or until their successors are appointed. Individuals may serve for a maximum of two consecutive terms. Partial terms will not constitute a term for this purpose.

Section Four: Compensation

No Committee Member shall be entitled to or shall receive any compensation or reimbursement for attendance at meetings of the Citizens Advisory Committee. Members' expenses for organization memberships, travel, registration fees, and other costs incurred in conducting the business of the Citizens Advisory Committee will be reimbursed on the same basis as state employee reimbursements if sufficient funding is available in the public defender's budget.

Section Five: Meetings

The organizational meeting of the Citizens Advisory Committee shall be held in January of each year for the purpose of electing Officers and establishing meeting dates, times and locations. The Citizens Advisory Committee will meet no less frequently than six times per year. Special meetings may be held upon the call of the Chairperson or the Vice Chairperson or shall be called upon the request, in writing, of any three members of the committee.

ARTICLE II **(Continued)**

Section Six: Notice of Meetings

Notice of the time and location of any meeting of the Citizens Advisory Committee shall be provided to each member at his /her address as shown on the records of the Public Defenders' Office at least seven (7) days prior to the time of the meeting. Notice shall also be provided to local media.

Section Seven: Quorum

Three members of the Citizens Advisory Committee shall constitute a quorum. A majority vote in the affirmative is required for committee action to occur.

Section Eight: Voting

All Committee Members shall have an equal vote and the same right of participation in the affairs of the Citizens Advisory Committee. The Public Defender is an Ex-officio non-voting member.

Section Nine: Committees

The Citizens Advisory Committee may form sub-committees as it considers appropriate. A majority vote in the affirmative is required to form such committees.

Section Ten: Powers and Duties

The duties of The Citizens Advisory Committee shall be to assist and advise the Public Defender on matters he/she deems appropriate as specified in Article I. The Citizens Advisory Committee has no power to direct any duties or activities of the Public Defenders Office or its employees.

Section Eleven: Protection of Attorney-Client Relationship

Under Virginia State Bar Rule of Professional Conduct 1.6(a), attorneys are prohibited from disclosing confidences or secrets of their clients. Neither the Citizens Advisory Committee nor the Public Defender office will seek or permit the unauthorized disclosure of information obtained in the course of attorneys' professional relationships with their clients.

ARTICLE II

(Continued)

Section Twelve: Attendance

Any members who miss three consecutive meetings may be asked by the Citizens Advisory Committee to tender their resignation to the appointing authority. The Citizens Advisory Committee reserves the right to ask for the removal of members as outlined in Article III, Section Four, Removal of Members.

ARTICLE III

OFFICERS AND MEMBERS

Section One: Chairperson

The Chairperson shall preside at all meetings of the Citizens Advisory Committee and shall exercise general supervision of the committee's affairs. He/she shall call special meetings and perform such other duties as are incident to his/her office or are properly required of him/her by the Citizens Advisory Committee.

Section Two: Vice Chairperson

The Vice Chairperson shall exercise the authority of the Chairperson in the event of the Chairperson's absence.

Section Three: Recording Secretary

The Recording Secretary shall be a member of the Public Defender's staff, appointed to this position by the Public Defender. Duties delegated to that person by the Public Defender shall include keeping minutes accurately reflecting the committee's transaction of business.

Section Four: Removal of Members

Neither the Committee nor the Chairperson has the authority to remove a committee member. If the participation of a member is deemed to be not in the best interest of the committee, the Chairperson at the request of the committee may request that the appointing authority replace that member. A majority vote must be in the affirmative for this action to occur.

ARTICLE IV

MISCELLANEOUS

Section One: Amendments of Bylaws

The Citizens Advisory Committee at any properly constituted meeting may amend these Bylaws by an affirmative vote of a majority of the members, provided that the proposed amendment has been set forth in the notice of the said meeting.

Section Two: Communication with Appointing Authorities

The Chairperson shall communicate with the appointing authorities as directed by the Citizens Advisory Committee, and shall on behalf of the committee submit an Annual Report to the appointing authorities.

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Committee Members' Responsibilities

To successfully serve as a member of the Charlottesville-Albemarle Citizens Advisory Committee, one should be interested in the Criminal Justice System, have a strong belief in its possibilities to operate fairly and justly and genuinely desire progress and improvements for the Public Defender Office. Service on the Advisory Committee should be regarded as significant public service which promotes equal justice for the indigent citizens whom the Public Defender Office represents.

Committee Members should:

1. Help to identify opportunities to support the work of the Public Defender Office, provide opportunities for receiving public input, and share these opportunities with others on the committee whenever possible.
2. Attend all regular and special committee meetings, and inform the chairperson at least 24 hours prior to the meeting if unable to attend.
3. Read minutes, proposed agendas and other attachments prior to meetings; be prepared to discuss issues identified on the proposed agenda; be prepared, as appropriate, to bring new issues to the committee's attention.
4. Be willing to serve on the Citizens Advisory Committee sub-committees as appropriate.
5. Communicate with their appointing authorities and constituencies concerning activities of the Citizens Advisory Committee and the Public Defender Office.

