

**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*

*Revised by
Department Executive Committee
September 19-21, 2025
in Orange, California*

CALL FOR DEPARTMENT CONVENTION

1. Not less than thirty days before the Department Convention's assembly date, 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 the Department of California through the District Adjutants' official address on record at the 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 other appropriate 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 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 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, whichever first occurs.

5. The Department Commander shall publish in the official convention program the “order of business” and events established, including a 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 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. If 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 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 Constitution and Bylaws.

2. Within the limits of the Department Bylaws, the Department Adjutant 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 reasonable and appropriate 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 Convention, and shall certify such election to the Department by June 1st. The certification shall be sent to the Department Headquarters and 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 regarding 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 before 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 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 the Department Convention shall be by roll call, with 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. The 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. The Department Commander shall appoint 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 before its convening.

3. Each Standing Committee, except the 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. At the appointed time and place, the temporary chair shall 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 convention committee members.

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

6. Districts shall have the right to substitute 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 before 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 prepared and thereafter adopt said budget as prepared or as modified.

RESOLUTIONS TO BE CONSIDERED BY THE CONVENTION

1. Post approved or Commission recommended resolutions shall be submitted to the Department at least 21 days before 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 the 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 before the opening of Convention. The Standing Committees shall review the resolution and recommend action 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. The committee will reject resolutions that are not properly formatted.
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. The Convention Committee Chairperson shall sign them. 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 initially 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 must 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 "Commander," state their name, post name and number, district number, and whether they are a delegate or alternate delegate of the Convention.
4. Only two (2) delegates from any district delegation are permitted on the floor to speak on the same 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 subject is limited to twenty (20) minutes, plus a closing argument by the motion maker 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 delegate qualified and entitled to vote pursuant to Article IX - Section 3 of the Department of California Constitution and Bylaws, must be cast with the vote of their delegation. The votes of each person qualified and entitled to vote pursuant to Delegates/Fees – Section 5 of the document (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 vote 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 following 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 whole 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 on 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 discussing the 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, seconding speeches to two minutes. There shall be but one nominating speech and not more than two seconding speeches in favor of any nominee.
21. All committees and commissions reports are printed in the Book of Reports of the Convention. Therefore, the verbal reports of said committees or commissions should be as brief as possible to recognize 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 such reports does not signify the adoption or approval of any committee recommendations. Still, 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.
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.

