

Basics of Robert's Rules

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The Various Versions of the Rules

Many versions of Roberts Rules are similar, but the ordering of the pages, style of text, and visuals will vary considerably. Among parliamentarians, the Official 1893 Standard Guide is treated as a mature edition, as this was Henry Robert's third issue of parliamentary rules. From time to time, Congress and other deliberative bodies will update their rules, which are then usually incorporated or at least referenced into newer version of Roberts Rules. The most recent update is *Robert's Rules of Order Newly Revised*, 10th ed. (2000), abbreviated "RONR". Thus, RONR 2000, carries the 1893 adoption of Roberts Rules, along with more recent revisions, and is considered the most definitive version available. An 11th edition may be available in September, 2011.

Quorum

A quorum is necessary to begin a session or meeting of an assembly or other deliberative body and conduct business. Rule 43 establishes a quorum at a majority of the assembly or a majority of the appropriate committee of the assembly. Standing rules of the assembly or relevant statutes or ordinances may change the quorum to something less than a majority of the assembly. It is not unusual in many very large bodies, for instance, to establish a quorum at 1 / 20 of the assembly. If a quorum exists at the outset of a session but then subsequently is lost due to a member's departure, it is common for business to continue, but no action or vote shall be taken of any such business. In other situations controlled by statutes or ordinances, it is more frequently the rule that once a quorum is lost, that the meeting is immediately adjourned for lack of a quorum.

Making a Motion

Section 1, provides that in order for a person to make a motion, he has to be recognized by the presiding officer to obtain the floor for the purpose of making a motion. In formal bodies, that typically means whoever is making a report in preparation for a motion (such as a committee chair), but the presiding officer has the discretion to recognize any individual.

Section 3 states that before debate is opened, the motion must be made; then seconded; and then stated by the presiding officer (The presiding officer usually verbally states the motion so that everyone knows what it is). Once seconded and BEFORE being stated by the presiding officer, the maker of the motion can modify or even withdraw it. After it is stated the maker cannot modify or withdraw without the consent of the assembly. When the make modifies prior to statement, a second can withdraw, while others can then second the motion.

In Section 4, once the motion has been stated by the presiding officer, it is in the possession of the assembly for debate. The mover cannot withdraw or modify it except with leave from the assembly, or by moving for an amendment. A special House of Representatives Rule, HR 40, does allow the mover to withdraw at any time before decision or amendment.

Section 17 allows the presiding officer to grant permission to the mover of the motion to withdraw, modify, or substitute if no one objects. If any objections exist, then it will be necessary to obtain leave to withdraw. When it is withdrawn, it is as if the motion never existed.

Section 23 and Section 56 (a) allow amendments to a motion, and such activities generally takes precedence to the main motion. Once a vote occurs on an amendment, the discussion is then returned to the main motion, as amended.

On friendly amendments, it is common for the maker of a motion to accept the amendment and the presiding officer will treat the motion as amended. This is usually allowed where no one has objections, as formal procedure under Section 23 and 56 (a) indicates that once a motion has been stated by the presiding officer, it is the property of the assembly, and not the mover. It must be adopted by the full body either as a vote or by unanimous consent. It is common however for the presiding officer to ask if the friendly amendment has any objection, and if not, it would then be accepted as an amendment to the motion. If any member objects in a contemporaneous fashion however, the ‘friendly’ amendment needs to be made into a formal amendment and voted upon. See, RONR, 10th ed, p. 154.

Motions to table or to kill should be treated as an objection to consideration of the question per Section 15, which require a 2/3 vote. See, RONR (10th ed.), p. 209, l. 1-4; p. 258-61. If debate has started on the main motion and the mover wants to get rid of or table a motion without a direct vote on it, the maker can move to postpone indefinitely, pursuant to Section 24. This only takes a majority vote. See, RONR, 10th ed. P. 121-124.

Sometime the maker of a motion wants to withdraw the entire matter, realizing that his motion does not have much support or is in danger of being dramatically changed through amendments. The maker of a motion does not have unilateral ability to withdraw, or even to substitute in whole or in part with some other provision, as once the motion has been stated by the presiding officer, the matter belongs to the entire assembly for consideration. Generally, an attempt to withdraw is allowed in Section 17 only if no one objects. If an objection exists, it is necessary to obtain leave to withdraw.

Often, there will be so many amendments being offered on a motion that it becomes obvious that no definitive action will take place on the matter. In such instances, it is a prudent usage of time to refer to committee, per Section 22. Once the appropriate committee deliberates, the matter can be returned to the assembly through a committee report.

Rulings of the presiding officer can be appealed per Section 14. An appeal must be seconded and cannot be amended. An appeal is normally debatable, with the presiding officer initially stating

his or her reasons, followed by any member of the assembly, who can speak only once on the appeal. An appeal either sustains or rescinds the presiding officer's action on a question.

Section 14 also allows points of order to be made. The point of order is informational in nature, with the member rising to state his point. The person then holding the floor yields to the point of order. The presiding officer decides the question. The decision can be appealed. Once the matter is over, the floor then returns to the speaker who previously held it.

A question of privilege is allowed pursuant to Section 62 (c). It is usually used in cases of disturbances in the meeting, but also be deployed in a variety of miscellaneous situations involving general decorum of the assembly. It has precedence over other matters on the floor. The chair can make a decision on the question, which is appealable, or the matter could be referred to a committee or even can be tabled.

A point of personal privilege is not an automatic right of the person claiming it. It be made only with leave of the presiding officer or assembly, either express or implied. See, Section 62 (c). It is not intended to allow the speaker to take control of the floor nor take priority over other motions or matters on the floor, but is usually done where a member's honor or name is attacked in some fashion. It may lead to admonishments by the presiding officer, or could merely constitute a statement by the person asserting the point.

Voting

Section 34 provides for debate on a motion. By courtesy, the maker of the motion or the committee chair reporting the motion to the floor is the first to speak, and may also be the last person to speak. No member can speak more than twice on the matter, Debate cannot be closed so long as any member wished to speak to the matter, unless standing rules otherwise govern debate on motions. Time limits on speakers are also commonly established in the standings orders of the assembly. If there are no such orders, then Section 34 provides for a 10 minute limit per speaker. Some matters are actually non-debatable. See Section 35 for details.

Decorum during debate is important for the proper deliberation of the assembly. The presiding officer shall at all times be referred to by title (e.g. Mr. Chairman), while it is common to also refer to the member of eth assembly by various titles (e.g. "The delegate from xyz"; or "Mr. xyz"). Debate shall be confined to the question pending on the floor. Maligning the maker of the motion is not allowed, and is subject to a point or order or personal privilege. But critiquing the nature of the motion is certainly allowed. Alleging conflict of interest or some other type of legal or procedural defect of the maker of the motion should be more broadly viewed as a credentials problem of the member, to be taken up separately by the assembly. For instance, Rule 69 provides for trials involving expulsion of members from an assembly. Disorderly words or conduct can and should be controlled by the presiding officer as points of order, admonishments, warnings, or rulings from the chair.

Debate can be closed in various ways. An objection to the consideration of a question pursuant to Section 37 (a) and Section 15 is stated at the outset, and if successful, effectively kills the

motion, as it not only ends debate but also terminates further deliberation on the question for the duration of the session. It requires a 2/3 vote. To lay on the table per Section 37 (b) and Section 19 removes the matter from consideration until taken from the table at a later time. It requires only a majority vote. It is normally used where other matters may be more pressing in nature or where the assembly desires more time to consider the main motion. Laying on the table does not permanently suppress or kill the motion, as it called be taken from the table and returned to the floor by majority vote during the same or subsequent sessions for further consideration. Calling the question or calling the previous question per Section 20 and Section 37 (c) serves to cut off debate and forcing a vote on the question. It is non-debatable, and requires 2/3 vote for passage. Note that the Rules provide for the United States version of calling the question and not the version used in the United Kingdom which can be take on entirely different intent and effect.

Once debate has closed, voting shall commence on the question pursuant to Section 38. The presiding officer shall briefly state or read the question and then ask for those an oral indication of yeas and nays, or by a show of hands, as is the custom of the assembly involved. A majority vote on the question cast is sufficient for passage of the motion, except for those requiring 2/3 vote per Section 39 of the Rules. The question fails if the vote results in a tie-vote, but the presiding officer is allowed (but not required to) to cast a tie-breaking vote. On questions involves appeal of the chair, a tie-vote automatically sustains the chair, as the chair could always vote to break the tie supporting his or her own decision.

Sometimes, various statutes or ordinances of governmental bodies may require a super-majority of those votes cast, or occasionally an absolute majority or super-majority of total members of an assembly. In such instances, the particulars should be stated by the presiding officer if generally unknown by assembly members. In still other instances controlled by statute (as in the case of monetary expenditure by a municipality or governmental entity), roll call vote is necessary. Unless required by such instances by standing orders of the assembly or by statute or ordinance involved, an oral indication of voting by the assembly is sufficient.

Once the presiding officer announces that the motion or question has carried or has been defeated, any member can call for a division of the question per Section 38. Traditionally, division entails physically standing when requested for those in favor or those opposed. Roll call vote is also generally acceptable for divisions. Once the division definitely settles the voting, the presiding officer shall announce results.

A vote on a question can be reconsidered per Section 27 and Section 60. A motion to reconsider must be made by a member who voted with the prevailing side. No question can be reconsidered twice unless the initial question that was reconsidered was subsequently amended and approved as a new question. Reconsideration generally takes precedence over other matters having the floor. A motion to reconsider takes a majority vote even where a different voting requirement may have been necessary on the initial motion. Please note that in the U.K. Parliament, a vote taken cannot be reconsidered, but in the U.S., Congress and other deliberative bodies allow for reconsideration upon motion and second by members of an assembly who voted in favor of the original question.