

**BYLAWS**  
**OF**  
**THE SHIA ITHNA-ASHERI ISLAMIC JAMMAAT**  
**OF**  
**LOS ANGELES**

**MEMBERS OF THE CONSITUTION TASK FORCE**

- 1. Mohsin Ali, M.D. (Vice President)**
- 2. Br. Mujtaba Datto (Secretary)**
- 3. Br. Sadik Aloo**
- 4. Br. Mohammed Moledina**

PREAMBLE *O ye people! Verily We have created you of a male and a female, and made you in nations and tribes, that ye may recognize each other; Verily the most honored of you with Allah is the one who guarded the most; Verily Allah is All-Knowing, the All-Aware.*  
(49:13)

*And hold fast by the cord of Allah all together, and be not divided among yourself, and remember the bounty of God bestowed upon you when you were enemies. He united your hearts with love, and thus by his favor you have become brethren and while you were on the brink of the pit of hell fire then He delivered you therefrom; thus does Allah clearly explain his sign for you so that you may be guided.* (3:102)

We, Shia Ithna-Asheri Muslims of east Africa sharing a common heritage and bonded by language and customs, and having settled in Southern California do hereby constitute ourselves and our families and kin into a community to pursue our religious beliefs and practices.

While we constitute ourselves our community is synergetic with all brethren Muslim organizations with whom we share the fundamental tenets of Islam.

ARTICLE I *Name*

The name of the corporation shall be SHIA ITHNA-ASHERI ISLAMIC JAMAAT OF LOS ANGELES, and shall hereinafter be referred to as JAMAAT.

ARTICLE II *Place*

The principal address of the Jamaat shall be 7925 Serapis Avenue, Pico Rivera, California 90660. The area of operation shall be within the Greater Los Angeles, State of California, where it deems fit and advantageous to serve its objectives as described in the Bylaws and Articles of Incorporation.

ARTICLE III *Status*

The Jamaat shall be a non-profit, religious, organization registered under the Statutes of the California State.

ARTICLE IV *Objectives*

- (a) To pursue religious, customs, and practices of the Shia Ithna-Asheri faith.
- (b) To provide a place for the offering of prayers and for the performance of other religious observances, and for cultural activities.
- (c) To raise funds through membership subscription and/or otherwise, to accept donations, gifts, legacies, and bequests, for use in promoting the objectives and carrying out the activities of the Jamaat.
- (d) To manage, acquire, own, buy, sell, lease, mortgage, or otherwise deal in and with real property suitable for the above stated objectives.
- (e) To do everything or anything reasonable and lawfully necessary, proper, suitable, or convenient for the achievement of or for the furtherance of the above objectives.

ARTICLE V *Membership*

- (a) (1) Any Muslim follower of the Shia Ithna-Asheri faith and residing in California who has attained full age of eighteen years and over shall be eligible to apply for membership.
- (2) Applicants who are eligible under Article VI (a) (1) and are also of east African origin by birth, descent, or marriage to such a person shall become members upon application to the Secretary and payment of dues, if any.
- (3) All applicants not eligible under Article VI (a) (2) shall apply to the Secretary upon sponsorship by two members and accompanied with a deposit of dues, if any.

The Secretary shall post the applicant's name on the Notice Board for at least one month for written and signed comments to the secretary from the members within one month of the posting on the Notice Board. Thereafter the secretary shall place the application and comments, if any, to the Executive Council at an Executive Council meeting. The applicant shall be elected to membership if at least two thirds of Executive Council so elect.

The applicant shall be notified in writing of membership acceptance or declination within one hundred and twenty (120) days of the receipt of application.

If membership is declined the applicant may appeal to a Mediation Board as specified under Article XIII (c). The Mediation Board shall, upon review of the application and comments, if any, make a recommendation to reconsider the application or allow the declination to stand.

If after reconsideration the Executive Council still rejects the application the applicant may then appeal through one of his/her sponsors to the membership. The sponsor shall then place a resolution at an Annual or General Meeting as per Article VII (e). The majority decision of the membership present at the said meeting shall then be binding.

- (b) The Jamaat may subscribe annual or other dues. Such dues or changes thereto shall be passed at an Annual or General Meeting.
- (c) The annual subscription shall be paid in advance of January 1, of each year. The treasurer shall notify members who are two months in arrears, and those whose subscriptions are not paid within thirty (30) days thereafter shall forfeit their voting rights for that year.
- (d) The privilege of voting and holding office, if eligible, shall belong to all members.
- (e) Members of the Jamaat may be deprived of membership or be suspended for word or deed performed, or sponsored by the said member, which word or deed may be considered by a two-third (2/3) vote of members present at meeting to be detrimental to the objectives and good name of the Jamaat.  
Such a person shall be allowed a defense in person or in writing before a vote is taken.
- (f) A member who has resigned shall be required to pay all arrears of dues, if any, that he was liable to pay on the day of his written resignation.
- (g) A member unable to pay dues, if any, wholly or partially, or promptly, due to hardship may appeal to the treasurer. The treasurer shall take the matter under advisement and apply reasonable exemptions or deferral, and so note the records.
- (h) Members who are sixty-five years or older *may* pay fifty percent (50%) of dues, if any.
- (i) Members who are full-time students *may* pay fifty percent (50%) of dues, if any.

ARTICLE VI *Meetings*

(a) Definitions:

ANNUAL MEETING. This meeting will be held annually as per Article VII (g).

GENERAL MEETING. Meetings other than Annual Meetings shall be General Meetings.

EMERGENCY MEETING. Meetings called under emergency shall be referred to as Emergency Meetings.

These meetings have different notice requirements and who may call them.

(b) *Notice of Meetings.*

(1) Written notices of Annual and General Meetings shall be mailed by first class to the members at least fifteen (15) days prior to the meeting.

(2) Notices of Emergency Meetings shall be given at least three (3) days prior to meeting.

(c) *Who calls the meetings.*

(1) The president or Executive Council shall call the Annual, General or Special Meetings.

(2) Members may call a General Meeting upon written petition of both a majority of the membership and a written request to the secretary. The secretary shall convene this meeting within thirty (30) days of the receipt of this petition, failing which, the petitioners themselves may call such a meeting upon giving notice as under Article VII (b) (1) stating agenda of the meeting.

(3) If the Annual meeting is not held within the time prescribed in these bylaws a majority of the membership may petition the secretary to convene such a meeting. The secretary shall convene this meeting within thirty (30) days of the receipt of this petition, failing which, the petitioners themselves may call such a meeting upon giving notice as under Article VII (b) (1) stating agenda of the meeting.

(d) *Chairperson.*

The president of the Jamaat, or in his absence, the vice president, or in the absence of both, the secretary shall chair all meetings. In the absence of all three, a chairperson shall be elected *ad hoc* by the members present at the meeting.

In the event of elections the chairperson shall be elected as per Article VII (h).

In case of equality of votes, the chairperson shall have a casting vote in addition to a deliberative vote.

(e) *Resolutions.*

- (1) To move any resolution, other than amendments of the Articles of Incorporation or bylaws, notice thereof shall be given in writing to the secretary not less than seven (7) days before the date of the meeting.

In the absence of such notice the resolution may be moved at the sole discretion of the chairperson.

- (2) To amend the Articles of Incorporation or bylaws a resolution thereto shall be given in writing to the secretary at least thirty (30) days prior to the next Annual or General Meeting.

(f) *Quorum.*

At all meetings 25% of the membership shall form a quorum. If within one hour from the time appointed for the meeting, a quorum is not present, the meeting shall be dissolved. Members present shall adjourn it to any further date and time as per Article VII (b), whereby members present at this adjourned meeting shall form a quorum.

(g) *Annual Meeting.*

The Annual Meeting shall be held within three (3) months of the end of fiscal year for the purpose of :

- (1) **Receiving the Executive Council's report and audited accounts.**
- (2) The election of officers, on completion of their terms of office, as prescribed in these bylaws.
- (3) Transacting any other business specified in the agenda of the meeting, or otherwise with the permission of the chair.

(h) *Elections*

- (1) All contested positions in the Jamaat shall be decided by ballot.
- (2) If there are more than two contestants for an office, and if no contestant receives more than fifty percent (50%) of the vote, the two highest vote getters shall contest the office again.
- (3) In the event of a tie vote, the position shall again be contested by ballot.

- (4) The officers of the Jamaat shall be elected one at a time in the order of president, vice president, secretary, treasurer and two councilors.
- (5) There shall be no proxy votes both by members or for office.
- (6) Elections shall be conducted by Election Chairperson elected as prescribed in these bylaws.
- (7) The chairperson shall be a member who is neither holding office nor contesting any.
- (8) The chairperson shall be elected by a majority vote of the membership present at a meeting convened for the purpose of elections.
- (9) A vice chairperson shall be the opposite sex of the chair, elected from the opposite sex by a majority of the membership present at a meeting convened for the purpose of elections. Failing to elect an election vice chairperson, the chairperson then shall nominate a vice chair from the opposite sex.
- (10) The election chairperson shall nominate at least two persons present at such a meeting for the purpose of counting ballots. These persons shall report the results of the ballots to the election chairperson who shall announce the results.
- (11) The election chairperson shall conduct the elections in a fair and impartial manner.
- (12) Upon election of the chairperson, terms of all officers up for election at such a meeting shall be deemed completed.
- (13) Upon election of all offices at a meeting convened for such a purpose, the position of election chairperson and vice chairperson shall cease, and the new officers shall assume office.

#### ARTICLE VII *Officers*

(a) (1) *Officers.*

The officers of the Jamaat shall be a president, vice president, secretary, treasurer and two councilors.

(2) *Term.*

The officers shall be elected by ballot to serve a term of two years. A partial term to fill a vacancy shall not be deemed a full term.

(3) *Term Limit.*

No officer shall serve more than two consecutive full terms in the same office.

(4) *Eligibility.*

Only members qualifying under Article V (a) (2) shall be eligible to hold office.

- (c) The secretary shall be parliamentarian and shall have at all meetings copies of the bylaws and its amendments, if any, as well as the Articles of Incorporation.
- (d) The secretary shall keep a complete record of all Meetings and maintain all files and correspondence, as well as membership books containing the name and address of each member and shall record termination of any membership together with the date on which the membership ceased.
- (e) The treasurer shall be responsible for handling all financial records of the Jamaat and shall present a full financial report at every Annual Meeting and make such reports and accounts as may be required or prescribed, or at General Meetings if so directed by the Executive Council.

ARTICLE VIII *Executive Council*

- (a) The Executive Council shall be the governing body of the Jamaat and shall constitute of president, vice-president, secretary, treasurer, and two councilors.
- (b) A member of the Executive Council shall vacate the office if the said officer ceases to be Shia Ithna-Asheri, if resigns, if certified or otherwise adjudged to be of unsound mind or insane, if convicted of an offense involving moral turpitude or dishonest, if fails, without good and sufficient cause, to attend three consecutive meetings of the Council or if removed from office by a resolution of the Members present at a General or Annual Meeting as prescribed in Article VII.
- (c) All meetings of the Executive Council shall be presided by a chairman as prescribed in Article VI (d).
- (d) Each officer shall have one vote in the Executive Council Meeting, except the chairperson, who shall also have a casting vote.
- (e) In case of a vacancy in the president's office, the vice-president shall assume the presidency for the remainder of the term. Vacancies in all other offices shall be filled



by a presidential appointment with majority consent of the Executive Council for the remainder of the term.

- (f) Officers of the Executive Council shall perform all duties prescribed in the Articles of Incorporation and the bylaws, or as may be prescribed from time to time by the Jamaat.
- (g) The Executive Council shall meet at least once every three months at a place and time to be determined from time to time by the Council. Special meetings of the Council may be called by the president or by written request of at least fifty percent of the members of the council.
- (h) Fifty percent of the Council members shall constitute a quorum. If the quorum is not established in any meeting, it shall be adjourned to a later date when the quorum shall not be required.
- (i) The Executive Council may take action without a meeting if all officers of the Council shall individually or collectively consent in writing to such action. Such written consent shall be filed with minutes of the proceedings of the Council.
- (j) The Executive Council shall have power to appoint such committees as may be necessary and to assign to them such duties and to delegate to them such powers as may be deemed necessary. Each committee will have an officer as an *ex officio* member as determined by the Executive Council. Such committees shall dissolve on the election of a new Executive Council.
- (k) In the event of resignation, voluntary or otherwise, of two-thirds members of the Executive Council, the entire Council shall be considered to have been dissolved except for the purpose of convening a General Meeting within thirty days for the election of a new Executive Council to serve for the unexpired term of the outgoing Council and to carry on the necessary management and any urgent business of the Jamaat.

ARTICLE IX *Assets of the Jamaat.*

- (a) All assets of the Jamaat are vested in the corporation of the Jamaat.
- (b) The assets shall be managed by the Executive Council.

- (c) The Executive Council may appoint a committee, approved by a majority of the membership present at a meeting convened for such a purpose, to manage the assets, or a part thereof.
- (d) Immovable assets of the Jamaat shall not be sold, leased or transacted by any means where the Jamaat loses control, wholly or partially, temporarily or permanently, without written approval of seventy-five percent (75%) of the membership.
- (e) Other assets may be transacted if the total value does not exceed \$3,500.00. Transactions of assets exceeding \$3,500.00 shall require a majority approval of the membership present at a meeting convened for such a purpose.

**ARTICLE X** *Accounts*

- (a) All monies, checks, drafts, and funds due to the Jamaat shall be received and paid to the treasurer of the Jamaat in any bank, or banks approved by the Executive Council. Such banking accounts shall be operated jointly by the president and the treasurer or by such officers as shall from time to time to be determined by the Executive Council. The treasurer shall not keep in cash at any time more than \$250.00, and shall not make payments of any accounts, bills, or vouchers etc., without first getting the same certified and passed by the president and/or the secretary or by such officer as shall from time to time, be determined by the Executive Council.
- (b) The Executive Council shall have power to incur all expenses necessary for the proper management of the Jamaat and for carrying out of the various activities of the Jamaat as and when required. Any expenses exceeding \$3,500.00 shall require prior authority of the Jamaat by the majority of the members present at a meeting approving the expenditures.
- (c) Fiscal year of the Jamaat shall commence on 1st January and terminate on the 31st day of December of each year.
- (d) The treasurer shall keep usual and proper books of accounts and faithfully record therein receipts of income and expenditure of the Jamaat and shall submit the same for inspection by the Executive Council as and when required.
- (e) In the month of January every year the treasurer shall begin drawing up for presentation at an Annual Meeting a balance sheet revenue account in respect of the

year ending December 31st, and shall get the same audited by the Auditor, appointed by the Executive Council in a form acceptable to any governmental agency and the Jamaat. At the time of expiry of term of the treasurer, the accounts shall be prepared up to the last day of the month previous to the date of retirement of the treasurer.

ARTICLE XII *Bylaws*

- (a) These bylaws shall become effected immediately on their adoption by the members present at the meeting convened for this purpose. Amendments of these Bylaws shall become effective immediately on their adoption unless the members in adopting them provide that they are to become effective at a later date.
- (b) Subject to limitations contained in the Articles of Incorporation and to the provisions of the law applicable to the amendment of the Bylaws of non-profit corporation, these bylaws, or any of them, may be altered, amended, repealed, and new Bylaws adopted by the Executive Council on it's own motion and passed by three-fourths majority of members present voted at an Annual or General Meeting or by members of the Jamaat upon written request in the manner set forth in Article VII, Section e.
- (c) The original copy of the bylaws as amended or otherwise altered to date, certified by the secretary of the Jamaat, shall be recorded and kept in a book which shall be held in the custody of the secretary or an officer of the Executive Council, as the Council may determine from time to time.

ARTICLE XIII *Mediation Board.*

- (a) A member aggrieved by the Jamaat and desiring mediation of the conflict may request an Executive Council officer to establish a Mediation Board. The Executive Council shall trigger a three-person Mediation Board. The aggrieved party shall appoint a member and the Executive Council another member from amongst themselves or the membership. These two appointed members shall then appoint a third member to the Mediation Board.
- (b) A member aggrieved by another member and desiring mediation to the conflict may request an Executive Council officer to establish a Mediation Board. The Executive Council shall trigger a three-person Mediation Board. The parties to the conflict shall

each appoint a member and together these two members shall appoint a third member from amongst the membership.

- (c) A sponsoring member of a declined applicant to membership may petition the secretary in writing to trigger a Mediation Board to review the declined application. The Mediation Board then shall comprise the sponsor, an officer and a third member appointed by them.
- (d) The Mediation Board shall report their findings and recommendations to both parties. Should a party not be satisfied with the recommendation of the Mediation Board this party may then appeal to the membership at an Annual or General Meeting using procedures established to move resolutions therein. The majority decision of the membership present at the said meeting shall then be binding.

#### ARTICLE XIV *Miscellaneous*

##### (a) Rules of Order

The rules contained in the current edition of "Robert's Rules of Order" shall be advisory in all cases to which they are applicable and in which they are not inconsistent with these bylaws and special rules of order the Jamaat may adopt and any statutes applicable to this Jamaat.

##### (b) Corporate Seal

The corporate seal of the Jamaat shall be in such a form as the Executive Council shall determine. The said seal may be used by causing it or a facsimile thereof to be impressed, affixed, reproduced or otherwise in the presence of two authorized officers, who shall also put their authorized signatures on any document containing an impression of the seal.

##### (c) Liability

No member, officer or trustee of this Jamaat, personally or otherwise, shall be liable for any debts, liabilities and/or obligations of this Jamaat, to the extent permitted under applicable laws.

- (d) All materials, including records, files, correspondences, software, shall be kept at the principal address except for such items and for such periods as may be reasonable and

practicable that they be in the custody of such persons as authorized by the Executive Council.

ARTICLE XV *Benefits and outcome of dissolution*

- (a) The Jamaat shall not involve itself in political activities within or outside the United States of America.
- (b) This Jamaat is not organized for pecuniary profit of its members, offices, and no part of its income shall inure to the benefit of any officer and any balance of money and assets remaining after full payments of the Jamaat's obligations of all and any kind shall be devoted solely to the promotion of the objectives in Article IV.
- (c) Upon the dissolution or winding up of this Jamaat, its assets remaining after the payment of, or provision for the payment of, all debts and liabilities of this Jamaat, shall be distributed equally to Shia Ithna-Asheri organizations in California which are organized and operated exclusively for religious or charitable purposes with similar objectives to those of the Jamaat and which has established its tax exempt status under section 501 (c) (3) of the Internal Revenue Code.

(d) Dissolution

The Jamaat may, at any time, be dissolved at a special meeting called for such purpose by the consent of 90% of the members of the Jamaat testified by their signature to an instrument of dissolution. In such a case, the net assets of the Jamaat shall be distributed in accordance with Article V, Section c of these Bylaws and as prescribed in the Articles of Incorporation.

**CERTIFICATE OF SECRETARY**

The undersigned secretary of the corporation known as SHIA ITHNA-ASHERI ISLAMIC JAMAAT OF LOS ANGELES, does hereby certify that the above and foregoing bylaws were duly amended by the members of the said corporation, on the fourteenth of May, 1994 and that the same do now constitute the amended bylaws of said corporation.

*Mujtaba Dato*

Mujtaba Dato

Secretary

