



Constitution and By-Laws
of the
Australian Shepherd Trial Association

The Australian Shepherd Trial Association was formed to promote and foster competitive stockdog trials using a flexible, objective trial system that requires a high standard of work centered on efficient handling of livestock.

Article I – Name

The name of this organization shall be The Australian Shepherd Trial Association (ASTA).

Article II - ASTA shall be a not for profit organization.

- 1) No part of any income or residues from dues or donations to ASTA shall inure to the benefit of any member or individual.
- 2) The office of ASTA shall be the mailing address of the Secretary of the Association.

Article III – Objectives

- 1) The objectives of ASTA are:
 - 1.1) to encourage the use of Australian Shepherds on farms and ranches by demonstrating their ability to perform useful and challenging tasks;
 - 1.2) to promote calm, confident control of livestock using an objective trial system.

Article IV – Membership

- 1) ASTA has two types of membership, Trialing and Executive. Both Trialing and Executive memberships are open to anyone 18 years or older who finds the objectives of the association favorable to them and who agrees to abide by its constitution and bylaws as stated on the application form.
 - 1.1) Trialing Membership - signed Membership Application form with proper annual dues must be submitted. Annual dues shall be paid prior to receiving any privileges of ASTA and participating in any events as defined in the bylaws or program guidelines. Trialing membership carries the following privileges
 - 1.1.1) web site access to trial dates, locations and results training articles and tips, stories, announcements and other news;
 - 1.1.2) eligibility to host an ASTA regional trial;
 - 1.1.3) access to time and point/time trial guidelines and suggestion packet;
 - 1.1.4) eligibility to participate in a private discussion board that provides members with a forum to discuss the design and organization of time and points trials.

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- 1.1.5) eligibility to participate in the annual ASTA Trial.
- 1.2) Executive Membership - a signed Executive Membership Application form with a required one time initial fee set by the Association must be submitted to the treasurer. Every consecutive year thereafter the Executive membership's and Trailing membership's annual dues set by the Association shall be equal in cost. Initial fee (first year), annual dues (thereafter) shall be paid prior to receiving any privileges of ASTA and participating in any events as defined in the bylaws or program guidelines.
 - 1.2.1) Application for Executive Membership - ASTA will accept applications for Executive Membership on or about November 15th of each year. Such applications must be made on a signed Executive Membership form, accompanied by the initial first year fee as listed on that form.
 - 1.2.2) Nomination for Executive Membership - Applicants for Executive Membership must be nominated by an executive member; the nomination must then be seconded by a different executive member. Nominations and seconds must be made by December 1st of each year or the application fails.
 - 1.2.3) Voting for Accepting Executive Membership applications - Once an applicant has been nominated and seconded, the application is voted upon by the Executive Membership. Successful applicants must receive a two thirds majority of the executive members voting.
 - 1.2.3.1) Voting on applications for executive membership shall begin the Wednesday on or following January 1 of each year, and end on the following Saturday.
 - 1.2.3.2) If an application fails, the initial first year fee will be promptly returned to the unsuccessful applicant.
- 2) Privileges of Executive membership
 - 2.1) all the privileges of trial membership;
 - 2.2) full voting rights on issues coming before the Association;
 - 2.3) the right to serve as an officer of the Association and member of the Executive Committee.
- 3) Membership (trial and executive) shall be from January 1st to December 31.
- 4) Dues shall be paid by February 1st of each year. New memberships received on or after October 1st of any year will be valid through the following year without additional annual membership dues.
- 5) Only Executive members whose dues are paid for the current year may vote.
- 6) Only members (Trialing and Executive) whose dues are paid for the current year may host an ASTA sanctioned trial.
- 7) Only members (Trialing and Executive) whose dues are paid for the current year may enter the Annual Championships Trial.

Article V - Voting Procedures

- 1) Motions

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- 1.1) An executive member in good standing may make a motion. It may be seconded by any executive member in good standing.
 - 1.2) Weekly Cycle for Making Motions.
 - 1.2.1) Motions may be made at any time but formal discussion will begin at 12:01 a.m. (pacific time) on the Wednesday following the motion.
 - 1.2.2) If a motion is made on a Wednesday, that will be the first day of formal discussion. Discussion will continue for one week.
 - 1.2.3) Motions that do not receive a second by 12 a.m. (pacific time) on the day after formal discussion is to begin, die.
 - 1.3) Modifying a Motion
 - 1.3.1) A motion can only be modified or changed by the person making that motion.
 - 1.3.2) If it has been modified it will need a new second and will be moved into a new weekly cycle, thereby allowing all members the opportunity to read and discuss it in its new form.
 - 1.3.3) A motion may not be modified or changed once it has gone to vote.
- 2) Voting
- 2.1) The Chair will call for the vote on Wednesday, one week following the initiation of the discussion period.
 - 2.1.1) Voting shall take place via email ballots.
 - 2.1.2) When a vote is called, the exact wording of the motion shall be posted on the ballot.
 - 2.1.3) Members have until 12:00 a.m. (pacific time) on the following Saturday to vote.
 - 2.1.4) Votes will be made public to the membership including how each member voted within 72 hours of the closing of the vote.

Article VI – Officers

- 1) The officers of ASTA shall consist of the Chair of the Association, the Vice Chair of the Association, the Secretary of the Association and the Treasurer of the Association. All officers must be in good standing with ASTA.
 - 1.1) Chair of the Association
 - 1.1.1) Duties - the Chair of the Association shall preside over and facilitate the conduct of its business.
 - 1.2) Vice Chair of the Association
 - 1.2.1) Duties - The Vice Chair of the Association shall assume the duties and powers of the Chair upon the Chair's absence, removal or resignation.
 - 1.3) Secretary of the Association
 - 1.3.1) Duties - The Secretary of the Association shall:

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- 1.3.1.1) keep records of association business;
- 1.3.1.2) take minutes from any meetings;
- 1.3.1.3) answer inquiries about association memberships;
- 1.3.1.4) maintain all correspondence for the Association;
- 1.3.1.5) notify all new members of their acceptance into the Association.

1.4) Treasurer of the Association

1.4.1) Duties - The Treasurer of the Association shall:

- 1.4.1.1) render each quarter to the members of the Association via the Association's email discussion list an account of all outstanding bills, all monies received and all expenses incurred during the previous quarter;
- 1.4.1.2) keep accurate records of all moneys received and expended;
- 1.4.1.3) deposit all receipts into an association bank account;
- 1.4.1.4) make withdrawals for payment of Association bills;
- 1.4.1.5) conduct all other fiscal matters as required by government regulations.

1.4.2) If the Treasurer is incapacitated, removed or resigns withdrawals may be made by the signatures of the Chair, Vice Chair or Secretary of the Association until such time as the Treasurer can resume his/her duties or a new Treasurer is appointed or elected.

1.4.3) Books - the books shall be open at all time to inspection by the officers.

1.5) Executive Committee - the Chair of the Association, the Vice Chair of the Association, the Secretary of the Association, and the Treasurer of the Association shall form the Executive Committee.

1.5.1) The Executive Committee shall be vested with the general management and supervision of all Association business and affairs and shall be empowered to appoint such committees as may be deemed necessary to advance the work of the Association.

1.6) Committees - all committees and each of their members shall be subject to the authority of the Executive Committee and may be terminated or replaced by the Executive Committee at any time.

2) Election of Officers

2.1) Officers shall be elected via email ballots. Such ballots shall open the Wednesday on or following January 1 of each year, and shall close on the following Saturday.

2.2) Any vacancy occurring among officers during their term shall be filled for the remainder of the term by an appointment of the remaining officers, except that the vacancy of the Chair shall be filled by the Vice Chair.

2.3) Any officer who fails to perform the duties of his/her office may be released from his/her duties by a two thirds majority vote of the Executive members. This vote shall be conducted by email ballot in accordance with Association bylaws and shall be proceeded by a motion and second.

3) Terms of Officers

3.1) Officers shall serve staggered 3 year terms starting on January 1, 2007. This process will be set by the first Chair's terms, which shall be for one year, the first Vice Chair's term which shall be for two years and the first Secretary and Treasurer's terms which shall be for three years. After the initial one term of the Chair ending in 2007 and the initial two year term of Vice Chair, ending in 2008, each officer's term shall be three years.

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4) Nominations

- 4.1) During the month of October, the Chair, Vice Chair, Secretary and Treasurer of the Association shall nominate from among the Executive membership at least one candidate for the office to be filled. That nomination shall be reported on the Association's email discussion list.
- 4.2) Additional nominations of eligible candidates may be made by Executive members by email on the Association's email discussion list.

5) Interim Executive Committee

- 5.1) From June, 2006 until January 1, 2007 the Association's Executive membership shall elect an Interim Executive Committee charged with managing and supervising Association affairs.

Article VII - Amendments to the By-Laws

- 1) The By-Laws of the Australian Shepherd Trial Association may be amended by two-thirds majority vote of the Executive members.
- 2) Motions to amend the By-Laws may be made at any time but formal discussion shall begin at 1201 a.m. (pacific time) on the Wednesday following the motion. If a motion is made on a Wednesday, that shall be the first day of formal discussion. Discussion shall continue for two weeks. A motion to amend the By-Laws that does not receive a second by 12 a.m. (pacific time) on the day after formal discussion is to begin, dies.

Article VIII - Disputes and Sanctions

- 1) Introduction - ASTA trialers are expected to act courteously and to show good sportsmanship to others at all time. This includes, but is not limited to showing consideration and respect to all present, including handlers, obstacle judges, spectators, livestock, participating dogs, and property. Failure to do so may result in losing the privilege to participate further in ASTA events.
- 2) Charges
 - 2.1) Any member may prefer charges against another member or non-member for alleged misconduct defined by the rules listed in the Misconduct/Sanctions section below.
 - 2.2) Written charges with specification must be filed in duplicate with the Secretary together with a deposit of \$50 for each charge, which shall be forfeited if the charge is not sustained.
 - 2.3) The Secretary shall promptly send a copy of the charges to the accused, and to each member of the Executive Committee. The Executive Committee shall decide whether the actions alleged in the charges, if proven, would constitute misconduct as defined by the rules listed under Section 3.
- 3) Misconduct/Sanctions.
 - 1.1) If the Executive Committee determines that such actions would not constitute misconduct as defined by the rules in section 3, it must refuse to entertain jurisdiction.
 - 1.2) If the Executive Committee entertains jurisdiction of the charges it shall fix a date of hearing not less than three weeks nor more than six weeks thereafter.
 - 1.3) The Secretary shall promptly send to the accused by registered mail a notice of the hearing and assurance that he/she may respond to such charges.

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- 1.4) Responses must be in writing. Written depositions of witnesses may be presented.
- 1.5) The Executive Committee must sustain the charges by a three quarters majority vote.
 - 1.5.1) If the charges are sustained the penalties listed under Section 3 - Misconduct/Sanctions shall apply.
- 1.6) The Secretary of the Association shall notify each of the parties of the decision and penalties if any within three days of the decision.
- 1.7) The Executive Committee shall deliberate cases of potential expulsion for two weeks beginning on the nearest Wednesday after charges are filed. After the two week deliberation period, the Chair of the Association shall call for a vote to expel to be held by secret email ballot.

3) Misconduct/Sanctions

- 3.1) Misconduct Against Trial Officials
 - 3.1.1) Attempting to influence an official - 1 year suspension.
 - 3.1.2) Physical abuse of an official - expulsion.
 - 3.1.3) Verbal abuse of an official - 1 year suspension.
- 3.2) Disorderly Conduct
 - 3.2.1) Physical altercation - expulsion.
 - 3.2.2) Verbal altercation - 1 year suspension.
 - 3.2.3) Destruction of property - 1 year suspension, full restitution.
- 3.3) Abuse of Dogs
 - 3.3.1) Physical cruelty on the trial grounds - expulsion.

4) Scoring Protests

- 4.1) When a handler protests a score that protest shall be decided by a Protest Committee appointed by the trial organizer for that particular case.
 - 4.1.1) The Protest Committees shall include three persons present at the trial, but not competing in that class.

Article IX: Implementation

This Constitution and By-Laws shall become valid and effective immediately following ratification by a majority of eligible voters responding by email ballot. Eligible voters shall have four days to respond from the time the ballot is put up.

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