

# DEMOCRATIC PARTY OF CUYAHOGA COUNTY CONSTITUTION & BYLAWS

## PREAMBLE

As the Cuyahoga County Democratic Party, we are proud to adopt these principles based on our belief in a County and State that value opportunity and equality for all its citizens, and respect both the self-reliance of individuals and the benefits of teamwork, to meet the challenges of a fair and just society.

To that end:

We believe that the best government is one that is efficient, yet understanding – a government that is based not on systems or bureaucracies, but on people, ideas and values.

We believe there is no substitute for fair and equal representation and strong public participation in a government chosen by election.

We believe in a government that stands on the side of families – that listens, understands and addresses their concerns.

We believe that all reap benefits when we meet our challenges together.

We believe in the equality of all citizens and condemn any discrimination, including, but not limited to, classifications based upon race, sex, gender identity or sexual orientation, age, religion, national origin or disability status.

We believe in a society that strengthens families and protects our children.

We believe in the rights of all to achieve economic security and find affordable housing; to seek good jobs at a livable wage; and protection for our workers in a growing robust economy.

We believe in a society that puts the health, safety and prosperity of its citizens first; that promotes excellence in education, choices in quality health care and a healthy environment for all citizens.

We believe in a society that values community and protects all citizens from violence and crime.

We believe in a society that respects our elders, who deserve the right to retire with the resources they need and have earned to support themselves in their golden years.

And we believe in pursuing these ideals with honesty and integrity, with respect for the freedoms that we in Cuyahoga County and Ohio are proud to call our own.

**ARTICLE I.  
DEMOCRATIC PARTY OF CUYAHOGA COUNTY**

***Section 1. – Name***

The name of this organization is the Democratic Party of Cuyahoga County.

***Section 2. Membership***

Membership in this party shall be open to all residents of Cuyahoga County in the State of Ohio who support the Constitution of the United States of America, the Constitution of the State of Ohio, the Charter & the Bylaws of the Democratic Party of the United States, the Constitution and By-laws of the Ohio Democratic Party, and the Constitution, By-laws, and principles of the Democratic Party of Cuyahoga County (hereinafter “Party”). No person may be a member or may vote on any motion, resolution, nomination, or election at any caucus, convention, meeting, or conference of the Party who does not meet the aforesaid qualifications; or who is a member of any other political party at that time.

***Section 3. Eligibility for Party Office***

Any person who meets the membership requirements of Article I. Section 2, is eligible for election to Party office, except as hereinafter limited. There shall be no minimum age requirement for Party office save where prescribed by law.

***Section 4. Qualifications***

In the event that any person’s qualifications as a member of the Party or eligibility for Party office must be determined, the same challenge procedure shall be followed to determine his or her qualifications as provided by the Election Laws of Ohio, except as hereinafter stated.

***Section 5. Party Unity***

- a. All members of the Party (including Executive Committee members and precinct committee members), candidates for office, Party officers, Party committees, Chartered Clubs, and organizations, and elected Democratic officials shall support the principles of the Party. “Party officers” are those positions set forth in Section 4 of Article III (Chair, Vice-Chairs, Secretary and Treasurer of the Party).

- b. After the Executive Committee has made an endorsement and before the primary:

with respect to all races and issues, no Party Officer, Ward or City Leader (“Leader”) shall actively and publicly support any candidate (or issue) other than a candidate (or issue) endorsed by the Executive Committee (unless the person in question is a candidate for the office at issue).

Where the Executive Committee has made no endorsement, even where the Executive Committee met for the purpose of making an endorsement in a particular race (or for a particular issue) and failed to do so, then any individual or Chartered Club may endorse in that race (or for that issue). Party Officers shall not endorse any issue or candidate in a race where the Party made no endorsement.

- c. No member of the Party holding Party office (Party Officers, precinct committee persons, Executive Committee members, Leaders, Officers of Chartered Clubs), candidate for

office, Party committee, Chartered Club, organization, or elected Democratic official shall, in a general election, actively and publicly: (i) in a partisan race, oppose any endorsed Democratic candidate; or (ii) in a non-partisan race, support a non-Democratic candidate.

- d. The Party Chair, after due notice to the member, and an opportunity for the member to be heard, shall determine if a violation of the above has occurred, and if so, shall ask that individual to resign from any elected or appointed Party position, if the individual holds such position. If the individual does not hold such a position, the Party Chair, after due notice to the member, and an opportunity for the member to be heard, shall determine if a violation of the above has occurred, and if so, shall ask that individual to acknowledge such violation. Failing the resignation of, or acknowledgement by, said member, the Examiners' Committee (to be comprised of nine (9) members, the four Party Officers [excluding the Chair] and five City/Ward Leaders, to be chosen by the City/Ward Leaders), within thirty (30) calendar days of the Chair's written decision, and after due notice to the member and an opportunity for the member to be heard, shall make a determination, by a majority vote of the members as to whether a violation has occurred, and if a violation is found shall, if legally possible, remove the member from Party office. The Chair, or the Chair's designee, shall present the Party's case to the Examiners' Committee. The Chair may, if legally possible, suspend the member from Party office between the time of the Chair's written decision and the written decision of the Examiners' Committee.

With respect to a violation of subsection (b) above:

- (i) in the case of any Party Officer or Leader who refused to resign his/her Party position and is found to have violated that subsection by an affirmative vote of the Examiners' Committee, such individual is not eligible for Party office, where legally enforceable, or Party endorsement for the next election cycle applicable to the member's candidacy or four (4) years, whichever is less, from the date of the vote of the Examiners' Committee; and
- (ii) in the case of an elected official who either voluntarily acknowledged the violation or is found to have violated that subsection by an affirmative vote of the Examiners' Committee, such individual is not eligible for Party endorsement for the next election cycle applicable to the member's candidacy or four (4) years, whichever is less, from the date of the of the acknowledgement or vote of the Examiners' Committee (whichever is earlier).

With respect to a violation of subsection (c) above, any member who has acknowledged such violation, or resigned as a result of such violation, or has been found to have violated that subsection by an affirmative vote of the Examiners' Committee, is not eligible for Party office, where legally enforceable, or Party endorsement for the next election cycle applicable to the member's candidacy or four (4) years, whichever is less,

from the date of the acknowledgement, resignation or vote of the Examiners' Committee (whichever is earlier).

- e. With respect to a meeting of any Club, or other meeting called by Party officials, the following shall apply:
  - (i) Prior to a Party endorsement, all candidates and anyone for or against an issue shall be permitted to speak;
  - (ii) after the Party has endorsed a candidate or issue for a primary election, all endorsed candidates and supporters of an endorsed issue shall be permitted to speak, as well as any non-endorsed candidate or a speaker for a non-endorsed issue, but shall also advise those assembled, if applicable, who/what is the Party's endorsed candidate/issue; and
  - (iii) after the primary, only endorsed candidates and speakers for endorsed issues may speak. These speech rights are subject to the reasonable rules of those conducting the meeting, such rules to be applied uniformly to all speakers.
- f. Candidates who are not Democrats may not speak at a Club meeting; neither may literature be distributed at such meetings supporting a candidate who is not a Democrat.

### ***Section 6. Constitutions and Laws***

Nothing herein shall conflict with the Constitution of the United States of America, the laws of the United States of America, the Constitution of the State of Ohio, the laws of the State of Ohio, and the Ohio and National Democratic Party Constitutions and By-Laws. Any matter which conflicts with any of the aforesaid shall be of no force and effect. All constitutional provisions and laws of the United States and the State of Ohio are hereby incorporated by reference and made a part hereof. Each clause of this Constitution and By-Laws shall be considered separately and the illegality or unenforceability of any clause shall not affect any other clause.

## **ARTICLE II.**

### **CENTRAL COMMITTEE**

#### ***Section 1. Controlling Committee***

The controlling committee of the Cuyahoga County Democratic Party shall be the County Central Committee consisting of such membership as shall be elected according to the laws of the State of Ohio. The County Central Committee shall provide for a County Executive Committee which shall have such powers as are granted it by the County Central Committee, as are provided by law and by this Constitution and By-Laws.

#### ***Section 2. Election Meeting***

The members-elect of the Party's Central Committee shall meet not earlier than six (6) nor later than fifteen (15) days following the declaration (certification) of the results (including any recounts) by the Cuyahoga County Board of Elections of Democratic members of the County Central Committee. The retiring Chair shall designate a suitable place and time in Cuyahoga County, Ohio for such meeting. Notice of such meeting, giving the place and time, shall be sent to each member-elect by the retiring Secretary of the Committee by mail, and a copy of the notice shall be posted in the office of the Board of Elections of Cuyahoga County at least five (5) days prior to any such meeting. If the retiring Secretary does not issue the call within the time provided by law, such meeting shall be called according to the statutes of the State of Ohio. The meeting shall be called to order by the retiring Chair or Secretary or if there is no such officer or if such officer is absent, then as provided for by the laws of the State of Ohio. A temporary Chair and Secretary shall be chosen and the Committee shall proceed to organize by the election of a Chair, Executive Vice-Chair, who must be of the opposite gender of the Chair, as many Vice-Chairpersons as the Committee may desire, a Treasurer, a Secretary, and such other officers as the Committee may desire. One-half of the Vice-Chairpersons shall be women and one-half shall be men.

### ***Section 3. Cooperation***

The Central Committee persons shall consult with and cooperate with the Cuyahoga County Democratic Executive Committee and its Chair on all matters relating to the business of the Cuyahoga County Democratic Party in their respective areas of jurisdiction.

### ***Section 4. Officers***

- a. The Chair, the Executive Vice-Chair, additional Vice-Chairs, the Secretary and the Treasurer of the Central Committee shall hold the same offices in the Executive Committee.
- b. The Chair, the Executive Vice-Chair, additional Vice-Chairs, the Secretary and the Treasurer shall be members ex-officio of all standing committees of the Central Committee.
- c. All officers of the Cuyahoga County Central Committee shall be required to take an oath of office to support the Constitution of the United States of America, the Constitution of the State of Ohio, and the Constitutions, By-laws, and Principles of the National, Ohio, and Cuyahoga County Democratic Parties.
- d. In the event of a vacancy in the office of Chair, the Central Committee shall meet to choose a successor within thirty (30) days of the existence of such vacancy. In the event of a vacancy in the offices of Executive Vice-Chair, additional Vice-Chairs, Treasurer or Secretary, the Chair shall appoint a successor to serve until the next regular or special meeting of the Central Committee.

### ***Section 5. Meetings***

- a. In addition to the biennial meeting prescribed by law of the Central Committee, there shall be other meetings of the Central Committee as may be called by the Chair for a specific purpose.

- b. Special meetings may be called upon receipt by the Chair or the Secretary of a written petition signed by no less than twenty (20) percent of the Central Committee Members and stating specifically the purpose for which the meeting is sought. The Secretary shall mail to all Central Committee persons written notice of the call for the special meeting to be held not earlier than fifteen (15) nor later than thirty (30) calendar days after the giving of the notice. The notice shall be issued promptly after receipt of the written petition containing the required signatures.
- c. A quorum of the Central Committee shall consist of thirty-five (35) percent of the Central Committee Members elected in the manner prescribed by law.

### ***Section 6. Election Procedures***

- a. Central Committee Members shall be credentialed with proper identification and will sign a statement verifying they are entitled to vote. The total number of Committee Members present and eligible to vote shall be announced by the Chair. Qualified Central Committee members entitled to vote shall be within the applicable geographic area with respect to the office for which the vote is being taken. After the announcement by the Chair, the doors will be closed and no one will be admitted to the voting floor until the immediate voting has been completed. Where multiple votes will take place, the Chair may call for a break, in which case after the break, the doors will be again closed, and no one will be admitted to the voting floor. Then a new count totaling the members eligible to vote shall take place and the Chair shall announce the total number of those eligible to vote.

Absentee voting shall be permitted only where a Member cannot attend the meeting for religious reasons, in which case, such individual must complete the necessary paper work required by the Party and have it on file with the Party no less than thirty (30) calendar days in advance of the meeting. An individual need only complete the necessary paper work once, and the Party shall maintain it on file. Where there is any question as to the bona fides of the request, the Party officers shall, in their sole discretion, make such determination.

Meetings shall be open to the public, but only Central Committee Members, and Leaders, shall be permitted on the voting floor.

- b. For all elections under this Constitution and By-Laws, any abstention shall be counted toward the quorum requirement and shall be counted as a vote against a motion.
- c. Appointed Central Committee Members shall be entitled to vote only after sixty (60) days from the date of their appointment.
- d. All Committee Members shall sit by designated City/Ward. City/Ward Leaders (“Leaders”) who are not Central Committee Members are allowed to sit with their City/Ward Committee Members but cannot vote.
- e. Nominations will be taken from the floor. At the close of nominations, each City/Ward will proceed with a Caucus (10 minutes) to vote openly on each candidate or issue. The

Caucus will consist only of Leaders and Central Committee Members of that particular City/Ward. In cases where no Leader is present, the Committee Members will elect a representative among themselves for the purpose of reporting the vote from their City/Ward at this meeting.

- f. At the end of the Caucus, the Chair shall call the name of each City/Ward in alphabetical order and announce the number of Committee Members present and eligible to vote. The Leader or elected representative shall announce the number of votes cast for each candidate. The Chair shall announce the results of the election. Committee Members should not leave the meeting room until each City/Ward has reported its vote and the final election results are announced by the Chair.
- g. Notwithstanding the above, where the Chair has a good faith belief that the vote at issue will be overwhelming for one candidate or issue, the Chair may request a motion from the floor for a stand-up vote, where upon receiving such motion and second, a voice vote shall be held on the motion and if approved overwhelmingly, the Chair may call the question by conducting a stand-up vote. Where the voice vote is not overwhelming, the vote shall be conducted as set forth above; any doubt as to the overwhelming nature of the vote regarding the stand-up vote shall be resolved against a stand-up vote.
- h. This procedure will be followed for each office or position and for every vote of the Executive Committee.

### ***Section 7. Notices***

All notices required by this Constitution and By-Laws may be sent by e-mail, as well as by first class U.S. mail, or by messenger.

## **ARTICLE III EXECUTIVE COMMITTEE**

### ***Section 1. Composition***

- a. The Precinct Committee Members of each Cleveland ward or other political subdivision shall be entitled to elect from among their own number members of the Executive Committee as follows: each such political subdivision shall be allowed one (1) Executive Committee member per number of Democrats registered in such political subdivision as is equal to one four-hundredth (1/400) of the total number of Democrats registered in Cuyahoga County. In such cases where the subdivision does not have the required number of registered Democrats to qualify for one representative, the Chair shall contiguously group such subdivisions in order to reach the requisite number. Residual numbers shall be assigned for each political subdivision in descending numerical order, with one committee representative being assigned to each division in the same descending order until the requisite four hundred (400) representatives have been assigned.
- b. The Precinct Committee Members of the wards or other political subdivision shall elect from among their own numbers, within sixty (60) days after the election of the officers at the biennial Central Committee Convention, the Executive Committee Members to

represent the political subdivision from which they are elected. Should a tie vote result, the Chair shall cast the deciding vote, excepting where the tie occurs in the political subdivision in which a Chair resides. In that event, the Secretary shall cast the deciding vote.

- c. The Chair may appoint to the Executive Committee three hundred fifty (350) members, who may or may not be Precinct Committee Members. These appointments shall be broadly representative of all various elements of the Party. These appointments shall be from the date of appointment until December 31 of the year in which the appointment is made. The Chair shall advise the applicable Leader of all such appointments.
- d. Members of the Executive committee shall be members in good standing upon payment of their dues to the Executive Committee prior to the meeting at which they desire their votes to be counted.
  - (i) Any member three (3) months or more in arrears in payment of Executive Committee dues, after being provided written notice and an opportunity to cure, shall be removed by the Chair from membership on the Executive Committee.
  - (ii) Any member who has missed two (2) consecutive Executive Committee meetings without prior approval shall be removed by the Chair from membership on the Executive Committee.
  - (iii) Any member who fails to vote in two (2) consecutive elections shall be removed by the Chair from membership on the Executive Committee.
- e. All members of the Executive Committee shall act in accordance with the statutes of the State of Ohio and the Rules and Regulations duly adopted by the Executive Committee. For any matters not covered by the foregoing, Robert's Rules of Order shall prevail and take precedence over any other custom, rule, or precedent.
- f. Unexpired terms of Executive Committee Members caused by whatever reason shall be filled in the same manner as the positions were originally filled.
- g. Each elected Executive Committee Member shall be encouraged to meet regularly with the Precinct Committee Members from his or her political subdivisions and shall report directly to them concerning the Executive Committee meetings.
- h. Within seventy-five (75) days after the biennial convention of the Central Committee, the members of the Executive Committee shall meet.

### ***Section 2. Chartered Clubs***

- a. The Party Cabinet shall have the sole authority for issuing official Charters to Democratic Ward or District Clubs and all other Democratic Clubs.
- b. A majority vote of the members of the Party Cabinet, upon finding that a Ward Club has failed to abide by the laws of the United States, the State of Ohio, or the Constitutions of the National Democratic Party, Ohio Democratic Party, or the Democratic Party of



Cuyahoga County, Ohio, may revoke the charter of any Ward, District or other Democratic Club.

- c. Only where a Club has dissolved, or its charter revoked, the Cuyahoga County Party, through its Treasurer shall hold such funds of any chartered Club in trust until the creation of another chartered club for the same geographic or political area . In the event such a new Club is not chartered within a period of one year, the funds of such Club shall revert to and become the property of the Cuyahoga County Democratic Party.
- d. The Executive Committee Members, City/Ward Leaders, Presidents, and officers of the various chartered Democratic Clubs, Cuyahoga County Democratic Executive Committee and the Chair shall consult and cooperate with each other on all matters relating to the business of the Cuyahoga County Democratic Party in their respective areas of jurisdiction.

### ***Section 3. Endorsements***

The Executive Committee as a representative body of the Precinct Committee Members in Cuyahoga County shall have the sole right to make Party endorsements. It may endorse Democratic candidates upon the affirmative vote of sixty (60) percent of the members of the Executive Committee present. Where there are more than two (2) candidates and no candidate receives the endorsement, then there shall be a subsequent vote between those two candidates who received the greatest number of votes (where a tie for the most votes, then only those two candidates shall be included, where a tie for second place, then all candidates who tied for second place shall be included in the subsequent run-off).

For all endorsements under this Constitution and By-Laws, any abstention shall be counted toward the quorum requirement and shall be counted as a vote against endorsement.

There shall be no dual endorsements, provided, however, that where there are multiple vacancies for a given race (for example, four openings for city council), the applicable Executive Committee members can endorse multiple candidates up to the number of vacancies. NOTE: Where a voter can vote for more than one candidate, but only one candidate can be elected (for example, the City of Euclid), then the applicable Executive Committee members may endorse only one candidate.

Due consideration shall be given to the recommendations of the Precinct Committee Members, Leaders, and Clubs. Prior to a vote for endorsement, the Chair shall announce which candidate, if any, is the incumbent.

Where, in a partisan race involving only part of the County, there is only one Democrat in good standing who is a candidate in such race, that individual shall be the endorsed candidate of this Party upon that individual requesting this Party's endorsement in writing to the Chair, with a copy of the request to all affected Leaders, and the Party Cabinet shall promptly review and act upon such request by majority vote.

After a primary and upon certification by the Board of Elections, the Democrat with the highest number of votes shall automatically be the Party's endorsed candidate (and where there

are multiple vacancies, those candidates equal to the number of vacancies shall be the Party's endorsed candidates based upon the number of votes certified).

#### ***Section 4. Officers***

The Chair, the Executive Vice-Chair, additional Vice-Chairs, the Secretary, and the Treasurer of the Central Committee shall hold the same offices in the Executive Committee.

Any Officer may be removed by the affirmative vote of a majority of the Central Committee Members at a meeting called for that purpose.

#### ***Section 5. Chair***

- a. The Chair's duties shall be those of chief executive officer, and shall be subject to the direction of, and responsible to, the County Executive Committee. The Chair may appoint such committees as he or she deems necessary. The Chair may provide for the employment of any office personnel necessary. All employees shall serve at his or her pleasure.
- b. The Chair shall head the delegation at the Biennial Ohio Democratic Party State Convention and in his or her absence shall appoint a substitute leader who shall be the Vice-Chair of the Executive Committee.
- c. The Chair of the Cuyahoga County Democratic Executive Committee shall consult with and cooperate with the various Leaders and Presidents of all Democratic Clubs chartered by the Cuyahoga County Democratic Executive Committee.
- d. The Chair of the Cuyahoga County Democratic Executive Committee or his or her duly selected representative shall have the right to inspect the books and records of all chartered Clubs.
- e. If, at the beginning of the Chair's term, the Central Committee has authorized the position to be a full-time paid position, then the Chair may not, at any time so long as the position is a full-time paid position, be an elected public official (excluding Central Committee member), or run for elected office.

#### ***Section 6. Executive Vice-Chair***

The Executive Vice-Chair shall be of the opposite sex of the Chair, and will, in the absence of the Chair, assume the duties and responsibilities of the Chair, as herein provided. The Executive Vice-Chair will work closely with the Chair and the other Officers to effectuate the goals and purposes of this Party.

#### ***Section 7. Additional Vice-Chairs***

In the absence of the Chair and the Executive Vice-Chair, longest-serving additional Vice-Chair of the opposite gender of the Chair shall assume the duties and responsibilities of the Chair, as herein provided. Additional Vice-Chairs will work closely with the Chair and the other Officers to effectuate the goals and purposes of this Party, and in particular, the goals of diversity and inclusion.

### ***Section 8. Secretary***

The Secretary shall be a member ex-officio of the Executive Committee and of all standing and special committees of it and of the Central Committee. The Secretary shall keep a true and accurate record of the minutes of all meetings of the Central Committee and of the Executive Committee, keep the roll of members and the attendance at meetings of the committees, be responsible for issuing all notices to the Central Committee and Executive Committee, and shall perform generally all of the functions usually incumbent upon secretaries, together with such other duties as may be delegated to the position by the committee and as are prescribed by law. The Secretary will also serve as a Vice-Chair.

### ***Section 9. Treasurer***

- a. The Treasurer shall have custody of the funds of the Party and shall render up-to-date financial reports to each meeting of the County Executive Committee and to each County Convention. The Treasurer and any other Party officer or employee responsible for the handling of Party funds shall be under sufficient bond, the amount to be determined by the Chair. The Treasurer will also serve as a Vice-Chair.
- b. Each calendar year the Treasurer shall make available a full and complete financial report in writing to the Executive Committee.

### ***Section 10. Ex-officio***

The Chair, Executive Vice-Chairs, additional Vice-Chairs, Secretary, and Treasurer shall be members ex-officio of all standing and special committees of the Executive Committee.

### ***Section 11. Oath of Office, Prohibitions***

- a. All officers of the County Executive Committee shall be required to take an oath of office to support the Constitution of the United States of America, the Constitution of the State of Ohio, and the Constitution, By-Laws and principles of the National, Ohio, and the Cuyahoga County Democratic Parties.
- b. No officer shall lobby, as that term is defined by state law, for pay, except in case of the Chair, if that position is a full-time paid position.

### ***Section 12. Party Cabinet***

- a. The Chair, Executive and additional Vice-Chairs, Secretary, Treasurer, ten (10) Leaders (elected by the Leaders), and up to five (5) additional members selected by the Chair shall constitute the voting members of the Party Cabinet. In addition the Democratic Members of Congress whose Districts are in whole or in part within the County, or their designees, all elected Democratic county-wide non-judicial officials, the ranking Democratic member of the Ohio State Senate from Cuyahoga County, the ranking Democratic member of the Ohio House of Representatives from Cuyahoga County, all shall be ex-officio members of the Party Cabinet. The Party Cabinet shall meet at the call of the Chair, but no less than quarterly. The role of the Party Cabinet shall be to advise and provide support to the Chair, and specifically to assist the Chair in working

with incumbents, as well as to develop a diversified and well-qualified talent pool of potential candidates.

In addition, immediately prior to the election of the Chair who will be beginning a new term, those members of the Party Cabinet comprised of the Party Officers (excluding the Chair) and the ten (10) Leaders shall determine what, if any, compensation and/or benefits the new Chair will receive beyond re-imbusement for out-of-pocket expenses, including determining whether such terms and conditions are sufficient to constitute a paid full-time position, with the understanding that the Chair shall be entitled to receive at least those terms and conditions of employment through the term, absent a financial inability of the Party to maintain such terms and conditions.

Additional members, voting or ex-officio, may be selected by the Chair, upon concurrence of a majority of the voting members.

### ***Section 13. Meetings***

- a. Regular meetings of the Cuyahoga County Democratic Executive Committee shall be held twice a year.
- b. Special meetings may be called by the Chair or on the filing with the County Chair or Secretary of a written petition bearing the signatures of no less than twenty (20) percent of the Executive Committee Members. The business of such special meeting shall be limited to the subject matter specified in the call.
- c. The call for each meeting shall be given in writing by the Secretary and mailed or e-mailed *to* Executive Committee Members not less than five (5) days before the date of the meeting. The County Chair or the Secretary shall give notice of each special meeting promptly upon the filing of a petition containing the necessary signatures.
- d. Regular and special meetings of the Executive Committee shall require the presence of thirty-five percent (35%) of the Executive Committee Members of record to transact business. A quorum of the members present at a meeting of the Executive Committee may act legally upon all matters properly before the assembly. The total number of Committee Members present and eligible to vote shall be announced by the Chair. Qualified Executive Committee members entitled to vote shall be within the applicable geographic area with respect to the office for which the vote is being taken. After the announcement by the Chair, the doors will be closed and no one will be admitted to the voting floor until the immediate voting has been completed. Where multiple votes will take place, the Chair may call for a break, in which case after the break, the doors will be again closed, and no one will be admitted to the voting floor. Then a new count totaling the members eligible to vote shall take place and the Chair shall announce the total number of those eligible to vote.

Absentee voting shall be permitted only where a Member cannot attend the meeting for religious reasons, in which case, such individual must complete the necessary paper work required by the Party and have it on file with the Party no less than thirty (30) calendar

days in advance of the meeting. An individual need only complete the necessary paper work once, and the Party shall maintain it on file. Where there is any question as to the bona fides of the request, the Party officers shall, in their sole discretion, make such determination.

Meetings shall be open to the public, but only Executive Committee members, and Leaders, shall be permitted on the voting floor.

- e. The Chair of the meeting may appoint such parliamentarians, sergeants-at-arms, and other assistants as deemed necessary for the proper conduct of the meeting.
- f. Only bona fide members of the Executive Committee in good standing are entitled as a matter of right to vote at the meetings of the Executive Committee. Appointed Executive Committee Members shall be entitled to vote only after sixty (60) days from the date of their appointment, unless such appointment occurs within the first six (6) months of the Chair's term, in which case, there shall be no waiting period after appointment. Executive Committee Members shall be credentialed with proper identification and sign a statement verifying they are entitled to vote.

#### ***Section 14. Audit***

A professional audit of Party financial records by an accredited accounting firm shall be conducted at least once a year, and upon the death, resignation, or replacement of either the Chair or the Treasurer.

#### ***Section 15. Powers of the Executive Committee***

- a. The Executive Committee shall have all the powers and shall exercise all authority for the Democratic Party in Cuyahoga County, as provided by statute for all County Central Committees, and shall have complete management and control of all matters and business of the Central Committee and the Democratic Party in relation to all matters which by law or custom devolve upon the Central Committee or the County Executive Committee provided that the Central Committee shall reserve unto itself the power to fill all vacancies in public offices other than such vacancies as may occur in the membership of the Central Committee and the Executive Committee.
- b. The Chair of the Central and Executive Committees shall be authorized to act for and on behalf of such Committees and shall be empowered to conduct the business of the Democratic Party in Cuyahoga County, to operate, expend monies for, and direct such offices and personnel as may be established or hired for the conduct of the activities of the Party and to administer the affairs of the Party.
- c. All acts and conduct of the said County Executive Committee and the executive officers of the Party are hereby authorized, ratified, and approved.

- d. Said Executive Committee shall have full authority to adopt and enforce such rules and regulations relating to the government and administration of the County Democratic Party as it may deem necessary and appropriate.

#### **ARTICLE IV. AMENDMENTS**

This Constitution and By-Laws may be amended by a majority of the members of the Central Committee of the Cuyahoga County Democratic Party at any meeting called for that purpose . Amendments proposed under this section must be submitted in writing and copies thereof made available to members of the said Committee at a reasonable time prior to the meeting; such availability may include, but is not limited to, posting the proposed amendments on the Party's website.

Proposed amendments to this Constitution and By-Laws may be presented to the Central Committee through either of the following procedures:

- (i) By the Constitution and By-laws Committee; or
- (ii) By a petition signed by seventy-five (75) members of the Central Committee (in which case that group shall also designate a committee of five (5) members who shall be able to approve any changes to the proposals set forth in the petition no less than thirty (30) days prior to the vote by the Central Committee).

The Chair shall be required to call a meeting of the Central Committee to vote on any proposed changes within three (3) months of initial receipt of same.

No floor amendments shall be permitted.

Unless otherwise specifically provided, any amendments shall be effective immediately following the meeting at which they are approved.

#### **ARTICLE V. PREVIOUS CONSTITUTIONS AND BY-LAWS**

This Constitution and By-Laws supersede any and all other previous Constitutions and By-Laws of the Cuyahoga County Democratic Party and shall take effect immediately upon its adoption.

#### **ARTICLE VI. CITY AND WARD LEADERS**

##### *Section 1. Qualifications*

An individual is eligible to be a City or Ward Leader ("Leader") if that individual is a registered Democrat, eligible to vote in Cuyahoga County, and who lives in the applicable geographical jurisdiction.

##### *Section 2. Election of Leaders*

The Chair shall call a meeting, within sixty (60) days of the election of Party Officers, and specify that the purpose of the meeting is to elect the Leader. Those eligible to vote are the precinct committee persons of the applicable jurisdiction. A quorum of a majority of precinct committee persons are required to be present. The meeting shall be conducted by the Chair or the

Chair's designee, who shall not be an elector from the applicable jurisdiction. Only voting precinct committee persons may be present on the voting floors, other than the chair of the meeting. The chair of the meeting shall ask for nominations, which shall require a second. Voting shall be done convention style, i.e., each precinct committee person shall state before the others who he/she is voting for. Where there are more than two candidates and no candidate receives a majority of votes, then there shall be a subsequent vote between those two candidates who received the greatest number of votes (where a tie for the most votes, then only those two candidates shall be included, where a tie for second place, then all candidates who tied for second place shall be included in the subsequent run-off). Successive votes shall be taken until one person has been elected, or where three successive ties have occurred, in which case, the Chair shall break the tie vote. The chair of the meeting shall advise the Party in writing regarding the results of the meeting.

Upon the election of a Leader, the Leader shall have the option of appointing a Deputy Leader, and shall provide the Chair written notice of such appointment.

If, after two meetings called without a sufficient quorum present, the Chair shall have the option to approve a lesser quorum be present for the third called meeting.

Leaders shall serve a term of four (4) years, beginning on the day of the Leader's election and terminating on the day a successor is elected.

### *Section 3. Duties and Responsibilities*

a. Recommendations for public office endorsements and filling vacancies. For purposes of this Section, "Voting Leaders" means those Leaders whose City or Ward is included within, in whole or in part, the geographic boundaries of the voting district of the office for which a Party endorsement is then being considered. To the extent such Leader is not present during an endorsement meeting, any previously designated Deputy Leader from the missing Leader's City or Ward shall be deemed a "Voting Leader" for such meeting. Voting Leaders shall make recommendations to the Executive Committee and to the Central Committee regarding candidates for endorsement and for filling of vacancies for unexpired terms. Such recommendations shall be independent of any outside third party endorsement or recommendation process. Such recommendations shall be cast by ballot at a meeting specifically called for the purpose of making such recommendations. All candidates who have filed, or otherwise made their intentions known in writing to the Party Chair to run shall be invited to speak before the Leaders prior to any recommendation, provided they have completed the appropriate questionnaire. Any candidate may send a designee to speak on the candidate's behalf. After the candidates have spoken, the Leaders shall discuss each race, with only the Voting Leaders and Party Officers present for the discussion and vote. A recommendation shall require the vote of a majority of the Voting Leaders present.

With respect to judicial candidate recommendations, only those judicial candidates who complete the Party's Judicial Standards Questionnaire shall be considered by the Leaders. All judicial candidates who complete the Questionnaire in a timely manner shall be eligible to speak before and receive the recommendation of the Leaders. The Questionnaires shall be available

from Party Headquarters as soon as candidates are eligible to declare their candidacies. The completed Questionnaires shall be provided to all Leaders at least seven (7) calendar days before the Leaders' recommendation meeting. The Chair may, from time to time, convene a sub-group of Leaders to review and make recommended changes to the Judicial Questionnaire.

After the vote for each recommendation has been made and tallied by the Party officers, the results will be read to the Leaders, and the candidates will then be called in and advised as to the Leaders' recommendation, if any.

Where there are more than two candidates and no candidate receives the recommendation, there shall be no subsequent vote.

There shall be no dual recommendations.

b. Recommendations for appointed Executive Committee members. With respect to the filling of appointed positions on the Executive Committee, the Chair shall confer with the Leader of the applicable community. Generally, the Chair shall solicit recommendations from the Leader, who shall promptly comply with the Chair's request. Where the Leader fails to promptly comply, the Chair may appoint, as the Chair determines, without further consultation with the Leader. Where the Leader promptly complies, the Chair shall give due consideration to such recommendations, and if the Chair decides to deviate from the Leader's recommendation, the Chair shall confer with the Leader prior to submitting candidates to the Executive Committee for approval.

c. Recommendations for filling of vacancies for Central Committee members. The Leader of the community in which there is a vacancy for the Central Committee shall make a recommendation to the Party regarding the filling of that vacancy. Such recommendation shall, in the normal course, be made to the Executive Committee for approval. Upon receiving any such recommendation from the Leader, the Party shall make sure that such recommended individual meets the necessary party affiliation and residence requirements such that the individual is qualified to serve. Where a Central Committee vacancy occurs such that the Leader is unable to find a suitable candidate, the Chair may assist the Leader in finding such a candidate. If the Chair finds a candidate, the Chair shall provide that name in writing to the Leader, and that candidate shall be deemed acceptable unless the Leader objects within fourteen (14) days of the date of the Chair's communication to the Leader. Where the Chair and Leader are unable to agree, the Executive Committee can take nominations from the floor of its meeting. The Executive Committee shall fill Central Committee vacancies by a majority vote. Where a meeting is called for the purpose of filling Central Committee positions, the Chair shall also allow nominations from the floor.

d. Additional Duties & Responsibilities. Leaders shall have the following additional responsibilities:

1. Attend the Leader Candidate Endorsement Screening Meetings.
2. Participate in Executive Committee Endorsement Meetings. Organize your Executive Committee Members to ensure high participation rates in the endorsement process for your City / Ward.



3. Encourage consistent periodic meetings for your Local Democratic Club.
4. Be an informational resource and campaign liaison concerning your Ward / City for Endorsed Democratic candidates.
5. Coordinate your even-year local party campaign activities with the staff from the County Party and State Party. Organize your City / Ward Democratic Party campaign effort.
6. In conjunction with the Board of Elections, recruit Election Day Poll Workers where needed.
7. Support the fundraising efforts of the County Party.
8. Review the financial records of the Party.
9. Such additional duties and responsibilities as may be assigned by the Chair.

#### *Section 4. Standing Committees*

At the first Leaders meeting of the applicable year, the City and Ward Leaders shall elect Leaders to serve on the Standing Committees. These individuals shall serve for the year in which they are elected and the subsequent year. Filling of vacancies shall occur at the next Leaders meeting after the vacancy occurs and that elected Leader shall serve for only the unexpired term.

*a. Examiners Committee*— At the their first meeting of the year, Leaders shall elect five (5) Leaders to serve on the Examiners Committee, which shall review Party unity issues, as more fully set forth in Article I, Section 5.c. of this Constitution and By-laws.

*b. Constitution and By-laws Committee*—Every five (5) years, or sooner if directed by the Chair, the Leaders shall elect ten (10) leaders to serve on the Constitution and By-laws Committee for the purposes of reviewing and making recommendations for changes, if any, to the Constitution and By-laws

#### *Section 5. Leader Meetings*

The Chair shall call a Leaders' meeting by providing at least one week advance written (which could be by e-mail) notice, no less than two times a year. The Leaders may call a meeting upon a request to the Chair by at least twenty percent (20%) of the Leaders.

#### *Section 6. Automatic Removal*

A Leader shall be automatically removed from his or her position as Leader, after notice from the Chair and an opportunity to be heard, upon any of the following events: (i) the Leader moves out of the jurisdiction within which the Leader serves; (ii) where there is an endorsed Democrat for a public office in a partisan race, the Leader publicly supports someone other than that endorsed candidate; (iii) where there is no endorsed candidate for a public office or there is an endorsed Democratic candidate in a non-partisan race, the Leader publicly supports an individual who is not a Democrat; (iv) the Leader is no longer a registered Democrat; (v) the Leader runs for public office other than as a Democrat; or (vi) the Leader becomes permanently incapacitated, that is, unable to perform his/her duties for a period of no less than six (6) months.