

**Bylaws of the American Board  
of Forensic Psychology**

**Revision Approved:** October 19, 2019

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## **Bylaws of the American Board of Forensic Psychology**

### **Article 1        Mission**

#### Section 1.1        Statement of Mission

The mission of the American Board of Forensic Psychology, Inc. (ABFP), a non-profit corporation under the law of the Commonwealth of Pennsylvania, is to protect the consumer of forensic psychology services. It shall do this by:

- a. establishing, promoting, and revising, as necessary, standards and qualifications for those who practice forensic psychology;
- b. certifying as ABFP Specialists those voluntary applicants who qualify under the standards established by the board; and,
- c. identifying for the public, psychologists who have demonstrated an advanced level of competency in forensic psychology practice

#### Section 1.2        Revision of Mission

The ABFP Board of Directors (hereinafter referred to as “the Board”) shall review its mission no less than every 3 years at a regularly scheduled Board Meeting. It may revise its mission as long as the revision advances forensic psychology as a profession and promotes activities for a non-profit entity under the United States Tax Code

### **Article 2        Relationship to the American Board of Professional Psychology (ABPP)**

#### Section 2.1        Recognition as a Specialty Board

ABFP is recognized as a Specialty Board among the other Specialty Boards that comprise the American Board of Professional Psychology (ABPP). Therefore, ABFP shall abide by the rules and policies of ABPP as they exist now or as they are promulgated in the future. ABFP Board shall nominate 2 Specialists for the position of ABFP representative to the ABPP Board of Trustees (BOT). These nominees shall be selected from board members who have experience serving on professional boards and will promote the interests of ABFP and ABPP. ABPP then selects one of those nominees to be the representative.

#### Section 2.2        Withdrawal from ABPP

ABFP may choose to exist independently of ABPP based upon a finding that its goals and objectives will be more readily advanced by emancipation from ABPP. To withdraw, consent from at least three-fourths of all ABFP Specialists is required.

### **Article 3        Office**

#### Section 3.1        Establishment of Offices

The registered office of ABFP shall be established by a majority vote of the Board. The Board may establish additional offices in any other state of the United States

### Section 3.2 Maintenance of Records

The registered office shall maintain or archive all records of the Board, including:

- a. minutes of all the Meetings;
- b. copies of all financial statements and other data pertaining to the Board's financial status;
- c. originals of all documents pertaining to the Board's incorporated status;
- d. a master copy of the directory of ABFP Specialists;
- e. resolutions of the Board;
- f. data pertaining to the outcome of the Board's examination process for ABFP Specialists; and,
- g. a copy of the corporate seal.

### Section 3.3 Records Maintained by Officers

Each Officer of the Board shall make reasonable efforts to maintain records relevant to fulfill the duties of his or her office.

## **Article 4 Corporate Seal and Logos**

### Section 4.1 Description of the Seal

The corporate seal shall be circular in form and shall state: "American Board of Forensic Psychology, Inc., 1978."

### Section 4.2 Use of Seal

The seal may be used by any person authorized by the Board to conduct the Board's business.

### Section 4.3 Logos

The Board, at its pleasure, may design a logo to represent ABFP on its promotional literature, stationery, etc.

## **Article 5 Board Membership**

### Section 5.1 Composition of the Board

The Board shall consist of no fewer than 9 but no more than 11 ABFP Specialists, one of whom shall be the President of the American Academy of Forensic Psychology (AAFP). Board members shall be in good standing with ABFP and maintain a professional license in good standing within their state(s) of practice (i.e., no restriction, suspension, or revocation of practice). The number of board members will depend on the duties and volume of work. The composition of the Board shall broadly represent forensic psychology, with special preference afforded to

inclusion of an Early Career Psychologist. Each elected Member shall have one vote on any single matter brought before the Board.

#### Section 5.2 Special Members of the Board

The Board, at its discretion, may invite any member of the professional, scientific, legal, or government community to serve as a Special Member in an advisory capacity; as a liaison to other Specialty boards or other organizations; or to perform other duties at the pleasure of the Board. Special Members who are licensed psychologists must maintain a license in good standing throughout their service to the Board. Special Members are not elected and shall not have a Board vote.

#### Section 5.3 Nomination and Election of Members

- a. Nominations for Membership shall occur each year under the direction of the President-Elect.
- b. Nominees shall be ABFP Specialists in good standing with ABPP.
- c. Nominations shall be solicited from each ABFP Specialist. The solicitation shall contain a description of the nomination election procedures.
- d. The President-Elect shall determine each nominee's willingness to serve before finalizing the nomination.
- e. There shall be at least 2 nominees for every vacant Board position, if possible.
- f. Once the slate is composed, a ballot shall be provided to each Board Member. Following a discussion of the nominees, each Board Member shall independently rank order his or her preference for the ABFP Specialists on the ballot.
- g. The first preference shall receive a score of 1, the second a score of 2, the third a score of 3, and so forth. If 1 nominee is unranked, he or she shall be given a score equal to the total number of nominees. If 2 nominees are unranked, both shall be assigned a rank that is the average of the unassigned ranks.
- h. The ranks shall be summed by the President-Elect. The nominee(s) receiving the lowest sum of scores shall be the new Member(s). In the event that 2 or more nominees tie for a single vacancy, the Board shall repeat the processes described in Sections 5.3(f) through 5.3(h). If, following a second vote, 2 or more nominees remain tied for a single vacancy, the President shall appoint 1 of them to serve as the new Member.

#### Section 5.4 Terms of Office

- a. Each member shall be elected to serve on the Board for a term of 6 years. No member shall serve more than a single 6-year term consecutively. At the end of his or her term, the Member must rotate off the Board for a period of at least 6 years before he or she can be re-elected to the Board.
- b. Ordinarily, Board terms shall be staggered so that one or two Members are elected each year, thus assuring that Board membership shall include Members with varying years of experience on the Board.

- c. Ordinarily, terms of office correspond to calendar years. Each Member's term of office ordinarily begins the first day of January following his or her election. At the Board's expense, newly elected Members shall be invited to attend the Semi-Annual Meeting that precedes their terms of office. They shall participate as non-voting Members.
- d. Exceptions may be afforded to: (1) the AAFP President, not elected by the Board, whose nomination, election, and term length are consistent with those as set forth in AAFP Bylaws; (2) when applicable, the Chair, Practice Sample Reviews, who may serve the Board as a voting Member or non-voting Special Member; and (3) when applicable, the Board of Trustees Representative, who may serve the Board as a voting Member or non-voting Special Member, and whose nomination, election, and term length are consistent with those set forth in the ABFP Corporate Bylaws.

**Section 5.5 Removal of Members**

A specialist who holds an active position on the examination faculty or Board of Directors may be removed from his/her office, with cause, by a majority vote of Members present at any Annual, Semi-Annual, or Special Meeting at which a quorum is present. Voting for removal from office shall be conducted by secret ballot. A member shall be removed automatically if his/her professional license in any state has been suspended or revoked; if expelled from the American Psychological Association; and/or if ABFP Specialist status has been revoked.

**Section 5.6 Vacancies on the Board**

- a. A Member may resign at any time by providing written notice to the President or the President-Elect. Any such resignation shall take effect at the time specified therein and, unless otherwise specified therein, shall not be contingent on the acceptance thereof.
- b. If a Member vacancy occurs for reasons other than the expiration of term, the vacancy shall be filled for the balance of the term by appointment by the President with the advice and consent of the Board.

**Article 6 Executive Director**

**Section 6.1 Appointment of Executive Director**

- a. The Board may elect a Specialist to serve as Executive Director (ED) for an initial term of 6 years.
- b. Nominees for ED shall be ABFP Specialists in good standing with the Board and AAFP.
- c. Nominations shall be solicited from each ABFP Specialist. The solicitation shall contain a description of the nomination and election procedures.
- d. The President shall determine each nominee's willingness to serve before finalizing the nomination.
- e. Once the slate is composed, a ballot shall be provided to each Board Member. Following a discussion of the nominees, each Board Member shall independently rank order his or her preference for the candidates on the ballot.

- f. The first preference shall receive a score of 1, the second a score of 2, the third a score of 3, and so forth. If 1 nominee is unranked, he or she shall be given a score equal to the total number of nominees. If 2 nominees are unranked, both shall be assigned a rank that is the average of the unassigned ranks.
- g. The ranks shall be summed by the President. The nominee(s) receiving the lowest sum of scores shall be the new ED. In the event that 2 or more nominees tie for the ED vacancy, the Board shall repeat the processes described in 6.1(a) through 6.1(c). If, following a second vote, 2 or more nominees remained tied, the President shall appoint 1 of them to serve as the new ED.

#### Section 6.2 Qualifications of the Executive Director

The ED shall be an ABFP Specialist with recognizable and documented administrative and business skills.

#### Section 6.3 Salary/Remuneration

The ED may be compensated. Any remuneration shall be determined by and revised at the discretion of the Board.

#### Section 6.4 Duties of Executive Director

The ED shall:

- a. oversee the registered office of the Board and the records contained therein;
- b. execute contracts on behalf of the Board at its discretion;
- c. attend Board Meetings whenever feasible;
- d. submit a report on the activities of his or her office for every Board Meeting;
- e. be responsible to the Board through the President; and,
- f. assume such additional responsibilities as may be determined by the Board.

#### Section 6.5 Reappointment of Executive Director

The first term of the ED shall be for a period of 6 years. Upon completion of the initial 6-year term, the ED can be reappointed for 3 additional years by a majority vote of the Board. At the expiration of this 3-year term, the ED can be reappointed for one additional 3-year term. In no case shall any one person serve as ED for more than 12 years.

#### Section 6.6 Discontinuation of the Position of the Executive Director

The position of ED may be terminated upon majority vote of the Board.

#### Section 6.7 Removal of the Executive Director



The ED may be removed by a majority vote of Members present at any Annual, Semi-Annual, or Special Meeting at which a quorum is present. An ED shall be removed automatically upon revocation of his or her ABFP Specialist Status.

**Article 7            Governance**

**Section 7.1        Duties of the Board**

The Board:

- a.        shall be responsible for establishing and implementing corporate policies and objectives;
- b.        shall exercise full legal control over corporate investments and properties;
- c.        shall oversee the conduct of all corporate business affairs;
- d.        may enter into contracts on behalf of the corporation;
- e.        may appoint ABFP Specialists to conduct pre-specified aspects of its business, at the direction of and under the supervision of the appropriate office of the Board; and,
- f.        shall promulgate policies and procedures that establish qualifications for the ABFP Certificate; detail the Board's credentialing activities; specify requirements for the certification, revocation and reinstatement of ABFP Specialist status; and describe other activities undertaken by the Board.

**Section 7.2        Meetings of the Board**

- a.        Regular Meetings: The Board shall hold two Meetings per year, each approximately six months apart. The time and place of each Meeting is designated by the Board. Board Meetings may be conducted via telephone conference calls or other means of communication that permit simultaneous live aural communication.
- b.        Special Meetings: A Special Meeting of the Board may be called by the President upon his or her own initiative. Ordinarily, each Member shall be provided with 20 days' notice of such Meeting via telephone, electronic mail, or first-class mail.

**Section 7.3        Teleconferencing**

One or more Members may participate in a Meeting of the Board via telephone conference call or another method of communication that permits simultaneous live communication. Such participation constitutes in-person presence.

**Section 7.4        Quorum**

A quorum for all Meetings of the Board shall consist of a majority of Members currently in office present physically, telephonically, or through another medium that permits simultaneous live communication. The actions of the majority of the Board present at a Meeting at which a quorum is present shall constitute actions of the full Board. When a quorum is not present, the Members in attendance shall act as a committee of the whole, but their actions shall be subject to a majority vote of the Board. There shall be no voting by proxy or in absentia.

Section 7.5      Procedures

The rules contained in the most recent revision of *Keesey's Modern Parliamentary Procedure* shall govern the Board in all cases to which they are applicable, except when inconsistent with these Bylaws.

Section 7.6      Officers

- a. Ordinarily, the Board shall be composed of no more than the following offices, and board members may serve in more than one office at a time
  1. President;
  2. President-Elect;
  3. Immediate Past-President;
  4. Recording Secretary;
  5. Corresponding Secretary;
  6. Treasurer;
  7. National Chair of Examinations;
  8. Chair, Practice Sample Reviews;
  9. Credential Reviewer;
  10. BOT Representative and Maintenance of Certification (MOC) Coordinator; and
  11. President of AAFP.
- b. With the exception of the BOP Representative, who shall serve a term of no less than 3 years in that position, Board Officers shall be elected for 1-year terms.
- c. With the exception of the President, President Elect, and Immediate Past President, who during their current tenure as Members shall serve no more than 1 year in office, Officers may be re-elected to office for multiple terms.

Section 7.7      Duties of Officers

The President shall:

- a. preside over all Meetings of the Board;
- b. appoint all committees and committee chairs; and,
- c. perform such other duties as may be appropriate to the office.

The President-Elect shall:

- a. act under the direction of the President, subject to the authority of the Board as a whole;
- b. conduct all Board Meetings and perform all duties of the President in his or her absence;
- c. supervise the nomination of ABFP Specialists to the Board and the election of Members to offices by the Board;

- d. serve on the AAFP Elections Committee, as dictated by the AAFP Bylaws; and,
- e. become President at the end of his or her term as President-Elect.

The Immediate Past-President shall:

- a. serve as Immediate Past-President following his or her term as President;
- b. act under the direction of the President, subject to the authority of the Board as a whole;
- c. provide advice on policies and activities of the Board; and,
- d. represent the Board in the continuation of activities as assigned by the President.

The Recording Secretary shall:

- a. act under the direction of the President, subject to the authority of the Board as a whole;
- b. attend all Meetings of the Board and record the proceedings thereat;
- c. provide the Members with a draft of the proceedings within 30 days of any Meeting; and
- d. maintain and archive records of the Board and its proceedings.

The Corresponding Secretary shall:

- a. act under the direction of the President, subject to the authority of the Board as a whole;
- b. serve as the official contact for candidates pursuing Specialty Certification in Forensic Psychology;
- c. ensure candidates have paid an initial fee to cover the costs of the written examination;
- d. assist in scheduling the written examination;
- e. notify candidates of the results of the written examination, and notify ABPP of same;
- f. notify candidates who have passed the written examination of the requirements for submission of the practice samples; and,
- g. respond to candidates' questions concerning any aspects of the Specialty Certification process.

The Treasurer shall:

- a. act under the direction of the President, subject to the authority of the Board as a whole;
- b. keep, or cause to be kept, accurate books of account, recording therein the amounts of funds of the corporation and indicating disbursements made;
- c. notify the Board of all obligations against its assets, and submit all Board expenses to ABPP;
- d. provide semi-annual and annual reports regarding the financial position of the corporation no later than 30 days before scheduled Board Meetings;
- e. in anticipation of Board Meeting expenses and whenever notified of a budget deficit, request funds from the Treasurer of AAFP; and,
- f. when directed to do so by the Board, render, or cause to be rendered, an account of all transactions of the Board.

The National Chair of Examinations shall:

- a. act under the direction of the President, subject to the authority of the Board as a whole;
- b. have charge of the oral examination process and all correspondence related thereto;
- c. continually monitor and administer the overall examination scheme, including the written and oral examination processes; and,
- d. make recommendations to the Board for changes to such processes as warranted.

The Chair, Practice Sample Reviews shall:

- a. act under the direction of the President, subject to the authority of the Board as a whole;
- b. receive practice samples from candidates and review them for proper format;
- c. assign practice samples to examination faculty for review;
- d. summarize results for review; and,
- e. communicate to the candidate the faculty's approval or non-approval of practice samples for use in the oral examination.

The Credential Reviewer shall:

- a. act under the direction of the President, subject to the authority of the Board as a whole;
- b. review applicants' materials to verify specific criteria for Specialty Certification are met;
- c. respond to applicants' questions regarding the credential review process;
- d. review materials sent by post-doctoral programs to verify criteria for 5-year post-doctoral experience waiver; and,
- e. maintain and update the list of post-doctoral programs satisfying the 5-year post-doctoral experience waiver requirements.

The BOT Representative shall:

- a. act under the direction of the President, subject to the authority of the Board as a whole;
- b. attend all meetings of the ABPP BOT;
- c. provide semi-annual reports to the Board regarding BOT meetings and other ABPP Central Office business; and,
- d. oversee all efforts related to Maintenance of Certification.

#### Section 7.8 *Ad Hoc Committees*

he President may appoint committees, composed of and chaired by ABFP Specialists, to study, recommend, or implement policies of the Board. An ad hoc committee shall serve until the President determines that its purpose is satisfied or eliminated.

**Article 8 Third Party Action**

- a. Board and faculty members should recognize the potential of claims or litigation against board and faculty members; therefore, they are encouraged to check with their professional liability company to ensure personal professional coverage.
- b. The American Board of Professional Psychology (ABPP) (“Corporation”) carries a Directors & Officers Liability Insurance Policy. To the extent covered by said policy, each trustee, and officer of an ABPP-affiliated Specialty Board who is officially engaged in Specialty Board business shall be considered to be engaged in Corporation business, and shall be indemnified by the Corporation against all costs and expenses (including counsel fees) actually and necessarily incurred by or imposed on him/her in connection with the defense of any action, suit, or proceeding in which he/she may be involved or to which he/she may be made a party by reason of his being or having been such trustee or Specialty Board officer, except in relation to matters as to which he/she shall be finally adjudged in such action, suit, or proceeding to be liable for dishonesty, willful neglect, or default. Such costs and expenses shall include amounts reasonably paid in settlement for the purpose of curtailing the costs of litigation and as covered by the liability policy.
- c. The foregoing right of indemnification shall not be exclusive of any other rights to which he/she may be entitled as a matter of law or by agreement, by law, or otherwise. Any indemnification, however, shall not exceed the monetary limits of any insurance policy carried for such purposes by the Corporation regardless of the absolute monetary amount incurred by an individual trustee or Specialty Board officer engaged in Corporation business.
- d. The Corporation shall make a copy of the Directors & Officers Liability Insurance Policy available to trustees and Specialty Board officers who request to review the policy so that the requesting individual may determine what, if any, additional coverage that individual might desire to obtain independent from the Corporation. The cost of any such additional coverage will be the individual’s responsibility.

**Article 9 Conflict of Interest**

It is the policy of the Corporation and the Board that no contract or transaction between the corporation and one or more of its Members or Officers, or between the corporation and any other corporation, partnership, association or other organization in which one or more of its Members are directors or officers, or have financial interest, or in which any Member or Officer has any other conflict of interest, shall be authorized or entered into unless the material facts as to his or her interest in the contract or transaction are disclosed or are known to the Board, and the Board in good faith authorizes the contract or transaction by an affirmative vote of a majority of the Members other than the interested Member or Members. Interested Members may be counted in determining the presence of a quorum at a Meeting of the Board which authorizes the contract or transaction.

**Article 10 Dissolution**

In the event of dissolution or winding-up of the corporation, the corporation’s assets, after all debts and expenses have been paid or provided for, shall be distributed in the manner provided by statute or in its Articles of Incorporation.

**Article 11      Right of Inspection**

Each Member shall, upon written demand under oath stating the purpose thereof, has a right to examine, in person or by agent or attorney during the usual hours for business for any proper purpose, the books and records of account, and records of the proceedings of the Board and to make copies and extracts thereof.

**Article 12      Amendments**

These Bylaws may be amended in whole or in part at any regular or Special Meeting of the Board upon the approval of at least a majority of the entire Board at a Board Meeting or by electronic or regular mail ballot, provided that all Members of the Board have been notified in writing of proposed changes not less than 20 days prior to the date of action.

These Bylaws were amended:      October 19, 2019