

ACCCJ Impeachment and Removal Supplemental Policies

Article I. Impeachment and Removal of Board Directors

Section 1: An impeachment motion to remove a Director shall be initiated by at least ten (10) eligible voting members with a specific reason or reasons and substantial evidence in writing. Such a motion should be sent to President of ACCCJ or President-elect if President is the party subject to the motion. Specific charges against a Director may involve, but are not limited to, (a) failing to abide by the bylaw, (b) being derelict in duties, and (c) conducts that have a negative impact on ACCCJ's standing, reputation, and integrity.

Section 2: Upon receiving an impeachment motion, the Board of Directors shall, without the participation of the Director subject to the motion, decide whether to move forward with the motion by a simple majority vote within twenty (20) business days.

If the Board of Directors rejects the motion, an email notification with reason(s) of rejection should be sent to all members within five (5) business days after the rejection decision is made.

Section 3: If the Board of Directors approves moving forward with the motion, it shall inform the Director subject to the impeachment in writing within five (5) business days after the moving-forward decision is made. After receiving the Board notification, the Director subject to the impeachment shall have the opportunity to fully respond in writing within twenty (20) business days.

Section 4: After receiving the written response(s) from the Director subject to the impeachment, the Board should decide, within ten (10) business days, whether a hearing on a virtual meeting platform is needed before casting the vote. If the Board decides a hearing is required, it should, within ten (10) business days after the hearing decision, appoint a five-member Impeachment Committee comprising of two Directors and three non-Director members, excluding the Director subject to the impeachment and members who file the impeachment motion. The Impeachment Committee should, within thirty (30) business days after its formation, formulate and distribute detailed information related to the processes and procedures of a hearing to all members and conduct the hearing accordingly.

If the Board decides a hearing is not needed, it shall inform all members, within fifteen (15) business days after the no-hearing decision, about the motion, the writing response(s) from the Director subject to the impeachment, and determine the means to count the votes from all eligible voting members.

Section 5: Eligible voting members refer to those who have paid the ACCCJ membership fee before the impeachment process started and the membership remains current at the time of voting. The means to conduct a vote, either with or without a hearing, can be a ballot, mail ballot, electronic mail, other verifiable electronic methods, or a combination of them.

If approved by at least two-thirds (2/3) votes from eligible voting members, the result of a vote shall become effective immediately. The Impeachment Committee or the Board of Directors

should notify all members of the voting results within five (5) business days after the voting process is ended.

Section 6: The process of impeachment and removal, from receiving an impeachment motion to determine the result of a vote, shall be completed within one hundred (100) business days.

Section 7: If a Director is impeached and removed from the Board, he/she is not permitted to serve on the Board for five (5) years. Termination of Directors shall not negate any financial obligations or responsibilities incurred before termination.

Article II. Removal and Restoration of General Membership

Section 1: A motion to revoke a member's membership shall be requested by at least ten (10) eligible voting members with a specific cause and substantial evidence provided in writing. Such a motion should be sent to President of ACCCJ. Reasonable causes include, but are not limited to, (a) failing to abide by the bylaws and (b) behavior that has a negative impact on the ACCCJ's standing, reputation, and integrity.

Section 2: Upon receiving an impeachment motion, the Board of Directors shall decide whether to move forward with the motion by a simple majority vote within twenty (20) business days.

If the Board of Directors rejects the motion, an email notification with reason(s) of rejection should be sent to all members within five (5) business days after the rejection decision is made.

Section 3: If the Board of Directors approves moving forward with the motion, it shall inform the member subject to removal in writing within five (5) business days. The member subject to removal shall have the opportunity to fully respond in writing within fifteen (20) business days.

Section 4: The Board of Directors shall, within fifteen (15) business days after receiving the written response(s) from the member subject to removal, inform all members about the motion, the writing response(s) from the member subject to the removal, and determine the means to count the votes from all eligible voting members. The means to conduct a vote can be a ballot, mail ballot, electronic mail, other verifiable electronic methods, or a combination of them.

Section 5: The removal process, from receiving a removal motion to determine the result of a vote, shall be completed within seventy (70) business days. If approved by at least two-thirds (2/3) votes of eligible voting members, the result of a vote shall become effective immediately.

Section 6: The removed member may submit a formal petition to the Board of Directors to restore membership one year after being removed.

The Board of Directors shall reach a decision about restoration within thirty (30) business days after receiving the formal petition. A vote of two-thirds (2/3) majority of the Board is required to reinstate the removed member. The Board should inform all members about its decision on restoration.

If one's membership is terminated more than once, the member must wait at least five years after the latest termination before petitioning for restoration of one's membership.

Note on procedures: These supplemental policies were drafted by an ad hoc committee chaired by Dr. Ivan Sun (other members include: Xiaoshuang Iris Luo, Ruijie Mao, Shun-Yung Wang, and Qianwei Zhao) in Fall 2021. These policies were officially passed and adopted by the Board on November 6, 2021.