

## Ten (Or So) Meeting Procedure Myths

*Robert's Rules for Dummies*

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In my experience, I find that most members and presiding officers really do have an interest in doing things according to Robert's Rules. The real trouble is that more often than not, they're never really read Robert's rules or even a book like this about Robert's Rules.

The trouble is, when you haven't read the rules, but instead just operated based on what you've heard are the rules, you unknowingly help to create or strengthen a procedure myth. Unfortunately, Robert's Rules are often misinterpreted, and a lot of common meeting procedure myths are floating around out there.

It's time to dispel the myths and reveal why some things really should be done a certain way. If your goal is to have good meetings and avoid wasting time, you'll be glad you read about these ten (or so) myths, and you'll be glad you read about these ten (or so) myths, and you'll see how things actually should be done according to Robert's Rules.

### Myth 1

## Robert's Rules are Just a Guide: You Don't Have to Follow Them

BZZZZT!! Sorry, but no cigar for you! (This one has to be the mother of all myths -- it's completely baseless?) If your bylaws provide that Robert's Rules is your parliamentary authority, then the rules are binding on your group.

Most of the time, people who say this just don't know the truth, or just don't think about it. Only rarely are they trying to manipulate the organization or take advantage of members' lack of familiarity with the rules.

I can't argue that Robert's Rules doesn't contain a lot of guidance. It does! With all its should rules, it offers members and leaders alike plenty of advice and solid recommendations based on common sense and logic. But as helpful as it is as a guide, when you've adopted it, Robert's Rules is the definitive authority for decisions on parliamentary procedure, and it's as enforceable as you care to make it.

### Myth 2

## Only One Motion Can Be on the Floor at a Time

Robert's Rules establishes that it's a fundamental principle of parliamentary law that only "one question can be considered at a time." I'm not arguing. You can only consider one question at a time. The myth arises because the actual rule is often misstated: Several pending motions can actually be on the floor at one time when you include any secondary motions that may be made during the handling of a main motion.

These motions can be made while another motion is pending, subject only to their particular rules of applicability and precedence. They're added to the stack of pending motions as they're made and they're voted on (or consider) one at a time, from the highest ranking back down to the lowest ranking, in their proper order.

For example, a motion is made to hire a management company to handle your condo association's business dealings and physical building maintenance. A member then moves to amend the motion in some way. While the amendment is being discussed, someone moves to refer the motion with the amendment to a committee to report back next month. While the motion is refer is being discussed, someone moves to limit the debate on the motion to commit to ten more minutes and then take a vote.

Your parliamentary situation is that you have four motions pending or *on the floor*, at one time. But you can only *consider* one question at a time. In this case, you take up the question whether to limit debate and decide it before you get back to the motion to commit. You consider the question whether to commit; then, if it fails, you go back to consideration of the amendment. After you decide the question on the amendment, you're again able to consider the original main motion.

## Myth 3

### The Presiding Officer Can Only Vote to Break a Tie

This popular myth, and its variation that the chair must vote to break a tie, are more common than ants at a picnic. And it's simply not so!

Robert's Rules say that the presiding officer (if a member) votes with the other members when a vote is by ballot; but for other forms of voting, the chair's duty to maintain the appearance of impartiality while presiding requires him to refrain from voting, except when his vote will affect the result.

The myth comes about because of two misconceptions. The first is based on the misunderstanding that a tie vote is not decisive. On the contrary, wherever a majority vote is required to adopt a motion, a tie vote is decisive; a motion that fails to achieve the majority vote necessary to adopt it *fails*.

If the vote is tied, the presiding officer doesn't need to vote unless he wants the motion to be adopted. He can then vote in the affirmative, and the motion passes.

**WARNING:** The presiding officer does not get to cast a second vote. If you're voting by ballot and the result of a ballot is a tie, the motion fails. If an election ballot ties, however, everybody just votes again.

If the vote isn't tied but the affirmatives outnumber the opposition by one vote, the chair doesn't need to vote unless he wishes the motion to fail. He can then cast a vote in the negative, creating a tie and causing the motion to fail.

The second misconception contributing to this myth comes from the failure to consider that the chair's vote can also affect the outcome when the threshold for adoption is anything other than a majority. For example, if a motion requires a two-thirds vote to pass, the chair's vote can make a difference if it causes the motion to reach (or not reach) the two-thirds threshold. In either case, the chair can vote if he wants to affect the results.

**REMEMBER:** The chair should vote along with other members whenever the vote is by ballot; otherwise, he should vote only when he wants to use his vote to affect the results.

## Myth 4

## The Parliamentarian Makes Rulings to Decide Procedural Questions.

Some presiding officers like to pass the buck when it comes to handling points of order and parliamentary inquiries. They say things like, "The parliamentarian just ruled that..." or "The parliamentarian says you can't (or can) do so-and-so."

But a presiding officer who knows her stuff stands in control of the meeting. She assumes the responsibility incumbent upon her after consulting with and paying heed to the parliamentarian's opinion on matters of procedure.

**REMEMBER:** The parliamentarian's job is to advise the presiding officer and give his opinion when asked. But the sole responsibility for ruling on a point of order or answering a parliamentary inquiry lies with the chair.

### Myth 5 A Motion That's Adopted without Being Seconded Is Void

The purpose of this requirement for a motion to be seconded is to avoid wasting your group's time on a motion that no one other than the person who makes the motion wants to discuss.

If the members debate an unseconded motion, vote on the unseconded motion with debating it, or adopt it by unanimous consent, the motion is adopted, being presumed to have a second because members discussed it or acted upon it.

**REMEMBER:** A point of order that a motion is not in order for lack of a second must be made before any discussion or vote takes place on the motion.

### Myth 6 Absentions Count As Yes or No Votes

One of the most frequent questions asked of parliamentarians is "How do we count abstentions?" The answer is simple: You don't. Abstentions are not votes. They're instances of members choosing not to vote.

The confusion probably comes from the fact that votes who abstain typically do, by their abstention, influence the outcome of a vote. For example, if the requirement for adoption is a majority vote, then abstentions have the effect of a vote for the prevailing side. By not voting, members have helped the winner.

On the other hand, if the vote required for adoption is the affirmative vote of the majority of the members present, then an abstention has the same effect as a negative vote.

But in any case, abstentions are never counted toward one side or the other even if the fact that a member doesn't vote has a direct effect on the outcome.

### Myth 7

## The Chair Should Always Ask for Unfinished Business.

You're not alone if you or your fellow members think that *unfinished business* is that part of the agenda where you rehash old ideas that never went anywhere. Those who have knowledge of the term but have never considered its true definition under Robert's Rules perpetuate the myth.

Unfinished business is business brought over from an earlier meeting. It consists of motions not finally disposed of, perhaps postponed from the prior meeting, or pending when the meeting adjourned. A class of business, its items is determined based on what happened at the prior meeting. Unfinished business is not the place for members to bring up old ideas that never took off.

**REMEMBER:** The presiding officer and the secretary aren't doing their jobs if neither knows whether the group has any unfinished business. If the presiding officer does know, then he should announce the first time in the class as soon as the meeting reaches the point in the order of business when unfinished business is addressed.

## Myth 8 The Chair Must Call for Nominations from the Floor Three Times

This myth seems to have a life of its own, like some kind of urban legend. It rivals the myth that all a member has to do to stop debate is to holler "Question!" from his chair.

Perhaps this myth has its foundation in a reasonable policy that some judicious presiding officer once adopted to be sure that nominations were not closed as long as there was a member who wishes to make a nomination from the floor. He may have thought, "If I call for nominations once, hear none, and declare nominations closed, somebody is sure to say, 'Hey, wait, you can't just close nominations like that.' If I try again and call for nominations a second time, then those who didn't hear me the first time are likely to react the same way. So, I'll just ask three times before I say 'Hearing none, the chair declares nominations are closed.'"

All this is very reasonable, and it's certain not a bad policy. But it isn't a rule.

**REMEMBER:** The motion to close nominations is never in order as long as anyone wishes to make a nomination. In fact, the motion is rarely even necessary. The chair, upon determining there are no further nominations forthcoming from the members, simply declares nominations closed.

## Myth 9

## If an Election Winner Doesn't Serve, the Second-place Candidate Takes Over

This myth is one of those misconceptions that sounds so reasonable until you give it some thought. The second-place candidate is either the loser of a two-candidate race or one of several people rejected by the members in favor of someone else. In the first situation, he was rejected outright; in the second situation, no one knows how the members would have voted had the original winner not been on the ballot. You can't assume that the second-place candidate would have been the winner if all the members who voted for the actual winner had voted for someone else.

Sorry, but the winner declines the office after being elected, you have what Robert's Rules calls an *incomplete election*. To resolve the incomplete election, you need to reopen nominations and have another try at it.

If the winner fails to serve out his term of office, you're left with a vacancy, and you need to follow the rules in your bylaws for filling the vacancy. Depending on the particular office and your bylaws, you may have to hold another election, or your executive board may be able to appoint someone to fill the vacancy. If your bylaws say nothing about filling vacancies, you hold another election for the office.

**EXCEPTION:** Except when your bylaws provide expressly for filling a vacancy *in the office of president*, if your president dies or resigns, the vacancy actually occurs in the office of vice-president, who automatically becomes the president. You then fill the vacancy in the office of vice-president.

**REMEMBER:** If the winner of an election declines to serve, the election is incomplete. Vote again! Otherwise, vacancies in an office are filled either according to the bylaws or rules of order, or by the electing authority if no applicable rules are in place.

## Myth 10 Officers Must Be Members of the Organization

If your organization follows this policy, it's not because of anything in Robert's Rules. The only way you can properly put a limitation on who to elect is by establishing that qualification in the bylaws. If you don't have this kind of limitation, however, Robert's Rules recognized the complete autonomy of a membership body to select anyone it wants to serve as an officer.

Frequently, organizations rely on nonmember officers. A treasurer may be an accountant who is not a member but who is willing to give his service. Similarly, a secretary (or even the president/CEO) may be an employee of the organization but not a member.

If your group wants to limit its own power to decide who serves by adopting a bylaw requiring officers to be members, that's fine. But Robert's Rules sees this acting as a limitation on the right of the membership itself to make the final decision on who it wishes to elect to serve.

**REMEMBER:** The membership can elect whomever it wants unless the bylaws establish qualifications for the office.

## Myth 11 Ex-officio Members Can't Vote

Now that's just plain silly. Of course they can vote! They're members, aren't they? *Ex-officio* simply refers to how they came to be a member: They hold membership *by virtue of* some *office*. Members can always vote, no matter how they come to be a member, unless that's some concrete rule specific to your group that restricts the voting rights of a particular class of members.

## Myth 12

### Motions Don't Take Effect Until Minutes Are Approved

If this statement was true, you could never even have approved minutes, because minutes of one meeting wouldn't be officially approved until the minutes of the meeting where they were approved get approved, and those minutes wouldn't be approved until the next meeting (and so on)! You'd have a never-ending wait for approved minutes.

The way it really works is that motions are in effect upon adoption, unless the motion provides for some other effective date. The fact that minutes aren't yet approved has nothing to do with whether a motion is in effect. Approving minutes only approves the record of the adoption of the motion, not the motion itself.

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