



# THE AMERICAN LEGION

*For God and Country*

April 20, 2020

American Legion Post Commanders and Adjutants,

A statewide stay-at-home order that Gov. Ron DeSantis announced on March 24, 2020 in response to the coronavirus pandemic [is now in effect](#). Executive Order 20-83 urges the public to avoid all social and recreational gatherings of ten or more persons. The executive order also directs all Floridians to limit movements and personal interactions outside the home to only those necessary, to obtain or provide essential services or conduct essential activities.

Due to this order our posts are closed and we find ourselves seeking for a way to conduct our annual post elections.

The attached document contains suggested ideas for posts to conduct nominations and elections during this period. The posts must decide what is best for you.

I urge you to complete this in a way that is fair and that takes into account the needs of all members. Every member in good standing has the obligation and the right to vote for officers of the post. Every effort should be made to not dis-enfranchise any member.

I also urge everyone to be mindful of the preamble to our constitution, "TO CONSECRATE AND SANCTIFY OUR COMRADESHIP BY OUR DEVOTION TO MUTUAL HELPFULNESS." This is how we can hail The American Legion today as an unparalleled force in these United States for social betterment. American Legion concepts and its ideal of devotion to mutual helpfulness warmed up the whole social climate of America. Let's not forget that tradition by doing all we can to help each other.

Stay safe during this crisis and be mindful of those that need our help.

For God and Country.

Department Judge Advocate

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**THESE ARE POTENTIAL OPTIONS AND ARE ONLY SUGGESTIONS AND RECOMMENDATIONS. POSTS NEED TO MAKE THEIR OWN DECISIONS BASED ON WHAT IS BEST FOR THEIR MEMBERSHIP.**

### **POST NOMINATIONS AND VOTING**

The biggest issue in this entire process is fairness and communications.

A Post **must** make a good faith effort to reach their **entire** membership and inform them of the steps to both nominations and elections. *Those steps are:*

**NOMINATIONS:** When will nominations process start and how that gets done and a cut-off date.

**ELECTIONS:** The date when elections will take place, how it will be done, when it begins, when it ends.

Also, it is strongly suggested depending on how you do elections, that if you are actually counting physical ballots and not using an online method that they be secured and opened at a separate time when all members can come and watch the count from their cars (depending on the restrictions currently in place) if desired. Some of your members you can reach by email, others by phone and all the rest by mail. However, you choose to do nominations, elections and posting of the results the procedure must be reasonable and fair to all Post members.

Under the COVID 19 crisis the methods of running elections should be decided by the following procedure.

#### **NOMINATIONS**

- nominations are required, even in this crisis. Self-nominations are acceptable (Write In). Seconds of nominations are not required per Roberts Rules of Order, Newly Revised.
- Not required to be read at one, two or three meetings prior to election!
- In all situations nominations are allowed at the time of election *using the write in space.*

Therefore, there are several options which a Post can use to take nominations, but the membership must know the start and cutoff date for nominations.

A Post can take Nominations and can be made by:

- email from the member to the Adjutant or the nominating committee if you so advise your members of the Adjutant's email address.
- by a phone call to the Adjutant or the nominating committee, if his phone has voice messaging and the members have his phone number and extension.
- by a sign-up sheet on the front door if you have informed the membership that the signup sheet is there.

## **BALLOT**

- After the cutoff date for nominations, review the nominees to insure each one is a member in good standing of your Post
- Once you know the candidates that are in good standing, you will prepare a ballot listing each office and the members who are running for that office. That ballot must include a space under each office so that a member can "write-in" a candidate that may not have been nominated through the nomination process.
- Make certain you put a space for every officer even if there are no nominations because each will have a "write-in" space any member could write themselves in for that open position

## **ELECTIONS** – you have several options available

- Simply Voting ([www.simplyvoting.com](http://www.simplyvoting.com) ) is an online application which is low cost, provides for the Post Adjutant or whomever else the Post appoints to administer the election to input the membership data and an election ballot. You would go to the Application on-line, members could perhaps use their 9-digit membership number for authentication, after authentication, ballot comes up, vote, release your ballot, your done. You can't vote again.
- Next option could be a drive-in ballot where members pull up in their car to a location, Adjutant or whomever checks to make sure they are a member, provides them a ballot, they vote the ballot and place it in a ballot box the Adjutant or whomever collects ballot boxes and then on another day at a predetermined time and place the ballot boxes are opened and counted.
- Open the Post, for 5 or 6 hours to allow members to come in for voting only. Member comes in, maintaining social distancing, check-in to ensure

they are a member in good standing, get a ballot, vote the ballot and place ballot in a ballot box and leave.

**REPORTING RESULTS**: To maintain transparency we strongly recommend that the results of the election be reported in a separate meeting, possibly in the parking lot where members could watch the opening and counting of ballots from their cars. After the count is complete and verified the results of the votes announced and then post the results. If you use an online tool or other means you could mail, email or simply report the results at a separate meeting. Just make sure that you afford all members the opportunity to vote and give all of them the results of the election. Just make sure that you afford all members the opportunity to vote and give all of them the results of the election.

**PLEASE REMEMBER** No matter which of these options you choose, the option must be communicated to your entire membership, everyone must know when, where and times so everyone has the opportunity to participate.

**QUESTIONS** Still have questions contact [JudgeAdvocate@legionmail.org](mailto:JudgeAdvocate@legionmail.org)

**THESE OPTIONS ARE ONLY SUGGESTIONS OR RECOMMENDATIONS.**