

## Constitution & By-Laws Fall Conference Report

I would like to take the time to thank all the units and districts that have updated and sent me their Constitution & By-Laws. They have been transferred to a flash drive for record keeping and a copy sent to the Department. I want to thank Debra Munchbach for sending me the many files and emails so this could be compiled.

I have received a few questions pertaining to changing the Constitution & Bylaws and this is done with a Resolution so I thought I would make up a sample summary with instructions to assist you. As a general rule, a change to the Constitution & Bylaws takes two readings. With a written resolution, not only can the members understand what it is you are trying to change, but also ensures that the second reading states the same thing as your first reading. (Reminder: you can utilize the resolution format for a change to your Standing Rules also, however, a change or addition to Standing Rules only requires one reading).

The attached form is just a sample to assist you. No matter what you utilize (you might see different formats of the same form), it is simpler to write out what you want to change.

The bottom line is if you do not agree with or want to change something in the Constitution and Bylaws, whether it is at the Unit, District, or Department level, it must go through the proper procedures to make that change. Don't ignore the guidelines as they are written just because you don't agree with them. This will only cause issues. Remember: everything in the Constitution & Bylaws was once voted on by the members of a Unit/District or at a Department Convention. To change them, the same applies.

American Legion Auxiliary  
Resolution

**NOTE:**

1. Please print or type
2. All resolutions must be submitted on this form or facsimile.
3. Each resolution must be signed by the Maker of the resolution and seconder.

.....

Subject: \_\_\_\_\_

Submitted Date: \_\_\_\_\_

Resolution Number # \_\_\_\_\_ (Assigned by Resolution Committee)

Resolutions Chairman Name & Signature: \_\_\_\_\_

Whereas (List the supporting information for your topic with the first letter of the first word being capitalized and all lines double-spaced);

\_\_\_\_\_  
\_\_\_\_\_

Whereas (Use as many Whereas paragraphs as necessary, limiting one idea per paragraph);

\_\_\_\_\_  
\_\_\_\_\_

now, therefore, be it *resolved*, (State your desired action as specifically as possible and reference specific sections of the Constitution and Bylaws, if Constitutional change, to be amended, if necessary. Double space all lines in this part of the page.)

That \_\_\_\_\_  
\_\_\_\_\_

.....

Action effective date \_\_\_\_\_

Submitted by Name & Title, Phone # \_\_\_\_\_

I move for acceptance of this resolution.

Seconded by Name & Title \_\_\_\_\_

**Signature:** \_\_\_\_\_ **Signature:** \_\_\_\_\_

**Routing:** \_\_\_\_\_

(Resolutions Committee to assign to the committees that this Resolution pertains to; i.e. C&B, Finance, etc.)

Committee:

|       |                 |                     |                                |
|-------|-----------------|---------------------|--------------------------------|
| _____ | Recommend _____ | Not Recommend _____ | Recommend with Amendment _____ |
| _____ | Recommend _____ | Not Recommend _____ | Recommend with Amendment _____ |
| _____ | Recommend _____ | Not Recommend _____ | Recommend with Amendment _____ |

DEPARTMENT/UNIT ACTION: Approved \_\_\_\_\_ Rejected \_\_\_\_\_ Date \_\_\_\_\_

## Step-by-Step Instructions:

- A resolution is a written, formal motion. Resolutions are used because the motion may be presented in written form with some of the reasons included in the document. A well written resolution makes it easier for members to consider the proposal. The importance, length and complexity of the motion, and the size and formality of the assembly are major considerations in using resolutions.
- A resolution is made up of two sections – the resolving clauses and the reasons. Resolving clauses tell the specifics of the proposal. The main reasons of a motion should be adopted are included in the “Whereas” clauses. Neither section should include more clauses than absolutely necessary. Keep it simple.
- The two sections can be written in either order, but it is usually best to write the main motion first and then write the reasons it should be adopted. This way, you first determine what is to be done. The main focus should be the most crucial specifics in the motion. One or two sentences are sufficient. A third sentence could include who is responsible and a timeline.
- Once the main motion has been determined, develop three to five statements to support the adoption of the motion. These statements are worded as “Whereas” clauses. The “Whereas” points should be the most important and least controversial arguments for the motion. Less than three points may not make the case depending on the motion, and more than five may get too complicated and confuse the issue. Stay focused on the points that are strictly necessary. Leave other points for the discussion.
- When developing a written motion or resolution, consult with other members who can help improve the wording and whose support will assist in its adoption.
- It is a good idea to consult with members who can be of assistance, as well as the most recent edition of *Robert’s Rules of Order, Newly Revised*, to ensure your resolution is correctly formatted.

Here are a few guidelines to follow:

- Deal with only one subject
- State the facts and laws
- Keep subject matter to the point
- Remember that resolutions have only two parts:
  - The preamble (introduction) Whereas,
  - The resolving (solve) portion