

AMERICAN BAR ASSOCIATION

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on Rules and Calendar**
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MEMORANDUM

TO: Members of the House of Delegates
FROM: Committee on Rules and Calendar
SUBJECT: Proposed Special Rules for Consideration of
Model Code of Judicial Conduct
DATE: January 10, 2007

The House of Delegates will consider the Revised Model Code of Judicial Conduct at the 2007 Midyear Meeting in Miami. To assist in an orderly and efficient consideration of the Code, the Committee on Rules and Calendar will propose that the House adopt special rules. The Committee has tentatively scheduled consideration of the Model Code to begin on Monday afternoon, February 12, at 2:00 p.m.

Below is a list of the special rules the Committee on Rules and Calendar is considering. ***Please note that all amendments, regardless of length, must be submitted in writing to Rochelle Evans in the ABA Division for Policy Administration (evansre@staff.abanet.org; fax: 312/988-5153). It is important that amendments be submitted no later than Wednesday, January 24, 2007.***

1. The Revised Model Code will be considered seriatim beginning with the Preamble, Scope, Terminology and Application, followed by the Canons and their Rules.
2. The Committee recommends the following time limits for debate:
 - a. 10 minutes – Opening Statement/Overview by Joint Commission to Evaluate Model Code of Judicial Conduct
 - b. 5 minutes – Overview of Preamble, Scope, Terminology and Application
 - c. 15 minutes – Overview of each Canon and its Rules
 - d. 5 minutes – If there is opposition or amendments to the Preamble, Scope, Terminology and Application or to a particular Canon or Rule, the Commission will present and explain the Preamble, Scope, Terminology and Application, Canon and/or Rule to be considered seriatim

- e. 5 minutes - Each other speaker
 - f. 2 minutes to close or following a motion to cut off debate
3. Only one level of amendments will be permitted for each Canon or Rule
 4. To be considered, all amendments, regardless of length, must be submitted in writing.
 5. The entire Revised Model Code, as amended during the debate, Report No. 200, will be voted up or down at the conclusion of consideration of all amendments.
 6. The following motions will be out of order prior to the conclusion of consideration seriatim of the revised Model Code as amended:
 - a. Motion to postpone indefinitely
 - b. Motion to lay on the table
 - c. Motion to commit or refer
 - d. Motion to reconsider
 7. The Standing Committee on Ethics and Professional Responsibility will be assigned the task of ensuring that any changes that the House adopts are consistently drafted.

We would like to have input from the members of the House of Delegates before we finalize the special rules for consideration by the House in Miami. Please feel free to forward comments to Rochelle Evans in the Policy Administration Office (phone: 312/988-5157; fax: 312/988-5153; evansre@staff.abanet.org). While we suggest that you submit your comments in advance, we welcome your attendance at one of the Rules and Calendar opening hearings during the Miami Meeting, on Saturday, February 10 or Sunday, February 11, from 2:00 p.m. – 3:00 p.m. in the Merrick I Room, 3rd Level, at the Hyatt Regency Miami Hotel. We look forward to hearing from you either in person or otherwise. Thank you for your consideration of these proposed rules.