

RESOLUTION 13-01-2022

TEXT OF RESOLUTION

RESOLVED that the Orange County Bar Association recommends that the Conference of California Bar Associations’ Guide for Proponents, article III, section 3.3.4 be amended, to read as follows:

1 § 3.3.4.
 2 A proponent (which includes both the author of, and the delegation sponsoring, the
 3 resolution) cannot move their own amendment. Amendments can be moved by a different
 4 delegation, or by a group of ten (10) delegates, in the same way that an original resolution can be
 5 sponsored. Therefore, the procedure for amendments on the floor is to line up a delegate from a
 6 different delegation, or from a group of ten (10) delegates, for the amendment in advance, and
 7 yield the floor during your opening argument to move the "friendly" amendment. If you wish to
 8 propose an amendment to another delegation's resolution, you should always ~~attempt to obtain~~
 9 the proponent's consent, and arrange to make a "friendly" amendment. ~~Without the proponent's~~
 10 ~~consent you can still move the amendment, but be sure to approach the opposing podium~~
 11 ~~promptly because unfriendly amendments do not have any special priority in the debate.~~

(Proposed new language underlined; language to be deleted stricken)

PROPONENT: Orange County Bar Association

STATEMENT OF REASONS

The Problem: CCBA Guide for Proponents, Article III, Section 3.3.4. The CCBA has only one rule that allows for an “unfriendly” or hostile amendment to a resolution to be brought to the floor of debate for the Conference. While unfriendly amendments are allowed pursuant to Robert’s Rules of Procedure, CCBA’s application of the procedure goes far beyond the purpose and intent of the rule. According to one organization, “amendments should not attempt to change the resolution so much that the original intent of the resolution is compromised.”

The Cornell Model United Nations Conference (CMUNC) disallows any amendment “that go against the intent and purpose of the resolution.” <https://www.cmunc.net/resolutions>. Currently, we have a system in which “unfriendly amendments” are permitted, regardless of whether the amendment is germane to the original resolution. It leaves the opportunity for one delegation to seize the premise from another delegation based on any loose association with the subject matter, even if it defies the basic premise of the resolution. Without any procedures for oversight over the use of unfriendly amendments in this fashion, the CCBA should eliminate the rule allowing unfriendly amendments all together.

The Solution: The CCBA should dispose of unfriendly amendments completely. Unfriendly amendments do not work well with the CCBA. To make these amendments just and feasible, there would need to be an additional task set up by ResComm, the executive committee, the

board, or the chair to review unfriendly amendments before the conference to determine whether the amendment is germane to the original resolution. That scenario is ripe with more conflict and places an undue burden on the organization. Unfriendly amendments are not necessary to the CCBA purpose. The conference already encourages getting consent of the authors before proposing a friendly amendment. If the amendment seeking delegation cannot obtain the authors consent to the amendment, they can still seek redress by voting “no” on the resolution.

IMPACT STATEMENT

This resolution does not affect any other law, statute, or rule.

CURRENT OR PRIOR RELATED LEGISLATION

None.

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RESPONSIBLE FLOOR DELEGATE

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