

U.S. Litigation Committee



Purpose

The U.S. Litigation Committee of PBSA is established to provide strategic oversight, guidance, and coordination regarding legal matters that may have a significant impact on the background screening profession and the Association. The Committee serves as a forum for evaluating potential litigation, amicus opportunities, monitoring ongoing legal developments, and supporting the Association's legal strategy in alignment with its mission and objectives.

ALL MATTERS OF THE COMMITTEE WILL BE DEEMED PRIVILEGED AND CONFIDENTIAL.

The U.S. Litigation Committee will:

1. Review and evaluate potential litigation matters that may affect the background screening industry or PBSA.
2. Coordinate with legal counsel to support the development and execution of litigation strategies.
3. Assess opportunities and make recommendations for PBSA participation in legal actions, including amicus briefs or other appropriate legal advocacy, including litigation and financial proposals.
4. Support the protection and advancement of the interests of PBSA and its members through strategic legal initiatives with allies and policymakers.
5. Provide recommendations, strategic guidance, and recommendations to the PBSA Board of Directors regarding litigation-related matters. The PBSA Board should generally, where fiscally reasonable, follow the advice of the U.S. Litigation Committee.

Reporting

The U.S. Litigation Committee will report to the PBSA Board of Directors.

Meetings

The U.S. Litigation Committee will meet monthly and/or as needed based on current litigation/potential litigation activities at the direction of the Executive Director.

Configuration

The Committee will generally be made up of:

- 1-2 member(s) of the current PBSA Board, with preference for 1 member of the Executive Committee,
- U.S. Government Relations Leadership,
- Up to 3 members identified by the Executive Director based on their legal expertise,

- Outside Counsel as identified by the Executive Director, non-voting
- PBSA's Executive Director, non-voting
- PBSA Staff as needed for support, non-voting

Committee members will serve for 1-year terms following the annual election calendar and may serve for consecutive terms. Gaps may be filled outside of the election cycle as needed to help ensure a well-rounded committee.

Committee members will be asked to sign non-disclosure agreements and are expected to recuse themselves from potential conflicts.

Committee meetings require quorum to proceed with voting items. Voting matters shall require a majority vote of members in attendance. Outside counsel and PBSA staff may participate in the discussion, however, shall not vote. In the event of a tie, the committee will continue deliberating until a recommendation can be made.

Legal counsel will attend meetings and be included in emails to retain privilege of matters discussed.