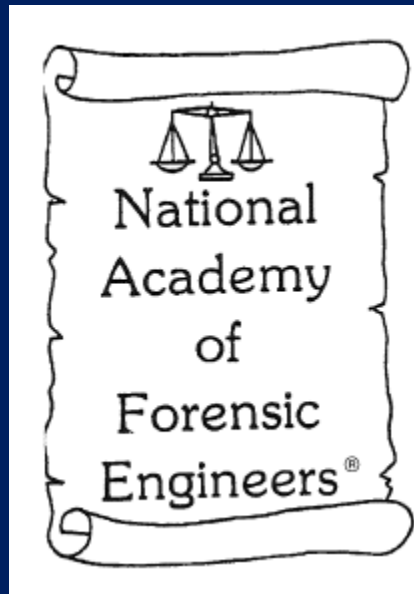


# National Academy of Forensic Engineers



**Board of Directors Meeting**

**July 17, 2015**

**Renaissance Seattle Hotel**

**Seattle, Washington**

**“Raise the Bar”**

# MEETING SCHEDULE

# NAFE 2015 Summer Meeting – July 17–19, 2015 – Renaissance Seattle Hotel

Join Forensic Engineers from around the country to take part in networking and continuing education!

Click [here](#) to register for the Meeting Online!

The room block at the Renaissance Seattle is currently **sold out**. To make alternate hotel arrangements click:  
[http://arestravel.com/7626\\_hotel-list.html?locationID=i4496](http://arestravel.com/7626_hotel-list.html?locationID=i4496)

Guest speaker Allan J. McDonald will address the Sunday Seminar. Allan co-authored the book "Truth, Lies and O-Rings", his account of the space shuttle Challenger disaster and the investigation that followed. He was the Director of the Space Shuttle Solid Rocket Motor Project at the time of the Challenger accident and he led the redesign of the solid rocket motors.

([read more](#))



## Program and Schedule

### Friday July 17

- 9:00 NAFE Board of Directors Meeting - Morning Session (Committee Reports)
- 11:00 Optional: attend NSPE's "Guardrails – Design Changes and Litigation" session
- 12:00 NAFE Board of Directors Meeting – Lunch break
- 1:00 NAFE Board of Directors Meeting - Afternoon Session (Board Business)
- 3:30 ASTM E58 Forensic Engineering Technical Committee meeting
- 6:00 Cocktails (NAFE Hosted Open Bar)
- 7:00 Dinner (download [menus](#))

### Saturday July 18 - NAFE Regular Seminar (8 PDHs)

[Download Saturday Program Details](#)

- 7:30 Round Table Discussion (includes breakfast)
- 8:30 Opening Remarks and Introductions - Jeffrey Armstrong, PE - NAFE President
- 9:00 Morning Session – Five Technical Presentations on Various FE Topics (download [details](#))
- 11:30 Membership Meeting & Report on NAFE Activities - Jeffrey Armstrong, PE
- 12:15 Round Table Discussion (includes lunch)
- 2:00 Afternoon Session – **Two Tracks** of Five Technical Presentations (download [details](#))
  - Track 1 – Civil / Structural
  - Track 2 – Vehicles
- 5:00 Adjourn
- 6:00 Cocktails (NAFE Hosted Open Bar)
- 7:00 Dinner (download [menus](#))

### Sunday July 19 - NAFE Special Seminar (8 PDHs)

[Download Sunday Program Details](#)

- 7:30 Round Table Discussion (includes breakfast)
- 8:30 Opening Remarks and Introductions - Jeffrey Armstrong, PE - NAFE President
- 9:00 Guest speaker: Allan J. McDonald, PE, "Safety and Ethics Lessons Learned from the Space Shuttle Challenger and Columbia Disasters"
- 11:00 Nigel Ellis, PhD, PE - "Fall Protection Safety with Case Histories, Solutions and Opportunities"
- 12:15 Round Table Discussion (includes lunch)
- 1:30 Robert Anderson, PhD, PE - "Analytical Techniques in Forensic Engineering"
- 2:30 Panel Discussion – "Practical Advice Resolving Problems That May Occur In Forensic Engineering Practice"
- 4:00 Q&A - All Speakers – All Topics
- 4:30 Adjourn

## NAFE Summer 2015 meeting Technical Program – July 18, 2015 – Seattle

### GENERAL SESSION: MORNING

9-9:30 am

**Author:** Bill Jones, PE (NAFE 778 Fellow)

**Title:** Forensic Analysis of Wind Power Generator Tower Cracking

**Abstract:** Generators that produce electricity for modern wind farms are mounted atop large steel towers. The hollow cylindrical towers, typically over 250 feet in height, are fabricated from mild steel plates approximately 1 inch thick and 10 to 12 feet in diameter. Cracks measuring over 4 feet long were observed in such a tower. The author was retained to determine the cause of the cracking and to determine if the cause was due to incorrect design (owner designed) or poor fabrication quality (contractor). Laboratory examination of the crack morphology and finite element analyses techniques were used to characterize the root cause of the failure. Cyclic loading on the tower was developed from wind rose data for the site. It was ultimately shown that the cause of the cracking was due to flow-induced vibrations resulting from von Kaman street vortex shedding and not the fore-aft loads of the direct wind forces on the blades.

**Author bio:** Dr. Jones has extensive experience in thermal analysis, dynamic analysis, nonlinear analysis, and the design and fabrication of pressure vessels to ASME code. He has served as White House Fellow in 2002-03. He is a Fellow of NAFE, ASME and IAE. He holds a BS, MS, and a PhD -- all in mechanical engineering -- and has published six books.

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9:30-10 am

**Authors:** Ben Railsback, PE (NAFE 713 Senior Member) and Richard Ziernicki, PE (NAFE 308 Fellow)

**Title:** Forensic Engineering Evaluation and Testing of Horizontal Intrusion Protection Equipment for Stand-Up Forklifts

**Abstract:** In 2004, a report issued by the National Institute of Occupational Health and Safety (NIOSH) evaluated a fatal stand-up forklift accident where a warehouse forklift operator was crushed against a rack beam after the rack beam intruded into the operator's compartment. One of the recommendations of the report was that "Manufacturers of standup reach forklifts should include vertical framing or posts at the rear corners of their machines, from the operator's console to the overhead guard, to protect the operator from horizontal components entering the operator's station." Other published studies have also recognized the risk associated with the hazard of a horizontal rack beam entering the operator's compartment of a stand-up forklift. It has been previously reported that there have been at least 250 incidences of horizontal intrusion as of June 2008. The ANSI B56.1, "Safety Standard for Low Lift and High Lift Trucks," has recognized such guarding as permissible since 1993, and almost all stand-up forklift manufacturers have made such guarding standard equipment. The evaluation is related to the fatal horizontal intrusion incident involving a stand-up lift truck (forklift), operated by a 44-year-old male. This paper evaluates the performance of the horizontal intrusion protection system, or posts, through a series of four low-speed collisions with a rack system. The four tests were conducted at increasing kinetic energy levels to first evaluate whether or not the posts were compliant with ANSI B56.1, and at higher speeds and loading to assure that the operator of the forklift in the subject incident would have been protected by the posts. During this testing, the performance of the horizontal intrusion protection was evaluated based on deflection of the guarding system after a collision, at low speed, with a typical racking system, consistent with the test methodology outlined in ASME/ITSDF/ANSI B56.1. Testing performed shows that the posts are compliant with the ANSI B56.1 testing requirements and that the forklift operator would not have been crushed in the low-speed collision in the subject incident, had the forklift been equipped with the optional horizontal intrusion protection posts.

**Author bio:** Ben Railsback, MS, PE is Director of Mechanical Engineering at Knott Laboratory in Centennial, Colorado. He is a mechanical engineer that practices in the areas of accident reconstruction, product safety, and safety engineering. Mr. Railsback began to pursue a career in mechanical engineering because of his interest in cars and machine design and continues to develop experience in vehicle dynamics, automotive engineering and manufacturing. Mr. Railsback is an avid snowboarding, cycling and running enthusiast and loves the outdoor lifestyle that Colorado can provide.

**Author bio:** Richard Ziernicki, PhD, PE is Chairman and CEO of Knott Laboratory, and he has evaluated several thousand industrial and vehicular accidents. He has presented papers and lectured at technical conferences in the United States, Europe and South America. He is the author of over sixty publications, primarily in the fields of mechanical engineering, and vehicle accident reconstruction. His accident reconstruction expertise has been featured over thirty times on local and national television including

the Discovery Channel, Dateline NBC, Dr. Oz Show, MSNBC, FOX News Channel and National Geographic Channel on accidents such as the Princess Diana accident, on the Air France Flight 447 accident and more. Dr. Ziernicki was a member of several past SAE Standards Committees. He is Past President and current Board Member for the National Academy of Forensic Engineers and also serves on many Committees for the organization. Dr. Ziernicki has testified in court a few hundred cases and has been deposed over 500 times. He has testified on behalf of clients such as US Department of Justice, US Department of Defense, State of Colorado Attorney General's Office, District Attorneys, and Public Defenders.

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**10-10:30 am**

**Author:** Todd Springer, PE (NAFE 422 Correspondent)

**Title:** Forensic Evaluations of Storm Damage Claims and the Appraisal Process

**Abstract:** Severe weather is a regular occurrence in the American Southwest, and includes more than high temperatures and haboobs (dust storms). Severe thunderstorms, often accompanied by high winds and hail, are regularly experienced, and have the potential to cause damage to roofing systems and other exterior building components. Insurance claims for storm damage, both legitimate and unwarranted, have come under increasing scrutiny due to indistinct and altered dates-of-loss, the amending and broadening of damage causes, and the offering of technically unsupportable opinions by less-qualified consultants. Further, these claims often end in appraisal hearings, which are decided by umpires for whom there are no minimum educational or experiential requirements.

**Author bio:** Mr. Springer has practiced forensic engineering for approximately 7 years. He has more than four years of experience investigating building envelopes with respect to storm damage for homeowners, insurance carriers, and attorneys, and has provided sworn testimony in this area. He is recently a new father (4/7/15) and enjoys competing in triathlons, competing in his first Ironman this November.

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**10:30-11 am**

**Author:** Bill Jones, PE (NAFE 778 Fellow)

**Title:** Forensic Engineering Analysis of Toilet Connector Failures in a Class-Action Lawsuit

**Abstract:** A major manufacturer of water supply lines that connect flushable toilets to house water piping was the object of a class-action lawsuit. The author personally examined a large number of failed and exemplar connectors, complete fill lines, and similar injection-molded products and visited failure sites with the goal of ascertaining the root cause of the failures. Forensic work included strength tests and finite element analyses to determine the expected life of the nuts, including single overload failure strength and creep analysis to predict life. Tightening tests using random subjects were conducted. A statistical analysis of the failures was also performed. The products of competing firms were evaluated for comparison of similar designs. The conclusions were that the design of the connector was not defective and met relevant industry standards.

**Author bio:** Dr. Jones has extensive experience in thermal analysis, dynamic analysis, nonlinear analysis, and the design and fabrication of pressure vessels to ASME code. He has served as White House Fellow in 2002-03. He is a Fellow of NAFE, ASME and IAE. He holds a BS, MS, and a PhD -- all in mechanical engineering -- and has published six books.

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**11-11:30 am**

**Author:** Christopher Shiver, PE (NAFE 661 Senior Member)

**Title:** Forensic Engineering Evaluation of Utility Compressor Truck Explosion/Fire

**Abstract:** Compressed air system installed as a package on a utility company truck experienced a pressure boundary rupture in service, resulting in burning lubricant ejection onto an employee. Alleged were numerous design and component defects, and a series of expert group exams of the truck, compressor system, and components occurred over approximately three years. The author was retained by a component supplier. Key issues included design of the compressor system and individual components in the pressure boundary, control system, and cooling system. Based on inspection and analysis, there were several causes for this accident involving individual component and system design deficiencies, installation deficiencies, and operator training inadequacies.

**Author bio:** An ME/EE since 1981, Mr. Shiver worked as a generating plant engineer for a major electrical utility for seven years. He also served as principal of a design, testing, and forensic engineering consulting firm for 22 years. For the last five years, he has been a sole practitioner as a forensic engineer. Shiver has conducted approximately 3,000 engineering incident evaluations and has given sworn expert testimony in nearly 200 appearances. He has also served on eight codes and standards committees.

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## **TRACK 1 – CIVIL / STRUCTURAL ENGINEERING: AFTERNOON**

**2-2:30 pm**

**Author:** William Bracken, PE (NAFE 605 Fellow)

**Title:** Forensic Investigations of Misdiagnosed Masonry Block Wall Cracking

**Abstract:** Given that masonry block walls are subject to shrinkage throughout their service life, cracking is to be expected. However, after masonry block walls have been placed into service originally anticipated cracking is often perceived as a serviceability issue and in other cases misdiagnosed as a structural defect. Such misdiagnoses typically end up resulting in litigation and unnecessary structural remediation. This paper begins by introducing the most common types or configurations of cracking found in masonry block walls followed by a discussion on the process of identifying the type, causes and significance. From here, the paper highlights actual cases of misdiagnoses by outlining the inappropriate methods used and flawed logic employed. This paper concludes with a discussion on the resulting litigation and consequences faced.

**Author bio:** Mr. Bracken is President & Principal Engineer of Bracken Engineering. His career has centered on the practice of structural engineering while specializing on its application in the fields of codes, fire rescue, and standards of care. His practice has encompassed design, analysis, research, publishing, instruction, and forensics. He has published and routinely presents on topics of forensic engineering, structural rehabilitation, and innovative use of current technology. In addition, he works closely with the University of South Florida and serves on both a state and federal level as an Urban Search & Rescue Structural Specialist. Bracken is a recognized Fellow within the Structural Engineering Institute (SEI) and a board-certified diplomate of the National Academy of Forensic Engineers (NAFE). He has also been recognized by local organizations, the State of Florida's Fire Chiefs Association, and FEMA for his efforts.

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**2:30-3 pm**

**Authors:** Damon Kress, Esq. (NAFE 882 Correspondent) and Steven Morris, PE (NAFE 883 Senior Member)

**Title:** Forensic Engineering Interpretation of Hand-Held Resistance Moisture Meter Measurements in Appraising Decay Hazard within Completed Buildings

**Abstract:** Forensic investigators frequently use hand-held resistance moisture meters to evaluate the existence of water leaks in building systems. This paper suggests standards for interpreting resistance meter results in order to predict the existence of leaks in building systems and associated decay hazards in completed construction in New Jersey. The standards are based upon our review and analysis of accepted industry standards and published documentation from prominent organizations and practitioners in the wood and construction industries. The methods proposed can be used to develop similar standards for other regions in the United States.

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**3-3:30 pm**

**Author:** Kevin Ouellette (NAFE 867 Senior Member)

**Title:** Forensic Engineering Analysis of the Standard of Care in Construction Claims

**Abstract:** The analysis of construction claims is rarely a singular issue between two parties. Construction claims inherently possess multiple issues of fact involving multiple parties. The initial analysis involves reviewing the engineering/construction components to identify potential deficiencies. However, in order to determine the responsibility of the parties, the analysis must include the application of engineering principles to assess the standard of care responsibilities of the parties. These responsibilities will differ with each deficiency and their chronology within the project schedule. This article reviews the engineering methodologies used to assess standard of care responsibilities in an actual construction claim.

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3:30-4 pm

**Author:** Kami Farahmandpour, PE (NAFE 854 Fellow)

**Title:** Forensic Investigation of Water Leakage Issues into Buildings, Recreating the Leaks Versus Determining the Cause

**Abstract:** Forensic investigations of building leaks often involve complex investigation techniques and testing. In many cases, forensic investigators perform testing to re-create leaks and determine whether design and/or construction defects resulted in leaks under controlled test conditions. However, many construction-related litigation involves complex lines of contractual responsibility and multiple parties. This presentation provides an overview of typical construction defect case lines of contractual obligations and how they can impact the scope of investigation by a forensic engineer. As a case history, forensic engineering investigation of leaks in a building that was less than five years old will be reviewed.

**Author bio:** Kami Farahmandpour is the Principal of Building Technology Consultants, PC. He has been involved in the evaluation, testing, and repair of construction materials and building envelope performance since 1984. Kami is a Fellow of RCI, and has served on many technical committees and Boards of Directors of various organizations. His involvement with the building envelope industry has earned him many awards, both for his contributions to the industry and for his work on several projects.

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4-4:30 pm

**Authors:** George Merlo, PE (NAFE 142 Senior Member) and Anthony Merlo, PE (NAFE 646 Senior Member)

**Title:** Development of a Computer Model to Predict Curling of Poured Concrete Slabs on Grade

**Abstract:** This paper addresses the causative factors associated with curling of concrete slabs poured on grade. The study was initiated when the owner of a newly constructed warehouse brought legal action against the designer/contractor for excessive concrete slab curling. Subsequent to settling with the owner, the designer/contractor brought legal action against the subcontractors who poured the slab and prepared the subgrade. A computer model was developed to evaluate the effect various parameters have on curling of the concrete slab on grade. The parametric study was utilized to evaluate the most probable causes of the curling, which led to settlement of the case.

**Author bio:** Anthony Merlo, P.E., earned a B.S.C.E. degree from the Colorado School of Mines in May 1990 and an M.S.C.E. majoring in structural engineering from Arizona State University in December 1991. He began his professional career as a structural engineer with Arizona Public Service Company, providing engineering support for the operations, maintenance, and design modifications of the three units at the Palo Verde Nuclear Generating Plant. In 1995, he joined Merlo Consulting Engineers, LLC and presently is a partner in the firm responsible for forensic investigation associated with structural failures due to improper construction, fire and storm related damages, and Code deficient design.

**Author bio:** George Merlo, P.E., earned a B.S.C.E. degree from Lafayette College in 1960 and an M.S.C.E. majoring in structural engineering from Lehigh University in 1961. Throughout his career, Mr. Merlo has been involved in a wide range of civil projects, including industrial, petrochemical, educational, and a variety of numerous facilities. He founded Merlo Consulting Engineers, LLC in 1984, serving as a forensic consultant to attorneys, insurance companies and private clients involving structural damage due to improper construction on expansive soils, construction-related accidents, and structural failures.

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## **TRACK 2 – VEHICLE / TRANSPORTATION ENGINEERING: AFTERNOON**

2-2:30 pm

**Author:** David Porter, P.Eng (NAFE 466 Correspondent)

**Title:** Forensic Engineering Review of the Rotating Sideslip Formula in Vehicle Accident Reconstruction

**Abstract:** This paper reviews the application of two methodologies that are currently used by police forces in the United States and Canada to calculate the speed loss of a vehicle that is simultaneously rotating and translating. Both methods are based upon the assumption that the slowing at the center of mass of the vehicle is proportional to the “sine” of the sideslip angle. The strengths and deficiencies of each method are considered and compared to other popular methods of calculating the speed of the vehicle in these situations. The limitations of and considerations for the application of these methods are also indicated.

**Author bio:** David has focused on collision reconstruction since 2004. His experience encompasses all aspects of collision reconstruction, although he has specialized in nighttime collisions, computer-aided simulation, and animation of vehicle collisions. David has been qualified as an expert in collision reconstruction in both civil and criminal courts in Canada.

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**2:30-3 pm**

**Author:** Jerry Ogden, PE (NAFE 561 Fellow)

**Title:** Forensic Engineering Applications of the GDaTADV™ System of Equations to Real-World Collisions

**Abstract:** The Generalized Deformation and Total Velocity Change Analysis, or G-DaTA Delta-V System of Equations, is a suite of algorithms that determine the total velocity change levels for a vast array of vehicle-to-vehicle collision events. The G-DaTA Delta-V System of Equations will be applied to real-world collisions with passenger vehicles, light trucks, SUVs, and motorcycles to show their utility in determining collision severity levels for a wider array of impacts than current damage analysis methods.

**Author bio:** Jerry S. Ogden, PE is the principal engineer with OEC Forensics in Littleton, Colorado, having a multi-disciplinary focus in vehicular collision analysis, component failures, and highway design issues during his +25 years of forensic practice. Mr. Ogden will present a follow-on paper as part of his Engineering and Applied Sciences PhD dissertation development at the University of Colorado Denver.

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**3-3:30 pm**

**Author:** Michael Kravitz, PE (NAFE 451 Fellow)

**Title:** Forensic Engineering Analysis of Vehicle-Pedestrian Impact Using EDR Data and Visualization Software

**Abstract:** This paper will analyze the pedestrian impact with a 2010 Ford Fusion in a criminal matter. The airbag module of the Ford Fusion was downloaded by the prosecution expert. The speed, steering, longitudinal, and lateral accelerations for a time period of 5 seconds prior to algorithm enable when the side airbags of the Ford Fusion were deployed was recorded. The recorded data was input into Virtual Crash and PC-Crash (accident reconstruction software programs) using Newton's Laws of Motions, and a time-distance-speed path was visualized. The driver of the vehicle lost control of the vehicle and struck a pedestrian before crashing into a chain-link fence and tree. The driver of the vehicle was arrested and charged with vehicular homicide and DWI. The question was...Where was the pedestrian standing when the vehicle struck her? The prosecution expert opined that the pedestrian was struck on the sidewalk where she had come to rest. The author was retained by the defense to determine the pedestrian's position; either in the roadway or on the sidewalk.

**Author bio:** Michael Kravitz, PE is a sole practitioner in forensic engineering consulting with attorneys on personal injury cases involving civil engineering and accident investigation, analysis, and reconstruction. Mr. Kravitz graduated from the City College of New York with a Bachelors of Civil Engineering and New York University Graduate School of Film and Television with a Master of Fine Arts. He began his forensic practice in 1991 after working with various consulting engineering firms where he gained experience in highway and bridge construction and rehabilitation; building column and beam design; surveying; foundation excavation of high-rise office buildings. Mr. Kravitz has also had a movie, television and advertising career producing films, video and media. He has served as the Secretary of the NAFE and is Past President of the NAFE.

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**3:30-4 pm**

**Author:** John Nawn, P.E.

**Title:** Forensic Engineering Use of Traffic Engineering Standards

**Abstract:** In the realm of Forensic Engineering, the practitioner regularly references and the law relies upon the "reasonable and customary standards of the industry." In highway design and traffic engineering, the standards of the industry are the AASHTO "Green Book," the MUTCD and the Highway Capacity Manual. This presentation explores why these three references are the standards of the industry and how they apply to the forensic engineer's work. Additionally, the presentation explores these references as the foundation of the law, particularly with regard to traffic control devices such as signs, stripes, and traffic signals. The presentation finishes by exploring the interrelationship of all three references.



**Author bio:** John A. Nawn, P.E., has 30 years of design, management, and construction experience in highway, traffic and municipal engineering, including 20 years of forensic practice. A licensed professional engineer and certified Professional Traffic Operations Engineer, Mr. Nawn is an NSPE Fellow and Adjunct Professor at Temple University in Philadelphia in Transportation Engineering & Transportation Systems Management courses.

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**4-4:30 pm (Note: this is a backup presentation, and is not vehicle-themed)**

**Author:** Richard Ziernicki, PE (NAFE 308 Fellow) and William H. Pierce, P.E. (NAFE 846 Correspondent)

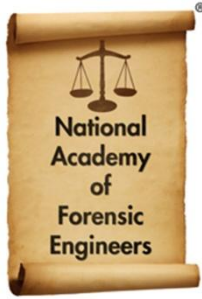
**Title:** Forensic Engineering Investigation of Above-Ground Pool Submersion Accidents

**Abstract:** Approximately 35 children under the age of 5 years old access above-ground pools via a ladder and drown each year in the United States. Consumer Product Safety Commission (CPSC) data also shows that approximately 140 additional children sustain submersion injuries associated with ladder access in such pools each year. CPSC data shows further that in many cases, these events occurred during brief lapses of adult supervision. This presentation focuses on potential product defect issues related to child submersion accidents, including the role of user manuals, alternative designs, warnings, instructions, and child behavior testing.

**Author bio:** Richard Ziernicki, PhD, PE is Chairman and CEO of Knott Laboratory, and he has evaluated several thousand industrial and vehicular accidents. He has presented papers and lectured at technical conferences in the United States, Europe and South America. He is the author of over sixty publications, primarily in the fields of mechanical engineering, and vehicle accident reconstruction. His accident reconstruction expertise has been featured over thirty times on local and national television including the Discovery Channel, Dateline NBC, Dr. Oz Show, MSNBC, FOX News Channel and National Geographic Channel on accidents such as the Princess Diana accident, on the Air France Flight 447 accident and more. Dr. Ziernicki was a member of several past SAE Standards Committees. He is Past President and current Board Member for the National Academy of Forensic Engineers and also serves on many Committees for the organization. Dr. Ziernicki has testified in court a few hundred cases and has been deposed over 500 times. He has testified on behalf of clients such as US Department of Justice, US Department of Defense, State of Colorado Attorney General's Office, District Attorneys, and Public Defenders.

**Author bio:** William H. Pierce, P.E., a senior engineer with Knott Laboratory, has a bachelor's of science degree in mechanical engineering from Purdue University and is a licensed professional engineer. Pierce gained interest in forensic engineering while interning with Rimkus Consulting Group, Inc. over two summers during college. After graduating in 2009, he began working full-time for Rimkus Consulting Group, Inc., where he gained experience developing and testing tribometers and investigating motor vehicle accidents and product failures. In 2012, Pierce began working at Knott Laboratory, LLC where he has investigated a variety of motor vehicle accidents involving pedestrians, motorcycles, cars, and heavy commercial vehicles. He has also investigated numerous product liability claims involving consumer products, heavy commercial vehicles, and material handling equipment.

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## NAFE Sunday Seminar July 19 2015, Seattle WA (8 PDHs)

9:00 Allan J. McDonald, PE - "Safety and Ethics Lessons Learned from the Space Shuttle Challenger and Columbia Disasters"

Allan co-authored the book "Truth, Lies and O-Rings", his account of the space shuttle Challenger disaster and the investigation that followed. He was the Director of the Space Shuttle Solid Rocket Motor Project at the time of the Challenger accident and led the redesign of the solid rocket motors as Vice President of Engineering for Space Operations.

[More about Allan J. McDonald, PE](#)

11:00 Nigel Ellis, Ph.D., PE, 485F - "Fall Protection Safety with Case Histories, Solutions and Opportunities".

Dr. Ellis is the author of "Introduction to Fall Protection", published by ASSE. Fall protection has become standard for access to work stations at height. Fall protection equipment has become preferred over engineering hazards out of the workplace. However, successful training and inspection is difficult to implement at a reasonable cost and harness suspension trauma has been shown to be a danger. So, fall exposure reduction goals have provided an emphasis on Prevention through Design (PtD) which has been promoted by NIOSH to provide engineering solutions and opportunities for engineers to contribute now and in the future.

[More about Dr. Ellis](#)

12:15 Round Table Discussion (includes lunch)

1:30 Robert Anderson, Ph.D., PE, 402F "Analytical Techniques in Forensic Engineering"

The presentation covers the description of more than 20 sophisticated analytical techniques for materials characterization. It includes examples of how these techniques can be used by the forensic engineer.

For example, XPS (X-ray Photoelectron Spectroscopy) measures the kinetic energy of photoelectron ejected from a sample. This technique is used to identify and characterize stains and thin coatings on surfaces. XPS has been used forensically to determine the cause of a corrosion failure of a copper pipe buried in soil.

AES (Auger Electron Spectroscopy) characterizes the subsurface composition of a material using the low energy Auger electron emissions. AES has been used to determine whether an arc bead was formed before a fire, or whether the arc bead was formed as a result of the fire.

[More about Dr. Anderson](#)

2:30 Panel Discussion – “Practical Advice Resolving Problems That May Occur In Forensic Engineering Practice”

A panel of experienced forensic engineers will discuss actual examples of problems and their resolution. Attendees will be encouraged to share some of their own experiences. The emphasis will be on “learning from experience”. The panel will share their ideas toward professional, ethical, and successful practice.

Seminar materials will include copies of Agreement Documents that Marvin Specter has developed and used for many years.

Panelists: Marvin Specter, PE, Paul Stephens, PE, William Bracken, PE, Jerry Ogden, PE, Michael Leshner, PE.

4:00 Q&A - All Speakers – All Topics

4:30 Adjourn

The NAFE Sunday Seminar is brought to you by the NAFE Education Committee

Michael Leshner, PE – Chair

Robin Davies, PE – Co-Chair

**PRESIDENT'S  
WELCOME**

## WELCOME TO SEATTLE!

It is my pleasure to welcome you to our Board Meeting on July 17, to our Regular Seminar on July 18, and to our Special Seminar on July 19. We have a great meeting planned, and many people have worked hard to make it a success. I am confident that you will enjoy the technical presentations, and that you will enjoy your interactions with your fellow Forensic Engineers.

I extend a special welcome to first-time attendees. Your nametag will have a special-colored border which will identify you as a first timer. I am confident that you will be made to feel welcomed. I invite you to feel free to ask questions and to solicit advice from other members.

For the first time we are offering a two-track program on Saturday. This is in direct response to feedback we have received from our members. Please let us know what you think of the new format.

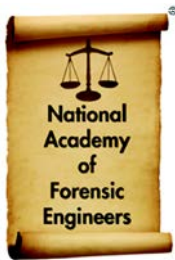
I would like to invite you to attend our Winter Meeting January 22 – 24 in my hometown of Tampa, Florida. This meeting will also include something new. We have made arrangements for a dinner cruise on Tampa Bay as one of our NAFE dinners. Make plans now to join us for a great program, great weather (hopefully), and a fun cruise in Tampa.

I have adopted the theme “**Raise the Bar**” for this Board Meeting, and for the remainder of my presidency. Our Board and our Committees are working hard to **Raise the Bar** of the Academy. If you would like to help, please let me know and I will find a Committee assignment or other task where you can help out.

I hope to have the opportunity to speak with each of you at our meeting. Please feel free to come speak with me, and let me know how I can best serve you as President of the National Academy of Forensic Engineers. I hope you enjoy the meetings!

Jeff Armstrong

# **PRESIDENT'S REPORT**



# National Academy of Forensic Engineers®

Chartered Affinity Group of the National Society of Professional Engineers (NSPE)

Charter Member of the Council of Engineering and Scientific Specialty Boards (CESB)

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Please reply to: [X]

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### [ ] DIRECTOR AT LARGE

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## PRESIDENT'S REPORT

I extend my greeting to you, my fellow members of the National Academy of Forensic Engineers. It is truly an honor for me to serve as your President this year, and I thank you for the confidence you have shown in extending this honor to me. I promise to work toward the enhancement of our Academy and our Forensic Engineering profession throughout my Presidential Year.

I look forward to seeing as many of you as possible at our July Meeting in Seattle. We will be welcoming Mr. Allan J. McDonald as a guest speaker at our Special Seminar. Mr. McDonald is the author of *Truth, Lies, and O-Rings: Inside the Space Shuttle Challenger Disaster*. I have been reading his book, and as a Forensic Engineer I find his insights and experiences related to his involvement in the Shuttle program to be extremely interesting.

Our January 2016 Meeting will be held January 22 – 24 in my home town of Tampa, Florida. We are looking at different options to our traditional on-site dinners, and we are considering either a dinner cruise on Tampa Bay, or dinner at one of our historical local restaurants.

I extend my gratitude to recently-retired Board Members Smith Reed and Michael Kravitz. I enjoyed working with both of these individuals over the years, and both have served as mentors to me in the Academy. They continue to actively serve the Academy through Committee service. I welcome Marty Gordon as Director-at-Large, and Paul Swanson as Secretary as new members of the Board. These are outstanding individuals who will serve you well. We have an outstanding Board of Directors made up of an incredibly talented group of engineers. It is an honor to serve with them.

I am pleased to repeat an announcement that was made at our January 2015 Meeting in Hollywood Beach, Florida. The Board of Directors approved a change in our membership structure which was then presented to the membership for their approval. Under the new structure we have created a new Associate Member grade of membership. While Associate Members do not receive Board Certification through CESB,

### NAFE HONORS:

E. Joyce Dixon, Founder and  
Executive Director (1982-1999)

this new grade does provide a membership category for accomplished members who may not meet all requirements for full membership. The requirements for Associate Member include the following:

- Must possess at least one of the following:
  - Engineer Intern Certification
  - Professional Engineering License
  - Ph.D. in Engineering
- Membership in NSPE
- Membership in a National Engineering Technical Society
- Four (4) years of Engineering Experience
- Two (2) years of Forensic Engineering Experience
- Preparation of at Least Two (2) Forensic Engineering Cases
- No Requirement for Courtroom Testimony

If you are currently a Correspondent and feel that you meet the qualifications to be advanced to Associate Member I encourage you to go to the Membership tab of the NAFE website to submit your application.

I have been pleased with the work of our new Journal Editor Ellen Parsons, and our Technical Review Committee in their implementation of our new peer review guidelines for the NAFE Journal. As a reminder to the membership, our new peer review process uses a single-blind review system where the identity of the reviewers is kept confidential. This allows for a more open and honest review process, and is more consistent with the process used by a majority of engineering technical journals. Our experience thus far has been the improvement of our papers and our Journal. I have had several authors tell me that while the reviews were at times tough, they ultimately resulted in the production and publication of a better paper.

In March I attended the annual meeting of the Council of Engineering and Scientific Specialty Boards (CESB) in Alexandria, Virginia, along with Executive Director Art Schwartz and our Immediate Past President and CESB Representative Ross Curtis. CESB is the organization that provides the accreditation of our Certification as Diplomate Forensic Engineers. This is an important benefit of our membership in the Academy for those who are Members, Senior Members, and Fellows. Our program is reviewed by CESB every five years, and all actions taken by the Board are done with an eye toward preserving this important accreditation. Our program is due for reaccreditation in 2016, and I will be working closely with Ross Curtis on submitting our accreditation package. Additionally, at the meeting Ross Curtis was elected as Treasurer of CESB. Congratulations Ross!



Our Bylaws Committee, at the direction of the Long-Range Planning Committee, has been reviewing changes to the Bylaws that would allow Canadian Engineers with a P.Eng. license to be admitted as full members of the Academy, and which substantially enhances the requirements for admission to the grade of Fellow. These items are addressed in detail in the “Bylaws Committee” section of this document.

One of the most common comments/complaints that I have received from the membership in the five years I have been on the Board relates to the outdated appearance of our published materials, including our stationery, website, and logo. Therefore, I have commissioned a review of these items which has been performed under the leadership of Senior Vice President Bill Bracken, and Executive Director Art Schwartz. They will be presenting the results of this assignment at the Board Meeting on July 17.

I have worked closely this year with our Executive Director, Art Schwartz. Art has been in this role for a year-and-a-half now, and I can assure you that the management of our Academy is in good hands. I hope you will take the opportunity to get to know Art at an upcoming meeting. You’ll score points with him if you strike up a conversation about baseball, but since he is a wordsmith and attorney, he will likely humiliate you if you are foolish to engage him in a game of “Words With Friends.”

We should constantly look for opportunities to improve our Academy, and to enhance its stature in the Engineering community. We must respond to changing demographics within the engineering community as a whole, and specifically within our field of Forensic Engineering. We are seeing a transition to younger forensic engineers, many of whom embark on this path directly out of college. We need to ensure that our Academy is friendly and welcoming to them as well as to the seasoned engineer with decades of experience. In that regard, we must put an end to outdated attitudes that “If it ain’t broke don’t fix it,” and baseless allegations of “change for change’s sake.” Such attitudes are counterproductive to the well-being of the Academy, and lead to closed-minded attitudes that there is nothing within the Academy upon which we can improve.

I am excited about the future of our Academy. As I look at those on the Board who will lead the Academy in the next few years, I see Engineers who selflessly work to continue to enhance the Academy, its members, and our Profession. Let’s **RAISE THE BAR!**

**Jeffrey D. Armstrong, P.E. (NAFE 644F)**  
**President, National Academy of Forensic Engineers**

# **EXECUTIVE DIRECTOR'S REPORT**

## **Report to the National Academy of Forensic Engineers (NAFE)**

**Arthur Schwartz, NAFE Executive Director**

**July 17, 2015 – Seattle, Washington**

It is hard to believe that the 2015 NAFE Summer Meeting is here. A wonderful meeting has been planned for NAFE members in Seattle Washington for July 17-19, 2015 at the Seattle Renaissance Hotel in the heart of downtown Seattle, Washington. The NAFE leadership has done a terrific job assembling a superb and stimulating program on current issues in forensic engineering practice as well as a variety of social events that you will not want to miss. The NAFE Board will be meeting on July 17, followed by two days of regular and special sessions on July 18<sup>th</sup> and 19<sup>th</sup>, including a presentation by former NASA engineer Allan McDonald on “Safety and Ethics Lessons Learned from the Space Shuttle Challenger and Columbia Disasters”. NAFE hosted open bar receptions and optional dinners on Friday and Saturday evenings will provide you with an excellent opportunity to rekindle acquaintances and network with your NAFE colleagues. Those arriving early will be able to interact with their professional engineer peers who will be attending the 2015 National Society of Professional Engineers Annual Meeting also being held at the Seattle Renaissance Hotel.

NAFE headquarters has been abuzz with activity in the recent months. Improvements and enhancements are continuing as we seek better and more efficient ways to serve you. In addition to the planning for the two upcoming national meetings, inquiries for various NAFE membership categories and affiliation continue to come to NAFE headquarters on a daily basis. With the recent NAFE membership category modifications, questions have been coming in from existing and potential members both in the US and abroad. A more targeted membership education and marketing campaign is being planned. Recent heightened interest in the NAFE Journal is clearly apparent now that the NAFE Journal is accessible online and been granted an ISSN number by the United States Library of Congress Office of Copyright. Engineering students, young engineers and mid-level practitioners seem to have a growing interest in forensic engineering practice, and in their efforts to seek guidance in their career paths, have been contacting NAFE seeking mentors from the recently established NAFE Mentorship Program. NAFE headquarters staff responds on a daily basis to inquiries from the media, public officials and members of the public regarding forensic engineering practice issues.

I am pleased to see NAFE members have with increasing frequency been accessing the NAFE website, updating their personal and professional information, using the NAFE membership directory and the NAFE document library. In recent weeks, the NAFE Yahoo Group List Serve has been particularly active on a variety of professional practice and related issues, with NAFE members generously sharing their expertise and experience with their peers.

Planning has already begun for the January 2016 NAFE Winter Meeting to be held on Friday January 22 through Sunday, January 24, 2016 at the Sheraton Tampa River Walk Hotel in Tampa, Florida. Special events are already being planned for this meeting, including a river cruise on Saturday, January 23. You will not want to miss it!

Finally, I want to thank the NAFE President Jeffrey Armstrong, P.E. and the NAFE Board of Directors for their leadership and support in continuing to move NAFE forward in a positive and constructive direction. NAFE members are fortunate to have a strong leadership team to advance the cause of forensic engineering practice.

Please feel free to contact me at any time at 703-684-2845 or [aschwartz@nafe.org](mailto:aschwartz@nafe.org)

# SECRETARY'S REPORT



# National Academy of Forensic Engineers®

Chartered Affinity Group of the National Society of Professional Engineers (NSPE)

Charter Member of the Council of Engineering and Scientific Specialty Boards (CESB)

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Arthur E. Schwartz, Esq., CAE, Executive Director

Please reply to: [X]

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NAFE HONORS:  
E. Joyce Dixon, Founder and  
Executive Director (1982-1999)

July 7, 2015

## SECRETARY REPORT

To: Jeffery D. Armstrong, P.E. (President)  
From: Paul Swanson, P.E., Secretary  
Re: Secretary Report

The Nominating Committee has proposed the following slate of nominees as officers and directors for the 2016 administrative year:

President Elect:	William C. Bracken, PE	[NAFE 605F]
Senior Vice President:	Michael D. Leshner, PE	[NAFE 559F]
Vice President:	Klas C. Haglid, PE	[NAFE 599S]
Treasurer:	Jerry Scott Ogden, PE	[NAFE 561F]
Secretary:	Paul G. Swanson, PE	[NAFE 653S]

As of the writing of this report, no members have petitioned to have his/her name added as a nominee for any of the five Officers listed above. Receiving no further nominations, the uncontested nominees may assume office without balloting.

As of the writing of this report, the Secretary has received petitions for two members to be nominated to the position of Director at Large. Both Martin Gordon and Marvin Spector have received the required number of endorsements for nomination. The Secretary has confirmed that the endorsements are from members in good standing of the Academy. Without any other members petitioning for the Director at Large positions, Martin Gordon and Marvin Spector may assume directorships without balloting.

The Secretary participates in the Bylaws and Articles of Incorporation Committee. The committee has considered a number of significant changes to both the Bylaws and Articles of Incorporation.

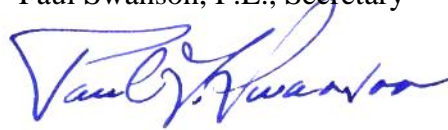
The Bylaws Committee has developed proposes changes to both the Articles of Incorporation and Bylaws. The changes to the Articles of Incorporation, if the committee votes to approve (vote scheduled at the committee meeting on Friday morning, July 17<sup>th</sup>), and if the Board approves and the general membership approves, would allow membership in NAFE for professional engineers pursuant to the registration laws within the United States and Canada (suggested modifications attached).

If the Bylaws Committee at its Friday meeting votes to approve the proposed changes to the Bylaws, and the Board votes to adopt these changes, then the requirements and procedure for election to the 'Fellow' level of membership would change. In summary, the modifications would: 1) prohibit candidates from being admitted directly into NAFE as a Fellow; 2) require candidates to have been

a Senior member for at least 4 years; 3) require the candidate to have served NAFE in various capacities including active committee participation & publishing 2 papers in the NAFE Journal; 4) require the candidate to demonstrate service (found acceptable to the admissions committee) to the forensic engineering profession; 5) eliminate the requirement for the candidate to hold the "*highest grade in a national or international engineering technical society ordinarily available to members*" 6) require consideration of Fellow applications to be considered only in April; and 7) elevate applicants to the Fellow status only at the July NAFE meeting (suggested modifications attached). To implement the suggested changes, a majority vote of the Board is required.

The committee has met by tele-conference and subsequent email discussions. It currently appears that the proposed changes have the support of the majority of the Bylaws committee. Final discussions are anticipated during the biannual meeting on Friday morning, July 17<sup>th</sup> in Seattle, Washington.

Paul Swanson, P.E., Secretary

A handwritten signature in blue ink that reads "Paul Swanson". The signature is stylized and cursive.

CC: Arthur Schwartz, Esq., Executive Director  
Jeffrey D. Armstrong, P.E., President

**Minutes of Board of Directors Meeting January 9, 2014  
Hollywood, Florida**

Present for the BOD meeting were: President Ross Curtis, P.E.; Jeffrey Armstrong, P.E.; John Leffler, P.E., William Bracken, P.E.; Jerry Ogden, P.E.; Michael Kravitz, P.E.; Leslie Wilder, P.E., Richard Ziernicki, Ph.D., P.E.; Smith Reed, P.E.; Mike Leshner, P.E.; Marvin Specter, P.E., L.S.

Other members present on-line; Arthur Schwartz, Esq., Ex. Dir.; Paul Swanson, P.E., Roger Boyell, P.E.; Roger Boyell, P.E., John Cetruse, P.E., Robin Davies, P.E., Klas Haglid, P.E., R.A., Jon Jacobson, Ph.D., P.E., Laura Liptai, Ph. D., Mitchell Maifeld, P.E., John Marcosky, P.E., Sax Saxena, P.E., Bruce Wiers, P.E., Dusty Yaxley, P.E.

President Curtis called the meeting to order at 12:45 PM, welcomed members to the meeting. The Secretary stated that a quorum was present.

1. Motion to approve the agenda of the meeting by Armstrong, 2<sup>nd</sup> by Ogden.  
Motion carried.
2. Motion to approve the minutes of BOD meeting of June 27, 2014 by Ogden, 2<sup>nd</sup> by Armstrong. Motion carried.
3. Motion to accept the reports by Wilder, 2<sup>nd</sup> Ziernicki:
  - a. Executive Director's report by Arthur Schwartz.
  - b. Executive Director Emeritus report by Marvin Specter.
  - c. Secretary's report provided by Michael Kravitz.
  - d. Treasurer's report by Jerry Ogden.
  - e. President's report by Ross Curtis.Reports attached. Motion carried.
4. Motion to accept Committee Reports by Leshner, 2<sup>nd</sup> by Reed.
  - a. CPD by Bruce Wiers.
  - b. Admissions by Armstrong.
  - c. Bylaws by Reed.
  - d. Education by Leshner
  - e. Website by Leshner

**Minutes of Board of Directors Meeting January 9, 2014  
Hollywood, Florida**

- f. Nominating/Elections by Kravitz for Stephens.
- g. Membership/Mentorship by Curtis for Stephens.
- h. Legislative by Curtis.
- i. Publications by Leffler and Specter.
- j. Technical Review by Leffler.

Motion carried.

**Old Business.**

- 1. Motion by Armstrong, 2<sup>nd</sup> by Reed to remove Old Business, Item 1 from the agenda, Status of the Journal Publications. Motion carried.
- 2. Membership realignment which was tabled at the June 27, 2014 meeting regarding International Affiliates and Alternate testimony requirements was discussed. Discussion included; President and CESB representative to inquire whether CESB would consider 15 depositions to equal one court appearance; qualifications of engineers from other countries; and the creation of committee to explore P.Eng members in NAFE. There was not motion presented.

**New Business.**

- 1. Motion by Armstrong, 2<sup>nd</sup> by Ogden to approve funds for Allen McDonald to speak at NAFE special seminar sharing the cost with NSPE. NAFE Board approved \$3,500 which included expenses. Motion carried by hand vote; 5 For; 4 Against, 2 Abstain.
- 2. Motion by Specter, 2<sup>nd</sup> by Ogden to nominate Ross Curtis for Fellow in the NSPE. Motion carried unanimous.
- 3. Motion by Curtis, 2<sup>nd</sup> by Specter to use Robert's Rules of Order for NAFE meetings. Hand vote; 2 For; 7 Against; 2 Abstain. Motion defeated.
- 4. Motion by Leshner, 2<sup>nd</sup> by Bracken to move to the next level of service at MemberClick at a cost of \$400 per month. Motions carried.
- 5. Motion by Leffler, 2<sup>nd</sup> by Wilder to give members a paper certificate. Members who wish a plaque can purchase from NAFE's supplier. Motion carried.



**Minutes of Board of Directors Meeting January 9, 2014  
Hollywood, Florida**

6. Motion by Leffler, 2<sup>nd</sup> by Ziernicki to accept the revisions of the Bylaws, OP's and AP's. Motion carried.
7. Motion by Curtis, 2<sup>nd</sup> by Specter to Join AAES under NSPE for zero dollars membership fee. Motion carried.
8. Motion by Specter, 2<sup>nd</sup> by Bracken to adjourn with appreciation to the Board of Directors and President Curtis for their work for the past year. Motion carried.

-----

Minutes prepared by Secretary Kravitz, January 9, 2015. Reviewed by President Curtis.

# TREASURER'S REPORT

# **NAFE Treasurer Report**

Jerry S. Ogden, PE  
NAFE 561F, Treasurer

**BOD Meeting, Seattle, Washington**

**July 17, 2015**

- 1: Profit & Loss Summary to July 1, 2015**
- 2: Profit & Loss Summary October 1, 2014 to present**
- 3: Balance Sheet as of July 1, 2015**
- 4: Budget Performance as of July 1, 2015**

# **1: Profit & Loss Summary 7/1/2015**

2:17 PM

06/29/15

Cash Basis

**National Academy of Forensic Engineers**  
**Profit & Loss**  
January 1 through July 1, 2015

---

Jan 1 - Jul 1, 15

<b>Ordinary Income/Expense</b>	
<b>Income</b>	
Application Fees	1,375.00
Interest Income (Dividends)	63.76
Membership Dues	12,537.50
<b>Miscellaneous Income</b>	
Late Fees, Income #	25.00
Meals (Bkfst,Blun,Din) Income #	4,125.00
Seminar Income #	34,250.00
<b>Total Miscellaneous Income</b>	<b>38,400.00</b>
Publication Sales	1,155.00
<b>Total Income</b>	<b>53,531.26</b>
<b>Gross Profit</b>	<b>53,531.26</b>
<b>Expense</b>	
<b>Board of Directors</b>	
Mtg Room & Refreshments (BOD)	24,001.81
Travel, BOD Mtgs, to/from (BOD)	4,747.42
<b>Total Board of Directors</b>	<b>28,749.23</b>
<b>Education Chairman, Office Exp</b>	
Postage & Shipping (EdChm)	106.02
Travel Exp (EdChm)	1,762.26
<b>Total Education Chairman, Office Exp</b>	<b>1,868.28</b>
<b>Executive Director</b>	
Contract Fee	54,975.00
Travel (ExecDir)	656.65
<b>Total Executive Director</b>	<b>55,631.65</b>
<b>Headquarters Exp</b>	
<b>Office Exp (H/Q)</b>	
Office Supplies (H/Q)	139.95
Postage & Shipping (H/Q)	177.03
<b>Total Office Exp (H/Q)</b>	<b>316.98</b>
<b>Total Headquarters Exp</b>	<b>316.98</b>
<b>Journals</b>	
Editing (Journals)	10,000.02
Printing & Mailing (Journals)	31,848.29

2:17 PM

06/29/15

Cash Basis

**National Academy of Forensic Engineers**  
**Profit & Loss**  
January 1 through July 1, 2015

---

	Jan 1 - Jul 1, 15
<b>Total Journals</b>	41,848.31
<b>Newsletters</b>	
Editing (Newsltrs)	3,000.00
<b>Total Newsletters</b>	3,000.00
<b>Other Expenses</b>	
Advertising	3,776.00
Bank Charge	3,775.56
Insurance	2,085.04
Miscellaneous Exp	1,650.00
Plaques, Awards & Gifts	200.46
Print & Publication Exp (Other)	4.10
Prof Services, Accout & Legal	1,375.00
<b>Total Other Expenses</b>	12,866.16
<b>Seminar Exp #</b>	
Meals	
Meals, Din, Exp #	1,000.00
<b>Total Meals</b>	1,000.00
Stipend, Registration Asst	500.00
<b>Total Seminar Exp #</b>	1,500.00
<b>Treasurer, Office Exp</b>	
Office Supplies (Treas)	137.56
Postage & Shipping (Treas)	67.62
<b>Total Treasurer, Office Exp</b>	205.18
<b>Total Expense</b>	145,985.79
<b>Net Ordinary Income</b>	-92,454.53
<b>Other Income/Expense</b>	
Other Expense	
Ask My Accountant	350.63
<b>Total Other Expense</b>	350.63
<b>Net Other Income</b>	-350.63
<b>Net Income</b>	<u>-92,805.16</u>

## **2: Profit & Loss Performance**

**10/1/2014 to 7/1/2015**

**(includes dues payments for 2015 as  
income for 2015 FY)**

2:23 PM  
06/29/15  
Cash Basis

**National Academy of Forensic Engineers**  
**Profit & Loss**  
October 1, 2014 through July 1, 2015

Oct 1, '14 - Jul 1, 15

<b>Ordinary Income/Expense</b>	
<b>Income</b>	
Application Fees	2,175.00
Interest Income (Dividends)	109.94
Membership Dues	92,887.50
Miscellaneous Income	
Late Fees, Income #	50.00
Meals (Bkfst,Blun,Din) Income #	10,125.00
Seminar Income #	92,325.00
<b>Total Miscellaneous Income</b>	<b>102,500.00</b>
Publication Sales	2,036.25
<b>Total Income</b>	<b>199,708.69</b>
<b>Gross Profit</b>	<b>199,708.69</b>
<b>Expense</b>	
<b>Board of Directors</b>	
Mtg Room & Refreshments (BOD)	24,001.81
Travel, BOD Mtgs, to/from (BOD)	5,458.32
<b>Total Board of Directors</b>	<b>29,460.13</b>
<b>Education Chairman, Office Exp</b>	
Postage & Shipping (EdChm)	106.02
Travel Exp (EdChm)	1,762.26
<b>Total Education Chairman, Office Exp</b>	<b>1,868.28</b>
<b>Executive Director</b>	
Contract Fee	54,975.00
Travel (ExecDir)	656.65
<b>Total Executive Director</b>	<b>55,631.65</b>
<b>Headquarters Exp</b>	
<b>Office Exp (H/Q)</b>	
Office Supplies (H/Q)	139.95
Postage & Shipping (H/Q)	382.17
<b>Total Office Exp (H/Q)</b>	<b>522.12</b>
<b>Total Headquarters Exp</b>	<b>522.12</b>
<b>Journals</b>	
Editing (Journals)	15,000.03
Printing & Mailing (Journals)	41,963.22



2:23 PM

06/29/15

Cash Basis

**National Academy of Forensic Engineers**  
**Profit & Loss**  
October 1, 2014 through July 1, 2015

---

	Oct 1, '14 - Jul 1, 15
<b>Total Journals</b>	56,963.25
<b>Newsletters</b>	
Editing (Newsltrs)	3,000.00
<b>Total Newsletters</b>	3,000.00
<b>Other Expenses</b>	
Advertising	5,564.00
Bank Charge	5,995.83
CESB, Annual Dues	5,300.00
Insurance	2,085.04
Miscellaneous Exp	2,470.00
Plaques, Awards & Gifts	509.69
Print & Publication Exp (Other)	4.10
Prof Services, Accout & Legal	1,525.00
<b>Total Other Expenses</b>	23,453.66
<b>Seminar Exp #</b>	
<b>Meals</b>	
Meals, Din, Exp #	1,000.00
Meals - Other	8,758.97
<b>Total Meals</b>	9,758.97
Meeting Room, AV Equip	2,115.00
Stipend, Registration Asst	500.00
Seminar Exp # - Other	552.48
<b>Total Seminar Exp #</b>	12,926.45
<b>Treasurer, Office Exp</b>	
Office Supplies (Treas)	231.02
Postage & Shipping (Treas)	67.62
<b>Total Treasurer, Office Exp</b>	298.64
<b>Total Expense</b>	184,124.18
<b>Net Ordinary Income</b>	15,584.51
<b>Other Income/Expense</b>	
<b>Other Expense</b>	
Ask My Accountant	350.63
<b>Total Other Expense</b>	350.63
<b>Net Other Income</b>	-350.63

2:23 PM

06/29/15

Cash Basis

**National Academy of Forensic Engineers**

**Profit & Loss**

October 1, 2014 through July 1, 2015

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Oct 1, '14 - Jul 1, 15

Net Income

15,233.88

### **3: Balance Sheet as of July 1, 2015**

1:52 PM  
06/29/15  
Cash Basis

**National Academy of Forensic Engineers**  
**Balance Sheet**  
As of July 1, 2015

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	Jul 1, 15	Jul 1, 14
<b>ASSETS</b>		
<b>Current Assets</b>		
<b>Checking/Savings</b>		
1st Bank Checking	27,543.11	68,739.98
1st Bank Liquid Asset	122,212.73	122,056.63
<b>Total Checking/Savings</b>	149,755.84	190,796.61
<b>Accounts Receivable</b>		
Accounts Receivable	-1,900.00	-1,900.00
<b>Total Accounts Receivable</b>	-1,900.00	-1,900.00
<b>Other Current Assets</b>		
Undeposited Funds	1,150.00	0.00
<b>Total Other Current Assets</b>	1,150.00	0.00
<b>Total Current Assets</b>	149,005.84	188,896.61
<b>Fixed Assets</b>		
Property & Equipment, Computers	682.00	682.00
<b>Total Fixed Assets</b>	682.00	682.00
<b>TOTAL ASSETS</b>	<b>149,687.84</b>	<b>189,578.61</b>
<b>LIABILITIES &amp; EQUITY</b>		
<b>Equity</b>		
Unrestricted Net Assets	242,493.00	188,326.99
Net Income	-92,805.16	1,251.62
<b>Total Equity</b>	149,687.84	189,578.61
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>149,687.84</b>	<b>189,578.61</b>

## **4: Budget Performance as of July 1, 2015**

2:25 PM  
 06/29/15  
 Cash Basis

## National Academy of Forensic Engineers Profit & Loss Budget Performance January 1 through July 1, 2015

	Jan 1 - Jul 1, 15	Budget	Jan 1 - Jul 1, 15	YTD Budget
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
Application Fees	1,375.00	1,809.68	1,375.00	1,809.68
Donations, EJD Honors	0.00	0.00	0.00	0.00
Initiation & Upgrade Fees	0.00	1,206.45	0.00	1,206.45
Interest Income (Dividends)	63.76	75.72	63.76	75.72
Membership Dues	12,537.50	17,500.00	12,537.50	17,500.00
<b>Miscellaneous Income</b>				
Late Fees, Income #	25.00	0.00	25.00	0.00
Meals (Bkfst,Blun,Din) Income #	4,125.00	0.00	4,125.00	0.00
Misc Income	0.00	0.00	0.00	0.00
Seminar Income #	34,250.00	130,000.00	34,250.00	130,000.00
Miscellaneous Income - Other	0.00	0.00	0.00	0.00
<b>Total Miscellaneous Income</b>	<b>38,400.00</b>	<b>130,000.00</b>	<b>38,400.00</b>	<b>130,000.00</b>
Publication Sales	1,155.00	1,508.06	1,155.00	1,508.06
Uncategorized Income	0.00	95.00	0.00	95.00
<b>Total Income</b>	<b>53,531.26</b>	<b>152,194.91</b>	<b>53,531.26</b>	<b>152,194.91</b>
<b>Cost of Goods Sold</b>				
Cost of Goods Sold	0.00	0.00	0.00	0.00
<b>Total COGS</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Gross Profit</b>	<b>53,531.26</b>	<b>152,194.91</b>	<b>53,531.26</b>	<b>152,194.91</b>
<b>Expense</b>				
<b>Board of Directors</b>				
Mtg Room & Refreshments (BOD)	24,001.81	516.13	24,001.81	516.13
Printing, BOD Hdbk, incl Ship	0.00	1,000.00	0.00	1,000.00
Travel, BOD Mtgs, to/from (BOD)	4,747.42	6,000.00	4,747.42	6,000.00
Board of Directors - Other	0.00	0.00	0.00	0.00
<b>Total Board of Directors</b>	<b>28,749.23</b>	<b>7,516.13</b>	<b>28,749.23</b>	<b>7,516.13</b>
CPD Chairman, Office Exp	0.00	0.00	0.00	0.00
<b>Directory</b>				
Confirmation Ltr, Print & Mail	0.00	0.00	0.00	0.00
Duplication (CD), Print & Mail	0.00	0.00	0.00	0.00
Directory - Other	0.00	0.00	0.00	0.00
<b>Total Directory</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Education Chairman, Office Exp</b>				
Copy & Printing (EdChm)	0.00	0.00	0.00	0.00
Honorarium (Education Seminars)	0.00	0.00	0.00	0.00
Office & Phone Exp (EdChm)	0.00	0.00	0.00	0.00
Office Supplies (EdChm)	0.00	1,085.54	0.00	1,085.54

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Cash Basis

**National Academy of Forensic Engineers**  
**Profit & Loss Budget Performance**  
 January 1 through July 1, 2015

	Jan 1 - Jul 1, 15	Budget	Jan 1 - Jul 1, 15	YTD Budget
Postage & Shipping (EdChm)	106.02	853.69	106.02	853.69
Travel Exp (EdChm)	1,762.26	3,282.65	1,762.26	3,282.65
Education Chairman, Office Exp - Other	0.00	0.00	0.00	0.00
<b>Total Education Chairman, Office Exp</b>	<b>1,868.28</b>	<b>5,221.88</b>	<b>1,868.28</b>	<b>5,221.88</b>
<b>Executive Director</b>				
Contract Fee	54,975.00	36,650.00	54,975.00	36,650.00
Lodging & Meals (ExecDir)	0.00	2,580.65	0.00	2,580.65
Stipend (ExecDir)	0.00	0.00	0.00	0.00
Travel (ExecDir)	656.65	2,064.52	656.65	2,064.52
Executive Director - Other	0.00	0.00	0.00	0.00
<b>Total Executive Director</b>	<b>55,631.65</b>	<b>41,295.17</b>	<b>55,631.65</b>	<b>41,295.17</b>
<b>Headquarters Exp</b>				
Office Exp (H/Q)				
Computer & Internet (H/Q)	0.00	0.00	0.00	0.00
Office Supplies (H/Q)	139.95	0.00	139.95	0.00
Postage & Shipping (H/Q)	177.03	127.88	177.03	127.88
Telephone (H/Q)	0.00	0.00	0.00	0.00
Office Exp (H/Q) - Other	0.00	0.00	0.00	0.00
<b>Total Office Exp (H/Q)</b>	<b>316.98</b>	<b>127.88</b>	<b>316.98</b>	<b>127.88</b>
Office Rent & Storage (H/Q)	0.00	0.00	0.00	0.00
Headquarters Exp - Other	0.00	0.00	0.00	0.00
<b>Total Headquarters Exp</b>	<b>316.98</b>	<b>127.88</b>	<b>316.98</b>	<b>127.88</b>
<b>Journals</b>				
Editing (Journals)	10,000.02	0.00	10,000.02	0.00
Printing & Mailing (Journals)	31,848.29	11,500.00	31,848.29	11,500.00
Journals - Other	0.00	10,053.78	0.00	10,053.78
<b>Total Journals</b>	<b>41,848.31</b>	<b>21,553.78</b>	<b>41,848.31</b>	<b>21,553.78</b>
<b>Newsletters</b>				
Editing (Newsltrs)	3,000.00	3,000.00	3,000.00	3,000.00
Printing & Mailing (Newsltrs)	0.00	0.00	0.00	0.00
Newsletters - Other	0.00	0.00	0.00	0.00
<b>Total Newsletters</b>	<b>3,000.00</b>	<b>3,000.00</b>	<b>3,000.00</b>	<b>3,000.00</b>
<b>Other Expenses</b>				
Advertising	3,776.00	0.00	3,776.00	0.00
Bank Charge	3,775.56	1,505.27	3,775.56	1,505.27
CESB, Annual Dues	0.00	0.00	0.00	0.00
Computer Consulting Services	0.00	0.00	0.00	0.00
Computer Software, Maint	0.00	0.00	0.00	0.00

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Cash Basis

**National Academy of Forensic Engineers**  
**Profit & Loss Budget Performance**  
 January 1 through July 1, 2015

	Jan 1 - Jul 1, 15	Budget	Jan 1 - Jul 1, 15	YTD Budget
Depreciation Exp	0.00	0.00	0.00	0.00
Equipment Purchases	0.00	0.00	0.00	0.00
Insurance	2,085.04	1,565.00	2,085.04	1,565.00
Late Fee Exp Reimb (Treas) #	0.00	0.00	0.00	0.00
Miscellaneous Exp	1,650.00	1,078.55	1,650.00	1,078.55
NAFE.org Web Site	0.00	0.00	0.00	0.00
Plaques, Awards & Gifts	200.46	1,308.00	200.46	1,308.00
Print & Publication Exp (Other)	4.10	0.00	4.10	0.00
Prof Services, Accout & Legal	1,375.00	1,489.84	1,375.00	1,489.84
Other Expenses - Other	0.00	0.00	0.00	0.00
<b>Total Other Expenses</b>	<b>12,866.16</b>	<b>6,946.66</b>	<b>12,866.16</b>	<b>6,946.66</b>
President Elect, Office Exp	0.00	0.00	0.00	0.00
President, Office Exp	0.00	0.00	0.00	0.00
Public Relations				
Copy & Printing (PR & Sem Asst)	0.00	100.00	0.00	100.00
Office Supplies (PR)	0.00	0.00	0.00	0.00
Postage & Shipping (PR)	0.00	0.00	0.00	0.00
Stipend (PR)	0.00	0.00	0.00	0.00
Travel Exp (PR - Sem Asst)	0.00	0.00	0.00	0.00
Public Relations - Other	0.00	0.00	0.00	0.00
<b>Total Public Relations</b>	<b>0.00</b>	<b>100.00</b>	<b>0.00</b>	<b>100.00</b>
Secretary, Office Exp	0.00	0.00	0.00	0.00
Seminar Exp #				
Meals				
Meals, Bkfst, Exp	0.00	3,500.00	0.00	3,500.00
Meals, BLun, Exp	0.00	2,400.00	0.00	2,400.00
Meals, Din, Exp #	1,000.00	3,500.00	1,000.00	3,500.00
Meals - Other	0.00	0.00	0.00	0.00
<b>Total Meals</b>	<b>1,000.00</b>	<b>9,400.00</b>	<b>1,000.00</b>	<b>9,400.00</b>
Meeting Room, AV Equip	0.00	2,400.00	0.00	2,400.00
Print Handout Mtis, Handbooks	0.00	1,500.00	0.00	1,500.00
Print/Mail Seminar Mtg Notice	0.00	0.00	0.00	0.00
Refreshments, AM & PM	0.00	1,250.00	0.00	1,250.00
Registration Refunds	0.00	0.00	0.00	0.00
Stipend, Registration Asst	500.00	2,064.52	500.00	2,064.52
Seminar Exp # - Other	0.00	250.00	0.00	250.00
<b>Total Seminar Exp #</b>	<b>1,500.00</b>	<b>16,864.52</b>	<b>1,500.00</b>	<b>16,864.52</b>
Strategic Planner	0.00	0.00	0.00	0.00
Treasurer, Office Exp				
Copy & Printing (Treas)	0.00	154.84	0.00	154.84
Office Supplies (Treas)	137.56	154.84	137.56	154.84



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Cash Basis

**National Academy of Forensic Engineers**  
**Profit & Loss Budget Performance**  
January 1 through July 1, 2015

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	Jan 1 - Jul 1, 15	Budget	Jan 1 - Jul 1, 15	YTD Budget
Postage & Shipping (Treas)	67.62	150.00	67.62	150.00
Treasurer, Office Exp - Other	0.00	0.00	0.00	0.00
<b>Total Treasurer, Office Exp</b>	<b>205.18</b>	<b>459.68</b>	<b>205.18</b>	<b>459.68</b>
<b>Total Expense</b>	<b>145,985.79</b>	<b>103,085.70</b>	<b>145,985.79</b>	<b>103,085.70</b>
<b>Net Ordinary Income</b>	<b>-92,454.53</b>	<b>49,109.21</b>	<b>-92,454.53</b>	<b>49,109.21</b>
<b>Other Income/Expense</b>				
Other Expense				
Ask My Accountant	350.63	500.00	350.63	500.00
<b>Total Other Expense</b>	<b>350.63</b>	<b>500.00</b>	<b>350.63</b>	<b>500.00</b>
<b>Net Other Income</b>	<b>-350.63</b>	<b>-500.00</b>	<b>-350.63</b>	<b>-500.00</b>
<b>Net Income</b>	<b>-92,805.16</b>	<b>48,609.21</b>	<b>-92,805.16</b>	<b>48,609.21</b>

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Cash Basis

**National Academy of Forensic Engineers**  
**Profit & Loss Budget Performance**  
January 1 through July 1, 2015

Annual Budget

Ordinary Income/Expense

Income	
Application Fees	3,600.00
Donations, EJD Honors	
Initiation & Upgrade Fees	2,400.00
Interest Income (Dividends)	150.99
Membership Dues	89,200.00
Miscellaneous Income	
Late Fees, Income #	
Meals (Bkfst,Blun,Din) Income #	
Misc Income	
Seminar Income #	130,000.00
Miscellaneous Income - Other	
Total Miscellaneous Income	130,000.00
Publication Sales	3,000.00
Uncategorized Income	95.00
Total Income	228,445.99
Cost of Goods Sold	
Cost of Goods Sold	
Total COGS	
Gross Profit	228,445.99
Expense	
Board of Directors	
Mtg Room & Refreshments (BOD)	1,000.00
Printing, BOD Hdbk, incl Ship	1,000.00
Travel, BOD Mtgs, to/from (BOD)	6,000.00
Board of Directors - Other	
Total Board of Directors	8,000.00
CPD Chairman, Office Exp	
Directory	
Confirmation Ltr, Print & Mail	
Duplication (CD), Print & Mail	
Directory - Other	
Total Directory	
Education Chairman, Office Exp	
Copy & Printing (EdChm)	
Honorarium (Education Seminars)	
Office & Phone Exp (EdChm)	
Office Supplies (EdChm)	1,085.54

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06/29/15

Cash Basis

**National Academy of Forensic Engineers**  
**Profit & Loss Budget Performance**  
January 1 through July 1, 2015

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	Annual Budget
Postage & Shipping (EdChm)	853.69
Travel Exp (EdChm)	3,282.65
Education Chairman, Office Exp - Other	
<b>Total Education Chairman, Office Exp</b>	<b>5,221.88</b>
<b>Executive Director</b>	
Contract Fee	73,300.00
Lodging & Meals (ExecDir)	5,000.00
Stipend (ExecDir)	0.00
Travel (ExecDir)	4,000.00
Executive Director - Other	
<b>Total Executive Director</b>	<b>82,300.00</b>
<b>Headquarters Exp</b>	
Office Exp (H/Q)	
Computer & Internet (H/Q)	
Office Supplies (H/Q)	
Postage & Shipping (H/Q)	430.99
Telephone (H/Q)	
Office Exp (H/Q) - Other	
<b>Total Office Exp (H/Q)</b>	<b>430.99</b>
Office Rent & Storage (H/Q)	
Headquarters Exp - Other	0.00
<b>Total Headquarters Exp</b>	<b>430.99</b>
<b>Journals</b>	
Editing (Journals)	
Printing & Mailing (Journals)	23,000.00
Journals - Other	20,000.00
<b>Total Journals</b>	<b>43,000.00</b>
<b>Newsletters</b>	
Editing (Newsltrs)	4,500.00
Printing & Mailing (Newsltrs)	
Newsletters - Other	
<b>Total Newsletters</b>	<b>4,500.00</b>
<b>Other Expenses</b>	
Advertising	1,999.50
Bank Charge	4,302.31
CESB, Annual Dues	7,800.00
Computer Consulting Services	
Computer Software, Maint	119.40

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06/29/15

Cash Basis

**National Academy of Forensic Engineers  
Profit & Loss Budget Performance  
January 1 through July 1, 2015**

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	Annual Budget
Depreciation Exp	
Equipment Purchases	
Insurance	1,565.00
Late Fee Exp Reimb (Treas) #	
Miscellaneous Exp	2,685.00
NAFE.org Web Site	
Plaques, Awards & Gifts	1,617.23
Print & Publication Exp (Other)	
Prof Services, Accout & Legal	1,830.00
Other Expenses - Other	
<b>Total Other Expenses</b>	<b>21,918.44</b>
President Elect, Office Exp	
President, Office Exp	
Public Relations	
Copy & Printing (PR & Sem Asst)	100.00
Office Supplies (PR)	
Postage & Shipping (PR)	
Stipend (PR)	
Travel Exp (PR - Sem Asst)	
Public Relations - Other	
<b>Total Public Relations</b>	<b>100.00</b>
Secretary, Office Exp	0.00
Seminar Exp #	
Meals	
Meals, Bkfst, Exp	7,000.00
Meals, BLun, Exp	4,800.00
Meals, Din, Exp #	7,000.00
Meals - Other	
<b>Total Meals</b>	<b>18,800.00</b>
Meeting Room, AV Equip	4,800.00
Print Handout Mtls, Handbooks	3,000.00
Print/Mail Seminar Mtg Notice	
Refreshments, AM & PM	2,500.00
Registration Refunds	
Stipend, Registration Asst	4,000.00
Seminar Exp # - Other	1,000.00
<b>Total Seminar Exp #</b>	<b>34,100.00</b>
Strategic Planner	0.00
Treasurer, Office Exp	
Copy & Printing (Treas)	300.00
Office Supplies (Treas)	393.46

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06/29/15  
Cash Basis

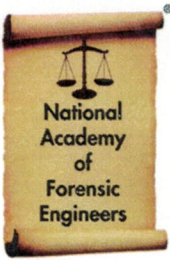
**National Academy of Forensic Engineers**  
**Profit & Loss Budget Performance**  
January 1 through July 1, 2015

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	Annual Budget
Postage & Shipping (Treas)	450.00
Treasurer, Office Exp - Other	
Total Treasurer, Office Exp	1,143.46
Total Expense	200,714.77
Net Ordinary Income	27,731.22
Other Income/Expense	
Other Expense	
Ask My Accountant	500.00
Total Other Expense	500.00
Net Other Income	-500.00
Net Income	<u>27,231.22</u>

# COMMITTEE REPORTS

# Mentorship Committee



# National Academy of Forensic Engineers®

Chartered Affinity Group of the National Society of Professional Engineers (NSPE)  
Charter Member of the Council of Engineering and Scientific Specialty Boards (CESB)

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Arthur E. Schwartz, Esq., CAE, Executive Director

Please reply to: [X]

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NAFE HONORS:  
E. Joyce Dixon, Founder and  
Executive Director (1982-1999)

July 6, 2015

To: Jeffrey D. Armstrong, President

Re: NAFE Mentorship Program Status Report

Dear Jeff,

As you know, the mentorship committee consisting of John Bell, Lin Manning, Mike Leshner, Liberty Lewis, Marvin Specter, and I was broadened to add new volunteers, Drew Peake, Joe Cristino, Ben Railsback, and a Vice Chairman, John Murdoch.

The program remains in its infancy. To date, eight (7) correspondents and one (1) member have been matched with Sr. Members or Fellows of the 13 individuals that have requested a mentor. Recommendations of mentors have been made last April or earlier to four (4) more correspondents. Three (3) declined my initial recommendations and requested a mentor with niche expertise, such as in the defense and space industries. I have not found mentors with such expertise but today have asked the committee members for their ideas on this. One other correspondent has not responded to my recommendation and a request to advise me whether or not he still wanted a mentor. A recommendation is pending on another correspondent.

To date and at my choice, I have been doing the matching with no committee member involvement. However, in the future John Murdoch and I will be requesting committee member involvement in the matching process as well as in assessing mentee and mentor program satisfaction.

It is interesting to note that although the program was structured to educate new FE's or those interested in the business aspects of FE, most want a mentor in their discipline and I have done the matching accordingly.

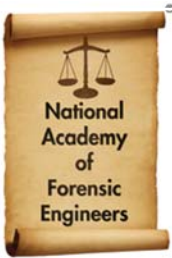
A special thank you to Mike Leshner for his continued hard work in facilitating operation of this program.

Respectfully submitted,

Paul R. Stephens, 560F  
Mentorship Committee Chairman



# **Admissions Committee**



# National Academy of Forensic Engineers®

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July 10, 2015

## ADMISSIONS COMMITTEE REPORT

President Armstrong:

Thanks to the hard work of Vice-Chair Michael Kravitz and Committee members Paul Stephens and Smith Reed, and with the support of Website Chair Michael Leshner, we have admitted the following new or upgraded NAFE members so far in 2015:

Anthony Garito, PE  
David Simpson, PE  
Herb Goff, PE  
Randall Howard, PE  
Sam Sudler, PE  
Steve Knapp, PE  
Steven Morris, PE  
Ivan Baiges, PE, PhD  
David Icove, PE, PhD  
David Weaver, PE  
William Janowsky, PE  
Dennis Langer, PE

We have also accepted the following new Associate Members:

Laura Liptai, PhD  
Robin Davies, PE  
Crawford Hill, PE

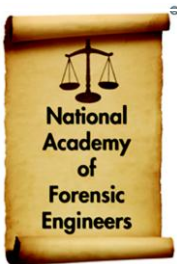
And we have re-admitted a past member:

David Williams, PE, PhD

Regards,

John Leffler, PE  
Admissions Committee Chair

# Education Committee



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To: Jeff Armstrong  
From: Michael Leshner  
Date: July 4, 2015  
Subject: NAFE Education Committee Report

The January Special Seminar in Hollywood Florida had 69 registered attendees. Guest speaker Rebecca Levy-Sachs updated the group on Daubert-proofing our reports and testimony. The segment on “Rules and Laws” complemented the one on Ethics, and will be a regular topic each January. Feedback from attendees was complimentary.

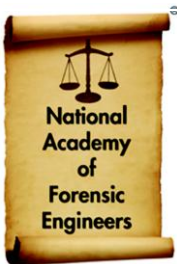
The Special Seminar program for July 19<sup>th</sup> features guest speaker Allan McDonald, PE, on the topic “Safety and Ethics Lessons Learned from the Space Shuttle Challenger and Columbia Disasters”. Dr. Bob Anderson will discuss Analytical Techniques in Forensic Engineering“. Dr. Nigel Ellis will update on “Fall Protection Safety with Case Histories, Solutions and Opportunities”, and a panel of senior Academy members will advise on “Practical Advice Resolving Problems That May Occur In Forensic Engineering Practice.”

For our winter meeting in Tampa, there will be segments on Ethics, Rules and Laws, and Rebecca Levy-Sachs has agreed to return and speak to us on “The Intersection of Insurance, Engineering, and the Law”. The balance of the program will be determined after getting feedback from the Summer meeting.

## Goals for Q3-Q4 2015:

- More Co-Chair and Committee member involvement
- Establish contacts at leading Engineering schools

# **Website Committee**



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To: Jeff Armstrong  
From: Michael Leshner  
Date: July 4, 2015  
Subject: NAFE Website Committee Report

The integrated website/member database has been in operation for 15 months, and the transition to online communications and member interactions has been well-received by the membership.

There are still about 2% of the members who prefer to receive NAFE communications by US mail, and about 10% of payments are still by check through the mail. Those numbers appear to be decreasing, and we may soon be able to consider becoming 100% digital in our communications and payments.

Online application for membership has been particularly successful, with 24 new dues-payers joining during the last 6 months. Half of those are Members and Senior Members

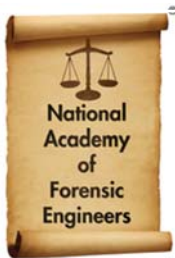
	12/11/2014	7/4/2015
Fellows	119	119
Senior Members	128	133
Members	100	107
Associate Members	0	3
Correspondents	119	121
International	3	10
Honorary	1	1
Students	4	4
Dues-Payers	474	498
Former Members	6	9
Applicants	6	10
Basic Contacts	19	1956

## Goals for Q3-Q4 2015:

- Train additional NAFE Officers and Directors in Memberclicks administrative functions
- Recruit additional web-savvy committee members

NAFE HONORS:  
E. Joyce Dixon, Founder and  
Executive Director (1982-1999)

**Continuing  
Professional  
Development (CPD)  
Committee**



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July 5, 2015

## Memorandum

To: Jeff Armstrong, President and NAFE Board of Directors

From: Bruce Wiers, PE, CPD Committee

Re: July meeting CPD Committee Report

This is the first year members were able to log and submit their CPD activity through the NAFE website (special thanks to Michael Leshner and others for their diligent work). The response to on-line submissions continues to be strong with over 85% of the membership choosing to submit on-line. Improvements to the system will continue as we receive feedback and suggestions.

Members continued to submit information after the January 7, 2015 deadline; therefore, the attached information is current through the date of this report.

There are 33 members whose total CPD credits for 2014 remain less than 100, 10 of which have a status of “Jeopardy” (refer to attached list). The remaining 23 members’ 5-year total just dropped below 100 credits.

Nine members with a “Jeopardy” status have not submitted annual CPD forms for the last three years. Those listed with a status of “Jeopardy” have not submitted CPDs for the last 3 years. I am not sure if those listed have discontinued their NAFE membership. I recommend this list be reviewed by the Treasurer.

Goals for the remainder of 2015:

- 1) Revise and post Associate Member CPD forms and/or instructions to the NAFE website as the requirements are different.
- 2) Work with other committees so the CPD committee is informed of new members. This will assist in new members being welcomed and informed regarding CPD requirements and in providing assistance/training.
- 3) Brainstorm with other CPD committee members on the process and, specifically, what actions can be addressed by other committee members.

Respectfully submitted,  
Bruce



### CPD Worksheet - July 2015 data

Last Name	First Name	Member #	Group	2010	2011	2012	2013	2014	5 Yr Total	Status
Aleksander	Adam K.	527	Senior Member	45	0	0	0	0	45	Jeopardy
Alyah	Mamoon M.K.	758	Senior Member	20	0	0	0	0	20	Jeopardy
Carr	Paul G.	664	Senior Member	0	78	0	0	0	78	Jeopardy
Chock	Herbert S. L.	477	Fellow	45	0	0	0	0	45	Jeopardy
DeMarco	Jody F.	793	Member	0	0	0	0	0	0	Jeopardy
Gravatte	Leroy T.	361	Senior Member	19	18	0	0	0	37	Jeopardy
Schreter	Robert E.	237	Fellow	24	0	0	0	0	24	Jeopardy
Sheriff	Carl	598	Member	0	36	0	33	0	69	Jeopardy
Starksen	Paxton B.	680	Fellow	0	0	0	0	0	0	Jeopardy
Tylawsky	John A.	617	Member	33	0	0	0	0	33	Jeopardy
Alam	Nasir M.	759	Senior Member	59	23	0	0	0	82	Watch
Aycock	Elvin L.	743	Member	18	19	58	0	0	95	Watch
Bakshis	John A.	558	Fellow	37	41	0	0	0	78	Watch
Bradley	Bruce N.	260	Senior Member	26	24	32	0	0	82	Watch
Castaneda	Rene A.	600	Member	69	0	0	0	0	69	Watch
Copeland	Jeffrey L.	233	Senior Member	32	34	29	0	0	95	Watch
Cosgrove	John D.	704	Fellow	62	0	0	0	0	62	Watch
Dewell	Kenneth C.	306	Senior Member	24	23	23	16	0	86	Watch
D'Onofrio	John A.	608	Fellow	34	39	0	0	0	73	Watch
Fridley	S. Dale	668	Member	27	51	0	0	0	78	Watch
Fuchs	Rodney G.	271	Senior Member	32	40	0	0	0	72	Watch
Kennedy	William K.	107	Senior Member	33	61	0	0	0	94	Watch
Kloetzli	Werner	351	Senior Member	42	13	31	0	0	86	Watch
Kohner	Ronald M.	340	Senior Member	29	43	0	0	0	72	Watch
Laughlin	John C.	760	Fellow	56	28	0	0	0	84	Watch
McDonagh	James R.	264	Fellow	58	0	0	0	0	58	Watch
Miorelli	Luke	672	Senior Member	36	24	38	0	0	98	Watch
Mukherji	Sisir K.	499	Member	32	50	0	0	0	82	Watch
Naumann	Hans E.	667	Senior Member	0	45	44	0	0	89	Watch
Quick	Leonard C.	410	Member	70	0	0	0	0	70	Watch
Ruggieri	James A.	601	Member	0	31	64	0	0	95	Watch
Soderlund	Mark G.	701	Member	44	51	0	0	0	95	Watch
Ziegler	Richard A.	381	Senior Member	25	18	23	23	0	89	Watch

# **Publications Committee**



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July 6, 2015

## PUBLICATIONS COMMITTEE REPORT

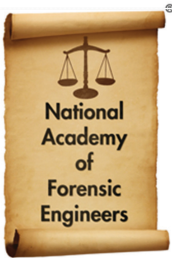
President Armstrong:

1. The NAFE Journal Volume 29 #1 (June 2012) was distributed electronically on January 28, 2015, and hardcopies were mailed January 12, 2015. This Journal was edited by Marvin Spector.
2. The NAFE Journal Volume 29 #2 (December 2012) was distributed electronically on May 4, 2015, and hardcopies were mailed April 1, 2015. This Journal was edited by Marvin Spector.
3. The NAFE Journal Volume 30 #1 (June 2013) was mailed June 29, 2015. As of July 6, we have not received this for electronic distribution. This Journal was edited by Marvin Spector.
4. The NAFE Journal Volume 31 #2 (December 2014) was distributed electronically on May 9, 2015, and hardcopies were mailed May 21, 2015. It was anticipated that this Journal would contain six papers (though it ended up with five), and while the sixth was in edit the other five were offered online as "Early View" papers on March 12, 2015. This Journal was edited by Ellen Parson.
5. Nearly all past NAFE Journal papers are individually available for purchase online through Memberclicks. A total of 41 electronic Journal papers have been purchased in 2015 through June, bringing revenue of \$1,075.
6. Art Schwartz reports that 9 hardcopy Journals have been purchased in 2015 through June. I recommend we reduce the number of extra hardcopy Journals that are printed.
7. The NAFE Board should recognize Michael Leshner, PE for his extensive and diligent efforts in facilitating electronic sales of NAFE publications. Ellen Parson was also instrumental in uploading new Journal papers, and she deserves commendation as well.

Regards,

John Leffler, PE  
Publications Committee Chair

# Technical Review Committee



# National Academy of Forensic Engineers®

Chartered Affinity Group of the National Society of Professional Engineers (NSPE)

Charter Member of the Council of Engineering and Scientific Specialty Boards (CESB)

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Arthur E. Schwartz, Esq., CAE, Executive Director

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E. Joyce Dixon, Founder and  
Executive Director (1982-1999)

July 6, 2015

TECHNICAL REVIEW COMMITTEE "B" REPORT: July 2014 papers forward

President Armstrong:

The status of the ten Journal papers presented in July 2014 is as described below.

1. Five papers were published in Volume 31 #2 (December 2014) – which is an exception to the six paper minimum for print.
2. One paper is on hold and has not been submitted for peer review as the forensic case discussed remains unresolved in court.
3. One paper was first submitted for peer review on 5/4/2015; the first round of peer review is nearly complete.
4. Two papers were withdrawn by the authors during review.
5. One paper is continuing to undergo editing and revision.

The status of the ten Journal papers presented in January 2015 is as described below. It is anticipated that the Volume 32 #1 (June 2015) Journal will be published this month with six papers. This edition has been changed to a two-column format that is more common in Journals and that has advantages in readability.

1. Three papers have completed review and are undergoing final typesetting.
2. Three papers are undergoing final edits prior to typesetting.
3. One paper was withdrawn by the author before peer review.
4. Three papers were withdrawn by the authors during review.

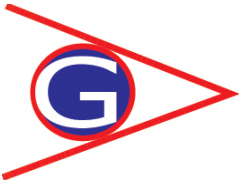
It was decided to formally outline the peer review process that has been in place for papers presented in July 2014 and after (i.e. since August 2014), and to distribute this outline to members and affiliates via Memberclicks. This outline was distributed on May 18, 2015, and it is attached to this report.

The July 2015 conference has 15 presenters, due to this Committee's initiation of multiple tracks of presenters – focused on offering presentation opportunities to more members and affiliates, and on attracting/keeping attendee interest. This increase in papers will require more work by the Committee, and a Vice Chair may be installed. Further, it is likely appropriate to revisit the compensation paid to Journal Editor Ellen Parson. Her diligence and attention to detail have been invaluable.

Regards,

John Leffler, PE

# **Public Relations Committee**



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*Fire Protection / Forensic Engineering \* Code Consulting*

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## NAFE PUBLIC RELATIONS COMMITTEE

PAGE 1 OF 3

PROJECT: COMMITTEE REPORT

GC #

DATE: 7/9/15

The PR committee consists of the following members

Scott Grainger, Chair

Mark Whelchel, Vice Chair

Jeff Armstrong

Richard Ziernicki

Jonathan Milton

Fenton Purcell

Liberty Lewis

The committee met once telephonically on 5/27/15 with an agenda of work items and resulting action items. Agenda items were based upon previous work that the committee had done plus items added from committee members and others.

The meeting, attended by 5 members, agenda and a brief statement of the results follows.

1. Update, clean up, and modernize all NAFE literature, letter head, website and the like. Most members of the Committee have received feedback from general membership that our documents, website, and logo appear outdated. The Academy may want to consider changing the look of our stationery, or perhaps engage in a rebranding effort.
2. Program/plan to have the national/large FE firms personally contacted by either board member or committee member, take them to lunch and talk to them about putting some of their employees in NAFE to learn and to also share with NAFE members. Firms such as Rimkus, sea Ltd, Exponent, Donan and others. Committee members agreed to make contact with these firms prior to the July meeting.
  - a. A Talking Points Memo was prepared by a member. The memo is to be used as a guide when a firm is contacted about encouraging their members to become active in NAFE.
  - b. A carrot that we do have available is to offer 50% off to an individual who attends their first NAFE seminar.
3. A program similar to item 2 above but contacting national professional organizations to coordinate activities/memberships. The concept is to offer an added benefit to their members and make them more aware of NAFE. Discussion on this topic was regarding how other organizations might be approached with the concept in mind of a synergistic or collaborative working relationship between NAFE and them such as exchanging ad space in publications. A member agreed to contact the organizations that he is a member of and report back with comments.
  - a. American Academy of Environmental Engineers

NAFE PUBLIC RELATIONS COMMITTEE  
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7/9/15

- b. AWWA
  - c. Water Environment Federation
  - d. Association of Environmental authorities of New Jersey
  - e. New Jersey League of Municipalities
  - f. IEEE
  - g. Society of Fire Protection Engineers
  - h. ASCE
  - i. Institute of Traffic Engineers (ITE) Others . . .
4. Consider updating the NAFE logo See notes in Item #1 above. All agreed that this item fell within item #1 and is important. The old logo appears dated.
5. Provide 2 tracks of training at seminars – It was pointed out that the July seminar does have 2 tracks on Saturday. PRC members agreed that this was important to do and that the PRC strongly supports the Education Committee in this regard. This subject brought up the suggestion that all PRC members agreed was important, that PRC support the actions of other committees where improvement in public relations is being made.
6. Fee structure for vendors at meetings
- a. Vendors be invited to set up display tables at the Sat seminar lunch
  - b. Question was asked, what vendors? A short list was discussed
    - i. Liability Insurance for FE's
    - ii. 3 D laser scanner support for investigations (Fenton)
    - iii. Test equipment manufacturers/suppliers
  - c. Discussion as why NAFE would do this, 2 reasons were presented
    - i. Member support
    - ii. Financial gain to NAFE, this would be secondary and probably small at least in the beginning
    - iii. Item was tabled for future discussion
7. Outside speakers should be invited to present at seminars: All PRC members agreed that this is an excellent way to improve member support and to make the meetings more attractive. It was also noted that a guest speaker is presenting at the Sunday seminar at the July meeting. This was arranged by the Education Committee. As mentioned above it was also agreed by all members that PRC will strongly support the efforts of the Education Committee in this regard.
- a. Outside speakers to be invited to speak at the Sat evening dinner or other time
    - i. All agreed that at least one dinner speaker (there are 2 dinners) was a good idea
      - 1. Attracts members to the dinner and to the seminar
      - 2. Generally makes the dinner more enjoyable
  - b. Set aside \$3,500.00 for a stipend to begin this effort
  - c. Provide a “story of the month” for the website, the purpose being to make the site more attractive, interesting and to get more members involved.
8. Request that the Education Committee have one meeting / year to include at least one presentation related to business of FE operation. All PRC members agreed that business operation is a very important aspect of operating a FE firm. It was pointed out that many



NAFE PUBLIC RELATIONS COMMITTEE  
COMMITTEE REPORT

7/9/15

States accept business courses as CPD credit. Ethics was also mentioned as an important albeit non-technical subject. Coordination with the Ed. Committee on this subject is needed. It was also noted that with the 2 tracks offered now that if a member doesn't want to learn more about how to get paid that the member has a choice to attend all tech seminars if so desired.

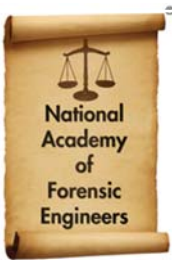
9. All PRC members agreed that the agenda items listed below are now available to Members with the possible exception of d, NAFE badges. A member was appointed to investigate this.
  - a. Meeting programs (none shown for the July meeting)
  - b. Speaker bios
  - c. List members (all that choose to participate)
  - d. Offer NAFE badges to member for use on their stationary & web sites
  - e. Include a story of the month on web site (the news story on there now is 2 years old)
  - f. website be modified to include a list of committee scopes & chairperson (the committees are listed but no detail is provided)
10. Consider reduced registration fees for student members; perhaps an amount that essentially covers the cost of breakfast and lunch.

**PREPARED BY:**

Scott Grainger, PE

Public Relations Committee Chair

# Long-Range Planning Committee



# National Academy of Forensic Engineers®

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To: Jeff Armstrong  
From: William Bracken  
Date: July 17, 2015  
Subject: NAFE Long-Range Planning Report

Members: William C. Bracken 605F - Chair  
John Leffler 709S - Vice Chair  
Jeff Armstrong 644F  
Mike Leshner 559F  
Martin Gordon 699M

After having evaluated the make-up of NAFE's committees and general membership as a whole, the following was noted:

- Fellows and Senior Members make up approximately 50% of the total membership, hold nearly 80% of the committee membership positions and have an average age of nearly 70.
- Members and potentially eligible members (the future of our organization) make up far less than 50% of our organization; hold roughly 20% of the committee membership positions (none in a leadership role) and have an average age of roughly 55.

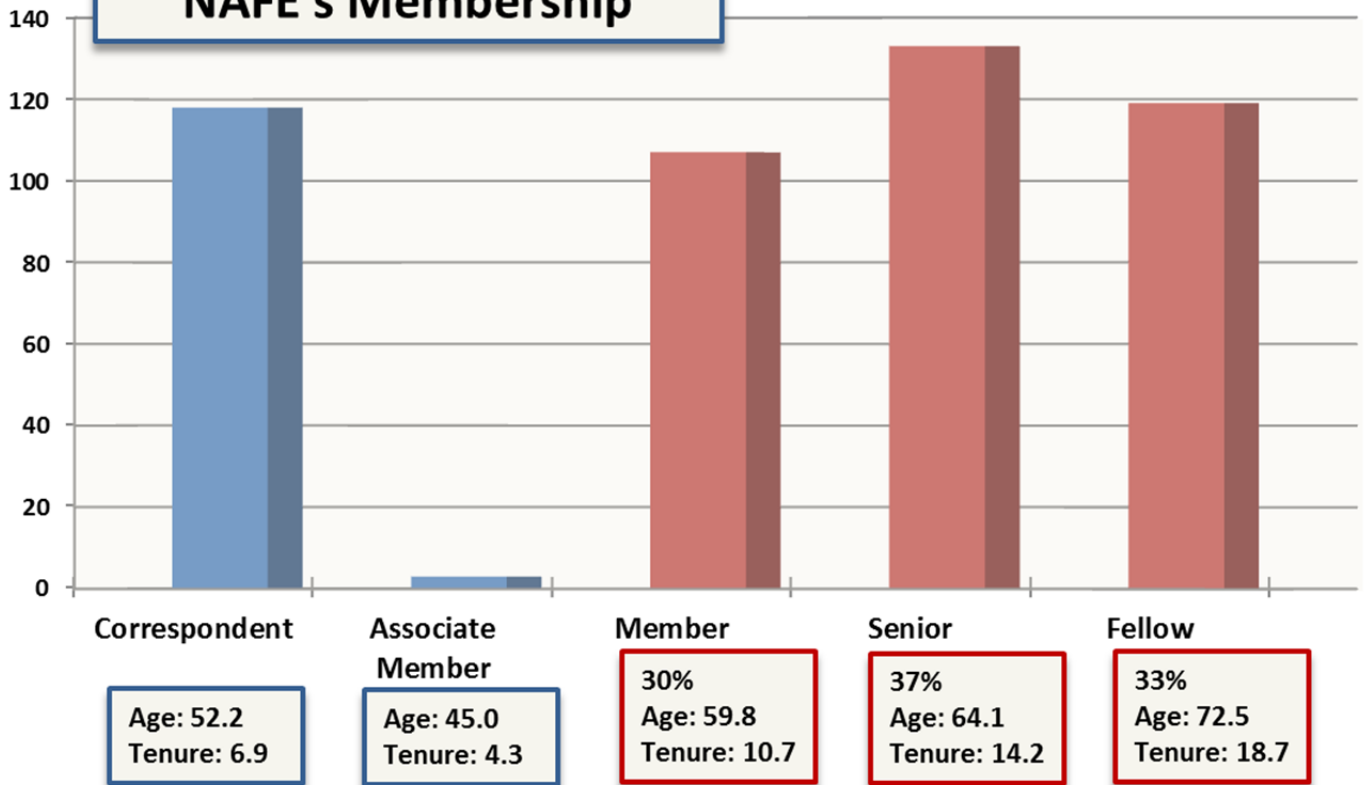
In response, the committee plans to:

- Perform a comprehensive critical review of NAFE's committees and deliver a proposed restructuring plan complete with scopes, member make up, reporting structures and meeting obligations
- Work with the membership committee and staff to promote Associate Membership among current Correspondents
- Work with staff and various committees to develop and promote NAFE promotional programs

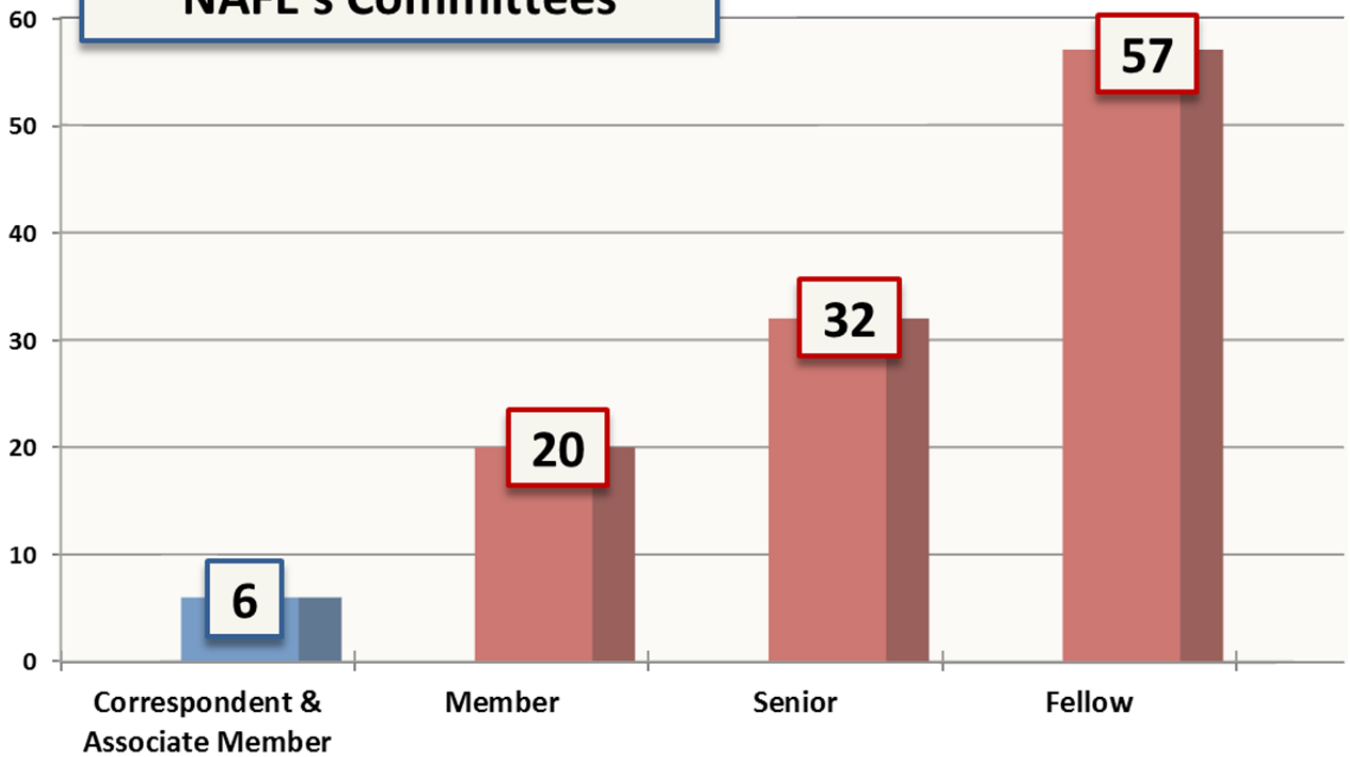
All of these efforts will focus on addressing the general lack of activity among NAFE's committees and the significant lack of Associate Member and Member involvement.

Respectfully Submitted,  
William C. Bracken, PE, F605

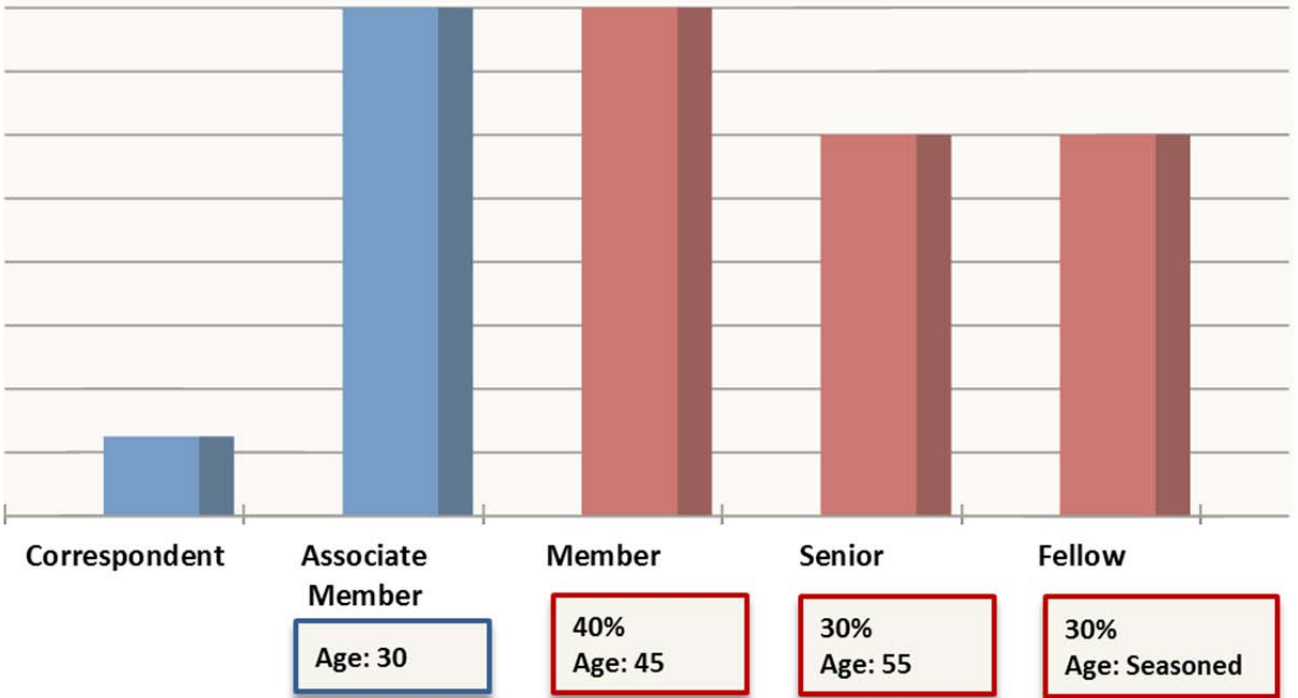
## NAFE's Membership



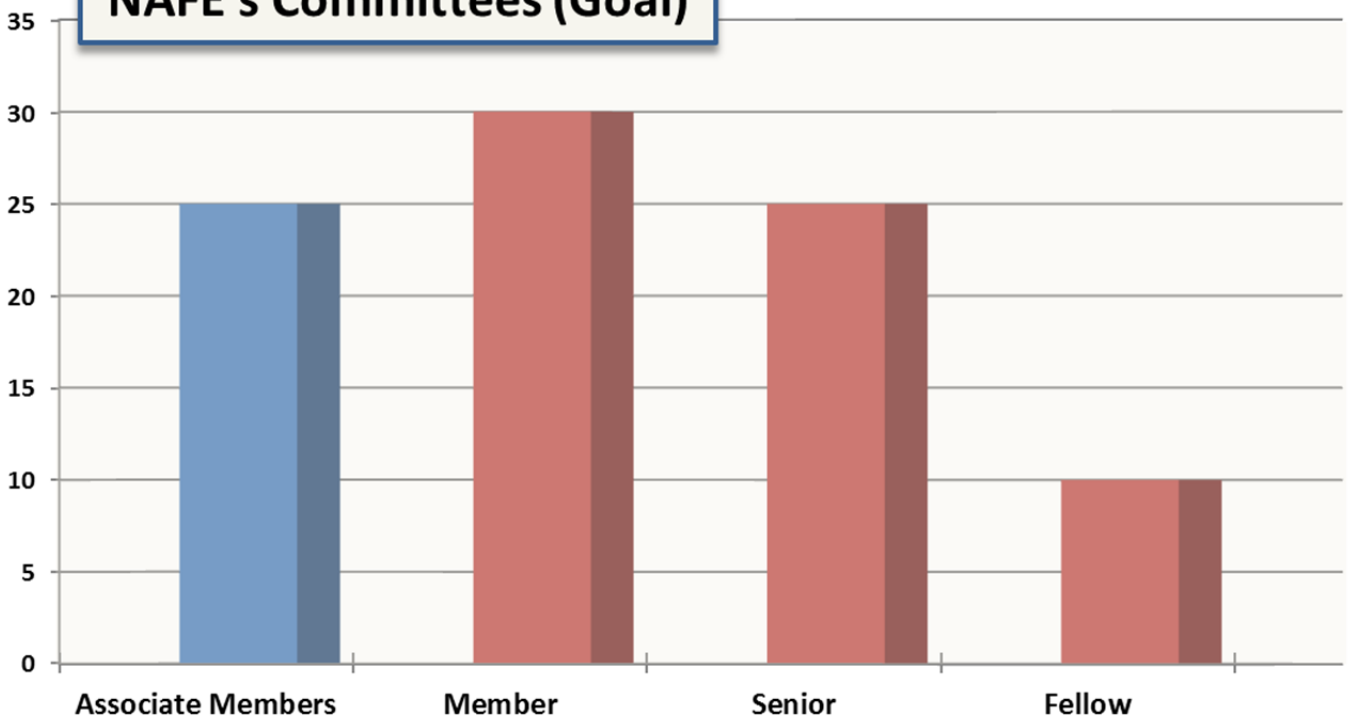
## NAFE's Committees



## NAFE's Membership (Goal)



## NAFE's Committees (Goal)



**Bylaws and  
Articles of  
Incorporation  
Committee**

## BYLAWS AND ARTICLES OF INCORPORATION COMMITTEE

Gentlemen,

In early May, 2015, two proposals were presented to the Bylaws Committee to (1) change our Articles of Incorporation to recognize Canadian Engineering Licensure for licensure requirements to become a member of the Academy, and (2) change our Bylaws to change the requirements for Fellow membership status.

We (the 7 members of the Bylaws Committee) met via teleconference on May 28<sup>th</sup>. Discussion took place and progress agreeable to most was made. At the conclusion of the teleconference, we agreed to continue the meeting via e-mail communication, provided it was confirmed all 8 of us were included and actively responding to all communications being sent (assuring not one person would be excluded from or absent from the discussion). (When we considered the issue of holding a final vote, it was decided that if ALL (100%) members of the Committee agreed to holding an e-mail vote, we would accept a vote via e-mail, but if but one individual requested additional discussion where all could audibly hear each other before a vote was called, such a audible discussion meeting would be arranged.) In early July, one individual (Marvin) did respectfully request such an audible meeting. With no time available to all 8 Committee members prior to us meeting in Seattle, it was decided to hold our requested meeting on Friday morning in Seattle.

Next Friday, at our Seattle committee meeting, we will be discussing the proposed changes described in these four documents. I urge you to review specifically the **Articles of Incorporation Modifications (Rev 3)** document (describing changes that would recognize Canadian engineering licensure for NAFE membership qualification), and the **Bylaws Modifications (Rev 5)** document (describing the changes proposed for Fellow status qualifications and associated administration changes). (The other two documents (also attached) help describe details of the Fellow member proposed changes.)

Our Bylaws Committee has a motion (seconded) on the table (reflected in these documents) and we are (and have been for several weeks) in process of parliamentary discussion. So far, a vote has not been requested. Last week, one of the members of the Committee respectfully requested we (the Committee) meet in a manner in which we can all hear each other prior to voting. As of this date, it appears all seven of the Committee members agree on all but one aspect of the proposed changes, the issue currently under discussion is whether or not to continue requiring individuals seeking Fellow status to be members of a national or international engineering technical society at the "***highest grade ordinarily available to its members***". This is the topic under discussion.

At Friday morning's meeting, when in my judgement it appears all viewpoints have been voiced and opinions have been duly considered, a question will be called, and we will vote on the motion (- or possibly an amended version of this motion) before us (see attached documents).

Please be prepared for this discussion. We (the Committee) of course welcome input from other NAFE members.

Smith Reed  
Chairperson, Bylaws Committee

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## Proposed modifications regarding NAFE accepting the Canadian PEng as equivalent to the US PE

In short this proposal affords Canadian PEng holders all of the same opportunities within NAFE as US PE holders.

### NATIONAL ACADEMY OF FORENSIC ENGINEERS ARTICLES OF INCORPORATION

#### ARTICLES OF INCORPORATION

The National Academy of Forensic Engineers, having been founded in 1982 by Marvin M. Specter, P.E., L.S., Paul E. Pritzker, P.E., and William A. Cox, Jr., P.E., having associated in 1982 to form a non-stock corporation with members, and having been granted a Certificate of Incorporation in the District of Columbia on May 25, 1982, now hereby apply for incorporation as a non-stock corporation under the provisions of Chapter 2 of Title 13.1 of the Code of Virginia, and upon approval of this application shall relinquish and surrender the prior corporation to the District of Columbia, and to that end set forth the following:

- (a) The name of the Corporation is NATIONAL ACADEMY OF FORENSIC ENGINEERS.
- (b) The duration of the Corporation is perpetual.
- (c) The purpose or purposes for which the corporation is organized are to be exclusively educational and charitable within the meaning of the Internal Revenue Code of 1954, as amended, and the laws of the Commonwealth of Virginia include:
  1. To improve the practice, elevate the standards and advance the cause of forensic engineering, as the term "forensic engineering" is defined in the Bylaws.
- (d) The corporation shall have individual members who shall be selected by an Admissions Committee as provided in the Bylaws.
- (e) The corporation is to be divided into three or more classes of members as provided in the Bylaws. ~~These Three~~ classes shall have the right to ~~vote for the election of~~elect the officers and directors. All voting members ~~shall be~~ required to be ~~registration as a licensed~~ professional engineers pursuant to the registration laws ~~of within the United States or Canada, any state, territory or possession of the United States or in the District of Columbia, and be~~ membership in the National Society of Professional Engineers, and ~~possess~~ an acceptable grade of membership in a nationally ~~or international~~ ~~recognized~~ engineering technical society as further provided in the Bylaws. The qualifications and rights of each class of membership shall be as provided in the Bylaws.

# Proposed modifications regarding attainment of the grade of Fellow within NAFE

This proposal modifies the requirements of election to Fellow. The modifications: 1) prohibit candidates from being admitted directly into NAFE as a Fellow; 2) require candidates to have been a Senior member for at least 4 years; 3) require the candidate to have served NAFE in various capacities including active committee participation & publishing 2 papers in the NAFE Journal; 4) require the candidate to demonstrate service (found acceptable to the admissions committee) to the forensic engineering profession; 5) eliminate the requirement for "Fellow" status in a technical society; 6) Fellow applications will only be considered in April; and 7) Fellows will only be elevated at the July meeting of NAFE.

## NATIONAL ACADEMY OF FORENSIC ENGINEERS ARTICLES OF INCORPORATION

*(No changes required)*

## NATIONAL ACADEMY OF FORENSIC ENGINEERS BYLAWS

### ARTICLE III MEMBERSHIP

#### Section 1. Admission to Membership

Candidates for admission to the Academy shall be reviewed by the Admissions Committee, and if found ~~acceptable to meet the minimum qualifications~~, shall be admitted as a Member, ~~or Senior Member, or Fellow~~ of the Academy (~~all three both~~ of these membership grades being Board Certified Diplomate Forensic Engineers), or as an Associate Member (not Board Certified).

Upon attainment of ~~the minimum acceptable~~ qualifications, Associate Members may be elevated to Member ~~by a vote of one member of the Admissions Committee~~. Members may be elevated to Senior Member ~~grade by majority vote of the Admissions Committee~~, and Senior Members may be elevated to Fellow ~~by unanimous vote of the Admissions Committee~~ (see Article X Section 2). The minimum qualifications to be met by new candidates and renewing members shall be set by the Board of Directors (hereinafter referred to as the "Board") and shall include at least the following:

#### (a) Members, and Senior Members, and Fellows (Board Certified Diplomates)

- (1) Current Professional Engineering registration. Candidates shall provide validation satisfactory to the Admissions Committee ~~for each state of registration~~. After acceptance into membership, a validation shall be supplied each year to the Treasurer incidental to membership renewal which demonstrates continuance of registration ~~in the principal state of practice of the member~~.
- (2) Current Membership in the National Society of Professional Engineers and also in a national or international engineering technical society satisfactory to and in a grade acceptable to the Admissions Committee. ~~For the Academy grade of Fellow, the candidate shall be in the highest~~

**Comment [WCB1]:** This was removed because it was redundant with Article X Section 2

**Comment [WCB2]:** This was removed because it was redundant with Article X Section 2

**Comment [WCB3]:** This was removed because it was redundant with Article X Section 2

**Comment [WCB4]:** Fellows were removed from this subsection

~~grade in a national or international engineering technical society ordinarily available to members.~~

- (3) Total experience in engineering practice for Members of five years; and for Senior Members of twelve years; ~~and for Fellows of twenty years.~~
- (4) Total experience in the practice of forensic engineering for Members of two years; and for Senior Members of five years; ~~and for Fellows of fifteen years.~~
- (5) Total experience in case preparation as a forensic engineer for Members of two cases; and for Senior Members of ten cases; ~~and for Fellows of fifty cases.~~
- (6) Total experience in court actually testifying and being cross examined as an engineering expert for Members of at least two cases; and for Senior Members of at least five cases; ~~and for Fellows of at least ten cases.~~ The Admissions Committee may at its discretion consider testimony under oath in arbitration, deposition, or administrative proceedings for credit toward fulfillment of this qualification requirement.
- (7) Recommendations indicating experience and qualifications satisfactory to the Admissions Committee for Members from two forensic professionals; and for Senior Members from three forensic professionals; ~~and for Fellows from five forensic professionals.~~ Such forensic professionals may include lawyers, certified general adjusters, judges, claims managers, and members of the Academy in the same or a higher grade than that being applied for by the candidate. References must have firsthand knowledge of the forensic engineering practice and qualifications of the candidates.
- (8) Members; and Senior Members ~~and Fellows~~ shall maintain Continuing Professional Development (CPD) credits commensurate with the current CPD Policy, which is attached to these Bylaws as Appendix 2.

**(b) Fellows (Board Certified Diplomates)**

- (1) Current Professional Engineering registration. Candidates shall provide validation satisfactory to the Admissions Committee. After election to the grade of Fellow, a validation shall be supplied each year to the Treasurer incidental to membership renewal which demonstrates continuance of registration.
- (2) Current membership in the National Society of Professional Engineers and also in a national or international engineering technical society, both of which being satisfactory and acceptable to the Admissions Committee.
- (3) A minimum of four years of membership in NAFE as a Senior Member in good standing and with prior participation in NAFE to include; active committee participation and having published a minimum of two papers in the NAFE Journal.
- (4) Total experience in engineering practice of twenty years.
- (5) Total experience in the practice of forensic engineering of fifteen years.
- (6) Total experience in case preparation as a forensic engineer of fifty cases.
- (7) Possess experience in court actually testifying as an engineering expert subject to cross examination for at least ten cases.
- (8) Recommendations indicating experience and qualifications satisfactory to the Admissions Committee from three current NAFE Fellows and one forensic professional. Such forensic professional may include lawyers, certified general adjusters, judges and claims managers. References must have firsthand knowledge of the forensic engineering practice and qualifications of the candidates.

Comment [WCB5]: New subsection addressing Fellow requirements

(9) Demonstrated active involvement and service satisfactory to the Admissions Committee, to the forensic engineering profession as well as the candidate's community.

(10) Fellows shall maintain Continuing Professional Development (CPD) credits commensurate with the current CPD Policy, which is attached to the Bylaws as Appendix 2.

(b) Associate Members (not Board-Certified Diplomate Members)

- (1) Candidates shall provide validation satisfactory to the Admissions Committee showing either certification as an Engineer in Training / Engineering Intern (E.I.T. / E.I.), a PhD in engineering (or in a related science), or licensure (or equivalent) as a professional engineer. After acceptance into membership, for Associate Members licensed as a professional engineer or holding certification as an E.I.T. / E.I., validation shall be supplied each year to the Treasurer incidental to membership renewal which demonstrates continuance of registration ~~in the principal state of practice of the member.~~
- (2) Candidates shall have had experience in engineering practice of four years, including two years of forensic engineering practice.
- (3) Candidates shall have prepared at least two forensic engineering cases ~~prepared.~~
- (4) Candidates shall hold membership in the National Society of Professional Engineers and also in a national or international engineering technical society satisfactory to and in a grade acceptable to the Admissions Committee.
- (5) Candidates shall have received recommendations indicating experience and qualifications satisfactory to the Admissions Committee from two forensic professionals. Such forensic professionals may include lawyers, certified general adjusters, judges, claims managers, and Members, Senior Members or Fellows of the Academy. References must have firsthand knowledge of the engineering practice and qualifications of the candidate.
- (6) Associate Members shall maintain Continuing Professional Development (CPD) credits commensurate with the current CPD Policy, which is attached to these Bylaws as Appendix 2.

**ARTICLE X**  
**COMMITTEES**

Section 2. Admissions Committee

- (a) The Admissions Committee shall be composed of the President-Elect who shall serve as Chairman and two Past-Presidents appointed by the President.
- (b) The Admissions Committee shall carefully evaluate each application for membership or for change in membership grade against the standards established in the Bylaws, render decisions as to ~~their~~ the candidate's acceptance, ~~or non-acceptance or, in the case of Fellow, eligibility, and~~

(c) Members, Senior Members and Associate Members |

- ~~(1) Approval as Fellow shall require concurrence of three (3) Committee members; as a Senior Member shall require~~ concurrence of two (2) members; and as Member or Associate Member, concurrence of one (1) member of the Committee.
- (2) The Admissions Committee shall assign appropriate membership grades to those accepted, ~~or elevated and~~ reporting their actions to the Secretary and the Treasurer. Applications for Member, Senior Member, and Associate Member can be acted upon or voted on throughout the calendar year.

Comment [WCB6]: Fellows were removed from this subsection

(d) Fellow

Comment [WCB7]: New subsection addressing Fellow requirements

(1) The Admissions Committee only evaluates applications for eligibility for elevation to the grade of Fellow during the month of April and approval shall require concurrence of three (3) Committee members.

(2) The Admissions Committee can only determine eligibility and does not assign or confer the grade of Fellow. The Admissions Committee shall report its actions to the Secretary and the Treasurer. The grade of Fellow can only be conferred during the July meeting of NAFE following the Admissions Committee's approval of eligibility.

**APPENDIX 1 OF BYLAWS  
FUNCTIONS, POWERS AND TENURE OF COMMITTEES**

*(No changes required in this section)*

**APPENDIX 2 OF BYLAWS  
CONTINUING PROFESSIONAL DEVELOPMENT (CPD) PROCEDURES**

*(No changes required in this section)*

**APPENDIX 3 OF BYLAWS  
NAFE HANDBOOK of POLICIES and PROCEDURES**

*(No changes required in this section)*

**NAFE Administrative Policies (AP)**

*(No changes required in this section)*

**NAFE Operating Procedures (OP)**

*(No changes required in this section)*

**NAFE Professional Policies (PP)**

*(No changes required in this section)*

# Proposed modifications regarding attainment of the grade of Fellow within NAFE

This proposal modifies the requirements of election to Fellow. The modifications: 1) prohibit candidates from being admitted directly into NAFE as a Fellow; 2) require candidates to have been a Senior member for at least 4 years; 3) require the candidate to have served NAFE in various capacities including active committee participation & publishing 2 papers in the NAFE Journal; 4) require the candidate to demonstrate service (found acceptable to the admissions committee) to the forensic engineering profession; 5) eliminate the requirement for “Fellow” status in a technical society; 6) Fellow applications will only be considered in April; and 7) Fellows will only be elevated at the July meeting of NAFE.

## **ADMISSION REQUIREMENTS: Fellow**

The fellow status is the highest status available to members and is only awarded to those who have served NAFE and have distinguished themselves within the forensic engineering profession. Fellows within NAFE are required to have met certain additional requirements and to have advanced the state of the art within forensic engineering by way of their contributions or efforts. Applicants are required to complete and submit a fellow application which will be accepted throughout the calendar year but will only be considered in April of each year. Successful applicants will be elevated to Fellow at the July meeting following their election. The minimum requirements to attain Fellow status include;

- Nomination by an existing Fellow within NAFE
- Complete and submit a Fellow application,
- Pay a non-refundable application fee of \$125,
- Possess a current license to practice engineering in the US or Canada,
- Be a current member in good standing of the National Society of Professional Engineers (NSPE),
- Be a current member in good standing of a national or international technical society,
- Be a Senior member in good standing of the National Academe of Forensic Engineers (NAFE) with 4 year of prior history at the Senior Member level,
- Be able to demonstrate active committee involvement and service to NAFE,
- Having published 2 papers within the NAFE Journal,
- Possess a minimum of twenty (20) years' experience in engineering practice,
- Possess a minimum of fifteen (15) years' experience in the practice of forensic engineering,
- Possess experience with case preparation as a forensic engineer on a minimum of fifty (50) cases,
- Possess experience in court actually testifying as an engineering expert subject to cross examination for at least ten (10) cases,
- Provide recommendations from three (3) current NAFE Fellows and one attorney or adjustor, and
- Be able to demonstrate active involvement and service to the engineering profession and to one's community.

## **PRIVILEGES AND SERVICES: Fellows and Senior Members**

Fellows and Senior Members are afforded the following privileges and services;

- As Board Certified Diplomats of the CESB through the NAFE, Fellows and Senior Members are able to identify themselves as “NAFE Fellow” or “NAFE Senior Member” respectively. In addition, these members may use:
  - “F. NAFE” for Fellows or “S. NAFE” for Senior Members,
  - “[NAFE member number] F” for Fellows or “[NAFE member number] S” for Senior Members,
  - “NAFE Fellow” or “NAFE Senior Member” and “Board Certified Diplomate in Forensic Engineering by the NAFE”,
  - “NAFE Fellow” or “NAFE Senior Member” and “Board Certified Diplomate in Forensic Engineering by the NAFE, a CESB Member Board”, or
  - “NAFE Fellow” or “NAFE Senior Member” and “Board Certified Diplomate in Forensic Engineering by the NAFE, program accredited by the CESB”.
- Fellows and Senior Members are able to attend and participate in seminars and training opportunities,
- Fellows and Senior Members are able to present at seminars and publish in the NAFE Journal,
- Fellows and Senior Members are able to participate in NAFE committees,
- Fellows and Senior Members are able to vote on all business matters,
- Fellows and Senior Members are able to hold offices,
- Fellows and Senior Members are listed within the NAFE Directory,
- Fellows and Senior Members receive copies of the NAFE Directory, the NAFE Journal, the NAFE Newsletter and all conference and meeting notices,
- Fellows and Senior Members receive access to the NAFE1 bulletin board on Yahoo,
- Fellows and Senior Members receive access to low cost insurance, and
- Fellows and Senior Members are encouraged to serve within the organization as mentors to other members.

## **RECOGNITION: Fellow**

Fellows will receive special recognition from the academy. Such recognition will include:

- Special recognition at the January Banquet to commemorate their election to the grade of Fellow:
  - A framed certificate bearing the FELLOW designation
  - A gold colored lapel pin bearing the FELLOW designation
  - Publishing their name and bio in the Banquet program and official NAFE press release
  - Publishing their name, bio and contributions to NAFE as well as the profession in the Interaction newsletter following their election to Fellow
- Special Recognition at following NAFE conferences and seminars:
  - A gold colored bar on conference badges or “Fellow” ribbon to attach to conference badges


**NAFE Member Structure Matrix (Excerpt)**


<b>Admittance:</b>	Application	Application Fee	References	E.I.T. (Engineering Intern) or PhD in Engineering	Engineering License (PE or PEng)	NSPE Membership	National Technical Society Membership	NAFE Membership	Service to NAFE	Years of Engineering Experience (Min)	Years of Forensic experience (Min)	NAFE Paper Published	Forensic Engineer Case Preparation (Min)
<b>Board Certified Diplomate</b>													
Fellow	Nomination & Fellow <b>General</b>	\$125	3 Fellows & 1 FE Prof. <b>5</b>	N/A	Required	Required	Required (Advanced)	4 Years as Sr Member	Required	20	15	2	25
Senior Member	General	\$125	3	N/A	Required	Required	Required	N/A	N/A	12	5	N/A	10
Member		\$125	2	N/A	Required	Required	Required	N/A	N/A	5	2	N/A	2

<b>Privileges:</b>	Designations				Participate									
	Post Script	Member No.	Titles		Seminar Attendee	Educational Presenter	Publish in the Journal	Business Vote	Committee Member	Director At Large	Officer	Director	Mentor	
<b>Board Certified Diplomate</b>														
Fellow	F. NAFE	[Number] F	NAFE [Grade] or NAFE [Grade] Board Certified Diplomate in Forensic Engineering		Y	Y	Y	Y	Y	Y	Y	Y	Y	
Senior Member	S. NAFE	[Number] S			Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Member	M. NAFE	[Number] M			Y	Y	Y	Y	Y	Y	Y	N	N	Y

<b>Benefits: Services:</b>	Publications & Correspondence						Benefits	Recognition			
	Directory Listing	Directory Copy	Journal Subscription	Newsletter Subscription	Conference Notices	NAFE1 Yahoo	Low-Cost Insurance	Wall Certificate	Lapel Pin	Conference Badge	Conference Recognition
<b>Board Certified Diplomate</b>											
Fellow	Y	Y	Y	Y	Y	Y	Y	Framed	Gold	Gold Bar	At July Dinner
Senior Member	Y	Y	Y	Y	Y	Y	Y	Unframed	Blue	Blue Bar	In Regular Session
Member	Y	Y	Y	Y	Y	Y	Y	Unframed	Blue	Blue Bar	In Regular Session

<b>Maintenance:</b>	Annual Membership				Membership Changes		
	NSPE Membership	Annual Dues	CPD's (5 Year Totals)	Life Status Dues	Application Required	Application Fee	Application Period
<b>Board Certified Diplomate</b>							
Fellow	Required	\$300	100	\$100	Y	\$125	Closes in April
Senior Member	Required	\$250	100	\$100	Y	\$125	All Year
Member	Required	\$200	100	\$100	Y	\$125	All Year

 Blue Boxes indicate ADDITIONS

 Red Boxes indicate CHANGES



Pres. Jeff Armstrong, PE and members of the Board and the ByLaws C:ommittee:

Report rendered as Director at Large and Exec.Director Emeritus.

DOWN GRADING OF NAFE QUALIFICATIONS;

“Ignoring History you are bound to repeat it.”..... In the 1960’s a great battle was fought in the NSPE and after a full membership balloting a group of [then] young engineers prevailed in preserving the USA PE license as a basic membership requirement. NSPE grew to 82,000+ by the time I became NSPE Pres. in 1982. Subsequently as we “young “ engineers of the 1960’s passed through others took control and watered down the membership requirements. Thirty years passed, and the new, easier to get into NSPE organization decreased by about 50,000, a 60% loss. Meanwhile, attempting to offset and relieve the critique and disrepute so often put on engineering litigation support and testimony, in 1982 we founded the NAFE. Going exactly opposite from NSPE, requiring very demanding qualifications, and gathering an avowedly elite group. NAFE, in the same 30 years, and working on the same potential member group, went from 100 to 500, a 400% increase with praise and acceptance along the way. Many say it’s just the best engineering society that they belong to, but now a small group working in the Bylaw Committee, wants to downgrade our membership requirements. This will certainly make NAFE less attractive and less respected. The proof is in the History, half a century of proof. In the ByLaw changes proposed this year not a single word has been provided of substance to support a reduction of NAFE requirements. It is “change for the sake of change,” arbitrary and without rationale.

Therefore, I will continue to object in the Committee and if necessary in the BOD and to urge a vote against any measure that includes a reduction of membership requirements. Also if any such measure might be passed by the BOD I would urge the Membership meeting to reverse that decision by the Board.

Respectfully,

Marvin

M.M. Specter, PE-LS [NAFE 001FL]

## PRESIDENT'S COMMENTARY ON BYLAWS COMMITTEE ACTIVITIES

Dear Chairman Reed and Committee Members,

Thank you and your committee for your hard work on these matters. And thank you for including me in the discussions even though I am not a member of the Bylaws Committee. It is clear that each of the proposed items "Raises the Bar" and enhances the stature of our Academy. I have taken the liberty of copying the Committee and the Board with these comments.

I suggest that the Committee vote on each item as written. Only if a specific item fails to get a majority would the item need to be amended. Additionally, I think that the Board as a whole deserves the opportunity to vote on each of these items as written.

In response to allegations by one committee member that the proposed changes in the Bylaws represent a "downgrading" of the requirements, allow me to offer my thoughts on each of the items that have been proposed:

1. Proposal to Allow Canadian P.Eng. Candidates as Members: As last year's Admissions Chair I saw a great deal of interest in Academy Membership from Canadian Engineers. Canadian Engineers have registration requirements that are substantially similar to those of the U.S., and are accepted by some states. The admission of Canadian Members on the basis of their P.Eng. registration will only serve to enhance the credibility and recognition of the Academy, and will be a first step toward making us an international academy. I strongly support this proposal.
2. Proposed Changes for Fellow Grade: The proposed changes represent a significant enhancement to the Grade of Fellow, making it much more meaningful and prestigious. If approved by the Board, we will "Raise the Bar" and the stature of the Academy. In addition to the current requirements, the proposed change will include the following enhancements to the Fellow Grade:
  - a. Requires four years membership as a Senior Member, meaning that the highest admission grade for new members will be Senior Member. New members would not be able to be admitted as Fellows.
  - b. Recommendations from three (3) NAFE Fellows
  - c. Requires active Committee participation
  - d. Requires a minimum of two (2) technical papers presented to the Academy and published in the NAFE Journal
  - e. Maintains existing requirements for years of engineering experience, years of forensic engineering experience, number of cases prepared, and number of court testimony appearances.

- f. Applications are reviewed once a year, with new Fellows honored through the conferral of their new title during the July NAFE Meeting.
- g. Eliminates the outdated requirement that Fellows be previously admitted to the highest grade regularly available to members in another National Technical Engineering Society.
  - i. If actively involved in NAFE, members may not have the resources (time and money) to be similarly active in another society, and therefore potentially ineligible for the “highest grade” in other societies. Thus, their active membership in NAFE could actually make them ineligible for the Fellow grade.
  - ii. Eliminates a requirement that is not equally applied to all our members due to differing requirements of different engineering societies.
  - iii. Thanks to the past 33 years of effort by past members and leaders, the NAFE has now achieved a level of respect in the Engineering community where we no longer need other organizations to decide whom we may advance to Fellow.
  - iv. Eliminates the “SAE Loophole” where some members, by virtue of their membership in SAE (yours truly included) have an easier path to Fellow than other members.
  - v. The requirement for achievement of the highest level in another society may have been relevant in the past when members could be directly admitted at the Fellow grade. However, with the proposed requirements for years of service as a Senior Member, publication, presentation, and committee service, such a requirement is outdated and unnecessary.

Let me be clear... The proposed changes do not downgrade the requirements for achievement of the Fellow grade. The proposal raises the bar and enhances the requirements.

I encourage both the Bylaws Committee, and the Board of Directors to vote on these proposals as written. Much thought has gone into the proposals, and both serve to enhance the Academy. Our founders have laid a solid foundation for this Academy, but that does not mean that improvements are not possible. We have an opportunity to further enhance our Academy.

Let’s raise the bar! (Yes, that is my theme for this meeting).

Best regards,

Jeff Armstrong  
President, National Academy of Forensic Engineers

**BYLAWS,  
ARTICLES OF  
INCORPORATION,  
AND APPENDICES**

**NAFE**

**ARTICLES of INCORPORATION**

**and**

**BYLAWS**

## **ARTICLES OF INCORPORATION**

The National Academy of Forensic Engineers, having been founded in 1982 by Marvin M. Specter, P.E., L.S., Paul E. Pritzker, P.E., and William A. Cox, Jr., P.E., having associated in 1982 to form a non-stock corporation with members, and having been granted a Certificate of Incorporation in the District of Columbia on May 25, 1982, now hereby apply for incorporation as a non-stock corporation under the provisions of Chapter 2 of Title 13.1 of the Code of Virginia, and upon approval of this application shall relinquish and surrender the prior corporation to the District of Columbia, and to that end set forth the following:

- (a) The name of the Corporation is NATIONAL ACADEMY OF FORENSIC ENGINEERS.
- (b) The duration of the Corporation is perpetual.
- (c) The purpose or purposes for which the corporation is organized are to be exclusively educational and charitable within the meaning of the Internal Revenue Code of 1954, as amended, and the laws of the Commonwealth of Virginia include:
  - 1. To improve the practice, elevate the standards and advance the cause of forensic engineering, as the term "forensic engineering" is defined in the Bylaws.
- (d) The corporation shall have individual members who shall be selected by an Admissions Committee as provided in the Bylaws.
- (e) The corporation is to be divided into three or more classes of members as provided in the Bylaws. Three classes shall have the right to vote for the election of the officers and directors. All voting members shall require registration as a professional engineer pursuant to the registration laws of any state, territory or possession of the United States or in the District of Columbia, and membership in the National Society of Professional Engineers, and an acceptable grade of membership in a nationally recognized engineering technical society as further provided in the Bylaws. The qualifications and rights of each class of membership shall be as provided in the Bylaws.
- (f) The directors of the corporation shall be composed of these officers: President, President Elect, Senior Vice-President, Vice-President, Treasurer, Secretary, as many as the three most recent and available Past-Presidents, and as many as two Directors-at-Large who hold no elected office. Directors-at-large and officers shall be elected by vote of the members in the manner prescribed in the Bylaws and shall be elected for terms of one year. Officers shall serve until their successors are duly elected and qualified except that the President-Elect shall automatically succeed to the office of President and the Past-Presidents shall serve ex officio.
- (g) The affairs of the corporation shall be determined and governed by the directors in accordance with the Bylaws, which shall include, without limitation:
  - 1. To purchase, rent, hire or otherwise acquire, and to provide, erect, make, maintain, establish and operate offices, and other facilities, and all necessary or convenient equipment for, and

accessories to any or all thereof, to engage and employ such assistance as may be deemed necessary or desirable in connection with any of such purposes and object.

2. Except as specifically prohibited by law, to accept any gift, grant, endowment, devise or bequest made to the corporation at any time to further its general purposes.
  3. To have final authority in the discipline of members, which may include, but is not limited to revocation of membership, as provided in the Bylaws.
  4. To keep and maintain a register of valid holders of membership and certificates granted by the corporation.
  5. To do all such acts as are necessary or convenient to the attainment of the activities and purposes herein set forth.
  6. To do any act not prohibited for corporations under the laws of the Commonwealth of Virginia unless otherwise prohibited herein.
- (h) If the corporation should be dissolved, no member will receive any portion of its remaining assets or property; upon dissolution, the balance of any assets or property of the Corporation which remains after all debts or obligations are paid will be distributed to any other nonprofit corporation which has been determined by the IRS to be exempt from federal income taxes under section 501 (c) (3) of the internal Revenue Code.
- (i) The post office address of the initial registered office is 2433 North Landing Road, Princess Anne Courthouse, Virginia Beach, Virginia 23456.  
The name of the City in which the initial registered office is located is Virginia Beach, Virginia.  
The name of the initial registered agent is William A. Cox, III, Esq., who is a resident of Virginia and who is a member of the Virginia State Bar, and whose business office is the same as the registered office of the corporation.
- (j) The number of directors constituting the initial board of directors for this Virginia Corporation is eight (8) and the names, addresses, and offices of the persons who are to serve as these directors, each of whom has consented to serve, are:

NAME	OFFICE	ADDRESS	
Herbert Egerer, P.E.	President	P.O. Box 37980	Omaha, NE 68137
Joseph S. Ward, P.E., L.S	President-Elect	P.O. Box 1234	Montclair, NJ 07042
Loyal W. Murphy, III, P.E.	Senior Vice-President	5050 Poplar, Suite 1214	Memphis, TN 38157
Lindley Manning, P.E	Vice-President	P.O. Box 13392	Reno, NV 89507
Theodore D. Dziurman, P.E	Treasurer	34400 Glendale	Livonia, MI 48150
Marvin M. Specter, P.E., L.S	Secretary	174 Brady Avenue	Hawthorne, NY 10532
William A. Cox, Jr., P.E	Past-President	2309 Broad Bay Road	Virginia Beach, VA 23451
Paul E. Pritzker, P.E	Past-President	35 Hanna Street	Quincy, MA 02169

Administrative Note to the **Articles of Incorporation** (not a part of the **AoI**):

Chronology of Registered Agents of NAFE:

Registered agent from 1982 – 1998:

The name and address of the original District of Columbia incorporator is: William A. Cox, Jr., P.E., Past President, 2309 Broad Bay Road, Virginia Beach, Virginia 23451.

Registered Agent from 1998 to 2014:

Incorporated in the Commonwealth of Virginia January 13, 1998.

William A. Cox, III, Esq., 2433 North Landing Road, Princess Anne Courthouse, Virginia Beach, Virginia 23456.

Registered Agent from 2014 to present:

Arthur E. Schwartz, Esq., 1420 King Street, Alexandria, VA 22314-2794.



# **BYLAWS**

## **ARTICLE I** **NAME AND OFFICE AND DEFINITION**

### **Section 1. Name and Office**

The name of this corporation shall be the NATIONAL ACADEMY OF FORENSIC ENGINEERS (hereinafter referred to as the "Academy"). The principal office shall be located at 1420 King Street, Alexandria, Virginia 22314-2794. The Academy is a chartered affinity group of the National Society of Professional Engineers and is classified as a not-for-profit organization by the Internal Revenue Service.

### **Section 2. Definition**

Forensic Engineering is the application of the art and science of engineering in matters that are in, or may possibly relate to, the jurisprudence system, inclusive of alternative dispute resolution.

The terms "Board Certified" and "Board Certified Diplomate Forensic Engineer" as used within the Academy are NAFE credentials accredited by the CESB and afforded to NAFE Fellows, Senior Members and Members only. These credentials are not applicable to Associate Members, Correspondent Affiliates, International Affiliates or Student Affiliates.

## **ARTICLE II** **OBJECTIVES**

The purposes of the corporation are set forth in its Articles of Incorporation. The related objectives shall be:

- (a) To serve the public by advancing the skill and art of engineering analysis, investigation, consultation, and expert testimony in judicial and administrative proceedings which involve the use of engineering evidence, or the rendering of opinions based on engineering knowledge or judgment.
- (b) To establish criteria for and further the education of forensic engineers through formal studies, seminars, and publication of literature on the subject.
- (c) To engage in research and the publication of papers, books, and articles on the art and science of forensic engineering.
- (d) To elevate standards and the ethical concepts governing the practice of forensic engineering.
- (e) To cooperate with and assist other professions and organizations engaged in the administration of justice and resolution of disputes.
- (f) To certify individuals having acceptable experience in Forensic Engineering.

## **ARTICLE III** **MEMBERSHIP**

### **Section 1. Admission to Membership**

Candidates for admission to the Academy shall be reviewed by the Admissions Committee, and if found acceptable, shall be admitted as a Member, Senior Member, or Fellow of the Academy (all three of these membership grades being Board Certified Diplomate Forensic Engineers), or as an Associate Member (not Board Certified).

Upon attainment of acceptable qualifications, Associate Members may be elevated to Member by a vote of one member of the Admissions Committee, Members may be elevated to Senior Member grade by majority vote of the Admissions Committee, and Senior Members may be elevated to Fellow by unanimous vote of the Admissions Committee (see Article X. Section 2).

The minimum qualifications to be met by new candidates and renewing members shall be set by the Board of Directors (hereinafter referred to as the "Board") and shall include at least the following:

#### **(a) Members, Senior Members, and Fellows (Board Certified Diplomates)**

- (1) Professional Engineering registration. Candidates shall provide validation satisfactory to the Admissions Committee for each state of registration. After acceptance into membership, a validation shall be supplied each year to the Treasurer incidental to membership renewal which demonstrates continuance of registration in the principal state of practice of the member.
- (2) Membership in the National Society of Professional Engineers and also in a national or international engineering technical society satisfactory to and in a grade acceptable to the Admissions Committee. For the Academy grade of Fellow, the candidate shall be in the highest grade in a national or international engineering technical society ordinarily available to members.
- (3) Total experience in engineering practice for Members of five years, for Senior Members of twelve years, and for Fellows of twenty years.
- (4) Total experience in the practice of forensic engineering for Members of two years, for Senior Members of five years, and for Fellows of fifteen years.
- (5) Total experience in case preparation as a forensic engineer for Members of two cases, for Senior Members of ten cases, and for Fellows of fifty cases.
- (6) Total experience in court actually testifying and being cross examined as an engineering expert for Members of at least two cases, for Senior Members of at least five cases, and for Fellows of at least ten cases. The Admissions Committee may at its discretion consider testimony under oath in arbitration, deposition, or administrative proceedings for credit toward fulfillment of this qualification requirement.

- (7) Recommendations indicating experience and qualifications satisfactory to the Admissions Committee for Members from two forensic professionals, for Senior Members from three forensic professionals, and for Fellows from five forensic professionals. Such forensic professionals may include lawyers, certified general adjusters, judges, claims managers, and members of the Academy in the same or a higher grade than that being applied for by the candidate. References must have firsthand knowledge of the forensic engineering practice and qualifications of the candidates.
- (8) Members, Senior Members and Fellows shall maintain Continuing Professional Development (CPD) credits commensurate with the current CPD Policy, which is attached to these Bylaws as Appendix 2.

(b) Associate Members (not Board-Certified Diplomate Members)

- (1) Candidates shall provide validation satisfactory to the Admissions Committee showing either certification as an Engineer in Training / Engineering Intern (E.I.T. / E.I.), a PhD in engineering (or in a related science), or licensure (or equivalent) as a professional engineer. After acceptance into membership, for Associate Members licensed as a professional engineer or holding certification as an E.I.T. / E.I., validation shall be supplied each year to the Treasurer incidental to membership renewal which demonstrates continuance of registration in the principal state of practice of the member.
- (2) Candidates shall have had experience in engineering practice of four years, including two years of forensic engineering practice.
- (3) Candidates shall have prepared at least two forensic engineering cases.
- (4) Candidates shall hold membership in the National Society of Professional Engineers and also in a national or international engineering technical society satisfactory to and in a grade acceptable to the Admissions Committee.
- (5) Candidates shall have received recommendations indicating experience and qualifications satisfactory to the Admissions Committee from two forensic professionals. Such forensic professionals may include lawyers, certified general adjusters, judges, claims managers, and Members, Senior Members or Fellows of the Academy. References must have firsthand knowledge of the engineering practice and qualifications of the candidate.
- (6) Associate Members shall maintain Continuing Professional Development (CPD) credits commensurate with the current CPD Policy, which is attached to these Bylaws as Appendix 2.

Section 2. Fees and Dues

- (a) Application fees and annual dues and assessments shall be established by the Board. Annual dues for Academy members who are elected to membership during the year may be prorated in a manner as determined by the Board.

Dues Summary

Application Fee (nonrefundable)	\$125.00	
Upgrade Fee	125.00	
<b>Annual Dues Grade</b>	<b>Standard</b>	<b>Life Status</b>
Fellow	\$300.00	\$100.00
Senior Member	250.00	100.00
Member	200.00	100.00
Associate Member	200.00	100.00
International Affiliate	300.00	100.00
Correspondent Affiliate	100.00	N/A
Student Affiliate	25.00	N/A

Prorated dues apply to all grades: 1/1 to 3/31 Full Dues, 4/1 to 9/30 Half Dues, 10/1 to 12/31 Full Dues include following year.

- (b) For matters involving dues and CPD reporting, the President and Secretary may, at their joint discretion:
  - (1) Grant a petition to waive or reduce the CPD reporting and/or the dues of a member who is disabled or who has other hardship for a specified period and designate the time that full CPD reporting and/or dues will be resumed.
  - (2) Drop a member from the Academy rolls if payment of dues or a petition for waiver is not received by the summer meeting.
  - (3) Grant a request for Life status dues.

Section 3. Life Status Members

- (a) Associate Members, Members, Senior Members, and Fellows of the Academy shall become eligible for Life Membership status if the person 1) has been a member of the Academy for a period of 10 years or is a charter member, 2) does not receive in fees or wages as a forensic engineer in any calendar year more than fifty (50) times the annual dues of NAFE payable by the member in accord with his grade of membership, and 3) is at least 70 years of age.
- (b) Life status Members shall receive all publications of the Academy and shall be invited to attend the Academy's seminars.

**ARTICLE IV**  
**CORRESPONDENT AFFILIATES**

Lawyers, claims personnel, and other persons having an interest in forensic engineering, including engineers who do not meet the qualifications for Academy membership may submit to be admitted to the Academy as a Correspondent Affiliate. Such candidates are required to complete an application as approved by the Board of Directors and are required to pay application fees similar to those paid by candidates for membership. Once accepted, Correspondent Affiliates may receive the Journals of the National Academy of Forensic Engineers (by electronic means), appropriate member notices and literature, and shall be invited to attend the Academy's seminars. Correspondent Affiliates may also be listed in the Academy's Directory. At the discretion of the Academy, their commentaries and other communications may be published by the Academy when appropriate and of interest. The Board shall establish the fees for Correspondent Affiliates. Correspondent Affiliates are not members and may not represent themselves as holding membership in the Academy.

**ARTICLE V**  
**INTERNATIONAL AFFILIATES**

Applicants who are nationals of countries other than the United States, who hold membership in engineering societies of their country, who reside and/or practice forensic engineering outside of the United States, and whose credentials are acceptable to the Admissions Committee, may be admitted to the Academy as International Affiliates. Such individuals may receive publications of the Academy and, at the discretion of the Academy, their commentaries and other communications may be published by the Academy when appropriate and of interest. The fees for International Affiliates shall be established by the Board. International Affiliates are not members and may not represent themselves as holding membership in the Academy.

**ARTICLE VI**  
**STUDENT AFFILIATES**

Applicants who are engineering undergraduate or graduate students and are current student members of the National Society of Professional Engineers may submit to be admitted to the Academy as a Student Affiliate. Such candidates are required to complete an application as approved by the Board of Directors and are required to pay application-associated fees similar to those paid by candidates for membership. Once accepted, Student Affiliates may receive the Journals of the National Academy of Forensic Engineers (in electronic format only), receive appropriate member notices and literature, and shall be invited to attend the Academy's seminars. The fees for Student Affiliates shall be established by the Board. Student Affiliates are not members and may not represent themselves as holding membership in the Academy.

**ARTICLE VII**  
**MANAGEMENT AND OFFICERS**

**Section 1. Management**

The management of the Academy, the control of its property and affairs, and the selection of the recipients who will benefit from the purposes and objectives of the Academy shall be vested in its Board. The Board Certified membership of the Academy shall constitute the voting membership and shall select the Officers.

**Section 2. Election of Officers**

The Board Certified members of the Academy shall elect from among its Senior Members and Fellows a President-Elect, a Senior Vice President, a Vice President, a Secretary, and a Treasurer. The President-Elect shall automatically succeed to the office of President the following year.

All voting for officers for contested positions shall be by written or electronic ballot on a form forwarded to the members of the Academy by the Secretary following the midyear semiannual meeting of the Board. The completed ballots, having proper means of identification, shall be returned to the Secretary within two months from the original date of mailing. The President will appoint Inspectors of Elections whose duties it shall be to inspect and pass upon all ballots. The announcement of the results of such elections shall be made at the annual meeting of the Academy, or at an earlier date by a mailing from the President.

**Section 3. Term of Office**

Each elected officer shall serve for one year and until his or her successor is elected and installed, except the President-Elect who shall subsequently serve as President.

**Section 4. Honorary Members**

The Board may, from time to time, appoint as honorary members, with such titles and designations as it shall select, persons who need not be members of the Academy. Their duties shall be as assigned by the Board but shall not be in conflict with the duties of regular officers of the Academy. Persons appointed as honorary members shall continue at the pleasure of the Board.

**ARTICLE VIII**  
**BOARD OF DIRECTORS**

**Section 1. Membership of the Board**

The Board shall consist of the President, the President-Elect, the Senior Vice President, the Vice President, the Secretary, the Treasurer, the three most recent Past Presidents who are available, and as many as two Directors-at-Large. A President who elects not to serve out his or her complete term shall not be deemed to be a Past President.

A Director-at-Large shall be a voting member of the Academy, and shall be nominated annually by petition only. A Director-at-Large may continue to serve for any number of one-year terms by annual petition and reelection by the membership. The nominating and voting procedure for Directors-at-Large shall be as established for officers under Articles VII and XI, except that the Nominating Committee may not include a candidate for Director-at-Large with its slate.

**Section 2. Duties and Powers**

The Board shall have the control and management of the affairs of the Academy and, in addition to the powers and authorities expressly conferred upon them through these Bylaws, may exercise all such powers and do all such acts and things as are by law provided and as are usually done by the Board of a membership corporation, including the right to establish committees and approve committee appointments, to allot to those committees such duties and powers as the Board may deem proper, to select the recipients who will benefit from the purposes and objectives of the Academy, and to set fees for application and admission, and to determine dues and assessments. The Board shall have final responsibility and authority for member discipline. The Board is vested with the authority to appoint an Executive Director or Executive Secretary and other officials.

**ARTICLE IX**  
**MEETINGS OF THE BOARD OF DIRECTORS AND THE GENERAL MEMBERSHIP**

**Section 1. Annual and Semiannual Meetings**

There shall be two regular meetings of the Board of Directors and of the General Membership, one annual and one semiannual, each at a time and place determined by the Board.

**Section 2. Special Meetings**

Special meetings may be called at any time by the President. Special meetings may also be called by the Board upon filing with the Secretary of the Board a written request by at least three Directors. Such

written request shall specify the purposes for which the meeting is requested, and no business other than that specified in such purposes may be transacted at such special meeting.

### Section 3. Notice of Meeting

Notice of any meeting of the Board of Directors shall be mailed, emailed, , electronically transmitted or telephoned to all Directors at least seven days before the date of such meeting. The notice shall set forth the place, date, time, and purposes of such meeting. The seven days notice may be waived by unanimous vote of those present when no less than three-quarters of the Directors are present in person. The general membership shall also be notified in a timely manner about such meetings via email and NAFE website posting, with instructions provided for observing the meeting.

### Section 4. Quorum

At all regular and special meetings of the Board, the presence in person of not less than one-half of the Directors shall constitute a quorum.

### Section 5. Voting at Board Meetings

At all meetings, votes shall be by voice vote unless the presiding officer, or at least one-half of the Directors present, request voting by written ballot.

### Section 6. Vacancies

Vacancies on the Board, including elected Directors-at-Large, shall be filled for the balance of the unexpired term by vote of the majority of the Directors at any regular or special meeting. Voting to fill vacancies may also be by signed ballot mailed by Directors to the Secretary of the Academy.

### Section 7. Expense Reimbursement

- (a) Subject to budget limitations, reimbursement to Directors to compensate for travel expenses incurred at regular or special meetings of the Board shall be paid by the Treasurer upon receipt of invoices from such Directors indicating:
  - (1) The least cost airfare with attached receipt.
  - (2) In lieu of travel by air, the cost of travel by private transportation at the IRS established rate for highway travel. The mileage cost shall not exceed the least-cost airfare.
- (b) Other expenses by Directors on behalf of the Academy may be reimbursed when properly documented and approved by the President, subject to budget limitations.



## ARTICLE X COMMITTEES

### Section 1. General

- (a) The committees shall be:
  - (1) The Admissions Committee
  - (2) The Nominating Committee
  - (3) Standing Committees
  - (4) Special Committees
- (b) With exception of the Nominating and Admissions Committees, the President shall have the prerogative to establish committee sizes.
- (c) With exception of the Nominating and Admissions Committees, the President shall have the prerogative to appoint non-Academy individuals to committees. Such non-Academy individuals may serve on such committees, but without committee vote.
- (d) Members, Senior Members and Fellows, when eligible and properly appointed, may serve on committees and vote. Associate Members and Correspondent Affiliates, when eligible and properly appointed may serve on committees without vote.

### Section 2. Admissions Committee

- (a) The Admissions Committee shall be composed of the President-Elect who shall serve as Chairman and two Past-Presidents appointed by the President.
- (b) The Admissions Committee shall carefully evaluate each application for membership or for change in membership grade against the standards established in the Bylaws, render decisions as to their acceptance or non-acceptance, and assign appropriate membership grades to those accepted, reporting their actions to the Secretary and the Treasurer. Approval as Fellow shall require concurrence of three (3) Committee members; as Senior Member, concurrence of two (2) members; and as Member or Associate Member, concurrence of one (1) member of the Committee.

### Section 3. Nominating Committee

Each Nominating Committee shall serve for one year and shall consist of three members of the Academy appointed by the President. No officer of the Academy may serve on the Nominating Committee while holding office. The two most recent Past-Presidents who are available shall be

members of the Committee with the most recent Past-President serving as Chairman of the Committee. In addition, an Academy member appointed by the President shall be a member of the Committee and serve as its Secretary. The Secretary shall keep regular minutes of the meeting proceedings and a copy of such minutes shall be filed with the Secretary of the Academy within at least ninety days prior to the semiannual meeting of the Academy.

#### Section 4. Standing Committees

Standing committees may be established by the Board which will define their functions, powers, and tenure. Members thereof shall be appointed by the President. A description of these Standing Committees is attached to these Bylaws as Appendix 1.

#### Section 5. Special Committees

Special Committees may be appointed by the President of the Academy to handle special matters, which come up from time to time.

#### Section 6. Expense Reimbursement

- (a) Under special circumstances, committee Chairmen and individual members of the Academy who are specifically invited by the President, in writing, to attend a meeting with travel costs reimbursed, shall also be reimbursed as outlined in Section 7 (a) of Article IX. A copy of the written authorization shall be submitted to the treasurer.
- (b) Other expenses by committee members on behalf of the Academy may be reimbursed when properly documented and approved by the President, subject to budget limitations.

### **ARTICLE XI** **NOMINATING PROCEDURE**

#### Section 1. Normal Procedure

The Nominating Committee shall nominate a slate of persons recommended for election as officers of the Academy. The report of the Nominating Committee shall be made to the members at least sixty days prior to the midyear semiannual meeting of the Board. Additional nominations to be added to the slate submitted for vote of the members may be made by petition of at least ten voting members of the Academy. Such petition should be submitted to the Secretary of the Academy at least ten days prior to the semiannual meeting of the Academy. The Secretary shall certify to that meeting the election to office of the unopposed nominees.

## Section 2. Special Conditions

The Board of Directors shall assure that there is at least one candidate for each elective office at the end of its midyear, semiannual meeting. If a candidate proposed by the Nominating Committee is unable to serve, and there is no nomination by petition, the Board shall nominate a willing candidate.

## **ARTICLE XII** **DUTIES OF OFFICERS, MEMBERS, AGENTS, AND APPOINTEES**

### Section 1. President

The President shall be Chief Executive Officer and the Chairman of the Board of the Academy and perform the duties usual to a president of a membership corporation. The President shall preside at meetings of the Board and at the meeting of the members of the Academy and shall be ex-officio a member of all committees except the Nominating Committee. He shall appoint the members of all committees. The President shall have power to sign all documents, contracts, and negotiable instruments as the designated agent of the Academy. He shall, however, obtain advanced approval from the Board of Directors for any expenditures exceeding \$3,000.00.

### Section 2. President-Elect

The President-Elect shall automatically succeed the President, and act when necessary in the absence of the President.

### Section 3. Vice Presidents

The Vice Presidents shall perform such duties and have such powers as may be delegated to them from time to time by the President or the Board. In the absence of the President and President-Elect, the Vice Presidents in order of seniority shall have the power and perform the duties of the President.

### Section 4. Secretary

The Secretary shall keep a record of all proceedings of all meetings of the Board and the meetings of the members of the Academy, have the custody of all records and papers relating to the business of the Academy, prepare and issue all notices required to be given to the members, and shall otherwise exercise all duties incident to the office of Secretary.

Section 5. Treasurer

The Treasurer shall keep the accounts of the Academy and shall have the care and custody of all moneys belonging to the Academy, collect and receive all moneys payable to the Academy, keep proper books and records showing all receipts and expenditures, render semiannual reports in writing as to the financial condition of the Academy, and from time to time as may be requested by the Board, furnish such surety bond at the expense of the Academy, and otherwise exercise all duties incident to the office of Treasurer. The Board at any time may appoint an Assistant Treasurer to perform duties as assigned by the Treasurer.

Section 6. Executive Director or Executive Secretary

The Executive Director or Executive Secretary, if either one is appointed by the Board, may be given one or more of the duties and powers enumerated above as being the duties and powers of the Secretary, but the records of these individuals shall, at all times, be available to the Secretary. The Board is empowered to make a contract with the Executive Director or Executive Secretary for a period not exceeding three years for payment for services and for full travel and other authorized expenses subject to conditions the Board may deem fit and proper.

Section 7. Public Statements

No public statements stated or implied as representing the Academy shall be made without specific authority first obtained from the Board, except that the President may make appropriate public statements which are in accordance with existing Academy policy or which, in urgent situations not permitting contact with all Directors, have received the prior approval of a majority of the other Directors.

**ARTICLE XIII**  
**HOLDING MORE THAN ONE POST**

Directors may serve on any number of committees.

Directors-at-Large may not simultaneously hold or be appointed to elective office.

**ARTICLE XIV**  
**TERMS OF SERVICE FOR OFFICERS**

The Secretary and Treasurer may be reelected for any number of terms. Other officers may not serve again in their same office except as may be extended by the Board. A member of any committee may be reappointed for any number of terms.

**ARTICLE XV**  
**REMOVALS**

Any Academy member may be reprimanded, suspended, or expelled and any member of any committee may be removed from office by the affirmative vote of two-thirds of the Directors at a special meeting of the Board called for the purpose of considering such action.

**ARTICLE XVI**  
**MEMBER DISCIPLINE**

- (a) Charges of unethical conduct may be filed with the Ethics Committee by anyone. Such charges must be written, specific, detailed, and include reasonable supporting evidence.
- (b) The person charged shall be notified of the substance of the charges and shall be given opportunity to present a defense, including personal appearance with legal counsel, if desired, at his or her own expense, and to present pertinent witnesses and/or documents. The hearing shall be closed unless the person charged requests otherwise.
- (c) Resignation by a member or affiliate under charge shall not cause these proceedings to be terminated.
- (d) The Ethics Committee may dismiss the charges when it finds them unwarranted and shall notify the Board, the person charged, and the person who filed the charge of such action.
- (e) If the Ethics Committee finds that the member or affiliate violated ethics of forensic engineering practice, membership requirements, or otherwise acted so as to reflect discredit upon the Academy, the Committee shall recommend to the Board such penalty as it considers appropriate which may be expulsion from the Academy, suspension of membership for a stated period of time, or reprimand.
- (f) Upon final disposition of a case, the Academy may, with approval of the Board, publish a summary report of the case in a publication of the Academy.

**ARTICLE XVII**  
**LIABILITY**

The Academy will defend any suits or claims asserted against its officers, directors, committeemen, or staff, past or present, in connection with their authorized activities on behalf of the Academy, and will indemnify and hold harmless individuals so involved.

**ARTICLE XVIII**  
**MINUTES**

Minutes of the meetings of the Board, minutes of meetings of the members of the Academy, and meetings of all other committees shall be prepared by the respective Secretary and filed with the Secretary of the Academy.

**ARTICLE XIX**  
**FUNDS AND EXPENDITURES**

**Section 1. Income and Expenditures**

Funds for meeting the expenses of the Academy shall be raised by annual dues, assessments, voluntary contributions, and such income as may come to the Academy through the collective efforts of its members in accordance with IRS regulations. No financial obligations of the Academy may be incurred by anyone or any group of members, except upon the prior authorization of or allocation of funds by the Board. All disbursements shall be made by the Treasurer.

**Section 2. Fiscal Year**

The fiscal year of the Academy shall be from the first day of January to the thirty-first day of December of each and every year.

**ARTICLE XX**  
**SEAL**

The seal of the Academy shall consist of the words NATIONAL ACADEMY OF FORENSIC ENGINEERS inscribed in a circle with the words "Corporate Seal, Commonwealth of Virginia" inscribed in the center of said circle. The design of the seal may be changed at any time by formal action of the Board.

**ARTICLE XXI**  
**AMENDMENTS**

**Section 1. General**

- (a) These Bylaws and the Articles of Incorporation may be amended in the following manner: any proposal for amendment shall be in writing, subscribed to by not less than two Directors, and

filed with the Secretary of the Academy. Consideration of such proposal shall be made at the next meeting of the Board.

- (b) A copy of the proposed amendment shall then be mailed, email or electronically transmitted to each Director by the Secretary of the Academy not less than twenty days and not more than forty days prior to the next Board meeting.

## Section 2. Adoption of Amendments

- (a) A proposed amendment of the Bylaws shall be adopted by affirmative vote of at least two-thirds of the Directors:
  - 1. present at the meeting called to consider the adoption of the proposed amendment, or
  - 2. who have filed with the Secretary of the Academy signed affirmative consents.
- (b) A proposed amendment of the Articles of Incorporation, once adopted by the Board, shall be forwarded to the voting members of the Academy. Voting members at the next meeting of the general membership shall be polled. An affirmative vote of two-thirds of the voting members at a meeting is required to finally adopt a proposed amendment. For the purposes of amendment of the Articles of Incorporation of NAFE, or such other action as shall be binding on the Academy requiring voting by voting members, a quorum for such purposes at any meeting shall be thirty (30) voting members.

## Section 3. Distribution to Members

A copy of any adopted amendment shall be mailed or emailed or electronically transmitted to each member. At his discretion, the Secretary may forward to each member a complete revised set of Bylaws.

Revised July 25, 2008      (Increase Fees and Dues)

Revised January 10, 2015: (General up-dating, including incorporating changes to membership structure)

**Current Copies of:**

**APPENDIX 1 to the NAFE BYLAWS,  
Functions, Powers and Tenure of Committees**

**APPENDIX 2 to the NAFE BYLAWS,  
Continuing Professional Development (CPD) Procedures**

**APPENDIX 3 to the NAFE BYLAWS,  
Handbook of Policies and Procedures**



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# NATIONAL ACADEMY OF FORENSIC ENGINEERS

## APPENDIX 1

### **FUNCTIONS, POWERS AND TENURE OF COMMITTEES**

(Established by the Board of Directors under Bylaws Article X)

#### **STANDING COMMITTEES**

##### **1. Ethics Committee**

(a) The Ethics Committee shall conduct and maintain a review of the codes of ethics of NSPE and the national engineering technical societies from the viewpoint of forensic practice.

(b) The Ethics Committee shall make appropriate reports and recommendations to the Board for additional standards of practice to supplement and interpret those codes as they may apply to (1) the practice of forensic engineering and (2) the Professional Policies applicable to the procedures of NAFE.

(c) The Ethics Committee shall receive and consider any complaints and charges alleging unethical practice of members and take appropriate action in accord with NAFE Policy.

(d) The Ethics Committee shall be chaired by a Director of the Academy. A Deputy Chair, if appointed, shall be a Director of the Academy.

(e) No more than three Directors shall serve on the Ethics Committee at one time, except that an Ethics Committee member may be appointed to fill a vacant Director Position.

##### **2. Public Relations Committee**

(a) The Public Relations Committee shall build and maintain a mailing list of major national and regional level organizations and publications which may reasonably be expected to have an interest in the Academy, its activities, or its publications, or with which the Academy and its members share substantial interests and concerns. The Committee shall prepare timely news releases about the Academy and its programs, initiate liaison contacts for the exchange of information and, with the approval of the President, direct information about the Academy to selected and appropriate addressees.

(b) The Committee shall encourage the members of the Academy to file brief biographical sketches with the names, attention lines, and addresses of their principal local news media and such magazines as could be expected to use news releases about Academy activities and offices of the members. The Committee shall make appropriate news releases employing such data as opportunities may arise.

(c) The Committee shall strive to promote other efforts to bring the Academy to the attention of those who may utilize the services offered by Academy members, as well as to other interested parties and organizations.

(d) The Committee shall report its activities to the Board, making recommendations when appropriate.

##### **3. Insurance Committee**

(a) The Insurance Committee shall investigate and monitor the availability, coverage, and premium cost for liability insurance to satisfy the requirements of Bylaws Article XVII and shall make recommendations to the Board of such insurance coverage.

## NATIONAL ACADEMY OF FORENSIC ENGINEERS

(b) The Committee shall investigate and monitor the availability, coverage, and premium cost to provide Academy members professional liability insurance coverage, specifically with respect to their practice for forensic engineering and shall make recommendations to the Board for their consideration.

### **4. Contract Documents Committee**

The Contract Documents Committee shall draft and periodically update a model contract document or a series of contract documents which would be suitable for use by forensic engineers in the rendering of professional services.

### **5. Audit Committee**

Upon appointment by the President, the Audit Committee shall review the accounts of the Academy and shall issue a report to the Board within ninety days from the end of the fiscal year of the Academy.

The Audit Committee shall arrange for an independent review of the accounts periodically, as directed by the Board.

### **6. Publications Committee**

(a) At the direction of the President or Board of Directors, the Publications Committee will review the discipline and specialty categories as contained in the then current directory and will recommend to the Board of Directors suggestions for modifications. The Committee, when requested, will also furnish the Board with recommendations for typography, printing, binding and estimated costs for the subsequent editions of the directory.

(b) At the direction of the President or Board of Directors, the Committee will make recommendations for the revision of the NAFE brochure and present them to the Board of Directors.

(c) The Publications Committee shall advise concerning the publications of the Academy.

### **7. Education Committee**

The purpose of the Education Committee is to gather information on seminars and conferences in forensic engineering, to gather information on college courses in forensic engineering, and to prepare a model course and materials that could be used by college professors to teach such courses.

(b) The Committee shall each year contact all members of NAFE to receive information on forensic engineering educational activities in their geographical area and in the USA. The objective is to gather programs and course outlines.

(c) The Committee will maintain contact with the American Society for Engineering Education (ASEE).

(d) Through the Inter/Intra Professional Liaison Committee, the Education Committee will maintain contact with the forensic engineering sections of other professional engineering societies relative to education activities.

(e) The Committee will assist in planning the NAFE semi-annual meetings and seminars.

### **8. Legislative Committee**

The Legislative Committee will monitor any possible federal or state legislation that may have an effect on the practice of forensic engineers, will maintain liaison with the NSPE Legislative Committee

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and the NSPE General Counsel, and will report their findings and request recommended actions to the Board of Directors.

### **9. Long Range Planning Committee**

The Long Range Planning Committee will consist of at least three members. The Committee will prepare a long range plan and develop strategies to achieve this plan for submission to the Board of Directors. The Committee will also prepare short range (annual) plans and will monitor their effectiveness for reporting to the Board of Directors. All such plans will project the future posture of the Academy, including financial planning.

### **10. Continuing Professional Development Committee**

(a) The Continuing Professional Development (CPD) Committee shall implement and monitor the CPD procedures initially adopted by the Board of Directors in 1993, added as Appendix 2 in 1994, and as modified.

(b) The CPD Committee shall distribute record keeping forms to the membership within a reasonable time prior to the annual reporting deadline stated in Appendix 2.

(c) The CPD Committee shall receive record and analyze CPD data supplied by the membership, and advise each member of the results of the analysis within the deadline stated in Appendix 2.

### **11. Bylaw-AoI (Articles of Incorporation) Committee**

(a) The Bylaw-AoI Committee shall review minutes of Board and Membership meetings, and receive comments and recommendations from the membership regarding perceived need for changes to the Articles of Incorporation (AoI) and Bylaws of the Academy.

(b) The Bylaw-AoI Committee shall propose recommended changes to the AoI and Bylaws for action by the Board of Directors.

(c) The Secretary of the Academy shall serve as Ex-officio member of the Bylaw-AoI Committee, and shall maintain a record of current text.

### **12. Finance Committee**

(a) The finance Committee shall analyze the projected income and expenses of the Academy and recommend an operating budget to the Board of Directors for approval for each fiscal year.

(b) The Senior Vice President shall chair the Committee with the President Elect, Vice-President, Treasurer, and Secretary as members.

(c) The Treasurer shall provide to the Finance Committee the check register two weeks prior the semi-annual meetings. The check register shall be sorted by; (1) payee; and (2) sorted by account then by payee.

#### History

Revised 7/27/98

Article 12 added January 16, 2009.

Article 12 Revised January 18, 2013

# NATIONAL ACADEMY OF FORENSIC ENGINEERS

## APPENDIX 2

### NAFE CONTINUING PROFESSIONAL DEVELOPMENT (CPD) PROCEDURES

1. Members, Senior Members and Fellows, excepting those who are retired or are exempt for reasons of hardship, shall maintain Continuing Professional Development (CPD) credits with the National Academy of Forensic Engineers (NAFE) as evidence of currency and competence for professional practice. CPD credits may be accrued from Academic Credits (AC), Contact Credits (CC), Practice Credits (PC), Self Study Credits (SC), Community Volunteer Credits (CV), or any combination thereof.

2. CPD Credit Accounts shall be tallied as of December 31st of each calendar year. Earned credits shall be added for that year. An initial submission showing credits earned in the previous five years shall be made to the Academy at the onset of this program and for the previous five years by new members at the time of entry.

3. A Member, Senior Member or Fellow having a credit balance of 100 credits tallied from the previous five years shall be deemed as a member in good standing of the NAFE (subject to timely payment of dues or assessments) and thereby certified as a Diplomate in Forensic Engineering for the subsequent three years. Retirement status is defined as being limited by the receipt of fees or wages as a forensic engineer in any calendar year to a maximum of fifty times the annual dues of NAFE payable by the member in accord with his grade of membership.

4. Members, Senior Members and Fellows who do not meet the CPD requirements and who are not excepted as stated above may continue as members (subject to timely payment of dues or assessments) for no more than 12 months and then shall be automatically severed from membership status and certification previously attained. However, they shall not be precluded from transfer to a non-member, non-certified status as an affiliate ("Correspondent") of NAFE. Readmission to full membership and certification may be attained upon submission of satisfactory CPD credits to a positive status.

5. On or before January 7 of each year, each Member, Senior Member or Fellow shall submit a tally listing, in the form prescribed by NAFE, the CPD credits earned during the previous year. The President shall appoint a Continuing Professional Development Committee which shall review the submissions and advise the members on or before April 7 of any credits disallowed and of the acceptance of credits found satisfactory. Appeal may be made to the President-Elect within 60 days of any credits disallowed. The determination of the President-Elect shall be final.

Adopted 7/12/94, Rev. 1/19/02

# NATIONAL ACADEMY OF FORENSIC ENGINEERS

## CPD CREDITS:

### **Academic Credits (AC) - Maximum 45 Credits per Year**

In accord with guidelines of the National Council of Engineering Examiners:

College or unit semester hour	45 credits
College or unit quarter hour	30 credits
Continuing Education (per contact hour)	1 credit

(For teaching any of the above, double the credits, provided however that such teaching is not in the regular course of employment).

Authoring of published papers or articles on engineering subject matter	10 credits each
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### **Contact Credits (CC) - Maximum 3 Credits Per Year**

Organizational contact with other practicing engineers is deemed by NAFE to be informative and beneficial to currency of competence.

Membership in national engineering organizations (including NAFE)	1 credit each
Committee membership (including NAFE)	1 credit each
Officer, Director or Committee Chairman positions (including NAFE)	1 credit each

### **Practice Credits (PC) - Maximum 15 Credits per Year**

Forensic Engineering - one credit for each ten percent of total engineering practice up to fifty percent maximum.	1 to 5 credits
Cases prepared	1 credit each
Depositions (under oath)	1 credit each
Trial testimony (subject to adversary cross examination)	2 credits each
Patents	5 credits each

### **Self Study Credits (SC) - Maximum 15 Credits Per Year**

Limited to engineering publications, including periodicals and scientific publications.	0.1 credit per study hour
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### **Community Volunteer Credits (CV) - Maximum 2 per year**

Community volunteer utilizing engineering expertise.	1 credit
Community volunteer not utilizing engineering expertise	1 credit

# NATIONAL ACADEMY OF FORENSIC ENGINEERS

## APPENDIX 3

### A NAFE Policy and Procedure For NAFE Policies and Procedures

I. The National Academy of Forensic Engineers (NAFE) is formally affiliated with the National Society of Professional Engineers (NSPE) as a "Chartered Affinity Group of NSPE." All Members, Senior Members and Fellows of NAFE are required to be members of NSPE (in addition to other membership requirements) and are therefore bound by the NSPE Code of Ethics as it exists and as it may be further amended by NSPE.

II. In addition to its Code of Ethics, the NSPE has a Constitution and Bylaws, and the NAFE has its Articles of Incorporation and Bylaws, each of which govern the activities of these two separately incorporated membership organizations. The NSPE also has three sets of policies\* as follows:

NSPE Professional Policies adopted by the NSPE Board of Directors which "consist of statements of policy, statements of Philosophy and statements of opinion that provide the position of NSPE in matters of importance before Congress and Federal agencies . . . [and] in matters pertaining to the relationships of the [PE] Society and professional engineers with the public, industry, organizations and to the conduct of professional engineers."

NSPE Operating Procedures "adopted by the NSPE Board of Directors to provide binding operational controls considered necessary as a supplement to or amplification of the NSPE Constitution and Bylaws." (emphasis added)

NSPE Administration Policies "adopted by the NSPE Board of Directors to express philosophies of administration for the guidance of national officers, state societies, chapter officers and members." (emphasis added)

III. The NAFE, having need of supplemental guiding statements, will from time to time, by action of the NAFE Board of Directors, adopt Professional Policies (NAFE PP's), Operating Procedures (NAFE OP's) and Administrative Policies (NAFE AP's) following a similar process to NSPE, but in each instance, addressed to the matters of substance which especially concern the NAFE and its members. The NAFE considers the NSPE statements to be of guidance and substantial interest to NAFE as an organization and recognizes they may govern NAFE members in their official roles within NSPE, but does not mandate the NSPE statements upon the organizational activities of NAFE. The statements adopted as NAFE PP's, OP's an AP's will so govern the activities within NAFE to the extent indicated within each statement.

\* NSPE Policies and Procedures - NSPE Publication # 1504

History: Drafted 6/24/94 by Marvin M. Specter, P.E., L.S. and reviewed by Policy and Procedures Committee; Adopted 7/12/94 by BOD.

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# NATIONAL ACADEMY OF FORENSIC ENGINEERS

## NAFE AP No. 1

### CRITERIA AND PROCESS FOR READMISSION OF MEMBERS WHO PREVIOUSLY RESIGNED FROM NAFE OR HAD BEEN DROPPED

1. Must have left in good standing.
2. Must have no unresolved NAFE ethics complaints.
3. Submission to be made of information as to engineering practice since leaving NAFE.
4. Must be recommended by at least one current member of NAFE of equal or higher grade.
5. Review and acceptance to be made by the NAFE Admissions Committee.
6. Payment to be made of current dues.
7. New membership number will be assigned unless the member being admitted chooses to also pay the dues omitted during the time of non-membership. Determination of eligibility for Life Member status shall be based on actual years of dues paid.

History: Drafted 8/19/93 by M. M. Specter, P.E., L.S., and reviewed by Paul E. Pritzker, P.E., Irving Hazard, P.E. and Robert W. Witter, P.E. Further revised by Specter 12/20/94; Adopted 1/17/95 by BOD.

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## NAFE AP No. 2A PROCEDURE FOR COUNTING OF BALLOTS

Where election balloting is required, the following procedures shall be followed:

1. Check each envelope for the postmark to insure all have been received within the time frame set. Count the total ballots received.
2. Open the outer envelopes and lay the outer envelopes to one side and the inner envelopes to the other side.
3. Count the outer and the inner envelopes to see that they come out even and agree with your total count. Lay the outer envelopes to one side and place a rubber band around them.
4. Check the inner envelopes for members' signature. (any that are not signed set to one side).
5. Open the inner envelopes and lay the inner envelopes to one side and the ballots to the other side. Shuffle the ballots so that they are not in the same order as the inner envelopes. (This insures the secret ballot requirement).

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6. Count the inner envelopes and the ballots to see that they come out even. Lay the inner envelopes to one side and place a rubber band around them.
7. Open up the ballots.
8. Each inspector should have a sheet with the names of the candidates listed thereon.
9. Take turns calling out the vote and each keep count as a check to make sure the count is recorded correctly.
10. Ballots having marks for both candidates in a contest for the same position shall not be tallied for that position.
11. Unsigned ballot envelopes shall remain sealed, and their ballots shall not be counted.
12. If the vote does not tally to the total ballots received (minus any unsigned envelopes or uncounted votes as indicated above), or if the Inspectors are not in agreement as to the vote count, a full recount shall be made until the vote total for each candidate agrees for each inspector.
13. Ballots shall be held for one year from the day of certification by the tellers and then destroyed.

When authorized by the BOD, balloting may be done by electronic Internet procedure.

History: Drafted 10/12/94 by E. Joyce Dixon, Ex. Dir.; Adopted 1/17/95 by BOD.

Revision 2A proposed by Michael Kravitz P.E.; Adopted by BOD: July 19, 2013.

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### **NAFE AP No. 3B** **PROMPT PAYMENT OF DUES**

Members and affiliates are encouraged to make prompt payment of dues upon receipt of billing. When payment is not received within thirty days of the mailing date of a second billing, the member or affiliate shall be considered as in probationary status until dropped from the rolls or until restored to full current status by payment of dues or by waiver thereof. (Refer to Bylaw III, Section 2).

October 15: Dues statements mailed for following year's dues.

December 15: Second notice statements mailed.

January 15: Members with unpaid dues and no request for waiver shall be considered as in Probationary Status. A late fee of \$50 will be assessed for payments postmarked after January 15.

No public acknowledgment of membership will be made by the Academy for any member on probation. Members on probation shall not be listed in the NAFE Directory, the Journal nor any other publication of the Academy.

Any member or affiliate whose check is returned for insufficient funds, closed account, or stopped payment shall pay an additional fee to cover costs of the bank charges for return processing.

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Any member or affiliate who is on probationary status is not eligible to attend any seminars at the 'Member' rate, but must pay the 'Guest' rate, unless a check is provided at the seminar to cover the unpaid dues and late fees.

History: Drafted 6/25/95 by M. M. Specter, P.E., L.S.; Adopted 7/25/95 by BOD.  
Time table proposed by Bylaw Committee 7/29/98; Adopted by BOD as AP3A  
Paragraphs on insufficient funds and probationary status proposed by Treasurer C. P. Reynolds, P.E. on June 20, 2005; Adopted by BOD: July 9, 2005.  
Provision for \$50 late fee drafted by C. P. Reynolds, P.E., Treasurer, and E. R. Curtis, P.E., Secretary, on January 5, 2007; Adopted by BOD: January 5, 2007.

### **NAFE AP No. 4** **ADDRESSES OF MEMBERS**

In order to achieve the most effective communications with and between members and affiliates of the Academy, all changes in address, telephone, FAX, e-mail, etc. shall be promptly furnished to the Executive Director in writing who will maintain records of same. Where the primary postal address is to a post office box, a street address shall also be furnished, thus allowing for delivery by private parcel services (who do not deliver to U.S. Postal Service boxes).

History: Drafted 6/25/95 by M. M. Specter, P.E., L.S. and E. Joyce Dixon, Executive Director;  
Adopted 7/25/95 by BOD.

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### **NAFE AP No. 5** **CONTINUANCE OF PE AND SOCIETAL CREDENTIALS**

The NAFE requires of its members that they be licensed as a professional engineer and be a member of NSPE and an ETS (national engineering technical society, such as ASCE, ASME, IEEE, etc.) in an appropriate grade. The Treasurer may provide a form for certification by the members of their currency in the above.

Members in arrears in such submission for more than one year shall be deemed as no longer in good standing. Life members or other members whose dues are waived may be exempted from the above requirements if a hardship is imposed, subject to approval of the President and the Secretary of the Academy.

History: Drafted 6/25/95 by Marvin M. Specter, P.E., L.S.; Adopted 7/25/95 by BOD.

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### **NAFE AP No. 6C** **EXPENSE REIMBURSEMENT**

Subject to budget limitations, the following expenses incurred on behalf of the Academy may be reimbursed by the Treasurer to Directors, committee members, and members when properly documented and approved:

1. Directors will be reimbursed, upon written request, for travel expenses incurred to attend

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regular and special meetings of the Board. Travel reimbursement shall not exceed the 7-day advance round-trip coach airfare. The reimbursement may include mileage to and from the airport, and round-trip surface transportation from the destination airport to the destination hotel. Mileage will be reimbursed at the IRS established rate for business miles. An Expense Reimbursement form is available from the NAFE Treasurer. Receipts should be attached documenting all expenses when submitting the form for payment.

2. A Director's round-trip travel by highway to and from a regular or special meeting of the Board will be reimbursed at the IRS established rate for business miles. The mileage reimbursement shall not exceed the air-travel rate allowed in section 1 above.

3. Under special circumstances, the Board of Directors may establish a different reimbursement rate for specific meetings.

4. Under special circumstances, committee chairmen and individual members of the Academy, or guests, who are specifically invited by the President, in writing, to attend a meeting with travel costs reimbursed, will be reimbursed as outlined in sections 1, 2 and 3 above. A copy of the written authorization shall be submitted to the Treasurer.

5. Other out-of-pocket expenses incurred by Director and committee members on behalf of the Academy may be reimbursed as follows:

Postage charges: Actual expenses incurred

Photocopy charges: 10 cents/page or actual expenses incurred

Long-distance phone charges: Actual expenses incurred

Office supplies: Actual expenses incurred

Outgoing Faxes: Long-distance phone charges only

Incoming Faxes: Same as photocopy charges

Printing and Office Supplies: Actual expenses incurred Actual expenses incurred for office equipment, software, furnishings, and similar items, when approved in advance by the Board of Directors.

6. Meals, tips, parking, usage of personal computers, office equipment of a Director or committee member and similar expenses are not reimbursable unless approved in advance by the Board of Directors.

7. For bookkeeping reasons, all reimbursement requests must be made within ninety (90) days of the expense being incurred. If a reimbursement request is made later than ninety days, a 10% "late request" penalty will be deducted from the reimbursement. Requests for reimbursement submitted later than 180 days after the expense is incurred will not be paid.

8. An un-budgeted or significantly over-budget request will not be paid unless authorized by the Expense Control (Finance) Committee or the Board of Directors.

### History:

Drafted 2/14/95 by Robert L. Bleyl, Ph.D., P.E. and reviewed by the Expense Control Committee; Adopted 7/25/95 by BOD.

Revision A drafted by Treasurer Charles Pl Reynolds, P.E.; Adopted by the BOD: 7/27/2007

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to take effect retroactively on 1/1/2007.

Revision B drafted by Treasurer Charles P. Reynolds, P.E.; Adopted by BOD: 7/25/2008.

Revision C drafted by Smith Reed, P.E.; Adopted by BOD: 1/16/2009.

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### **NAFE AP No. 7** **CPD STATUS OF MEMBERS**

Members, Senior Members, and Fellows of NAFE, excepting those who are Life Members and Members on Waiver, are required to maintain currency of professional development and to provide information of same to the Academy. Since recertification of Continuing Professional Development (CPD) is made for three year periods, there is ample opportunity for routine submittal of information. Annual submission is encouraged and facilitates maintenance of current CPD status.

Those who are not current shall be considered as on probation until currency is reestablished. Members on probation shall not be listed in the NAFE Directory, the Journal, nor any other publication of the Academy, and after twelve months on probation, are subject to severance from membership or transfer to a nonmember, non-certified status (see Bylaws, Appendix 2).

History: Drafted 7/23/95 by Marvin M. Specter, P.E., L.S.; Adopted 7/25/95 by B.O.D.

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### **NAFE AP No. 8** **DISTRIBUTION OF MEMBER LISTS**

The Directory of the NAFE as published is the primary source to NAFE members and to the public of the membership lists of the Academy. Officers, committee chairmen or other members acting on NAFE business may have access to current data lists of members for Academy purposes between publications of the Directory. Distribution of such shall be at the direction of the President. Candidates for contested NAFE offices, by written request to the Executive Director, shall receive a copy of the current NAFE member list.

History: Drafted 12/22/95 by Marvin M. Specter, P.E., L.S.; Adopted 1/23/96 by BOD.  
Revised January 18, 2013 by BOD.

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### **NAFE AP No. 9** **NAFE LIFE STATUS PROCEDURES**

Life status shall be granted upon request of a member in good standing for the year in which the member meets the qualifications stated in Bylaw Article III, Section 3(a). Such request shall include information specific to the requirements of said Bylaw. Determination of approval shall be made at the joint discretion of the Secretary and President. If so approved, dues billing for the entire calendar year for that member shall be at the Life Status dues rate for that year established by the Board of Directors.

History: Adopted 7/18/97 by BOD

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**NAFE AP No. 10A**

**PENDING APPLICATIONS FOR ADMISSION TO THE NAFE**

1. Applicants applying for admission into the National Academy of Forensic Engineers (NAFE) shall have three (3) years from the date stamp imprinted on the application in which to complete and submit their application. During the period of time, the applicant's application is pending, the applicant is not authorized to use or imply that his/her application for admission into the NAFE is pending, nor is the applicant authorized to use the name of the National Academy of Forensic Engineers or the acronym "NAFE" in any documentation. The use of the words National Academy of Forensic Engineers or the acronym NAFE is reserved for the exclusive use of members of the Academy in good standing.

2. Applicants denied admission may appeal in writing within 60 calendar days of denial. The academy President shall make final determination and notify the applicant within 60 days of the receipt of the appeal.

History:

Drafted 07/30/2000 by Michael Kravitz, P.E.; Adopted by BOD: 07/30/2000

Paragraph 2 drafted 12/15/06 by M.M. Specter, P.E., L.S., F.NSPE & Michael Kravitz P.E.;  
Adopted by BOD: January 5, 2007.

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**NAFE AP No. 11D**

**REFUND POLICY FOR MEETINGS AND SEMINARS**

Subject to approval by the President, exceptions shall be made for circumstances of medical necessity, Force Majeure, or for other circumstances not subject to the control of the member, such as transportation failures. Denials may be appealed and subject to a majority decision of the President, Senior Vice-President, and Treasurer.

History: Drafted 6/21/02 by M. M. Specter, P.E., L.S. Adopted by BOD: July 14, 2002

Rev. A drafted 12/15/06 by M.M. Specter, P.E., LS, F.NSPE, adopted by BOD: 1/5/2007.

Rev. B drafted by Leslie N. Wilder, P.E., adopted by BOD: 7/1/2008.

Rev. C drafted by E. Ross Curtis, P.E., adopted by BOD: 7/17/2009.

Rev. D Revised by Bylaws Committee, adopted by BOD: 01/18/2013  
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# NATIONAL ACADEMY OF FORENSIC ENGINEERS

## NAFE AP No. 12A

### CRITERIA FOR PUBLISHING AND MAINTAINING MATERIAL ON THE NATIONAL ACADEMY OF FORENSIC ENGINEERS (NAFE) WEBSITE (www.nafe.org)

1. The NAFE website may be used to provide educational information that advances the art and science of forensic engineering as it pertains to the legal and engineering communities.
2. The website of NAFE may be used to provide information regarding other non-profit organizations for educational purposes.
3. The website of the NAFE shall not be used for commercial purposes including, but not limited to, the following: Sales or recommendations of products or services from NAFE members, affiliates or correspondents or outside persons or companies.
4. The names and contact information of the Executive Director of the NAFE shall be published on the website. The names of the current Board of Directors and Past Presidents may be published on the website without contact information. The seminar presenter names may be published in association with NAFE seminars. The journal article authors' names may be published in association with journal article listings. All other members, affiliates and correspondents of the NAFE shall not have their names and contact information published on the website.
5. A procedure shall be written regarding the steps necessary to add and update the text content, downloadable forms, and associated images on the website. This procedure will be issued to the members of the website committee. This procedure shall include login location, login accounts and passwords, posting guidelines, and software necessary to make the aforementioned changes. The website committee will be responsible for creating and updating this procedure.
6. The password, domain name and re-registering information shall be shared between the Website Committee Chairperson and two other members of the committee as well as the Executive Director. A CD of the website files shall be kept on file with the Executive Director and updated at least once per year.

#### History:

Drafted 07/23/2004 by Michael Kravitz, P.E. Adopted by BOD: 1/15/2005.

First paragraph amended by BOD: 7/9/2006 (added "of").

Rev. A drafted by Michael Kravitz, PE and Marvin M. Specter, P.E., L.S. amended by Richard M. Ziernicki, Ph.D., P.E., and adopted by the BOD: 1/16/2009.

Rev. Section 5 by Bylaws Committee, 12/18/2013

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NAFE AP No. 13

**CONTROL OF CASH RECEIPTS AND CASH DISBURSEMENTS, INCLUDING APPROVALS  
FOR EXPENDITURE OF FUNDS FOR REIMBURSEMENTS REQUESTS, PAYMENT OF  
INVOICES, AND PURCHASES OF CAPITAL EQUIPMENT.**

1. All revenue received should be forwarded to the Treasurer for deposit to the NAFE account as soon as practical after receipt. If the funds are received at the Headquarters Office, they should be transmitted to the Treasurer for deposit, including an itemized listing of the checks, from whom received, and for what purpose. Ideally, a copy of each check should be made and retained as a backup to each deposit, in the event there is a question about payment being made.
2. Budgeted expenses related to the operation of the NAFE Headquarters Office shall be itemized. All other invoices or reimbursement requests shall be itemized. All expense reimbursement requests shall be submitted to the President for his approval before being forwarded to the Treasurer for payment.

History:

Drafted April 12, 2008 by Charles P. Reynolds, P.E., Treasurer. Adopted by BOD: July 25, 2008.

Rev. Section 2 by Bylaws Committee 01/18/2013.

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**NATIONAL ACADEMY OF FORENSIC ENGINEERS**

**NAFE OP No. 1**  
**MEDIATION OF MEMBER DISPUTES**

In order to foster collegial relations between members or affiliates, the NAFE will provide mediation when requested by the parties at dispute and deemed appropriate by the President. Such mediation may be provided relative to disputes on professional practice, including matters of ethics or in business matters related thereto. When informed orally or in writing of an impending dispute between members or affiliates of the Academy, any functionary of NAFE shall direct the attention of the parties to the availability of this service so that they can best seek timely mediation. When the parties involved are agreeable, on a voluntary basis, the President shall within thirty days appoint a mediator from amongst the Academy members. If travel or other expense is required of the mediator, the parties involved shall reimburse the mediator for actual expenses. There shall be no fee charges for the service and no expense to NAFE.

The mediation shall be confidential, and no portion of it may be used in future proceedings (if any), and no records kept, except that the mediator shall inform the President when the mediation is completed, referring to the matter only by a code number and maintaining the anonymity of the parties without disclosure of the results. All parties shall be free to withdraw at any time and may proceed into any other action permitted under law or in accord with organizational procedures without constraint. Any functionary of the NAFE involved in this process may serve in any other capacity otherwise permitted without constraint.

History: Drafted 1/6/95 by James M. Green, P.E., D.E.E., Calvin L. Zemsky, P.E. and Marvin M. Specter, P.E., L.S.; Adopted 1/17/95 by BOD.

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**NAFE OP No. 2**  
**REVIEW OF POLICIES**

NAFE Policies and Procedures ordinarily shall be reviewed by appropriate committees and thence by the Board of Directors on a cycle of approximately two years. The typical review schedule shall lead to action by the B.O.D. on NAFE Professional Policies (NAFE PP's) at the winter meeting in even numbered years and to action on NAFE Operating Procedures (NAFE OP's) and NAFE Administrative Procedures (NAFE AP's) at the winter meeting in odd numbered years. Each policy or procedure shall remain in force after adoption or revision until superseded by action of the B.O.D. revising or deleting the previous adoption. A cumulative record shall be kept of the history of each policy or procedure as it is adopted or revised by the B.O.D.

History: Drafted 12/20/94 by M. M. Specter, P.E., L.S.; Adopted 1/17/95 by BOD.

# NATIONAL ACADEMY OF FORENSIC ENGINEERS

## NAFE OP No. 3 PUBLIC STATEMENTS

Public statements on matters of probable controversy shall be made for NAFE only by the President or his successors in sequence if he is not timely available. All statements shall be in accord with the policies and practices of NAFE if such have been previously acted upon by the Board of Directors relative to the subject issue, and otherwise shall be governed by good engineering practice and the Code of Ethics. Statements on routine matters may be made by any officer or director when based upon well established policies or practices of NAFE.

History: Drafted 12/20/94 by M. M. Specter, P.E., L.S.; Adopted 1/17/95 by BOD.  
Rev. by Bylaws Committee 01/18/2013

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## NAFE OP No. 4 CO-SPONSORSHIP OR ENDORSEMENT OF ACTIVITIES OR PRODUCTS

The use of the name of the National Academy of Forensic Engineers or any derivative thereof or implication of such to cosponsor or endorse any outside activity or product, including publications, is prohibited unless specifically authorized. Where any substantial liability or financial obligation may result, the approval shall be made by the Board of Directors. On minor matters, the President may give such approval, subject to concurrence of the Treasurer.

History: Drafted 12/20/94 by M. M. Specter, P.E., L.S.; Adopted 1/17/95 by BOD.

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## NAFE OP No. 5 OPEN MEETINGS

Requirements for membership in NAFE are demanding, and therefore the numbers of persons admitted to membership is relatively small. This exclusivity enables the members to interact with each other collegially to an extent not feasible in larger groups. To encourage that collegiality, the NAFE will endeavor to the fullest extent practicable to conduct its business and committee activities openly to encourage member interest, and to be receptive to suggestions and appropriate critique from the membership.

Within the parameters above, certain functions may typically be sequestered, such as the deliberations of the ethics committee, the nominating committee and, in the instance of litigation directly involving the Academy, the Board of Directors. However, the general meetings of committees and the BOD shall be open to observation of the members and within the constraints of time and good order; the chairman of each shall endeavor to receive input from the members. Where committee or BOD meetings need to be held indirectly (by telephone, FAX, mail, etc.), the chairman shall report the results to the members at the next general meeting in order to receive member inputs. The above procedures shall not preclude any other action of the Academy officers or other functionaries undertaken in compliance with the bylaws, policies, procedures or directives of the Board of Directors.

History: Drafted 6/25/95 by Marvin M. Specter, P.E., L.S.; Adopted 7/25/95 by BOD.

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# NATIONAL ACADEMY OF FORENSIC ENGINEERS

## NAFE OP No. 6C NAFE JOURNAL AND SEMINARS

1. The JOURNAL OF THE NATIONAL ACADEMY OF FORENSIC ENGINEERS (the "Journal") is intended to provide a means for the Members, Senior Members, Fellows and Affiliates of NAFE to present case studies and principled discussion of the application of their specific technologies in the practice of forensic engineering. It is understood that the privilege of publication in this learned journal accrues a benefit of status and peer recognition to the author, although the specific writings do not necessarily represent approval or policy of the NAFE. Selected outside writers, such as attorneys, may be published in the "Journal" if their writings are uniquely meritorious and revealing to the NAFE membership. The purpose of the "Journal" is to inform, educate and elevate the membership and affiliates of the Academy. It is not intended as a publication of general interest.
2. In order to optimize the quality of articles published in the "Journal", it is expected that authors will make oral presentation to a seminar of the Academy and gain the benefit of oral critique from the attendees. The oral presentation may be waived by the Editor for matters deemed to be of urgent interest and benefit to the members. The final written draft of the article shall be technically reviewed by members of the Academy appointed for this purpose, and when technically recommended, shall be submitted for editorial review. The determination of the Editor as to acceptability shall be final.
3. The Academy believes that the members obtain education and competence through participation. Therefore, the regular seminar presentations of the Academy will be held at the semiannual meetings. Presentations will typically be of 30 minutes duration focusing on the application of a particular technology in the legal system, together with one or more cases within the experience of the speaker/writer illustrating the subject matter. It is the belief of the Academy that the application of a variety of technologies in the legal system provides valuable insight in methodologies and procedures which benefits the members. In addition to the regular seminars, special seminars on selected topics may be held.
4. Details of formatting and other guidelines for preparation of papers will be determined by the Editor and published in the "Journal". Commentary from Academy members and affiliates is invited, but must deal with the technical aspects of the subject article and the application thereof in the practice of forensic engineering. Ad hominem writings in the articles or commentary will not be accepted, nor will writings which reflect on the integrity or public image of any group of persons in or out of the profession of engineering. It is intended that the "Journal" will elevate the practice and image of professional engineering in the forensic domain.
5. The regular seminars of the Academy shall generally be limited to presentations by Members, Senior Members, Fellows and Affiliates of the Academy. Persons who are not members or affiliates may be privileged to become speakers if their proposed presentation is deemed by the Program or Education Chairman to be uniquely meritorious and revealing to the NAFE membership. The purpose of the seminars is to elevate the practice of forensic engineering and encourage competent, objective and non-biased professional practice.
6. Speakers at seminars who are members or affiliates and whose presentation is ultimately intended for publication shall provide all of their own expenses, including registration fees for the subject seminar (regardless of whether or not publication is ultimately attained). Speakers at special

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seminars whose work is not to be published (except as to such information provided to attendees) may receive appropriate stipends toward actual expenses or as honoraria subject to approval of the Education Chairman, provided all expenses of the seminar are met and an appropriate contingency reserve is retained by the Academy.

7. By permitting the publication of a paper in the “Journal”, the author is deemed to have assigned all copy rights to the National Academy of Forensic Engineers (NAFE). However, upon request to the Editor, the author may obtain permission for republication with the proviso that attribution to the NAFE “Journal” is made. Such permission will typically be granted provided there is an absence of intervening factors adverse to the welfare or interests of the NAFE or its members.

History: Drafted 7/1/97 by M. M. Specter, P.E., L.S.; Adopted 7/18/97 by BOD:  
Third par. drafted 1/29/98 by M.M. Specter, P.E., L.S. Third par. adopted 1/30/98  
Seventh par. adopted 7/27/98 by BOD  
Reviewed by John Leffler, P.E., and Mark Whelchel, P.E.; Adopted 12/30/2013 by BOD.

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### NAFE OP No. 7 VERIFICATION OF MEMBER STATUS

Inquiries regarding status of members shall be directed to the Executive Director who will act upon same when a written original signed request is received from a responsible inquirer. Electronic transmission will not be accepted. If the inquiry concerns a person not on the NAFE rolls, an immediate negative response will be made together with a request for documentation (if any) indicating that a false claim of NAFE membership has been made. If the inquiry concerns a current NAFE member, the Executive Director shall ascertain if said member is in good standing. If not in good standing, the member will be notified of the inquiry and allowed a short period of time to return to good standing before response is made to the inquiry. If the member remains not in good standing, the response shall so state and include a brief statement as to the cause thereof. Verifications of NAFE membership shall only state that fact together with the grade of membership, postal and telecommunications addresses. The NAFE membership files are not public documents.

History: Drafted 7/14/00 by M.M. Specter, P.E., L.S.; Adopted by BOD: 07/30/00

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### NAFE OP No. 8 NAFE ROLE AS TO STANDARDS

~~The NAFE does not originate, approve or distribute Codes, Regulations or Standards.~~

History: Drafted 6/21/02 by M. M. Specter, P.E., L.S.  
Adopted by BOD: July 14, 2002  
Deleted by BOD: 7/9/05 and replaced by PP No. 2

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### NAFE OP No. 9 SUPPORT OF OTHER PROFESSIONAL AND TECHNICAL ORGANIZATIONS

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NAFE supports its members as individuals belonging to various technical and professional organizations. The NAFE may supply space/time upon request of its members to hold meetings of such organizations. NAFE makes no endorsement of such meetings. This is a service to its members without acceptance of the work product of its members.

## History:

Drafted 7/9/05 by J. Carden, P.E. and M. Kravitz, P.E., moved by M. Kravitz, P.E., and seconded by M. M. Specter, P.E., L.S.; Adopted 7/9/05 by BOD.

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## **NAFE OP No. 10** **NAFE POLICY ON USE OF TITLES**

1. For administrative purposes, the NAFE will use and recognize the use of titles, acronyms or abbreviations descriptive of the following:
  - A. State licensure.
  - B. Certifications or Honors from programs in accord with the Council of Engineering and Scientific Specialty Boards (CESB).
  - C. Doctoral degrees from institutions which are approved and which degrees are accredited in accord with the requirements of the Council for Higher Education (CHEA) or the United States Department of Education with the curriculum thereof having been completed by the student during a period in which the institution was so authorized.
  - D. Non-US credentials or titles may be recognized if accepted by NAFE as the equivalent of acceptable United States credentials or titles.
  
2. The following are guidelines for NAFE members as to titles, including those in relation to the Council of Engineering and Scientific Specialty Boards (CESB). It is permissible to refer to yourself as a NAFE “Fellow”, “Senior Member”, or “Member” without alluding to the CESB, but it is not permissible to refer to your connection with the CESB in any form except as being through the NAFE. The CESB is an organization of organizations. There are no individual members of the CESB. The NAFE is your certifying board within the CESB. You may refer to yourself in curricula vitae or other personal or professional cards, letterheads or such, and orally using the NAFE title only, or you may use such inclusive of the CESB recognition in the verbiage which follows (use approved grade):  
  
“NAFE” Member (Senior Member or Fellow)  
or:  
“NAFE” Member (Senior Member or Fellow) and Board Certified Diplomate in Forensic Engineering by the NAFE.  
or:  
“NAFE” Member (Senior Member or Fellow) and Board Certified Diplomate in Forensic Engineering by the NAFE, a CESB Member Board.  
or:  
“NAFE” Member (Senior Member or Fellow) and Board Certified Diplomate in Forensic Engineering by the NAFE, program accredited by the CESB.
  
3. NAFE affiliates may refer to themselves as NSPE “Affiliates”, “Correspondents”, “International

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Affiliates”, or “Student Affiliates” as appropriate. The use of the title “Member” or any variation thereof or any language implying membership is prohibited.

4. The use of the NAFE or CESB (graphic) logos is reserved to the organizations. Their appearance on any plaque, diploma, certificate or such issued to an individual does not authorize the further use of the logo(s) by that individual.

History: Drafted 1/9/06 by M. M. Specter, P.E., L.S., F. NSPE; Adopted by BOD: 1/21/06

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### **NAFE OP No. 11D** **PROCEDURES GOVERNING THE NAFE EMAIL GROUP**

1. There shall be a seven-person Email group Committee consisting of two (2) Moderators appointed by the President, plus four (4) Co-Moderators, consisting of the President, Executive Director, Treasurer, and Secretary, the CPD Committee Chairman of the NAFE (the Academy).
2. The goal of the Email group is to improve and advance the practice of Forensic Engineering. Messages of commercial nature are prohibited. Any offering of services shall be done off-line.
3. (a). The Email group is for educational and technical information exchange by NAFE members and International Affiliates plus Correspondents of outstanding qualifications who have been affiliated with NAFE for at least four years, have presented a NAFE Seminar paper and had it published by NAFE, and are approved by the President, Secretary, and President-Elect for admission to the NAFE Group. The ethics provisions applicable to Members of NAFE shall also apply to International Affiliates and Correspondents privileged to participate in the e-mail group.  
(b). Participants shall in their actions and communications within the group avoid any matters relating to the policies, procedures or governance of the Academy.
4. All Moderators shall have necessary passwords and access to control the workings of the Email group.
5. The two (2) Moderators selected by the President shall be NAFE Members, Senior Members, or Fellows in good standing in the Academy, including being current as to payment of dues and satisfaction of CPD requirements. They shall serve for two-year overlapping terms and may be re-appointed. There shall be two (2) levels of participation in the Email group. First, the Moderators will have primary responsibility for the system operation and will have complete access thereto, including the ability to add, limit or prohibit participation in the email group. Second, will be by the other Members, Senior Members, Fellows and International Affiliates of the NAFE.
8. Participants in the Email group must be in good standing in the NAFE, including being current as to payment of dues, and for Members, Senior Members, and Fellows, current in the satisfaction of CPD requirements.
9. Emails posted to the email group shall not to be transmitted or distributed in any form outside of the NAFE Email group without the written permission of the originator, and shall not be used for public critique or impeachment of the author. Violation of this rule may be a breach of ethics and may trigger an NAFE ethics review.

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10. Permission to use messages in their complete form may be presumed if permission was initially granted by the author with the phrase "PERMISSION TO DISSEMINATE GRANTED" incorporated and displayed within the original message. Excerpts may be used only if the author and a Moderator provide written permission.
11. Personal attacks or the placement of material in poor taste or demeaning to others whether or not they are members of the Academy is prohibited.
12. Emails regarding engineering practice issues are open to criticism and debate and this debate is encouraged.
13. Members changing email addresses shall inform the Moderators promptly of such changes.
14. All messages must be typed with the first name or initials and the last name of the individual, and the NAFE member number of the sender.
15. The address of the group is: <http://groups.yahoo.com/group/NAFE1/>.

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The NAFE1 discussion group is an internet discussion group established on the Yahoo Groups web server. The Yahoo Groups service is a free service that hosts numerous public and private internet forums. Participation in this group is a privilege that is extended to NAFE members, but it is not a right guaranteed by NAFE. Participants in this Group must abide by this NAFE operating procedure; failure to do so will result in removal from the Group. Allegation of failure to abide by the rules may result in sanction or removal from this Group as may be determined by the members of the Email Committee. Person(s) alleged to have violated the rules of the group shall be sent notice of the allegation and shall then have the opportunity to respond. The determination of the Committee shall be final.

Commercial advertisements by Yahoo may pop-up on the group web site, as that is the mechanism by which Yahoo Groups is able to offer this free service to the users. Such advertisements are outside of the control of the NAFE and the users of this Group.

### History:

Drafted 01/03/2006 by Michael Kravitz, P.E. and Marvin M. Specter, P.E., L.S., F. NSPE;  
Adopted by BOD: January 21, 2006.  
Rev. A drafted 12/15/06 by Michael Kravitz P.E. & Marvin M. Specter, P.E., L.S., F.NSPE;  
Adopted by BOD: January 5, 2007.  
Rev. B, paragraphs 3(a) and 8 drafted by Mark Whelchel, P.E., George Hall, PE, Michael Kravitz P.E. and Marvin M. Specter, P.E., L.S., F.NSPE; paragraph 3(b) drafted by Marvin M. Specter, P.E., L.S., F.NSPE; Adopted by BOD: July 25, 2008.  
Rev. C drafted by Marvin M. Specter, P.E., L.S., F.NSPE; Adopted by BOD: July 15, 2011.  
Rev. D 3a by Bylaws Committee 01/18/2013

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## NAFE OP No. 12 ENGINEERS WITHOUT BORDERS

The NAFE encourages participation of engineers in projects sponsored by Engineers Without Borders-USA (EWB-USA). EWB-USA has repeatedly demonstrated itself to be a non-profit organization dedicated to sustainable engineering projects benefiting humanity. EWB-USA has effectively utilized Professional Engineers and their associates in these tasks, and well deserves respect and encouragement from the engineering community.

### History:

Drafted by Mark Welchel, P.E. and M. M. Specter, P.E., L.S. on July 25, 2008; Adopted by the BOD: July 25, 2008.

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## NAFE Operating Procedure (OP) No. 13 PARTICIPATION IN NAFE SEMINARS

The NAFE presents "Regular" and "Special" seminars at its meetings each year with distinctions being made only in formatting and information dissemination. However, they have the common purpose of Continuing Education for Professional Engineers who practice as engineering experts in the legal system.

In the legal system engineers are subject to voir dire as to engineering education and experience, including continuing education, such as participation on all levels in NAFE seminars.

Participation in the NAFE seminars may occur in a variety of ways, including as an organizer choosing and vetting the speakers and their topics, or as a speaker/presenter, or as an attendee, or as a technical reviewer.

Contributions from the audience are expected to add to the educational growth and experience of the other attendees. Audience attendees are themselves likely to have a wide range of competences, some of which may exceed those of the speaker.

The NAFE does not rank the seminar participants in the fashion of Academe, e.g.: Dean, Professor, Adjunct Teacher, Student, etc., and such terminology must not be used in voir dire, or otherwise to describe the role of the NAFE seminar participants.

NAFE intends its seminars to be a joint effort by all present at the seminars. There is no hierarchy. The purpose of continuing education in Forensic Engineering is the elevation of Professional Engineering practice.

### History:

Drafted by Marvin M. Specter, P.E., LS & Michael Kravitz P.E.; Adopted by BOD: July 19, 2013

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## NAFE Operating Procedure (OP) No. 14

### REVIEW OF JOURNAL PAPERS

~~The editor chooses the Reviewer(s) for each Journal paper from amongst the members and affiliates of the NAFE according to their competence and the subject of the paper, and arbitrates as necessary during the review process. This confidential process concludes with the acceptance of the paper for publication or its rejection or its withdrawal. The name(s) of authors are included with their published works. However, unpublished drafts together with the names and comments of reviewers are entirely confidential during the review process and are then excised at the conclusion of the process.~~

~~It is intended that the earlier drafts and also the names of reviewers shall be excised so that their comments shall not be available.~~

#### History:

~~Drafted by Marvin M. Specter, PE, LS, Ross Curtis, PE & Jesse Grantham, PhD, PE~~

~~Adopted by BOD: July 19, 2013~~

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## NAFE Operating Procedure (OP) No. 14C

### NAFE Journal: Responsibilities of, Obligations of and Guidelines for Authors, the Journal Editor, Technical Review Committee Chair, and Technical Reviewers

#### A. Responsibilities of, Obligations of and Guidelines for Authors

1. An author's central obligation is to present a concise and accurate account of the investigation or analysis elements at issue as well as an objective discussion of the author's opinions and findings. Authors should recognize that publication of their paper in the NAFE Journal will invite critique by adverse parties. Authors must avoid professional conflicts of interest; such conflicts of interest include (but are not limited to) revealing details of settlements, or revealing enough details of a case that the identity of individual persons could be reasonably deduced.
2. Any unusual or potentially hidden hazards inherent in the analysis used in an investigation should be identified in a paper reporting the work.
3. In submitting a manuscript for publication, an author should inform the Journal Editor of related manuscripts or papers that the author has under editorial consideration or in press. Copies of those documents should be supplied to the Journal Editor, and the relationships of such documents to the one submitted should be indicated.
4. It is improper for an author to submit manuscripts describing essentially the same investigation to more than one journal, unless it is a resubmission of a manuscript or paper rejected for or withdrawn from publication. It is generally permissible to submit a manuscript for a full paper expanding on a previously published brief preliminary account (a "communication" or "letter") of the same work. However, at the time of submission, the Journal Editor should be made aware of the earlier communication, and the preliminary communication should be cited in the manuscript.
5. An author should identify the source of all information quoted or offered, except that which is common knowledge. Information obtained privately, as in conversation, correspondence, or discussion

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with third parties, should not be used or reported in the author's work without explicit permission from those parties with whom the information originated. Information obtained in the course of confidential services should be treated similarly.

6. An investigation may sometimes involve criticism of the work of another investigator. When appropriate, such criticism may be offered in a proposed paper. However, in no case is personal criticism considered to be appropriate.

7. The co-authors of a paper should be those persons who have made significant technical contributions to the work reported and who share responsibility and accountability for the results. Authors should appropriately recognize the contributions of technical staff and data professionals. Other contributions should be indicated in a footnote or an "Acknowledgments" section. An administrative relationship to the investigation does not of itself qualify a person for co-authorship (but occasionally it may be appropriate to acknowledge major administrative assistance). Deceased persons who meet the criterion for inclusion as co-authors should be so included, with a footnote reporting date of death. No fictitious name should be listed as an author or coauthor. The author who submits a manuscript for publication accepts the responsibility of having included as co-authors all persons appropriate and none inappropriate. The submitting author should have sent each living co-author a draft copy of the manuscript and have obtained the co-author's assent to co-authorship of it.

8. The corresponding author must reveal to the Journal Editor, Technical Reviewers and to the readers of the Journal any potential and/or relevant competing financial or other interest (of all authors) that might be affected by publication of the authors' paper – apart from the benefits that may result from the article's recognition by the technical community. Conflicts of interest must be clearly stated at the time of manuscript submission and will be included in the published paper. In addition, all authors must declare any employment or other relationship (within the past three years) with entities that have a financial or other interest in the results of the paper (to include paid consulting, expert testimony, honoraria, and membership of advisory boards or committees of the entity). The corresponding author must advise the Journal Editor at the time of submission either that there is no conflict of interest to declare, or should disclose potential conflicts of interest that will be acknowledged in the published article.

9. Plagiarism is not acceptable in NAFE Journals. NAFE Journals adhere to the U.S. National Science Foundation definition of plagiarism as "the appropriation of another person's ideas, processes, results, or words without giving appropriate credit" (45 Code of Federal Regulations, Section 689.1). Authors shall not engage in plagiarism - verbatim or near-verbatim copying, or very close paraphrasing, of text or results from another's work. Authors shall not engage in self-plagiarism (also known as duplicate publication) - unacceptably close replication of the author's own previously published text or results without acknowledgement of the source. NAFE applies a "reasonable person" standard when deciding whether a submission constitutes self-plagiarism/duplicate publication. Material quoted verbatim from the author's previously published work must be placed in quotation marks. In contrast, it is unacceptable for an author to include significant verbatim or near-verbatim portions of his/her own work, or to depict his/her previously published results or methodology as new, without acknowledging the source.

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(Modeled with permission from Society for Industrial and Applied Mathematics: Authorial Integrity in Scientific Publication)

10. Upon acceptance of an abstract, Authors agree to work with the Journal Editor, Technical Review Committee Chair, and Technical Reviewers (as necessary) while the Author creates the draft manuscript, presentation, completed manuscript, and final paper. The identity of each Technical Reviewer of a manuscript shall not be disclosed to the other Technical Reviewers of that manuscript; each review shall be independent.

11. Images should be free from misleading manipulation.

### B. Responsibilities of, Obligations of and Guidelines for the NAFE Journal Editor

1. The Journal Editor shall ensure that unbiased consideration is given to all author submittals offered for publication, judging each on its merits without regard to race, religion, nationality, sex, seniority, or institutional affiliation of the author(s). The Journal Editor may, however, take into account subjects of a manuscript immediately under consideration in relationship to others subjects previously or concurrently offered by the same author(s).

2. The Journal Editor shall not disclose any information about a manuscript under consideration to anyone other than those from whom professional advice is sought. However, a Journal Editor who solicits or otherwise arranges beforehand the submission of manuscripts may need to disclose to a prospective author the fact that a relevant manuscript by another author has been received or is in preparation. The NAFE Board of Directors (BOD) may request information from the Journal Editor about the identity of Technical Reviewers for in-process Journals, but such information shall remain confidential within the BOD. Any communications with Technical Reviewers by BOD members shall be through arrangement with the President. The identity of each Technical Reviewer of a manuscript should not be disclosed to the other Technical Reviewers of that manuscript; each review should be independent. All record of the identity of a manuscript's Technical Reviewers shall be destroyed upon publication of the final paper. The Journal Editor may disclose titles and authors names for papers that have completed technical review and are in the process of publication, but no more than that unless the author's permission has been obtained.

3. If a Journal Editor is presented with evidence that the main substance or conclusions of a published paper are erroneous, the Journal Editor should facilitate the Technical Review Committee Chair's evaluation of the need for publication of an appropriate commentary pointing out the error and, if possible, correcting it. The report may be written by the person who discovered the error or by an original author.

4. The Journal Editor is to consider an author's request to not use certain Technical Reviewers. However, the Journal Editor may decide to use one or more of these Technical Reviewers, if the Journal Editor feels their opinions are important in the fair consideration of a manuscript. In such a situation, the Journal Editor shall confirm that the Technical Reviewer does not have a conflict of interest with the manuscript or its author and can perform their task in a fair and professional manner.

### C. Responsibilities of, Obligations of and Guidelines for the Technical Review Committee Chair

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1. The Technical Review Committee Chair shall ensure that unbiased consideration is given to all author submittals offered for publication, judging each on its merits without regard to the race, religion, nationality, sex, seniority, or institutional affiliation of the author(s).
2. The responsibility for reviewing, acceptance or rejection of an abstract rests with the Technical Review Committee Chair, in conjunction with the input of selected Technical Reviewers, if so delegated.
3. The responsibility for reviewing, acceptance or rejection of a manuscript (based on an approved abstract) rests with the Technical Review Committee Chair, in conjunction with the input of the selected Technical Reviewers. Responsible and prudent exercise of this duty normally requires that the Technical Review Committee Chair recommends (to the Journal Editor) multiple Technical Reviewers, chosen for their expertise and good judgment, as to the quality and reliability of manuscripts submitted for publication. However, manuscripts may be rejected without external review if considered by the Technical Review Committee Chair to be inappropriate for presentation or the Journal. The rationale(s) for rejection shall be provided to the author(s) through the Journal Editor. If so requested by the Technical Review Committee Chair, the NAFE President may approve the use of a single Technical Reviewer for individual manuscripts; otherwise, a minimum of two Technical Reviewers shall be used for each manuscript.

### D. Responsibilities of, Obligations of and Guidelines for Technical Reviewers

1. A chosen Technical Reviewer who feels inadequately qualified to judge the analysis reported in a manuscript shall return it promptly to the Technical Review Committee Chair. Should a Technical Reviewer receive a manuscript at a time when circumstances preclude prompt attention to it, the unreviewed manuscript should be returned in a timely manner to the Technical Review Committee Chair.
2. A Technical Reviewer of a manuscript should judge objectively the quality of the complete manuscript and supporting information, with due regard to the maintenance of high engineering and literary standards.
3. A Technical Reviewer should not evaluate a manuscript authored or co-authored by a person with whom the Technical Reviewer has a personal or professional connection if the relationship would bias judgment.
4. A Technical Reviewer should treat a manuscript sent for review as a confidential document. It should neither be shown to nor discussed with others except, in special cases, to persons from whom specific advice may be sought; in that event, the identities of those to be consulted shall be disclosed to the Technical Review Committee Chair in advance. The identity of each Technical Reviewer of a manuscript should not be disclosed to the other Technical Reviewers of that manuscript; each review should be independent.
5. A Technical Reviewer should be alert for the failure of authors to cite relevant work by others. A Technical Reviewer should call to the Journal Editor's attention any substantial similarity between the manuscript under consideration and other published papers known to the Technical Reviewer.

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6. Technical Reviewers should not use or disclose unpublished information, arguments, or interpretations contained in a manuscript under consideration, in their practice, except with the consent of the author. In some cases, it may be appropriate for the Technical Reviewer to write the author, with copy to the Journal Editor, about the Technical Reviewer's work in that area.

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History: OP 14A replaces OP 14.

Drafted by John Leffler, P.E., Mark Whelchel, P.E.; Adopted by BOD: August 27, 2013

OP 14B adopted by BOD January 10, 2014; Drafted by John Leffler, P.E., Mark Whelchel, P.E.

OP 14C replaces OP 14B; adopted by BOD March 4, 2014; Drafted by John Leffler, P.E., Mark Whelchel, P.E.

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### **-Journal Editor – Job Description -**

#### **Basic Position Purpose:**

To solicit abstracts for potential Journal papers, guide the creation of manuscripts and author presentations for accepted abstracts, and manage the publication of papers that have been presented at NAFE Regular seminars. Publication management shall consist of overseeing a paper's development, completion, and peer-review, followed by performing final editing & formatting, Journal print layout, printer-coordinating, website highlighting, and distribution of the semi-annual NAFE Journal.

#### **Qualifications:**

- Must have solid technical writing skills and experience. Must be familiar with engineering or comparable scientific and technical topics – preferably including forensic engineering. Must be familiar with the content and format of typical peer-reviewed technical Journals. Must have good verbal and written communication skills. Written and oral communications and other work product must be thorough, accurate, logical, grammatically correct, and with a style understandable to individuals in the engineering and legal communities.
- Must be able to and willing to work effectively and respectfully with others. Able to understand and communicate effectively and respectfully with others who may possess valid viewpoints not readily recognized or understood. Able to work effectively with individuals who are volunteers to achieve Journal publication objectives.
- Must have ability to effectively use personal computers and software. Must be proficient in and capable of utilizing 'on-line' services and systems.

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### Typical Duties and Responsibilities:

1. Review, understand, and comply with OP-14 “Journal Guidelines”.
2. Solicit abstracts from potential authors
  - a. Approximately six months prior to the next Regular seminar, send a “Call For Papers” solicitation to NAFE members via email. Solicitation is to include instructions for submitting an abstract, mention that guidance on the publication of NAFE Journal papers can be found in OP-14 (and a website link provided), and mention that content and formatting details can be found in the “Requirements & Guidelines for Technical Papers – NAFE Journal” document (and a website link provided).
  - b. Approximately six months prior to the next Regular seminar, send a “Call For Papers” solicitation to other relevant engineering associations, after determining cost-effective associations to market to and solicitation formats to use. In the event that the cost of any solicitation will exceed \$200, obtain approval from the President and Treasurer in advance.
  - c. Approximately three months prior to the next Regular seminar, send another “Call For Papers” solicitation to NAFE members via email, focused on lining up backup presenters, and emphasizing the tighter time schedule – but otherwise format as above.
  - d. For use during NAFE “Regular” seminars, provide a one-slide summary showing Journal Editor contact information, weblink to OP-14, and weblink to “Requirements & Guidelines for Technical Papers – NAFE Journals”.
3. Jointly with the Technical Review Committee Chair, review received abstracts to determine if they represent papers that are:
  - a. Likely to be of interest to the general population of seminar attendees.
  - b. Discussing a non-trivial application of technical issues within the context of the legal system.
  - c. Without significant and potentially problematic controversy or conflict.
  - d. Compatible with other planned presentations.
4. Formally notify authors of approval (or rejection) of their abstract (by the Technical Review Committee Chair), and provide guidance on completing the draft manuscript and seminar presentation. Notify authors that if they do not provide a draft manuscript deemed adequate by the Journal Editor 30 days prior to seminar, that the author may be excluded from presenting. Upon receipt of the author’s draft manuscript, forward to Technical Review Committee Chair for their initial evaluation of potential Technical Reviewers.
5. At least 45 days prior to the Regular seminar, outline a sequence of presenters and alternates, and notify Executive Director of speaker sequence and presentation titles for use in creating meeting notices. In the event that alternate presenters are required, notify the Executive Director as soon as practical.
6. Maintain communication with authors up until their presentation is complete, and notify the authors

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that they are solely responsible for their own presentation materials, computers or other equipment, and electronic files.

7. After a manuscript has been successfully presented at a NAFE "Regular" seminar:

- a. Begin helping and encouraging authors to complete their manuscripts, based on input from their presentation and other peer comments, if any.
- b. Upon receipt of each completed manuscript, forward to the Technical Review Committee Chair for their verbal recommendation of reviewers to use.
- c. Forward manuscripts to the chosen Technical Reviewers for the technical review process.
- d. Manage the review process to achieve a timely and competent peer review. Should there be differences of opinions between the author and reviewer(s), work with the Technical Review Committee Chair to resolve differences. Refer to NAFE OP-14.
- e. Upon the completion of the technical review, personally review each manuscript for grammar, sentence/paragraph structure, punctuation and final Journal appropriate formatting, directing and obtaining author's approval or acceptance of changes necessary to assure each final paper reflects presentable work product of well-educated individuals. Forward a marked-up edited copy to the Technical Review Committee Chair for final approval.
- f. For each Journal, develop Journal's lead-in pages and table of contents, being mindful of the need for historical consistency and layout.
- g. Working with the [approved] printer, format or help format papers to meet the needs of the printer's process and capabilities. Manage the printer to complete the formatting and printing tasks to assure the printing of the Journals in a timely manner.
- h. Working with the printer, manage the timely distribution of the Journals.
- i. Working with the website committee, provide the data and files necessary to document/promote the published paper online and support the sale of individual papers, Journals, and compilations.

In addition,

- If requested or if deemed needed, provide guidance and opinions to the Board regarding options for printing companies that could or should be considered as NAFE Journal printers.

### **Work Direction Given to Others:**

Will regularly give work direction to NAFE members, as volunteers, in response to Journal article review needs. When such situations do arise, guides accuracy, quality, wisdom and scheduling of those assignment responses.

### **Contact with Others:**

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Requires regular, polite, tactful, confident and effective contacts with all persons, authors, reviewers and printer. Requires the ability to quickly integrate a broad variety of subtle factors to assure effective interactions. Often requires a degree of tact to avoid friction, sometimes requires purposefully exerting calculated pressure to achieve desired results. Important that good will be exhibited with all contacts and at all times.

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History:

Approved by BOD March 4, 2014.

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### NAFE Journal Content – Requirements and Guidelines for Technical Papers

Subject to modification or amendment at the discretion of the Journal Editor

An Abstract of not more than 100 words shall be sent to the Journal Editor for initial consideration. After acceptance as a presenter, one draft copy of paper shall be submitted to the Journal Editor no later than 30 days before the seminar.

Following presentation at the seminar, an updated draft ready for technical review shall be provided to the Journal Editor electronically (journal@nafe.org), normally within 30 days.

#### Technical content and formatting requirements and guidelines

1. Titles shall have a length not exceeding 70 characters and spaces.
2. The Manuscript should be provided electronically in Microsoft Word or plain text format. A PDF formatted version should also be supplied for reference. The final published Journal article text will be produced in Times New Roman 12 point, and the only allowed variations are to **bold**, and/or *italicize* minor portions of the text for emphasis and organization. All Figures and Tables shall be referenced in the text (e.g. "See Figure 1.") and be captioned as described below.
3. Generally, the maximum length of a paper is 10,000 word-equivalents. As an approximation, each full manuscript page of text, tables or figures is the equivalent of 300 words.
4. Each author's full name, postal address (no company names), and email address or phone number shall appear in the footer of the first page.
5. Headings should be at the left margin and the first line of paragraphs should be indented. A maximum of two levels of subordinate paragraphs may be included; these paragraphs should use numbers or letters as headings [e.g. "A)" or "1)"], with the first line of the subordinate paragraphs indented.



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6. All mathematics shall be typewritten and special symbols shall be identified properly. The letter symbols used should be defined where they first appear in figures, tables, or text, and arranged alphabetically in an Appendix at the end of the paper titled, "Appendix Notation."
7. Standard definitions and symbols should be used.
8. Photographs, Tables, and Diagrams (images) should be submitted as full color .tif or .jpg files. For high quality print production, target resolution is 300 dpi at 100% of size used. Image file names should indicate Figure or Table number (e.g. "Figure1.jpg"). Each image shall be referenced in the text, and have a separate descriptive caption below the image (e.g. "Table 2 - Test Results"). Images may additionally use arrows and other clarifying graphics but these shall be added to the image file using image editing software. For graphics in images, appropriate contrast for both color and black & white reproduction should be chosen.
9. References may be cited in the text using a numerical superscript. The associated reference text should be arranged in numerical order in footnotes or endnotes.
10. Acronyms and organizational title abbreviations may be used provided the name or title is given in full at the place first used and followed in parentheses by the abbreviated form.
11. Where figures, tables standards, specifications or any substantial textual material is to be incorporated into the article for publication in the NAFE Journal which has previously appeared in another publication or is otherwise copyrighted or reserved, the author shall submit written authorization from the previous publishers for use of that material. The source of the material shall be stated in the NAFE article with indication that it is used with permission.
12. Papers should be written in a scholarly form for publication, avoiding the use of first and second person. Each paper shall begin with the Abstract.
13. A section entitled "Keywords" shall follow the Abstract. Keywords shall include "Forensic Engineering" plus a maximum of ten technical terms describing the content. Avoid generic terms such as "analysis", "investigate", or "testify".
14. A set of conclusions or summary shall end the paper.

### **Following submittal for technical review**

The technical review of the manuscript will be managed by the Journal Editor, and contact will be made with the author as necessary.

### **Requirements for publication after technical review**

After the technical review is completed and the paper is accepted by the Journal Editor for publication, corrections should be made by the author and the final draft (and images) sent electronically to the Journal Editor (journal@nafe.org).

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NAFE will endeavor to return important documents submitted to the Journal, but cannot guarantee safe return. It is recommended that authors make and retain good file copies of submissions.

### **Note:**

Only papers which are presented at a NAFE Regular seminar and have received oral critique at the seminar will be accepted for review and publication. For this presentation, authors are responsible for providing their own presentation slides or other materials, as well as an appropriate computer and peripherals (other than a projector and microphone) for use in projecting their materials. Following the presentation (limited to 20 minutes), there shall be a question-and-answer opportunity; additionally, the author shall ask a nontrivial “Learning Question” of the audience to verify understanding. The oral presentation may be waived through approval of the President and the Journal Editor for matters deemed to be of urgent interest and benefit to the members. The Journal Editor has final determination as to publication.

History: Adopted by the BOD March 4, 2014.

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# NATIONAL ACADEMY OF FORENSIC ENGINEERS

## PROFESSIONAL POLICY 1A (PP No. 1A)

### PROCEDURES FOR THE NATIONAL ACADEMY OF FORENSIC ENGINEERS' PROCESSING VIOLATIONS OF THE CODE OF ETHICS

#### ARTICLE I

#### GENERAL PROVISIONS

Section 1. Purpose: it is the purpose of this policy to state the process, including definitions, procedures and limitations, which govern the response of the National Academy of Forensic Engineers to allegations by its members of a violation of the Code of Ethics by another member.

Section 2. This article contains definitions which apply to all other articles and sections of these rules. These provisions shall apply to all Members, Senior Members and Fellows of the Academy. Where the term "Member" appears herein it shall apply to any and all of the above.

Section 3. It is the Academy's intent that it will make all reasonable efforts to administer its procedures in accordance with the time intervals as noted in the following Sections. However, the Academy reserves the right to modify those time intervals as necessary in order to fairly handle the alleged violation of the Code of Ethics. Any modifications in time intervals shall be done in a manner which does not cause prejudice to the right of any Complainant or Respondent, and the Academy's inability to comply with time intervals referenced in these procedures shall not be grounds for dismissal of any disciplinary proceedings.

Section 4. DEFINITIONS:

- A. Allegation - An unofficial complaint filed by a member of the NAFE against another member of the NAFE.
- B. Appeal - Appeal by Respondent to the Board of Directors from the recommendation of the Ethics Committee.
- C. Board of Directors - The National Academy of Forensic Engineers Board of Directors herein referred to as the board.
- D. Burden of Proof - Beyond A Reasonable Doubt.
- E. Censure - Censure by the Board.
- F. Chairman - Chairman of the Ethics Committee.
- G. Code of Ethics - NSPE Code of Ethics.
- H. Complaint - An allegation that meets the criteria hereinafter stated.
- I. Complainant - The NAFE Member initiating the Allegation against another Member of the NAFE.

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- J. Ethics Committee - The Ethics Committee shall be appointed by the President and shall consist of nine (9) Members, Senior Members or Fellows of the Academy in terms of three years each, set into classes of three for each year and herein referred to as the Committee.
- K. Executive Director - The National Academy of Forensic Engineers Executive Director.
- L. Expulsion - Expelled from the National Academy of Forensic Engineers by the Board.
- M. Hearing - Official Hearing held by the Ethics Committee to hear an Official Complaint.
- N. Letter of Caution - Cautionary advice by the Board.
- O. Member of the Academy - Fellow, Senior, Member.
- P. Notice of Hearing - Official Notice to Complainant and Respondent of the date, time and place of a Hearing.
- Q. Official Complaint - A procedurally and administratively correct allegation hereinafter called the Complaint.
- R. Publication - Disciplinary actions involving expulsion shall be published in the NAFE NEWSLETTER and shall include the name of the individual being expelled.
- S. Report - Recommendation by the Committee to the board of Directors.
- T. Reprimand - Letter of Reprimand by the Board.
- U. Respondent - The NAFE Member against whom an allegation has been filed.
- V. Response - Written Response by the Respondent.
- W. Suspension - Suspension from NAFE for a period of time by the Board.
- X. The National Academy of Forensic Engineers - Hereinafter referred to as the NAFE or the Academy.

### ARTICLE II

#### INITIATION OF AN ALLEGATION OF A VIOLATION OF THE CODE OF ETHICS

Section 1. Any NAFE Member in good standing may file a written allegation based on first hand knowledge and/or verifiable documentation (including disciplinary actions by a State Board of Conduct for Professional Engineers) which indicates a violation of the Code of Ethics. Hearsay or summary characterizations, whether oral or written, will not be accepted for this purpose. Since any sanctions imposed by the Academy for unethical practice may have a severe adverse effect upon the future practice of the Respondent, the Ethics Committee will require a Burden of Proof equivalent to that necessary for criminal convictions, i.e., "Beyond A Reasonable Doubt".

Section 2. SUBMISSION OF WRITTEN ALLEGATION: The Complainant shall submit to the NAFE Executive Director the allegation of a violation of the Code of Ethics with reference to the applicable NSPE Code of Ethics with Section(s) and detail of all facts believed to support the allegation(s) (i.e., calculations, testimony, etc., including the source thereof and the role of the Complainant). If the date of the submission falls on a weekend or holiday, the date of receipt shall be

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the next business day. Transmissions shall be marked “personal and confidential” on the outside of the envelope.

Section 3. The allegation must include the following:

- A. Name and address of the current NAFE Member who is making the complaint.
- B. Name and address of the member of NAFE whose conduct is being questioned.
- C. Approximate dates and times when the violations occurred.
- D. Facts describing the alleged violations, including specific engineering data.
- E. The specific sections of the Code of Ethics which allegedly have been violated.
- F. Signature of Complainant and date of Allegation.
- G. Certification that there are no legal actions pending with reference to the subject matter of the Allegation.

### ARTICLE III

#### PROCESSING OF AN ALLEGATION

Section 1. An Allegation of a violation of the Code of Ethics regarding the conduct of a member with respect to a particular case shall not be accepted for processing during the ongoing or pending legal or alternate dispute resolution proceedings, unless a clear and adequate factual showing of imminent danger to public safety and health is made. If there is no imminent danger to the public safety and health, the Executive Director shall notify the Complainant that the Allegation cannot be processed until such time as the legal actions are certified to be complete.

Section 2. Upon receipt of an Allegation by the Executive Director for which there are no legal or alternate dispute proceedings pending, the Executive Director shall stamp on the face thereof the date on which the allegation was received. Each Allegation shall be assigned a control number which shall be entered on the Allegation itself and on a file folder in which the Allegation shall be filed.

Section 3. The Executive Director shall, within fifteen days of receipt of the Allegation, review the Allegation to assure that it complies with the procedural and administrative requirements of Article II, Section 3, above, and that it is filed by and names a Respondent who is a Member of NAFE.

Section 4. If the Allegation lacks any essential elements as described above in Article II, Section 3, a copy of the Allegation shall be returned to the complaining party by the Executive Director along with a letter identifying the defect in the Allegation.

Section 5. Within fifteen (15) days of receipt of an Allegation that complies with the procedural and administrative requirements of Article II, Section 3, the Executive Director shall forward a copy of the Allegation to the Chairman of the Ethics Committee. The Chairman shall, within fifteen (15) days, review the Allegation to ascertain whether or not it complies with the technical requirements of Article II, Section 3 (i.e., sufficient engineering data). The Chairman may, at his/her discretion, consult with a Member who has no interest in the proceedings on the issue of technical adequacy.

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Section 6. If the Allegation lacks sufficient engineering data as described above in Article II, Section 3, a copy of the Allegation shall be returned to the Complainant by the Executive Director along with a letter from the Chairman identifying the defects in the Allegation.

Section 7. If the Allegation complies with the requirements of Article II, Section 3 and Article III, Section 5 as determined by the Chairman, the Allegation shall be deemed as an Official Complaint and the Executive Director shall send a copy of the Official Complaint to the Respondent within thirty (30) days thereafter. The copy shall be sent by Certified mail, Return Receipt Requested, marked "personal and confidential" on the outside or the envelope. Subsequent amendments to the Complaint shall be mailed to the Respondent within fifteen (15) days of their receipt. If for any reason a Certified Mailing is ineffective, personal service of a copy of the Complaint may be served by official process server in the county in which the Respondent resides. If this type of service is necessary, confidentiality of the Complaint shall be preserved to the extent reasonable under the circumstances.

Section 8. If the Complainant or the Respondent is a Member of the Committee or the Board, the Executive Director shall advise such person that he or she is disqualified from participating in the disciplinary proceeding as a Committee or Board member and cannot be present or participate in any discussions, recommendations or decisions of the Committee and/or Board.

Section 9. Within forty five (45) days of the receipt of any Official Complaint the Respondent may file a written Response with the Executive Director. Failure to File a written Response shall not be deemed an admission by the Respondent of the Allegations contained in the written Complaint.

Section 10. The date the written Response is received shall be stamped by the Executive Director on the face of the Response. The Response shall be assigned the same control number as the Complaint, the number shall be entered on the Response, and the Response shall be filed in the folder in which the Complaint is filed.

Section 11. A copy of the Complaint and the written Response shall be forwarded to each member of the Ethics Committee and to the Complainant by the Executive Director within fifteen (15) days of the receipt of the Response or after the allotted time for the Response if no Response is received.

### ARTICLE IV

#### COMMITTEE REVIEW AND RECOMMENDATIONS

Section 1. After written referral of a matter to the Committee, or at any other point in these proceedings, each Committee member should determine whether he or she has any conflict of interest in considering the matter. If a Committee member seeks to be excused from considering a particular case due to a conflict of interest, he or she should immediately notify the Executive Director in writing and remove him/her from any further discussion, recommendations and/or decisions of the matter at hand.

Section 2. After receipt of a written Complaint, and after the time has passed for the Respondent to file a Response to the Complaint, the Committee shall agenda the Complaint for review at its next meeting. The Committee shall have the discretion to combine or sever matters for hearing, or to utilize any other reasonable procedure devices to efficiently and fairly consider all cases. In addition, if at any

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point in these proceedings the Respondent admits material facts establishing an ethical violation, the Respondent may waive his or her right to further proceedings in accordance with this Policy and may agree with the Committee on a recommended level of discipline to be presented to the Board.

Section 3. A telephone conference meeting or other type of meeting of the Committee and the Executive Director shall be held after receipt of the Complaint and Respondent's Response or after conclusion of the time allotted for a Response. The Committee shall review the Complaint and the Response, if any, to determine whether the Complaint, if all matters alleged therein are assumed true, constitutes a breach in the Code of Ethics. In order to make this determination, the Committee may request additional information from the Complaint and Respondent.

Section 4. If the Committee determines that there is no probable cause to believe a violation of the Code of Ethics has occurred, the Complaint shall be dismissed and the Respondent and the Complainant shall be so notified by Certified Mail, Return Receipt Requested, of this action. After dismissal of the case the file will be closed and will remain confidential unless the respondent requests in writing that it be published in the Newsletter.

Section 5. If the Committee determines that there is probable cause to believe a violation of some ethical standards has occurred and the Committee may not have the authority to deal with the specific type of violation, or if the Committee determines that there is probable cause to believe a violation of some ethical standards has occurred and both the Committee and some other society of entity have the authority to discipline the violator, the Committee may recommend that the Board refer the matter to the other appropriate society of entity. Both the Complainant and the Respondent shall be notified by Certified Mail, Return Receipt Requested, of this action by the Board.

Section 6. If the Committee determines that there is probable cause to believe that a violation of the Code of Ethics has occurred, the Committee shall set the matter for a Hearing. The scheduled date of the Hearing shall be the next semiannual meeting after the date the Committee makes its determination as to probable cause. Both the Complainant and the Respondent shall be notified by Certified Mail, Return Receipt Requested, of the date of the Hearing. The Notice of Hearing shall specify the specific sections of the Code of Ethics which there is probable cause to believe the Respondent violated. Once these matters are set forth in the Notice of Hearing, these are the only matters on which the Committee may conduct a Hearing and no other issues may be raised subsequent to the issuance of the Notice of Hearing. The Notice of Hearing shall inform the Respondent that he or she must notify the Committee within thirty (30) days after receipt of the Notice as to whether he or she wants to proceed with the Hearing or waives his or her right to a Hearing. If the Respondent does not respond within the specified time, the Committee may cancel the Hearing, consider the evidence available, and submit its recommendation to the Board.

## ARTICLE VI

### HEARINGS

Section 1. CONDUCT OF A CLOSED HEARING - The Ethics Complaint Hearing shall be held in closed session unless the Respondent requests otherwise. Only members of the Ethics Committee, the Executive Director, the NAFE legal advisor, the Complainant, the Respondent and their representatives

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may attend a closed Hearing. The Hearing shall be conducted in accordance with Robert's Rules of Order Revised. When the Hearing is closed, no information pertaining to it (i.e., Complaint, Response, etc.) may be released or distributed to persons other than the complainant, Respondent, the Executive Director, the Chairman and the members of the Ethics committee, NAFE legal advisor and the Complainant's and Respondent's representatives prior to the resolution of the Complaint.

Section 2. COMPLAINANT'S ATTENDANCE AT THE HEARING - It is mandatory that the Complainant be present at the duly noticed Hearing. If the Complainant is not present, the Complaint must be dismissed.

Section 3. RIGHT TO REPRESENTATION - The parties may be represented during the Hearing by an attorney or an advocate of their choice.

Section 4. Hearings on a Complaint of a violation of the Code of Ethics shall be conducted by the Committee. The Chairman of the Committee or his or her designee shall be Chairman of the Hearing and shall be responsible for its conduct, including rulings if necessary, on any points or order.

Section 5. A sound recording shall be made of all hearings and shall be kept on file at the NAFE headquarters office for a period of three (3) years. In the event a copy of the recording is requested, it will be furnished, at cost, to the Complainant and/or Respondent.

Section 6. SWORN TESTIMONY - All persons testifying at the Hearing shall be sworn by the Chairman.

### Section 7. DOCUMENTS AND EVIDENCE

A. The parties have a continuing obligation to timely amend their submissions to timely reflect any changes and/or additions to their supporting evidence. These Amendments shall be sent to all parties including the Committee and the Executive Director by Certified Mail, Return Receipt Requested, at least thirty (30) days prior to the Hearing.

B. If a party is relying on the testimony of others, a summarization of such testimony shall be submitted in the form of Notarized Affidavits at least thirty (30) days prior to the Hearing.

Section 8. PRESENTATION OF EVIDENCE AT HEARING - After commencement of the Hearing, Complainant shall present his/her case, as defined by the written Complaint. Upon close of Complainant's case, Respondent shall present his/her Response to Complainant's allegations. Rebuttal and/or closing arguments may, upon request, be authorized by the Chairman, limited to one (1) each with the final by the Respondent. In addition to written and oral arguments, the parties may present documentary, demonstrative and/or illustrative evidence at the Hearing. The Chairman will authorize as much time as necessary for the Complainant and Respondent to present testimonial evidence, which may be cumulative, but shall not be repetitive. Committee members, the Complainant, the Respondent and/or their representatives, upon recognition by the Chairman, may pose questions to the Hearing participants.

Section 9. CLOSING HEARING AND RULING ON COMPLAINT - At the conclusion of the Hearing, the committee will meet in closed session to deliberate and determine whether or not in fact a violation of the Code of Ethics occurred. The Executive Director and the NAFE legal counsel may attend this closed session after the Hearing in reaching its recommendations on the complaint. The



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Committee shall base its recommendations on the record of the Hearing. Documentary evidence or other material not in the Hearing record shall not be considered by the Committee in its recommendations. In its deliberations, the Committee shall also decide what, if any, form of discipline is recommended. The Committee is not limited to the following described disciplinary measures in determining a recommended level of discipline. The Committee shall have the discretion to recommend any less severe form of discipline appropriate to the ethical violation that has occurred. The Executive Director will advise the Ethics Committee if the individual has received any previous NAFE Ethics Committee discipline for a violation of the Code of Ethics.

Section 10. FINDING OF NO VIOLATION OF THE CODE OF ETHICS - If the Committee determines that there has not been a violation of the Code of Ethics, the Committee shall finalize its findings in writing. The writing shall include:

- A. The allegations of the Complaint;
- B. The findings of facts made by the Committee.

Section 11. REPORTING OF NO VIOLATION

A. The Committee's final report of no violation shall be filed within fifteen (15) days with the Executive Director.

B. the Committee's final report of "no violation" shall be mailed by the Executive Director by Certified Mail, Return Receipt Requested, to both the Respondent and the Complainant within thirty (30) days of the conclusion of the Hearing.

Section 12. Within thirty (30) days of receipt by the Respondent of the Committee's final report finding that no violation of the Code of Ethics has occurred, the Respondent may request that the Committee's findings be published in the Newsletter of the Academy. If the Respondent does not request such, publication shall not be made.

Section 13. FINDING OF A VIOLATION OF THE CODE OF ETHICS - If the Committee determines that there has been a violation of the Code of Ethics, the Committee shall finalize its findings in a written Report which will be forwarded to the Board of Directors by the Executive Director for final determination and action. The Report shall include:

- A. The Complaint and Response used at the Hearing.
- B. The findings of fact made by the Committee.
- C. The specific violation(s) of the Code of Ethics found to have occurred and the appropriate references to the various sections of the Code of Ethics which have been violated.
- D. The Committee's recommendation for disciplinary action.

If a violation is found, the Executive Director within fifteen (15) days shall notify the Respondent and furnish a copy of the written Report to the Board of Directors, and shall schedule the matter on the agenda for the next Board of Directors' meeting, which occurs at least sixty (60) days after receipt of the Report.

Section 14. DISCIPLINARY ACTIONS TO BE CONSIDERED BY COMMITTEE AFTER DETERMINATION OF A VIOLATION OF THE CODE OF ETHICS:

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A. Letter of Caution - A Letter of Caution shall be recommended by the Committee to the Board when the Respondent has been found to have committed a violation of the Code of Ethics but which the Committee determines does not warrant Expulsion, Suspension, Censure or Reprimand.

B. Letter of Reprimand - A Letter of Reprimand shall be recommended to the Board when the Respondent has been found to have committed a violation of the Code of Ethics by which the Committee determines does not warrant Expulsion, Suspension, or Censure.

C. Censure - Censure shall be recommended to the Board when the Respondent has been found to have committed a violation of the Code of Ethics by which the Committee determines does not warrant Expulsion or Suspension.

D. Suspension - Suspension shall be recommended to the Board when the Respondent has been found to have committed a violation of the Code of Ethics but which the Committee determines does not warrant Expulsion.

E. Expulsion - The Committee shall recommend Expulsion to the Board when a violation of the Code of Ethics does not warrant any of the lesser disciplinary actions.

Section 15. APPEAL TO THE BOARD BY RESPONDENT FROM THE COMMITTEE'S RECOMMENDATION - Within thirty (30) days of receipt of the Committee's final Report finding that a violation of the Code of Ethics has occurred, the Respondent may file a written appeal with the Board of Directors. Any written appeal must contain all statements or supporting information which will provide the Board with a full understanding of the basis of the appeal

### ARTICLE VII

#### ACTIONS BY THE BOARD OF DIRECTORS

Section 1. At the next meeting of the Board of Directors, not less than sixty (60) days after receipt of a written Report from the Ethics Committee, the Board of Directors shall review the Report and all the materials submitted, including the Respondent's Appeal of the Committee's recommendation, if any, and the recommendation of the Committee, in a closed meeting, which the Ethics Committee, the Executive Director and the NAFE legal counsel may attend, and shall approve the recommendation of the Committee, reduce the recommended disciplinary action or reverse the findings based upon the appeal statement. Under no circumstances may the Board increase the recommended disciplinary action of the Committee. On reaching its decision on any Complaint after referral from the Committee, the Board shall base its decision on the record received from the Committee and the information contained in the Appeal by the Respondent, if any. Documentary evidence or other material not in the record shall not be considered by the Board in its decision.

Section 2. If the Board determines that a Letter of Caution is the proper form of discipline, the Respondent shall receive a letter from the President notifying the member of the violation and cautioning the member against future violations. A copy of the Letter shall be placed in the permanent files of the National Academy of Forensic Engineers. The Letter will be handled and filed on a confidential basis. The Complainant shall be sent a written statement by the President within fifteen (15) days of the Board's action indicating without specificity that the matter has been concluded.

## NATIONAL ACADEMY OF FORENSIC ENGINEERS

Section 3. If the Board determines that a Letter of Reprimand is the proper form of discipline, the Respondent shall be notified within fifteen (15) days by letter (Certified Mail, Return Receipt Requested, marked “Personal and Confidential”) from the President of the National Academy of Forensic Engineers. A copy of the Letter of Reprimand shall be placed in the permanent files of the National Academy of Forensic Engineers. A Letter of Reprimand will be handled and filed on a confidential basis. If and when a member who has received a Letter of Reprimand is considered by the Academy for FELLOW, the Admissions Committee shall be notified of the fact that a Letter of Reprimand was issued, but said Letter shall not automatically disqualify a member from becoming a Fellow. The Complainant shall be sent a written statement by the President of the Board’s action indication without specificity that the matter has been concluded.

Section 4. If the Board determines that Censure is the proper form of discipline the Respondent shall be notified within fifteen (15) days by letter (Certified mail, Return Receipt Requested, marked “Personal and Confidential”) from the President of the National Academy of Forensic Engineers. A copy of the Letter of Censure shall be placed in the permanent files of the National Academy of Forensic Engineers. Letters of Censure shall be handled and filed on a confidential basis. A member who is censured shall cease to hold any elective office or appointive position thirty (30) days after the Letter of Censure is mailed to him or her and shall not be eligible to hold an elective office or appointive position in the Academy for a period of twelve (12) months from the date the Letter of Censure is mailed. A member who has been censured shall be permanently ineligible to become a Fellow in the National Academy of Forensic Engineers. The Complainant shall be sent a written statement by the President within fifteen (15) days of the board’s action indication without specificity that the matter has been concluded.

Section 5. If the Board determines that Suspension is the proper form of discipline, the Respondent shall be notified within fifteen (15) days by letter (Certified Mail, Return Receipt Requested, marked “Personal and Confidential”) from the President of the National Academy of Forensic Engineers. A member who is suspended from the Academy shall be removed from the membership roll at the earliest date after final action taken by the Board of Directors consistent with the provisions of these rules. A person who is suspended from the Academy shall be suspended for a definite period of time (i.e., 12 months, 2 years, etc.) or until a definite date. A person who is suspended from membership in the Academy may make written application for readmission to membership in the Academy after the period or time of suspension shall have ended. Academy dues for the fiscal year in which a member was suspended and for the fiscal year in which the person reapplies shall be paid in full before a suspended member shall be reinstated to membership in the Academy. Applications for re-affiliation by suspended members shall be submitted to the Board of Directors for approval. A suspended member shall forfeit any claim to any portion of his or her dues which has been paid for the fiscal year in which the suspension becomes effective. A suspended member shall cease to hold any elective office or appointive position effective as of the date of removal from the Academy’s membership rolls. A suspended member shall forfeit all rights, privileges, benefits and services provided members of the Academy during the period of the suspension. A suspended member shall be expected to return to Academy Headquarters not later than thirty (30) days after the effective date of suspension any Academy membership pins, Academy membership plaques or other Academy jewelry, insignia, stationery and envelopes, or identification then in his or her possession. Such articles may be returned to a suspended member by the Academy at such time as he or she may apply and be approved for readmission to membership in the Academy. A suspended member shall not in any way identify or otherwise indicate that he or she is a member of the Academy during the period of suspension or until he or she shall apply and be approved for readmission to membership in the Academy. A member who has

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been suspended from membership in the Academy shall be permanently ineligible to become a Fellow of the National Academy of Forensic Engineers. The Complainant shall be sent a written statement by the President within fifteen (15) days of the Board' action indicating without specificity that the matter has been concluded.

Section 6. If the Board determines that Expulsion is the proper form of discipline, the member shall be expelled from the Academy and shall be removed from the membership rolls at the earliest date, and shall be notified within fifteen (15) days by the President in writing (Certified Mail, Return Receipt Requested, marked "Personal and Confidential). An expelled member shall cease to hold any elective office or appointive position effective as of the date of removal from the Academy's membership rolls. An expelled member shall forfeit any claim to any portion of his or her dues which have been paid for the fiscal year in which the expulsion becomes effective. An expelled member shall forfeit all rights, privileges, benefits and services provided to members of the Academy. An expelled member shall be permanently barred from readmission to membership in the Academy. An expelled member shall be expected to return to Academy Headquarters not later than thirty (30) days after the effective date of expulsion any Academy membership pins, Academy membership plaques or other Academy jewelry, insignia, stationery and envelopes, or identification then on his or her possession. An expelled member shall not in any way identify or otherwise indicate that he or she is a member of the Academy. The Complainant shall be sent a written statement by the President of the Board's action within fifteen (15) days of such action.

Section 7. The written findings of the board of Directors shall be considered final.

Section 8. The Board may submit any information obtained during a disciplinary process which results in a determination of Expulsion from NAFE to any other entity or authority who may have concurrent jurisdiction over the alleged violation.

Section 9. Disciplinary actions of the Board of Directors which result in a determination of Expulsion from NAFE shall be published in the Newsletter of the Academy.

### ARTICLE VIII

#### DISCIPLINE AFTER STATE BOARD OF ENGINEERING REGISTRATION ACTION.

Section 1. This Article shall apply to all cases in which the member's State Board of Engineering registration has disciplined an NAFE member.

Section 2. Upon receipt of a final order from the member's State Board of Engineering Registration indicating an NAFE member has been disciplined, the Executive Director shall forward the order to the Ethics Committee for consideration at its next regularly scheduled meeting. The Committee shall consider the order and shall determine whether there is probable cause to believe a violation of the Code of Ethics violation has not occurred. If a determination is made that there has been no violation of the Code of Ethics, then the member shall be immediately notified and the NAFE file shall be closed on the matter.

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Section 3. If the Committee determines that there is probable cause to believe a violation of the Code of Ethics has occurred, the Committee shall direct the Executive Director to send the accused member a Letter by Certified Mail, Return Receipt Requested, explaining the following, that;

- A. The Committee has found probable cause to believe a violation of the Code of Ethics has occurred.
- B. The Committee seeks to utilize the investigation material obtained by the State Board of Engineering Registration in its investigation.
- C. The member may consent to the use of the member's State Board of Engineering investigation material. If the member does not consent to the use of the investigative material of the State Board of Engineering Registration, the final reporting of the State Board disciplining the member shall be deemed as prima fascia evidence of a violation of the Code of Ethics under this Policy.
- D. Upon receipt of permission to use the member's State Board of Engineering Registration investigative material, a Hearing will be scheduled to consider the member's case.
- E. During the Hearing, the Committee will proceed according to the procedures for hearings set forth in Article VI of the NAFE procedures, and final action by the Board shall be in accordance with Article VII of the NAFE procedures.
- F. If the member does not appear at the Hearing, the NAFE will impose sanctions commensurate with the violation and the discipline imposed by the State Board of Registration.

Modified July 25, 1995

# **NATIONAL ACADEMY OF FORENSIC ENGINEERS**

## **PROFESSIONAL POLICY 2**

### **THE NATIONAL ACADEMY OF FORENSIC ENGINEERS’ POSITION ON PUBLISHING CODES, REGULATIONS, OR STANDARDS**

The NAFE does not originate, approve or distribute Codes\*, Regulations or Standards but does encourage participation of its members and affiliates in processes leading to adoption of standards or guidelines affecting the practice of Forensic Engineering. The NAFE believes that standards and guidelines which affect Forensic Engineering should encourage the application of engineering competence and judgment based on engineering education and experience. NAFE did so indicate in its Amicus Curiae brief to the United States Supreme Court in the Kumho case. The NAFE brief was cited by the U. S. Supreme Court in its decision. Reference is also made to the “Guidelines for the P. E. as a Forensic Engineer”, originally published by the National Society of Professional Engineers in 1980 and republished by NAFE in 2001.

Prescriptive standards and guidelines are likely to be incomplete in scope or to emphasize trivialities which the experienced Forensic Engineer would consider as moot. The use of prescriptive standards and guidelines as a test of expert qualification or as to the admissibility of expert testimony by Forensic Engineers may be misleading, and is discouraged.

\* The NAFE does subscribe to and endorse the National Society of Professional Engineers Code of Ethics.

History:       Drafted by M. M. Specter, P.E., L.S., F. NSPE and Michael Kravitz, P.E. 06/11/05  
                  Adopted by Board of Directors on July 9, 2005, superseding OP-8

