

C 89869

**RESTATED ARTICLES OF INCORPORATION**  
**OF**  
**IDAHO ASSOCIATION OF CRIMINAL DEFENSE LAWYERS, INC.**

Pursuant to the provisions of the Idaho Nonprofit Corporation Act ("Act"), the undersigned corporation, adopts the following Restated Articles of Incorporation ("Restated Articles"). These Restated Articles correctly set forth without change the corresponding provisions of the Articles of Incorporation as heretofore amended and supersede the original Articles of Incorporation and all amendments to the original Articles of Incorporation.

**ARTICLE I**  
**NAME OF THE CORPORATION**

The name of the Corporation is Idaho Association of Criminal Defense Lawyers, Inc. ("Corporation").

**ARTICLE II**  
**STATUS**

The Corporation is a nonprofit corporation.

**ARTICLE III**  
**PERIOD OF DURATION**

The period of duration of the Corporation is perpetual.

**ARTICLE IV**  
**PURPOSES**

The purposes for which the Corporation is organized and will be operated shall be for any lawful purpose, including, but not limited to the following:

- A. To improve and maintain the quality of justice in the State of Idaho.
- B. To improve and maintain the quality of the delivery of criminal defense legal services, with emphasis on continuing legal education, new technology, and current practices in the profession.
- C. To act as a clearing house and a public information center for matters affecting delivery of effective criminal defense legal services.
- D. To engage in and to assist in negotiations, litigation, and other proceedings involving or affecting the practice of criminal defense law.
- E. To conduct and sponsor research and pilot programs to provide criminal defense legal services.

- F. To maintain close contact and cooperation with the National Association of Criminal Defense Lawyers, the American Bar Association, Criminal Justice Section, and other state and local criminal defense lawyer associations.
- G. To provide criminal defense lawyers with legal representation.
- H. To carry on nonpartisan legislative activity to further the purposes of the Corporation.
- I. To exercise all powers granted by law necessary and proper to carry out the foregoing purposes. Nothing herein contained shall be deemed to authorize or permit the Corporation to carry on any business for profit, to exercise any power, or to do any act that a corporation formed under the Act, or any amendment thereto or substitute therefor, may not at that time lawfully carry on or do.

## **ARTICLE V LIMITATIONS**

No part of the net earnings or the assets of the Corporation shall inure to the benefit of, or be distributable to, its directors, officers, or other private persons except that the Corporation shall be 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. Notwithstanding any other provisions of these Articles, the Corporation shall not carry on any other activities not permitted to be carried on by a corporation exempt from federal income tax under Section 501(c)(6) of the Internal Revenue Code of 1986, as amended from time to time.

## **ARTICLE VI NO MEMBERS**

The corporation shall not have any members.

## **ARTICLE VII REGISTERED OFFICE AND AGENT**

The location of the Corporation is in the City of Boise, County of Ada, and in the State of Idaho. - The address of the registered office is 303 W. Bannock, Boise, Idaho 83702, and the name of the registered agent at this address is David Z. Nevin.

**ARTICLE VIII  
ELECTION OF BOARD OF DIRECTORS**

The affairs of the Corporation shall be managed by its Board of Directors. The number of Directors serving on the Board of Directors shall be fixed in accordance with the Corporation's Bylaws. Other than the Directors constituting the initial Board of Directors, who are designated in these Articles, the Directors shall be elected in the manner and for the term provided in the Bylaws of the Corporation.

**ARTICLE IX  
INCORPORATORS AND INITIAL BOARD OF DIRECTORS**

The names and street addresses of each incorporator and the persons constituting the initial Board of Directors are as follows:

<u>NAME</u>	<u>ADDRESS</u>
Van G. Bishop	624 3rd Street South Nampa, ID 83651
David Z. Nevin	623 West Hays Boise, ID 83702
Paul L. Westberg	733 North 7th Street Boise, ID 83702
Thomas J. McCabe	733 North 7th Street Boise, ID 83702
John Radin	520 D. Street Idaho Falls, ID 83405
William J. Tway	515 West Hays Boise, ID 83702
Michael J. Wood	P.O. Box 126 Twin Falls, ID 83303

**ARTICLE X  
DISTRIBUTION ON DISSOLUTION**

Upon dissolution of the Corporation, the Board of Directors shall, after paying or making provision for the payment of all liabilities of the Corporation, distribute all the assets of the Corporation consistent with the purposes of the Corporation to such organization or organizations as shall at that time qualify as exempt organizations under Section 501(c)(6) of the Internal Revenue Code of 1986, as amended from time to time, in such manner as the Board of Directors shall determine. Any such assets not so distributed shall be distributed by the district court of the county in which the principal office of the Corporation is then located, exclusively for the purposes or to such organizations, as such court shall determine to be consistent with the purposes of the Corporation.

**ARTICLE XI  
BYLAWS**

Provisions for the regulation of the internal affairs of the Corporation shall be set forth in the Bylaws.

**ARTICLE XI  
DATE OF ADOPTION**

The date the foregoing Restated Articles of Incorporation were adopted by the Board of Directors is July 20, 1998.

**ARTICLE XII  
MANNER OF ADOPTION**

Member approval was not require under the Act because the Corporation is organized as a Director only nonprofit Corporation. The Restated Articles of Incorporation were approved by the unanimous consent of the Board of Directors.

**IDAHO ASSOCIATION OF CRIMINAL  
DEFENSE LAWYERS, INC.**

Dated: July 27, 1998


By: 

James E. Siebe, Its President

## VERIFICATION

STATE OF IDAHO )  
 ) ss  
County of Latah )

I, Pennie L. Henderson, a notary public, do hereby certify that on this 27th day of July, 1998, personally appeared before me James E. Siebe, who, being by me first duly sworn, declared that he is, respectively, the President of Idaho Association of Criminal Defense Lawyers, Inc., that he signed the foregoing document as President of the Corporation, and that the statements contained therein are true.

  
 Notary Public for Idaho  
 Residing at 1115 1st Ave Idaho  
 Commission Expires: 6/30/03