

Constitution and Bylaws

The Fort Worth Magicians Club Inc.

Revision 2008



Ren Clark IBM Ring 15
Bruce Chadwick SAM Assembly 138

CONSTITUTION

ARTICLE I

NAME

The name of the Corporation is **The Fort Worth Magicians Club, Inc.**

ARTICLE II

NONPROFIT CORPORATION

The Corporation is a nonprofit Corporation organized under the Texas Non-Profit Corporation Act.

ARTICLE III

DURATION

The period of the Corporation is perpetual.

ARTICLE IV

PURPOSES

The purposes for which the Corporation is organized are to have and to exercise all the rights and powers conferred on non -profit Corporations under the Texas Non-Profit Corporation Act, as such law is now in effect or may at any time hereafter be amended.

ARTICLE V

INITIAL REGISTERED OFFICE AND AGENT

The street address of the initial registered office of the Corporation is 305 Crestwood Drive, Fort Worth, Texas 76107 and the name of its initial registered agent at such address is A. Renrick Clark.

ARTICLE VI

BOARD OF TRUSTEES

The number of Trustees constituting the initial board of Trustees of the Corporation is three, and the names and addresses of the persons who are to serve as the initial Trustees are:

Renrick Clark
305 Crestwood Drive
Fort Worth, Texas 76107

Wilbur Kattner
308 Crown Road
Willow Park, Texas 76087

Robert O. Utter
4101 Hildring Drive West
Fort Worth, Texas 76109

ARTICLE VII

The name and address of the incorporator is:

Mack Ed Swindle
Gandy Michener Swindle
Witaker & Pratt
301 Commerce Street
3500 City Center
Fort Worth, Texas 76102-5802

ARTICLE VIII

PROSCRIBED ACTIVITIES

No part of the net earnings of the Corporation shall inure to the benefit of, or be distributable to its members, Trustees, Officers, or other private persons, except that the Corporation are authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article IV hereof.

No substantial part of the activities of the Corporation are the carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office.

Notwithstanding any other provision of these articles, the Corporation shall not carry on any other activities not permitted to be carried on (a) by a Corporation exempt from

Federal Income tax under section 501 (c) (3) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Internal Revenue Law) or (b) by a Corporation, contributions to which are deductible under section 170 (c) (2) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Internal Revenue Law).

ARTICLE IX

DISSOLUTION

The property and assets of the Corporation are irrevocably dedicated to the purpose as described in Article IV. Upon the dissolution of the Corporation, the Board of Trustees shall, after paying or making provision for the payment of all of the liabilities of the Corporation, dispose of all the assets of the Corporation exclusively for the purposes of the Corporation in such manner, or to such organization or organizations organized and operated exclusively for non-profit purposes as shall at the time qualify as an exempt organization or organizations under section 501 (c) (3) of the Internal Revenue Code of 1986 (or corresponding provision of any future United States Internal Revenue Law), as the Board of Trustees shall determine.

ARTICLE X

AMENDMENTS TO CONSTITUTION AND BYLAWS

The Constitution and Bylaws may be amended from time to time as provided in the Texas Non-Profit Corporation Act; provided, however, that no amendment are made which shall alter the exclusive non-profit purposes set forth in Article IV herein, or would cause any pecuniary benefit to inure to any Trustee, incorporator, donor or donors or to any Officer or individual.

BYLAWS

Section 1

NAME

- 1.01 The Fort Worth Magicians Club, Inc. may hereafter be referred to as "the Club" or "the Corporation."
- 1.02 The Fort Worth Magicians Club may meet concurrently with, and yet is independent from, the Ren Clark Ring 15 of the International Brotherhood of Magicians.
- 1.03 The Fort Worth Magicians Club may meet concurrently with, and yet is independent from, the Bruce Chadwick Assembly 138 of the Society of American Magicians.
- 1.04 The Fort Worth Magicians Club may meet concurrently with, and yet is independent from, the Dallas/Fort Worth Chapter of the Fellowship of Christian Magicians.
- 1.05 The Fort Worth Magicians Club may host an annual convention of, and yet is independent from, the Texas Association of Magicians.

Section 2

OBJECTIVES

- 2.01 To associate together and to organize activities of individuals interested in the practice, advancement and promotion of the Art of Magic.
- 2.02 To cooperate with other magician's clubs to further the Art of Magic.
- 2.03 To adopt proper means to discourage divulging secrets of magic to the public, false or misleading advertisement of effects, tricks, literature or merchandise or actions appertaining to the magical arts or any misrepresentation thereof.
- 2.04 To promote harmony in the magical arts.
- 2.05 To advance the ethics of the magical profession.
- 2.06 To promote the humane treatment and care of live animals employed in performance.
- 2.07 To conduct educational programs and activities that will benefit the Club members by increasing their knowledge of the conjuring arts.
- 2.08 To be aware of correct personal interaction with any members of our audience, particularly children.

Section 3

OFFICES

3.01 The principal offices of the Corporation in the State of Texas are located in the City of Fort Worth, County of Tarrant. The Corporation may have such other offices, either within or without the State of Texas, as the Executive Committee may determine or as the affairs of the Corporation may require from time to time.

3.02 The Corporation shall have and continuously maintain in the State of Texas a registered office, and a registered agent whose office is identical with such registered office, as required by the State of Texas Non-Profit Corporation Act. The registered office may be, but need not be, identical with the principal office of the Corporation in the State of Texas. The address of the registered agent and office may be changed from time to time by the Executive Committee.

Section 4

EXECUTIVE COMMITTEE

4.01 An Executive Committee composed of the elected Officers holds Executive Committee Meetings to manage and conduct the business affairs of the Corporation.

4.02 Executive Committee Meetings help keep business affairs out of the Monthly Club Meetings so the art and performance of magic is the main focus at Club meetings. However business may be conducted at Monthly Club Meetings when necessary, such as voting for elections and business matters requiring the attention of the entire Club.

4.03 An Annual Business and Planning Meeting of the Executive Committee is held within thirty days after the installation of the new Officers, at a place and time selected by the new President.

4.04 Regular Executive Committee Meetings are held monthly, usually the hour immediately prior to regular Monthly Club Meetings, at or near the Club meeting location. However the Executive Committee may decide to hold its monthly meeting at an alternate time, date, or location, including electronically, if it so determines, provided notice of said meeting is made to membership of the Club as per 4.07.

4.05 Additional meetings of the Executive Committee named Special Executive Committee Meetings can be called by the President or any two Trustees provided notice of said meetings is made to the membership of the Club as per 4.07.

4.06 The Executive Committee can decide not to meet during a particular month, provided notice is made to the membership of the Club as per 4.07.

4.07 The time and place for all Executive Committee Meetings is announced to the entire membership of the Club at least seven days in advance of each meeting, normally via the Club's FLASHPAPER monthly Club newsletter and the Club's Internet website. Notice can also be delivered personally, by telephone, mail, e-mail, other electronic means of communication, or any combination thereof. If mailed, a notice is deemed delivered when deposited in the United States mail and postmarked at least seven days prior to the scheduled meeting.

4.08 Four members of the Executive Committee in attendance at an Executive Committee Meeting constitute a quorum for the transaction of business. One of the four present must be the President or a Vice President.

4.09 The decisions of a majority of the members of the Executive Committee at an Executive Committee Meeting at which there is a quorum present is the act of the Executive Committee, unless the law or these Bylaws necessitates a greater number of members for the action.

4.10 Executive Committee Officers do not receive salaries or other compensation for their services, but can be reimbursed for any expenses incurred on behalf of the Corporation, as agreed upon by a majority vote at any Executive Committee Meeting.

4.11 The Executive Committee can act without a meeting if consent in writing setting forth the action is signed by all the Officers of the Club.

4.12 Any member of the Club in good standing can attend Executive Committee Meetings.

4.13 Parliamentary authority for all business of the Club is Robert's Rules of Order as newly revised.

Section 5

ELECTIONS

5.01 The Officers of the Corporation include a President, Executive Vice President and Program Chairman, Secretary, Treasurer, Sergeant at Arms, Vice President and Editor of the FLASHPAPER, Vice President and Webmaster, Historian, three Members at Large, and three Trustees.

5.02 A Nominating Committee to seek out members of the Club to serve as Officers is appointed by the President prior to the August Executive Committee Meeting. The Nominating Committee reports its recommendations to the general membership at the August Monthly Club Meeting. Other recommendations can be made from the floor during the August and September Monthly Club Meetings

5.03 The Officers of the Corporation are elected by a majority vote of the Active and Honorary Life members in good standing in attendance at the September Monthly Club Meeting. If Officers are not elected at the September meeting, the election is held as soon as possible.

5.04 A secret ballot is required for the election of an office if there are two or more nominations for that particular office. All nominees receiving a majority of all votes cast are declared elected. If no such majority is received, then a second ballot is cast. The nominees receiving the majority of votes on the second ballot are declared elected.

5.05 Each Officer holds office until his successor is sworn in. All Officers except the Trustees and the Historian are elected yearly. If so re-elected, all Officers except the President can serve back-to-back terms.

5.06 The newly elected Officers are installed at the October meeting.

5.07 When a vacancy occurs in an elected office, the President makes an interim appointment immediately. Said appointment remains in effect until the next annual election, resignation, recall by a majority vote of the Executive Committee, or termination date of the office.

Section 6

OFFICERS

6.01 **PRESIDENT:** The principal executive Officer of the Corporation.

6.01a The President generally supervises and controls all the business affairs of the Corporation and normally presides at Executive Committee Meetings.

6.01b Signatory The President signs, with the Secretary or any other proper official for the Corporation authorized by the Executive Committee, any deeds mortgages, bonds, contracts, or other instruments authorized by the Executive Committee. The exceptions are cases where the signing and execution thereof are expressly delegated by the Executive Committee or by the Bylaws or by statute to some other Officer or agent of the Corporation.

6.01c Initial Meeting As per 4.03, the President calls an Annual Business and Planning Meeting of the Executive Committee within thirty days after the installation of the new Officers.

6.01d Bereavement In the event that a Club member becomes deceased, it is the President's responsibility to make sure condolences on behalf of the Club are sent to the family of the deceased. The President should also contact the family to see if a "Broken Wand" ceremony can be performed at the funeral. If so, it is the President's responsibility to either perform the ceremony himself, or have another Club representative perform the ceremony. Any appropriate "Broken Wand" ceremony can be used, including ceremonies suggested by the International Brotherhood of Magicians and the Society of American Magicians.

6.01e Other Duties The President in collaboration with the Treasurer assists the Trustees in their responsibility for the filing of all documents required by law. The President may perform other duties as directed by the Executive Committee.

6.02 **EXECUTIVE VICE PRESIDENT AND PROGRAM CHAIRMAN:** Responsible for directing the programs at Monthly Club Meetings.

6.02a Main Core Activities The Executive Committee plans the main core activities for the Monthly Club Meetings of each fiscal year at the Annual Business and Planning Meeting of the Executive Committee that is held within thirty days after the installation of the new Officers (4.03). At any Executive Committee Meeting, the Executive Committee can change the activities and programs scheduled for any Monthly Club Meeting. It is the Executive Vice President and Program Chairman's job to line-up presenters for the main core activities, schedule the order of agenda, and emcee the programs at each Monthly Club Meeting.

6.02b Diverse Programs In addition to the main core activities planned by the Executive Committee for the Monthly Club Meetings, the Executive Vice President and Program Chairman plans additional smaller agenda for each club meeting to cover as wide a range of magic interests of the Club members as reasonable.

6.02c Qualification Demonstrations The Executive Vice President and Program Chairman schedules new member Qualification Demonstrations for presentation at Monthly Club Meetings, and works closely with the two sponsors who signed the new candidate's Membership Application Form and thus are responsible for the candidate's Qualification Demonstration.

6.02d Other Duties The Executive Vice President and Program Chairman performs other duties as may be assigned to him by the President or the Executive Committee. In the absence of the President, or in the event of the President's inability or refusal to act, the Executive Vice President and Program Chairman performs the duties of the President, and when so acting has all the powers of and be subject to all the restrictions placed upon the President.

6.03 **SECRETARY:** Responsible for keeping accurate written records and correspondence related to the business matters of the Club.

6.03a Minutes The Secretary presents in writing to each Officer in attendance at Executive Committee Meetings, minutes of the previous Executive Committee Meetings since taking office, or since his previous report for the Club year.

6.03b Dues The Secretary is responsible for billing Club members for their yearly dues. He invoices members in the month of October by delivering to them a Dues Payment Form and if mailed, a return envelope. He also includes instructions to fill out the form and return it to the Secretary along with the appropriate dues payment. The form delineates the Club member's name, contact information, and membership status so that the Secretary can maintain an accurate Club roster. Only the Secretary is authorized to receive returned Dues Payment Forms and dues payments. He transfers all monies received to the Treasurer as soon as possible, usually at the next scheduled Executive Committee Meeting.

6.03c New Members The Secretary has available copies of the Membership Application Form at each Monthly Club Meeting. Only the Secretary receives filled-out Membership Application Forms and dues payments from potential members. He transfers all monies received to the Treasurer as soon as possible, usually at the next scheduled Executive Committee Meeting. He notifies the Executive Vice President and Program Chairman of the candidate's name, contact information, and the names of the two sponsoring members so that a Qualification Demonstration can be presented at a Monthly Club Meeting within three months of the submission date of the Membership Application, as per 10.05. The Secretary shall notify the Sergeant at Arms to prepare a name badge for possible presentation to the candidate in the event that the candidate's membership is ratified by vote at the conclusion of his Qualification Demonstration.

6.03d Roster The Secretary maintains an up-to-date roster of all Club members delineating their type of membership and contact information. He prepares and distributes at the January Monthly Club Meeting a printed copy of the most accurate Club roster containing the names and contact information of all dues-paid-up members in good standing of The Fort Worth Magicians Club. This roster

can also be distributed electronically via e-mail to Club members. In order to protect the privacy of members, rosters placed on the Club's website must be secured for download by Club members only.

6.03e Reports Within seven days after each Monthly Club Meeting, the Secretary is responsible for sending a written report about the meeting to the Vice President and Editor of the FLASHPAPER for possible inclusion in the next edition of the newsletter, to the International Brotherhood of Magicians on behalf of the Ren Clark IBM Ring 15 for publication in the organization's periodical the LINKING RING, and to the Society of American Magicians on behalf of the Bruce Chadwick SAM Assembly 138 for publication in the organization's periodical M-U-M.

6.03f Records All books and records of the Corporation may be inspected by any member of the Executive Committee for any proper purpose at any reasonable time. The Secretary is in charge of the official records of the Corporation. The Secretary may have other duties assigned to him by the Executive Committee. As per 16.02, the corporate seal is maintained in the possession of the Secretary.

6.04 **TREASURER:** Receives payments to the Corporation, and on a timely basis, places said payments into the appropriate account or accounts as directed by the Executive Committee. If requested, he is responsible for giving receipts for monies received.

6.04a Operating Account The Treasurer is responsible for and has charge and custody of the Operating Account. He writes checks and makes disbursements from the Operating Account. The Executive Committee must review and approve each disbursement before it is made. Additional description of the Operating Account can be found in 13.04.

6.04b Budget The Treasurer works with the President to determine a budget at the beginning of each fiscal year. The Executive Committee approves the budget by majority vote. The Executive Committee can amend or alter the budget by vote at any Executive Committee Meeting. A balanced budget is adopted so that the goal for the amount of receipts for a fiscal year is equal to or greater than the amount of disbursements.

6.04c Reports The Treasurer presents in writing to each Officer in attendance at Executive Committee Meetings a Treasurer's Report delineating all activity of the Operating Account since taking office, or since his last previous report for the Club year. The report also indicates a comparison between monies spent in relation to the budget.

6.04d Dues Payments The Secretary supervises all paperwork related to Club membership. On a monthly basis, usually at the next scheduled Executive Committee meeting, the Secretary delivers all monies received from dues and new member applications to the Treasurer. In the event that a Club member improperly sends money to the Treasurer for his dues, the Treasurer forwards any paperwork received to the Secretary so that information can be properly recorded.

6.04e Depositories The Treasurer deposits all monies in such bank, trust companies, or other depositories as are selected by the Executive Committee in accordance with provisions of these Bylaws; and in general performs all the duties incident to the office of Treasurer and such other duties as may be

assigned to him by the Executive Committee.

6.04f Bond and Audit If required by the Executive Committee, the Treasurer gives a bond for the faithful discharge of his duties in such sum and with such surety or sureties as the Executive Committee determines. The Executive Committee may audit the Operating Account at any time.

6.04g Trustees The Treasurer in collaboration with the President assists the Trustees in their responsibility for the filing of all documents required by law. Upon request of the Executive Committee, the Board of Trustees delivers to the Executive Committee via the Treasurer a report in writing delineating the status of Special Funds placed under their custody by the Executive Committee.

6.05 **SERGEANT AT ARMS:** Monitors all persons attending meetings and makes sure they meet the criteria as set forth for 14.02 and following for attendance.

6.05a Badges He is in charge of the care, upkeep, and handling of all Club name badges. He makes sure name badges are available at all Monthly Club Meetings at least fifteen minutes before each meeting. He is responsible for keeping Club members from inadvertently taking their badges with them when leaving meetings. He oversees the preparation of badges for new members, and presents new badges to new members immediately after the presentation of their Qualification Demonstration and acceptance into membership status by Club vote.

6.05b Plenipotentiary He is responsible for greeting at the door all members and guests as they arrive at Monthly Club Meetings. He introduces guests at an appropriate time during Monthly Club Meetings. He maintains a Guest Book that contains guest's names, contact information, and delineates their interest in the Club. He has Membership Application Forms available at meetings, and is available to provide information about Club membership to visitors.

6.05c Recognition As appropriate, within seven days of a Monthly Club Meeting, the Sergeant at Arms sends a note of appreciation to visitors thanking them for their attendance. As appropriate, he also includes a Membership Application Form. The Sergeant at Arms also forwards the name and contact information of each visitor to the Secretary as appropriate, so that the Secretary can maintain an up to date prospect database.

6.06 **VICE PRESIDENT AND EDITOR OF THE FLASHPAPER:** Responsible for the publication and distribution to all Club members the monthly Club newsletter called the FLASHPAPER.

6.06a. Distribution The Club's Internet website is the usual means whereby the newsletter is disbursed electronically. The monthly FLASHPAPER is uploaded to the website no later than one week prior to the upcoming Monthly Club Meeting it represents. Members may also request that their FLASHPAPER be sent to them via mail. Newsletters mailed shall be placed into the postal system no later than one week prior to the upcoming Monthly Club Meeting. They shall be mailed with regular First Class postage affixed and in regular number ten business envelopes to expedite their movement through the postal system.

6.06b. Basic Content The FLASHPAPER normally uses the header artwork designed for the FLASHPAPER purpose. Each newsletter has the next Monthly Club Meeting date, time, and place clearly fixed on the front page of each edition

immediately below the header artwork. Within the pages of each issue, the name and contact information for each Officer of the Executive Committee is listed.

6.06c Dues Payment Forms The October, November, and December issues of the FLASHPAPER contain a reminder that member's annual Club dues are due on the first day of October. Additionally a copy of the Dues Payment Form as provided by the Secretary is included within the newsletter.

6.06d New Members After their membership acceptance into the Club, the names of new members are published in the next month's FLASHPAPER.

6.07 **VICE PRESIDENT AND WEBMASTER:** Responsible for the administration and timeliness of all matters attendant to the Club's Internet website. At minimum the website should be updated immediately after every Monthly Club Meeting with the meeting information including date, time, and place about the next Monthly Club and Executive Committee Meetings. The FLASHPAPER monthly club newsletter should be available for download no later than one week prior to a Monthly Club Meeting. The website may also include the history of the club, information on how to pay annual club dues and a downloadable Dues Payment Form, an overview about the past presidents of the club, a calendar of upcoming magic club events, downloadable copies of the Constitution and Bylaws, officers contact information, downloadable copies of the club's logo and FLASHPAPER artwork, archives, Club Membership Application forms and information on how to visit and join the club.

6.08 **HISTORIAN:** Responsible for the collection and filing of all documents, publications, articles, photographs, newspapers, tapes, videos, DVD's, media, or other items that lend themselves to establishing a record of the corporate memory. The Historian is in charge of the Club's archives and the protection of the documents. The term of office of the Historian is five years.

6.09 **MEMBERS AT LARGE:** Three Club members who serve as general representatives from the membership of the Club. They are available to give opinions, provide extra perspectives to the Executive Committee, and function as liaisons between the Club at large and the Executive Committee. As such, these members are commissioned to observe the various offices of leadership in action and hopefully be groomed to serve as an Officer themselves at some point in the future.

6.10 The job description for any Officer named in this document can be changed for any given year by the Executive Committee.

Section 7

COMMITTEES

7.01 The President may designate and appoint one or more committees. Committee members may comprise Active, Honorary Life, and Associate members of the Club. However no committee has higher authority than the Executive Committee, and the Executive Committee can override any decision, action, or suggestion of any appointed committee. As well, no committee shall have the authority over of the Executive Committee in reference to amending or repealing the Bylaws or Articles of Incorporation, electing, appointing or removing any Trustee or Officer of the Corporation.

Section 8

BOARD OF TRUSTEES

8.01 There are three Trustees and each Trustee serves for a period of six years. Replacement will occur at two year staggered intervals, except in the case of death or resignation.

8.02 Vacancies in the Board of Trustees are filled in the same manner as vacancies among other elected Officers.

8.03 Trustees are elected in the same manner as the other Officers on the Executive Committee.

8.04 The duties of the Trustees are as follows:

8.04a Serve as advisors on items and actions pertaining to the corporate memory of The Fort Worth Magicians Club.

8.04b Serve as signers on any document requiring a Trustee signature as set forth in this document.

8.04c Serve as custodians of any funds or documents placed under their custody by the Executive Committee. Financial reports regarding funds placed under custody of the Trustees are available in writing to the Executive Committee, upon request by the Executive Committee.

8.04d The Trustees in collaboration with the President and Treasurer are responsible for filing of all documents required by law.

Section 9

MEMBERSHIP

9.01 The Club has five distinct types of membership: Active, Associate, Junior, Associate Junior, and Honorary Life.

9.02 Active Member A person eighteen years of age or older, proven active in magic, and who has been accepted by the Club. Active Members may vote, hold office, serve on committees, and enjoy all the activities of the Club.

9.03 Associate Member A spouse or professional assistant of an Active Member, and who is eighteen years of age or older. Associate Members do not vote or hold office, but may serve on committees and enjoy all the activities of the Club.

9.04 Junior Member A person fourteen years old or older, and under eighteen years of age. Upon reaching eighteen years of age, Junior Members automatically become Active Members provided they are dues paid members in good standing. Junior Members do not vote, hold office, or serve on committees, but do enjoy all the activities of the Club.

9.05 Associate Junior Member A person under the age of 14 who is screened for approval by the Executive Committee prior to being granted membership. He must be accompanied at Club functions by a legal parent or guardian who themselves must be an Active, Associate, or Honorary Life member of the Club. Upon reaching the age of 14, Associate Junior Members automatically become Junior Members provided they are dues paid members in good standing. Associate Junior Members do not vote, hold office, or serve on committees, but do enjoy all the activities of the Club.

9.06 Honorary Life Member A person who has significantly contributed to the advancement of the art of magic internationally, or a person who has been an Active Member of the Club for at least 25 consecutive years and who has made an outstanding contribution to the welfare of the Club, may be considered for Honorary Life Member status.

9.06a Any Active Member of the Club may nominate any eligible Club member for Honorary Life Member status at any regularly scheduled Executive Club Meeting. The Officers present at the Executive Club Meeting shall consider the nomination and if so seconded, then vote by secret ballot. If a majority vote is the result, then the Executive Committee shall recommend to The Fort Worth Magicians Club at its next scheduled Monthly Club Meeting that the member be considered for Honorary Life Member status. Active and Honorary Life members in good standing and in attendance at the Monthly Club Meeting will then vote by secret ballot. If the candidate receives a majority vote, he is immediately awarded Honorary Life Member status. Honorary Life Members have the benefits of Active Membership without further dues payments.

9.07 A member of the Club is considered in good standing if he is not more than three months in arrears in membership dues and has not been found in violation of any part of Section 11.

9.08 Any Club member may have a copy of the Club's Constitution and Bylaws.

Section 10

APPLICATIONS

10.01 Membership Application Forms for Club membership are available for download from the Club's website. The Secretary and Sergeant at Arms also have printed forms available at Monthly Club Meetings.

10.02 All candidates for membership in the Club make application by delivering to the Secretary a properly filled out Membership Application Form and the amount of dues required.

10.03 All applicants must have their Membership Application Form signed and recommended by at least two Active or Honorary Life Members of the Club who are in good standing.

10.04 The signature of the applicant for membership is a pledge of his agreement to support the Constitution and Bylaws of this organization.

10.05 Within three months of application for Active, Junior, or Associate Junior membership, the applicant gives a Qualification Demonstration at a regular Monthly Club

Meeting. This demonstration is usually a short magic performance, but it may also be some other presentation to demonstrate the candidate's interest in magic. The two sponsors who sign the candidate's Membership Application Form are responsible for the presentation of the applicant's Qualification Demonstration. The Executive Vice-President and Program Chairman schedules all Qualification Demonstrations.

10.06 Immediately after the conclusion of an applicant's Qualification Demonstration, the candidate is escorted from the meeting room by the Sergeant at Arms or other designated Club member. The Club then discusses the candidate's application and votes on whether to accept him as a member in good standing. If approval is given, the candidate is escorted back into the meeting room, is congratulated, and is given his name badge. In the event that an applicant's membership is not approved, all monies received are returned to the applicant.

Section 11

DUTIES AND PRIVILEGES OF MEMBERS AND CODE OF ETHICS

11.01 It is the duty and privilege of every member to exercise an interest in the organization, to avoid exploitive use of its name or intention, and to regulate his conduct toward the organization, fellow members, and the public.

11.02 It is the duty and privilege of every member to adhere to the Objectives presented in Section 2 of these Bylaws.

11.03 It is the duty and privilege of every member to adhere to the joint Code of Ethics ratified by the International Brotherhood of Magicians and the Society of American Magicians as follows:

11.03a. Oppose the willful exposure to the public of any principles of the Art of Magic, or the methods employed in any magic effect or illusion.

11.03b. Display ethical behavior in the presentation of magic to the public and in our conduct as magicians, including not interfering with or jeopardizing the performance of another magician either through personal intervention or the unauthorized use of another's creation.

11.03c. Recognize and respect the rights of the creators, inventors, authors and owners of magic concepts, presentations, effects and literature, and their rights to have exclusive use of, or to grant permission for the use by others of such creations.

11.03d. Discourage false and misleading statements in the advertising of effects, and literature, merchandise or actions pertaining to the magical arts.

11.03e. Discourage advertising in magical publications for any magical apparatus, effect, literature, or other materials for which the advertiser does not have commercial rights.

11.03f. Promote the humane treatment and care of livestock used in magical performances.

Section 12

DUES

12.01 Yearly Club dues for all types of membership are set by the Executive Committee. Yearly dues are payable the first day of October of each fiscal year. For new membership applications received six months or more after the start of a fiscal year (after the month of March), dues for the balance of that club year are one-half their regular amount.

12.02 Members whose dues are not paid before the first day of January are automatically suspended. A member whose dues are unpaid for less than two years may be reinstated and retain continuous membership by paying his back dues. A member in arrears for two years or more must reapply for membership.

12.03 A member whose dues are unpaid at the time of the Annual Election in September may not vote, hold office, or attend a meeting of the Club.

12.04 All dues are delivered to the Secretary along with a legibly completed Dues Payment Form so that Secretary can maintain proper membership records. The Secretary transfers all monies received to the Treasurer as soon as possible, usually at the next scheduled Executive Committee Meeting.

Section 13

CONTRACTS, CHECKS, DEPOSITS, AND FUNDS

13.01 The Executive Committee may authorize any Officer or Officers, agent or agents, and Trustees to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Corporation. Such authority may be general or confined to specific instances.

13.02 All checks, drafts, and orders for the payment of money, notes or other evidences of indebtedness issued in the name of the Corporation are signed by such Officer or Officers, agent or agents of the Corporation and in such manner as shall from time to time be determined by resolution of the Executive Committee. In the absence of such determination by the Executive Committee, such instruments are signed by the Treasurer and counter-signed by the President or a Vice President acting as President of the Corporation.

13.03 The Executive Committee may accept on behalf of the Corporation any contribution, gift, bequest, or devise for the general purposes or for any special purpose of the Corporation.

13.04 The Club funds are to be used for the purpose of meeting normal expenses and are under the heading of The Fort Worth Magicians Club Operating Account. This account may not exceed the amount determined by the Executive Committee. One signature only is required for withdrawals from the Operating Account. Normally all withdrawals are made by the Treasurer, but in cases of emergency, withdrawals may be made by the President, provided that any withdrawal is promptly reported in writing to the Treasurer. The Executive Committee must review and approve any withdrawals before they are made. No member of The Fort Worth Magicians Club may commit the Club to any fund disbursement without the approval of the Executive Committee.

13.05 All funds exceeding the limits set by Article 13.04 are put into a financial institution with safety of principle the primary objective. These funds are called Special Funds and are to be set up as follows:

13.05a Educational Account Maintained for the purpose of underwriting educational lectures, materials, and activities relating to the Conjuring Arts that benefit the Club's members, and increase their magical knowledge. Earnings within these funds within a calendar year are to be spent on Educational activities during the following calendar year unless otherwise directed by the Executive Committee.

13.05b Reserve Account Maintained for the purposes of augmenting any other account. The Executive Committee shall determine what it deems to be adequate balances in all accounts and any excess is transferred to the Reserve Account.

13.05c Convention Account Maintained for the purpose of underwriting the costs of any Convention that the Club votes to sponsor or in which it shall act as the Host Club.

13.05d Special Convention Account Maintained in the year in which the Club sponsors the annual convention of the Texas Association of Magicians, and set up in which the TAOM advance and registration fees are deposited. This account is designated the Fort Worth Magicians Club Special Convention Fund. The Executive Committee may augment the fund, if necessary, or temporarily transfer amounts not needed to an interest bearing account. Withdrawals from the Special Convention Fund shall require one signature only of four authorized signatures: that of the Registration Chairman of the Convention or one of the three Trustees. After all Convention expenses are paid, all funds remaining are transferred to the Convention account.

13.05e Al Levulis Memorial Account Maintained to acknowledge on a yearly basis if warranted, at the October installation meeting, an appropriate gift for the outstanding merit of a young magician under age 25, as defined by the founder of the fund. The Executive Committee shall decide by vote prior to the October installation meeting if the award should be presented, and if so the amount of money or gift to be given.

13.06 The Executive Committee shall determine who is authorized to deposit and withdraw funds from all accounts.

Section 14

MONTHLY CLUB MEETINGS

14.01 The Fort Worth Magicians Club meets monthly for a Monthly Club Meeting at the time, date, and place determined by the Executive Committee.

14.02 A designation of Open and Closed Meeting shall apply to each regularly scheduled Monthly Club Meeting of The Fort Worth Magicians Club.

14.02a Open Meeting A Monthly Club Meeting where magical secrets are not revealed. Any member of the Club or guest may attend.

14.02b Closed Meeting A Monthly Club Meeting where magical secrets are revealed. Any member of the Club may attend. Guests may attend if they can show proof of membership in a recognized magician's organization.

14.02c Verification of who may attend a Closed Meeting is the responsibility of the Sergeant at Arms.

14.02d When a meeting is a Closed Meeting, notification is published in the FLASHPAPER.

Section 15

FISCAL YEAR

15.01 The fiscal year of the Corporation begins on the first day of October and ends on the last day of September.

Section 16

SEAL

16.01 The Executive Committee provides a corporate seal bearing the name of the Corporation.

16.02 The corporate seal is maintained in the possession of the Secretary.

Section 17

WAIVER OF NOTICE

17.01 Whenever any notice is required to be given under the provisions of the Texas Non-Profit Act or under the provisions of the Articles of Incorporation or by the Bylaws of the Corporation, waiver therein in writing signed by the person or persons entitled to such notice, whether before or after the time stated therein, are deemed equivalent to the giving of such notice.

Section 18

GRIEVANCE

18.01 A member may be suspended, expelled, or subject to disciplinary action for any of the following offenses: unbecoming conduct, violation of Club rules, or violation of any of the Duties and Privileges of Members or Code of Ethics as presented in Section 11.

18.01a At any regularly scheduled Executive Committee Meeting, any elected Officer of the Club can submit in writing to the Executive Committee allegations that a member of the Club may have offended the corporation. The Executive Committee shall consider whether or not the allegations are valid. The Executive Committee shall vote whether the issue should be addressed further. The majority vote rules.

18.01b If matter is to be addressed further, a written copy of the charges are delivered to the accused member along with a written notice that he is to appear before the Executive Committee at the date, time and place as determined by the Executive Committee at least thirty days following the notice. The Officers of the Executive Committee are also given written notice that charges have been filed against the member. Additionally each Officer is given written notice when the member has been asked to appear before the Executive Committee.

18.01c If the accused member appears before the Executive Committee as requested, he may defend himself against the allegations. If the issue is still unresolved, the Executive Committee members in attendance shall vote on whether or not the issue should go before the entire Club membership. If two-thirds of the members present at the Executive Committee meeting vote to sustain the charges, the Executive Committee decides what disciplinary action it will recommend to the Club at a subsequent Monthly Club Meeting determined by the Executive Committee.

18.01d At the Monthly Club Meeting chosen by the Executive Committee, the members in good standing shall hear the allegations, conclusions, and Executive Committee's recommendations for disciplinary action. By a secret vote, the Active and Honorary Life Club members shall determine whether the charges and disciplinary action should be implemented. If the Club votes in favor of the disciplinary action, the disciplinary action is carried out as recommended.

Section 19

AMENDMENTS TO BYLAWS

19.01 The Bylaws may be amended, changed, and new Bylaws adopted by a majority vote of the elected Officers present at any regular Executive Committee Meeting or Special Executive Committee Meeting.

19.02 At least seven days written notice must given to the entire membership before intention to amend, change, or adopt new Bylaws at an Executive Committee Meeting.

19.03 The President shall have the Bylaws reviewed for revision at least every five years from the date of the previous revision or adoption.

Witnessed and Adopted this 19 day of October 2008, to certify which witness to seal and signature of its duly authorized Officers.

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