

Basic Parliamentary Procedure and Strategies

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Workshop Objectives

1. Gain a practical understanding of the main motions and procedures in *Robert's Rules of Order*, as well as their underlying principles.
2. Identify some common procedural misunderstandings or myths.
3. Identify both proactive & defensive strategies to use *Robert's Rules* to achieve your objectives.

Topics to be Covered

- Definitions
- Origins of *Robert's Rules of Order*
- Fundamental Principles of Parliamentary Law
- Basic Rules of Debate & Voting
- Processing & Amending a Motion
- Frequently-Used Motions & Their Classification
- Level of Formality & the Role of Common Sense
- Procedural Myths and Misunderstandings
- Proactive and defensive strategies

Where to start?

Definitions

'Parliamentary Procedure':

Rules that apply to

Meetings:

'Rules of Order'

Rules that regulate the orderly transaction of business in meetings, and the role of officers in those meetings.

Rules that apply

Outside Meetings:

'Bylaws' (**Typically*)

Rules that regulate the structure and governance of an organization, and the role of officers outside meetings.

'Parliamentary Authority'

- A manual of parliamentary procedure containing:
 - Rules of Order (that apply to meetings)
 - Broader procedural rules (that apply outside of meetings, the details of which are typically in bylaws).
- Examples:
 - *Robert's Rules of Order*
 - *AIP Standard Code of Parliamentary Procedure*
 - *Bourinot's Rules of Order*
 - *James Lochrie's Meeting Procedures.*

To Adopt an Authority

- Insert clause in your bylaws specifying your preferred parliamentary authority.
- In adopting the authority, you adopt the rules of order contained in the authority (which are typically generic & can apply to any organization), although an organization is always free to change the rules.
- The remainder of the manual applies to the organization except as the bylaws may differ (& the bylaws of each organization will differ).

Examples at CUE

Excerpt from Board Bylaws:

“11.4. Parliamentary Rules

- The Board and Board Committees rely upon *Robert’s Rules of Order Newly Revised (11th Edition)* and its successor documents to determine questions of procedure and parliamentary situations **not provided for in the Act or the Bylaws**. On occasion, the Board Chair may designate a Board Parliamentarian in advance of a meeting to assist the Chair during a particularly complex proceeding.”

Excerpt from GFC Bylaws:

“N. Voting and Eligibility to Vote

- *Robert’s Rules of Order* shall govern in all cases in which they are applicable and **not in conflict with these Bylaws**.”

*Hierarchy of Governing Documents

1. Statutes (Federal, Provincial, Local Laws)
2. Letters Patent/Articles of Incorporation
3. Parent Organization's Bylaws (if applicable)
4. Constitution
5. Bylaws
6. Special Rules of Order
7. Parliamentary Authority (e.g., *Robert's Rules*)
8. Standing Rules & Policies ('Administrative' Rules)
9. Custom/Practices or Unwritten Rules

Example at CUE

From Board Bylaws:

“1.2. Paramountcy

The Bylaws are intended to be in accordance with legislation of the Province of Alberta to which post-secondary education institutions of the Province are subject. **In the case of a conflict between such legislation and the Bylaws, the legislation prevails.”**

Deliberative Assembly

- **Assembly:** a decision-making body that can take action on behalf of the entire organization.
- Can make its own rules, subject to bylaws.
- Includes: convention, board, council, general membership meeting.
- Does not include committees, which are decision-making bodies but not assemblies (subordinate to a parent body).

Meetings & Agendas

- **Meeting:** the event when members of an assembly or other body gather to transact business & make decisions.
- **Session:** a series of connected meetings with same agenda or purpose (e.g., a multi-day convention or an adjourned meeting).
- **Order of Business:** aka Agenda; the sequence in which business is taken up in a meeting.

Robert's Rules of Order

Who was Henry Robert?

- Born 1837, in South Carolina.
- Raised in Ohio, graduated from West Point.
- Served in US Army Corps of Engineers.
- Defense of Washington, DC, in civil war.
- Retired as Brigadier-General.
- First 'pocket manual' of rules of order in 1876.
- Revised & expanded 4 editions, died in 1923.
- Family carried on work – 12th ed. in August 2020.

Why was Robert Interested in Rules?

- Age of 25, asked to chair church congregation meeting in New Bedford Massachusetts dealing with the defense of harbour during the Civil War.
- Church constitution said: ‘Love and be kind to one another’. He lost control of the 14-hr meeting.
- He was shocked (shocked!) to discover that ‘the best of men, having wills of their own, are liable to attempt to carry out their own views without paying sufficient respect to the rights of their opponents’.
- He vowed to learn more.

Robert's Second Experience

- Robert moved around country frequently post-war.
- Joined church and other civic groups in each new city.
- Each new organization had different rules.
- Saw need for standard and consistent rules.
- First manual of rules of order was published in 1876.

Henry Robert Said:

In a land where perhaps most persons are members of one or more societies, some knowledge of parliamentary procedure may be justly regarded as a necessary part of the education of every man and woman... It is difficult to find another branch of knowledge where a small amount of study produces such great results in increased efficiency . . . !

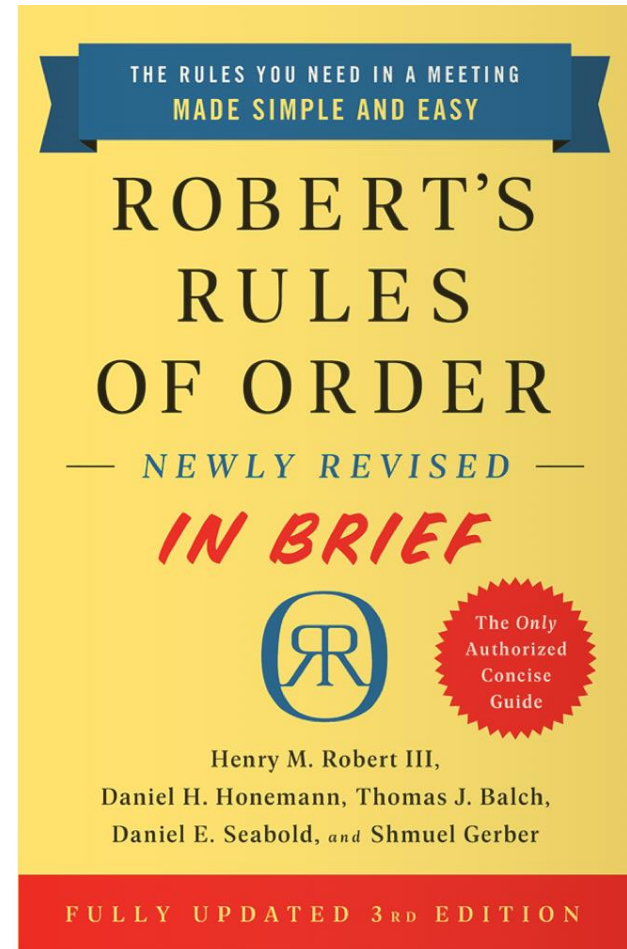
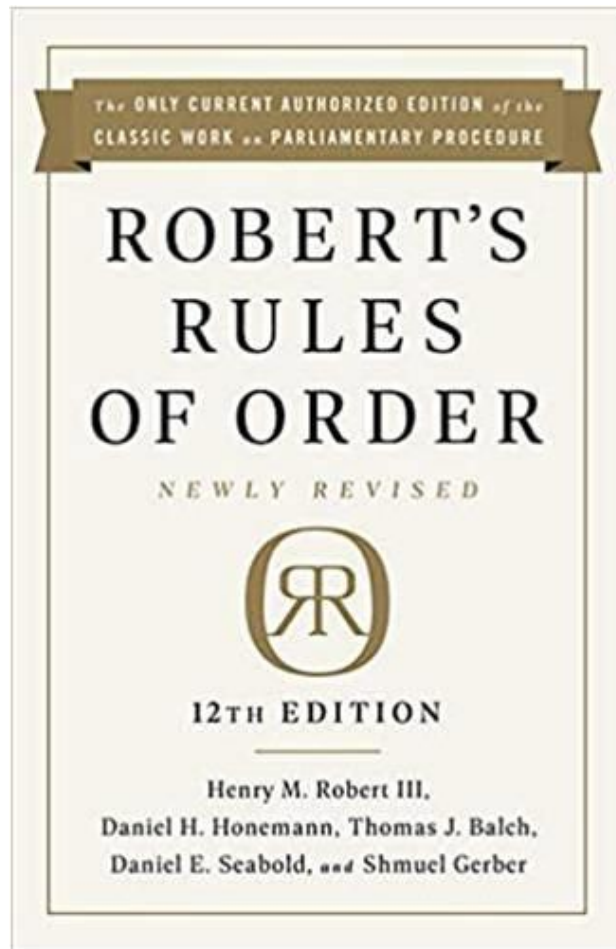


Two Options:

714 pages

vs

212 pages



Fun Facts!

- Full manual - 20 Chapters:
 - 9 chapters – Motions
 - 4 chapters – Quorum, Agenda, Debate, Voting
 - 6 chapters – Officers, Minutes, Reports, Boards, Committees,, Conventions, Discipline, Establishing a New Organization
- Charts, Tables, Lists, Index
 - 98 motions & their rules
- Each Chapter divided into Sections & Paragraphs
- Cite by section + para:
 - **RONR (12th ed.) 2:14**
- Previously: page numbers
- E-reader format
- Searchable version on thumb drive
- Info at **RobertsRules.com**

Rules Based on Historical Principles

- Robert's research involved an intensive study of British & American parliamentary sources.
- Based his rules on the procedural rules developed over centuries in the British Parliament, with modifications as those rules migrated to North America, including some practices in US Congress , BUT . . .
- His goal: To devise rules primarily for non-legislative, mainly private, bodies.

Fundamental Principles of Parliamentary Law

1. The organization & its interests are paramount.
2. The decision-making body must have authority to act.
3. The body makes decisions in meetings.
 - With proper notice; with quorum.
4. Members have equal rights & obligations – equal right to speak and vote; a duty of courtesy and respect to others.
5. There must be a question on which to make a decision.
 - One thing at a time; one person at a time; one time per mtg;
 - Focus on ‘Proposition not the person’ (motion not speaker).
6. Must be full opportunity to debate (except with 2/3 vote).
7. Minority must be heard; the majority ultimately prevails.
8. Questions decided by vote, typically by majority (ex. 2/3).

Rules of Debate

- 1. First:** Members agree to accept the outcome!
 - By agreeing, in advance, to the process.
- 2. Debate:** Members have opportunity to persuade others & perfect motion through amendments ('minority is heard').
- 3. Vote:** General will determined by majority.
- 4. After:** the vote result is accepted by all as the decision of the group.

1. Pre-Agreement on Process

- Organization paramount BUT everyone entitled to opinion.
- Challenge: balance the individual right to an opinion with the group's need to make collective decisions.
- Members need to agree beforehand on how to make group decisions; do so in bylaws & by adopting an authority.
- Commit in advance to respect the process by accepting the outcome from that process.
- New members agree implicitly (sometimes explicitly) to accept the organization's rules.
- Parliamentarian James Lochrie: 'social contract'.
- Governance guru John Carver: 'essential for procedural integrity & healthy governance'.

2. The Minority Must Be Heard

- Opportunity to disagree, criticize, offer alternatives, try to change minds, defeat.
- Offer amendments to improve and reflect different perspectives and ideas.
- Debate: essential way to collectively review different ideas of individual members.
- Impersonal: All remarks directed to chair; speak to merits of motion, not person; don't attack motives.
- Without fear of reprisal; failure to agree does not mean being disloyal or needing to resign.
- Who are the minority?

3. The Majority Ultimately Decides

- Group decisions are made by selecting the option that has the largest following, i.e., the choice with which more than half of the group agrees.
- Majority: more than one-half of the votes.
- Exceptions (2/3 vote) to change bylaws or interfere with minority rights.
- Carver: Multiple minds become unified voice.

4. Everyone Accepts that the Group Has Made a Decision

- After debate, views aired, amendments offered, decision is made by the previously-agreed process, i.e., majority vote.
- In order to reach: a unified position.
- The group has made a decision, everyone accepts it, and members should speak with one voice about the decision.
- Does not mean pretending it's unanimous.
- Stems from duty of courtesy & respect owed to other members.

Best Summed up by British Philosopher Sir Michael Jagger:

Best Summed up by British Philosopher Sir Michael Jagger:

“You can't always get what you want
But if you try sometimes . . .
you might just find
Your organization gets what it needs.”

- Apologies to Keith Richards/Mick Jagger, 1969

Motions

Motions

- Definition of a Motion
- Steps in Processing a Motion
- Main Motion
- Amending a Main Motion
- Classification of Motions
- Ranking of Motions
- Description of Commonly-Used Motions

What is a Motion?

- A motion is a formal **proposal** by members who seek action by a decision-making body.
- It is the standard way in which business is proposed and processed at a meeting.
- Focus attention and discussion.
- Group decision-making requires clarity: exactly what will be done, by whom, and when.
- To make an informed decision (to discuss, amend & vote on it), members need to understand it, promoting accountability.

'7 1/2 Steps' in Processing Motion

How to Process a Typical Motion

A. Member Seeks Recognition to Speak:

1. Member rises (raises hand) & is recognized by the Chair.

B. Bringing the Motion to the Floor:

2. Member moves motion
3. Motion is seconded
4. Chair states the motion.

C. Considering the Motion:

5. Chair asks for discussion (invites mover to speak first)
6. Chair puts the question to a vote (when debate is over)
7. Chair announces the result (adopted or defeated).

Final ½ Step?

- The Chair may explain what happens next (i.e., effect of the vote).
- Usually done only if the motion is adopted.
- *Robert* says only do this ‘if needed or appropriate’, depends on motion, requires judgement call on the part of the Chair.
- Example: ‘The motion is adopted and the Secretary will write to the affected parties’.
- What is the potential risk in this step?

Example from CUE

From GFC Bylaws

Under Chair's duties:

- “f. Explain the effect of a motion, if necessary”
[although this seems to be an option before
the vote].

Main Motion

- A Main Motion introduces a subject to the meeting for decision (basic motion that ‘brings business before the meeting’) – may be new or may relate to a past action.
- Only one main motion may be pending at any time.
- Can only be moved when no other business is pending and when no one has the floor – lowest in rank.
- When adopted, it becomes the officially recorded statement of action (decision) made by the meeting.
- Takes effect immediately, unless...
- When defeated, what happens?

Characteristics of Main Motion

- Cannot interrupt a speaker to move it
- Must be seconded (usually . . .)
- Is amendable
- Is debatable
- Requires a majority vote to adopt (usually . . .)
- Can be reconsidered
- A 'Resolution'? Just a Main Motion with 'bells & whistles', usually in writing, with 'Whereas' preamble (rationale) preceding the motion.

Main Motion Is Not in Order If ...

- Conflicts with a statute or other superior governing document (e.g., bylaws, letters patent).
- Presents a question substantially similar to a motion that has been rejected at same session.
- Presents essentially the same question that has been temporarily disposed of (referred to a committee or postponed to another meeting).
- Proposes action outside the scope of the mandate of the organization (or committee).
- Suggests 'refraining' from doing something.

Amendment (Motion to Amend)

- Known as the ‘perfecting’ motion
 1. Strike out words
 2. Insert words
 3. Strike out and insert words
 4. Strike out and insert paragraph or entire motion (substitution).
- Must be germane to main motion; ‘friendly’?
- Primary amendment may itself be amended:
 - By a secondary amendment (or sub-amendment)
 - Limit of one secondary amendment at a time
 - Vote on motions in reverse order one at a time.

Classification of Motions

5 Major Classes of Motions:

5 Privileged Motions – urgent matters interrupt, but not related to, pending business; do something to meeting

7 Subsidiary Motions – ‘do something’ to main motion without adopting it

Main Motion – basic way to bring business to the meeting

Incidental Motions (20+) – relate to pending business in a way that must be decided immediately

‘Bring Back’ Motions (6) – motions that bring a motion again to a meeting (something on which previous decision made)

Order of Precedence of Motions - Rank

Motion	Second	Debate	Amend	Vote
P-1 Fix the time to which to adjourn	S	No	A	M
P-2 Adjourn	S	No	No	M
P-3 Recess	S	No	A	M
P-4 Raise a question of privilege	No	No	No	Chair
P-5 Call orders of the day (Follow the agenda)	No	No	No	Chair
S-1 Lay on the table (Postpone temporarily)	S	No	No	M
S-2 Previous question (Close debate & vote)	S	No	No	2/3
S-3 Limit/extend limits of debate	S	No	A	2/3
S-4 Postpone to definite time	S	D	A	M
S-5 Refer	S	D	A	M
S-6 Amend	S	D	A	M
S-7 Postpone Indefinitely ('Kill' a main motion)	S	D	No	M
MAIN MOTION	S	D	A	M

Major Motions Explained

Privileged Motions:

1. Fix Time to which to Adjourn (Schedule an adjourned meeting)
2. Adjourn
3. Recess
4. Raise Question of Privilege
5. **'Call Orders of the Day'**
(Follow the agenda)

Subsidiary Motions:

1. **'Lay on the Table'**
(Postpone temporarily)
2. **'Previous Question'**
(Close debate & vote)
3. Limit/Extend Debate
4. Postpone to Specific Time
5. Refer
6. Amend
7. **'Postpone Indefinitely'**
(Kill the motion)

Incidental Motions In Brief

- Point of Order
- Appeal
- Request for Information
- Parliamentary Inquiry
- Amend the Agenda
(change order)
- Withdraw a Motion
- Create a Blank
- Division of Assembly
- Division of Question
- Consider by Paragraph
- Suspend the Rules

'Bring Back' Motions

Motions that Bring a Question Again Before the Assembly

- Take from the Table
- Reconsider
- Discharge a Committee
- **Amend Previous Action**
- **Rescind a Previous Action**

Level of Formality

The Role of Good Judgement &
Common Sense

Rules for Small Boards (49:21)

- Intended for boards with 12 or fewer members (but also apply in committees).
- No second required for motions.
- No limit on number of times member can speak on motion.
- Informal discussion permitted without motion.
- Chair may speak in debate & vote on all questions.

How much formality is right?

- Each group needs to find the right level of formality, doesn't depend just on size.
- May vary from meeting to meeting or issue to issue.
- Relaxing formality easier than increasing it.
- Conventions require strict formality, committees can operate with considerably less formality.
- Always remember the value of a motion: focus debate.
- Chair & members need to be vigilant that call for less formality not an attempt to avoid due process.
- But no need to be slavish to the rules for sake of form.

Common Sense is Important

- Robert says that ‘no rules can take the place of tact and common sense’ (47:6).
- Don’t split hairs over mechanics of procedures.
- Robert: Good judgement in chair is essential, strict enforcement can actually hinder business.
- Objective should be well-understood procedure that meets but does not exceed the needs of the body and its members.
- The atmosphere of a meeting is often more important than the rules in decision-making.
- Robert: Just because right exists, ‘it may not always be prudent or helpful’ to exercise it; whose interests?

Errors happen!

- Robert notes that errors will happen during a meeting and should be tolerated as long as no one's fundamental rights are being violated, and provided the will of majority is being carried out.
- If the chair or members make an error, the chair should just pause the proceedings, state the error, correct it and then move on. Members shouldn't hesitate to raise point of order if chair errs (although ...). If chair is unsure how to proceed, let the members decide.

**Procedural Myths
&
Misunderstandings**

Procedural Misunderstandings

- Motion to 'receive' a report unnecessary.
- Motion to close nominations unnecessary.
- Motion to approve minutes unnecessary.
- No second required for motions recommended by a committee or nomination from the floor.
- No need to be recognized to second motion.
- No need to go back & second a motion if debate has already started without a second.
- No need to call for or record abstentions in votes.
- Chair can 'assume' a motion when it is an obvious solution without compromising his or her neutrality.
- Vote on committee recommendations, not its report.

Parliamentary Strategies

To Support a Motion/Amendment

- Second it, speak in favour of it, & vote for it.
- Amend it to strengthen or clarify it or make it more acceptable so it attracts more support.
- Vote against postponing it or referring it to a committee UNLESS this buys time to build more support.
- Recommendation vetted by a committee often has more weight than individual motion.
- Get your supporters to show up & stay.

To Oppose a Motion/Amendment

- Speak against it and vote against it.
- Amend it to water it down/make it less offensive.
- Vote to postpone it or refer to committee to delay it and buy time to build opposition.
- Move for a recess to round up more votes.
- Move to postpone indefinitely to kill motion.
- Get your supporters to show up & stay.

If you have the votes...

For a motion you support:

- If debate has gone on for awhile and the meeting is becoming bogged down with amendments, sub-amendments & procedural motions, move to close debate and vote on all pending motions ('previous question') – 2/3 vote.

For a motion you oppose:

- If your supporters can't stay any longer, you can move adjournment before they leave.

General Tips for Better Meetings

- Initiate a Consent Agenda.
- Use the Consent Agenda (e.g., add Minutes).
- Minutes should record decisions, not discussion.
- Make use of general (unanimous) consent.
- Make an effort to avoid acronyms and jargon.
- Promote regular parliamentary training for members and staff.
- **Share** responsibility for making meeting work.
- Exercise patience and mutual respect.

Questions or Comments?

Feel free to contact me if a question occurs to you afterwards!

Thank you!

Michael Mouritsen

- Registered Parliamentarian, certified through examination by the National Association of Parliamentarians
- 45+ years professional experience providing procedural advice to boards, committees and conventions in the public, not-for-profit, and labour union sectors
- Former secretary of:
 - a university board of governors,
 - a hospital board of trustees, and
 - a union executive board.

More information & resources: **MichaelMouritsen.ca**