



National Sons of AMVETS
David Spencer
National Judge Advocate

April 15, 2020

My fellow Sons,

Today, Wednesday, April 15, AMVETS National Headquarters issued a memorandum to their Departments regarding Department Conventions. This memorandum comes in the wake of the National Department of the American Legion preemptively canceling their 2020 National Convention and gives some guidance regarding the holding of State Department Conventions

In short, this memorandum gives the AMVETS at the State level some guidance in what to do if they cannot hold their State Conventions on time, or if they need to postpone them or cancel them.

How this impacts us is that Sons of AMVETS State Conventions must be held at the same time and place as AMVETS State Conventions (National Constitution, Article VI, Section 1).

- IN THE EVENT that your State Department POSTPONES their State Convention, ours is also automatically postponed as well. If it happens this way, your convention will still happen, just a little later than normal.
- If the AMVETS State Executive Committee CANCELS the State Convention, ours is also canceled. We cannot hold a legal convention if they are not holding one, so any action(s) you take, including elections, Standing Rules Amendments, etc. could be successfully challenged.
- The National AMVETS have extended the window for the State Conventions through August 1 (from May 15 to June 30). PER AMVETS NATIONAL HEADQUARTERS, IF THE STATE CONVENTION CANNOT BE HELD BEFORE JULY 1, ALL CURRENT STATE OFFICERS REMAIN IN OFFICE UNTIL NEW ELECTIONS ARE COMPLETED.

IF A CONVENTION CANNOT BE HELD UNTIL AFTER AUGUST 1:

- Your current officers will remain in office until June 30, **2021**. Obviously, no one signed up for that, so anyone that chooses to may resign at any time, and the normal appointment of replacements should follow.
- FOR ANY STATE WHERE THE STATE CONVENTION IS CANCELED, you should file a Change of Officers form for 2020-2021 anyway.
- For the purpose of approving the 2020-2021 State Budgets, this may be done by your State Executive Committee. As per the AMVETS Guidelines, if you MUST do this by phone or mail, the Commander must be able to verify who is voting and provide a by-name vote tally to the State Executive Committee immediately after voting is completed (as a reminder, the State Executive Committee consists of all elected officers, Squadron Commander (and State District Commanders in Ohio) and the Immediate Past State Commander.
- If you do not hold a Convention, then you also cannot amend or alter any of your Standing Rules.

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Recommended steps for State Commanders:

1. Reach out to your AMVETS State Commander to remind them that their decision-making process affects the Sons as well, so if their Convention is postponed or canceled, so is ours. Be sure to let them know that we will support whatever decision that they come to, but we do ask that we are promptly notified so we may make plans of our own.
2. Stay in touch with your State Officers, Squadrons (and in Ohio, State Districts) to let them know what is going on.
3. Continue to plan your State Conventions, but certainly remember the rug may be pulled out from under you on this, so try to avoid spending any money you can't afford to waste.
4. In the event your State Convention is canceled or postponed, please notify National Headquarters as soon as possible.

In regards to the National Convention, we are in the same boat as you all are. We are continuing to plan as though it will happen, but that ultimate decision for that is in the hands of the National AMVETS and based on their letter, we may not hear anything until July 1. If there are any changes to this plan, we will notify you of this as soon as we can. For now, you should expect the normal Convention mailing in May.

Our previous communication regarding Squadron Annual meetings stands, in that they should hold elections at the first meeting after May 1st that they can hold, even if this is AFTER State Conventions. We ask the State Commanders to be aware of which Squadrons have or had not held their 2020-2021 elections and to be ready to share that information with National headquarters if we need it.

Yours in Service

David Spencer
Judge Advocate
Sons of AMVETS
National Department

CC: National Executive Board
National Executive Committeemen
State Department Commanders