

# **CONSTITUTION AND BYLAWS OF JACKSONVILLE CLAIMS ASSOCIATION**

## **ARTICLE 1 - NAME**

The name of this organization shall be **Jacksonville Claims Association (JCA or Association)**.

## **ARTICLE 2 - PURPOSES**

The purposes of the JCA are to foster a professional community that upholds high standards in the insurance claims handling industry, promotes ethical practices, and supports the growth and development of its members. The specific objectives are:

- 2.1 Professional Ethics: To promote harmony and good business relations among members, encourage a high standard of ethics in all professional dealings, and facilitate the exchange of information on matters of mutual interest.
- 2.2 Fair and Efficient Claims Administration: To advocate for the administration of claims in a manner that ensures prompt and just settlement of all meritorious claims, reflecting the JCA's commitment to fairness and integrity.
- 2.3 Resistance to Unethical Practices: To collectively identify, expose, and resist any deceptive, unscrupulous, or unethical practices in claims handling or loss adjustment undertaken by any individual or entity.
- 2.4 Community and Goodwill: To cultivate a sense of goodwill, friendship, cooperation, and understanding among members, thereby strengthening the professional community.
- 2.5 Professional Development: To provide and promote educational programs, workshops, and seminars that keep members informed about new developments, trends, and best practices in the insurance claims industry.
- 2.6 Collaboration: To collaborate with others that share similar objectives, facilitating broader problem-solving and knowledge-sharing.
- 2.7 Service Improvement: To continuously work towards assisting and enhancing the services provided by its members, ensuring that they are equipped to represent their companies and clients effectively and professionally.
- 2.8 Diversity, Equity, and Inclusion: To promote diversity, equity, and inclusion within all aspects of the JCA's activities, ensuring that the Association remains open, welcoming, and accessible to all members regardless of their background.

## ARTICLE 3 - MEMBERSHIP

### Section 1. Member Eligibility.

The following individuals and business entities may be eligible for membership of the JCA:

- 3.1.1 Individual Adjuster Membership: This membership category is designated for individuals actively engaged in the professional handling of insurance claims or actively seeking employment in this field. To qualify, applicants must hold a current and valid adjuster's license issued by any state regulatory authority. Members must be employed by insurance carriers and/or self-insured entities, third-party administrators, and independent adjusting companies representing insurance carriers. Their primary roles must encompass the investigation, negotiation, or settlement of insurance claims, or the supervision or management of such activities. Additionally, individuals who are currently unemployed but actively seeking employment within these sectors are also eligible for membership under this category, provided they continue to meet professional development requirements to maintain their license in good standing (Individual Adjuster Member).
- 3.1.2 Corporate Membership: Insurance carriers with a minimum of five paid Individual Adjuster Members can apply for a carrier membership and cover the annual dues for all eligible employees, provided those employees qualify as Individual Adjuster Members at the time of application and maintain their membership throughout the duration of the Corporate's membership (Corporate Member).
- 3.1.3 Individual Vendor Membership: This membership category is open to professionals who do not qualify as an Individual Adjuster Member but predominantly support the claims insurance industry (Individual Vendor Member). Eligible individuals include, but are not limited to, appraisers, private investigators, attorneys specializing in insurance defense, engineers, contractors, salvage companies, and other professionals employed by entities that facilitate these activities. Individual Vendor Members are expected to actively participate in events and meetings, contributing in various capacities as determined by the Executive Committee. The Executive Committee reserves the right to limit the number of Individual Vendor Members to maintain a balanced member base.

**Exclusions:** Public adjusters, attorneys, or any professionals whose primary role involves advocating on behalf of claimants in disputes with insurance entities are not eligible for membership. This exclusion also extends to any individual employed by or associated with entities that are adverse to insurance carriers or self-insured entities as part of their business operations.

### Section 2. Application Process.

- 3.2.1 Application. Individual Adjuster Members and Individual Vendor Members must complete an online application through the official Jacksonville Claims Association

website, providing necessary personal and professional details. Eligible members must affirm they have reviewed and meet the JCA's eligibility requirements and further affirm they understand and agree that membership is subject to all membership requirements set forth in the JCA's Constitution and Bylaws. Carrier Members must submit an application that details the nature of the company's business, the number of employees it intends to claim as members, and identify at least one Individual Adjuster Member as its designated representative of the Carrier Member for communications.

- 3.2.2 Application Review. Eligible members who submit an online application and pay the associated annual dues are subject to review by the Executive Committee of the applicant's eligibility and membership requirements set forth in the JCA's Constitution and Bylaws.
- 3.2.3 Appeals Process. An applicant wishing to appeal a rejection must submit a written request for reconsideration to the Executive Committee within 30 days of receiving the notification of rejection. The Executive Committee will review the appeal, considering any additional information provided by the applicant. The decision of the Executive Committee on the appeal will be final and communicated to the applicant within 60 days of receiving the appeal.
- 3.2.4 Reapplication. Applicants whose appeal has been denied, or who choose not to appeal, may reapply for membership one year after the date of the initial rejection. The reapplication will be subject to the same review and approval process as initial applications.

### **Section 3. Annual Dues.**

- 3.3.1 Dues Payment. Annual dues are required with the application and must be paid in full to cover membership from January 1 to December 31 of each calendar year. Dues are not prorated regardless of the time of year a member joins the Association. Payments can be made by a check addressed to the Jacksonville Claims Association or via an accepted credit card through the official Jacksonville Claims Association website.
- 3.3.2 Determination of Dues: The annual dues for each type of membership shall be determined annually by the Board of Directors.
- 3.3.3 Renewal: Membership is not automatically renewed. Members must renew their membership annually through the official Jacksonville Claims Association website and pay the annual dues as set forth in Section 3.3.1 within this Article.

## **ARTICLE 4 - EXECUTIVE COMMITTEE, OFFICERS, AND BOARD OF DIRECTORS**

### **Section 1: Executive Committee.**

The Executive Committee shall consist of the President, Vice President, Treasurer, and Secretary (Officers), and may include up to two At-Large Members should the need arise. Their duties shall consist of at least, but not be limited to, the following:

- 4.1.1 President. The President oversees the Association's affairs and presides over meetings. The President also appoints committee chairs, with the option to delegate this responsibility to the Executive Committee.
- 4.1.2 Vice President. The Vice President assumes presidential duties in case of the President's absence or incapacity. If the presidency becomes vacant, the Vice President automatically assumes the role for the remaining term.
- 4.1.3 Treasurer. The Treasurer manages the Association's finances, including dues collection and fund disbursement, under the Executive Committee's oversight. The Treasurer should also provide regular financial reports to the Board of Directors and JCA members.
- 4.1.4 Secretary. The Secretary records and maintains minutes, handles correspondence, and keeps an up-to-date roster of members. They are responsible for sending out notices and details of all Executive Committee, Board of Directors, and general membership meetings.
- 4.1.5 At-Large Members. The At-Large Members assist the Officers as necessary. The need for and appointment of At-Large Members will be determined by a majority vote of the Executive Committee.

### **Section 2: Succession and Vacancies.**

- 4.2.1 Annual Succession. At the end of each term, Officers shall advance to the next higher rank in the following order: Secretary, Treasurer, Vice President, and President.
- 4.2.2 Filling Vacancies. In the event of a vacancy caused by incapacity, resignation, death, or other cause, the office shall be filled in the order of ranking (President, Vice President, Treasurer, and Secretary), whereby Officers will automatically advance to the next higher rank. The vacancy created by such advancement shall be filled by a majority vote of the Executive Committee.

### **Section 3: Board of Directors.**

The Board of Directors includes the Executive Committee and the immediate past President, provided they are active. The past President and inclusion of At-Large Members

in the Executive Committee grants them full voting rights and counts towards the quorum. A quorum for the Board of Directors shall be defined as four members.

#### **Section 4: Term of Office.**

- 4.4.1 Term Duration. The term of office for the Executive Committee and Board of Directors shall be one year, beginning on January 1st and ending on December 31st of the same calendar year.
- 4.4.2 Commencement of Term. Newly appointed Officers and Board members shall assume their respective positions at the first meeting of the calendar year or immediately upon the conclusion of the term of their predecessors, whichever occurs first.
- 4.4.3 Succession Planning. In preparation for the annual succession, the Executive Committee shall review and confirm the order of advancement for Officers in the final quarter of each term to ensure a seamless transition.
- 4.4.4 Term Limits. Officers and Board members may serve consecutive terms in the same position if reappointed by a majority vote of the Executive Committee. However, no individual shall serve more than three consecutive terms in the same position. A one-year cooling-off period is required before such an individual is eligible for reappointment to promote diversity and fresh perspectives within the leadership. Additionally, no more than two members from the same firm, employer, or company may serve on the Executive Committee or Board of Directors in the same term.

#### **ARTICLE 5 – COMMITTEES**

The President, or the Executive Committee when delegated, will appoint members to the following standing committees, which are essential for the functioning and growth of the Association.

- 5.1 Scholar and Charities Committee: Responsible for designating scholar(s) and/or charity(ies) to be benefited by the Association annually.
- 5.2 Golf and Events Committee: Organizes golf outings and anchoring events at one or more times per year as determined by the Board of Directors.
- 5.3 Historian and Socialization Committee: Charged with promoting JCA participation and preserving the JCA's history.
- 5.4 Legal Committee: Focuses on gathering and disseminating information on legislation and court decisions impacting the insurance industry.

- 5.5 Membership Committee: Assists in dues collection and maintaining an active member list. Encourages membership growth and regular meeting attendance. Investigates member complaints and submits recommendations.
- 5.6 Program, Education, and Placement Committee: Responsible for developing educational and professional programs, including speaker selection. Collaborates with businesses and educational institutions to provide resources and job opportunities to members.

## **ARTICLE 6 – AMENDMENTS**

### **Section 1. Amendments Procedure.**

Amendments to this Constitution and Bylaws require a two-thirds affirmative vote from Individual Adjuster Members in good standing. An Individual Adjuster Member shall be considered in good standing if they meet the JCA’s eligibility requirements and are otherwise in compliance with all membership requirements set forth in the JCA’s Constitution and Bylaws. Such votes can occur at any regular membership meeting or a specially called meeting. The specifics of the proposed amendment must be clearly stated in the meeting notice.

### **Section 2. Notification of Amendments.**

Notification of meetings where amendments will be considered must be provided to all Individual Adjuster Members at least five calendar days in advance. Notification can be given orally at the regular membership meeting preceding the amendment meeting or through email.

## **ARTICLE 7 – CODE OF ETHICS**

The JCA is committed to maintaining the highest ethical standards in the claims handling profession. This code of ethics outlines the principles and values that guide our professional conduct (Code).

- 7.1 Professional Conduct: To conduct ourselves in our profession so as to inspire public confidence by fair and honorable dealings.
- 7.2 Public Regard for the Profession: To promote by our attitude towards the public, the proper regard for the profession of claims.
- 7.3 Impartiality in Investigations: To approach the investigation of claims without prejudice or bias.
- 7.4 Truthful Reporting: To render complete and truthful reports of facts and conditions bearing on the case.

- 7.5 Integrity in Settlements: To avoid influences leading to improper or extravagant settlements. To represent our company or clients diligently and honestly in the adjustment of claims, ensuring that settlements are fair and justified.
- 7.6 Service Quality: To consistently provide services of the highest quality to claimants and the companies we represent, upholding professional integrity at all times.
- 7.7 Adherence to Florida Administrative Code (FAC) Rule 69B-220.201: It is agreed that the Code of Ethics as set out by the Florida Administrative Code Rule 69B-220.201 is also an integral part of this Code.

## **ARTICLE 8 – DUTY OF ALL MEMBERS AND INVESTIGATION OF COMPLAINTS**

### **Section 1. Reporting Duty.**

Members must report any breaches of the Constitution, Bylaws, Code of Ethics, or any conduct discrediting the Association to the Executive Committee. Such reports are privileged communications, protecting the reporting member from liability.

### **Section 2. Notification and Response.**

Members subject to a complaint shall be promptly notified of the charge's general nature and have the right to respond within a specified timeframe, typically 30 days from the date of notification.

### **Section 3. Investigation Process.**

The Executive Committee is responsible for investigating all complaints. The investigation process shall include the following steps:

- 8.3.1 Initiation of Investigation: Upon receipt of a complaint, the Executive Committee shall appoint a committee, comprising of at least three members of the Executive Committee or other impartial members (Investigation Committee), to conduct a thorough investigation.
- 8.3.2 Gathering of Evidence: The Investigation Committee will collect all relevant information and evidence related to the complaint. This may include written statements from the complainant, the accused member, and any witnesses, as well as relevant documents or electronic communications.
- 8.3.3 Interviews: The Investigation Committee may conduct interviews with all parties involved, including the complainant, the accused member, and witnesses, to gather firsthand accounts of the alleged misconduct.
- 8.3.4 Review and Deliberation: After collecting evidence and conducting interviews, the Investigation Committee will review the findings and deliberate on the matter to

determine whether the complaint is substantiated and if a breach of the Constitution, Bylaws, Code of Ethics, or conduct discrediting the Association has occurred.

8.3.5 Recommendation: The Investigation Committee will prepare a report summarizing the investigation, findings, and recommended disciplinary actions, if any. This report will be submitted to the Executive Committee for review.

8.3.6 Executive Committee Decision: The Executive Committee will review the Investigation Committee's report and make a final decision regarding the complaint. If disciplinary action is deemed necessary, the Executive Committee will determine the appropriate measures in accordance with Section 4 of this Article.

#### **Section 4. Disciplinary Actions.**

Members may face suspension or expulsion for violations of the Constitution, Bylaws, Code of Ethics, or conduct detrimental to the Association's reputation. Disciplinary actions require a majority vote to affirm the Executive Committee's recommendations and a two-thirds vote to overrule the Executive Committee's recommendations.

### **ARTICLE 9 – ROBERT'S RULES OF ORDER**

Robert's Rules of Order, latest edition shall be the authority governing meetings of the organization, provided they do not conflict with the Constitution and Bylaws.

### **ARTICLE 10 – SCHOLAR FUND**

#### **Section 1. Eligibility Requirements.**

The JCA Scholarship Fund shall be awarded annually to one or more qualified applicants who meet the following requirements:

10.1.1 Enrollment. Applicants must be currently enrolled in an accredited college.

10.1.2 GPA Maintenance. Applicants must maintain a GPA deemed appropriate by the Scholar and Charities Committee.

10.1.3 Major Requirement. Applicants must be majoring in business with an emphasis on insurance.

#### **Section 2. Application Review and Approval.**

The Scholar and Charities Committee will review applications and recommend qualified applicants to the Board for approval. The Scholar and Charities Committee and Board's decisions are final.



### **Section 3. Scholarship Amount and Award.**

The scholarship amount per applicant will be determined annually by the Scholar and Charities Committee, subject to approval by the Board of Directors. If no qualified applicants apply in a given year, the Board of Directors may decide not to award a scholarship that year.

## **ARTICLE 11 – DONATIONS**

### **Section 1. Annual Donations.**

The JCA commits to making an annual donation to one or more charities, contingent upon the availability of funds. The amount and recipients of these donations will be determined by the Board of Directors.

### **Section 2. Designation of Charities.**

The Scholar and Charities Committee is tasked with identifying potential charitable organizations to benefit from the Association's donations. Their selections are subject to the final approval of the Board of Directors.

**Adopted on October 3, 1932**

**Amended on August 23, 2005, December 4, 2008, and April 25, 2024**