

ASSEMBLY CAUCUS TALKING POINTS

I. Function

A. Policymaking

1. YLD Assembly is the principal policy-making body of the Division. It is composed of delegates selected by the Affiliates, members of the Council, and other persons specified in the bylaws. However, in order for any external policy position to take effect, it must also be passed by the ABA House of Delegates.
2. The Assembly may review any action (other than an election, an appointment, or an award) by the Council or any other board, committee, subcommittee, officer, representative (other than any young-lawyer member-at-large on the ABA Board of Governors), or other elected or appointed agent.

B. Composition

1. Assembly delegates consist of:
 - (1) the Council;
 - (2) delegates representing the affiliates in each state, each of whom keeps his or her principal office or principal residence in that state;
 - (3) two delegates representing each national affiliate, who are members of that affiliate; and
 - (4) a delegate appointed by and representing the chief legal officer of each of the United States armed forces.
2. No delegate shall vote in more than one capacity.
3. Quorum:
One-half of the certified delegates to the Assembly shall constitute a quorum for the transaction of business at any meeting of the Assembly.

II. Resolutions

A. Forms

Each resolution shall consist of a concise recommendation accompanied by a written report that supports the recommendation.

B. Consent Calendar

The Resolutions Committee, by a report that it does not expect substantial opposition, may place a resolution on the consent calendar. Any delegate may, by written notice to the committee within one hour thereafter, object to such placement, in which case the resolution shall thereby become a special order at a time promptly and announced by the presiding officer. Any resolution on the consent calendar to which timely objection is not made shall stand approved, and a motion to reconsider such a resolution shall take a two-thirds vote.

C. Amendment to a Resolution

1. It is a common misconception that a M friendly amendment carries, and avoids a formal debate and vote, if only the mover of the main motion (and perhaps the seconder of the main motion) and the mover of the amendment concur. However, M *[a]fter a motion has been stated by the chair*, it belongs to the meeting as a whole and the maker must request the assembly's permission to withdraw or modify his own motion. Henry M. Robert, *Robert's Rules of Order Newly Revised* §00 30 at 283-86 (Sarah Corbin Robert 10th ed. 2000) (request for permission to withdraw or modify a motion) (emphasis in original). This rule protects the meeting against investing significant time and energy in debating and perhaps amending a controversial resolution, only for the mover to withdraw the resolution if it has taken a turn that he or she dislikes, or to transform it into radically different question with the consent of only one other member. A friendly amendment cannot avoid a formal debate and vote if even one delegate objects.
2. No amendment to a resolution (other than an amendment made by the mover in moving the resolution or made by unanimous consent) is in order until the mover, an opponent, a proponent, and another opponent, if there are any, have debated the resolution.

III. Debate

A. Generally

1. A proponent means a speaker who favors the pending motion.
2. An opponent means a speaker who opposes the pending motion.
3. Debate shall generally alternate between proponents and opponents.
4. There shall be two microphones on the floor, one designated for proponents and one for opponents.

B. Time

1. Debate shall expire after twenty minutes on any resolution, and after ten minutes on any other main motion. The expiration of

debate shall not interrupt a speaker.

2. Each speaker may speak for up to two minutes per speech. The mover of a resolution may speak first and last thereon, for five and one minute respectively, without prejudice to his or her ordinary speaking privileges and even if debate has been limited, the previous question has been ordered, or time has otherwise expired.

C. Recognition

1. A delegate or other person with speaking privileges (including an officer) may claim the floor by written notice to the presiding officer or by lining up on the floor at the designated microphone.
2. The presiding officer shall ordinarily recognize speakers in the order in which the floor is so claimed, provided that debate shall generally alternate between proponents and opponents. The presiding officer may, without regard to this order, entertain a motion for the floor in the belief that a sufficient number may favor the motion.
3. The presiding officer only recognizes a motion to call the question from a microphone and not from the delegate's seat.

D. Secondary Motions

For the purposes of these rules, a secondary motion means a debatable motion that is in order while another motion is pending. The mover of a secondary motion may speak first thereon, after which:

1. if the mover of the main motion favors the secondary motion, and there is no objection, the secondary motion shall stand approved;
2. if the mover of the main motion favors the secondary motion, but there is an objection, the presiding officer shall recognize the objector, the mover of the main motion, and another opponent of the secondary motion, after which the question shall be put; or
3. if the mover of the main motion opposes the secondary motion, the presiding officer shall recognize the mover of the main motion, a proponent of the secondary motion, and another opponent of the secondary motion, after which the question shall be put.
4. Upon hearing a proper call for a division of the assembly, the presiding officer shall count or cause to be counted how many are voting for and how many against the question, which result the minutes shall record.

E. Limit Debate/Extend Limits of Debate

1. Neither a motion to limit debate nor a motion for the previous question shall take effect until an opponent, if there is one, has spoken against any motion to which it applies. The presiding officer may note when putting the question how many speakers still seek the floor. Neither motion shall prejudice the right of the mover of a resolution to speak last thereon.
2. A motion to extend the limits of debate is in order notwithstanding any limit in these rules. Such a motion shall provide that debate be extended for a certain time not less than four minutes, or for an even number of speakers.

F. Point of Information

1. A point of information may request an objective fact or an expert opinion, but may not request anyone, including the presiding officer or the mover of a resolution, to say how he or she expects or intends a resolution to be interpreted or applied by the present or a future administration.
2. A point of information can only be made in order to seek information, not to volunteer it.