

**BY-LAWS OF THE  
MICHIGAN COUNCIL OF PROFESSIONAL INVESTIGATORS, INC.**

**CONTENTS**

**ARTICLE I NAME AND LOCATION**  
**ARTICLE II PURPOSE**  
**ARTICLE III MEMBERSHIP**  
**ARTICLE IV DUES**  
**ARTICLE V MEETINGS OF MEMBERS AND VOTING**  
**ARTICLE VI OFFICERS**  
**ARTICLE VII DUTIES OF OFFICERS**  
**ARTICLE VIII BOARD OF DIRECTORS**  
**ARTICLE IX EXECUTIVE COMMITTEE**  
**ARTICLE X SPECIAL AND STANDING COMMITTEES**  
**ARTICLE XI FINANCE**  
**ARTICLE XII DISSOLUTION**  
**ARTICLE XIII MCPI LOGO AND USE OF SAME**  
**ARTICLE XIV AMENDMENTS**  
**ARTICLE XV ELECTION OF OFFICERS**

**STANDARDS AND ETHICS  
MICHIGAN COUNCIL OF PROFESSIONAL INVESTIGATORS**

**PREAMBLE**  
**PROFESSIONAL CONDUCT BY DISCIPLINE**  
**MINIMUM STANDARDS FOR SERVICE DELIVERY**  
**ADVOCACY**  
**TESTIMONY**  
**CONFIDENTIALITY**  
**BUSINESS PRACTICES**  
**PEER REVIEW**

**BY-LAWS OF THE  
MICHIGAN COUNCIL OF PROFESSIONAL INVESTIGATORS, INC.**

(Amended: 18 September 1990)  
(Amended: 21 September 1993)  
(Amended: 20 September 1994)  
(Amended: 19 September 1995)  
(Amended: 17 September 1996)  
(Amended: 21 September 1999)  
(Amended: 19 September 2000)  
(Amended: 18 September 2001)  
(Amended: 16 March 2004)  
(Amended: 03 October 2006)  
(Amended: 15 November 2009)

**ARTICLE I  
NAME AND LOCATION**

**Section 1.** The name of this organization shall be the MICHIGAN COUNCIL OF PROFESSIONAL INVESTIGATORS, INC., a nonprofit corporation incorporated in the State of Michigan.

## **ARTICLE II PURPOSE**

The MICHIGAN COUNCIL OF PROFESSIONAL INVESTIGATORS, INC., was organized:

- (1.) To secure a more professional relationship among the licensed private investigators of this State.
- (2.) To encourage the elevation of an impeccable degree of standards so as to form an elite corps of investigators;
- (3.) To promote and encourage the continuing training and education of its members in the many and diverse areas of the profession of private investigation;
- (4.) To continue to secure for membership honorable men and women and encourage them to their highest standards of professional and personal conduct in both their vocational and private lives;
- (5.) To assist each other in all matters as a closely-knit confidential organization.
- (6.) To maintain proper public relations and liaisons between the Council and law enforcement agencies of this State
- (7.) To monitor national and State legislative and regulatory activities affecting the investigation industry.

The Council may endorse or oppose any political candidate for governmental office or election, whether in word, deed or monetarily. It may support or oppose legislation that is not directly related or concerned with the Private Investigation Industry in the State of Michigan or at the national level. The decision of whether to support or oppose legislation will be at the board's discretion. The following criteria shall be met if and when support of or opposition to legislation that directly affects the Private Investigation Industry is considered:

- (a) If the legislative activity is adverse or positive to the industry, then the council may, by a majority vote of the Board members make a financial contribution to any organization and/or lobbying effort which supports the Board's position, provided however that the Board's vote is by a majority of two-thirds of the members present and that further, all Board members are notified of the vote prior to its being taken. Further, that no member of the Board, member of any standing committee, or member at large will be reimbursed financially or otherwise for any contribution made to or on behalf of a political or governmental official.
- (b) All future major decisions made by the Board shall be made public at the meetings and shall also be published in the MCPI newsletter.

## **ARTICLE III MEMBERSHIP**

Membership categories are to be defined by the Board of Directors and may be added or subtracted if deemed to benefit the MCPI.

Section 1. Charter membership. Charter Members shall be comprised of all applicants who meet the criteria for Active membership status applying for membership prior to April 1, 1985.

Section 2. Active Membership. An Active Member must be a valid credential holder under Public Act 285, must have a minimum of three years experience in the PI profession, must currently be employed as a Professional Investigator in our industry (insurance-adjusting experience shall not be considered for purposes of membership), must give two references, complete the approved application and submit a \$15.00 initiation fee and annual dues. The applicant will be investigated by the Membership Committee who will submit the application with the results of the investigation to the Board of Directors for their vote. The Board will meet and cast ballots as to whether the applicant should be admitted to membership. To be acceptable, an applicant must be elected by a fifty percent plus one (50% + 1) vote. Upon failure to be elected by the Board, the applicant may appeal to a vote of the General Membership at the next scheduled meeting. The applicant will be given fifteen (15) minutes to address the membership and all qualified voters will cast ballots. Active Membership confers all the privileges of membership including voice and voting rights. With a change of employment, the member would have 3 months to apply for new membership or become employed full-time with another Agency.

Section 3. Associate/Affiliate Membership. An Associate Member must be an employee of a valid credential holder under Public Act 285 and have two (2) years verifiable investigative experience (insurance adjusting experience shall not be considered for purposes of membership), or a person who does not hold a valid private investigator's license, but would qualify under Public Act 185 for such license and who is gainfully employed in a government position related to investigation or a person who holds a valid private investigator's license but does not have two (2) years verifiable investigative experience (insurance adjusting experience shall not be considered for purposes of membership).

An Affiliate Member must be employed by either a governmental entity, a law firm, or an insurance firm as a Special Investigative Unit, or a similar position with a corporate or other business related entity."

Each applicant must give two references, complete the approved application and submit the \$15.00 initiation fee and the annual dues. The applicant shall be investigated by the Membership Committee who will report their findings to the Board of Directors. To be acceptable, an applicant must be approved by a majority vote of the Board of Directors. Upon failure to be accepted by the Board of Directors, the applicant may appeal to a vote of the General Membership at the next scheduled meeting. The applicant will be given fifteen (15) minutes to address the membership and all qualified voters will cast ballots. Associate/Affiliate Members will have voice privileges only.

Section 4. Student Membership. A Student Member must be enrolled in an accredited College, University, or Community College and must be majoring in a related field, including but not limited to Law, Police Sciences, and or a Criminal Justice program. The prospective member must maintain a verifiable minimum 2.8 GPA. The student applicant must submit a completed application, a \$15.00 (non refundable) application fee, and yearly dues. The application committee would then review the application and then make a recommendation to the Board of Directors to be accepted or not. This type of membership does not include voting rights."

Section 5. Service Membership. "Service membership would be given to companies/persons who deal in products/services related to the investigative field. They would have to complete an application, submit a \$15.00 (non refundable) application fee, and yearly dues. The application committee would then review the application and then make a recommendation to the Board of Directors to be accepted or not. This type of membership does not include voting rights, however it will allow these members to promote their products/services at regularly scheduled meetings of the MCPI. These promotions would be allowed prior to and after the meetings and during the social hour. This would include the setting up of booths and other displays."

Section 6. Honorary Membership. Honorary Membership may be conferred upon an individual by a majority vote of the Board of Directors for a deserving individual to whom the Board wishes to extend the fellowship of its organization. Such membership will be without dues or voting privileges.

Section 7. Application for Membership. All applicants for Membership shall complete and sign the form of application provided by the Council and submit the application along with the appropriate initiation fee and dues. Such application shall include an agreement by the applicant to abide by the Council's Code of Ethics and Standards of Conduct.

Section 8. Removal. The Board of Directors for cause may remove members of any classification from membership by a two-thirds vote. For any cause other than non-payment of dues, removal shall occur only after a member complained against has been advised of the complaint lodged against him/her and has been given reasonable opportunity for defense; and such member, if removed, may appeal the decision of the Board to the Annual Meeting of the Council, provided that notice of intent to appeal is provided in writing to the Secretary or other designated person at least ten (10) days in advance of the meeting.

Section 9. Reinstatement. A former member desiring a continuous membership record may be reinstated upon showing proof of qualification and dues for that period, in which such membership lapsed, plus current year's dues and a \$ 15.00 late fee. If continuous membership is not desired, the applicant will be considered as a new applicant.

## **ARTICLE IV DUES**

Section 1. Establishment of Dues. Dues and initiation fees, if any, for all classes of membership shall be established by the Board of Directors. New members of any classification, if accepted into membership after the first day of October, will have their dues carried over into the next membership year.

Section 2. Delinquency and Cancellation. Membership expires December 31<sup>st</sup>. All dues must be paid by January 31<sup>st</sup>. If payment of dues is not received by this date, the delinquent member shall be dropped from the roles. For the member to be reinstated he/she must comply with Article 3, Section 9, Reinstatement.

Section 3 Refunds. No dues shall be refunded to any member whose membership terminates for any reason.

## **ARTICLE V MEETINGS OF MEMBERS AND VOTING**

Section 1. Meetings. The Meetings of the council shall be held at such place and on such dates as may be determined by the Board of Directors.

Section 2. Special Meetings. Special meetings of the Council may be called by a majority of the Board of Directors at any time; or shall be called by the President upon receipt of a written request by twenty-five percent (25%) of the Active or Charter members, within thirty (30) days after the filing of such request with the Secretary or other designated person. The business to be transacted at any special meeting shall be stated in the notice thereof, and no other business may be considered at that meeting unless approved by a vote of one hundred percent (100%) of the members present.

Section 3. Notice of meetings. Written notice of any General meeting of the Council shall be mailed to the last known address of each member. Use of electronic media may be used as a substitute for mailing and would fulfill the requirements of this section.

Section 4. Voting. Voting shall be restricted to Active and Charter Members in good standing.

Section 5. Quorum of Members. At a special meeting of members, a quorum shall consist of no less than ten percent (10%) of the voting members.

Section 6. Cancellation of meetings. The Board of Directors by a seventy-five percent (75%) vote of the entire Board may postpone or cancel any meeting or special meeting for cause, providing the membership shall be notified in a most expeditious manner.

Section 7. Rules of Order. The meetings and proceedings of this Council shall be regulated and controlled according to ROBERT'S RULES OF ORDER (Revised) for parliamentary procedures, except as may be otherwise provided by these By-Laws. Specific rules may be suspended only by an affirmative vote of seventy-five percent (75%) of the members present at that meeting.

## **ARTICLE VI OFFICERS**

Section 1. Officers. The officers of this Council shall be President, Vice President, Secretary, Treasurer and a Sergeant at Arms to be elected by the membership at an Annual Meeting of the council and to serve until their successors have been duly elected and assume office.

Section 2. Qualification for Office. Any Charter or Active Member in good standing shall be eligible for nomination and election as an officer of this Council provided he/she has been an Active Member for two (2) continuous years.

Section 3. Terms of Office. Each officer shall take office immediately upon installation and shall serve for a term of two (2) years. Each officer shall serve concurrently as a member of the Board of Directors and as a member of the Executive Committee.

Section 4. Re-election. No officer having served two full terms shall be eligible for re-election to the same office, until at least one additional term shall have elapsed.

Section 5. Vacancies-Removal. Vacancies in any office may be filled for the balance of the term thereof by the Board of Directors at any regular or special meeting. The provision of being an Active Member for two (2) continuous years is waived in this situation. The Board of Directors, in its discretion, by a two-thirds vote of all of its members, may remove any officer from office for cause.

## **ARTICLE VII DUTIES OF OFFICERS**

Section 1. President. The President shall serve as Chairperson of the Executive Committee. He/she shall also serve as Member, ex-officio, with right to vote, on all committees except the Nominating Committee. He/she shall make all required appointments of standing and special committees with the approval of the Board of Directors.

At the Annual Meeting of the council and at such other times as he/she shall deem proper, the President shall communicate to the members such matters and make such suggestions as may in his/her opinion tend to promote the welfare and increase the usefulness of the Council. He/she shall perform such other duties as are necessarily incident to the office of President or as may be prescribed by the Board of Directors.

Section 2. Vice President. The Vice President shall succeed the presidency in the event of a vacancy. The Vice President shall be responsible for such specific duties as may be individually assigned to him/her by the President with the approval of the Board of Directors.

Section 3. Secretary. The Secretary of the Council shall be responsible for the Post Office Box, or alternative mailing address, and for the proper and legal mailing of notices to members. He/she shall see to the proper recording of proceedings of meetings of the council, Board of Directors and all committees; and carry into execution all orders, votes and resolutions, not otherwise committed. He/she shall see that accurate records are kept of all members. He/she shall keep the seal of the council, shall record all monies received and forward to the Treasurer within five (5) days.

Section 4. Treasurer. The Treasurer shall see to the collection of all member dues and/or assessments, shall have established proper accounting procedures for the handling of the Council's funds and shall be responsible for the keeping of the funds in such banks, trust companies and/or investments as are approved by the Executive Committee. He/she shall report on the financial condition of the Council at all meetings of the Board of Director's and at other times when called upon by the President. He/she shall also be one (1) of the three (3) designated signatories for Council checks. A copy of all deposits shall be sent to the Secretary within five (5) days.

At the end of each fiscal year, as Treasurer, he/she shall prepare an annual report that shall reflect an audit or review by a Certified Public Accountant (CPA). At the expiration of his/her term of office, deliver to his/her successor all books, money, and other property in his/her charge, or, in the absence of a successor, he/she deliver such properties to the President.

Section 5. Sergeant at Arms. The Sergeant at Arms shall be responsible for such properties to the President. He/She shall also keep order at the meetings, keep and display the MCPI flag and Colors, record the attendance of the meetings, and other such duties as prescribed by the President with approval of the Board of Directors.

Section 6. Transition. All officers must relinquish all records, materials, etc. of their office to their successors within fifteen (15) days after the election.

## **ARTICLE VIII BOARD OF DIRECTORS**

Section 1. Authority and Responsibility. The governing body of the Council shall be the Board of Directors. The Board of Directors shall have supervision, control and direction of the affairs of the Council, its committees and publications; shall determine its policies or changes therein; shall actively prosecute its objectives and supervise the disbursement of funds. The Board may adopt such rules and regulations for the conduct of its business as shall be deemed advisable, and may, in the execution of the powers granted, delegate certain authorities and responsibilities to others, as it deems beneficial to the operation of the MCPI. The Board shall elect it's own Chairman at the Annual Meeting.

Section 2. Composition. The Board of Directors shall consist of the President, Vice President, Secretary, Treasurer and Sergeant at Arms and two (2) Charter or Active Members of the Council to be elected, and the immediate Past President of the Council.

Section 3. Quorum of the Board. At any meeting of the Board of Directors, no less than five (5) members of the Board shall constitute a quorum for the transaction of the business of the Council. Any such business thus transacted shall be valid providing it is affirmatively passed by a majority of those present and voting.

Section 4. Meetings of the Board. A regular Meeting of the Board of Directors shall be held no less than two (2) times, during each administrative year. Notice of all such meetings shall be given to the Directors not less than fourteen (14) days before the meeting is held. Special meetings of the Board shall be called by the President, or at the Board of Directors, not less than forty eight (48) hours before the meeting is held.

Section 5. Voting. Voting rights of a Director shall not be delegated to another nor exercised by proxy.

Section 6. Voting by Mail. Action taken by ballot, distributed or returned by surface mail, by email or by fax, of the members of the Board of Directors, in which at least a majority of such Directors, in writing, indicate themselves in agreement, shall constitute a valid action of the Board if reported at the next regular meeting of such Board.

Section 7. Absence. Any elected Officer or Director who shall have been absent from two (2) consecutive regular meetings of the Board of Directors during a single administrative year shall automatically vacate the seat on the Board of Directors and the vacancy shall be filled as provided by these By-Laws; however, The Board of Directors shall consider each absence of an elected Officer or Director as a separate circumstance and may expressly waive such absence by an affirmative vote of a majority of its members.

Section 8. Vacancies and Removal. The Board of Directors shall fill any vacancy occurring on the Board of Directors between Annual Meetings. The provision of being an Active Member for two (2) continuous years is waived in this situation. A Director so elected to fill a vacancy shall serve the remaining term of his predecessor.

## **ARTICLE IX EXECUTIVE COMMITTEE**

Section 1. Authority and Responsibility. The Executive Committee may act in place and instead of the Board of Directors between Board meetings on all matters, except those specifically reserved to the Board by these By-Laws, pursuant to delegation of authority to the Committee by the Board of Directors. Actions of the Executive Committee shall be reported to the Board for ratification by mail or at the next Board meeting.

Section 2. Composition and Election. The Executive Committee shall consist of five (5) members including the President as Chairman, the vice President, Secretary, Treasurer, and the immediate Past President.

Section 3. Quorum Call of Meetings. A majority of the Executive Committee shall constitute a quorum at any duly called meeting of the committee. The President shall call such meetings of the Executive Committee as the business of the Council may require or a meeting shall be called by the Secretary on request of three (3) members of the Executive Committee.

Section 4. Vacancies. Any vacancy occurring on the Executive Committee with the exception of the immediate Past President shall be filled in the manner provided in Article VI, Section 5. Any committee member so elected to fill a vacancy shall serve the un-expired term of his predecessor.

## **ARTICLE X SPECIAL AND STANDING COMMITTEES**

Section 1. Election Committee. The President shall appoint a Nominating Committee and Chairperson which shall consist of five (5) Active or Charter Members not holding office, of whom not more than three (3) shall be Past Presidents of the Council but one (1) of whom (if available and willing) shall have served on the Election Committee the previous election year. With the approval of the Board of Directors the committee members shall be announced to the membership within six (6) months prior to the Annual Meeting. The election Committee shall invite suggestions from the membership for those offices and directorships that are vacant or about to expire, allowing at least thirty (30) days for suggestions. The Election Committee shall then nominate candidates for the required offices and directorships of the council as provided in these By-Laws and report such nominations to the membership prior to the Annual Meeting, as these By-Laws prescribe. No candidate for the upcoming election shall be on the Election Committee.

Section 2. Budget and Finance Committee. The Budget and Finance Committee shall consist of the President, Vice President, Treasurer, and the immediate Past President. The Treasurer shall serve as Chairman. The Committee shall counsel with the Secretary on the annual budget of the council and prepare for the Board of Directors. The Committee may perform such other duties in connection with the finances of the Council as the Board may determine from time to time.

Section 3. Membership Committee. The President shall appoint a Membership Committee. The Board of Directors upon their appointment shall prescribe the duties of the Membership Committee.

Section 4. Legislative Committee. The President will appoint a Legislative Committee and committee chairperson. The Board of Directors upon their appointment shall prescribe the duties of the Legislative Committee.

Section 5. Peer Review Committee. The Peer Review Committee will be chaired by an active member, in good standing, appointed by the President. If the President is not able to make this appointment, due to a Peer Review of the President, the Vice President will make the appointment. The committee members shall also be active members in good standing. The chairman will be given, by the President or the Vice President if the President is not able, at least 4 names of active members to choose 3 from to create this committee.

The function of the Peer Review Committee will be to investigate and rule on alleged infractions of the approved Standards and Ethics of MCPI members.

Any person involved, or having an interest, shall disqualify himself/herself from being part of the committee.

The Peer Review Committee shall report only to the Board of Directors

Section 6. Special Committees. The President with the approval of the Board of Directors shall appoint other such committees, subcommittees or task forces as are necessary and which are not in conflict with other provisions of these By-Laws, and the duties of any such committees shall be prescribed by the Board of Directors upon their appointment.

## **ARTICLE XI FINANCE**

Section 1. Fiscal Period. The Budget and Finance Committee shall prescribe the Fiscal Period of the Council with the approval of the Board of Directors.

Section 2. Bonding. Trust or surety bonds shall be furnished for the President, Treasurer and other such officers or employees of the Council as the Board shall direct. The Board shall determine the amount of such bonds and the cost paid by the Council.

Section 3. Audit. The accounts of the Council shall be audited in May preceding the September General Election, if the Treasurer would leave office before the end of the normal scheduled term and be reviewed in September of the years opposite the General Election years by an accountant who shall be appointed by the President with the approval of the Board and who shall report to the Board of Directors. The Treasurer shall provide a report of this review to the membership within thirty (30) days of receipt of the same.

## **ARTICLE XII DISSOLUTION**

Section 1. The Council shall use its funds only to accomplish the objectives and purposes specified in the Articles of Incorporation and no part of said funds shall inure, or be distributed to members of the Council. On dissolution of the Council, any funds remaining shall be distributed to one or more regularly organized and qualified charitable, education, scientific, or philanthropic organizations to be selected by the Board of Directors.

## **ARTICLE XIII MCPI LOGO AND USE OF SAME**

Section 1. The official logo of the MCPI shall be depicted as a circular emblem. The outer edge of the emblem shall be blue in color and narrow in width. A circle shall be contained within the outer border and shall be white in color. This white circle shall be inscribed, "**MICHIGAN COUNCIL OF PROFESSIONAL INVESTIGATORS**"; these letters shall be black in color. Within the circle shall be a blue field. The blue field shall be superimposed with a golden sunburst. Superimposed upon the golden sunburst shall be a silver compass rose. The silver compass rose shall appear three-dimensional by means of a gray shadow upon the face of the silver compass rose. Upon the West-East axis, and extending into the golden sunburst, shall be the initials, "MCPI"; these letters shall be black in color and printed in bold face type. Superimposed upon the North point of the compass rose, extending into the golden sunburst, shall be the word, "PROFESSIONALISM"; these letters shall be black in color and shall be printed in a smaller type face than the rose. Extending into the golden sunburst shall be the words, "THRU UNITY"; these letters shall be black in color and shall be printed in the same typeface as the word, "PROFESSIONALISM".

Section 2. No shield or badge shall carry a reproduction of this logo, nor shall any "protection" signs carry a reproduction of this logo.

Section 3. The reproduction and use of the MCPI logo on letterheads, publications, certificates, etc., may only be used by the Council in official business. Members in good standing may use the MCPI logo on letterhead, websites, and publications as long as the MCPI logo is smaller than the members company logo and does not imply that the association endorses their personal or business activities in anyway. The board of directors has the sole discretion to determine if the association logo is being used properly and may order a member to cease utilizing it if deemed inappropriate.

## **ARTICLE XIV AMENDMENTS**

Section 1. These Bylaws may be altered, amended, or repealed by a 2/3 vote of the duly elected representatives of the MCPI Board of Directors, or by a majority of the active members present at any regularly scheduled and held Board meeting.

Section 2. Any proposed change would require a minimum of two regularly scheduled and held Board meetings:

A. An initial meeting wherein the proposed change will be presented in its entirety, discussions will be held, and views presented in an open forum including written communications from any Board or active member who cannot attend due to foreseen circumstances.

B. The proposed changes, and a description of views and opinions discussed will then be presented in the next regularly published *Newsline*.

Section 3. At the next regularly scheduled and held Board meeting further discussion will be offered in an open forum including any written communications from a Board or active member who cannot attend due to foreseen circumstances prior to a vote by the Board and/or by the active members present.

A. The vote will be taken by a show of hands prior to the end of the meeting. If the Secretary counts a tie vote, the President will cast the deciding vote.

B. If the proposed change is accepted the change would take effect immediately and the change will be duly noted in the next regularly published *Newsline*. The actual change to the written text of the Bylaws would be made to appear in the next regularly published Directory.

Section 4. Exceptions.

A. Amendments can only be made to alter, amend, clarify, or repeal specific Articles already in existence.

B. The Bylaws in whole cannot be discarded in their entirety except at the annual election time.

C. New Articles can only be added at the time of the annual election.

D. The make-up of the Board of Directors and the annual election process cannot be changed or amended except at the annual election.

## **ARTICLE XV ELECTION OF OFFICERS**

Section 1. The President, Vice President, Secretary, Treasurer, two Board Members and Sergeant-at-Arms shall be elected by secret written ballot at the September General Membership Meeting, and voting by absentee ballots upon request. The plurality of votes shall be required for each election. The term of office shall be for two (2) years. The Past President will automatically sit on the Board.

Section 2. No persons shall be eligible to hold any office unless they have been an active member for the past two (2) consecutive years prior to the September Meeting and are first nominated by a member in good standing and are seconded by one or more such members at the June General Membership Meeting.

Section 3. In the event there are no declared candidates, nominations will be accepted from the floor at the September General Membership Meeting for undeclared candidates who meet the requirements in Section 2.

Section 4. No voting by representation or proxy shall be allowed.

Section 5.

(a) The absentee ballot will be limited to providing the opportunity of the general membership to vote for announced candidates and other matters that are specifically set forth in the Constitution and By-laws to be voted on by absentee ballot and requested by July 31<sup>st</sup>.

- (b) Said absentee ballot shall be mailed and received by the Election Committee Chairperson at least fifteen (15) days prior to the day of the September General Membership Meeting.
- (c) All absentee ballots received thereafter shall become null and void and shall not be counted.
- (d) The voting member must be in good standing and use the approved absentee ballot form provided by the Council.
- (e) All absentee ballots will be opened, verified and counted by the election committee. After the election is verified, the absentee ballot will be destroyed.
- (f) Each voting member shall place his or her name, membership number, address, and zip code on the provided absentee ballot envelope.

#### Section 6.

- (a) The various candidates shall inform the general membership of the intent to seek elected office, by items appearing in the August issue of the MCPI *Newsline* preceding the September General Membership Meeting. A vacancy created in any elected office, shall be filled for the balance of the term thereof by the Board of Directors at any regular or special meeting.
- (b) The MCPI *Newsline* shall publish the names and brief statements, (not to exceed two hundred (200) words), of the members announcing their candidacy for office, provided that such statements are received by the Editor, in writing, prior to July 15<sup>th</sup>.

Section 7. The elected Officers, Board of Directors, are hereby excluded from personal liability to the corporation or its members for monetary damages attributable to an alleged breach of responsibility. To be included in this provision are to be volunteer officers, directors and members who discharge his or her duties with a degree of diligence, care and skill which an ordinary prudent person would exercise under similar circumstances; and for acts or omissions of a volunteer while acting in good faith performance of their duties. Further, that no volunteer, officer, director or member benefit monetarily from their position.

## **MICHIGAN COUNCIL OF PROFESSIONAL INVESTIGATORS CODE OF ETHICS**

The members of the MCPI have joined together in agreement that all work and professional relationships must be of the highest ethical and moral standards. Investigators shall provide professional and competent services to all clients. This code of ethics constitutes those values agreed to by the members, by virtue of their affiliation with the MCPI. This code is to be honored and practiced as a guideline for all professional activities.

1. A member shall provide professional services in accordance with local, state, and federal laws.
2. A member shall observe, and adhere to the precepts of honesty, integrity, and truthfulness
3. A member shall be truthful, diligent, and honorable in the discharge of their professional responsibilities
4. A member shall honor each client contract, adhering to all responsibilities by providing ethical services within the limits of the law.
5. A member shall safeguard confidential information and exercise the utmost care to prevent any unauthorized disclosure of such information.
6. A member shall refrain from improper and unethical solicitation of business; including false or misleading claims or advertising.
7. A member shall use due diligence to insure that all employees and co-workers adhere to this same code of ethical conduct; respecting all persons, performing the job diligently and working within the limits of the law.
8. A member shall never knowingly cause harm or defame the professional reputation or practice of colleagues, clients, employers, or any member of the MCPI.
9. A member shall never undertake an assignment that is contrary to the Constitution of the United States of America or the security interests of this country.

## PEER REVIEW

The peer Review committee will consist of the following:

- Appointed Chairperson
- At least three active members in good standing.

Section 1. Any member or officer of the Association may be censured, suspended or expelled from the Association or the office held therein by the Board of Directors for unethical or unlawful behavior, or conduct that injures the interest, welfare and character of the Association or violates the By-laws or Code of Ethics adopted by this Association.

Section 2. Any member in good standing may prefer charges against another member or officer by filing a written complaint signed by the complaining member in accordance with the procedures set forth in Section 3. Billing or other monetary disputes shall not be subject to disciplinary action under this section.

Section 3.

- (a) Allegations against a member or officer shall be submitted in writing signed by the complaining member to the President.
- (b) The President will review the complaint and appoint a committee as directed by these By-laws.
- (c) No investigation shall be conducted without the knowledge of the member against whom the allegation(s) is made. The appointed peer review committee shall, within ninety (90) days, submit in writing to the President the results of their investigation with appropriate materials and evidence, recommendations for presentation to the Board of Directors. The findings of the investigative committee, and the decision by the Board are final unless a complaining person submits new evidence in writing. If such new evidence is so received, the investigative committee, alone, will decide if the new evidence would have an impact on the decision already rendered by the Board. If the new information would not likely have any significant impact on the decision already reached, then the matter will be considered closed. The complainer to the Investigative committee can submit such new evidence only once, following the decision of the board. All future submissions of new evidence will be ignored regarding this complaint including so-called "new complaints" that are substantially the same or based upon substantially the same sets of facts. The purpose of this language is to bring a prompt and fair conclusion to these matters, for the best interest of the Association and its members and to prevent the Association being used by one member as a tool to punish another member.
- (d) If the complaint is of a potentially criminal nature, the peer review committee may, at its discretion, defer investigation of the complaint and notification of the member, until such time as it will not compromise or impede the efforts of law enforcement.
- (e) If the allegations are against the President, the complaint shall be submitted to the Vice President, who in turn will perform the functions of the President in appointing the Peer Review committee as directed by these By-laws. If the allegations are against both the President and the Vice President, in the same complaint, the complaint shall be submitted to the remainder of the Board of Directors as a whole, which shall, by written majority vote, select one from among them to appoint the Peer Review committee as directed by these By-laws.
- (f) In all cases, the Peer Review committee shall inform the member of the nature of the allegations and offer the member concerned the opportunity to present evidence.
- (g) The member concerned shall be advised promptly by registered or certified mail of the findings of the investigating committee, and shall have ten (10) days from the date of notice and the Peer Review committee's report and recommendations, if any, to file a request for a formal hearing before the Board of Directors at its next scheduled meeting.
- (h) After considering all the evidence in the case, including any presentation made by the member concerned, the Board of Directors may:
  - (1) by majority vote, dismiss all charges against the member
  - (2) by majority vote, find the charges sustained, and (a) direct the censure of the member; or (b) direct the suspension of the member for a time certain.
  - (3) by majority vote, find the charges sustained and expel the member from the Association.

Section 4.

- (a) A member or officer of the Association censured, suspended or expelled in accordance with Section 3 shall have the right of appeal to the membership in attendance at the next scheduled membership meeting.
- (b) In order to appeal a decision of the Board of Directors, the member concerned must submit in writing a request for appeal to the President and Secretary via registered or certified mail postmarked no later than twenty (20) days prior to the next general membership meeting.
- (c) The President and Secretary shall ensure that during the regular membership meeting sufficient time will be afforded to the member concerned to appeal in person before the membership in attendance.
- (d) The President shall make the general membership in attendance at the meeting aware of the allegations against the member, the results of the investigation, and the action of the Board of Directors. The member concerned shall then have the opportunity to make an appeal in person to the membership in attendance.
- (e) After the appeal has been made, the membership in attendance at the general membership meeting shall, by secret written ballot:
  - (1) By two-thirds of the membership in attendance, set aside the action of the Board of Directors.
  - (2) Reduce the expulsion from the Association to a suspension for a time certain.
  - (3) Reduce the suspension to a censure.
  - (4) Reduce the censure to a verbal reprimand.
  - (5) Sustain the discipline assessed.
- (f) The failure of the appellant to appear in person shall void the appeal and the discipline assessed shall stand.