

CONSTITUTION (BYLAWS)  
AMERICAN CLAN LOCKHART SOCIETY INC.

ARTICLE I

Name

The name of this organization shall be, the American Clan Lockhart Society Inc. hereinafter referred to as ACLS.

ARTICLE II

Object

The object of ACLS shall be to preserve and promote the customs, traditions and heritage of Clan Lockhart and its Spellings. This non-profit, charitable and social organization shall be composed of men and women who are direct lineal descendants of a Scot bearing the surname Lockhart, or can trace their ancestry to the Lockhart Clan or one of its Spellings.

The purposes for which the ACLS is organized are exclusively religious, charitable, scientific, literary, and educational within the meaning of section 501(c) (3) of the Internal Revenue Code of 1986 or the corresponding provision of any future United States Internal Revenue law. Notwithstanding any other provision of these articles, this organization shall not carry on any activities not permitted to be carried on by an organization exempt from Federal income tax under section 501 (c) (3) of the Internal Revenue Code of 1986 or the corresponding provision of any future United States Internal Revenue Law.

Upon the dissolution of the corporation, assets shall be distributed for one or more exempt purposes within the meaning of section 501 (c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets and Archives except any Financial Papers and Report to be forwarded to the Allen County Public Library, Fort Wayne, Indiana.

ARTICLE III

Membership

Section 1. Annual Membership.

Limited to those at least eighteen (18) years of age, who are direct lineal descendants of a Scot bearing the surname LOCKHART; or who can trace their English ancestry to Clan Lockhart or one of its Spellings. Spouses of such persons shall be recognized as the same type membership with all benefits. Annual members pay dues so set by the Executive Board, can vote, and may hold office. **Membership is non-transferable, however, by special request an individual's request for transfer will be reviewed by the Executive Board and an appropriate decision made.**

Section 2. Honorary Members.

Those who by virtue of their position in Lockhart family associations or service to the Society are so designated by the Board of Directors. They are non-voting members, do not pay dues, and cannot hold office.

Section 3. Life Members.

Limited to those at least eighteen (18) years of age, who are direct lineal descendants of a Scot bearing the surname LOCKHART; or who can trace their English ancestry to Clan Lockhart, or one of its Spellings. Spouses of such persons shall be recognized as the same type membership with all benefits. Life Members pay dues so set by the Executive Board, can vote, and may hold office. **Annual membership does not accrue towards lifetime membership.**

Section 4. Non-Voting Affiliate Members.

Friends of the Society who desire to become a part of the Society but have no available record of Scottish Ancestry. They pay dues and may participate in all functions of the Society, but have no vote and are not eligible to hold office.

Section 5. Spelling of Lockhart.

LOCARD, LOCKARD, LOCARDE, LOCCARD, LOKART, LOCCART, LOCKART, LOCKARTE, LOCKHEART, LOKERT.

Other Spellings of Lockhart may be added if proof of valid and historical connection with Clan Lockhart is accepted.

Section 6. Membership Applications.

Shall be received by the Membership Secretary and approved by the Executive Board.

Section 7. Non-Payment of Dues.

Members may be dropped for non-payment of dues - permanent identification number is retained in the membership roster.

Section 8. Member Classifications - (Record Keeping)

- Annual, dues paid, voting
- Honorary, no dues, no vote
- Life, dues paid, voting
- Dropped for Non-payment dues; Permanent ID # retained.
- Special mailing list, no vote
- Clan or Scottish Society newsletter exchange
- Known deceased
- Non-voting, non-Scottish affiliates
- Courtesy mailing. Members 60 or over who paid dues for five years and are now financially stressed. No vote

#### ARTICLE IV

##### Officers

Section 1. National Officers Elected by the Membership

President  
Vice President  
Secretary  
Treasurer  
Membership Secretary  
Newsletter Editor

Section 2. Officers/Positions Appointed by the Elected Officers.

The following Officers/Positions shall be appointed by the President/Vice President and confirmed by the Executive Board for a period not to exceed the current election term. Any officer may resign at any time by written notice. The President may terminate an appointment with cause with approval of the Executive Board.

Regional Commissioners – Appointed by Vice President  
Genealogist – Appointed by President  
Scholarship Committee Chairman – Appointed by President  
Storekeeper – Appointed by President  
Chaplain – Appointed by President

Section 3. Nominations.

At the beginning of the second year of a two year election term, the Board shall approve a nominating committee of at least three (3) to select candidates for each office. To be a candidate for office, the member must be in good standing with an annual or Life membership.

#### Section 4. Elections and Term of Office.

The Elections can be conducted at a general meeting or by mailed or electronic voting. Ballots shall be counted by tellers designated by the Executive Board. Officers will be elected by plurality. Officers will take office on January 1 following the elections for a term of two (2) years.

#### Section 5. Limitations.

1. The President may serve for a maximum of two (2) elected consecutive terms. At the end of the second term, he/she must sit out one (1) Presidential term. At the end of the one term, he/she then becomes eligible to run for President. The outgoing President can run for any other office at any time.
2. Officers, other than the President, may be reelected to serve additional terms without limitations.

#### Section 6. Executive Board.

The Executive Board shall consist of all Elected Officers, and the immediate Past President who will serve as an advisory position and shall have no voting rights on the Board.

#### Section 7. Board of Directors.

The Board of Directors shall consist of: The Executive Board, Genealogist, Scholarship Committee Chairperson, and Regional Commissioners.

#### Section 8. Compensations.

All officers shall serve without compensation or reward, except for certain expenses, as authorized by the Executive Board.

#### Section 9. Filling Vacancies.

1. President - automatically filled by Vice President, unless unable or unwilling to serve in the position. If the Vice President does not assume the position, a special election will be conducted to fill the position.
2. Other officers - the President shall fill any other vacancy by appointment of a member for the remainder of the term of such officer. The appointments will be confirmed by the Executive Board.

### ARTICLE V

#### Duties of Officers

##### Section 1. President.

- President of the Society shall have general supervision over its affairs
- Presides over meetings of Executive Board, Board of Directors, Annual General Meeting (AGM), and special meetings.
- Appoints chairmen of committees and serves as an ex-officio member of all committees.
- Performs other duties as required

##### Section 2. Vice President /Games Chairman.

- Shall perform duties of the president in the event of his/her absence or inability to act.
- If a Presidential vacancy occurs, assumes total responsibilities of the office for the expired term.
- Serves as coordinator of Regional Commissioners, including the appointment of these officials.
- Performs other duties as assigned by the President.
- To oversee all Game tents locations and manning of Games tents.

##### Section 3. Secretary.

- Keep accurate records of all transactions of the Society, including minutes of meetings.
- Prepares agenda for AGM, if requested.
- At the expiration of the term of office the outgoing Secretary shall deliver all Society books and records to the incoming Secretary.

#### Section 4. Membership Secretary.

- Accepts and processes membership applications.
- Mails invoices annually no later than the 15<sup>th</sup> of December.
- Provides annual membership information to Treasurer for budget preparation.
- The Membership Secretary is accountable for maintaining accurate and current records of member's names, addresses and email addresses in a format that is suitable for ACLS communications.

#### Section 5. Treasurer.

- If, in the opinion of the Board, it is in the best interests of the Clan, the Treasurer shall be bonded. The requirement to have the Treasurer bonded shall require a majority vote of the Board. The requirement to have the Treasurer bonded may be rescinded at any time by a majority vote of the Board.
- Receives, deposits, and accounts for all moneys and securities belonging to the Society.
- Signs checks drawn against funds of the Society for expenditures authorized by the Executive Board.
- Serves as chairman of Budget Committee that prepares annual budget, approved by the Board of Directors.
- Provides an annual financial statement, to be published in Newsletter.
- Treasurer's records shall always be current and ready for an annual audit by an outside auditor.
- Foreign countries - agreement shall be made with the Treasurer regarding the periodic transfer of membership dues in foreign countries to U.S. funds and Society account.
- In the event that the Treasurer is unable to perform his/her duties, a regular member may be granted temporary signature privileges by the Executive Board.
- Upon ceasing to hold office or disqualified, he/she shall turn over to designated persons, all moneys, records, and other property of the Society under his/her control.

#### Section 6. Newsletter Editor.

- The Newsletter Editor shall be responsible for preparing and issuing a quarterly newsletter and all news publications provided by the Board to the members in accordance with directives and guidance by the Executive Board.

#### Section 7. Executive Board.

- This policy-making body of the Society shall be responsible for the overall management, leadership and direction of all activities and policies of the Society.
- It shall be the arbiter in any internal disputes between members and shall render opinions regarding interpretation of Bylaws.

#### Section 8. Board of Directors.

- The Board shall have the power to establish precedents and policies not in conflict with the Bylaws and may change policies as it deems necessary for proper conduct of the Society.

### ARTICLE VI

#### Meetings

##### Section 1. Annual General Meeting (AGM).

An Annual General Meeting (AGM) shall be held for receiving reports, and other business that shall arise. The AGM shall be held in conjunction with a highland game or Scottish festival at a time and location to be determined by the Board. Every effort shall be made to select different locations for the meeting each year. Change of AGM time and place or special meetings, may be designated by the President, with approval of the Board. Any changes require 30 days written notice, sent to all members. A report of AGM shall be published in the next Newsletter.

##### Section 2. Annual Board of Directors Meeting.

An annual Board of Directors meeting shall be held, preferably prior to AGM.

#### Section 3. Meeting President.

The President shall preside at all Board and Annual General Meetings. In his/her absence, the Vice President shall assume this responsibility. Should both be unable to preside, the meetings shall be presided over by the Secretary or Treasurer, in that order.

#### Section 4. Quorum.

- At the Board of Directors' Meetings, a quorum shall be two-thirds (2/3) of the Executive Board members in good standing.
- At membership meetings, a quorum shall be 8 members of the Society.

#### Section 5. Decisions.

All matters presented at annual or special meetings shall be decided by majority vote of members present and voting proxies. Each qualified member is entitled to one vote.

### ARTICLE VII

#### Dues

##### Section 1. Annual Dues.

Dues of the Society are set by the Executive Board. Annual dues will be due January each year. First year dues will be prorated by the quarter the member joins; 75% first quarter, 50% second quarter, and 25% third quarter. Dues for members joining the last quarter will 100% and will have an effective date of 1 January for the next year. Subscription price of the Newsletter is included in annual membership dues. Dues may be changed by vote of the Executive Board.

##### Section 2. Annual Membership.

Dues for an annual member shall include the spouse and all dependent children under the age of 18 years.

##### Section 3. Life Membership.

Life membership dues shall be set by the Executive Board.

##### Section 4. Payment.

Payment of dues to Treasurer shall be in U.S. funds.

### ARTICLE VIII

#### Regional Commissioners

Section 1. Regional Commissioners are appointed by the Vice President to supervise members and activities in specific geographical areas. The appointment of Regional Commissioners will be approved by the Executive Board.

Duties of Regional Commissioners include public relations, promotion of ACLS activities and recruitment of members. Represent the Society at Games within the area and maintain contact with members.

### ARTICLE IX

#### Special Assignments

##### Section 1. Genealogist.

A position approved by the Executive Board, requiring a basic knowledge of genealogical methods and a willingness to coordinate ancestor/pedigree charts. A genealogical fund, authorized by the Board shall be budgeted for necessary expenses.

##### Section 2. Storekeeper.

A position approved by the Executive Board to operate a fund-raising project to support activities and needs of this non-profit organization.

#### Section 3. Bylaws Committee.

A position approved by the Executive Board, shall consist of 3-4 members in good standing to review Bylaws at least once each administration period (2 years). The Committee shall revise the Bylaws whenever important changes occur, as requested by the Board.

#### Section 4. Webmaster.

The President will solicit volunteers for the position of Webmaster of the Society's website. The most qualified individual will be appointed to this position as determined by the President and approved by the Executive Board.

#### Section 5. Chaplain

- Offer invocation at meetings as needed/requested
- Be available for spiritual council to any member who requests it  
Perform wedding or funerals as needed
- Send condolences to members when there is a loss in their family  
Provide short article to the news letter when requested
- Keep a record of any Clan Society members who have passed away within the past year who we would like to have commemorated at the Kirkin' of the Tartans

### ARTICLE X

#### Amendment of Bylaws

Section 1. Bylaws can be amended at any annual or special meeting when a quorum is present. At least thirty (30) days written notice must be given to members prior to voting.

Section 2. Amendments to the bylaws that do not change the nature or intention of the affected clause may be made by the Board without membership approval. These amendments shall be limited to gender, grammatical and formatting changes.

### ARTICLE XI

#### Incorporation

American Clan Lockhart Society, Inc. was duly incorporated January 10, 2003 by: President - Jeffrey A. Lockhart; Vice President/Games Chairman - Suzanne L. Lynd; Secretary /Treasurer- Jennifer L. Bailey; Newsletter Editor/ Membership Chairman- Barbara Bouton in Crestwood, Kentucky.

National Office and Archives to be located at the address of the Elected Secretary.

Reviewed and revised by Bylaws Committee: Jeffrey A. Lockhart, Suzanne L. Lynd, Donald Lynd, Barbara Bouton, Peter Bouton and Jennifer L. Bailey on January 1, 2003.

Approved as revised by the Board of Directors on January, 1, 2003; revised September 8, 2006.

Accepted by membership as amended on January 1, 2003; revised September 9, 2006.

Accepted by the Board of Directors and the membership on October 18, 2008.

Accepted by the Board of Directors and the membership on September 8, 2012.

Daniel E. Lockhart, President (2010-2012)  
Carol Cichocki, Secretary (2010-2012)