

# BY-LAWS OF THE KANSAS LAND TITLE ASSOCIATION

## ARTICLE I: VOTING û GENERAL MEMBERSHIP MEETINGS

At all general membership meetings each active member in attendance at any meeting shall have one vote. An active member is defined as any individual, partnership, or corporation that has paid the required dues, and each entity shall be entitled to only one vote for each paid membership. Upon request of an active member, a roll call vote shall be taken, and each active member, as taken from the Secretary-Treasurer's current membership list, shall be entitled to one vote.

## ARTICLE II: EXECUTIVE COMMITTEES

### Sec. 1      Structure

Amended 8/9/96  
(see back page)

The management and control of this association shall be under the Executive Committee of fourteen members. The current President of the Association shall be an Executive Committee member and shall be entitled to vote in case of a tie.

The Vice President shall be a voting member of the Executive Committee. However, in the event the Vice President is acting in the place of the President, he/she shall have only the voting powers of the President.

The immediate Past President shall be a voting member of the Executive Committee.

The President of the Past President's Council shall be one of the members of the Executive Committee and shall be entitled to vote on all matters which come before such committee. The remaining ten members (two from each district) shall each be entitled to one vote. The structure of the Executive Committee shall be as follows:

Member	Number	Votes
President	1	only in the case of tie
President Elect	1	1, except when acting in place of President
Executive Committeepersons	12	12
President of Past President's Council	1	1
Immediate Past President	1	1

Sec. 2      Districts

The State of Kansas is hereby divided into five Regional Districts. Such districts to consist of the following counties:

District 1.	Cheyenne Sherman Wallace Norton Osborne Trego	Rawlins Thomas Logan Phillips Rooks Ellis	Decatur Sheridan Gove Smith Graham Russell
District 2.	Jewell Marshall Mitchell Geary Doniphan Atchison Jefferson Wyandotte Wabaunsee	Republic Clay Lincoln Dickinson Brown Pottawatomie Leavenworth Johnson	Washington Cloud Ottawa Riley Nemaha Jackson Shawnee Douglas
District 3.	Miami Anderson Lyon Bourbon Greenwood Montgomery Crawford	Linn Coffey Chase Allen Elk Labette Neosho	Franklin Osage Morris Woodson Chautauqua Cherokee Wilson
District 4.	Butler Kingman Cowley Ellsworth Reno McPherson	Barber Harper Pratt Stafford Harvey Barton	Sedgwick Sumner Saline Rice Marion
District 5.	Rush Hodgeman	Ness Edwards	Pawnee Gray

Meade	Clark	Comanche
Lane	Kiowa	Ford
Scott	Wichita	Greeley
Hamilton	Kearny	Finney
Haskell	Grant	Stanton
Morton	Stevens	Seward

Sec. 3 Election of Ten Executive Committeepersons (two from each District)

There shall be elected two Executive Committeepersons from each district.

Amended 8/9/96  
(see back page)

(a) The term of office of the executive committee members shall ultimately be for five years. In order that the expiration of such terms of office shall be rotated and thus keep experienced members on the board at all times, there will be elected two new members of the executive committee each year so that there may be an orderly establishment of such rotating terms. Executive committee members shall be elected at the annual convention of the association in the year 1969 to serve for the following terms, to-wit:

- District 1 for one year term
- District 2 for two year term
- District 3 for three year term
- District 4 for four year term
- District 5 for five year term

(b) Each of the two elected Executive Committee members from each of District shall appoint his/her own District Chairperson of the District. The term of office of each District Chairperson shall run from date of appointment to the next annual convention.

(c) A vacancy in Executive Committee or any office shall be filled by a majority vote of a quorum of said Executive Committee.

Sec. 4 Duties

The duties of the Executive Committee are to formulate the policies of the Association, assist in its activities, act in a general advisory capacity, and decide necessary business and perfunctory matters. The Executive Committee shall annually select a secretary-treasurer to perform the necessary duties of such an office, and prescribe the duties, rules and regulations for the work of such secretary-treasurer, whose salary shall be fixed by the Executive Committee.

Sec. 5 Quorum

A quorum of the Executive Committee shall consist of six voting members.

### **ARTICLE III: OFFICERS**

Sec. 1      President

The President shall preside at the annual convention and all other meetings and otherwise direct the affairs of the organization as is customary for such an official to do.

Sec. 2      Vice President

The Vice-President shall act in the name, place and stead of the President in case of his/her absence or inability to perform the function for any reason whatsoever.

Sec. 3      Secretary-Treasurer

The Executive Committee shall, at the annual convention or within 30 days after the adjournment of the convention, meet and appoint from the membership of this Association a Secretary-Treasurer.

Sec. 4      Election of Officers

The President and Vice-President shall be elected at the annual convention by a majority vote of the quorum at the general membership meeting.

Sec. 5      Term of Officers

The term of the President and Vice-President shall be from the date of their election until the date of the election of such officers at the ensuing regularly held annual convention of the Association.

### **ARTICLE IV: COMMITTEES**

The President, within thirty (30) days after the election shall fill the expired terms and vacancies, if any, in the Grievance Committee, and, unless otherwise provided, appoint members of all other Committees, whether established here, by action of the Executive Board, or by the members at any meeting, each to consist of a chairperson and such number of members as he/she shall deem advisable, and such appointees whose terms expire shall continue in office until their respective successors are appointed.

Sec. 1      Public Relations

The Public Relations Committee shall promote the Association and its members to the general public, other professional or trade associations and branches of the Federal, State, County or Local governments in an effort to create a better understanding of the purposes of the abstract and title insurance industry and the Association and to work with committees or authorized representatives of such groups or similar bodies to promote our mutual interest.

Sec. 2      Audit

The Audit Committee shall be composed of a Chairperson and two (2) members appointed by the President at the Annual meeting each year. The Committee shall review the Annual Audit of the Association's accounts for the year just ended, and report thereon to the Executive Committee at the Fall Meeting. The report shall then be published in the next Kansas Abstracter newsletter following the Executive Committee meeting.

Sec. 3      By-Laws

The By-Laws Committee shall report to the Executive Committee and to the members at each Annual Meeting. It shall consider all proposals to amend and may, on its own motion, propose amendments to the Constitution, By-Laws and the Code of Ethics of this Association, and shall, subject to the approval of the Executive Committee, specify for distribution among the members those practices which shall thereafter be deemed in violation of the principles of said Code of Ethics.

Sec. 4      Education

Amended 8/9/96  
(see back page)

The Education Committee shall plan, organize, promote and be responsible for the execution of a constantly improving program of instruction for the general benefit of Association members and the employees of Association members. Subject to the approval of the Executive Committee, it shall conduct schools of education on behalf of the Association, or in conjunction with other professional and tract associations. The Vice-President of this Association shall be Chairperson of this Committee.

Sec. 5      Grievance

(d) Structure

- (1) The Grievance Committee shall consist of a Chairperson, who shall serve for one year, and four other members. No two members of the Committee shall be appointed from the same District. Within thirty (30) days after the annual meeting of the Association at which this Constitution is adopted, the Chairperson and two members shall be appointed for a term of one year each and two members shall be appointed for a term of two years each. Thereafter, within thirty (30) days after each succeeding convention, a Chairperson shall be appointed to a term of one year and two members shall be appointed for a term of two years each. The Committee shall have the power to consider and investigate complaints involving alleged misconduct by a member thereof, including, without limitation, alleged member-violations of the principles of the Code of Ethics. The Committee may itself initiate investigation as aforesaid, and, on majority vote of its members, may become the vote of its members, may become the complaining party to a grievance, or may undertake any such investigation upon complaint laid before it by a member of an aggrieved party. The Committee shall proceed in the matter provided b Article IV.

(e) Procedure

- (2) Complaints against a member of the Association alleging misconduct in his/her relations with the general public, the Association, or a member thereof, shall be in writing, signed by the complaining party and shall state plainly the matter being complained of. Any such complaint shall be filed with the Secretary of the Association who shall forthwith refer it to the Grievance Committee. The complained-of-member shall be furnished a copy of the complaint and shall be permitted thirty (30) days to answer the same in writing, such answer to be filed with the Chairperson of the Grievance Committee. Such member shall cooperate with the Grievance Committee and, on request, shall disclose pertinent facts and records, not privileged, germane to the investigation.
- (3) At a time and place designated by the Grievance Committee, said Committee shall hold a hearing on the complaint, at which hearing the complainant and the complained-of-member may appear personally and by counsel; provided, however, that if after preliminary investigation the committee shall deem the complaint groundless, it may dismiss the complaint. Upon the dismissal of the complaint, the Grievance Committee shall determine whether said complaint was brought with malicious intent and if so found may assess the reasonable costs of the hearing against the complainant member.

- (4) The Grievance Committee's findings and recommendations after investigation and hearing of any complaint shall be reduced to writing and submitted promptly to the Executive Committee. A copy thereof shall be given to the complained-of-member. Upon the written request of the complained-of-member, the Executive Committee shall, before making a final decision, give him/her an opportunity to appear in person and by counsel and to be heard in support of his/her defense.
- (5) The Executive Committee shall review the Grievance Committee's findings and recommendations and may find the complained-of-member to be guilty or not guilty of the charges against him/her, and if found guilty, may adjudge that he/she be censured, or suspended, or expelled from the Association; but no censure, suspension or expulsion shall be adjudged except by a vote of two-thirds of the whole Executive Committee. Such decision of the Executive Committee shall be reduced to writing and a copy thereof furnished to the complainant and the complained-of-member.
- (6) Any decision of the Executive Committee suspending or expelling a member shall be final and shall become effective according to its terms unless, within thirty (30) days thereafter, the member shall file with the Secretary of the Association a written appeal to the membership of this Association, in which event the decision of the Executive Committee shall be held in abeyance pending determination of the appeal at the next Annual Meeting. Upon any such appeal the decision of the Executive Committee shall be affirmed or reversed by a majority vote of the Active Members present and voting at the meeting.
- (7) All communications, notices or pleadings by or from any party to a grievance proceeding shall be sent by certified or registered mail addressed to the Association at the principal place of business of its Secretary-Treasurer. All notices or communications by or from the Association to any party to such proceedings shall be sent by certified or registered mail addressed to the principal office of said party as last entered upon the records of the Association.

Sec. 6      Legislative

The Legislative Committee shall review and monitor all proposed or pending legislation and court and administrative decisions which are pending at the State and Federal level which impact the conduct of the abstract and title insurance business and, subject to the approval of the Executive Committee, shall have the

powers to act on behalf of the Association with regard to any such items which may affect the interests of the Association and its members. The Committee shall report its activities to the Executive Committee at least annually.

Sec. 7      Nominating

(f) The four most recent presidents registered at any convention at the opening session and the current president of the association shall constitute the nominating committee for the nomination of officers at each annual convention. The nominating committee shall nominate one candidate for each of the following offices: President, Vice-President and members of the executive committee of the association as set out in Article II, Section 3 (a) of these By-Laws. The nominating committee's report shall be delivered at the time and place that the president of the association shall direct. Provided, however, that in any event such report shall be delivered before adjournment of the convention. Additional nominations may be accepted from any voting member of the association. A majority of those members present at any nominating committee meeting shall constitute a quorum.

Sec. 8      Planning

The Planning Committee shall study ways and means for improving the operations and methods of the Association and the furtherance of a closer relationship between it and the membership. Its recommendations shall be submitted by the Chairperson to the Executive Committee.

Sec. 9      Membership

The Membership Committee shall actively recruit new members and review all applications for membership in the Association. They shall determine if the applicant has fulfilled the requirements as set out in the Constitution of the Association. They will forward their recommendations to the Executive Committee for action.

**ARTICLE V: PAST PRESIDENTS' COUNCIL**

All of the past presidents of the association shall constitute a Past President's Council. They shall organize for the ensuing year at each annual convention of the association. At such organizational meeting they shall elect from among their members a president, vice president and secretary-treasurer. All members of the

Past President's Council shall be invited to attend all executive committee meetings. They will have the right to submit suggestions to the executive committee and to perform any duties requested by the officers or executive committee and to submit their recommendations to the executive committee. However, with the exception of the President of the Past President's Council, they shall not have the right to vote, make motions or second motions, or do any other act except those above set out at such executive committee meetings.

These By-Laws hereby rescind and thereby supersede in its entirety the previous By-Laws and Amendments thereto. (8/22/92)

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On August 9, 1996, at the 89<sup>th</sup> Annual Kansas Land Title Association convention in Manhattan, by a majority vote, the following amendments to the By-Laws were approved.

## **ARTICLE II: EXECUTIVE COMMITTEE**

### Sec. 1      Structure

The management and control of the Association shall be vested in the Executive Committee consisting of twelve (12) members; the President ; the Vice President; the Immediate Past President; and the President of the Past Presidents Council.

Each of the twelve (12) Executive Committee members shall be entitled to one (1) vote. The Immediate Past President and the President of the Past Presidents council shall each be entitled to one (1) vote. The President of the Association shall only be entitled to vote in the case of a tie and his/her vote is needed to break the deadlock. The Vice President shall be entitled to one vote unless he/she is acting in place of the President, in which case he/she shall have only the voting powers of the President.

### Sec. 3      Number and Election of Executive Committee

(g) There shall be 12 elected Executive Committee members each having a three (3) year term of office. Two (2) of the elected members shall be elected from the Association membership "at-large". Ten (10) of the elected members shall be elected from the District in which they reside with there being two (2) members from each of the five KLTA Districts. Terms of office will be rotated and staggered in order that experienced members will be on the Executive Committee at all times.

Executive Committee members shall be elected at the Annual Convention each year. During the first election year, there shall be elected five (5) members, one from each of the five districts, for a 3 year term of office.

During the second election year, there shall be five (5) members, one from each of the five districts, for a 3 year term of office. During the third election year, there shall be elected two (2) members from the membership "at-large" for a 3 year term of office.

#### **ARTICLE IV: COMMITTEES**

##### **Sec. 4      Education**

"The President shall, within 30 days following the adjournment of the regular annual meeting in 1996, appoint a committee of not less than fifteen (15) members of the Association to be known as the Education Committee. The Vice President of this Association shall serve as chairperson. The President shall initially appoint the following: Five (5) members shall serve a three (3) year term; five (5) members shall serve a two (2) year term; five (5) members shall serve a one (1) year term. Any additional members shall serve a one year term. The terms of the Committee members shall run from the first day of the month following the annual Kansas Land Title Association Title School following his/her appointment, to the first day of the month following the annual Kansas Land Title Association Title School at the end of his/her respective terms. Thereafter, the President shall appoint each year, five members. If so appointed, nothing herein shall prohibit a member from serving successive terms. A Vice-Chairperson shall be elected by a majority vote at the first meeting of the committee, for a two(2) year term. The Vice-Chairperson shall be elected from those committee members who have served at least one (1) year on committee. The Education Committee shall plan, organize, promote and be responsible for the execution of a constantly improving program of instruction for the general benefit of Association members and the employees of Association members.

The Chairperson and Vice-Chairperson shall have primary responsibility for carrying out the duties and work of the committee. The Committee shall be responsible for assisting the Chairperson and Vice-Chairperson in the planning and implementation of all education meetings sponsored by the Association, including, but not limited to, the annual Abstract and Title Insurance School.

On September 9, 2000, at the 93<sup>rd</sup> Annual Kansas Land Title Association convention in Overland Park, by a majority vote, the following amendments to the By-Laws were approved.

#### **ARTICLE II: EXECUTIVE COMMITTEE**

##### **Sec. 1      Structure**

The management and control of the Association shall be vested in the Executive Committee consisting of twelve (12) members; the President, the President-Elect;

the Vice President; the Immediate Past President; and the President of the Past Presidents Council.

Each one of the twelve (12) Executive Committee members shall be entitled to one (1) vote. The Immediate Past President and the President of the Past Presidents Council shall each be entitled to one (1) vote. The President of the Association shall only be entitled to vote in the case of a tie and his/her vote is needed to break the deadlock. The President-Elect and Vice President shall each be entitled to one vote unless he/she is acting in place of the president, in which case he/she shall have only the voting powers of the President.

### **ARTICLE III: OFFICERS**

#### **Sec. 2      President-Elect**

The President-Elect shall be the incoming President of the Association. He/she will act in the name, place and stead of the President in case of his/her absence or inability to perform the function for any reason whatsoever. The President-Elect will preside at the title school, and should be the outgoing Vice President.

#### **Sec. 3      Vice President**

The Vice President shall serve in the capacity of understudy to the President-Elect and President. The Vice President will be invited to and included in all meetings of the education committee for the purposes of learning how to run the title school, and may be charged with chairperson of a committee at the direction of the President. In the event the President-Elect is unable to serve either temporarily or permanently, the Vice President will automatically become the President-Elect.

#### **Sec. 4      Secretary-Treasurer**

The Executive Committee shall, at the annual convention or within 30 days after adjournment of the convention, meet and appoint from the membership of this Association a Secretary-Treasurer.

#### **Sec. 5      Election of Officers**

At the annual convention in the year 2000, the Vice President for the year 1999-2000 will become the new President for the year 2000-2001 (pending

approval of the association membership). At that convention members will vote on an incoming President-Elect and an incoming Vice President. After the 2000 election and for every year after that time, members will vote on an incoming Vice President, and the sitting Vice President will become the President-Elect.

Sec. 6      Term of Officers

The terms of the President, President-Elect and Vice President shall be from the date of their election until the date of the election of such officers at the ensuing regularly held annual convention of the Association.

**ARTICLE IV: COMMITTEES**

Sec. 4      Education

The Education Committee shall plan, organize, promote and be responsible for the execution of a constantly improving program of instruction for the general benefit of Association members and the employees of Association members. Subject to the approval of the Executive Committee, it shall conduct schools of education on behalf of the Association, or in conjunction with other professional and tract associations. The President-Elect of this Association shall be Chairperson of this Committee.