

# **PROPOSED AMENDMENT TO THE REPRESENTATIVE ASSEMBLY PERMANENT RULES OF PROCEDURE 4.6 – WRITTEN RESOLUTIONS**

## **Issue**

Should the Representative Assembly support an amendment to the Permanent Rules of Procedure of the Representative Assembly Section 4.6 regarding Written Resolutions?

RESOLVED, that the Representative Assembly proposes an amendment to the Permanent Rules of Procedure of the Representative Assembly Section 4.6 as follows:

4.6 Written Resolutions. A resolution must be in writing. The Representative Assembly or the Chairperson may require that a copy be made available to each member before a vote is taken. A pending resolution may be referred by the Assembly or the Chairperson to the Committee on Drafting for consideration and report before the adjournment of the meeting of the Assembly. Any proposed amendment of more than six words to a resolution on the Assembly's calendar shall be in writing and submitted to the Clerk ~~at or before the time it is seconded.~~

## **Proponents**

Representative Assembly Rules and Calendar Committee: Pamela C. Enslin (Chair, 9<sup>th</sup> Circuit); Jennifer A. Frost (39<sup>th</sup> Circuit); Sheldon G. Larky (6<sup>th</sup> Circuit); Philip M. Moilanen (4<sup>th</sup> Circuit); and John C. Philo (3<sup>rd</sup> Circuit).

## **Background**

The proposal comes from the Representative Assembly Rules and Calendar Committee, chaired by Pamela C. Enslin. The committee has no disagreement with the need for proposed lengthy amendments to be in writing. However, the need for and exact wording has usually been something that is discovered during the debate and is crafted on the fly. There is not time to word it precisely and put it to writing before it is made. When the Clerk starts to make changes showing up on the screen, a variety of voices come from the RA membership, either helping, or objecting that the change being typed and appearing on the screen cannot be more than six words. Presumably, the basis for their objection is that the precise language must be submitted in advance of the motion to amend, not worked out as or after the motion is made and seconded.

The committee recommends that the last sentence of 4.6 have a period after “Clerk” and delete the rest of the sentence. That would allow the Clerk and Chair to monitor and assist, if they wish, in crafting the language that is finally submitted for a vote. The point of the change is to let the amendment process work and permit a vote on the merits of the proposed change rather than getting hung up on whether there are more than six words.

## **Opposition**

None known.

**Prior Action by Representative Assembly**

The RA Permanent Rules of Procedure have been amended previously. Rule 4.6 was amended last on April 23, 1988 to require that all resolutions be in writing and that any proposed amendment to a resolution on the calendar more than six words in length be in writing and submitted to the Clerk at or before the time it is seconded.

**Fiscal and Staffing Impact on State Bar of Michigan**

None known.

**STATE BAR OF MICHIGAN POSITION  
By vote of the Representative Assembly on September 27, 2018**

Should the Representative Assembly support an amendment to the Permanent Rules of Procedure of the Representative Assembly Section 4.6 regarding Written Resolutions?

RESOLVED, that the Representative Assembly proposes an amendment to the Permanent Rules of Procedure of the Representative Assembly Section 4.6 as presented above.

- (a) Yes
- or
- (b) No