

# Resolution Procedures Guide



AMERICAN **BAR** ASSOCIATION

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**Law Student Division**

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American Bar Association Law Student Division

## Why Participate in the Resolution Process?

As of August 2019, the Law Student Division has over 100,000 members, making it one of the largest entities in the American Bar Association (“ABA” or “Association”), which is the largest professional organization in the world. With such strong membership numbers in a powerful professional organization, we have the ability to champion our interests in ways unique to our profession; we have the wherewithal to advocate much of the policy that affects our status as law students and as future attorneys. Our advocacy starts with the resolution process, which is the means by which the Law Student Division speaks to its members, the ABA, and the public.

Two primary purposes of the American Bar Association’s Law Student Division are to help shape the policies and priorities that affect legal education, and to create a deliberative forum for the exchange and expression of law student views and a voice to advocate for those views.

This document is a resource for students who would like to take part in shaping the policies affecting students and would like to advocate for our collective interests by submitting resolutions to be considered by the Law Student Division and the American Bar Association’s legislative body, the House of Delegates.

We have created this toolkit to encourage other law students to become more active in the policymaking that affects us, and we want to encourage meaningful opportunities for Law Student Division members to express and exchange views. Please do not hesitate to reach out to the [Law Student Division Council](#) with questions.



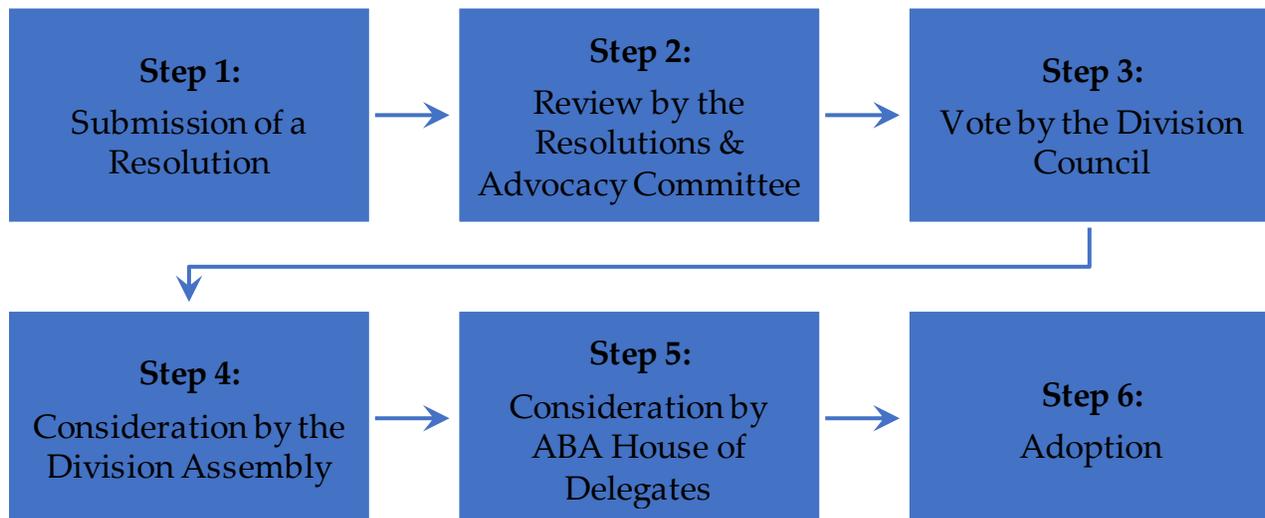
**Law Student Division Council member speaks in favor of a resolution at the 2017 Assembly.**

## Who Can Submit a Resolution?

Any ABA Law Student Division member or group of members in good standing may author or sponsor a resolution, including officers, delegates, the division's Council, committees, and student bar associations. The ABA welcomes resolutions regarding any matter that can be decided or considered by an officer or entity within the Association that affects the quality of legal education or student life, pertains to the Bylaws, or refers to any action taken under their authority.

## Overview of the Resolution Process

To have a resolution adopted, a sponsor must first complete a series of steps, starting with submission and ending with ultimate adoption by the ABA.



### Step 1: Submission of a Resolution

#### Timeliness

If you would like the resolution considered by the general assembly at ABA Annual Meeting, you must submit it by July 1. Otherwise you may submit a resolution to the Council for consideration at any time.

After passing through the Law Student Division Assembly, some resolutions may proceed to the ABA House of Delegates and must be filed three months before the House of Delegates meeting to be considered.

### **Proper Form**

Resolutions must include a “recommendation” and a “report.” See a sample recommendation and report on page 5. Recommendations must include a disclaimer statement, the date and resolution number, and a heading.

### **Submission**

After checking the form of your resolution, you may submit it in a Word document by email to the Director of the ABA Law Student Division whose email may be found at <http://abaforlawstudents.com/contact/>.

## **Step 2: Review by the Resolutions and Advocacy Committee Composition of the Resolutions Committee**

### **Determination of Proper Form**

The Resolutions and Advocacy Committee reviews resolution for form. If a resolution is not in proper form, the committee may require revision by the sponsor (for compulsory revisions) or may take efforts to clarify a resolution with a discretionary revision. In the event that a resolution needs alterations such as grammatical changes, the committee has the discretion to make them as long as they do not alter the meaning of the resolution.

### **Recommendation to the Council**

After determining that a resolution is in proper form, and remedying it in the case that it is not, the committee must make a recommendation of “pass,” “no pass,” or “no recommendation.” The Chair(s) of the Resolutions and Advocacy Committee makes the recommendation at a Council meeting. The Council are not bound by the committee’s recommendation.

### **Step 3: Vote by the Council**

The Council holds the Division’s executive and administrative authority. Almost all resolutions pass through the Council. Some resolutions stop at this step, as the Council may approve certain resolutions without further consideration. However, some resolutions, such as changes to the Bylaws and sponsorship requests, must be presented before the Assembly after consideration by the Council.

**Step 4: Consideration by the Assembly**

The Division's highest policymaking body is the Assembly, which convenes once per year during the Annual Meeting. The voting membership of the Assembly is comprised of two delegates from each school - the SBA president, and the ABA Representative (or official proxies) – as well as all Division entity liaisons. The Council, additionally, may place resolutions before the Assembly for an electronic vote, based on the Division's electronic voting policies.

**Step 5: Consideration by the House of Delegates**

Some resolutions do not stop at the Assembly, but must go on for consideration by the ABA House of Delegates. These resolutions generally create new ABA policy, conflict with existing ABA policy, or involve changes to ABA policy.

**Step 6: Adoption**

Resolutions that have been passed by the Council, the Assembly, or the House of Delegates are adopted immediately, and the bylaws and policies of the ABA are updated to reflect the change.

## **Advocacy Beyond Our Division**

The ABA House of Delegates has the ultimate responsibility for establishing Association policy both as to the administration of the Association and its positions on professional and public issues. It is the responsibility of each delegate to keep his/her constituency fully apprised of actions taken by the House and, to the extent possible, matters pending before the House, and to assist constituent entities in presenting issues of concern for debate and action taken by the House. The Law Student Division has three delegates.



**The August 2017 House of Delegates Meeting.**

## A Drafting Guide for Resolutions

Any resolution may be considered by the Law Student Division's Council, but a resolution may only be considered by the House of Delegates if it proposes new policy, a change of policy, or reaffirms existing Association policy that has not been approved within the last 10 years. In addition, a resolution must meet certain other criteria set forth in the Rules of Procedures of the House of Delegates. This drafting guide covers each of those requirements and provides examples and other suggestions.

### I. Resolution Recommendation

The heading follows a standard format that includes the name of the Association, the sponsor of the recommendation, and any co-sponsors, and also identifies the document as a resolution, as in:

**AMERICAN BAR ASSOCIATION  
LAW STUDENT DIVISION  
(Co-sponsors)  
REPORT TO THE HOUSE OF DELEGATES  
RESOLUTION**

1. *What position do you want the Law Student Division or Association to take?*

Consider the message you wish to convey and choose the right action words to reflect the action you wish to be taken by the ABA, such as: Should the ABA support or oppose a statute, legislation or policy? Or should it urge or recommend the adoption of legislation?

2. *To whom should the recommendation be addressed?*

- **Federal Legislation:** When a recommendation concerns federal legislation, the recommendation should be addressed to Congress.  
Example: RESOLVED, That the American Bar Association urges Congress...
- **Federal Policy:** When a recommendation concerns federal policy, the recommendation should be addressed to the particular agency or official.  
Example: RESOLVED, That the American Bar Association urges the Administration to support and continue public service student loan repayment and forgiveness programs, such as the current federal Public Service Loan Forgiveness Program.

- **Non-Federal Legislation or Policy.** When a recommendation concerns legislative or policy action by States, consider the appropriateness of referring to territorial and local entities as well.  
Example: RESOLVED, That the American Bar Association urges all federal, state, territorial, and local legislative bodies and governmental agencies to adopt laws and policies...
- **Non-Governmental Entities.** In addition to making recommendations to governmental entities, it is appropriate to draft a recommendation that urges or encourages action by bar associations and/or individuals.  
**Example:** RESOLVED, That the American Bar Association urges national, state, local and territorial bar associations and foundations; courts; law schools; legal aid organizations; and law firms to create and advance initiatives that marshal the resources of newly-admitted lawyers to meet the unmet legal needs of underserved populations in sustainable ways.

### 3. *More Than One Related Recommendation.*

A resolution regarding and relating to the original Resolution may be made in the same Recommendation.

**Example:** FURTHER RESOLVED, That the Law Student Division urges law schools to maintain its commitment for adequate resources to implement...

## **II. Report**

Beginning on the next page after your resolution, you will provide a report with reasoning and evidence to support the resolution goals.

### **A. Heading**

Title the report simply, with a centered, bolded, underlined "Report."

### **B. Body of the Report**

Pursuant to §45.2 (Reports with Recommendation) of the Rules of Procedure of the House of Delegates, the report should:

- Be concise and in writing,
- Contain a statement of reasons for the recommendation,
- Refer to the recommendation as "this recommendation,"

- Be no longer than 15 pages, unless the sponsoring entity seeks and receives approval from the Committee on Rules and Calendar,
- Be written as a report of the American Bar Association,
- In the case of a recommendation proposing or opposing specific legislation, include a complete summary of the phase of the legislation under consideration together with relevant excerpts from the proposed bill, and
- In the case of a recommendation calling for action that may result in expenditures, include the amount requested if possible.

The report should not:

- Contain any language that commits the Association to a policy not set forth in the recommendation.

**Important Note:** The report is not part of the recommendation and is not adopted by the House of Delegates. (*See Article 45, Reports and Resolutions, Rules of Procedure of the House of Delegates.*)

It is helpful to:

- Have the report follow the order of the recommendation (if the recommendation includes more than one resolved clause, the issues in the report should be in the same order as the issues addressed in the resolved clauses).
- Include subheadings.

### C. Closing

The report should end with the name sponsor and their relevant information, as in these examples:

Respectfully submitted,  
 John Smith  
 John Doe College of Law, 2019  
 Chair, Law Student Division  
 Primary Sponsor  
[jsmith@jdcol.edu](mailto:jsmith@jdcol.edu)  
 (123) 456-7890

Respectfully submitted,  
 Jackie Johnson  
 Jane Doe College of Law, 2019  
 SBA President  
 Secondary Sponsor  
[jjohnson@jdcol.edu](mailto:jjohnson@jdcol.edu)  
 (123) 456-789

#### **D. Report Format**

- Margins should be 1-inch on all sides.
- The font must be Arial and must be no smaller than 12-point.
- The report must be single-spaced and single-sided.
- The name of the chair or president of the Section, Committee, bar association or affiliated organization submitting the report should be typed at the end of the report, with applicable date (e.g. dated August 2015).
- Number all pages at the bottom.

## Other Resources

- Law Student Division Council:  
<http://abaforlawstudents.com/law-student-leadership/meet-our-leaders/law-student-division-council-roster/>
- Law Student Division Assembly:  
<http://abaforlawstudents.com/events/annual-meeting/assembly/>
- Law Student Division Electronic Resolutions Policy:  
<http://abaforlawstudents.com/wp-content/uploads/2015/11/Remote-Meeting-and-Electronic-Voting-Policy.pdf>
- ABA House of Delegates:  
<http://www.americanbar.org/groups/leadership/delegates.html>
- ABA House of Delegates Resolution Guide:  
[https://www.americanbar.org/content/dam/aba/administrative/house\\_of\\_delegates/drafting\\_guide\\_2017.authcheckdam.pdf](https://www.americanbar.org/content/dam/aba/administrative/house_of_delegates/drafting_guide_2017.authcheckdam.pdf)
- Questions about resolutions can be directed to HOD Drafting Committee staff liaison Leticia Spencer at [leticia.spencer@americanbar.org](mailto:leticia.spencer@americanbar.org).
- ABA Legislative and Governmental Advocacy -- Grassroots Legislative Action Center:  
[http://www.americanbar.org/advocacy/governmental\\_legislative\\_work.html](http://www.americanbar.org/advocacy/governmental_legislative_work.html)