

**UNIFORM
CODE OF PROCEDURES**
for
**THE ORGANIZATION OF
DEPARTMENT CONVENTIONS**
of
THE AMERICAN LEGION – DEPARTMENT OF CALIFORNIA

*Authorized by
Article IX, Section 5 Department of California Constitution & Bylaws*

*Approved by
Department Executive Committee
March 21-23, 2025
in Santa Maria, California*

CALL FOR DEPARTMENT CONVENTION

1. Not less than thirty days prior to the date of assembly of the Department Convention the Department Adjutant shall issue an official call for the Department Convention. The official call for the Department Convention shall be served upon all districts of Department of California through the District Adjutants addressed to the official address of such as on record at department headquarters.
2. The Department Adjutant is hereby authorized to issue copies of the official call to all other department officers, members of the Department Executive Committee and other proper functionaries of the department organization, officers and functionaries of all districts, and to other proper persons and organizations having an interest or responsibility in connection with the Department Convention - addressed to such persons or organizations at an address on record at department headquarters.
3. The official call for the Department Convention shall contain within its context or in proper annexes, or supplements affixed to the call, the following information and instructions:
 - a. The time and place of assembly of the Department Convention.
 - b. The purpose of the Department Convention including a statement of business to be transacted.
 - c. Official announcement of the time and place for the election of department officers.
 - d. The composition of the Department Convention in terms of authorized delegates and other persons entitled to official status as members of the Department Convention as provided in the Department Bylaws. Such statement shall

also include instructions for issuance of official credentials, the time and place for filing the same, and other pertinent and proper procedural details.

e. The composition of the Department in terms of authorized convention committees and specifications of their assigned tasks and shall include the official number of members of such committees, the manner or appointment and manner of organization of such committees, and the procedure for

official validation of membership on such committees.

f. Such other official and pertinent information and instruction as shall properly apply to the orderly and efficient organization and operation of the Department Convention.

CONVENTION PROGRAM

1. Except as may be provided otherwise herein or as directed by the Department Executive Committee, the establishment and arrangement of the “program of proceedings” of the Department Convention shall be the duty and prerogative of the Department Commander.

2. The Department Commander is empowered to invite proper guests to the Department Convention on behalf of the Department of California, extend the privilege of addressing the Department Convention to appropriate speakers, establish the “order of business” of the Department Convention and to order and arrange incidental ceremonies consistent with and properly a part of the Department Convention.

3. In establishing the “order of business” the Department Commander shall restrict the schedule of guest speakers to the final session of the Department Convention and shall not schedule any such speakers later than 11:30 a.m. (local time of the convention city) of that session.

4. The election of Department Officers and the ceremony of installation shall be arranged and scheduled as a special order of business for twelve o’clock (noon) of the final session or at the conclusion of all other business of the Department Convention, which ever first occurs.

5. The Department Commander shall publish in the official convention program the “order of business” and events established, including a time schedule for the same, and shall cause such “order of business” to prevail except as properly altered by him/her for the cause or set aside by the will of the Department Convention upon proper motion in accordance with the standing or special rules of Department as hereinafter provided.

OFFICIALS OF THE CONVENTION

1. The presiding officer of the Department Convention shall be the Department Commander of the Department of California. The Department Commander shall have the power and authority

to yield the chair from time to time to a Department Vice-Commander of the Department of California for the conduct of official business of the Department Convention.

2. The Department Commander may yield the chair to a past Department Commander of the Department of California or to any other delegate of the Department of California for ceremonial purposes.

3. In either instance due note thereof shall be included in the minutes of the proceedings.

4. In the event that the Department Commander is not available to preside over the Department Convention, the Department Executive Committee shall be convened immediately by open call in the place of assembly of the Department Convention by the Department Adjutant.

5. The Department Adjutant shall be the secretary of the Department Convention. The Department Adjutant may yield this office from time to time to any assistant during the Department Convention by and with the consent of the Department Commander or other presiding officer in the chair.

6. The Department Commander may appoint one or more assistant Judge Advocates or assistant Parliamentarians. Such appointees shall be members of the Department of California.

7. The Department Commander shall appoint a Sergeant-at-Arms and such assistant Sergeant-at-Arms of the Department Convention as may be necessary in conducting the proceedings and maintaining order in the Department Convention. Sergeant-at-Arms shall be solely responsible to the Department Commander or the presiding officer in the chair.

8. The Department Commander shall be empowered and authorized to designate the official color guard of the Department Convention, the official musical organization, and such other functionaries as may be necessary to the proper conduct of proceedings and ceremonials as may be scheduled or directed.

DELEGATES/FEES

1. Delegates to a Department Convention shall be accredited in writing to the Department Adjutant in the number and manner prescribed by Article IX, Section 3 of the Department Bylaws.

2. The Department Adjutant, within the limits of the Department Bylaws, is authorized to design and circulate such proper forms as may be required to record and certify the accreditation of delegates and alternate delegates. The Department Adjutant is further authorized to establish such reasonable and proper administrative rules as may be necessary in assembling the official list of delegates and alternates accredited and entitled to be seated in the Department Convention. All such forms or other administrative requirements shall be certified officially by

the Department Commander or Department Adjutant at the times specified by the Department Bylaws, or the Department Adjutant. Disputes concerning the accreditation of delegates and alternate delegates shall be referred to the Convention Credentials Committee.

3. Each Post in the Department shall, by June 1st, elect delegates and alternates to such convention, and shall certify such election to the Department by June 1st. Said certification shall be sent to Department Headquarters and be authenticated by the Post Commander or Post Adjutant. However, in case of failure to comply with the above, or in the event of a conflict as to the legality of such elected delegates, the Committee on Convention Credentials shall have the authority to accredit such delegates as can establish their election as delegates and alternates to the convention. No delegate or alternate from any Post shall be accredited in the Department Convention unless all obligations to the Department shall have been satisfied and the Constitution and Bylaws of the Post for which the delegate or alternate has been elected shall have been approved by the Department Constitution and Bylaws Commission prior to the convening of the convention.

4. Convention registration fees shall be established by the Department Executive Committee for each delegate to which the Post is entitled. The Adjutant shall bill each Post at the time the Post is notified of the number of delegates to which it is entitled. Said sum shall be paid before the opening date of the convention, and no delegate shall be accredited if said sum has not been paid.

5. All past Department Commanders, past Department Adjutants, members of the Department Executive Committee and all incumbent elected Department officers who attend and register as such, shall be delegates to the Department Convention with voice and vote. Convention registration fees for such delegates shall be waived.

ELECTIONS

1. The Department Commander, the Department Vice-Commanders, and the Department Sergeant-at-Arms shall be elected at the annual Department Convention and shall hold office until the close of the following Department Convention.

2. The election of the six (6) Vice-Commanders representing the six (6) Areas of the Department shall be by vote of the delegates of the Posts of each specific Area, provided further that the Department Vice-Commander shall be a member of a Post of the specific Area they are elected to represent.

3. The National Executive Committee Member and the Alternate National Executive Committee Member shall be elected at a regular Department Convention for a term of two (2) years.

4. All elections at Department Convention shall be by roll call, each District reporting the total votes cast for each candidate by the delegates of the Posts within the District.

5. The Department Commander reserves the right to declare by acclamation all uncontested elections.

CONVENTION COMMITTEES

1. Standing Committees of each convention shall be the following:

Aeronautics and Aerospace; Agriculture, Energy and Natural Resources; Amateur Radio; American Legion Baseball; American Legion Riders; Americanism; Boys & Girls State; Constitution & Bylaws; Children and Youth; Community Service; Disaster and Emergency Services; Finance; Foreign Relations and National Security; Housing (Veteran); Internal Affairs, Law and Order; Leadership; Legislative; Media and Communications; Naturalization; Oratorical Contests; Ritual; Scouting; Sons of the American Legion; Valley Forge Workshop; Veterans Affairs and Rehabilitation; Veterans Employment and Education; Ways and Means; and such other Standing Committees as the Convention or the Department Executive Committee shall deem fit.

2. A Credentials Committee and Resolution Assignment Committee shall be appointed by the Department Commander in such number as he/she deems advisable, from among such delegates as will be present in the city of the convention prior to its convening.

3. Each Standing Committee, except Credentials Committee and Resolution Assignment Committee shall be composed of one (1) delegate from each District in the Department, the member being chosen by the delegates from such District. In addition, the chairperson and two (2) members designated by him/her of each corresponding Department permanent Commission shall be ex-officio members of such Convention Standing Committees with voice and vote but not counted to determine a quorum.

4. The Department Commander will appoint a temporary chair for each Standing Committee. The temporary chair shall at the appointed time and place, call the Convention Committee to order, call the roll of authorized delegates, and conduct an election for a Convention Committee Chairman and Convention Committee Secretary from among members of the convention committee.

5. A Convention Committee quorum shall consist of a minimum of five (5) authorized delegates.

6. Districts shall have the right of substitution of Convention Standing Committee members provided proper credentials, approved by the Department Adjutant, are filed with the liaison representative or, later, with the Convention Standing Committee Secretary.

7. Convention Standing Committees shall organize and function within forty-eight (48) hours prior to the opening of the Convention.

FINANCES

At each Department Convention a budget shall be presented by the Finance Committee for its consideration. The convention shall have the right to modify the budget as so prepared and thereafter adopt said budget as prepared or as so modified.

RESOLUTIONS TO BE CONSIDERED BY THE CONVENTION

1. Post approved, or Commission recommended resolutions shall be submitted to Department at least 21 days prior to the opening of the convention.
2. Resolutions shall be retained by the Department Adjutant until called for and received by the chairperson of the assigned Standing Committee and made available to all Posts for review 15 days before the opening of convention.
3. At the Department Convention, all resolutions shall be reviewed by the Convention Resolutions Assignment Committee and assigned to the appropriate Convention Standing Committee within 48 hours prior to the opening of Convention. The Standing Committees shall review the resolution and make a recommendation for passage on the convention floor. The resolution shall be returned to the Department Adjutant for presentation on the convention floor. Resolutions shall be made available to the delegates before being considered on the convention floor.
4. Resolutions shall be submitted on a proper form and shall be numbered for identification as provided by the Resolution Committee. Resolutions that are not properly formatted will be rejected by the committee.
5. Resolutions originating with and approved by a convention committee shall be received, assigned, and processed through the department adjutant for record and assigned a number by the Resolution Committee. They shall be signed by the Convention Committee Chairperson. Electronic signatures are acceptable.
6. In the disposition of resolutions considered, convention committees shall present them in the following manner: Approved, Approved as Amended, Consolidated, Referred, Received and recorded, and rejected. The term "Received and Recorded" shall be applied to resolutions which reiterate or reaffirm a present policy position of The American Legion.
7. All resolutions assigned to or originating with convention committees shall be identified in the convention committee reports to the Department Convention with a statement of convention committee disposition.
8. All resolutions submitted to Department shall be signed by the Adjutant of the Post originally submitting the resolution. Electronic signatures are acceptable.

RULES OF CONVENTION

1. Robert's Rules of Order (12th ed.) shall govern the proceedings of this convention, except as herein modified, and in which they are consistent with the Department of California Bylaws.
2. Delegates should be seated on the floor of the convention in the seats assigned to their district. To facilitate identification and seating, delegates, alternates and guests shall be required to wear the appropriate badge issued by Department Headquarters upon registration.
3. A delegate desiring to address the convention and/or make a motion, shall approach the nearest microphone to be recognized by the chair. Upon recognition the delegate shall address the chair as "Comrade Commander," state their name, their post name and number, their district number, and whether they are a delegate or alternate delegate of the convention.
4. Only two (2) delegates from any one district delegation are permitted the floor to speak on any one subject. A two-thirds (2/3) vote of the convention delegates in attendance is needed for additional district delegates to speak.
5. Only the maker of a debatable motion shall speak more than once on the same question on the same day and no longer than three (3) minutes without a two-thirds (2/3) vote of the delegates then in attendance, without debate. Each speaker will receive a one-minute warning of the expiration of their time.
6. Debate on any one subject is limited to twenty (20) minutes, plus closing argument by the maker of the motion and the chairperson of the convention committee under whose jurisdiction the subject properly comes. Time may be extended up to five (5) minutes, by a two-thirds (2/3) vote of the convention delegates then in attendance.
7. The chairperson of a convention committee, or the acting chairperson thereof, has the right to open, participate in, and close debate on any subject within the jurisdiction of their convention committee.
8. Voting shall be by voice vote, except as indicated by follow-on rules or when a roll call is called by the presiding officer when they are in doubt of the result of a voice vote or requested on behalf of five (5) districts by the district delegation commanders (or district vice commander acting in their absence). Voting for department officers or any changes in the bylaws of the Department of California shall be by roll call.
9. Registration at this convention shall be by posts, however, delegates or alternate delegates are not prevented from registering individually. Any delegate, alternate delegate, or delegation chairperson from any post can register their post at the convention and such registration constitutes registration of all certified delegates and alternates from their post. At least one (1)

delegate or alternate acting as a delegate must be present on the floor of the convention or any authorized caucus to validate the post vote count. Posts may not vote by proxy.

10. Only duly accredited delegates (or alternates taking the place of an absent duly accredited delegate) can participate, directly or indirectly, in any vote on any subject before the convention, or shall serve an official function on any convention committee.

11. An alternate may not cast a ballot for their delegate when said delegate is present. This rule always applies where a vote on the business of the convention is required (convention floor, caucus, special meetings, etc.)

12. The votes of each person qualified and entitled to vote pursuant to Article IX - Section 3 of the Department of California Bylaws, shall be cast with the vote of their delegation. The votes of each person qualified and entitled to vote pursuant to Article IX - Section 6 (delegates in their own right) are entitled to cast their vote individually as qualified under said section, or as a member of their post delegation, provided they are a duly accredited delegate of the post. No one is entitled to cast their vote twice.

13. Such persons shall not be empowered to qualify their post delegation for attendance, as per Section 9 above, unless they are a duly accredited delegate of their post.

14. On roll calls, districts will cast their votes in numerical order. District commanders shall poll their district delegations and cast the vote for their district. In their absence, the district vice commander (or in their absence such delegate of the district as properly chosen by the district delegation) stands in to fulfill the duty.

15. When the district commander casts the votes for the district delegation on the floor of the convention, the presiding officer will declare the voting of the district closed.

16. The challenge by a delegate of the vote of a district must be made before the vote of the district is declared closed. After a challenge of the vote has been made and recognized, the voting of the next numerical districts will be cast, until all district delegations have cast their votes. All delegations with challenges will then, in numerical order, cast their votes by roll call of post delegations of the district.

17. If a post delegation is not represented by a full delegation of delegates or alternate delegates at the time of roll call, and the delegates and alternate delegates present and entitled to vote cannot agree how the votes of the post should be cast, the non-represented votes will not be counted. No fractional votes will be counted.

18. The poll shall be conducted without discussion of reason behind the request.

19. No resolution appropriating funds for the Department can be considered on the floor without consideration by the Convention Finance Committee.

20. Nominating speeches for Department Officers shall be limited to five minutes each, seconding speech to two minutes each. There shall be but one nominating speech and not more than two seconding speeches in favor of any nominee.

21. All reports of the committees and commissions are printed in their entirety in the Book of Reports of the convention. Therefore, the verbal reports of said committees or commissions should be as brief as possible in recognition of the immense amount of business to be conducted at this convention.

22. Reports of the convention committees are submitted for acceptance only, and the receiving or accepting of such reports does not signify the adoption or approval of any committee recommendations, but each specific recommendation as to future policy must be embodied in a separate motion or resolution for the consideration, action, and vote of the convention itself. Such resolutions must be reviewed by the Resolutions Committee for advice and approval as to form and procedure.

23. The Department Commander has the authority to clear the gallery or floor, suspend the credential, and/or have the Sergeant-at-Arms escort from the convention any person or persons creating a disturbance and/or who exhibits offensive or threatening manners or language, or exhibits any action(s) intended to disrupt, intimidate or interfere with the orderly proceeding of the Convention.

AMENDMENTS TO THE UNIFORM CODE OF PROCEDURE

This Uniform Code of Procedures may be amended:

1. By majority vote of the total authorized representation at a Department Convention on a resolution properly before it, or
2. By action of the Department Executive Committee.

AUTHORITY

Article IX, Section 6, Department Constitution & Bylaws

The Department Executive Committee shall provide a Uniform Code of Procedure for the orderly organization and operation of Department Conventions with continuing power of revision, and said Code shall be applicable at all Department Conventions

unless it is amended, suspended, or repealed by a majority vote of the total authorized representation at a Department Convention.