

# Conference of California Bar Associations Rules of Operation & Procedure

## Article I MISSION, GOALS, AND ORGANIZATIONAL VALUES

**1. Mission Statement:** The mission of the CCBA is to serve justice in California by bringing together attorney volunteers from across the State representing diverse backgrounds, experience, and expertise to seek, debate, and promote creative, non-partisan solutions to law-related issues.

**2. Goals:** The CCBA accomplishes its mission in California by:

- Improving laws and the administration of justice;
- Advancing the science of jurisprudence;
- Advancing the education of California lawyers and fostering their professional excellence; and
- Promoting public understanding of and respect for the law, the justice system, and the roles of the legal profession and an independent judiciary in that system.

**3. Organizational Values:**

- To promote and facilitate volunteerism among California lawyers;
- To foster open and vigorous debate of law-related issues in a courteous, respectful manner that avoids personal and partisan attacks;
- To encourage originality, innovation, and accessibility in seeking solutions to law-related issues;
- To eliminate prejudice and discrimination and to promote diversity in all CCBA activities, in the legal profession, in the judiciary, and in the general public;
- To foster excellence in the legal profession;
- To promote and facilitate communication and cooperation within the legal profession and with bar associations, the judiciary, the legislature, and the public; and
- To maintain high standards of administrative integrity and fiscal accountability.

## Article II REGULAR MEETINGS AND PRE-CONFERENCE PROCEDURES

**1. Regular Meetings of the Conference:** The Conference shall meet annually at the time and place fixed for the Annual Meeting of the State Bar or at a time and place fixed by the Board.

**2. Quorum:** Forty percent of the number of registered delegates shall constitute a quorum. If there is a quorum at the commencement of the Conference, no one may call for a quorum or challenge whether there still is a quorum during the Conference.

**3. Presiding Officer:** As provided by Article VI section 6 of the Bylaws of the Conference of California Bar Associations, the Conference Chair shall preside at the annual Conference of Delegates.

**4. Authority to File:** Resolutions for consideration by the Conference may be filed by any Association entitled to certify delegates to the Conference, ten members of the State Bar, any Section of the State Bar, the Board of Directors of the CCBA, and any other party authorized by the Board of Directors of the CCBA. Each Resolution submitted for consideration by the Conference shall have an Author and Permanent Contact who is eligible to serve as a delegate.

**5. Matters for Consideration:** Except as otherwise specified in the rules, no matter shall be considered, debated or acted upon by the Conference at any meeting unless a resolution embodying the same has been filed in substantial compliance with Rules 6 through 9 of this section and in the manner and form prescribed in chapter 1 of the Guide for Proponents published periodically on the CCBA website: [www.CalConference.org](http://www.CalConference.org).

**6. Time of Filing:** All resolutions shall be filed within the following times:

**(a) Ordinary Filings:** Except as provided in rules (b) and (c) of this section, resolutions shall be filed by 5:00 p.m. on the date set for the ordinary filing of resolutions preceding the Conference at which the resolutions are to be considered:

The filing date shall be published and included in the calendar posted on the CCBA website.

Any resolution filed prior to the deadline may be withdrawn by written or e-mailed request of the proponent received by the Conference Chair and the Chair of Resolutions Committee prior to the expiration of the time for the filing of such resolutions.

**(b) Late Filings - Two Months Rule:** The Board may, in its discretion and subject to the right of appeal to the Conference as set forth below, allow the filing of a resolution at any time not later than a date two months preceding the commencement of the Conference. A request for late filing shall be in writing. The proponent shall submit the request for late filing and the proposed resolution to the Conference Chair and the Chair of Resolutions Committee at the earliest possible time. The Board shall allow the filing of the resolution only if the proponent establishes to the Board's satisfaction that (1) the resolution deals with a matter of substantial importance to the bar and the public; (2) the events giving rise to the resolution occurred at a time that effectively precluded the proponent from filing it within the time prescribed for ordinary filings under subdivision (a); (3) the resolution was presented for filing as soon as reasonably possible after the occurrence of those events; and, (4) the subject matter of the resolution will not be before the Conference at its meeting unless the resolution is filed. Approved late-filed resolutions shall promptly be posted to the CCBA website and submitted to the Resolutions Committee for its consideration and report.

**(c) Emergency Late Filings:** The Board may, in its discretion and subject to the right of appeal to the Conference as set forth below, allow the filing of a resolution no later than noon of the day preceding the commencement of the Conference. A request for emergency late filing shall be in writing. The proponent shall submit the

request for emergency late filing and the proposed resolution to the Conference Chair and the Chair of Resolutions Committee at the earliest possible time. The Board shall allow the filing of the resolution only if the proponent establishes to the Board satisfaction that (1) the resolution deals with a matter of substantial importance to the bar and the public; (2) the events giving rise to the resolution occurred at a time which effectively precluded the proponent from filing it within the times prescribed in subdivisions (a) and (b); (3) The resolution was presented for filing as soon as reasonably possible after the occurrence of those events; (4) the subject matter of the resolution will not be selection, election, appointment, or retention of any individual to any federal, state or local office. The CCBA may engage in discussion of and educational activities with respect to a public official's compliance with and enforcement of State and Federal laws. Such discussions and educational activities may only be conducted to further the Mission and Goals of the Organization, and shall not be for the purpose of bringing into disrepute any elected official or influencing any election of candidates to public office. Nothing in this section shall be construed as permitting activities that may adversely affect the tax exemption of the CCBA under Section 501(c)(6) of the Internal Revenue Code and comparable provisions of California law, or adversely impact its ability to receive grant funding from 501 (c)(3) organizations for its educational activities.

**7. Resolution Form:** Every resolution shall describe in detail the action proposed. When a resolution proposes a change in the law (either by amending or deleting an existing statute, rule, order or regulation, or by enacting such law for the first time), it shall contain the full text of the proposed amendment or new law, showing the words to be added or deleted. The Resolutions Committee or the Board may waive this requirement if the text is unduly lengthy or if it determines the Conference may take effective action on the resolution as submitted.

Every resolution shall include a statement of the reasons prompting the resolution. The statement of reasons shall not exceed 500 words. It shall include three separate parts as follows:

- (i) A section headed "Existing Law" that describes existing law;
- (ii) A section headed "This Resolution" that describes how the resolution would change existing law; and
- (iii) A section headed "The Problem" that describes the problem the resolution is intended to correct and the frequency of its occurrence.

Every resolution proposing a change in the law shall include a statement of its impact on other laws. A positive impact statement identifies other laws, statutes or rules affected by the resolution and describes the impact that the resolution would have on each. A negative impact statement states that the resolution would not affect any other laws, statutes or rules.

Every resolution providing for a study of some issue or subject (other than some facet of the operation, or function of the CCBA itself) to be conducted or arranged by the Board should specifically identify persons able and willing to conduct the contemplated study in a professional, balanced, competent and neutral manner and available sources of sufficient funds to cover the reasonably anticipated cost of the study and its oversight. Any "study" resolution that is approved by the Conference that does not fully comply with this subdivision shall not, except in extraordinary instances, in the sole discretion of the Board, become part of the

Conference's program but shall, instead, be returned to the proponent for further action.

The Board shall periodically publish on its website a Guide for Proponents which provides sample forms and further instructions for compliance with this rule.

**8. Corrections to Resolutions:** Any timely-received resolution not in conformance with section 9 of this article may be returned to the proponent, together with instructions on how to correct the problem. The proponent may correct and resubmit the resolution within ten days from the date of transmission of the instructions. If the correction does not substantially comply with the prescribed format, the resolution shall not be submitted to the Conference for consideration.

**9. Germaneness Determination:** As soon as practicable after a resolution is submitted, the Board shall determine whether it is germane to the mission and goals of the CCBA. The Board shall promptly notify the proponent of a resolution deemed not germane. No later than noon of the day preceding the opening of the Conference, the proponent may submit a written appeal, including a statement of reasons, to the Chair. The proponent may provide a proposed substitute or amended resolution. The Board may grant or deny the appeal by simple majority. A substitute or amended resolution may be accepted provided it addresses the same issue and subject matter as the original.

A Board determination that a resolution adversely affects the tax exemption of the CCBA under Section 501(c)(6) of the Internal Revenue Code and comparable provisions of California law, or adversely impacts its ability to receive grant funding from 501(c)(3) organizations for its educational activities shall be conclusive and may not be appealed to the Conference. In all other instances, the proponent may request a vote of the Conference if the appeal is denied. The germaneness issue shall be set for limited debate. A board member shall explain the reasons for the decision that the resolution is not germane. The explanation shall not exceed two minutes in floor time and shall not be considered part of the debate. A two thirds vote of delegates present is required to reverse the board's non-germaneness decision.

If the Conference determines the resolution is germane, the resolution shall automatically be deemed called up for limited debate, unless a call-up for full debate is filed no later than one hour following the vote of the Conference.

**10. Manner of Submission:** All resolutions, reports, and counterarguments shall be submitted electronically in the form prescribed by the Board and published on the CCBA website.

**11. Counterarguments:** Counterarguments shall not exceed 500 words. Counterarguments must be received by the Conference Chair and the Chair of Resolutions Committee no later than the date set for their receipt as published at the time of the preceding regular meeting. Counterarguments may be filed by any Association entitled to certify delegates to the Conference, ten members of the State Bar, any Section of the State Bar, the Board of Directors of the CCBA, and any other party authorized by the Board of Directors of the CCBA.

**12. Publication of Resolutions:** As soon as possible after the Resolutions Committee files its reports, the all proposed resolutions, together with all counterarguments and the reports of the Resolutions Committee shall be posted to the website. Electronic copies and paper copies of the resolutions, counterarguments and report may also be made available for purchase at a cost and in a manner to be published to the website.

**13. Reports:** Except for reports from the Board, Resolutions Committee, or Credentials Committee, no report of a conference committee shall be presented to or considered by the Conference at its regular meeting unless the report was filed with the Conference Chair and the Chair of Resolutions Committee by the date published on the CCBA website before the commencement of that regular meeting. This section shall not prevent the Conference from receiving a progress report and continuing the committee for the purpose of completing its work.

## Article III CONFERENCE COMMITTEES

### **1. Resolutions Committee**

The Board shall appoint a Resolutions Committee. One member of the committee shall be recommended for appointment by each district Board member and one member of the committee shall be recommended for appointment by each Ethnic Minority Board member. In addition to the members of the committee, the Board shall appoint a chair and up to three vice-chairs of the Resolutions Committee.

Members and officers of the committee shall serve for a period of one year or until their successors have been appointed.

The Resolutions Committee shall meet at the call of its Chair.

All ordinary and late-filed resolutions to be submitted to the Conference shall be referred to the Resolutions Committee. The committee shall consider all resolutions and report its recommendations before the resolutions are made available to Conference pursuant to article III, section 14. The Resolutions Committee may recommend:

- Approval in principle as submitted;
- Approval in principle as amended;
- Referral to the Conference without recommendation;
- Referral to Board for appropriate action;
- Disapproval
- Action Unnecessary

Upon the conclusion of a regular meeting of the Conference, the chair of the Resolutions Committee shall report to the Board concerning the proceedings of the meeting and make recommendations for committee membership for the following year.

### **2. Conference Operations Committee**

Prior to each regular meeting of the Conference, the Board shall appoint a Conference Operations Committee. The Board shall designate one or two Board members to chair the Conference Operations Committee.

The members of the committee shall serve for a period of one year or until their successors have been appointed.

The Conference Operations Committee shall meet at the call of its chair.

The Conference Operations Committee shall have two purposes:

(a) One purpose shall be to coordinate the calendar of the committee and the order of debate of resolutions at the Conference. In particular, the committee shall accept and process call-ups, call-up cancellations, withdrawals of resolutions, and consent calendar applications and objections. In scheduling debate, the committee may "specially set" particular resolutions to be considered at fixed times.

(b) The second purpose is to act as Sergeants at Arms to maintain order in the house while the Conference is in session. The committee members will count the vote at the request of the chair and whenever a request for a division has been made from the floor. The Sergeants at Arms shall escort dignitaries and their guests to their respective places in the Conference hall for swearing-in ceremonies and on the occasion of dignitaries addressing the house.

Subject to the power of the Conference to suspend its rules, the action of the Conference Operations Committee with respect to all matters referred to in this section shall be final.

Upon the conclusion of a regular meeting of the Conference, the chair(s) of the Conference Operations Committee shall report to the Board concerning the proceedings of the meeting and make recommendations for committee membership for the following year.

## Article IV CONFERENCE FLOOR PROCEDURES

**1. Rules of Order:** Except as otherwise provided in these rules, the proceedings of the Conference shall be governed by "Robert's Rules of Order, Newly Revised."

**2. Order of Business:** Unless modified by the Board or by a vote of the Conference, the order of business at all meetings of the Conference shall be substantially as follows, with ceremonial activities such as swearing in of officers or keynote speeches scheduled at the discretion of the Chair:

- Call to order by the Chair.
- Opening ceremony (to be determined by the Board)
- Introduction of members of the Conference Operations and Resolutions Committees.
- Report of the resolutions committee and consideration of resolutions.
- Other Business
- Recess

**3. Action of the Conference:** The Conference shall adopt the recommendations of the Resolutions Committee on each resolution as the action of the Conference unless a delegation files a written request requesting further consideration of the resolution. This request shall be known as a call-up.

**4. Spreadsheet Position:** Prior to the commencement of the Conference the Board shall cause to be electronically published a "Spreadsheet of Position of Delegations," that includes the position of all delegations who have submitted this information no later than the deadline published on the CCBA website. Submission of positions shall be in the manner provided on the

website and communicated to the delegation chairs and staff prior to the date for such submissions. Late submissions shall not be included on the spreadsheet.

**5. Call-Up Procedure:** A call-up is a request from a delegation, or other authorized person, to debate a resolution. A resolution may be called up for debate by the chair or other authorized representative of the delegation of an Association entitled to representation at that meeting of the Conference, five delegates or alternate delegates, the author of the resolution, or other individual delegate as authorized by the Board of Directors.

An authorized delegate may call up a resolution electronically no later than 10 days prior to the commencement of the Conference or by the deadline published in the calendar published on the CCBA website.

If a call-up has not been made electronically by the deadline published on the CCBA website, an authorized delegate may electronically submit a call-up on the Conference floor. The deadline for call-up of resolutions in the one and two series is no later than one hour prior to the time scheduled for the Conference to be called to order. All other call-ups must be filed no later than one hour after the Conference is called to order.

Each call-up must include a request for limited or full debate and whether the person requesting the call-up intends to propose amendment of the resolution. No authorized delegate may request a call-up if the position to be taken is the same as the recommendation of Resolutions Committee.

**6. Withdrawal of Call-up:** Only the authorized delegate or delegation that initiated the call-up may withdraw it. To withdraw a call up, the authorized delegate must notify the chair of Calendar Coordinating Committee electronically or in-person. The deadline for withdrawing call-ups must allow sufficient time before the commencement of debate for the series in which the resolution appears to allow the filing of an Objection to Withdrawal of Call-up.

**7. Objection to Withdrawal of Call-Up:** A call-up becomes the property of the Conference for purposes of debate. Upon notice of the withdrawal of a call-up, an authorized delegate or delegation may object to the withdrawal prior to the commencement of debate on the series or within 15 minutes of such notice, whichever is later.

**8. Limitation on the Number of Call-Ups:** There is no limitation on the number of call-ups for limited debate. However, no authorized delegate, group of delegates, or delegation may call up more than ten (10) resolutions for full debate.

**9. Definitions of Types of Debate:** Limited debate includes the proponent of the resolution, plus one speaker in support and two speakers in opposition. The proponent shall have two minutes to open debate and one minute to close. Debate shall alternate between speakers in favor and speakers in opposition, with each having two minutes to speak. If a speaker does not require the full two minutes, he or she may yield such time to another specifically designated speaker or to the Chair. The Chair of the Conference will deem debate on the main motion terminated after two speakers for each side have spoken. Subsidiary motions to a resolution shall also be subject to the limitation on the total number of speakers and time limits.

Full debate includes one proponent and unlimited speakers in favor and in opposition until debate ceases for lack of speakers or the Conference moves to end debate. The proponent shall have three minutes to speak and one and one-half minutes to close.

Additional speakers shall have three minutes to address the Conference. To the extent that there are speakers on both sides of the issue, debate shall alternate between speakers in favor and speakers in opposition. Debate shall be subject to Roberts Rules of Order pertaining to the end of debate. Debate on subsidiary motions shall be subject to the same time limits and procedural rules.

For both limited and full debate, the proponent of a resolution shall have the right to open and close debate and may designate another speaker for any part of the opening or closing. The right to close shall be subject to any other Conference action that may foreclose debate, except that when debate has been closed by a call for the previous question the proponent shall have the right to close. The proponent of a subsidiary motion shall have the right to close debate upon that motion upon request.

When a friendly amendment is made, the time for discussion of the amendment shall not be subtracted from the proponent's time to debate the main motion. A friendly amendment is one the proponent affirmatively accepts.

**10. Control of Debate:** The Chair of the Conference shall control all debate on the floor. The Chair shall recognize speakers in proper order, alternate between speakers in support and opposition, recognize speakers for subsidiary motions, points of order, and points of information, recognize speakers to move to close debate by a motion to call for the previous question or move the previous question, recognize speakers to table debate. The Chair shall not terminate debate on a call up of a resolution until the Chair has recognized the proponent and at least one speaker in opposition to the resolutions or has ascertained whether any delegate desires to speak in opposition.

**11. Order of Debate; Specially Setting:** Except as provided here, resolutions shall be debated in order, commencing with the first resolution in the first series of resolutions to be properly called up for debate and proceeding to the last resolution in the last series of resolutions to be properly called up. A resolution may be specially set for debate and taken out of order in the sole discretion of the Chair of the Calendar Coordinating subcommittee of the Conference Operations Committee when it appears that it would be in the best interests of the Conference to hear a resolution out of order. Reasons to consider may include, but are not limited to, to allow certain dignitaries to attend the resolution debate, to accommodate the person presenting the resolution for good cause, or for any other reason which appears to be in the spirit and interests of the Conference.

If the Conference Operations Committee is requested to reschedule an entire resolution series to be heard out of order, said request must be presented to the Conference Chair and the Chair of Resolutions Committee no later than 10 days prior to the commencement of the Conference. The request shall be submitted to the Conference Operations Committee Chair for his/her decision.

**12. Limitations on Speakers:** No person recognized by the Chair, except the chairs of Conference committees, shall have the floor for more than three minutes at any one time, except with the consent of the Conference by majority vote.

**13. Right to Speak:** The author of any resolution being considered by the Conference shall have the right to speak in furtherance of his or her resolution regardless of whether he or she is a delegate. By a majority vote, the Conference may grant any person who is not a

delegate the right to speak upon any matter under consideration.

**14. Designation of Microphones:** The Chair shall designate at least one microphone for use by proponents and a like number microphone for use by speakers in opposition, and one microphone for motions entitled to interrupt debate. Each proponent must use the same designated microphone to open and close debate. Any delegate seeking to make a subsidiary motion, point of order, or point of information may use any microphone.

**15. Resolution before the Conference:** When a resolution is called up for debate by the Conference, it is deemed that a motion to Approve in Principle has been made and seconded.

**16. Consent Calendar:** A resolution may be placed on the Consent Calendar when the Resolutions Committee report on that resolution recommends Disapproval, the proponent of the resolution proposes an amendment to the resolution, the chair of the Resolutions Committee acknowledges in writing that the proposed amendment disposes of all objections raised in the Resolutions Committee report, and every delegation that has taken a position of Approve as Amended or Disapprove on the Conference spreadsheet concurs in the proposed amendment.

It shall be the responsibility of the proponent to obtain the acknowledgement of the Resolutions Committee chair and the written concurrence of the delegations that have taken a position of Disapprove or Approve as Amended to the resolution and to present the proposed amendment to the Conference Operations Committee.

When the amended resolution is placed on the Consent Calendar, the Chair shall announce that fact to the Conference. Immediately thereafter, the amended resolution shall either be distributed to the Conference in writing by the proponent or announced to the delegates by the Chair.

Any authorized delegate or delegation may object to the placement of an amended resolution on the Consent Calendar by filing a written statement ("Objection to Consent Calendar") with the Conference Operations Committee. Any objection must be filed within one hour after the Chair announces the placement of the amended resolution on the Consent Calendar. If an objection is filed, the resolution automatically shall be withdrawn from the Consent Calendar and debated in the normal course.

All resolutions remaining on the Consent Calendar after the time for objections has passed shall be deemed approved as amended and adopted as the action of the Conference without debate, in the same manner as resolutions approved by the Resolutions Committee that are not called up for debate, except that the Conference shall be deemed to have approved the resolution as amended.

**17. Motions to Amend Resolutions:** Amendments of ten or fewer words to a resolution before the Conference may be moved by oral motion. A delegate making an amendment of ten or more words must provide an electronic copy of the proposed amendment to the Chair of the Resolutions Committee prior to the commencement of debate of the resolution. Additions must be indicated by underlining and deletions by striking through.

**18. Electronic Submission of Approved Amendments:** All amendments approved at the Conference must be submitted in electronic form to the Conference Chair and the Chair of Resolutions Committee no later than the time of adjournment of the Conference. Each submission must include the exact language adopted by the Conference.

**19. Withdrawal of Resolution:** Only the proponent of a resolution may withdraw a resolution from consideration for debate once it has been called up for debate on the floor. The Conference shall not consider, debate, or act upon any resolution timely withdrawn by its proponent. A withdrawal shall be timely if requested at any time prior to commencement of debate on the numerical series in which the resolution appears. At the commencement of debate on the series, the Chair shall announce those resolutions in the series as to which withdrawal has been requested by the proponent. The request for withdrawal of each resolution shall be deemed granted unless a written objection to the proposed withdrawal is filed with the Conference Operations Committee within 15 minutes following the commencement of debate on the series in which that resolution appears. If an objection is timely filed, the motion before the house shall be withdrawal of the resolution. The motion shall be non-debatable and shall be approved if a majority votes in favor of the motion.

**20. Action Unnecessary:** The proponent of a resolution may request that the conference take a position of Action Unnecessary if an external event or change in legislation obviates the need for the proposal.

**21. Action on Amendments:** The Chair shall determine whether any amendments or substitute resolutions proposed from the floor are germane. Any determination by the Chair concerning the germaneness of a substitute resolution or amendment proposed during the Conference shall be final unless immediately appealed. The appeal shall be considered by the Conference on limited debate, and sustained only upon a two-thirds affirmative vote of those delegates present and voting.

**22. Manner of Voting:** All voting shall be by individual delegates then present on the Conference floor. Block or unit voting by delegations is prohibited.

**23. Disposition of Resolutions:** The Conference shall have the power to make the following disposition of resolutions that come before it:

- Approve in principle as submitted;
- Approve in principle as amended;
- Refer to the Board for appropriate action;
- Disapprove;
- Action unnecessary.

**24. Other Matters:** In addition to resolutions filed pursuant to Article II, the Conference may consider, debate and act upon (a) matters submitted by the Board; (b) reports of officers and committees of the Conference; (c) courtesy resolutions of thanks and appreciation that have been submitted to Calendar Coordinating Committee in writing, (d) procedural and incidental motions and resolutions concerning business otherwise properly before the Conference or the conduct of the meeting. Unless approved in advance by the Chair, courtesy resolutions shall be heard only during the last ten minutes of each day of the Conference. The Conference shall not adopt, reject, or otherwise vote upon courtesy resolutions.

## Article V LEGISLATOR OF THE YEAR

Annually, at a meeting in advance of the Conference, the Board may select a current California legislator to receive the Legislator of the Year award. In selecting the recipient of the award, the Board shall consider the recipient's past sponsorship and support of the CCBA's legislative program; the recipient's effort to promote public understanding of and respect for the law, the justice system, and the roles of the legal profession and an independent judiciary in that system; the recipient's demonstrated commitment to justice, fairness, equality, and human dignity; and the recipient's record of service to the People of California. A legislator may not be selected to receive the award in consecutive years.

The award shall be presented at a specially set time during the Conference, or at such other time as determined by the Board of Directors.

## Article VI DISPOSITION OF RESOLUTIONS

1. The Chair shall appoint a Legislative Committee from among the members of the Board. The Legislative Committee shall consider, and recommend to the Board, placement of resolutions (both legislative and non-legislative) passed by the Conference into one of four groups.

2. The four groups are:

**Group A:** Resolutions recommending changes to California state legislation included in CCBA's directly-sponsored legislative program. (The Board will exercise its best judgment in determining the level of lobbying support for each resolution in Group A. Board determination will be based upon a variety of factors including, but not limited to: the importance and impact of the resolution on the legal profession and on the administration of justice; the importance and impact of the resolution on the public generally; the resolution's "legislative reality," including the likelihood of success within the legislative process; the level of support for the resolution within the Conference; and, the CCBA's legislative budget and the number of resolutions that the CCBA's legislative advocates can carry in light of the budget. The Board will advise the proponent and sponsoring bar association of its decision with respect to the level of support to be provided for the resolution. The CCBA invites the proponent and sponsoring bar association to seek legislative sponsors and engage in lobbying for any resolution in Group A.)

**Group B:** Resolutions recommending changes to California state legislation, not included in CCBA's legislative program.

**Group C:** Non legislative resolutions. (For resolutions placed in this category, the CCBA will submit a copy of the resolution to the appropriate agency, body or official with a letter of recommendation that the action called for by the resolution be adopted or undertaken.)

**Group D:** Resolutions recommending changes to federal legislation. (For resolutions placed in this category, the CCBA will submit a copy of the resolution to the appropriate agency, body or official to which the resolution is addressed with a letter of recommendation that the action called for by the resolution be adopted or undertaken.

3. The Board shall make a final determination on the groups and shall report its final action to all proponents and delegations to the Conference.

## Article VII REPRESENTATION AT THE CONFERENCE

1. Requirements of Representation: Any Association that meets requirements (a) through (e) is entitled to representation in the Conference:

(a)(1) The name of the Association includes a general reference to the geographic area to be served by the Association. The area served shall be defined precisely in the bylaws of the Association and shall not exceed a county, except as otherwise provided in these rules. With the express permission of the Board, an Association may serve an area encompassing two or more counties, or portions thereof; or

(a)(2) it has 10 or more members who are members of the State Bar maintaining offices in the area served by it, or

(a)(3) it is a statewide or multi-county association with 10 or more members who are members of the State Bar or

(a)(4) it is a statewide or multi-county association with chapters in various counties and those chapters collectively have 10 or more such members, or

(a)(5) it is a section or committee of the State Bar.

(b) The Association has been established and functions pursuant to articles of incorporation, charter or constitution and its internal affairs are regulated by duly adopted bylaws that provide for the selection of officers charged with the administration of the affairs of the Association.

(c) Its members are required to pay annual dues; however, the bylaws of the Association may waive the payment of dues by law student members, by attorneys in the first year of practice, or by other members for good cause. It requires, as a condition of membership, membership in the State Bar. However, the fact that it admits to membership, in addition to members of the State Bar, any of the following, shall not for that reason prevent it from representation in the Conference: (i) Judges of courts of record; (ii) Full-time members of the faculty of accredited law schools in the State of California; (iii) Members of the bar of another state or the District of Columbia; (iv) Honorary members, so long as they do not have the right to vote; or (v) Law students regularly attending a law school, or other non-attorneys, so long as they do not have the right to vote.

(d) It does not deny or abridge membership for any of the following reasons: race, color, creed, national ancestry, gender, sexual orientation or gender identity, or present or previous employment. However, a Specialty Association may limit membership to those practicing or interested in practicing in a particular field of law or aspect of practice.

(e) It does not hold any functions sponsored or co-sponsored by the Association in any facility or locale owned or operated by any organization that the Association knows or should know denies or abridges patronage on the basis of race, color, creed, national ancestry, religion, gender, sexual orientation or gender identity. The Board may relieve an Association from disqualification under this subdivision if the Board finds that: (i) prior to noncompliance by the Association with the requirements of this subdivision, the Association had taken reasonable steps to assure that the requirements of this subdivision were met and, (ii) that the noncompliance was due to mistake, inadvertence, surprise or excusable neglect.

**2. Certification of Membership:** On or before the date to be published in the CCBA calendar and posted to the CCBA website, every Association not previously certified shall submit a certification of eligibility, to participate in the Conference on a form made available on the website. On or before the date to be published in the CCBA calendar and posted to the CCBA website, every Association that was certified for the preceding year shall submit a confirmation of continued eligibility on a form made available on the website.

**3. Apportionment of Delegates:** On or before a date to be designated in the CCBA annual calendar, but in no event later than July 1 of each year, the CCBA Board shall determine whether to implement the rule described in subparagraph (a) of this section for purposes of that year's Conference. If the following rule is not implemented, or if the Board makes no determination thereof, each delegation shall be entitled to an unlimited number of delegates for that year's Conference.

**(a) [Applicable only if implemented by vote of the CCBA Board] By July 15 of each year, the CCBA shall inform each Association of the number of permitted delegates at the Conference during the forthcoming year. The number of delegates from each Association is determined in a manner which assures equitable apportionment between Counties and within Counties and fair representation for all eligible Associations. Each eligible association is entitled to a minimum of one delegate and two alternates.**

**4. Delegates-at-Large:** Members of the Board and Officers of the CCBA shall be Delegates-at-Large. In addition, past members of the Board for the three years immediately following the termination of their membership on the Board shall be eligible to be Delegates-at-Large. The Board is empowered to appoint alternate delegates-at-large from other past members of the Board to serve as delegates-at-large, including a past member of the Executive Committee of the former State Bar Conference of Delegates, but excluding any member of either the Board or the Executive Committee who served for less than one year.

**5. Other Representatives:** Lawyer members of the Board of Governors of the State Bar shall be eligible to be delegates to the Conference; provided however, that such members, not otherwise members of a certified delegation, shall collectively designate one representative to vote on the floor of the Conference at any given time.

**6. Selection of Delegates:** Each Association shall designate, through a procedure determined by the Association from among its members delegates and alternate delegates to the Conference and (b) certify the names thereof not later than a date to be designated in the CCBA annual calendar. Delegates shall serve from the time of their certification until their successors are certified.

If an Association is entitled to more than one delegate, one delegate shall be designated as the chair of the delegation.

Each Association may select either two alternate delegates or a number of alternate delegates equal to, but not greater than, the number of delegates to which the Association is entitled, whichever is greater.

The list of delegates and alternate delegates as certified by the associations shall be made available to the Board and to the Board's Credentials Committee as necessary to the conduct of the Conference. The CCBA shall retain a copy of the list, as it may be modified by the Board or the Credentials Committee. The Chair may appoint a Credentials Committee, which shall settle any questions in the accreditation of delegates.

**7. Duty of Delegates:** Delegates shall attend all meetings of the Conference and shall report the proceedings thereof to their respective Associations.

## Article VIII ADOPTION OF RULES

1. These rules of procedure have been adopted by the Board of Directors of the Conference of Delegates of California Bar Associations for the purpose of conducting the business of the CCBA. The Board may adopt, amend, and enforce these rules. The Conference may recommend amendments to these Rules.

2. The following definitions apply in these rules:

- "CCBA" means the Conference of Delegates of California Bar Associations.
- "Board" mean the Board of Directors of the CCBA.
- "Conference" means a regular or special meeting of the CCBA.
- "State Bar" means the State Bar of California
- "Association" means a bar association.
- Unless otherwise specified, "Chair" means the Chair of the Board.
- "Member of the State Bar" means any active or inactive member of the State Bar.
- "Writing" in addition to its ordinary and usual meaning, includes written transmissions sent via electronic mail or posted to an electronic bulleting board or other site designated by the Conference Chair as an approved location for submitting writings.