

# BY-LAWS FOR THE SONS OF THE AMERICAN LEGION DETACHMENT OF CALIFORNIA

(As amended, June 26, 2015)

## ARTICLE I - DUTIES OF OFFICERS

Section 1. **COMMANDER:** The Detachment Commander shall preside at all Executive Committee Meetings and shall preside at the Annual Detachment Convention. The Commander will be the Chief Executive Officer of the Detachment and shall bear ultimate responsibility. To this end, the Commander will make all appointments as permitted by the Detachment By-Laws and approved by the Convention and/or Executive Committee. The Commander shall be in attendance at Committee/Commission meetings.

The Commander shall represent the Detachment of California at various events such as: Installations, Initiation Ceremonies, Flag Disposal Ceremonies, Funeral Services, Charter Presentations and other Special Ceremonies and Presentations. The Vice Commanders or other Detachment Officers may fill-in in his absence.

Section 2. **SENIOR VICE COMMANDER:** The Sr. Vice Commander will be available to represent the Commander in his absence. The Sr. Vice Commander will be responsible for Membership. The Membership Chairman shall report to the Sr. Vice Commander if they are not one and the same. The Sr. Vice Commander shall be responsible for communication between the Detachment and the National Membership Chairman. The Sr. Vice Commander shall keep the Commander advised on all matters regarding membership. The Sr. Vice Commander shall also perform such other duties as assigned by the Commander providing there is no conflict with the Detachment Constitution and By-Laws.

Section 3. **JUNIOR VICE COMMANDER:** The Jr. Vice Commander will be responsible for Americanism Programs. The Americanism Chairman shall report to the Jr. Vice Commander if they are not one and the same. The Jr. Vice Commander shall be responsible for communication between the Detachment and the National Americanism Chairman.

The Jr. Vice Commander shall keep the Commander advised on all matters regarding Americanism. The Jr. Vice Commander shall also perform such other duties as assigned by the Commander providing there is no conflict with the Detachment Constitution and By-Laws.

..Section 4. ADJUTANT: The Detachment Adjutant shall be the Chief Administrative Officer of the Detachment. His duties will be performed in accordance with the Detachment Constitution and By-Laws, by maintaining the Detachment records, and publishing any necessary orders, announcements, and instructions. Both Regional Assistant Adjutants shall report to the Detachment Adjutant. The Detachment Adjutant shall also perform such other duties as assigned by the Commander providing there is no conflict with the Detachment Constitution and ByLaws.

Section 5. FINANCE OFFICER: The Detachment Finance Officer shall be the Chief Finance Officer of the Detachment. The Detachment Finance Officer shall not serve as the Chairman or Vice Chairman of the Detachment Finance Commission, but shall be one of the Technical

Advisor of said Commission. The Detachment Finance Officer shall be Chairman of the

Detachment Ways and Means Committee who shall in concurrence with the Chairman of the Department Commission on Sons of The American Legion, administer the Detachment Ways and Means Fund. The Detachment Finance Officer is required to make a full financial report annually at the Detachment Convention, interim reports at all Detachment Executive Committee meetings. His duties will be performed in accordance with the Detachment Constitution and Bylaws. The Detachment Finance Officer shall also perform such other duties as assigned by the Commander providing there is no conflict with the Detachment Constitution and By-Laws. (Amended by Resolution 6/27/13)

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Section 6. SERGEANT-AT-ARMS: The Detachment Sergeant-At-Arms will be responsible for preserving order at all meetings of the Detachment. He shall have custody of the Detachment Colors. He shall identify all persons at Detachment meetings and shall be responsible for the sign in roster and introducing dignitaries and guests at all meetings. The Assistant Sergeant-At-Arms will report to the Sergeant-At-Arms. He shall also be responsible for insuring that the meeting room is set up properly prior to meetings. The Detachment Sergeant-At-Arms shall also perform

such other duties as assigned by the Commander providing there is no conflict with the Detachment Constitution and By-Laws.

Section 7. CHAPLAIN: The Detachment Chaplain shall perform such divine and nonsectarian service as outlined in the Detachment Constitution and By-Laws. The Detachment Chaplain shall be ready upon occasion to take part in dedication ceremonies and the funeral services of a comrade. The Detachment Chaplain shall also perform such other duties as assigned by the Commander providing there is no conflict with the Detachment Constitution and By-Laws.

Section 8. HISTORIAN: The Detachment Historian shall document all activities of the Detachment and also compile a history of the year. This history shall be submitted to National and available at the following years Detachment Convention. The Detachment Historian shall also perform such other duties as assigned by the Commander providing there is no conflict with the Detachment Constitution and By-Laws.

Section 9. JUDGE ADVOCATE: The Detachment Judge Advocate shall advise the Commander regarding parliamentary procedure when requested. The Detachment Judge Advocate shall also Chair the Constitution and By-Laws Commission and preside over the Trial Board Committee if necessary. The Detachment Judge Advocate shall also perform such other duties as assigned by the Commander providing there is no conflict with the Detachment Constitution and By-Laws.

Section 10. VICE COMMANDERS: The Area Vice Commanders shall have the duty to be the Detachments representative within their geographic areas. They shall work with the other officers and Commission/Committee Chairmen on Programs and projects within these geographic areas. They shall assist with membership and the distribution of membership cards after Convention. They shall assist the Americanism Chairman in deploying the Five Star Medal of Service Program. They shall assist the Commander in identifying those persons who could serve on Detachment Commissions/Committees. They shall make themselves available for providing resources and education to the Squadrons. The Area Vice Commanders shall be a part of any efforts to develop new Districts and Squadrons within their geographic areas with assistance from the Sr. Vice Commander. The Area Vice Commanders shall also perform such other duties as assigned by the Commander providing there is no conflict with the Detachment Constitution and By-Laws.

Section 11. NATIONAL EXECUTIVE COMMITTEEMAN: It shall be the duty of the National Executive Committeeman to represent the Detachment of California at all National Executive Committee meetings. He shall maintain a high level of professionalism, remembering that he represents the entire Detachment of California. He shall vote in the best interest of the Detachment

of California, and will carry out the mandates of the Detachment of California without regard for personal feelings or the expediency of the moment.

The National Executive Committeeman shall advise the Detachment and especially the Detachment Commander and Department Sons of The American Legion Commission Chairman of all actions at the National Executive Committee meetings and National Conventions. He shall refer all recommendations for National appointments to the Internal Affairs Commission of the Detachment of California for a recommendation to the Detachment Executive Committee as to the worthiness of any given individual to perform the duties that this individual is being Nominated.

#### Section 12 ALTERNATE NATIONAL EXECUTIVE COMMITTEEMAN:

The Alternate National Executive Committeeman shall serve in the case that the National Executive Committeeman should be absent, dies in office, is unable to complete his term of office, or is

removed from office. The Alternate National Executive Committeeman shall perform the same duties and requirements as the National Executive Committeeman when called upon to serve. Otherwise, he should advise the Detachment Commander of all programs and actions that are taking place at the National Executive Committee, and National Convention.

### ARTICLE II - EXECUTIVE COMMITTEE

Section 1. The Executive Committee of the Detachment shall consist of the elected officers for the current year, and in addition, the Adjutant each Past Detachment Captain/Commander, Past National Commander, and each duly elected and certified District Commander, if present, shall have one vote. The appointment of the Detachment Adjutant shall be approved by the delegates of the Annual Detachment Convention.

Section 2. The Executive Committee, a two-thirds vote of said committee being necessary to effect such removal, may remove any Officer or Committeeman for inefficiency. An officer who is absent from two (2) or more Executive Committee meetings may be removed, upon due investigation of the Executive Committee.

Section 3. The Detachment Executive Committee of the Sons of The American Legion shall meet at least twice a year, at the call of the Commander. It shall also meet within 24 hours preceding the Detachment Convention, and within 24 hours following the Detachment Convention.

Section 4. The following Detachment Officers will receive an official call-in:

Senior Vice Commander

Junior Vice Commander

Finance Officer

Sergeant-At-Arms

Chaplain

Historian

Judge Advocate

Vice Commander for Area 1

Vice Commander for Area 2

Vice Commander for Area 3

Vice Commander for Area 4

Vice Commander for Area 5

Vice Commander for Area 6

National Executive Committeeman Alt. N.E.C.

All duly elected and certified District Commanders

In addition to the above Officers, the following Commissions / Committees may be officially called in to report. Convention, Ways and Means, Children and Youth, Americanism if different from the Jr. Vice Commander, Membership if different from the Sr. Vice Commander. Any other Commission / Committee as deemed necessary may be called in by the Detachment Commander or Executive Committee as well as Past Detachment Captains and Past Detachment Commanders. In addition, the two (2) Assistant Sgt.-At-Arms and the two (2) Assistant Adjutants may be officially called in as deemed necessary by the Detachment Commander or Executive Committee. Under no circumstances will any one individual receive more than (1) one call-in voucher, no matter how many titles held.

The Detachment Commander and the Detachment Adjutant will receive a call-in, however, they are exempt from the voucher clause as they fall under a different budget line item number. An Official call-in is defined as a paid Call-In in accordance with Article VIII, Section 5 of the Detachment Constitution.

Section 5. The Detachment Commander shall have the full authority to call in members of the Department Sons of The American Legion Commission as necessary and they shall be entitled to the same "call-in" allowance as Detachment Executive Committee Members provided that they are not receiving or are entitled to any other type of compensation from any other source within the Department of California.

### ARTICLE III - COMMISSIONS AND COMMITTEES

Section 1. Upon taking office, the Detachment Commander shall, with the approval of the Detachment Executive Committee, appoint members to the open vacancies on the Standing Commissions and Committees.

All members of the Standing Detachment Commissions and Committees shall serve at the pleasure of the Detachment Commander. The Detachment Commander, with the approval of the Detachment Executive Committee, shall have the full authority to make any personnel changes for just cause on any Commission or Committee for the good of the Detachment of California.

A. The Standing Commissions of the Detachment of California shall be VA&R, Children and Youth, Americanism, Public Relations, Finance, and Internal Affairs. Standing Commissions shall be limited to a maximum of (5) members including the Chairman and shall serve for (3) years, except that the Detachment Finance Commission shall have 7 members including the Chairman and shall serve for 3 years. (adopted by 77th DoCA Convention 2015 by resolution 10DEC2015)

B. The Standing Committees of the Detachment of California shall be Ways and Means, Membership, Constitution and By Laws, Convention City, Leadership & Training, and National Guest Relations. Standing Committees shall be limited to a maximum of (3) members including the Chairman and shall serve for (1) year. The Membership Committee and the Ways and Means Committee shall be exempt from the (3) member rule.

C. The Detachment Commander shall have the full authority to call in any Commission or Committee, including the Technical Advisors to meet and report.

D. Any member of the Sons of The American Legion in good standing may be appointed by the Detachment Commander to any Standing Commission or Committee.

E. The Detachment Finance Commission shall not have any oversight regarding the Detachment Ways and Means funds.

F. Any conflicts between the Detachment Constitution and Bylaws, and the “Detachment Financial Guidelines” shall cause the “Detachment Financial Guidelines” to be automatically amended to conform to the Detachment Constitution and Bylaws.

G. One (1) person shall be appointed to serve a three year term as the Detachment Legislative Commissioner.

Section 2. The Commander shall have the full authority, not subject to approval of the Detachment Executive Committee, to appoint up to (2) two technical advisors to any Standing Commission or Committee. Said technical advisors will have full voice for recommendations, but no voting privileges on any actions taken by subject Standing Commissions or Committees.

Section 3. Each Standing Commission shall be appointed in odd numbers and have staggered terms.

Section 4. The appointments made for the initial year will have the length of service on the Commissions determined in the following manner.

A. The Commander shall nominate the members of each Commission.

B. Upon confirmation, the newly appointed member’s name shall be placed into a lottery for the initial length of service. The first two (2) names drawn shall serve an initial one (1) year term, the second two names shall serve an initial two (2) year term, and the final 2 names, shall be drawn and announced, and they shall serve a 3 year term. The next year’s incoming Commander shall fill any vacancies for three years.

Section 5. There shall be no limit on the number of times a member of a Commission or Committee may succeed themselves’ on any given Commission or Committee.

Section 6. The Commander shall appoint a chairman of each Commission and Committee. The Chairman shall serve as administrative head of said

Commission or Committee for a period of one year and said appointment shall have no effect on the term of service on such Commission or Committee.

Section 7. Upon the first meeting, each Commission and Committee shall elect a Vice-Chairman subsequently approved by the Detachment Commander.

Section 8. The Commander has the authority to create any special Committees he may deem necessary for the operation of the Detachment Business and shall determine the number of members. These Committees shall be known as "Special Committees." Any Committee created from this section shall expire at the close of the Detachment Convention immediately following the appointment or upon command of the Commander.

Section 9. Detachment Commissions and Committees shall subscribe to the following duties:

A. AMERICANISM: To administer the mandates and established goals of the National Americanism Commission within the Detachment of California. To coordinate any overlapping of Department programs dealing with Americanism; and to promote the program to the Squadrons in California.

B. CHILDREN AND YOUTH: To administer the mandates and established goals of the National Children and Youth Commission within the Detachment of California. To coordinate any overlapping of Department programs dealing with Children and Youth; and to promote the program to the Squadrons in California.

C. CONSTITUTION AND BY LAWS: To recommend to the Internal Affairs Commission new Squadron and District, Constitution and By-Laws documents and or Amendments to existing

documents, and such other duties as delegated to it by the Commander of the Detachment. All actions of the Committee shall be approved by the Detachment Internal Affairs Commission prior to approval of the Detachment of California. (Amended by Resolution 6/27/13)

D. CONVENTION CITY: To investigate the facilities of cities designated by the Department to host a Department Convention; to recommend to the Detachment Convention any programs and entertainment to be held at Detachment Convention; and upon the convention being awarded to a city by the Department Convention, the Detachment Convention Committee may become the Detachment Commander's official representative, with the duties



of coordination all phases of convention activities with the convention city or corporation. All actions of the Committee shall be approved by the Detachment Internal Affairs Commission prior to approval of the Detachment of California.

E. FINANCE: To perform such duties as are outlined in the “Detachment Financial Guidelines”; to generally care for the finances of the Detachment of California and report to the Detachment Executive Committee concerning the finances of the Detachment. The Finance Commission shall prepare a proposed budget for each and every year before each Detachment Convention for the approval by the Delegates, using financial data provided by the Department of California.

F. INTERNAL AFFAIRS, To review internal policies and programs to insure that they are meeting the goals established by the Detachment Executive Committee, Detachment Commander, and the Department of California Sons of The American Legion Commission; to provide as a defense from persons of an undesirable character; to review and recommend to the Detachment Commander and Detachment Executive Committee resolutions, programs, and policies, not in conflict the National Executive Committee of the Sons of The American Legion, that serve the goals of the Detachment and The American Legion Family. (Amended by Resolution 6/27/13)

G. LEADERSHIP & TRAINING: To offer members a comprehensive leadership program that emphasizes ethical behavior, leadership skills, leadership education, and leadership development. The Leadership Committee shall develop all curriculums for all Detachment of California training programs. The Leadership Committee shall determine qualifications and shall make recommendations to the Detachment Internal Affairs Commission for all educational opportunities at the National Level. All actions of the Leadership and Training Committee shall be approved by the Detachment Americanism Commission prior to approval of the Detachment of California.

H. LEGISLATIVE ADVOCATE: To consider legislative matters, make recommendations to the Detachment Convention and the Detachment Executive Committee, and generally supervise the legislative program of the Detachment during the session of the State Legislature.

All actions of the Detachment Legislative Advocate shall be consistent with the Department of California’s legislative Program.

I. MEMBERSHIP: To promote membership in the Sons of The American Legion; to provide programs to encourage Sons of members of The American

Legion to join the Sons of The American Legion program. To administer the mandates and established goals and goals of the National Membership Committee within the Detachment of California. To coordinate any overlapping of Department programs dealing with membership; and to promote the program to the Squadrons in California. The Membership Committee with the consent of the Detachment Commander shall establish the membership goals at the beginning of each membership year.

Detachment Membership goals shall never be less than the National membership goal. The Detachment Membership Committee shall be composed of all Area Vice Commanders and all duly certified District Commanders. All actions of the Committee shall be approved by the Detachment Internal Affairs Commission prior to approval of the Detachment of California.

J. NATIONAL GUEST RELATIONS: To provide a welcome Committee to National guests; to escort National Guests to various functions and excursions; to adhere to the financial guidelines for visiting guests. The National Guest Relations Committee shall recommend and approve in advance all invitations of National Officers and National Candidates. All actions of the Committee shall be approved by the Detachment Internal Affairs Commission prior to approval of the Detachment of California.

K. PUBLIC RELATIONS: Through the media of newspapers, radio, and other means of dissemination of news, to spread the program of The American Legion and Son of The American Legion; to foster and maintain an adequate speaker's bureau. To be responsible for the publication and distribution of the Detachment Newsletter.

L. VETERANS ASSISTANCE AND REHABILITATION: To administer the mandates and established goals of the National VA&R Commission within the Detachment of California. To coordinate any overlapping of Department programs dealing with VA&R; and to promote the program to the Squadrons in California.

M. WAYS AND MEANS: The duties of this Committee shall be confined to the development of plans, ideas, and promotions to secure additional funds by and for the Detachment. The number of members of this Standing Committee shall be determined each year by the Detachment Commander with the approval of the Detachment Executive Committee. All plans, ideas, and promotions of said Committee must be presented to the Detachment Commander and the Detachment Executive Committee for approval.

## ARTICLE IV –MEMBERS IN ARREARS

Section 1. A member whose dues for the current year have not been paid by January first shall be classed as delinquent. If his dues are paid on or before February first, he shall be automatically reinstated. If he is still delinquent after February, he shall be suspended from all privileges. If he is still under such suspension on June thirtieth of such year, his membership in THE SONS OF THE AMERICAN LEGION shall be forfeited. A member so suspended or whose membership has been so forfeited may be reinstated to active membership in good standing by a vote of the Squadron and payment of current dues for the year in which the reinstatement occurs. Provided, however, that the Squadron, Detachment or the National Organization may waive the provisions hereof, upon payment of dues for the year in which the reinstatement occurs, with reference to former members who have been prevented from the payment of dues by reason of active military service.

## ARTICLE V - RULES OF ORDER

Section 1. Robert's Rules of Order shall govern the procedures of all Detachment meetings

## ARTICLE VI - DETACHMENT CONSTITUTION AND BY-LAWS

Section 1. In formation of the Constitution and By-Laws governing the Detachment, there shall be no conflict with the National Constitution and By-Laws governing the Sons of The American Legion.

## ARTICLE VII - AMENDMENTS

Section 1. These By-Laws may be amended at any Detachment Convention by the affirmative vote of two-thirds (2/3) of the registered delegates present and voting there-at.