

# Raising the bar on parliamentary procedure knowledge

BY NANCY SYLVESTER

Not long ago, people predicted that as our society became less formal, the need for an understanding of parliamentary procedure would decrease. In making that prediction, they did not take into account the increased emphasis on an individual's rights, as well as minority rights, or the increase in litigation when any of our rights are perceived to be violated. Instead of the need for parliamentary procedure decreasing, that need has increased.

Almost all organizations have an adopted parliamentary authority that supplements the rules in their governing documents, such as the bylaws. For more than 90 percent of the organizations in the United States, that parliamentary authority is *Robert's*. For most of those organizations, the proper reference is *Robert's Rules of Order Newly Revised*, the 10th edition, sometimes referred to as the 2000 edition. There are many other editions of *Robert's* in bookstores, but the only up-to-date version is that 10th edition.

Among bar leaders, the need for an understanding of parliamentary procedure is also on the rise. The purpose of this article is to help meet that need. In order to help increase your understanding of parliamentary procedure, this article will examine the following areas of parliamentary procedure: quorum, agenda, processing a motion, and the meaning of votes.

## There must be a quorum

Since parliamentary procedure is based on each group deciding its own rules,

it is the group itself that decides how many members are necessary to come together to make a decision on behalf of the entire group. The needed quorum is usually contained in the bylaws. *A quorum is the number of voting members who must be present in order that business can be legally transacted.*

To determine whether a quorum is present, the number of voting members in attendance is counted, not the number of people who vote—warm bodies in the room, not votes cast! In other words, members who choose not to vote on an issue are still counted in determining a quorum.

## Setting the agenda

The following is the agenda for organizations that are governed by *Robert's Rules of Order Newly Revised*:

- **Approval of minutes.** If the minutes are printed and distributed to the members before the meeting, then the minutes do not need to be read during the meeting and can simply be approved.
- **Reports.** The following people give reports: officers (in the order listed in the bylaws), boards (the secretary usually reports on actions taken and decisions made by the board), standing committees (committees that are listed in the bylaws, in the order in which they are listed), and special committees (select, ad hoc, task force, etc.—committees set up to perform a specific task).
- **Special orders.** The most frequent

use of special orders is when the bylaws indicate that a specific thing will occur at a specific meeting. For example, if the bylaws indicate that the election of officers shall take place at the November meeting, then at the November meeting, the election of officers should be under the heading of "Special Orders."

- **Unfinished business.** Of all the items on the agenda, this one is probably the most frequently misunderstood. It is many times referred to as "old business," which is incorrect parliamentary language and adds to the confusion. The correct terminology is "unfinished business" because the business that goes in this category has been begun but not yet finished.
- **New business.** Essentially, anything that does not fit in any of the above categories fits here.

## Processing a motion

In order to take action as a group, a motion must be processed. There are six steps in the processing of a motion, outlined below. If you find yourself in the position of chairing a meeting and not feeling like you know what to say, you might also find it helpful to go to my Web site, where you will find a script of a motion: [www.nancy-sylvester.com/docs/Resources/articles/script\\_main\\_motion.html](http://www.nancy-sylvester.com/docs/Resources/articles/script_main_motion.html).

### Step 1: A member makes a motion.

The maker of the motion must be a member of the body that is meeting,

and it is strongly recommended that the motion be in writing. One word can make a huge difference in the meaning of the motion!

- The member must word the motion properly: *I move that* (followed by specific statement of proposed action).
- The member who made the motion has the first right to speak on the motion (during Step 4, below).
- The member who made the motion cannot speak against the motion, but may vote against it. (Therefore, the member should word the motion in a way that the member can support that wording.)
- The presiding officer has the right to request that the motion be in writing, unless the rules indicate otherwise.

### **Step 2: Another member seconds the motion.**

In seconding a motion, a person may only be agreeing that the issue should be discussed and decided upon. You may choose to second a motion that you are opposed to simply so that a decision will be made on the issue and it can be put to rest!

A motion that comes from a committee does not need a second. The principle here is that the motion that is reported out from a committee has been voted on in committee and therefore already has more than one person supporting it.

If there is no second, the presiding officer tells the assembly that the motion dies for lack of a second. The principle here is that the group should not waste time on an issue that does not have the interest of at least two of the members.

### **Step 3: The chair restates the motion, therefore formally placing it before the assembly.**

At the completion of this step, ownership of the motion is transferred from the individual who made the motion to the members present. The

concept of ownership of the motion is important because it answers a lot of questions that may arise during the processing of the motion. Up until the completion of Step 3, the motion belongs to the maker, and if the maker wants to change the motion or withdraw it, it still belongs to him or her, so he or she may do so.

After the completion of Step 3, the ownership of the motion is transferred to the body. If the motion is to be changed or withdrawn, it must be done with the permission of the body. The permission of the maker of the motion is no longer of any importance, since the motion no longer belongs to that member. Anyone who wants to change the motion must ask the owners, the members present. The way to ask their permission is by making an amendment and then having a vote (a majority vote is permission to change it).

Proper restatement of the motion by the presiding officer helps make sure everyone has heard the motion, exactly as it was proposed, and helps keep everyone on target as to the exact wording of the motion to be debated. If the presiding officer is unclear about the exact wording, there are three places he or she can go to for assistance: his or her own notes, if the motion was not too long; the written motion provided by the maker; or the secretary, who can read the motion aloud.

### **Step 4: The members debate the motion.**

This is potentially the longest step in the motion process. During this time, the motion is considered pending. Throughout *Robert's* you will find reference to the word *pending*. *Pending* simply means the motion is in Step 4 of its processing. While pending, a motion can have secondary motions applied to it.

It is at this time that the motion is put in its best form by the members. If a member does not like the wording

or wants to change the motion, it is done at this time. If an amendment is offered, the amendment is a motion, and the amendment must go through the six steps of processing a motion before you proceed with the main motion.

### **Step 5: The chair puts the question to a vote.**

This should include restatement of the motion. This restatement serves as a reminder to the members of what they are voting on. It is very important for the presiding officer to restate the motion right before the vote. When this is not done, you will frequently see people, right before they vote, ask their neighbors, "What are we voting on now?" The restatement of the motion before the vote is of utmost importance when multiple motions are on the floor at the same time (e.g., main motion, amendment, previous question, motion to close debate, etc.).

### **Step 6: The chair announces the results of the vote.**

The content of a complete announcement of the results of the vote includes:

- Announcement of which side has the necessary votes, and is thus the prevailing side. In a counted vote, the presiding officer should first give the count before announcing the prevailing side.
- Declaration as to whether the motion is adopted or lost.
- A statement indicating the effect of the vote.
- Where applicable, announcement of the next item of business.

### **What do those votes mean?**

Different types of votes have different requirements; here are some definitions that might be helpful:

**Majority:** More than half of the votes cast.

**Two-thirds:** Two times the number



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of “yes” votes as “no” votes. (The easy way to figure out if a vote was two-thirds is to multiply the “no” votes by 2; the result is the number of “yes” votes needed for there to be a two-thirds vote.)

**Plurality:** A method of voting in which the candidate or proposition receiving the largest number of votes is elected or selected.

**Abstain:** To refrain from voting. When counting votes, the abstentions and blank ballots are not counted.

**Tie:** Same number of votes on each side. Therefore, not a majority, and the motion does not pass.

**Presiding officer votes:** When the chair is a voting member of the organization, the chair does not lose the right to vote, but simply *only* exercises the right to vote in specific instances. In a ballot vote, the chair votes right along with all of the other members. In a roll call vote, the chair’s name is called last. In all other methods of voting, the

chair *only* votes when his or her vote *affects the results*. Numerical examples would help here. Please consult the chart below.

It is my hope that this article has moved you forward toward a better understanding of the all-important subject of parliamentary procedure. If you need further assistance, you might find the “parliamentary resources” page on my Web site helpful: [www.nancysylvester.com/docs/Resources/articles/script\\_main\\_motion.html](http://www.nancysylvester.com/docs/Resources/articles/script_main_motion.html).

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VOTE REQUIRED	YES VOTES	NO VOTES	CAN THE PRESIDING OFFICER VOTE ?	
			IF YES	IF NO
MAJORITY	13	13	Yes – affects results	No – fails without vote
MAJORITY	14	13	No – passes without vote	Yes – affects results
TWO-THIRDS	9	5	Yes – affects results	No – fails without vote
TWO-THIRDS	10	5	No – passes without vote	Yes – affects results