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AMERICAN BAR ASSOCIATION

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MEMORANDUM

TO: Members of the House of Delegates
FROM: Armando Lasa-Ferrer
SUBJECT: Procedural Guidelines for Filing Amendments
to the Constitution or Bylaws
DATE: January 9, 2008

Please be advised that the deadline date for filing proposals to amend either the Association's Constitution or Bylaws is **Friday, March 14, 2008**. Untimely submissions will not be considered at the 2008 Annual Meeting in New York, New York. Proposals should be sent to Armando Lasa-Ferrer, Secretary of the American Bar Association, at the American Bar Center in Chicago. Proposals are not sponsored by entities such as committees or section councils. Rather, they are sponsored by individual Association members and, if a committee or section council wishes to sponsor a proposal, the members' names must be listed individually.

Anyone interested in proposing the creation, dissolution or alteration of the jurisdiction of a standing committee should be aware that amendment of the Association's Bylaws is required.

The preferred form for submission of proposed amendments is a memorandum which sets forth the purpose and effect of the proposal. The memorandum should explain what is desired, in as much detail as possible, and may include suggestions as to which sections of the Constitution or the Bylaws should be amended to accomplish the proponent's objectives.

The Standing Committee on Constitution and Bylaws will draft language and submit it to the proposal's sponsors. Of course, the sponsors have the final decision as to the exact language to be submitted, but the Standing Committee can be of great assistance in suggesting language which conforms to the style of the Association's governing documents.

Once a proposal has been submitted, a report supporting the proposal should be submitted no later than **Friday, April 11, 2008**. This report will be printed in the bound book of reports with recommendations for consideration by the House of Delegates at the 2008 Annual Meeting. The proponent or his or her designee must be in attendance to present the amendment for debate by the House at the meeting at which the proposal will be considered.

A copy of the procedural guidelines for filing proposals is attached. If you need further information or assistance, please contact Rochelle E. Evans at evansre@staff.abanet.org or at (312) 988-5157.

cc: Presidents and Executive Directors of State & Local Bars and Affiliated
Organizations
Committee and Commission Chairs and Staff Liaisons
Section and Division Chairs and Staff Liaisons

2008 PROCEDURAL GUIDELINES FOR AMENDMENTS TO THE CONSTITUTION OR BYLAWS

1. SUBMISSION OF PROPOSALS

A proposal to amend the Constitution or the Bylaws must be submitted in writing to the Secretary of the Association at the American Bar Center in Chicago, signed by at least one member of the Association, not later than the filing deadline published by the Secretary. The filing deadline for proposals to be considered at the 2008 Annual Meeting in New York, New York is **Friday, March 14, 2008**.

It is generally preferable that the proposal be submitted in the form of a memorandum detailing the purpose, substance, and effect of the proposal. In special cases, particularly with respect to creation of a Standing Committee (which requires adoption of a jurisdictional statement), the sponsor may find it preferable to submit the proposal in the form of proposed new text, in which case it should be accompanied by a supporting report explaining the reasons for the proposal. The Standing Committee on Constitution and Bylaws will then prepare or conform the proposed text and submit it to the sponsor for approval. The final form of the proposal rests with the sponsor.

2. SPONSORS

An amendment may only be proposed by one or more individual members of the Association. Although the number of sponsors of an amendment is not limited, economic considerations make it appropriate to publish the names of only the first 20 members who, by signing the proposal or otherwise, indicate in writing their consent to be sponsors. Written consent must be submitted no later than **Friday, April 11, 2008**. Each sponsor will be listed as an individual, with further identification where appropriate. If there are two or more sponsors, they should designate one of them as "principal sponsor" to approve, on their behalf, appropriate changes not affecting the substance of the proposed text. Changes affecting substance must be agreed to by all sponsors.

3. CONSIDERATION BY STANDING COMMITTEE ON CONSTITUTION AND BYLAWS

The Standing Committee on Constitution and Bylaws considers all proposals to amend the Constitution or Bylaws at its Spring meeting and formulates its recommendations to the House of Delegates. Proponents and identified opponents are invited to participate in the meeting, via telephone conference call, in order to present their views and respond to questions concerning the proposal. The Committee is tentatively scheduled to meet in May 2008, to consider proposals which will be acted upon by the House of Delegates at the 2008 Annual Meeting.

4. SUPPORTING REPORT

An amendment or a series of interrelated amendments should be accompanied by a concise report, prepared by the sponsor, explaining the reasons for the proposal and suitable for printing in the bound book of reports to the House of Delegates. The report must be submitted no later than **Friday, April 11, 2008**.

5. NOTIFICATION

The substance of all proposals to amend the Constitution or Bylaws and a list of the sponsors will be published in the **July issue** of the *ABA Journal*.

6. CONSIDERATION

The proponent or his or her designee must be in attendance at the meeting at which the proposals will be considered to present the amendment for debate and consideration by the House of Delegates. Proposals to amend the Constitution are considered by the House of Delegates and must be approved by a two-thirds vote in order to be adopted. Proposals to amend the Bylaws are also considered by the House of Delegates and a simple majority is required for adoption.

IMPORTANT DATES TO REMEMBER

Saturday, February 9, 2008
10:00 a.m. - 10:30 a.m.

Open Hearing at Midyear Meeting
(Los Angeles, California)

Friday, March 14, 2008

Filing Deadline for Proposed
Amendments

May 2008
(Tentative)

Constitution & Bylaws Spring Meeting
(Location to be determined)

Friday, April 11, 2008

House Report and Sponsor List due to
ABA Staff in Chicago

Monday and Tuesday, August 11–12, 2008

House Considers Amendments to
Constitution and Bylaws at 2008
Annual Meeting in New York, New York

Questions regarding this process should be directed to the Committee's staff liaison, Rochelle E. Evans, at evansre@staff.abanet.org or at 312/988-5157.