

PARLIAMENTARY PROCEDURE IN 2005

Jim Slaughter, JD, CPP-T, PRP

Updated from " Parliamentary Procedure in 2005," *The Toastmaster Magazine*, 2005

"The object of Robert's Rules of Order is to assist an assembly to accomplish the work for which it was designed, in the best possible manner."

Henry M. Robert
***Robert's Rules of Order* preface, 1876**

Elsewhere in this issue, Barbara K. Adamski's article "Robert Rules" profiles Henry Martyn Robert, author of *Robert's Rules of Order*. Let me get this straight: we're still interested in the writer of a 128-year-old book on meeting rules? What possible relevance can *Robert's Rules of Order* hold for us in 2005?

Actually, meeting procedures are more important than ever. After all, there are more people, more groups, and more meetings. Contrary to common perception, parliamentary procedure is not limited to Toastmasters meetings and student government associations. Just think of all the contexts in which meeting procedures are essential:

- Board meetings
- Membership meetings of for-profit corporations and nonprofit associations
- Governmental meetings—school boards, city councils, and county commissions
- Legislative bodies
- Churches and synagogues
- Community associations, including homeowner, condominium, and townhouse associations
- Civic and volunteer clubs, such as Rotary, Civitans, Lions, and PTA's

Furthermore, courts have held that all organizations, including business, professional, educational, and governmental, are subject to the principles and rules of common parliamentary

law. In other words, all of these organizations, including the estimated 1.5 million associations in the United States, must observe proper rules when meeting to transact business.

Most associations also adopt language in their bylaws stating that they will follow a particular parliamentary procedure book, such as *Robert's Rules of Order*. Organization members who act contrary to the rules they have themselves adopted may be liable for their actions. As a result, ignoring or incorrectly applying parliamentary procedure can lead to embarrassment and even lawsuits.

The benefits of a well-run meeting extend beyond questions of liability. Proper procedure can help turn long, confrontational meetings into short, painless ones. While a lengthy and badly run meeting can cast a pall on all other accomplishments during the year; a successful and well-run meeting will please and invigorate members. Also, members familiar with the rules have a greater advantage towards accomplishing their goals at meetings and often move quickly into leadership positions. As a result, learning the essentials of parliamentary procedure is worth the effort.

What Is Parliamentary Procedure?

Most people know little about parliamentary procedure; indeed, there's even great confusion as to just what "parliamentary procedure" is. In short, parliamentary procedure is the means by which organizations make decisions. That is, parliamentary procedure is all of the laws and rules of organizations that govern the transaction of business. Contrary to common belief, parliamentary procedure is not synonymous with the book *Robert's Rules of Order*. Instead, *Robert's*, which appeared in 1876, is the first edition in a series of books bearing the phrase "Robert's Rules of Order" in the title. The tenth and current version—*Robert's Rules of Order Newly Revised (10th Edition)*(or "*RONR*")—is without question the 800-pound gorilla of the parliamentary world. *RONR* is used by approximately 85% of all organizations in the United States.

However, *RONR* is not the only parliamentary game in town. Another well-known parliamentary procedure book is *The Standard Code of Parliamentary Procedure (4th Edition)*(or

“*Sturgis*”), used by many associations of physicians and dentists. For those new to parliamentary procedure, *Sturgis* is an easier introduction to parliamentary procedure than *RONR*. Other well-known manuals of parliamentary procedure include *Demeter's Manual of Parliamentary Law and Procedure*, *Cannon's Concise Guide to Rules of Order* (great for practicing parliamentarians), *Riddick's Rules of Procedure*, *Mason's Manual of Legislative Procedure* (used by many legislatures), and *Bourinot's Rules of Order* (used in Canada). While many other procedural books are available, the fact that *RONR* is the most used and the easiest to locate argues in its favor as a parliamentary authority.

While you may not wish to read it from cover-to-cover, *RONR* is an excellent resource for any organization. The book has sections on effective presiding, drafting good minutes, the duties of officers, running elections, writing and amending bylaws, holding board and committee meetings, and handling troublesome members. *RONR* is fairly easy to find—just buy the right book. As noted above, there are numerous *RONR* "clones" and earlier editions that are easy to get by mistake. *RONR* is available in hardback and soft cover and can be identified by “10th Edition” and its gold cover.

As you begin your parliamentary journey, don't overlook “Parliamentary Procedure in Action” from Toastmasters International. This introduction to procedure is designed for club meetings and introduces Toastmasters to the basic skills for leading and participating in parliamentary discussions. The program includes a script and overhead transparencies for five 15-minute sessions on parliamentary procedure.

What Procedures Should Be Followed?

Most organizations formally adopt written rules of parliamentary procedure. The usual method by which an organization provides itself with suitable rules of order is to adopt a parliamentary authority, such as *RONR*. A parliamentary authority can be adopted by a bylaws provision that the current edition of a specified manual of parliamentary law shall be the parliamentary authority. The procedural rules in that book then govern in all cases in which the rules are not inconsistent with higher authority, such as federal or state law or articles of

incorporation. This parliamentary authority can also be supplemented with specific rules to cover specific situations.

In parliamentary procedure, one size does not fit all. For example, board meetings and membership meetings should be conducted differently. Large annual meetings must be fairly formal. Informal discussion of matters is impractical due to the number of members present. Limits on debate must be observed to keep the meeting on schedule. Formal votes help avoid legal challenges. In contrast, smaller boards and committees can be less formal. *RONR* notes that formality can hinder business in a meeting of fewer than a dozen. As a result, in smaller boards *RONR* recommends that:

- Members are not required to obtain the floor and can make motions or speak while seated.
- Motions need not be seconded.
- There is no limit to the number of times a member can speak to a question
- Motions to close or limit debate are generally not used.
- The chair usually can make motions and vote on all questions.

However, some smaller boards dislike the informality suggested by *RONR* and follow a more formal procedure at all meetings. Even informal boards should be more formal on matters of sufficient importance or controversy.

To avoid confusion as to what procedures to follow, some boards adopt procedural rules to govern board meetings. At a minimum, a board should adopt a rule that a particular book shall serve as the parliamentary authority if no such provision exists in other governing documents.

Conclusion

For anyone who wishes to be active in a club, association, or other group, learning the basics of parliamentary procedure is both desirable and achievable. A solid

foundation of procedural knowledge can enhance credibility, result in better meetings, and make the difference between legitimate actions and illegal ones.

Sidebar:

Parliamentary Resources

Two non-profit organizations promote parliamentary procedure and certify parliamentarians: the American Institute of Parliamentarians and the National Association of Parliamentarians. Each organization also makes referrals of skilled parliamentarians.

The American Institute of Parliamentarians (AIP) has two levels of parliamentary proficiency—the basic Certified Parliamentarian and AIP’s highest parliamentary classification, Certified Professional Parliamentarian (CPP).

The American Institute of Parliamentarians can be contacted at P.O. Box 2173, Wilmington, DE 19899, phone number 888-664-0428. The AIP Web site is located at **www.parliamentaryprocedure.org**

The National Association of Parliamentarians (NAP) also has two levels of parliamentary proficiency—Registered Parliamentarian and NAP's highest parliamentary classification, Professional Registered Parliamentarian (PRP).

The National Association of Parliamentarians can be contacted at 213 South Main Street, Independence, MO 64050-3850, phone number 888-627-2929. The NAP Web site is located at **www.parliamentarians.org**

Jim Slaughter is President of the law firm of Forman Rossabi Black, P.A., and is an attorney, Professional Registered Parliamentarian, and Certified Professional Parliamentarian-Teacher. Jim’s Web site at www.jimslaughter.com contains many articles and charts on meeting procedure.