

PARLIAMENTARY PROCEDURES

MEETING TIPS AND MYTHS

Shane D. Dunbar, MEd, PRP, PAP
Professional Registered Parliamentarian, and
Professional Accredited Parliamentarian
dunbar@northwest.net.

Copyright 2005-2006. Used by permission of the author,
Paul McClintock, PRP, CP, (www.paulmcclintock.com)

Presented as a public service by the
Point of Order Parliamentary Law Unit (www.PointOfOrder.org)
which periodically offers free public workshops on parliamentary procedure
in Seattle, Washington; see (www.workshop.pointoforder.org),

Meeting Tips and Myths are based on the cited references; the rules, bylaws and/or statutes governing your organization may supersede the rules described herein.

CONTENTS

Meeting Tip 1 -- Unanimous Consent
Meeting Tip 2 -- Agendas
Meeting Tip 3 -- Bending Bylaws
Meeting Tip 4 -- Handling Urgent Business
Meeting Tip 5 -- Perfecting Proposals
Meeting Tip 6 -- Undoing Done Deals
Meeting Tip 7 -- Minutes Matter
Meeting Tip 8 -- Resolving Ambiguous or Conflicting Rules
Meeting Tip 9 -- Medicine for Meandering Meetings
Meeting Tip 10 -- Voting Vexations
Meeting Tip 11 -- Quorum Questions
Meeting Tip 12 -- Small Boards and Committees
Meeting Tip 13 -- What to Bring to Meetings
Meeting Tip 14 -- Postponing a Motion
Meeting Tip 15 -- Member's Rights
Meeting Tip 16 -- Deterring Disorderly Discussion
Meeting Tip 17 -- Format of a Resolution
Meeting Tip 18 -- Role of the Parliamentarian
Meeting Tip 19 -- When In Doubt, Ask
Meeting Tip 20 -- When Robert's Rules Don't Matter
Meeting Tip 21 -- Preferential Voting
Meeting Tip 22 -- Efficient Meetings
Meeting Tip 23 -- Nominating No Nos
Meeting Tip 24 -- Five Fatal Fumbles
Meeting Tip 25 -- Debate, Discuss, Deliberate
Meeting Tip 26 -- Gavels
Meeting Tip 27 -- Previous Notice
Meeting Tip 28 -- Tellers
Meeting Tip 29 -- Voting by Mail
Meeting Tip 30 -- Drafting Motions
Meeting Tip 31-- When Two-Thirds Vote is Needed
Meeting Tip 32--Charitable Chairing
Meeting Tip 33--Sample Meeting Script
Meeting Tip 34--Disciplinary Procedures
Meeting Tip 35--Update Your Bylaws
Meeting Tip 36--Making Decisions When You Can't Meet In Person
Meeting Tip 37--When You Can't Vote

Meeting Tip 1--Unanimous Consent

When the chair expects no opposition to a motion, time can often be saved by the procedure of *unanimous consent*. Also called *general consent*, the procedure is as follows. The chair states, "If there is no objection..." or "Without objection..." and the action that is proposed. After pausing, if no member says, "I object," the chair continues with, "Since there is no objection..." and states the action that will be taken. If any member objects, the motion must be formally processed (see note below). -- See *Robert's Rules of Order Newly Revised*, 10th edition, pages 51-52.

(Note: The standard steps in processing a motion are: a member makes a motion, another member seconds it, the chair states the motion, the members debate the motion, the chair puts the motion to a vote, the chair announces the vote result. -- See *Robert's Rules of Order Newly Revised*, 10th edition, pages 40-48.)

Meeting Myth: A motion adopted by the required vote but which lacked a second is null and void.

Fact: "After debate has begun or, if there is no debate, after any member has voted, the lack of a second has become immaterial and it is too late to make a point of order that the motion has not been seconded." -- *Robert's Rules of Order Newly Revised*, 10th edition, page 35.

Meeting Tip 2--Agendas

The president or secretary should prepare a detailed agenda in advance of each meeting. The standard order of business (minutes read and approved; reports of officers and standing committees; reports of special committees; special orders; unfinished business and general orders; new business) can be expanded to list specific officers and committee chairmen who are prepared to give a report, and individual items of business under special orders and unfinished business / general orders. Some presiding officers prefer to have the detailed agenda expanded further into a script, with the wording they need to use to open a meeting, introduce each category and item of business, to process uncontroversial business, and to adjourn the meeting. -- See *Robert's Rules of Order Newly Revised*, 10th edition, pages 340-363 (order of business; agenda), and *Robert's Rules of Order Newly Revised in Brief*, pages 16-17 (agenda) and 193 (script).

Meeting Myth: The chair should always ask for unfinished business.

Fact: "The chair should not announce the heading of *Unfinished Business* and *General Orders* unless the minutes show that there is some business to come up under it. In the latter case, he should have all such subjects listed in correct sequence in a memorandum prepared in advance of the meeting. **He should not ask, 'Is there any unfinished business?'** but should state the question on the first item of business that is due to come up under this heading; and when it has been disposed of, he should proceed through the remaining subjects in proper order." -- *Robert's Rules of Order Newly Revised*, 10th edition, p. 347-348.

Meeting Tip 3--Bending Bylaws

Ever find yourself at a meeting, wanting to do something that you discover the bylaws don't allow? There are

four ways around constraining bylaws. First, amend them. Check the bylaw article on amendments. Some organizations have, in addition to a “normal” requirement with notice (e.g., a two-thirds vote with previous notice), an “emergency” provision for amendments without notice (e.g., a four-fifths or nine-tenths vote). Such emergency provisions are especially helpful for groups that meet infrequently, such as annually.

Second, if the bylaw roadblock is “in the nature of a rule of order” and *Robert’s Rules of Order Newly Revised* (RONR) is your parliamentary authority, you can suspend the rule in the bylaw (RONR p.12). Suspending the rules requires a two-thirds vote (p.253). Rules of order “relate to the orderly transaction of business in meetings and to the duties of officers in that connection”(p.15).

Third, a bylaw provision may provide for its own suspension (RONR p.12). Fourth, urgent matters may sometimes be acted on when not done according to the rules, and then ratified later when the rules can be fully complied with (RONR p.119). (But there is always a gamble that the ratification will fail.)

Meeting Myth: You can “suspend the rules” for a quorum, or for meeting notice requirements.

Fact: “Rules protecting absentees or a basic right of the individual member cannot be suspended, even by unanimous consent or an actual unanimous vote. For example, the rules requiring the presence of a quorum and previous notice of a proposed amendment to the bylaws protect absentees, and suspension of these rules would violate their rights.” -- *Robert’s Rules of Order Newly Revised*, 10th edition, page 255.

Meeting Tip 4--Handling Urgent Business

When a situation arises needing a decision before the next regular meeting, a special meeting could be called, an executive board might decide, or an officer might take unauthorized action and seek ratification of it at the next meeting. A special meeting can be called only if and as the bylaws provide (*Robert’s Rules of Order Newly Revised*, p.89). When a special meeting would be impractical, the bylaws may provide for an executive board (p.464) or an executive committee (p.468) to act for the full organization. An officer may take emergency unauthorized action, but risks personal liability if the action is not ratified (p.119).

Meeting Myth: An executive board can never change a decision of the full assembly.

Fact: Even though “no action of the board can conflict with any action taken by the assembly of the society,” if the assembly selected a hotel for a convention, for example, and later the site became unavailable (e.g., fire), the original decision is circumstantially null and void, so a board selection of a new site would not be in conflict. See *Robert’s Rules of Order Newly Revised*, 10th edition, page 466.

Meeting Tip 5--Perfecting Proposals

Once a motion (proposed action) has been made and seconded, it is stated by the chair, and then it is open to debate and amendment (perfecting). You can amend by striking, inserting, or both (*Robert’s Rules of Order Newly Revised* (RONR), p.129). E.g., a motion “to buy two oak desks” could be amended (a) by striking “oak”; (b) by inserting “used” before “oak”; or (c) by striking “two” and inserting “three.” (If strike-and-insert involves a paragraph or more (e.g., the entire motion), you move to “substitute” the new text for the original.) RONR uses “strike out” but accepts the use of “strike”; “delete” is not preferred (p.129 footnote). You may even want

to amend a motion you dislike and will vote against, so that if it is adopted it won't be as bad as originally proposed. Amendments are adopted by a majority vote, even if the main motion requires two-thirds. See RONR p.125-160, or *Robert's Rules of Order Newly Revised in Brief*, p.38-51.

Meeting Myth: If an amendment is "friendly," you need only to have the maker of the original motion agree to it.

Fact: "Once a motion has been stated by the chair, it is no longer the property of the mover, but of the assembly. Any amendment, 'friendly' or otherwise, must be adopted by the full body, either by a vote or by unanimous consent." -- *Robert's Rules of Order Newly Revised in Brief*, p.116.

Meeting Tip 6--Undoing Done Deals

Once a motion has been adopted, it may still be possible to change the decision. At the same meeting where the motion was adopted, a member who voted for the motion can move to "reconsider" it; any member can second the motion to reconsider; and a majority vote can adopt it. This brings the original motion back to its debate stage, where it is open to amendment and a new vote. To undo or change a decision at the same or a later meeting, anyone can move to "rescind" the motion (to totally annul it), or to "amend the motion previously adopted"; it takes the lesser of a two-thirds vote or a majority of the entire membership (or if at a later meeting and notice of intent to make the rescind/amend motion is given at the previous meeting or in the call to the meeting, it takes only a majority vote). Vote requirements differ from the above for bylaws, procedural rules, and in committees. -- *Robert's Rules of Order Newly Revised* (RONR), p.304f, 293f.

(See RONR for the timing rules for "reconsider" for multiple meetings per day and for a series of meetings on different days with a single order of business, such as at a convention.)

Meeting Myth: You can only reconsider an adopted motion.

Fact: At the same meeting, a member who voted against a motion that failed adoption can move that it be reconsidered. At a later meeting (session), anyone can move the originally defeated motion as if it had never been moved. -- *Robert's Rules of Order Newly Revised*, p.304, 86.

Meeting Tip 7--Minutes Matter

Minutes are the official record of decisions made by an organization, and may be needed in court, or to change signatories on a bank account. Minutes should record what was done, rather than what was said. The heading and/or first paragraph should contain the name of the organization, the date, time, type (regular, special, annual), and place of the meeting. It should also include who presided and who served as secretary, and what minutes were approved.

A separate paragraph is needed for each main motion, including the maker's name, the exact wording of the motion as adopted or voted on, and its disposition (e.g., adopted, lost, referred to a committee, tabled). If more than a majority vote was required, the minutes should reflect this (e.g., "adopted by two-thirds" or "motion lost, not obtaining two-thirds"). Counts for counted and ballot votes are recorded, as are the names for and against when there is a roll call vote. The name of the member seconding a motion is not normally recorded.

Notices for business to come up at the next meeting, and the president's announced committee appointees are included in the minutes. Officer and committee reports are mentioned as given but not summarized; but a motion made on a report's recommendation is recorded. The time of adjournment is recorded, and the secretary signs the minutes. See *Robert's Rules of Order Newly Revised*, p.451f.

Meeting Myth: Secondary motions (e.g., amend) are recorded in minutes.

Fact: Secondary motions are not generally recorded in minutes; only the main motion as finally adopted or lost (after possible amendment) is recorded. However, a motion with a pending amendment might be postponed to the next meeting or referred to a committee, and in such cases the minutes need to record the adhering secondary motion(s) for clarity. -- See *Robert's Rules of Order Newly Revised*, p.453.

Meeting Tip 8--Resolving Ambiguous or Conflicting Rules

Robert's Rules of Order Newly Revised (RONR, 10th edition) gives these useful principles of interpretation for rules ("rules" include bylaws) on pages 570-573:

1. Each organization decides for itself the meaning of its ambiguous rules.
2. When a rule could have two meanings, only one of which conflicts with or makes absurd another rule, then the alternate meaning is the true one.
3. Specific rules supersede general rules.
4. When specific things are authorized by rule, other things of the same class are thereby prohibited.
5. A rule granting a privilege implicitly also grants a part of the privilege, but disallows a greater privilege.
6. Rules establishing limits preclude things beyond the limits and permit things less than the limits.
7. A rule giving a definite penalty for a specific offense prohibits a greater or lesser penalty.
8. A rule using a general term applies also to a specific class that is wholly included in the general class.

Higher ranking rules supersede conflicting lower ranking rules. From highest to lowest rank, rules may be in national, state or local law, or in a parent organization's rules, corporate charter (e.g. articles of incorporation), constitution, bylaws, special rules of order, parliamentary authority (e.g., RONR), standing rules, and established custom (RONR p. 10-18).

A new rule conflicting with an old rule of the same rank supersedes the old rule if the new rule is adopted by the vote required to rescind or amend the old rule (RONR p. 332, 1.19-24).

Meeting Myth: An organization should have both a constitution and bylaws.

Fact: "Unless the constitution is made more difficult to amend than the bylaws, however, no purpose is served by separating these two sets of rules" (*Robert's Rules of Order Newly Revised*, p. 13). "...[T]here are decided advantages in keeping all of the provisions relating to each subject under one heading within a single instrument--which results in fewer problems of duplication or inconsistency, and gives a more understandable and workable body of rules" (RONR, p. 14).

Meeting Tip 9--Medicine for Meandering Meetings

Many meetings meander with irrelevant debate on motions, discussion before motions are pending, or a presiding officer not knowing what business will come up next. The chair can interrupt a member speaking in debate if the speech is not germane (relevant), or, after the speech, can remind members to keep their debate germane. If the chair does not do this, any member can say, "Point of order. Is this germane to the pending motion?" -- *Robert's Rules of Order Newly Revised*, p.371-372.

Sometimes members discuss an issue before a motion has been made, often in response to an officer's or committee's report. The chair can remind the assembly that a motion needs to be made before debate occurs (p.373), or a member could move to refer the issue to a committee to consider it and report back with a recommendation (p.161).

To properly prepare for a meeting the chair or secretary should ask each officer and committee chairman if they have a report to make and what recommendations or motions they will make. The chair should prepare a detailed agenda at least for personal use, listing each item of business known in advance (p.342). The chair only calls for reports from those who have them to give (p.344), and does not announce classes of business such as unfinished business if there is none (but "new business" is always announced). Use "MRS SUN" to recall the standard order of business: Minutes read and approved; Reports of officers and standing committees; Special committees' reports; Special orders; Unfinished business and general orders; New business (p.342).

Meeting Myth: Discussion is never allowed on an issue before a motion is pending.

Fact: In general, "Until a matter has been brought before the assembly in the form of a motion proposing a specific action, it cannot be debated" (*Robert's Rules of Order Newly Revised*, p.373). But, in a board or committee meeting where there are not more than about a dozen members present, "informal discussion of a subject is permitted while no motion is pending" (p.470), and even larger assemblies may specifically authorize "that a particular subject be discussed while no motion is pending" (p.33). This practice also "may assist a member in framing a proper motion" (p.383).

Meeting Tip 10--Voting Vexations

Vexed over voting requirements? Normally a majority vote suffices to adopt a motion or elect an officer [1], but some motions (e.g., "previous question" to end debate) need two-thirds of those voting [2]. A two-thirds vote and previous notice is often required for amending bylaws [3]. Also, nonprofit corporation law may require a majority vote of those present [4]. And for more flexibility, Rescinding or Amending Something Previously Adopted takes two-thirds, or a majority of the membership, or a majority with previous notice, whichever is easiest to obtain (previous notice is given at the previous meeting or in the call to the present meeting) [5].

Avoid two common erroneous definitions of "majority," illustrated by computing a majority of 51: "more than half" is 26 (a majority); "50% plus one" is $25.5 + 1 = 26.5$, which requires 27; "51%" is 26.01, which requires 27. A majority is more than half of some amount, such as, of those voting, or of those present, or of the membership. Unless otherwise stated, it is of those voting; blank ballots and abstentions are excluded [6].

Notes: [1] *Robert's Rules of Order Newly Revised*, 10th ed. (RONR), p. 387. [2] RONR tinted p. 46. [3] RONR p. 573. [4] RONR p. 390. [5] RONR p. 295. [6] RONR p. 387.

Meeting Myth: The chair votes only in case of a tie.

Fact: The chair of a small board or committee can always vote (those with about a dozen or fewer in attendance). The chair of larger assemblies can vote on any ballot vote, and whenever his vote would affect the outcome. This latter condition includes voting to make a tie to defeat a motion, voting to break a tie to adopt a motion, and voting to raise a vote to two-thirds or lower it below two-thirds when two-thirds is required. See RONR p. 51, 392, 393.

Meeting Tip 11--Quorum Questions

A quorum is the minimum number of members with voting rights who must be present at a meeting before business can be legally transacted. For a group without a determinable membership, the quorum is those attending the meeting. For a convention of delegates, the quorum is a majority of those registered as attending, and for all other bodies, a quorum is a majority of the membership of the body, except as bylaws or superior rules provide otherwise. Bylaws typically specify a quorum for meetings of the organization, for the board, and for committees. The quorum is usually specified as either a percentage of the membership, or a fixed number, e.g., "The quorum for membership meetings shall be 10 percent" or "...shall be 20 members." "The quorum should be as large a number of members as can reasonably be depended on to be present at any meeting, except in very bad weather or other exceptionally unfavorable conditions" -- *Robert's Rules of Order Newly Revised*, 10th ed. (RONR), p. 335.

Corporate law often has quorum constraints; e.g., Washington state nonprofit corporation law allows bylaws to set the quorum for a board at one third or more, and sets the quorum at a majority if the bylaws and articles of incorporation have no board quorum rule (RCW 24.03.110).

Meeting Myth: If you don't have a quorum at a meeting, you can't vote on anything but a motion to adjourn.

Fact: "The only action that can legally be taken in the absence of a quorum is to [set the time and place for another meeting], adjourn, recess, or take measures to obtain a quorum" (RONR, p. 336). Emergency action taken in the absence of a quorum must be ratified by a meeting with a quorum in order to be valid (RONR, p. 119).

Meeting Tip 12 --Small Boards and Committees

Boards and committees with about 12 or fewer present follow laxer rules than for larger assemblies (as taken directly from *Robert's Rules of Order Newly Revised* (RONR), 10th edition, p. 470-471; also see p. 483):

1. Members are not required to obtain the floor before making motions or speaking, which they can do while seated.
2. Motions need not be seconded.
3. There is no limit to the number of times a member can speak to a question, and motions to close or limit debate generally should not be entertained.
4. Informal discussion of a subject is permitted while no motion is pending.
5. Sometimes, when a proposal is perfectly clear to all present, a vote can be taken without a motion's having been introduced. Unless agreed to by unanimous consent, however, all proposed actions of a board [or committee] must be approved by vote under the same rules as in other assemblies, except that a vote can be taken initially by a show of hands, which is often a better method in such meetings.

6. The chairman need not rise while putting questions to vote.

The chairman can speak in discussion without rising or leaving the chair; and, subject to rule or custom within the particular board [or committee] (which should be uniformly followed regardless of how many members are present), he usually can make motions and usually votes on all questions.

Meeting Myth: Ex officio members of boards and committees cannot vote.

Fact: Ex officio members of boards and committees have all the privileges of membership, including the right to make motions and to vote, as other members (RONR p. 466, 480). "Ex officio" means by virtue of holding an office. E.g., if the bylaws provide that the treasurer is a member of the finance committee, he holds that membership ex officio, by virtue of his office.

Meeting Tip 13 --What to Bring to Meetings

What should the president, secretary, treasurer, head teller and member bring to a meeting or convention? Each well-prepared member (especially the presiding officer and secretary) should have the advance meeting information (e.g., meeting call with time and place, notices (regarding elections, nominees, bylaw amendments, other motions) and proposed agenda), bylaws and other rules governing the organization, including the parliamentary authority (e.g., the current edition of Robert's Rules of Order Newly Revised (RONR)), and note paper with pen. A membership card or photo ID may be needed, too.

The head teller may need to bring pre-printed ballots, blank paper for unanticipated balloting, pens, ballot box and calculator.

The treasurer should bring a report of the current funds on hand, the amount on hand at the last report, how much income and how much expense occurred in the interim, the amount of any pending obligations and the specifics of any bills needing vote approval before paying. Copies of this report are often provided to the presiding officer and secretary, and sometimes to all members. The treasurer may also need to know at meetings how much money remains available in each budget category, and what the annual budget is for each line item.

The secretary should have the above-listed items for members, the minutes of recent meetings (especially those needing approval), a roster of all members, a detailed agenda with all anticipated motions, and paper or laptop for taking minutes. Some secretaries bring a tape recorder, extension cord, extra tapes and batteries.

The presiding officer should have the above-listed items for members, a membership roster of all standing and special committees, a detailed agenda ("complete order of business listing all known matters that are to come up, shown in proper sequence under the correct headings - or with their scheduled times - as applicable"-- RONR p. 435) or script, a notepad, and a gavel if customary.

Meeting Myth: A transcript of a tape recording of a meeting can be used for the minutes.

Fact: The use by the secretary of a tape recorder can be of great benefit in preparing the minutes, but a transcription of it should never be used as the minutes themselves" (RONR p. 444).

Meeting Tip 14--Postponing a Motion

When a main motion is immediately pending (on the floor), action on it may be delayed in several ways. It may

be postponed indefinitely, referred to a committee, postponed to a certain time, or laid on the table. Postponing it indefinitely has the same effect as killing it outright; either way, it may be made again as a new motion at any later session. It can also be postponed to a certain time (e.g., "until 8 p.m." or "until next month's meeting").

If something arises needing immediate attention, a pending motion can be laid on the table, but this requires a majority vote to later take it from the table to resume consideration of it.

A pending motion may also be referred to a committee, even a committee with only one member, so the committee can research its ramifications and report back a recommendation. The committee could be an existing standing committee, or a special committee created by the referring motion to consider this one item. To discharge the committee from further consideration of the matter so that the assembly can resume consideration before the committee reports on it, a two-thirds vote, or a majority vote with previous notice, or a majority vote of the entire membership, is required.

A pending motion could also be delayed by a special order of business interrupting its consideration, or a decision to adjourn the meeting before voting on the motion.

Meeting Myth: If you don't like a motion you can simply move to lay it on the table to kill it.

Fact: "The motion to Lay on the Table is often incorrectly used and wrongly admitted as in order with the intention of either killing an embarrassing question without a direct vote, or of suppressing a question without debate. The first of these two uses is unsafe if there is any contest on the issue; the second is in violation of a basic principle of general parliamentary law that only a two-thirds vote can rightfully suppress a main question without allowing free debate." *Robert's Rules of Order Newly Revised*, 10th edition, p. 208.

Meeting Tip 15--Members' Rights

Members have a right to receive notice of meetings, attend meetings, make/debate motions, vote, and to run for office, except as otherwise provided in the bylaws or special rules (*Robert's Rules of Order Newly Revised (RONR)*, 10th ed., p.3, 5, 431, 255). Errant members can be disciplined and have their rights suspended temporarily by majority vote, or be expelled by a two-thirds vote, but they have a right to defend themselves against the charges against them (RONR p.628). The rights of all members to further debate can be curtailed by a two-thirds vote to close debate.

Meeting Myth 1: Only members have the right to serve as officers.

Fact: "In most societies it is usual to elect the officers from among the members; but in all except secret societies, unless the bylaws or an established practice provide otherwise, it is possible for an organization to choose its officers from outside its membership" (RONR p.431).

Meeting Myth 2: Ex officio members do not have the right to vote.

Fact: Someone whose membership on a board or committee is by virtue of holding a specific office is an ex officio member. E.g., the treasurer may be an ex officio member of the finance committee, and the local chapter presidents may be ex officio members of the state board. All ex officio members have the right to attend meetings, make motions, debate and vote, just as any other member, except of course as the bylaws otherwise provide. See RONR p.466-467 and 480.

Meeting Tip 16--Deterring Disorderly Discussion

When a motion is pending and members tell others what they like or dislike about the motion, trying to talk others into voting a certain way, then members are "debating" the motion. The chair should know which motions are not debatable and disallow debate in such cases; see Robert's Rules of Order Newly Revised (RONR), 10th edition, tinted pages 44-45 (just before the index). Even when debate is properly allowed, it can deteriorate into disorder, e.g., when members begin to speak directly to each other, don't wait to be recognized by the chair before speaking, shout, make threats or accusations, etc.

RONR requires "decorum" in debate. "Debate must be confined to the merits of the pending question. Speakers must address their remarks to the chair, maintain a courteous tone, and--especially in reference to any divergence of opinion--should avoid injecting a personal note into debate. To this end, they must never attack or make any allusion to the motives of members. ...[S]peakers should refer to officers only by title and should avoid the mention of other members' names as much as possible." -- RONR p.41-42. "Except in small boards and committees, the presiding officer should not enter into discussion of the merits of pending questions (unless, in rare instances, he leaves the chair until the pending business has been disposed of...)." -- RONR p.42. See p.379-380 for elaboration.

Myth: The chair raps the gavel several times loudly when there is a breach in decorum.

Fact: "If a member commits only a slight breach of order--such as addressing another member instead of the chair in debate, or, in a single instance, failing to confine his remarks to the merits of the pending question--the chair simply raps lightly, points out the fault, and advises the member to avoid it. The member can then continue speaking if he commits no further breaches." -- RONR p.626.

Meeting Tip 17--Format of a Resolution

Most motions are in a simple format, such as, "I move that we buy a new computer for the secretary." The resolution format is often used for more complex motions or when more formality is desired: "I move the adoption of the following resolution...." The following example is a standard format that should provide some guidance.

Whereas, The secretary's current computer has crashed eight times this month;
Whereas, This computer is used to prepare our minutes, agendas, newsletters, membership manual and reports;
and
Whereas, The cost of repair is almost as much as the cost of replacement; therefore, be it
Resolved, That the president appoint a committee of three to purchase a replacement computer for the secretary;
Resolved, That the committee complete this task within three weeks; and
Resolved, That the secretary be an advisory member of the committee.

Each Whereas and Resolved clause is a separate paragraph, with the first two words of each paragraph capitalized, with a period only after the last paragraph, and with semicolons ending all other paragraphs (except that the next to last Whereas and Resolved clauses add "and" after the semicolon, and the last Whereas clause may add "therefore, be it"). Each Whereas and Resolved word is followed by a comma, and each Resolved is italicized. The preamble (Whereas clauses) is optional.

Meeting Myth:

Any part of the resolution may be amended at any time during debate.

Fact: "In the consideration of a resolution having a preamble, the preamble is always amended last, since changes in the resolving clauses may require changes in the preamble" (*Robert's Rules of Order Newly Revised*, p.103).

Meeting Tip 18--Role of the Parliamentarian

The parliamentarian is an advisor on the rules, and as such, should be knowledgeable about all the relevant rules affecting the organization, not just their parliamentary authority (such as *Robert's Rules of Order Newly Revised*, RONR). This includes the rules adopted by the organization itself, those of any parent organization, and any applicable laws.

A parliamentarian is usually appointed by the presiding officer, and has a duty to impartially advise on the rules, so the parliamentarian who is also a member forgoes the right to make motions, debate, and vote (except on a ballot vote).

Professional, credentialed parliamentarians are sometimes hired for controversial meetings/conventions, asked to write formal parliamentary opinions, or teach parliamentary workshops. The National Association of Parliamentarians (1-888-NAP-2929) provides free referrals (www.parliamentarians.org/getreferral.php).

Meeting Myth:

A member can request a ruling from the parliamentarian.

Fact: The chair makes all rulings; the parliamentarian simply advises. "The parliamentarian's role during a meeting is purely an advisory and consultative one--since parliamentary law gives to the chair alone the power to rule on questions of order or to answer parliamentary inquiries" (RONR p. 449). "Only on the most involved matters should the parliamentarian actually be called upon to speak to the assembly; and the practice should be avoided if at all possible" (RONR p.450).

Meeting Tip 19--When In Doubt, Ask

Don't know how to phrase a motion? Say, "I have a Parliamentary Inquiry. (Chair: The member will state his/her inquiry.) I'd like to offer a motion to do _____. How should I word it?" *Robert's Rules of Order Newly Revised* (RONR) p. 281-282: "A Parliamentary Inquiry is a question directed to the presiding officer to obtain information on a matter of parliamentary law or the rules of the organization bearing on the business at hand."

Don't understand a proposed motion or its effect? Say, "Point of Information! (Chair: The member will state his/her point.) Could someone explain...?" RONR p. 282: "A Point of Information is a request directed to the chair, or through the chair to another officer or member, for information relevant to the business at hand but not related to parliamentary procedure."

When chairing, unsure if a proposed motion is in order, or unsure how to interpret a bylaw? Ask your parliamentarian for advice, or ask the assembly to decide (i.e., put it to a vote). RONR p. 245: "When the chair is in doubt as to how to rule on an important point, he can submit it to the assembly for decision...."

When an answer for a parliamentary question isn't required immediately, ask for free advice online at www.robertsrules.com/cp/Scripts/ASP/forum/, or obtain the services of a professional parliamentarian (www.parliamentarians.org/prpreferral.php) for a formal, written opinion.

Meeting Myth:

You can interrupt with a Point of Information to inform the assembly of important information related to a pending motion.

Fact: "A Point of Information asks a question relevant to the business before the body but not related to parliamentary procedure, e.g. 'How much uncommitted money is now in the treasury?' ... It is not in order to raise a Point of Information to give information; instead, you must wait to be recognized and make your informative point as part of debate." -- *Robert's Rules of Order Newly Revised in Brief*, p. 95

Meeting Tip 20--When Robert's Rules Don't Matter

Ever been miffed when Robert's Rules of Order weren't followed? Well, sometimes Robert's Rules don't matter! Robert's Rules aren't binding when they aren't adopted as the parliamentary authority. (Check your bylaws to see what book, if any, is the parliamentary authority.) See *Robert's Rules of Order Newly Revised*, 10th edition (RONR), p. 16.

Robert's Rules don't matter even when adopted, if a higher rule supersedes the particular rule. The higher rule could be, for example, corporate law, national parent organization bylaws, your own bylaws, or your own special rules of order.

Robert's Rules don't matter if the violated rule is suspended by the required vote (usually a two-thirds vote). See RONR, p. 252.

Robert's Rules also don't matter if a minor rule is violated and no one objects by immediately raising a point of order. A point of order must be made at the time of the offense except for when a continuing breach occurs. See RONR, p. 244.

Meeting Myth

If no parliamentary authority (reference book of meeting procedure rules) is adopted, then the organization doesn't have to follow any rules at all.

Fact: General parliamentary law (common law) must be followed by groups with no adopted parliamentary authority or other rules of order. See RONR, p. 10, and *The Standard Code of Parliamentary Procedure*, 4th edition, p. 2-3.

Meeting Tip 21--Preferential Voting

Suppose your group has to choose between three alternatives (e.g., candidates for office, dates for a meeting, logo designs): A, B, C. Suppose 5 members prefer A most, then B, then C (denoted 5:A>B>C), and 4:B>C>A, and 3:C>A>B.

Robert's Rules of Order Newly Revised (RONR) provides two ways to vote in such a case: by ballot where any alternative can be selected, or on each alternative one at a time. A ballot would result in 12 votes cast, 7 needed for adoption, 5 votes for A, 4 for B, 3 for C. No alternative received the majority (more than half the votes cast) needed. RONR says to vote again in such situations, and you can't remove the lowest vote-getter (p. 426-427). With stubborn voters, the same result can be produced ad infinitum. *Demeter's Manual of Parliamentary Law and Procedure*, Blue Book edition, p. 247, cites two cases where voting was repeated over 100 times before a decision was made.

Suppose you vote instead for one at a time, as RONR prescribes for "filling a blank." You get a different result depending on the order in which you vote! Whichever you vote for first will lose (as more than half prefer another alternative), leaving only two choices. If A is voted on first, then B wins (9 prefer B over C). If B is voted on first, C wins with 7 votes. If C is voted on first, A wins with 8 votes.

Preferential voting (RONR, p. 411-413) can solve both dilemmas. Voters rank their choices (preferences) on the ballot. Five mark A as 1st choice, B as 2nd, C as 3rd. Four mark B as 1st, C as 2nd, A as 3rd. Three mark C as 1st, A as 2nd, B as 3rd. One common way of counting such ballots is often called "instant runoff voting" because it simulates a series of runoff elections, each time dropping the lowest vote-getter, counting each ballot for the highest ranking choice still in the running. In this scenario, round 1 has A with 5 votes, B with 4, C with 3. No one has a majority, so C is dropped. Round 2 has A with 8, B with 4, so A wins. See for additional "ranked voting methods."

Preferential voting should be considered whenever mail voting is authorized, or there are more than two alternatives. Preferential voting "can be used only if expressly authorized in the bylaws" (RONR, p. 411).

Meeting Myth:

The rules on voting in *Robert's Rules of Order* are comprehensive and sufficient for any situation.

Fact:

Robert's Rules of Order is intended for groups that meet in person, and its rules should be supplemented or superseded for other situations, including teleconference meetings and voting by mail. In particular, where repeated balloting is not practical for mail voting, some additional rule (such as preferential voting) should be adopted by the organization to avoid incomplete elections.

Meeting Tip 22--Efficient Meetings

Tips to help make meetings efficient:

1. Start on time.
2. Have a detailed agenda listing all items of business known in advance, with wording of motions if known.
3. Set time limits for reports.
4. Ask officers and committee chairmen in advance if they have a report and if it includes any recommendations or motions.
5. Require all main motions and non-trivial secondary motions to be in writing.
6. Refer any time-consuming, delayable motions to a committee to perfect.
7. Limit debate to 2 or 3 minutes per speech and/or the total debate time per motion to ___ minutes (requires a 2/3 vote).
8. Keep debate germane (relevant) and non-redundant.
9. Disallow (or closely limit) discussion when no motion has been made.
10. Use unanimous consent if no one speaks against a motion in debate. ("Is there any objection to the adoption of the motion? [pause] Since there is no objection [pause] the motion is adopted.")
11. Use voting cards instead of a rising (standing) vote, and don't count votes unless a visual (rising, or voting card) vote is questionable.

Meeting Myth:

When a meeting is a little "too" efficient and the assembly adopts a motion hastily that later is thought to be unwise, once adopted it is too late to do anything about it.

Fact:

The motions to Reconsider, Rescind and Amend Something Previously Adopted can often be used to remedy motions adopted too hastily. See Robert's Rules of Order Newly Revised for rules on when and how these are applicable.

Meeting Tip 23--Nominating No-Nos

Based on *Robert's Rules of Order Newly Revised (RONR)*, 10th edition, pp. 275-277 and 416-424:

No, you don't need to be "recognized" to make a nomination, and no, the nomination does not need to be seconded.

No, you can't nominate a second person for the same position.

No, you can't nominate more than one person to a committee or other multi-member body, if others are seeking to make their first nomination.

No, you don't have to have a person's permission before nominating him/her (but it's a good idea to get it anyway, as they can decline to be nominated).

No, a person doesn't have to be present to be nominated.

No, you don't have to be nominated to be elected (if you get a majority of the votes, even as a write-in).

No, you can't make a nomination if you don't have the right to make a motion.

No, there's no rule preventing the same person from being nominated for more than one office.

No, nominating committee members are not barred from being nominated.

No, the motion to close nominations "is not in order until a reasonable opportunity to make nominations has been given...[and] it is out of order if a member is seeking the floor to make a further nomination" (RONR, p. 277).

Meeting Myth:

You can't nominate yourself.

Fact:

Nothing in RONR precludes nominating yourself, but unless the chair is "begging" for volunteers and it is thus a last minute decision, it may imply that the member doesn't have a single friend willing to make the nomination.

Meeting Tip 24--Five Fatal Fumbles

Based on Robert's Rules of Order Newly Revised (RONR), 10th edition, pp. 275-277 and 416-424:

Most mistakes at meetings are not catastrophic. For example, a lack of a second, or someone debating out of turn, are rule violations which must be rectified at the time of the breach, or it is too late. But *Robert's Rules of Order Newly Revised (RONR)*, 10th edition, p. 244 lists five types of breaches so serious that they can be pointed out at any time the breach still matters, and any action stemming from the violation is null and void. Woe to the group making one of these five fatal fumbles when they can't fix the mistake until months or years later. A fatal fumble occurs when:

"(a) a main motion has been adopted that conflicts with the bylaws (or constitution) of the organization or assembly,*

(b) a main motion has been adopted that conflicts with a main motion previously adopted and still in force, unless the subsequently adopted motion was adopted by the vote required to rescind or amend the previously adopted motion,

(c) any action has been taken in violation of applicable procedural rules prescribed by federal, state, or local law,

(d) any action has been taken in violation of a fundamental principle of parliamentary law (p. 255), or

(e) any action has been taken in violation of either a rule protecting absentees or a rule protecting a basic right of an individual member (p. 255)."

Meeting Myth

Any rule can be suspended.

Fact:

No rule whose violation would be a continuing breach can be suspended. (Compare RONR p. 254-255 with p. 244.)

Meeting Tip 25--Debate, Discuss, Deliberate

Of the six steps in handling a motion (a member makes the motion, another seconds it, the chair states the motion, members debate it, the chair puts it to a vote, the chair announces the vote result), debate usually takes the most time. Speak in debate to persuade others to vote as you do.

A three-part speech format is useful: your position, your reason(s), your request. E.g., "I FAVOR the motion because _____. I urge members to vote FOR the motion." Or, "I OPPOSE the motion because _____. I urge members to vote AGAINST the motion."

Debate must be germane, relevant to the motion on the floor. It must relate to the issue or its merits, not to others' motives; be polite and gracious, even when you disagree. Address remarks to the presiding officer, even if rebutting someone else's statements.

The motion's maker can speak first in debate. Debate should alternate pro and con when possible. Speak at most twice per motion (per day), and let those seeking to speak their first time go before you speak a second time. Limit each speech to ten minutes. See *Robert's Rules of Order Newly Revised (RONR)*, 10th edition, p. 30, 373-380.

Meeting Myth

The chair cannot speak in debate.

Fact:

The chair can speak in debate in small boards and committees (those with about 12 or fewer in attendance); see RONR p. 470-471. In other cases, "to participate in debate, [the chair] must relinquish the chair" to the highest-ranking vice president possible, or if necessary, to some other member approved by the assembly. The presiding officer "should not return to [the chair] until the pending main question has been disposed of" (RONR p. 382-383).

Meeting Tip 26--Gavels

A gavel and sounding block can add a useful degree of formality to meetings. Robert's Rules of Order Newly Revised (RONR), 10th edition, says a single rap of the gavel may signal the start of a recess (p. 225) or the adjournment ending the meeting (p. 234). Also, when minor violations of order occur, the "chair simply raps lightly, points out the fault, and advises the member to avoid" repeating the breach of order (p. 626).

The chair may not "gavel through" a motion (p. 374) to unilaterally cut off debate or secondary motions (such as Amend, Refer to a committee, or Postpone), nor use the gavel "to drown out a disorderly member" (p. 626).

The gavel may be ceremoniously presented to the incoming president, often at a formal installation of officers (p. 610).

Other uses, such as when calling a meeting to order or announcing the adoption of a motion, are up to each organization by custom or standing rule, and are not mentioned in RONR.

Gavels and sounding blocks can generally be purchased at trophy shops, and often have a gold band engraved with the organization's name.

Meeting Myth:

Three raps of the gavel call a meeting to order.

Fact:

Robert's Rules of Order Newly Revised is silent on the use of a gavel to call a meeting to order at the beginning of a meeting or after a recess, but speaks of a single rap in the two instances where it gives a specific number of raps (p. 225, 234). Some organizations, by custom or by rule, do open meetings with three raps of the gavel, but apart from such cases, a single rap would likely be more in keeping with the spirit of RONR, if it is used at all to open a meeting. In no case should the gavel be used in a frantic or excessively loud manner to call a meeting to order.

Meeting Tip 27--Previous Notice

Previous notice is usually required for bylaws amendments (see bylaws for exact requirement). Changing previous action (e.g., rescind, amend something previously adopted, discharge a committee) requires previous notice to be adoptable by only a majority vote. Special rules of order are adopted and amended by previous notice and a two-thirds vote, or by a majority of the entire membership. See Robert's Rules of Order Newly Revised (RONR), 10th edition, p. 116.

Previous notice "means that notice of the proposal to be brought up--at least briefly describing its substance--must be announced at the preceding meeting [if within the current month or preceding three months] or must be included in the 'call' of the meeting [a written notice of the meeting time and place sent to all members a reasonable or prescribed time in advance] at which it is to be considered" (RONR p. 4-5).

Motions needing previous notice can be amended without additional notice if within the scope of the notice. "Thus, if the bylaws place the annual dues of members at \$10 and an amendment is pending to strike out 10 and insert 25, an amendment to change the 25 to any number between 10 and 25 would be in order, but an amendment to change the number to less than 10 or greater than 25 would be out of order, even with unanimous consent" (RONR p. 576, l. 30-36).

Meeting Myth

Notice must have the exact language of the motion.

Fact:

"The notice should fairly inform the members of the changes contemplated" (RONR p. 578, l. 10).

Meeting Tip 28--Tellers

When a rising vote is counted in a large assembly, the chair should "appoint a convenient number of tellers--preferably an even number equally divided between members known to be in favor of the motion and those opposed to it," per Robert's Rules of Order Newly Revised (RONR), 10th edition, p. 49.

For ballot votes, "the chair appoints tellers to distribute, collect, and count the ballots, and to report the vote.... The tellers should be chosen for accuracy and dependability, should have the confidence of the membership, and should not have a direct personal involvement in the question" not common to other members (RONR p. 400).

The written tellers' report is read by the chairman of the tellers and handed to the chair, without declaring the result. The report should be patterned after one of these:

Number of votes cast: ____

Necessary for election: ____

(First candidate's name): ____

(Second name): ____ etc.

Illegal votes:

(Name), ineligible: ____

One pair of ballots for (name) folded together, rejected: ____

Number of votes cast: ____

Necessary for adoption (majority): ____

Votes FOR the motion: ____

Votes AGAINST: ____

Illegal votes:

One pair of 'NO' ballots folded together, rejected: ____

Meeting Myth

It is OK to not announce the vote counts in a ballot election, so no one's feelings are hurt.

Fact:

The teller chairman (RONR p. 403, l. 4) and the chair of the meeting (p. 404, l. 5) both read the tellers' report (the counts), and the chair also declares the results (who won). "The tellers' report is entered in full in the minutes.... Under no circumstances should this be omitted...out of a mistaken deference to the feelings...of the losing side" (RONR p. 404, l. 9-14).

Meeting Tip 29--Voting by Mail

Voting by mail is invalid unless authorized in the bylaws or higher rule. It denies members the opportunity to amend and debate the motion. When allowed, such as for bylaw amendments or elections, the ballot may be secret or not.

A secret mail ballot should be mailed to each qualified voter with a self-addressed outer return envelope and an inner return envelope with a space for the voter's signature. The ballot may contain instructions, including a deadline, or these may be on a separate sheet. The ballot should be folded in a manner that preserves the privacy of the vote, once cast.

The person receiving the returned ballots brings them unopened to a tellers meeting for counting. Each inner envelope is checked against the mailing list of qualified voters, the voter is marked on the list as having voted, and the ballot is removed, kept folded, and put in a ballot box. After all envelopes are thus processed, the ballots are counted.

See Robert's Rules of Order Newly Revised (RONR), 10th edition, p. 409-411 for exception handling, and for procedures for non-secret mail balloting.

Meeting Myth

Combining mail ballots for those who can't attend a meeting with the votes at a meeting is acceptable and beneficial.

Fact:

"An organization should never adopt a bylaw permitting a question to be decided by a voting procedure in which the votes of persons who attend a meeting are counted together with ballots mailed in by absentees. The votes of those present could be affected by debate, by amendments, and...repeated balloting" (RONR p. 409, l. 4-9).

Meeting Tip 30--Drafting Motions

Learning to draft an effective motion is perhaps the single most important way a member can significantly contribute to his/her organization. It translates a fuzzy idea into what may become official group action or opinion. It often requires some research, in order to be usefully specific.

Draft a motion prior to the meeting for each matter you think should be addressed. Have paper and pen at meetings to write motions that occur to you there.

Model "action" motions:

* I move that we buy a new laptop computer with at a total maximum cost of .

* I move that we buy a half-page advertisement in the for our workshop next month for at most .

Model "opinion" motion:

* I move that we adopt this resolution: "Resolved, that endorses the to be considered by the city council next week."

If you think action is warranted but don't know details needed in the motion, refer it to a committee: I move that a committee of three be appointed by the president to report at our next meeting with a specific recommendation on purchasing a new laptop computer.

Meeting Myth

It isn't necessary that a motion be written.

Fact:

"A resolution or a long or complicated motion should be prepared in advance of the meeting, if possible, and should be put into writing before it is offered" (Robert's Rules of Order Newly Revised (RONR), p. 32). "The chair - either on his own initiative or at the secretary's request - can require any main motion, amendment, or instructions to a committee to be in writing before he states the question." (RONR p. 38).

Meeting Tip 31--When Two-Thirds Vote is Needed

Under Robert's Rules of Order Newly Revised (RONR), 10th edition, "the basic requirement for approval of an action or choice by a deliberative assembly, except where a rule provides otherwise, is a majority vote" (p. 387), that is, "more than half of the votes cast by persons legally entitled to vote, excluding blanks or abstentions, at a regular or properly called meeting at which a quorum is present."

But a two-thirds vote is needed to close debate, nominations or the polls, and to set different limits of debate. Two-thirds is also required to expel from membership, and to suspend the rules.

When previous notice has not been given, it takes a two-thirds vote to amend something previously adopted or to rescind it, and to remove an officer from office (when a trial is not required). See RONR tinted page 46 (just before the index).

Meeting Myth:

You always need two-thirds to suspend the rules.

Fact:

An ordinary standing rule that does not relate to parliamentary procedure (e.g., that members shall wear name badges at meetings) may be suspended in a meeting context by a majority vote (RONR p. 256-257).

A convention standing rule (which may be either administrative or procedural) "can be suspended for a

particular purpose by a majority vote," but where it was superseding a rule in the parliamentary authority (e.g., RONR), that book's rule becomes effective (unless also suspended by a two-thirds vote); see RONR p. 602.

Meeting Tip 32--Charitable Chairing

When a member makes a motion that is not in order, it is the duty of the chair to rule it out of order and explain why. The chair can stop there, but that would leave most members confused about how to properly pursue accomplishing their aim. Instead, the chair can earn the respect and trust of members by suggesting a motion or procedure that would be in order that could accomplish the member's intent.

For example, a member moves "to table the pending motion until next month's meeting." Callously the chair could say, "The motion is not in order. The motion to table cannot specify a time to resume consideration, and is not in order unless there is an urgent matter needing immediate attention. Is there any further discussion on the pending motion?"

Instead, focusing on the member's intent, the chair could likely reply, "The motion to table to a specified time is not in order, but a motion to postpone the pending motion until next month's meeting would be in order. Does the member wish to make this motion instead?" Such assistance by the chair engenders members' confidence that the chair is fair and trustworthy. It encourages member participation, and builds a stronger organization.

Robert's Rules of Order Newly Revised (RONR), p. 37, puts it this way: "When a member...offers a motion which is not in order, the chair may be able...to suggest an alternative motion which would be in order and would carry out the desired intent to the satisfaction of the maker."

Meeting Myth:

When a member words a motion in an incorrect form, the chair can simply reword it to put it into correct form, with no approval needed from the member.

Fact:

The motion's mover does need to approve the chair's change to the motion. "If a motion is offered in a wording that is not clear or that requires smoothing..., it is the duty of the chair to see that the motion is put into suitable form--preserving the content to the satisfaction of the mover--before the question is stated" (RONR p. 38).

Meeting Tip 33--Sample Meeting Script

Chair: The meeting will come to order. The secretary will read the minutes. (Afterwards...) Are there any corrections? (pause) Hearing none, the minutes are approved as read.

Next is the treasurer's report.

Treasurer: Our bank balance is currently \$____. \$____ of that is obligated for payments this month.

Chair: Are there any questions? (pause)

Next is the Program Committee report.

Committee chairman: (Report given.) By direction of the committee, I move that ____.

Chair: It has been moved that _____. Is there any objection? (pause) Hearing none, the motion is adopted.

Is there any new business? (Member stands) The chair recognizes Mr. _____.

Member: I move that we buy a gavel for no more than \$30. (Sits down)

Chair (after another member says, "Second!"): It has been moved and seconded that we buy a gavel for no more than \$30. Are you ready for the question? (Debate) The question is on the adoption of the motion that we buy a gavel for no more than \$30. All in favor say "aye." (pause) All opposed say "no." (pause) The Ayes have it, the motion carries, and we will buy the gavel.

Is there any more new business? (pause) Hearing none, the meeting is adjourned.

Meeting Myth:

The assembly should vote on approving the treasurer's report at each meeting.

Fact:

"No action of acceptance by the assembly is required--or proper--on a financial report of the treasurer unless it is of sufficient importance, as an annual report, to be referred to auditors." -- Robert's Rules of Order Newly Revised, p. 461.

Meeting Tip 34--Disciplinary Procedures

"Although ordinary societies seldom have occasion to discipline members, an organization or assembly has the ultimate right to make and enforce its own rules, and to require that its members refrain from conduct injurious to the organization or its purposes" (Robert's Rules of Order Newly Revised (RONR), 10th ed., p. 624).

In any society, behavior "tending to injure the good name of the organization, disturb its well-being, or hamper it in its work" is subject to disciplinary action (p. 630).

For offenses at meetings, a disorderly nonmember may be expelled by the ruling of the chair (p. 625), and a disorderly member may be warned, "called to order," and "named" (charges are made) by the chair, but only the assembly may impose a penalty (p. 626-627). A penalty could require an apology, censure, remove from the meeting for its duration (or until ready to apologize), suspend membership rights for a period, or, with a two-thirds vote, expel from membership (p. 627-628).

For offenses elsewhere than at a meeting, a trial is necessary. RONR p. 629-641 provides detailed procedures.

Meeting Myth:

If the presiding officer violates the rules and ignores your points of order or appeals, there unfortunately is nothing you can do about it.

Fact:

"If the chair at a meeting ignores a motion apparently made and seconded in good faith, and neither states the question on the motion nor rules it out of order, the maker of the motion should raise a Point of Order covering the case, and from the chair's decision he can Appeal. If the chair also ignores the point of order, the member can repeat the motion; and if it is seconded and the chair still ignores it, the maker of the motion can himself put it to a vote standing in his place." -- RONR p. 642.>

Meeting Tip 35--Update Your Bylaws

Are your bylaws out of sync with the way your organization operates, or with your parent organization or corporate law? It may help to have a bylaws committee review the governing documents: articles of incorporation (if incorporated), (constitution and) bylaws, and any special rules of order or standing rules, sometimes called policies and procedures.

Compare your documents for internal consistency, and consistency with higher level documents (law, articles of incorporation, parent organization rules). Compare your documents with those of similar organizations, and with any model documents your parent organization may provide.

Compare your list of articles with those suggested in various manuals on parliamentary procedure. See lists from 10 such manuals at <http://paulmcclintock.com/bylawarticles.htm>.

Your bylaws should provide for a parliamentary authority (PA) such as the current edition of Robert's Rules of Order Newly Revised (RONR), or The Standard Code of Parliamentary Procedure. If so, the bylaws don't need to provide for as much detail, if you are okay with the default rules in your PA. For example, you don't have to specify how vacancies will be filled if RONR is your PA.

Do new officers begin terms when elected (RONR default), or at the end of the meeting/session where elected? Do bylaws require a ballot vote for elections? If you want to permit waiving that requirement when only one person is nominated, the bylaws need to say so.

Want a professional parliamentarian to review your bylaws and report on suggested changes? Contact the National Association of Parliamentarians (1-888-NAP-2929, www.parliamentarians.org/getreferral.php) or the American Institute of Parliamentarians (1-888-664-0428, www.AIPparl.org) for referrals.

Meeting Myth:

If your bylaws don't have a provision for amending the bylaws, you can't amend them.

Fact:

First, check all higher governing documents (e.g., constitution, articles of incorporation, corporate law) for rules on amending bylaws. Second, if RONR applies, bylaws "can be amended at any business meeting by a two-thirds vote, provided that previous notice...has been given; or, without notice, they can be amended at any regular meeting by vote of a majority of the entire membership" (p. 562).

Meeting Tip 36--Making Decisions When You Can't Meet In Person

Does your organization need to be able to make binding decisions when in-person meetings are impractical?

If incorporated, check your corporation law for rules regarding teleconference meetings and decision making without meetings.

"Efforts to conduct the deliberative process by postal or electronic mail or facsimile (fax) transmission--which are not recommended--must be expressly authorized by the bylaws and should be supported by special rules of order and standing rules as appropriate, since so many situations unprecedented in parliamentary law may arise and since many procedures common to parliamentary law are not applicable (see pp. 482-83)." -- Robert's Rules of Order Newly Revised (RONR) p. 2.

"The bylaws may authorize a board or committee (or even a relatively small assembly) to meet by videoconference or teleconference. If they do, then such a meeting must be conducted by a technology that allows all persons participating to hear each other at the same time (and, if a videoconference, to see each other as well). The opportunity for simultaneous communication is central to the deliberative character of the meeting, and is what distinguishes it from attempts to do business by postal or electronic mail or by fax (see p. 2). It is advisable to adopt special rules of order and standing rules, as appropriate, to specify precisely how recognition is to be sought and the floor obtained during videoconferences and teleconferences." -- RONR pp. 482-83.

Consider amending bylaws to create an executive board or committee with power to act between the larger body's regular meetings. Such a board or committee should be able to meet in person, or it should be authorized in bylaws to meet by teleconference. And it should be able to meet at the call of the president, and by petition of a specified number or percentage of members of the board/committee.

If changing the bylaws is not feasible, consider (a) making the preliminary, unofficial decision via e-mail or internet chat room or by telephone, and ratifying it at the next in-person meeting to make it official; or (b) delegating the decision to a small committee that can feasibly meet in person. A group should rarely depend on the ratification approach; its use generally indicates poor planning or organization, and it may happen that the assembly asked to ratify a decision won't do it.

Meeting Myth:

It's okay to make decisions by e-mail if no one objects.

Fact:

"Any action [that] has been taken in violation of a fundamental principle of parliamentary law" is a breach "of a continuing nature" (RONR p. 244), and "it is a fundamental principle of parliamentary law that the right to vote is limited to the members of an organization who are actually present at the time the vote is taken in a legal meeting" (p. 255). A point of order can be made at any time the breach continues (p. 244), so even though no member currently objects, at any time in the future members may change their minds or new members may think differently, and raise a point of order to nullify such decisions. Only bylaws or a higher ranking document can authorize such a procedure.

Meeting Tip 37--When You Can't Vote

Non-members can't vote, even by suspending the rules, per Robert's Rules of Order Newly Revised (RONR), p. 255.

Absent members can't vote. RONR p. 408.

Disciplinary action can suspend a member's right to vote for a time, and the disciplined member can be ordered out of the meeting room during the consideration of the penalty. RONR p. 628.

"If the presiding officer is a member..., he has the same voting right as any other member. Except in a small board or committee, however--unless the vote is...by ballot--the chair protects his impartial position by exercising his voting right only when his vote would affect the outcome." RONR p. 50.

"A member of an assembly who acts as its parliamentarian has the same duty as the presiding officer to maintain a position of impartiality, and therefore does not make motions, participate in debate, or vote on any question except in the case of a ballot vote." RONR p. 451.

Ex officio members of boards and committees have all the rights of membership, including the right to make motions and vote. RONR p. 466.

Meeting Myth:

A member with a direct personal or pecuniary interest in a motion cannot vote on it.

Fact:

"No member should vote on a question in which he has a direct personal or pecuniary interest not common to other members of the organization. For example, if a motion proposes that the organization enter into a contract with a commercial firm of which a member of the organization is an officer and from which contract he would derive personal pecuniary profit, the member should abstain from voting on the motion. However, no member can be compelled to refrain from voting in such circumstances." RONR p. 394.