



**FOR YOUTH DEVELOPMENT®
FOR HEALTHY LIVING
FOR SOCIAL RESPONSIBILITY**

YMCA YOUTH IN GOVERNMENT

Advisor Handbook

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Table of Contents

Advisor Handbook.....	0
Table of Contents.....	1
Program Overview	4
Purpose of YMCA Youth in Government Program	4
Who May Participate	4
Benefits of Participation	4
Structure	4
School Delegations	4
Regional Conference.....	5
Registration	5
Regionals Elections.....	5
Youth Court	6
Workshops	6
Example Schedule	7
State Conference	8
Registration	8
Preparation.....	8
Schedule	8
Financial Assistance	9
Procedures for Participation.....	10
VOTING ELIGIBILITY AT REGIONAL CONFERENCE.....	14
VOTING PROCEDURES	14
NORTH, SOUTH CENTRAL AND SOUTH EAST REGIONS.....	14
SOUTHWEST REGION	14
NOMINATION PROCEDURES AT REGIONAL CONFERENCE.....	15
Advisor Newsletters.....	15
Example Advisor Checklist State Conference	17
Beginning of February:.....	17
End of February:.....	17
First Week of March:.....	17
	1

End of March:	17
1 Week before State Conference:	18
Duties & Responsibilities of Youth Officers	Error! Bookmark not defined.
Youth Governor	20
Lieutenant Governor	20
Speaker Of The House	20
Secretary Of State	21
Secretary of the Senate & Chief Clerk of the House	21
House & Senate Floor Leaders	21
Chief Justice and Associate Justices	21
Clerk of the Supreme Court and Court of Appeals.....	21
Attorney General and Assistants.....	22
Co-counsel	22
Editor-In-Chief	22
Editorial Press Staff	22
Parliamentarians	23
Lobbyist	23
Legislative & Executive.....	20
Preparing Legislation	24
What Type Of Legislation Can Be Prepared?	24
What Are The Points Of Good Legislation?	24
How a Youth in Government “bill” becomes a “law”	25
Drafting of Bills	25
Submitting a Bill.....	25
Formatting a Bill	26
Introduction of Bills	26
Committee Consideration of Bills	26
Second Reading of Bills	26
Third Reading of Bills.....	27
Debate Procedures	27
Signature of the Governor	27

The Judicial Component of YMCA Youth Government	Error! Bookmark not defined.
Duties and Arguments	Error! Bookmark not defined.
Elections.....	Error! Bookmark not defined.
Rules of Procedure YMCA Youth Supreme Court State of Idaho as Amended	Error! Bookmark not defined.
Rule 1. Application and Designation of Rules.....	Error! Bookmark not defined.
Rule 2. Definitions	Error! Bookmark not defined.
Rule 3. Legal Research.....	Error! Bookmark not defined.
Rule 4. Condition of Participation	Error! Bookmark not defined.
Rule 5. Oral Argument.....	Error! Bookmark not defined.
Rule 6. Protocol of Court.....	Error! Bookmark not defined.
Rule 7. Judicial Decisions - General Provisions.....	Error! Bookmark not defined.
Oral Argument	Error! Bookmark not defined.
Essentials of Oral Argument.....	Error! Bookmark not defined.
Parliamentary Procedure	37
The 10 Basic Principles of Parliamentary Procedure.....	37
Important Terms.....	37
10 frequently used motions:	38
Forms	38
Example - Invitation Letter	38
Example - Info Sheet.....	41
Example - YMCA Youth in Government.....	42
Example - Bill	44
Example - Case.....	45

Sponsored by the Treasure Valley Family YMCA

A YMCA Program of Active Participation in Legislative and Judicial State Government for High School
Youth in Grades 9, 10, 11 and 12

Program Overview

Purpose of YMCA Youth in Government Program

The purpose of this program is to provide a platform upon which involved youth may be launched to a better understanding of the principles and methods of our constitutional republic form of government and to discover how, through first-hand experience they can actively make changes for the betterment of our state.

Who May Participate

The Idaho YMCA Youth in Government program is open to high school students in the 9th, 10th, 11th, and 12th grades in every community in Idaho. Youth delegates must represent either a school or a YMCA group.

Benefits of Participation

- Participants receive training in parliamentary procedure, public debate, preparation of legislative materials, and an understanding of the legislative process.
- Participants meet and develop relationships with peers from around their region, state, and country.
- Participants engage in forums, public meetings, and discussion groups, culminating in the State Conference.
- Participants practice the invaluable skills of expressing opinion, listening to others, and defending arguments through the discovery of research
- Participants can apply this training and practice throughout their adult lives.

Structure

School Delegations

Hundreds of Idaho students participate in Idaho YMCA Youth in Government each year. For the past 82 years, YMCA Youth in Government has been an excellent example of impactful experiential learning. The program usually begins in October, when advisors recruit their political science students, speech/debate teams, government classes, or any interested students to become part of their school delegation.

Whether once a week or once a month, the school delegations meet regularly to discuss parliamentary procedures, drafting legislation, lobbying, responsibilities of state officials, practices of attorneys and justices, and election campaigning.

Together, students prepare to attend a Regional Conference in the winter, State Conference in the spring and a National Conference in the summer.

Regional Conference

The YMCA Youth in Government Regional Conferences are held locally in the winter (December-February). Students run for elections and vote for officers, attend workshops, listen to speakers, debate in moot court, and meet other teens interested in government. Students who attend the YMCA Youth in Government Regional Conferences will be prepared for the State Conference in April.

The purpose of the Regional Conference is four-fold:

- Develop knowledge about parliamentary procedure.
- Become familiar with the election process and propose candidates for offices available in the region.
- Become knowledgeable of topics for legislation and the process for writing legislation.
- Become aware of the total overview of the Idaho YMCA Youth in Government Program.

Registration

Regional Conference registration fee is **\$10** per student attending (no fee for advisor). This fee covers supplies, space rental (if relevant), and YMCA partners.

Advisors should submit the following to the YMCA Program Coordinator (sam.bellis@ymcatvidaho.org):

- Regional Conference Fees (check or cash)*
- YMCA Waiver Form
- Registration Form
- List of Attendees Form

*fees can be brought to the conference

Regionals Elections

Each delegation will send candidates ready to run for election at Regional Conference for the designated positions open to that region per year. Some delegations hold primaries in order to prepare candidates and to offer their best choice for each position.

- Candidates and delegations should prepare to properly campaign at the Regional Conference. Each candidate should prepare a one to two minute speech about their unique qualities that make them suitable for the elected position. Delegations should prepare questions that can be used during a debate among the candidates. Candidates are allowed to bring posters and banners to hang at the Conference.

- Idaho is unique in that each region is allowed to vote for certain elected state and judicial positions and then those positions rotate regions each year. The YMCA Youth in Government office sends the open positions for each region to participating schools in the fall.

Youth Court

The Regional Conference is also a time for students who are interested in the judicial branch of government to prepare to argue a court case.

- Schools should choose teams of two to act as counsel and co-counsel at the Regional Conference. Schools may decide the number of teams they want to send to Regional Conference based on the number of co-counsel teams they are allowed to bring to State Conference.
- The teams will be given an actual Idaho court case to study and prepare to argue. At the conference, each team will have five minutes to argue their case. The top teams will be asked to represent their schools at State Conference in April.
- The moot court case is sent to participating schools in the fall.

Workshops

Students interested in the legislative branch of government attend two workshops that help prepare them for the legislative sessions at the State Conference.

- The How to Write a Bill workshop teaches students the structure and content of a YMCA Youth in Government bill including coming up with ideas, writing the bill, proper terminology, and appropriate formatting. During and after the Regional Conference, students will write bills to submit for the State Conference.
- The Parliamentary Procedure workshop introduces students to the guidelines that will be used in the Legislative Sessions at the State Conference, including different people's roles, important terms and motions, and the process of a bill becoming a law.

Example Schedule

Time	Topic	Leader	Location
1:00pm	Welcome	Regional Student Ambassador	Large Room
1:15-1:45pm	How to Write a Bill Workshop	Cheryl Adams	Small Room 1
1:45-2:00pm	Mason's Rules of Order Practice	College of Western Idaho	Small Room 1
1:15-1:45pm	Mock Supreme Court Case Presentations	College of Western Idaho	Small Room 2
2:00-2:15pm	Break		
2:15-2:45pm	State 2022 & 2023-Elect Campaign Speeches	Regional Student Ambassador	Large Room
2:45-3:15pm	Elections	YMCA Director	Large Room
3:15-3:45pm	Guest Speaker	TBA	Large Room
3:45-4:00pm	Announce Election Results	Regional Student Ambassador and YMCA Director	Large Room
4:00-4:15pm	Closing and State Information	Regional Student Ambassador and YMCA Director	Large Room

State Conference

The State Conference is held in Boise for two days and one night in April. This is generally held at the State Capitol but is occasionally moved to other locations if the Idaho legislature is in session.

Registration

A State Conference registration fee is **TBD** per delegate attending. We will be determining the cost per student based on our new program needs for the 2022-2023 program year. This will be sent out via email by February 1st, 2023. This fee is to be collected by the advisor prior to attending State Conference and will be submitted when registering at the State Conference if not already sent in.

Advisors should submit the following to the YMCA Program Coordinator (sam.bellis@ymcatvidaho.org):

- List of Attendees Form
- Conference Fees (cash or check)*

Fees can be brought to the conference

Preparation

- Each student from a delegation may attend the State Conference as long as they have a certain role to play. Governor, Senator, Justice, Parliamentarian, Lobbyist, Co-Counsel, and Journalist are only some of the opportunities your students can portray. Each delegation may decide how they match students to various roles. (See *Duties and Responsibilities of Youth Offices* for clarification of each role)
- Before attending the State Conference, each delegation should meet to discuss issues that are important to them in order to write purposeful bills that will be proposed during the State Conference. Legislation proposed by the delegations is submitted to the YMCA (sam.bellis@ymcatvidaho.org) in March. The bills will be assigned to committees and all information will be contained in the digital "Bill Book." There will be a few printed Bill Books, but it will mostly be accessible digitally through a QR Code.
- Each delegation should attempt to have every student submit a bill or be part of a team that submits a bill. However, each bill must be represented at State by a Lobbyist, who can only have one bill, so that is a limiting factor on the number of bills a school can submit.
- Mason's Manual is adapted for use in all Idaho YMCA Youth in Government Sessions. Please refer to the Rules and Regulations and Parliamentary Procedures pages for details.
- Students involved in the judicial branch should prepare their arguments for their case and be ready to present in front of a judge.

Schedule

State Conference begins on Wednesday morning with the Opening Session, featuring a keynote speaker. After that, students will move into committee rooms or courtrooms depending on their roles. This time is used to debate bills, argue court cases, lobby, observe and report, and meet students from around the

state. We encourage students to network and to celebrate the YMCA Youth in Government Program through collaboration.

- The delegate who authored a bill should be prepared to present and defend their bill to committee members. The author may also use lobbyists who testify for the bill but cannot vote. Each committee considers 4 to 6 bills.
- After committees, bills move to the larger legislative sessions, where the House and Senate debate, make amendments, and ultimately pass or reject bills.
- At the same time, Youth Supreme Court members will be arguing their cases in the courtrooms.
- Through all of this, the press staff report on the bills as well as the cases, passing this information to the Editor-in-Chief who compiles stories and newsletters.

On the first day, bills go through their first and second readings, within their committee and then the Rules Committee, respectively. On the second day, bills go through their third reading in House and Senate Sessions.

The second day also contains the speeches and election of the 2023-2024 Youth Governor; each region should nominate someone to run for this position at State.

The State Conference will close by announcing the bills added to law that year, and welcoming the new Youth Governor.

Financial Assistance

Individual financial assistance is available upon request.

Delegation advisors may contact the State Office for details. Fees are kept as low as possible, with the YMCA providing financial assistance dependent on subsidy support through the Treasure Valley Family YMCA Annual Campaign. If you have ideas for financial support resources, please contact sam.bellis@ymcatvidaho.org

Procedures for Participation

1. Determine which group wants to participate and represent your school. This may be a political science or government class, official school club, or a group of interested students at your school.
2. Select your group advisor. Each group must have an adult advisor, but it does not have to be a teacher; the advisor can be a counselor, invested parent, or other adult affiliated with the school.
3. Advisor becomes familiar with program goals, procedures, and guidelines.
4. Begin discussing subjects for legislative bill writing.
5. Select candidates to run for office. Elections are held at the Regional Conference in the winter.
6. The entire group attends the Regional Conference, at which participants receive training in legislative procedures, committees, bill drafting, as well as electing officers.
7. Democratically select from your group Senators, Representatives, and additional delegates from the following categories: Reporter, Legislative Aide, Delegate-in-Training, and one Lobbyist per bill submitted. A Registration form with this information will be sent to you from the state office.
 - a) If a member of your group is elected to one of the following offices, that person is one of your delegation's Representative(s): Speaker of the House, House Floor Leader, and Assistant House Floor Leader.
 - b) If a member of your group is elected to one of the following offices, that person is one of your delegation's Senators: Senate Floor Leader, Assistant Senate Floor Leader.
 - c) If a member of your group is elected to one of the following offices, that person is part of your delegation in addition to your group's original delegates: Youth Governor, Youth Governor-Elect, Lieutenant Governor, Secretary of State, Secretary of the Senate, Chief Clerk of the House, Editor-in-chief.
- All elected judicial officers are also part of your delegation in addition to your clubs original delegates.
8. Complete preparation of your bills. Each delegation should submit at least two bills. Students may work individually or in partners or teams to prepare and submit their bills. The number of bills a delegation submits may not be greater than the number of students in the delegation. Deadline for bill submission is early March. **Registration and bills must be into the State Office by the deadline given.**
9. Your delegation attends the Idaho YMCA Youth in Government State Conference in April held at the Capitol Building and Idaho Supreme Court.

Dear Advisor:

The YMCA Youth in Government program is a fantastic opportunity for students to bring State and local government alive. This program has been around for over 82 years and provides hands on experience to students interested in the legislative or judicial experience. As with any great program, a great advisor is needed to guide the students through the expectations. We do not want this to be a burden and hope that these resources will give you a clear understanding of how the program works. As a teacher myself I know that we are busy and overworked, but this opportunity is just too great for our students to miss. The work can, and should be completed by your students with your assistance and can be completed in as few as 3 lunch meetings between December and April. If you are not available to attend the conference but know of another teacher that can pair up and work on this with you together, share the load of preparations and make it easy for all involved. The future of our government and society is in the hands of our students, and it is vital that we give them opportunities to interact within the process.

Please take the time to look through the information provided. Enclosed you will find step by step checklists to guide your way through the advising process. I have been involved with the Youth in Government program for over 10 years; first as a student, second as a college student volunteer and now as an advisor. This program is amazing and the students I have worked with over the years remember it for a lifetime. If I can be of any assistance do not hesitate to contact me. We all look forward to expanding this program and ensuring its success for years to come. Welcome aboard!

Cindy Wilson

Youth in Government State Committee Member

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REGIONAL CONFERENCE

VOTING ELIGIBILITY AT REGIONAL CONFERENCE

1. Delegation advisors must list the names of all their delegates with the registrar when they arrive at the Conference.
2. Each delegation must consist of at least five (5) delegates in attendance.
3. Each delegation must have its advisor in attendance at the Advisors' Meeting.
4. Each delegation must turn in its Group Registration Form, along with the TBD registration fee per student, at regional conference check in.
5. These rules are the Statewide Committee's accepted rules of procedure and cannot be changed at the Regional Conference.

VOTING PROCEDURES

NORTH, SOUTH CENTRAL AND SOUTH EAST REGIONS

1. Each registered group (which meets the "eligibility to vote" requirements) will have one (1) vote for every ten (10) delegates in attendance, with a maximum of three (3) votes.
 - 5-10 delegates 1 vote
 - 11-20 delegates 2 votes
 - 21 and over 3 votes
2. Varying procedures may be adopted by advisors per state office approval in the region and confirmed by the delegates.

SOUTHWEST REGION

1. Each registered group receives one vote per delegate in attendance. Delegations will caucus and submit one ballot sheet that includes which delegates they are giving their votes to.
2. If no candidates on the first ballot receive a simple majority, then the two highest candidates will be voted upon to determine the victor. If two or more are tied below the leading candidate, there will be a run-off between these candidates. A plurality vote will determine the candidate to run against the top candidate. The winner must then be elected within two ballots. If there is a tie vote after two ballots, the winner will be determined by the toss of a coin.
3. The votes from a complete delegation may be split if they have more than one vote. (For example: Down River High votes 2 votes for Jones; 1 vote for Smith.)
4. Rules 2 and 3 are not subject to change during the conference.

NOMINATION PROCEDURES AT REGIONAL CONFERENCE

1. Candidates must be democratically elected by their delegation. Names of candidates and offices they are running for should be sent to the YMCA Youth in Government office with registration and fees.
2. Advisors must register candidates at the registration table before the Conference officially opens.
3. Speeches will be limited to two minutes. No nomination is required.
4. Each delegation may submit candidates for each office available.
5. If at the close of time for submitting candidates, there is only one candidate running for a particular office, nominations will be taken from the floor during the Conference.
6. First opportunity will be given to delegations who have not submitted a candidate for any office.

Advisor Newsletters

The YMCA will send out a monthly newsletter updating advisors on the goals and tasks for the month, any organizational updates, and optional topics to discuss in club meetings. These newsletters are meant to take the place of meetings, and keep all advisors and YMCA leadership on the same page for what needs to be completed.

State Conference

Example Advisor Checklist State Conference

Beginning of February:

- _____ Decide on how the students will be selected to attend the state conference. Some schools have the students vote; others do it by application or by who shows up at the 2nd meeting. It is up to you. It can be teacher invitation only too. (See sample application)
- _____ Host a meeting for those interested in attending state. Students who won positions at the Regional Conference automatically attend State Conference.
- _____ At the meeting, set out the criteria for attending State. Note the days of school that will be missed, time commitment, cost (including hotel if needed), etc. Sometimes this weeds out the ones who are really not interested, making the cut process much easier.
- _____ If you are selecting the students through application process give them 3-5 days to complete. If you are having the students vote you can decide the student representatives at your meeting.
- _____ Finalize those attending the State Conference.

End of February:

- _____ Host a meeting for those attending State Conference. Senators and representatives will be assigned a lobbyist.
- _____ Put students in charge of writing their bill(s). Each school will submit at least 2. Email them the template or have them type it from your computer. You will receive all forms from the State Director at the end of January.

First Week of March:

- _____ Submit state registration forms to the YMCA (sam.bellis@ymcatvidaho.org).
- _____ Have students finalize bills and submit to the YMCA (sam.bellis@ymcatvidaho.org).
- _____ Send out case information to any Youth Supreme Court teams. You will receive this information from the state office.

End of March:

- _____ Start collecting money.
- _____ Communicate with YMCA on how many hotel rooms you will need.
- _____ Hold any follow-up meetings as needed.

1 Week before State Conference:

- _____ Finalize money, registered students, absence sign-offs, and any necessary room reservations if bringing students together in-person.

- _____ Attend State! Get your bills passed! Have a great time!

Duties and Responsibilities of Youth Officials

Youth Governor

Before State

- Submits address before State Conference to the Statewide Committee.
- May meet briefly with a member of Idaho Governor's staff (TBD)
- May prepare at least one bill to propose to the legislature and work with lobbyist(s) to encourage passage of the bill(s).

At State

- Provides leadership for members of both houses and consults with the membership on proposed legislation in the Governor's Room.
- Requests information and advice necessary from the responsible advisors and legislators concerning bills.
- Prepares inaugural address to the Opening Session of State Conference.
- Studies each bill passed by the Senate and House, respectively.
- Makes the closing address at the State of the Conference, *explaining overview of bills passed in the House & Senate, respectively.*
- Performs other duties connected with the Office of Governor, such as press conferences, meeting with legislative committees, officers, and lobbyists.

After State

- Works with new Youth Governor to transfer important institutional knowledge
- Updates National Youth in Government details about Idaho's program

Lieutenant Governor

- **In advance of the state conference, must become thoroughly familiar with parliamentary procedures and Senate procedure.**
- Announces the appointment of all committees and chairpersons. Appoints such special committees as may be needed to handle Senate business.
- As President of the Senate, the Lt. Governor presides at the Senate Session; however, the Lt. Governor does not vote except to break a tie.
- Succeeds to the Governor's office in the event of disability of the Governor.
- Signs all Senate bills, resolutions, etc.

Speaker of the House

- **In advance of state conference, must become thoroughly familiar with parliamentary procedures and House procedures.**
- Announces the appointment of all committees and chairpersons. Appoints such special committees as may be needed to conduct House business.
- Presides at the House Session; is a full voting member of the House.
- Signs all House bills, resolutions, etc.

Secretary of State

- An elected state official, not a member of the House or the Senate.
- Custodian of all official House and Senate bills. Distributes all bills to proper committee chairpersons and accounts for location of all bills.
- Transmits bills to either House. Maintains a record of disposal. ***Knows at all times the location of each bill.***
- Returns all bills to the Program Secretary at the end of the House and Senate Sessions.
- Keeps an accurate record of the final disposition of all bills.
- May meet briefly with Idaho Secretary of State or a member of his/her staff (TBD).

Secretary of the Senate & Chief Clerk of the House

- Custodian of all official bills while in their possession
- Keeps the official House and Senate Journal, records of bills, order of bills, amendments, House and Senate calendars.
- Not official members of their respective Houses.
- Transmits the voting record of all bills, count and report votes, and send them to presiding officers.
- Files all rejected bills, keep track of them and returns them to the Program Secretary at the end of the House and Senate Sessions.

House & Senate Floor Leaders

- Senators and Representatives elected as Floor Leaders or Assistant Floor Leaders.
- Works closely with the Speaker and Lt. Governor to help expedite the legislative process.
- Make key motions, limit debate, adjourn, recess, draft resolutions, etc.
- Works with the Governor to help pass key legislation.

Chief Justice and Associate Justices

- The Chief Justice presides during the YMCA Youth Supreme Court. The Court renders oral opinions on cases argued during the mock court session. All Justices have an opportunity to present decisions.
- All justices should be familiar with the Rules of Procedure of the YMCA Youth Supreme Court set out in the Youth Government Student Handbook.
- **All justices need to have read the Supreme Court Handbook and all seven Supreme Court Cases prior to State Conference.**

Clerk of the Supreme Court and Court of Appeals

- Attends all court sessions. Announces the Court's arrival at the beginning of each session. Times the oral arguments. Custodian of Supreme Court and Court of Appeals opinions.
- The Clerk should be familiar with the Rules of Procedure of the YMCA Youth Supreme Court set out in the Youth in Government Student Handbook.
- Supervises receipt and recording of all court communications and documents; may ascertain the correctness of such documents; supervises the proper distribution of the same to the Justices.
- Answers questions from counsel or judges regarding orders or status of proceedings.

Attorney General and Deputies

- Attorney General assigns Deputies Attorney General to a case.
- The Attorney General and all Deputies should be familiar with the Rules of Procedure of the YMCA Youth Supreme Court set out in the Youth Government Student Handbook.
- Present Amicus Curiae (friend of the court) arguments during the judicial sessions.
- May meet briefly with Idaho Attorney General or a member of his/her staff (TBD)
- **Attorney General and Deputies need to have completed thorough research on their assigned case(s) before State Conference to effectively deliver their argument(s).**

Co-counsel

- A copy of the case (factual situation and question presented) will be *emailed* to each delegation prior to the convention.
- **All counsel should be familiar with the Rules of Procedure of the YMCA Youth Supreme Court set out in the Youth in Government Student Handbook.**
- Any number of teams of co-counsel may compete by presenting oral argument during the regional workshop. Top two teams from each region will attend the State Conference and present oral arguments to YMCA Youth Supreme Court.
- All counsel should be well-researched in their case beforehand, practice to stay within their time limit, and be able to present a thoughtful and articulate argument.

Editor-In-Chief

- Elected at the Regional Conference.
- Assigns responsibilities to Press Staff and reporters.
- Ensures that a digital newspaper is published for each day of State Conference (Google Slides Template)
- Assures that updates to State Conference are regularly posted to Social Media (Facebook, Instagram, etc.)

Editorial Press Staff

- Elected by their school delegations.
- Publishes at least two digital newspapers during the session.
- A self-governing group, patterned after the "city room" at regular newspapers.
- Prepares and files with respective wire services and their local papers stories concerning the Youth Legislature (the enactment of legislation, local interest stories, and other matters of interest).
- Assigned by Editor in Chief to cover particular bodies of the Youth Legislature, including committees, and/or Youth Supreme Court.
- Keeps accurate notes on the Youth Government State Conference.
- Prepares news and publicity releases for all media prior to State Conference, during the Youth Government sessions, and after the delegation returns home.
- Serve as "self-evaluators" for local groups regarding future program training needs for the following year based on observation of this year's operation.
- Posts updates to State Conference are regularly posted to Social Media (Facebook, Instagram, etc.)

Parliamentarians

- Parliamentarians must be proficient in parliamentary procedure and must become familiar with Mason's Manual.
- It is the responsibility of the parliamentarian to sit at the side of the Speaker of the House or the Lieutenant Governor, providing any assistance in procedures needed.
- Parliamentarians will be assigned a committee, and are responsible for keeping order and knowing the proper procedures for a successful committee session.

Lobbyist

- Procure information on pending legislation to aid the Legislature, its committees and officers.
- Must attend committee sessions.
- Must keep track of all legislation and know what action is being considered at any time.
- Encourage the introduction of bills favorable to their clients, research and analyze bills introduced at the Legislature to determine if the bills affect their members or clients, report their findings to their members.
- Coordinate the efforts of those affected by legislation.
- Assist in documentation of arguments.
- In short, lobbyists are much like a lawyer in court. They make certain that their client's case is well presented and receives a fair hearing by the Legislature.
- Lobbyists who have a bill that does not pass are required to stay in their committee and assist in lobbying for other bills.

Legislative & Executive

Preparing Legislation

The subject of your legislation should be tentatively decided upon by your group before you attend the Regional Conference. Ideally, a bill should grow out of some need, some problem, and some idea, which has been developed through discussion by your delegation.

Your legislation subject may be something about law enforcement, state resources, education, transportation – what seems important to you. Talk to community leaders, your teachers, the editor or your local newspaper, members of your city council, and business, labor and agricultural leaders. Talk, observe, ask questions – and do your own thinking.

When you have decided on the subject for your legislation, ask yourself:

- Will it work?
- Can we afford it?
- Who will pay for it?
- Where will the money come from?
- Can it be enforced? Who will enforce it? What will it do to people?
- Will any person or group be adversely affected? How can you convince people that it is worth the adverse effects or why those affects are not important?

Your group should hold at least two hearings on your bill or legislation to discuss its purpose, content, and implications.

What Type Of Legislation Can Be Prepared?

A **bill** proposes a new state law or an amendment to repeal an existing law. Any bill dealing with revenue must originate in the House of Representatives.

A **joint resolution** proposes an amendment to the State constitution, to be put to the vote of the people of the state.

A **joint memorial** petitions whoever can effectuate the request of the memorial, such as the Congress of the United States, and deals with affairs outside the jurisdiction of the State Legislature. It is a request to some other group to do something the legislature cannot do.

A **concurrent resolution** deals with subject matter, which would not constitute a law or statute, such as the business and internal affairs or State Legislature.

What Are The Points Of Good Legislation?

“Good” legislation will meet these tests:

- It will deal with only one subject.

- It will express the subject accurately in the title of the bill.
- It will conform to the provisions of the Constitutions of the State of Idaho and of the United States of America.
- It will be as brief and simple as is consistent with its purpose.
- It will be capable of being easily applied.
- A bill must contain the following clause: “Be it enacted by the YMCA Youth Legislature of the State of Idaho.”
- Definitions of terms, if required, should be included in an early part of the bill.

Legislative drafting is a highly technical procedure, and you will be well advised to get the help of a local attorney or a member of the Idaho Legislature. Follow the exact form shown in this handbook.

How a Youth in Government “bill” becomes a “law”

A bill is a proposed law. It can be introduced into the model Legislature only by a member or the model House or senate. A bill does not become a law automatically. There are certain specified procedures through which the bill must go before it becomes a law. The person introducing the bill is responsible for knowing these steps and “seeing the bill through.”

Briefly, here are the essential steps with which you should be familiar:

Drafting of Bills

Adequate instructions and samples can be found elsewhere in this handbook. Study these carefully. Draft your bill according to instructions. Keep the bill brief as is consistent with its purpose.

Before the YMCA Legislature convenes in the State Capitol, all bills received will have been printed, numbered, assigned to committees, and filed in a Bill Book, a digital copy of which will be provided each delegate. Study the Bill Book carefully and form your ideas about the merit of the bills it contains. House and Senate bills are grouped separately. Be ready to discuss other bills as well as your own. Preferably, discuss several bills in your school club or group to ascertain your constituents’ views.

These bills will also be available early on the YMCA Youth in Government Web Page.

Submitting a Bill

Submit via e-mail to sam.bellis@ymcatvidaho.org

Give the names of the author(s) or sponsor(s) of the bill i.e. Richard Roe, Idaho Falls Hi-Y Club, Idaho Falls or Jane Doe and Susan Smith, Cambridge High School Student Body.

Be sure you have given the names of the persons who present your bill together with the organization represented and the town from which they come.

Formatting a Bill

Legal advice should be secured in writing the title, which must be single-spaced and capitalized. It usually begins with the words “providing . . .” “Amending . . .” “Relating to . . .” “Appropriating . . .” etc. The title must state the purpose of the bill and must describe everything that is included within the bill.

Indent and number each section consecutively, capitalizing the words WHEREAS and SECTION. Short sections and paragraphs simplify numbering a bill

Number the lines on each page consecutively, beginning with the first line in section 1 (see samples). Additional pages are numbered, beginning with the number 1 at the top and numbering down each line consecutively.

Bills should not be over two pages in length. Keep it short. It is more important to have the experience of writing a bill, and a lengthy bill may not receive consideration in our short session.

The State Committee may reject any bill that does not meet these requirements. Get help in preparing your bill.

Introduction of Bills

All bills will be numbered by the clerk and assigned to committees that meet on the afternoon of the first day. Every delegate is assigned to a committee, but only Senators and Representatives are voting members.

Committee Consideration of Bills

Bills are divided among smaller committees that can more carefully study them and report their recommendations to the Legislature. All bills will come out of committee with either a “do pass” or “do not pass” recommendation.

The Legislative committees will have a chairperson and a secretary appointed previously at the opening of the session. Adult supervisors and consultants will be assigned to committees to help answer questions and assist with procedures.

Second Reading of Bills

For our purposes, and to conserve time, the Rules Committee does the second reading of bills “reported out” from committee. These committees, composed of all officers and committee chairs, develop and House and Senate calendars based on the do pass bills with recommendations and their priorities.

Third Reading of Bills

The House and Senate convene at the time scheduled in the Bill Book to begin debate on bills reported out of the committees for consideration. The presiding officers announce that the House is now ready for the third reading of the bills, and the clerk calls each bill as the respective House considers it.

The sponsor(s) should then stand and be recognized and should address the chair as follows:

“Mr./Mrs. (Speaker, or President), I ask for unanimous consent that further reading of this bill be dispensed with.”

If there is an objection, the sponsor may state a motion to dispense with further reading.

The sponsor has the privilege of opening and closing debate on a bill. After the vote on the bill is taken, and if the vote is favorable, the bill is transmitted to the other House for action. Each bill received by one House from the other House shall be treated in the same way as a bill originating into that House.

In order that bills from both Houses may have prompt consideration, the first bill from the opposite House is placed next after the first three bills, which originated in and are before that House. Subsequent bills are alternated on the calendar.

Bills passed by both Houses will be returned to the presiding officer of the House of origin for transmittal to the Youth Governor.

Debate Procedures

Upon rising, each person who wishes to speak will address the chair as “Mr. Speaker” (in the House) or “Mr. President” (in the Senate.) Questions asked of another member must be addressed through the presiding officer. Permission to question another member of the House must first be granted by the presiding officer.

When debate is ended, the chair will recognize the sponsor(s) of the bill under consideration, after which the sponsor(s) may present their closing arguments. The vote will be taken, a majority being necessary to carry. In case of a tie vote in the Senate, the presiding officer shall cast their vote to break the tie. The Speaker always may vote.

A colleague is always referred to as “the Gentleman” or “the Lady” from _____, or “the Senator” or “the Representative” from _____.

Signature of the Governor

All bills must be submitted in proper form. Follow the form shown in the samples in this manual.

YOUTH SUPREME COURT

The Judicial Component of YMCA Youth Government

The YMCA Youth in Government Youth Supreme Court is conducted at the same time as the legislative sessions. Three statewide officers are elected on a rotation basis each year. These officers are Chief Justice Elect of the Supreme Court, Attorney General, and Clerk of the Supreme Court. One region, on a rotation basis, elects the Attorney General, and all four regions elect an

General. All four regions elect an Appellate Judge who becomes an Associate Justice of the Supreme Court at the State Session in April. Prospective Appellant and Respondent Co-Counsel teams compete in each region to determine which Appellant and Respondent Co-Counsel teams will participate in the State Session.

Duties and Arguments

The primary duty of the Attorney General will be to act as counsel for the elected officials and the Legislature. Topical and important legal questions will be framed for argument before the Supreme Court. Each region will be given one of the problems. Appellants' and Respondants' counsel will argue their respective positions before the Court during the State Session in April. The Attorney General may argue or assign the Deputy Attorneys General to present argument to the Supreme Court in all of these cases.

Elections

Each region shall elect:

1. An Associate Justice
2. An Deputy Attorney General
3. Each region shall select one or more:
 - team of counsel for appellant
 - team of counsel for respondent

Groups may send more than one team to competition. A team of judges will select the co-counsel teams to participate in the State Session.

Rules of Procedure YMCA Youth Supreme Court State of Idaho as Amended

Rule 1. Application and Designation of Rules

These rules shall govern the procedure in the YMCA Youth Supreme Court of the State of Idaho. These rules shall be called the Rules of Procedure (“RP”).

Rule 2. Definitions

As used in these rules unless the context requires otherwise:

- (a) **Party** shall mean appellant, respondent or Attorney General.
- (b) **Chief Justice** shall mean the Chief Justice of the YMCA Youth Supreme Court.
- (c) **The Court** shall mean the YMCA Youth Supreme Court.

Rule 3. Legal Research

Appellate attorneys should not only rely upon legal authorities, but are encouraged to consider the social and philosophical implications of the case. The legal research should focus on cases issued by the U.S. Supreme Court, Federal Courts, the Idaho Supreme Court and the Idaho Court of Appeals.

Rule 4. Condition of Participation

Each party is expected to rely upon their own resources and the materials obtained by independent resources. Parties may contact faculty members, attorneys, or judges for guidance.

Rule 5. Oral Argument

- (a) **Time:** Each party shall give oral argument in the case on the date scheduled by the Court. Oral argument time shall be allocated and shall proceed as follows:
 - (i) Appellant’s Statement - 15 minutes, *minus* any time reserved for rebuttal.
 - (ii) Respondent’s Statement - 15 minutes.
 - (iii) Attorney General’s Amicus Curiae Statement - 10 minutes.
 - (iv) Appellant’s Rebuttal Statement - up to 5 minutes.
- (b) **Division of Argument Time:** Co-counsels may divide the time between them in any manner they choose for oral argument. The Attorney General and the Deputy Attorney General may also divide the time between themselves. The appellate attorneys must submit to the Clerk of the Court a schedule of how argument time is to be divided 10 minutes prior to Oral Argument. The schedule of argument will outline which counsel will be arguing and the time allotted for the argument.
- (c) **Scope of Rebuttal:** During rebuttal, the appellant shall not raise any new issues. The appellant shall be limited to responding to the arguments raised by the respondent and the Attorney

General during their oral arguments. Only one attorney on the Appellant side can deliver the rebuttal argument.

(d) Attorney General: The Attorney General shall appear in person and/or through an Deputy Attorney General.

(e) Schedule of Argument: The parties will be notified prior to arrival in Boise of the scheduled argument time.

Rule 6. Protocol of Court

(a) Court sessions: The YMCA Youth Supreme Court shall conduct each court session as follows:

- (i) Clerk of the Court shall state upon signal from Justices, "All rise for the Court." All persons seated in the courtroom shall stand. Justices shall enter courtroom and shall take their seats on the bench.
- (ii) Clerk of the Court shall then state "Hear Ye, Hear Ye, Hear Ye, The Honorable YMCA Youth Supreme Court of the State of Idaho is now in session. You may be seated." Everyone shall then take their seats.
- (iii) The Chief Justice shall then call the session to order by stating, "This is the time set for the hearing of _____ versus _____, case number _____. Mr./Ms. _____ you represent appellant? Mr./Ms. _____ you represent respondent? Appellant you may proceed." Upon which the first co-counsel for appellant shall approach the podium and begin oral argument. When the appellant's co-counsel have completed their opening arguments, the Chief Justice shall then ask the respondent's co-counsel to present their argument, and after them, the Attorney General. The appellant's co-counsel will then be allowed to present their rebuttal argument. Only one attorney from each side presents the opening argument.
- (iv) After oral argument is completed, the Chief Justice shall state, "The case will be taken under advisement. The Court will recess and an opinion will be rendered Friday morning." The Justices shall leave the courtroom.
- (v) After the recess, the Clerk of the Court shall state upon signal from Justices, "All rise for the Court" and proceed with the next case. All persons seated in the courtroom shall stand. Justices shall enter courtroom and shall take their seats on the bench.

(b) Rendering the Opinion:

- (i) Clerk of the Court shall then state "Hear Ye, Hear Ye, Hear Ye, The Honorable YMCA Youth Supreme Court of the State of Idaho is now in session. You may be seated." Everyone shall then take their seats.
- (ii) The Chief Justice shall then call the session to order by stating, "This is the time set for the rendering of decisions." The Court will then render its decisions.
- (iii) The Chief Justice shall then call the first case by saying, "In the case of _____ versus _____, case number _____" the decision of the Court is for the (appellant or respondent). Justice _____ will read the opinion of the Court."

- (iv) The assigned Justice will then render the majority opinion.
- (v) If there is a dissent, the Chief Justice will say “Justice _____ will now read the dissenting opinion in which _____ justices joined.”
- (vi) After the last item of business has been completed, the Chief Justice shall state, “The Court is adjourned.” The Court will then rise and all others will rise. The Justices shall leave the courtroom, after

Rule 7. Judicial Decisions - General Provisions

The Court will render all of its decisions by the end of Regionals.

- (a) Court Conferences:** The Chief Justice may schedule Court conferences as necessary for the benefit of the Court. The Chief Justice shall chair the conferences. Only Justices shall be allowed in a conference. The purpose of the conference is to discuss the oral argument and reach a decision in the case.
- (b) Voting:** Each Justice shall have one vote. A Justice may either concur or dissent. In case a Justice is unable to participate in hearing a case and a tie decision results, the decision of the lower court shall be deemed affirmed.
- (c) Oral Decisions:** The Court shall render an oral decision. Upon receiving the votes from the Justices, the Court shall convene in session to render the oral opinion. The Court shall choose one justice to deliver the opinion. Any dissenting Justices shall be allowed to render their oral dissent. The dissenting Justices may choose one Justice to deliver the dissenting opinion.
- (d) Judge Recusal:** Judges should recuse themselves from cases involving students from their school or other people they have personal relationships with. If this is not possible, judges should do their best to remain impartial.

Oral Argument

Oral argument gives the appellate attorneys the opportunity to present arguments supporting their client’s position in the case. The term oral argument is misleading, argument usually denotes hostility. Actually, the argument should be more of a conversation in which you explain why the court should rule in your client’s favor. You should remember that you are an advocate for your client not a warrior.

The following guidelines will help in preparing for oral argument.

- A. Respect the Court.** You must have respect for the court and the Justices. When addressing the court, do not think of the justices as enemies, but as friends who are seeking advice.
- B. Personal Manner.** As an appellate attorney you should be respectful and friendly. You must be confident in your knowledge and skill, but remember to refrain from acting hostile or overzealous. The goal is to help the court understand the problem and offer a logical solution. Remember to speak boldly, in a voice loud enough to be heard, but not boisterous and

overbearing. Try to avoid acting nervous or speaking in a monotone. Use hand gestures to emphasize, too many can be extremely distracting.

- C. *Manner and Appearance.*** You should dress appropriately. As an appellate attorney, you should dress professionally and not as you would for going to school. You should not dress in a bizarre or offensive manner, this includes hairstyle. You should be groomed neatly and refrain from wearing anything (such as jewelry) that detracts from this appearance.
1. You should be careful of distracting mannerisms. Be careful not to pace, put hands in pockets, cover the mouth while speaking, or drum the fingers nervously against the table. Avoid using the terms er, ah, well, etc... when pausing to think. These habits detract from the oral presentation.
 2. Remember to be polite, but not submissive. Be diplomatic.
- D. *Mode of Address.*** You should speak respectfully of the justices, opposing counsel and the Attorney General. Justices should be addressed as “Your Honor,” “Judge,” or “Chief Justice.”
- E.** Questions should be answered as “Yes, your Honor” or “No, your Honor.” Never address a justice by Mr. or Ms. You speak respectfully of opposing counsel and should address the opposing counsel as “my Colleagues,” “opposing Counsel,” or by “Mr. _____” or “Ms. _____.” Never speak disrespectfully or sarcastically of opposing counsel. Address your own co-counsel by name or as “my associate.”
- F.** To begin oral argument, counsel should follow the following outline:
1. Walk slowly to the podium and wait for signal to begin.
 2. Address the Court by saying “May it please the Court.”
 3. Address the members of the court: i.e., Mr. Chief Justice, Associate Justices, opposing counsel, and the Attorney General.
 4. Introduce yourself and your co-counsel. Inform the court how you and co-counsel will be dividing your arguments. Then begin your argument.

Essentials of Oral Argument

1. Be thoroughly prepared. Know the important facts and your argument by heart. Although notes are necessary for organization, don’t rely totally on notes or canned statements. Don’t forget to “look up”, “speak up” and “be natural.”
2. Opening statement should be clear and concise. State necessary facts and state the issues.
3. Inform the court of what you want them to do.
4. The argument should be specific and concrete. Be forceful in your presentation. Focus on the issues upon which the appeal turns. Don’t be afraid to admit the weaknesses of your position, but don’t concede your case away.

5. The Justices often ask questions during oral argument to explore the case. The questions usually explore the issues and authorities that apply to the case. Make sure you listen to the questions and carefully answer them, if you don't understand what the Justice is asking, ask them to repeat or rephrase the question. This is the perfect time to emphasize your best arguments and clarify any misconceptions that the Justices may have.
6. Rebuttal is used to clarify points, reinforce your argument and to respond to the argument of opposing counsel. To be effective, rebuttal is to serve a purpose. Don't just argue because you have the time and please make sure you use it towards making specific points.
7. Closing statement should be sharp and emphatic. State the law on your side and remember, **TELL THE COURT WHAT YOU WANT THEM TO DO**. Tell them you want them to affirm or reverse, why and with what law. Don't expect the court to know what you want, be specific in your request.

Following these guidelines should help you be successful in your presentation. Good Luck!

Parliamentary Procedure

Parliamentary Procedure provides a framework within which a group can consider issues and resolve disputes. Rules are created to ensure and balance the rights of various groups within (or affected by the actions of) an organization.

YMCA Youth in Government follows Mason's Rules of Order.

The 10 Basic Principles of Parliamentary Procedure

1. The group must have the authority to take the actions it claims to take.
2. A meeting of the decision-making group must take place.
3. A proper notice of the meeting must be given to all members of the group.
4. A quorum must be present at the meeting.
5. A question must be before the group upon which it can make a decision.
6. An opportunity to debate the question must be allowed.
7. The question must be decided by taking a vote.
8. A majority vote to take an action or decides a question must occur.
9. No fraud, trickery, or deception resulting in injury to any member must occur.
10. To be valid, any action or decision of a body must not violate any applicable law or constitutional provision.

Important Terms

Appeal: apply for a reversal of a decision

Bill: a formal draft of a proposed law presented to the legislature for consideration

Committee: the principle groups through which legislation must pass for scrutiny, debate, and modification

Debate: remarks made on opposite sides of a question. in a more general sense, it includes all discussion on a question before the body, even if all remarks are on one side.

Decorum: proper order, etiquette, and conduct of members

Germaneness: the relevance or appropriateness of amendments or motions to the item under discussion

Journal: official chronological record of the action taken and the proceedings of a legislative body

Majority: a number greater than one-half of the total

Motion: a proposition or request that the body take some action upon a matter

Order of Business: the sequence of business to be considered for each day that a legislative body meets.

Parliamentary Inquiry: a request from a legislator to the presiding officer for information concerning the pending business

Point of Order: requires a body to follow its own rules and to follow established parliamentary procedure

Quorum: number of people whose presence is necessary for business and to make actions legally valid

Reading: a formal procedure that presents a measure before a chamber

Resolution: Expresses the sentiment, intent, or recognition of the legislature

Ruling: decision about a point or order or question about the procedure

Veto: the power vested in a governor to disapprove measures passed by a legislature, or the message that usually is sent to the legislative assembly by the governor, stating the refusal to sign a bill into law and the reasons for the refusal

Vote: the formal expression of the will of or decision by the body. When a vote is taken, generally one side wins and one side loses

10 frequently used motions:

1. Motion to adjourn
2. Motion to amend
3. Motion for a call of the house
4. Motion to lay on the table
5. Motion to postpone
6. Motion for the previous question
7. Motion to recess
8. Motion to reconsider
9. Motion to refer or commit
10. Motion to suspend the rules

Forms

Example - Invitation Letter

This is an invitation to participate in a program that I co-advise here at BHS. For the last 10 years I have participated in the YMCA Youth in Government program. It is a program for high school students

interested in the state legislative experience. Your commitment to this event is fairly minimal but there is a chance to have major participation. The first event will be held on Friday, January 4th at Boise State University. This will be an excused absence. At this regional event we will be electing students for statewide offices. Please see the attached form if you are interested in running for any of these positions. You have been invited because of your academic performance in my class, perceived interest in the legislative process, or from a nomination from another teacher. If you have received this invitation I would love for you to participate. I will be hosting an information meeting on **Thursday, December 7th at lunch in room 229**. I know that this is during your lunch time, but I ask that you give me 15 minutes to explain in more detail this great opportunity. It is a national program that can be put on your resume.

Again, please consider this invitation. You may stop by before school, break, or at lunch if you have questions. Please complete the form below and return it to your instructor. Attached is a list of the positions you may run for at the regional Conference.

Thanks for your time and interest,

Mrs. Rue

_____ **Yes**, I am very interested in attending and I will be at the meeting on the 7th!

_____ **No**, I am not interested but thanks for the invitation

_____ **Maybe**, I am very interested but want more information. I will be at the meeting to find out more!

_____ **Yes**, Not only do I want to go, I want to run for an elected position. I have checked the ones that I am interested in.

_____ House Floor Leader

_____ Appellate Judge

____ Secretary of State

____ Editor in Chief

____ Deputy Attorney General

____ Moot Court

____ Lobbyist (makes alliances and vote deals with other schools at Regionals!)

Example - Info Sheet

Computer

You will need access to a laptop or other computer with working mic and video. A tablet or phone may be used as long as you can hear and see when logging into Zoom.

Dress:

Required dress is business casual. If you are running for an elected position you may want to wear something a bit more professional. Moot Court competitors and Parliamentarian candidates must be in professional attire!

Where:

Location determined by Delegation Advisor. Room/Area in School, At Home (If Advisor allows) District Offices, Local Community College or University, etc. *This will depend on your local District rules on event spaces.*

What to Bring:

Bring something to write with, a notebook, snacks and water (if allowed).

What to Expect:

You will be listening to some guest speakers, participating in workshops about various topics, and you will be voting for our statewide Conference officers. The workshops provided will help students best prepare for their participation during the State Conference in April. This is an interactive learning experience where students are to be actively engaged throughout the entire process. Remember this is the State Government; all the things that we are discussing and preparing for relate to us here in Idaho. Have fun, learn something, and meet some new people. Those of you attending in the spring will want to remember some of these people. *Loss of participation can occur if there are any individual participants or schools demonstrating inappropriate behavior and/or not following the appropriate guidelines.*

Example - YMCA Youth in Government

Below is a description of YMCA Youth in Government. This is a great opportunity to see the State Legislative and Judicial Branches up close. You will be the representatives, secretaries, lobbyists, and others. The time commitment, costs and descriptions are included. If you have any questions stop by Mrs. Rue's or Ms. Maywhoor's room for further questions.

Regional YMCA Youth in Government:

School Activity Excuse Absence-Half Day

Boise State Student Union Building

Cost: TBD (for registration)

Dress Casual Nice

Bring snacks & water (if allowed)

Regional Conference prepares you for State Conference. For the Regional Conference we spend a day down at Boise State listening to guest speakers, going to seminars of your choice, and meeting delegates from other schools in our region (Oakley, Centennial, Grangeville, Caldwell, etc.) The most important job at regionals is to elect the officers for State Conference. The bigger the delegation we have the better chance of getting someone from our school elected. You make alliances and agreements with students from other schools. At the end of the day we host the elections and hopefully we will have a representative from BHS! Again, the more people we have got the better our chances are of getting someone elected! Spread the word! You can just go to Regionals and not run for office. If you just want to hear the speakers and go to the seminars you are more than welcome to attend. **You do not have to run for office to go to Regionals! You do not have to go to State to go to Regionals!**

Offices you can run for:

House Floor Leader: A leader on the House of Representatives side. Will serve as 1 of our Representatives at State Conference debating and speaking on bills. Also participates in agenda setting and the opening and closing ceremonies. Must be able to attend all of the State Conference in April. A fun job and a great experience if you love to debate and speak your opinion.

Secretary of State: This is considered an Executive Branch member. You will be in charge of keeping track of all of the bills at State. You will work closely with the Speaker and President of the Senate and transfer bills back and forth between the chambers. You must be able to attend all of the State Conference in April. Another fun job and great experience.

Appellate Judge: This job will require you and give you the opportunity to hear the students arguing cases from Moot Court. They have a case and you will get to decide the opinion of the court. You will be working with other appellate judges and deciding as a group. If you are interested in courts, debate, or law you would be a great candidate to try this out! You must be able to attend all of State Conference in April.

Moot Court: You will receive a case that you will have to prepare an argument for and against. At the regional Conference you will skip the seminars and speakers and argue your case in front of a panel. You are in a team of 2 and you work together. The panel then decides which side argued a better case. Sometimes you argue for or sometimes you argue against. Those of you familiar with debate it is very similar. If you make it through all the rounds you move on to the State Conference and argue before the judges at the Idaho Supreme Court Building. If you advance you must be able to attend all of the State Conference in April. (See Mrs. Rue ASAP if you are interested)

Editor in Chief: During State Conference you will need to put together at least one digital newspaper. You will be in charge of the production, 4 press staff department editors and various reporters. Someone not afraid to take charge with newspaper experience should apply. You must be able to attend all of State Conference in April.

State YMCA Youth in Government: April 21 and 22nd (12pm-4pm)

Dress Professionally

Location State Capital Building

Cost: **TBD** (Scholarships/Financial Assistance and fundraising opportunities are available) (This amount will vary depending on whether you need to pay for transportation and lodging)

YMCA Youth in Government State Conference is a blast! This is where we get to put all of our time and efforts into seeing the Legislative, Judicial and Executive process come to life. Students from all over the state will gather on Zoom these 2 days to simulate state government. As a delegation we will write at least 2 of our own bills and try to get them through committee and either a House or Senate Session. We will have lobbyists and press reporters running around trying to make things happen for BHS. In order to attend the State Conference you must have attended the regional Conference and be able to commit to both days. It will be Thursday and Friday from 12-4pm. Everyone who attends State Conference will have role to fulfill. There will be approximately 4-5 lunch meetings from January until April.

Remember: We need a large delegation at the Regional Conference to get someone elected! Encourage your friends!

Example - Bill

2020 YMCA Idaho Youth In Government State Conference

Committee: Transportation and Defense Action: _____

House Action: _____ Senate Action: _____

Governor's Action: _____

In the House

Bill Number: HB2014-07

By: Caldwell High School

1

AN ACT

2 RELATING TO DRIVING RESTRICTIONS FOR YOUNG DRIVERS.

3 Be It Enacted by the Idaho YMCA Youth in Government Legislature:

4 SECTION 1. Persons under the age of seventeen shall be restricted from driving with

5 more than two passengers in the car under the age of 21.

6 SECTION 2. This restriction applies to all circumstances except when the young driver

7 is accompanied by his/her parent/guardian.

8 SECTION 3. Once a driver reaches the age of seventeen, he/she is entitled to all the

9 rights and privileges of an adult driver.

STATEMENT OF PURPOSE

The purpose of this bill is to promote responsible driving among young drivers and to provide young drivers with ample time to gain experience and maturity without the myriad of distractions that accompany driving with a car load of passengers.

FISCAL NOTE

None

Example - Case

**IN THE YMCA YOUTH SUPREME COURT
OF THE STATE OF YMCA**

STATE OF YMCA,)	
)	
Respondent.)	
)	
vs.)	YMCA Case No. 2003-03
)	
VINCENT CHASE,)	
)	
Appellant,)	
)	

Appeal from the District Court of the Fifteenth Judicial District of the State of YMCA, in and for the County of Screech. Honorable Cool H. Luke, District Judge.

FACTS

In 2001, the State of YMCA passed the following legislation concerning driving under the influence:

Section 18-8005A. Additional Penalty. Any person who pleads guilty or is found guilty of driving under the influence of alcohol, and who has pled guilty or was found guilty of two (2) previous violations of driving under the influence of alcohol within the previous ten (10) years, shall be guilty of a felony and shall be

sentenced to period of confinement in the state penitentiary for not less than two (2) years and not more than imprisonment for life.

Vincent Chase (“Chase”) is 22 years old. He was recently found guilty of a violating Section 18-8005A for having a second DUI conviction in ten (10) years. Upon being convicted, the trial judge sentenced Chase to life in prison, with the possibility of parole after eighteen (18) years (Chase will be 40 years old). Chase appeals the conviction and the sentence.

PRIOR PROCEEDING

Chase was first arrested for driving under the influence on the night of his high school graduation, May 27, 1998, three (3) years before § 18-8005A was enacted into law. At the time, he was 17 years old. Chase's parents could not afford a lawyer and he pled guilty to the DUI charge, based upon his parents' advice. His parents are not lawyers. Unknown to Chase or his parents was the fact that there were issues concerning the method in which the blood alcohol level test that was administered to Chase. Any competent lawyer would have recognized the error and argued to the court that the blood alcohol test results were not admissible in court. Because there was no other evidence against Chase, in all likelihood, the DUI charge would have been dismissed against Chase. He also pled guilty because Chase had no previous violations of the law of any kind and was told he would only be sentenced to community service. Chase was in fact sentenced to one hundred (100) hours of community service, which he completed.

Chase then went to college and pledged a fraternity. During a fraternity party in his last year of college, Chase got drunk and drove a vehicle to purchase more alcohol. He was obviously intoxicated and was slurring his speech. His blood alcohol level tested at three times the legal limit. Before being arrested, he almost hit a pedestrian and clipped a parked car, but caused little damage. The pedestrian was not hurt. Chase was arrested for driving under the influence. At the time he was arrested, he yelled obscenities at the police officers and vomited in the back of the police car. This time he hired Johnny Lawyer, the best criminal lawyer in YMCA, and fought the charges. He was convicted by a jury. The judge, under § 18-8005A, sentenced him to life in prison with the possibility of parole in 18 years.

The court cited *State v. Toohill*, 103 Idaho 565, 650 P.2d 710 (Ct. App. 1982), and determined that the goals of protecting society, deterrence, rehabilitation and retribution required the stiff sentence. The court also stated that DUI-related accidents and deaths had gone up in YMCA by forty-two percent (42%) in the last year which also justified the sentence. The district court further noted that *State v. Hooper*, 119 Idaho 606, 809 P.2d 467 (1991), also supported the decision. The judge also made reference in his decision that Chase was a very unpleasant person, talked back to his elders, wore a nose ring, and needed to think about the decisions he had made.

ISSUES RAISED ON APPEAL

1. Was the sentence of life imprisonment an abuse of the judge's discretion?
2. Is the sentence of life imprisonment excessive?