

Schilling Family Association (Verband des Hauses Schilling e.V.)

By-Laws

Preamble

The members of the Family Schilling, who are descendants of Heinrich Schilling von Lahnstein (known as Huneswin) consists of three branches:

- The descendents of Friedrich Schilling † 1373 (Western Branch)
- The Freiherrn Schilling von Canstatt (Southern Branch)
- The Barone von Schilling (Eastern Branch)

The members organized themselves into the Schilling Family Association on March 1, 1954.

The original By-laws were effective March 1, 1954. These by-laws were amended May 24, 1962, November 30, 1965, May 17, 1969, June 2, 1984 and January 1, 1995.

It is proposed to reissue these by-laws as follows.

§ 1 Name, Location and Business Year

- 1.1 The association is known as the “Schilling Family Association”, herein after known as “**The Association**”.
- 1.2 The seat of **The Association** is in Lahnstein, Germany. **The Association** is the legal successor to the association of the same name, which was registered for the first time on July 5, 1927 at the court in Dresden. The original association was dissolved as a result of a directive issued by the Soviet Military Administration on October 22, 1946.
- 1.3 **The Association** is not a family association in the context of the “Vereinigung des Deutschen Adels” (Association of German Nobility).
- 1.4 **The Association** is registered in the association registry in Koblenz, Germany.
- 1.5 The business year is the calendar year.

§ 2 Purpose

- 2.1 The purpose of **The Association** is to foster the family traditions:
 - to foster togetherness in light of the common history
 - to care for the common inheritance
 - to develop and nurture the interest of the younger generation in the family

- to organize family reunions at regular intervals
- to support individual members who are in special circumstances of social need
- to maintain and enhance the family archives in order to promote family history and tradition.

§ 3 **Finances**

The work of **The Association** is funded through membership dues and donations.

§ 4. **Type of Organization**

The Association is a not-for-profit organization.

§5 **The Use of Dues and Accumulated Financial Balances**

- 5.1 Money may only be used for the purposes stated in the by-laws. Members are not entitled to any share of the financial balance.
- 5.2 No persons may be reimbursed for expenses that do not serve the stated purposes of **The Association** or for expenses that could result in unreasonable personal gain for the individual.
- 5.3 Detailed records of the disposition of the financial resources of **The Association** shall be maintained. These records shall include records of income and expenditures as well as a record of how the disposition of financial resources serves the stated purposes of **The Association**.

§ 6 **Membership**

- 6.1 Persons who qualify as **Voting Members** are as follows:
- 6.1.1 Persons who are:
- of legal age, and
 - male or female, and
 - born within a marriage or out-of-wedlock, and
 - descendants of the stated three branches of the family, and
 - at most, two generations removed from an ancestor who carried the legal name “Schilling”.
- 6.1.2 A spouse of a person from 6.1.1. A spouse who was a voting member may apply to retain the voting membership following a divorce.
- 6.1.3 A person who has been legally adopted by a person from 6.1.1 and who carries the Schilling name. Spouses, surviving spouses, and descendants of such adopted persons may apply.

6.2 Supporting Members

6.2.1 **Supporting Members** are members who do not have voting rights. Persons who qualify as **Supporting Members** are:

- **Individuals** who meet the provisions of 6.1.1 or 6.1.2 or 6.1.3 who are, however, three or more generations removed from an ancestor who carried the legal name “Schilling, or
- Other individuals who are interested in furthering the purposes of **The Association**.

6.3 Individuals who wish to become voting or supportive members must apply in writing to the Executive. Members who wish to terminate their membership must do so in writing to the Executive. Membership ceases upon death. The Executive may revoke membership of any member whose conduct is unworthy of **The Association**. The Executive shall deem a member unworthy if the member tarnishes the image of **The Association** or the image of a fellow member.

6.4 All members are requested to inform the Executive about changes of address and personal data.

§ 7 Structure

7.1 The structure of **The Association** conforms to Paragraph 31 of the German Law Book (B.G.B.) and consists of the Executive, an Advisory Board and the general meeting of **The Association**.

7.2 It is desirable that all branches of the family are equally represented on the Executive and the Advisory Board.

7.3 Members of the Executive and the Advisory Board perform their duties without honorarium; however, expenses incurred in the performance of duties may be submitted to **The Association**.

7.4 Minutes of all meetings shall be prepared and signed by at least one member of the Executive or the Advisory Board.

§ 8 The Executive

8.1 The Executive consists of the President, the Vice-President, and the Managing Director, who also performs the function of the Treasurer.

8.2 Members of the Executive must be voting members who currently carry the name Schilling, or who carried the name Schilling at birth.

8.3 The Executive represents **The Association** for legal and extra-judicial purposes. At such representation, at least two members of the Executive must be present.

8.4 The duties of the Executive are the general management of **The Association**.

- 8.5 The Executive appoints deputies who should be voting members and who represent **The Association** in countries other than Germany.
- 8.6 The Executive, in conjunction with the Advisory Board, approves all applications for membership and resignation.
- 8.7 The Executive shall seek the advice of the Advisory Board in all significant decisions. For this purpose, the Executive and the Advisory Board shall hold at least one joint meeting annually.
- 8.8 The Executive shall organize a General Meeting of **The Association** every three years at a Family Reunion.
- 8.9 In addition, the Executive shall call a special General Meeting of **The Association**
- if one-tenth of all members make such a request in writing that includes rationale for such a meeting.
 - if documented evidence for the meeting is deemed in the interest of **The Association**.
- 8.10 The announcement of the General Meeting, time and place to be determined by the Executive, with agenda attached, shall be sent to all members at least 6 weeks prior to the date.
- 8.11 Proposed amendments to by-laws must be distributed at the time the announcement of the General Meeting is sent.

§ 9 Advisory Board

- 9.1 The Advisory Board consists of:
- a representative from each of the three branches, who are voting members,
 - a representative of the members 35 years of age or younger, who is a voting member,
 - one additional member from the voting membership at large,
 - the deputies appointed by the Executive, who are voting members.
- 9.2 The **Advisory Board** assists the Executive in the general management of **The Association**.

§ 10 General Meeting

- 10.1 The General Meeting shall take place during a family reunion. It is a gathering of all voting members.

- 10.2 The General Meeting does not require a quorum to make binding decisions for **The Association**. All decisions are made on the basis of a simple majority, except for the decision under 10.3.3, which requires a two-thirds majority.
- 10.3 The following duties of **The Association** occur at the General Meeting of the Family Reunion:
- 10.3.1 The election, for a six year term, from among the voting members, of:
- the President, who also becomes a member of the Executive,
 - the other members of the Executive,
 - the Advisory Board,
 - two Auditors.
- 10.3.2 Acceptance of the annual report of the Executive and the exoneration of the Executive.
- 10.3.3 Presentation of recommended amendments to the by-laws or any recommendation for dissolution of **The Association**.
- 10.3.4 Establishment of the location of the next Family Reunion.
- 10.3.5 Establishment of the level of annual dues.
- 10.3.6 If any member objects to the revocation of membership by the Executive in accordance with 6.3, then such objection shall be presented to the members at the General Meeting for a decision.

11 **Auditors**

The Auditors shall examine the annual financial report and shall report to the membership at the General Meeting about their findings.

12 **Dissolution of The Family Association**

If **The Association** is dissolved, the members shall not receive any share of the assets of **The Association**. The archives and any financial assets shall be passed on to the German Nobility Archives (Deutsche Adelsarchiv) or a comparable institution.