

Jurassic Parliament

Using Motions to Get Out of a Pickle

Presented by

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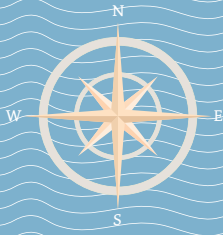
Association of Washington Cities Annual Conference

Kennewick, Washington

June 27, 2025


PICKLES

1. A motion is so toxic that you don't want the council to talk about it
2. Member moves to drastically amend your motion
3. Member rambles on about irrelevant topics
4. Member keeps on attacking fellow councilmembers
5. Members get into a back-and-forth argument
6. Member uses insulting body language
7. Member criticizes past action of council
8. Member wants council to pass a resolution about the war in Ukraine
9. Member wants to step down and speak during public comment
10. Member violates your ethics guidelines
11. Member urges neighboring city not to collaborate with your city
12. Mayor doesn't recognize you to speak
13. Mayor announces the vote incorrectly
14. Mayor ignores a Point of Order or an Appeal
15. Mayor uses insulting language to councilmembers
16. Mayor berates member of public during public comment



League of NORTHWEST DINO CITIES




 Mastering meetings using Robert's Rules

Using Motions to Get Out of a Pickle

Ann G. Macfarlane, Professional Registered Parliamentarian
Jurassic Parliament

Association of Washington Cities Conference
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 Mastering meetings using Robert's Rules

Our topics

- I. Introduction
- II. Meeting discussion
- III. Point of Order and Appeal
- IV. Authority of mayor or chair
- V. Ethics and Sanctions
- VI. Q&A and conclusion

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 Mastering meetings using Robert's Rules

I. Introduction

Why are we here?

To give you tools to use motions
to get out of pickles at meetings


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 Mastering meetings using Robert's Rules

After taking this workshop you will be able to:

- State the authority of mayor and councilmembers at meetings.
- List key principles for effective discussion.
- Take action when rules are broken.
- Take action when a mayor or chair oversteps their role.
- Move to censure a fellow councilmember


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 Mastering meetings using Robert's Rules

Disclaimer

The material contained in this
presentation is based upon the
principles and practices of parliamentary
procedure. I am not an attorney and
nothing in this presentation constitutes
legal advice.

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 Mastering meetings using Robert's Rules

II. Meeting discussion

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Key Point

Discussion in council meetings is
NOT A CONVERSATION.
It is **DEBATE** and has its own rules.

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Fundamental guideline

**No one may speak a second
time until everyone who wishes
to do so has spoken once.**

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Why don't we follow this?

- Councils tend to discuss their affairs in conversational mode.
- In conversations, dominant people tend to dominate.
- Agreeable people tend to let them.
- Must have a structure to make sure that everyone has an equal chance to speak.
- This is both fair and efficient.

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Equity and inclusion

- This rule is also the best way to ensure that each person has an equal voice.
- The system is formal but inclusive.
- It will make for robust discussion and advance your equity goals.

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- Note that this guideline pertains to discussion on the substantive issues.
- The chair will speak more than others on procedural matters, because they have the role of facilitating the discussion during the meeting.

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**NO CROSS TALK BETWEEN
COUNCIL MEMBERS!**

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Seeking recognition

- Raise your hand and wait to speak until the presider (chair) calls your name, nods at you, or gives some other sign that you have permission to speak (you “have the floor”)
- Online, you can use the “raise hand” function or raise your physical hand.

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Duty to remain silent

- When you have not been recognized, you have a duty to remain silent.
- The exception is a Point of Order when essential.

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Language tips

Members will kindly seek recognition before speaking.

Just a moment Josh, Elaine has the floor.

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HOW to do this?

- You can keep track of who has spoken and who wishes to speak, using a chart.
- You can empower your vice-chair to do this – great training for them.

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SPEAKING CHART

Name	1	2	3	4	5	6	etc.
Garcia							
Jackson							
Juma							
Lee							
Patel							
Smith							
Young							

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Jurassic Parliament Mastering meetings using Robert's Rules

Object to consideration of a question

- If a motion is so toxic or controversial that you don't want to even take it up, and there has been no discussion yet, you can say, “I object to consideration of the question.”

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- This motion does not require a second and cannot be debated or amended.
- If two-thirds of the voting members present object to consideration, the motion will not be taken up.

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Fundamental guideline

**Courtesy and respect
are required.**

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These remarks are inappropriate

1. Personal remarks about other members (except for conflict of interest)
2. Discourteous remarks – insulting language, attacks
3. Inflammatory language
4. Criticizing past actions of the group (unless subject is under discussion, or member is about to propose to amend or rescind the action at the end of their speech)
5. Remarks that are not germane (relevant) to the discussion

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The moment the chair hears such words as “fraud,” “liar,” or “lie” used about a member in debate, he must act immediately and decisively to correct the matter and prevent its repetition.

Robert's Rules of Order Newly Revised, 12th ed., Sec. 43:21

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Who decides?

- If any question arises as to whether a remark is appropriate or not, the chair rules, subject to appeal.
- The chair may also turn immediately to the group to ask the members to decide.
- Ultimately it is the group's call.

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Subjectivity

- This means the chair may have to exercise personal judgment in order to decide whether something is relevant, or not, or insulting, or not.
- This is part of the chair's duty. If you are a mayor or a chair, be prepared to take on this responsibility.
- OR, you can turn to the body to decide.

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Jurassic Parliament Mastering meetings using Robert's Rules

- Member A: *That statement is just a bunch of baloney!*
- Member B: *Point of Order!*
- Chair: *State your point.*
- Member B: *The word "baloney" is insulting!*
- Chair: *The chair is in doubt and will ask the group to decide.*

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Jurassic Parliament Mastering meetings using Robert's Rules

- Chair: *All those who believe that the word "baloney" is insulting, say "aye."*
- Members in favor: *Aye!*
- Chair: *All those who believe it is not insulting, say "no!"*
- Members opposed: *No!*
- Chair: *The ayes have it, the word baloney is insulting and may not be used, OR The noes have it, the word baloney is not insulting and may be used.*

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Jurassic Parliament Mastering meetings using Robert's Rules

Language tip

Members will kindly keep their remarks strictly to the topic under discussion.

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First Amendment

- The courts have found that local government bodies may establish rules for debate by members within their meetings that require discussion to be germane (relevant).
- These inappropriate remarks are not relevant to the topic under consideration.

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Important note

- We are speaking here about discussion within the council itself.
- For a local government body, these prohibitions DO NOT APPLY to the public when they are giving public comment.

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Jurassic Parliament Mastering meetings using Robert's Rules

CHEAT SHEET

WAIT! WAIT! WHAT SHOULD I SAY?

	If you are the chair, say...	If you are a member speaking about another member, say...	If you are a member speaking about the chair, say...
BIG MISTAKES			
speaking twice in a row	Members are reminded that no one may speak a second time until everyone who wishes to speak has spoken once.	Point of order: The member has spoken twice while others are waiting to speak.	Point of order: The chair does not have the right to dominate the discussion, but must speak in turn.
not seeking recognition	Members will kindly seek recognition before speaking.	Point of order: Members must seek recognition before speaking.	[not applicable]
speaking directly to another member	Members will kindly address all remarks to the chair.	Point of order: Members are supposed to speak to the chair.	[not applicable]
interrupting another person	Members will kindly refrain from interrupting one another.	Point of order: Interrupting is not allowed.	Point of order: The chair does not have the right to interrupt a member.
INAPPROPRIATE REMARKS			
personal remarks	Members will refrain from making personal remarks.	Point of order: Personal remarks are not allowed.	Point of order: Personal remarks are not allowed.
insulting language, vulgarly, attacks	Insulting or vulgar language is not allowed at our meetings.	Point of order: The language used by the member is insulting/vulgar.	Point of order: The chair is using insulting/vulgar language.
inflammatory language	Inflammatory language is not allowed.	Point of order: That remark is inflammatory.	Point of order: That remark is inflammatory.
criticizing past actions	Members may not criticize a past action of the group during a meeting, with two exceptions.	Point of order: Members may not criticize a past action of the group during a meeting, with two exceptions.	Point of order: The chair may not criticize a past action of the group during a meeting, with two exceptions.

Note that this is proprietary information. Do not duplicate.

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Body language and gestures

- No rolling your eyes, shrugging, sighing, making faces...
- A member can raise a Point of Order that "my colleague is failing to display courtesy in body language and expression."

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Councilmember stepping down from the dais

- A recent court case found that a councilmember may not step down from the dais and speak as a member of the public.

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War in Ukraine?

- *The council shall not consider or pass any ordinance or resolution the subject matter of which is not directly related to local affairs or municipal business or if action by the city council does not result in the adoption of a new or amendment to an existing ordinance or resolution or affect any city policy or practice.*

Spokane City Council Rules of Procedure

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III. Point of Order and Appeal

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Point of Order
flying dinosaur

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Point of Order *flying dinosaur*

- When ANOTHER MEMBER breaks one of the rules, a member may make a POINT OF ORDER.
- Chair rules on the point.

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Point of Order

- A motion claiming that a procedural mistake has been made.
- According to Robert, can be made only by a member.
- We recommend that key staff be authorized also.
- Public may not raise a Point of Order.

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Process Point of Order

1. Member: *Point of Order!*
2. Chair: *State your point.*
3. Member: *That comment breaks our rules of decorum.*
4. Chair: *The point is well taken. Members may not use this term.*

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Point of Order

- You can make this at any time, except during voting.
- Do not have to be recognized.
- May interrupt a speaker if necessary.
- Must be timely – made at the time of the offense.

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The chair must issue a ruling

- It is the chair's responsibility to say, "The point is well taken," or "The point is not well taken."
- Be alert as to whether the member who says "Point of Order" is actually using the motion correctly.
- The ruling goes into the minutes, as a precedent for the future. Use the passive voice! "A Point of Order was made that the word 'bozo' is insulting..."

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Chair as "benevolent dictator"

- The chair is enforcing the rules that the group has chosen.
- Some people are reluctant by temperament to take on this role, but it is necessary.
- Some people are too eager to be a dictator, and forget the "benevolent" aspect.

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When should members make a Point of Order?

- Make a Point of Order if a rule has been broken.
- DO NOT make a Point of Order to bring something to the chair's attention, or because you think someone has made a factual mistake, or because you disagree with what they said.
- Speak about that when it is your turn to discuss.

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Language tip

- Use the “third person” to keep things neutral and lessen conflict.
- Note that the chair states the general rule.
- The chair is speaking on behalf of the rules of procedure.
- DO NOT SAY “You are out of order” or “You made a mistake.”

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If in doubt, ask the group!

- Chair can always ask the group to decide if a Point of Order is correct (“well-taken”) or not.

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If someone is confused...

- If a member has trouble explaining what the Point of Order is about, chair can ask:
What rule has been broken?

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Chair doesn't have to say “Point of Order”

- The chair has the duty of maintaining order and decorum, so doesn't need to say “Point of Order.”
- Just needs to take appropriate action.

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Chair subject to same rules

- If the chair breaks one of the rules, a member may raise a Point of Order.
- The chair rules on their own behavior, which seems odd, but is the way the system works.

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No further discussion

- Once the chair has issued a ruling, there is no more discussion or debate on the matter.
- The only allowable discussion is to appeal the ruling.

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Appeal

The most important motion in all of Robert's Rules – and the least known!

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Chair's rulings can be appealed

- The CHAIR enforces order and decorum.
- The GROUP is the final authority.
- Any TWO MEMBERS can appeal a ruling of the chair (one member appeals and one seconds the appeal).
- EXCEPTION: If the ruling is a matter on which there cannot be two reasonable interpretations, the ruling cannot be appealed.

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Appealing a ruling of the chair

- Member A: *Chair, Point of Order.*
- Chair: *State your point.*
- Member A: *My esteemed colleague has used the term "cream-faced loon" in referring to the Secretary. According to Robert's Rules, insults are not allowed in debate.*
- Chair: *The point is well taken. Members will refrain from using improper language.*

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- Member B: *Chair, I appeal the Point of Order on the grounds that "cream-faced loon" is a literary reference and not an insult.*
- Member C: *Second!*
- Chair: *Very well, since the ruling of the chair has been appealed, the group will decide. Note that appeals pertaining to proper use of language and decorum may not be debated.*

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- Chair: *All those who believe that "cream-faced loon" is an insult, say "aye."*
- Members who agree: *Aye!*
- Chair: *All those who believe that this phrase is not an insult, say "no."*
- Members who believe it is not an insult: *No!*

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- Chair: *The ayes have it, the ruling of the chair is sustained, and members may not use this term, OR The noes have it, the ruling of the chair is not sustained, and members may use this term.*
- Clerk, *please record this outcome in the minutes.*

Note that the vote was on whether the ruling of the chair should be SUSTAINED.

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Don't get into arguments!

- If you are a member, you may not argue with the chair.
- If you are the chair, don't argue with a difficult member.
- Simply state your ruling, and then say
Does the member wish to appeal this ruling?

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Point of Order and Appeal are the heart of democracy



In our view, the motions Point of Order and Appeal are the heart of our democracy. They provide the mechanism to stop a dictatorial chair who is acting like a "boss." They are essential for every local

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IV. Authority of mayor or chair

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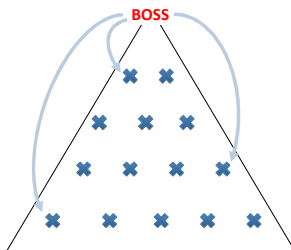
Principles of parliamentary procedure

- The courts have found that even if your body has not adopted *Robert's Rules of Order*, you still are bound by the principles of parliamentary procedure which have been established over the centuries. They are part of the common law.

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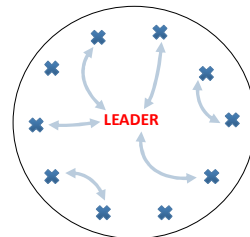
Accountability Hierarchy



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Voluntary Association



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Jurassic Parliament Mastering meetings using Robert's Rules

Key Point

During meetings,
the chair controls the process
so the group can make the decisions.

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Jurassic Parliament Mastering meetings using Robert's Rules

Fundamental guideline

During meetings,
the chair is the servant of the group,
and the group is the final authority.

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Jurassic Parliament Mastering meetings using Robert's Rules

What is the role of the chair?

It is the duty of the presiding officer to enforce the rules relating to debate and those relating to order and decorum within the assembly.

Robert's Rules of Order, 12th edition, Section 47:7

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Jurassic Parliament Mastering meetings using Robert's Rules

Note on role of chair

- Robert has different rules for small boards (up to about 12 people).
- In a small board, chair may make motions, second, discuss, and vote, unless law, regulations or bylaws say otherwise.
- We recommend chair exercise restraint by speaking and voting last, and by refraining from making motions (this is a Jurassic Parliament suggestion).

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Jurassic Parliament Mastering meetings using Robert's Rules

What are the 11 duties of the chair?

Under Robert's Rules of Order, the chair of a meeting has 11 duties, listed on the next page.

These duties are listed in Robert's *Rules of Order Newly Revised*, 12th edition, the only official and current version of Robert's Rules, in section 47:7.

THE MEETING may be that of a city council, a nonprofit board, a professional society, a homeowners' association, a fraternal order or any group that is organized as a "voluntary association" (that is, not a hierarchical organization such as the workplace with its "boss.")

THE CHAIR is the person who presides at the meeting. He or she is called the moderator, presiding officer, or

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Jurassic Parliament Mastering meetings using Robert's Rules


Can mayor take part in discussion?

- YES in a council-manager city.
- In Washington State, a "strong mayor" by custom can take part in discussion, even though technically not a member of the council.
- Nevertheless, the mayor must remain the servant of the group, and may not dominate the discussion.

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 Mastering meetings using Robert's Rules

The president...should, of all the members, have the least to say upon the substance of pending questions.

Robert's Rules of Order Newly Revised, 12th ed., Section 47:19

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 Mastering meetings using Robert's Rules

Chair decides relevance

- Under *Robert's Rules of Order*, an amendment is permitted to a motion as long as it is germane (relevant).
- It is the duty of the chair to determine whether an amendment is germane – another example of personal judgment.


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 Mastering meetings using Robert's Rules

Some bodies have adopted this language

No amendment to any resolution shall be allowed which shall change the scope and object of the resolution.


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 Mastering meetings using Robert's Rules

Chair ignores you

- If you have the right to speak, and the chair ignores you or fails to recognize you, you can stand up and say "Point of Order."


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 Mastering meetings using Robert's Rules

Chair calls vote wrong

- Any member can call out "DIVISION."
- The chair must then take the vote by a different method.
- You don't have to be recognized to say this.

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 Mastering meetings using Robert's Rules

Chair uses insulting language

- If the chair is berating a member of the public, or using insulting language to a councilmember, any member can make a Point of Order.

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If the chair doesn't know...

1. Prepare to confront the chair by consulting state law, your bylaws, and your attorney.
2. Gather allies (observing open meeting law—no walking quorum!)
3. Speak with the chair outside the meeting and try to convince them of the importance of this. If that doesn't work...

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4. During the meeting, raise a Point of Order.
5. If the chair rules against you, make an Appeal.
6. If the chair fails to respond correctly, put the Point of Order or Appeal to the group yourself.

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V. Ethics and sanctions

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*One of the great flaws in our parliamentary authorities is that they were all written under the perception that members in attendance want to accomplish business and have the best interest of the organization at heart.
This simply isn't always the case!*

Al Gage, Past President, American Institute of Parliamentarians

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Vigorous discussion

- Discussion on council motions can and should be vigorous!
- Express your views freely and don't hold back.
- Once the vote has been taken, however, things change.

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It's OK to disagree

- The fact that people have different opinions is a strength. It's a good thing!
- BUT we tend to identify with our own position.
- When we are defeated, we sometimes take it personally.
- This is a mistake.

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At the end of the day, the body must unite behind its decision.

- It is a basic democratic principle that the decision of the majority, voting at a properly called meeting, is the decision of the body as a whole.
- The minority must make it their decision as well.

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Democracy is the worst system of government in all the world, with the exception of those others that have been tried from time to time.

Winston Churchill

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Members have a duty

- When serving on a public body, members have a duty to uphold the decision of that body, even if they disagree with it.

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Disagreement

- Members may express their disagreement in public, but may not attempt to UNDERMINE the decision.
- They are free to try to persuade their colleagues, during the meeting, to change the decision (within limits).

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WHY?

The essential principle of majority rule.
Respect for the will of the body, not the individual.

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What does “undermine” mean?

- Members may not take action directed towards preventing the council's decision from being carried out.
- Board members who do this are subject to sanction, and rightly so.
- They are violating their duty of loyalty.

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Jurassic Parliament Mastering meetings using Robert's Rules

Lost the vote? Don't sabotage the council's action



We've had inquiries recently about elected officials who lost a vote, and then actively worked against the outcome. This amounts to trying to sabotage the council. It is wrong, wrong, wrong.

THE MAJORITY RULES
General Henry Martyn Robert, the original author of *Robert's Rules of Order*, expresses it this way:

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What is the alternative?

The ballot box is sacred because the alternative is blood.

Elias Canetti, author and Nobel Prize winner

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Jurassic Parliament Mastering meetings using Robert's Rules

Council may sanction

- The power of the group extends to the power to sanction.
- If you have adopted Robert's Rules, you have this power.
- In addition, it is best if council rules of procedure include specific steps to be taken when the guidelines are broken.

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Jurassic Parliament Mastering meetings using Robert's Rules

Try informal pressure first

- Don't try to tackle this alone. Collect some allies.
- Note that public bodies must observe open meeting laws.
- If feasible, speak with the offending member outside the meeting.
- Sometimes people don't realize how offensive they are.
- Sometimes they just don't care.

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What actions may merit sanction?

- Failing to offer courtesy and respect, using foul language.
- Failing to observe the rules of discussion: interrupting others, speaking out of turn, speaking beyond established time limits.
- Violating the confidentiality of executive session.
- Failing to observe ethics guidelines.
- Taking actions outside the meeting that attempt to undermine a council decision.

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Jurassic Parliament Mastering meetings using Robert's Rules

Don't do this lightly!

- Use sanctions only when repeated offenses make it necessary.
- Consult with your attorney before proceeding.

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Possible sanctions

- Verbal admonishment.
- Letter of reprimand.
- Motion of censure (member may vote on own censure motion, unless under disciplinary proceedings).
- Removal from external or council committees.
- Ordered to leave the meeting at which behavior occurs (cannot be barred from future meetings).

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Removal from current meeting

- This is obviously a drastic step!
- Talk with your attorney and verify that this can be done under state law and your bylaws.
- The chair does not have this power.
- Only the body itself can order a member to leave the room.
- You can't bar a member from future meetings.

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Sanctioning rogue board members



In general, people who serve on nonprofit boards or in local government are peaceful and compliant. But every once in a while, you get a rogue board member. What can be done? We believe that it's important for boards to be prepared to sanction rogue members when necessary.

This is an unpleasant subject. However, all human organizations, even benign institutions like hospitals, schools, and retirement communities, depend on some enforcement for their survival. If a

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Formal disciplinary process

- Robert's Rules also offers a formal disciplinary process.
- It is lengthy and complicated.
- Read more in Robert's Rules of Order, Chapter XX, Disciplinary Procedures.
- Usually you won't need to use this process.
- Talk with your attorney!

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Points to remember

- You can't do it alone.
- Education is necessary.
- A policy is a good idea.
- Your internal state of mind is critical.

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Suspend the rules

We have a chair that suspends all the rules, then never brings the rules back.

- Suspend the rules may only be used in limited ways.
- Consult your attorney!!!

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Jurassic Parliament Mastering meetings using Robert's Rules

You cannot

1. Suspend state law or a higher authority
2. Suspend all of Robert's Rules
3. Suspend your constitution or bylaws (with 2 exceptions)
4. Suspend the fundamental principles of parliamentary procedure
5. Suspend the rights of an individual member
6. Suspend a rule pertaining to something outside the meeting itself

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Jurassic Parliament Mastering meetings using Robert's Rules

Suspend the Rules with extreme caution



By Ann G. Macfarlane, Professional Registered Parliamentarian

The motion to Suspend the Rules is a trap for the unwary. Be careful in using this motion and avoid doing things that may get you into big trouble.

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Jurassic Parliament Mastering meetings using Robert's Rules

Majority can make poor decisions

- Nevertheless, as a council member, you must stick to principle and accept the decision of the majority.
- In extreme cases, resignation may be appropriate.

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Jurassic Parliament Mastering meetings using Robert's Rules

Whole council can be inadequate

- This is a political issue (in the narrow sense), not a parliamentary issue.
- You will need to mobilize other councilmembers or members of the public to try to exert pressure on the council.

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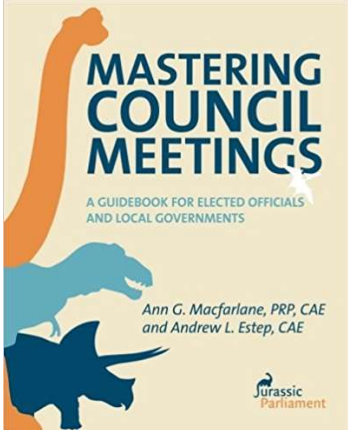
Jurassic Parliament Mastering meetings using Robert's Rules

VI. Conclusion

- **You are invited to subscribe to our monthly newsletter.**
- **Subscribe to the blog on our website** for insight, tips and inspiration, including our advice column, "Dear Dinosaur."

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MASTERING COUNCIL MEETINGS
 A GUIDEBOOK FOR ELECTED OFFICIALS AND LOCAL GOVERNMENTS

Ann G. Macfarlane, PRP, CAE
 and Andrew L. Estep, CAE

Jurassic Parliament

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Key principles

- The chair must control the meeting.
- The chair is the servant of the group and the group is the final authority.
- The group may sanction a member or take action if the chair fails to do so.

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After taking this workshop you will be able to:

- State the authority of mayor and councilmembers at meetings.
- List key principles for effective discussion.
- Take action when rules are broken.
- Take action when a mayor or chair oversteps their role.
- Move to censure a fellow councilmember

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Point of Order and Appeal are the heart of democracy



In our view, the motions Point of Order and Appeal are the heart of our democracy. They provide the mechanism to stop a dictatorial chair who is acting like a “boss.” They are essential for every local government body, nonprofit board, and any group that functions on democratic principles. Learn how to use them to ensure that the group is the final authority.

In this discussion, whenever we say “member,” we mean a voting member of the governing body.

► What is a Point of Order?

Point of Order is a motion that requires the chair to abide by the organization’s rules or parliamentary rules, or to require another member to abide by the rules. If an error isn’t obvious, the member may have to briefly explain how the rules are being broken.

This motion is made by just one member and in most circumstances the motion must be made at the time of the rule violation. When this motion is made it immediately and temporarily stops business until the Point of Order is ruled on by the chair, who will either agree with the member and enforce the rules, or may disagree with the member. Once the chair rules that the Point of Order was “well taken” (correct) or “not well taken” (incorrect), the business that was interrupted then continues (unless the chair’s ruling is immediately appealed).

► How does a member raise a Point of Order?

The member who sees a rule violation and wants the rule enforced should call out, “Point of Order!” or stand up and say, “I rise to a Point of Order.” If necessary, you may interrupt a speaker, but don’t do this lightly!



▶ **What happens next with a Point of Order?**

The chair should say, “State your point.” The member then explains the problem. Finally, the chair gives a ruling.

- If the chair agrees with the Point of Order, the chair says, “The point is well taken” and enforces the rule.
- If the chair disagrees, the chair says, “The point is not well taken,” and moves on with the business at hand.

▶ **Can a member raise a Point of Order about the chair’s actions?**

Yes. Everyone in the meeting must follow the rules. If this happens, the chair issues a ruling on their own action.

▶ **Can a member of the public or the audience who is not a member of the body raise a Point of Order?**

No. Only a member of the body itself can raise a Point of Order.

▶ **Sample script for “Point of Order”**

Member: *Chair, I rise to a Point of Order.*

Chair: *State your point.*

Member: *My esteemed colleague has used the term “cream-faced loon” in referring to the mayor of Dinoville. Under Robert’s Rules of Order, insults are inappropriate.*

Chair: *The point is well taken, and members will refrain from using this term.*

▶ **What should members do when they disagree with a ruling by the chair?**

A member can appeal the chair’s ruling (which must be seconded). This tells the chair that two members are in disagreement with the chair’s interpretation and want the body to decide it for themselves. The motion must be made immediately. If other business intervenes, then it is too late to appeal the chair’s decision or ruling.

When the Appeal is made, it immediately and temporarily stops the pending business until a decision is reached on the Appeal. After a vote is taken on the Appeal by the members, the business that was interrupted then continues.

▶ **How is an Appeal conducted?**

A member stands and without waiting to be recognized, says: “I disagree with the ruling by the chair.” The chair must recognize an Appeal, even if worded simply as, “I don’t think that’s right - I disagree with you.” The formal wording is, “I appeal from the decision of the chair.” The chair then processes the motion, which may or may not be debatable.

Read more about how to process a Motion to Appeal, including a sample script, in this [this blog post](#), “Keep the chair in line using Appeal.”

Many thanks to Beverly Przybylski, PRP, for providing the original content of this paper. Any errors are, of course, the responsibility of Jurassic Parliament.

Point of Order and Appeal are the heart of democracy

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What are the 11 duties of the chair?

Under Robert's Rules of Order, the chair of a meeting has 11 duties, listed on the next page.

These duties are listed in *Robert's Rules of Order Newly Revised, 12th edition*, the only official and current version of Robert's Rules, in section 47:7.

THE MEETING may be that of a city council, a nonprofit board, a professional society, a homeowners' association, a fraternal order or any group that is organized as a "voluntary association" (that is, not a hierarchical organization such as the workplace with its "boss.")

THE CHAIR (the person running the meeting) may be called chair, president, presiding officer, or something else.

Note that these duties are all about procedure—running the meeting well. The duties DO NOT INCLUDE lecturing or criticizing group members to make them vote the way you want, trying to convince people that you are right and they are wrong, or exercising your leadership position to determine the outcome of the vote. During the meeting, you are not responsible for the decision the group makes. You are the facilitator and the servant of the group.

It is important to note that in large groups, the chair does not make motions, debate them, or vote (except by ballot). Robert has special rules for small boards (up to about 12 people). In small boards, unless state law, regulations, or the group's bylaws say otherwise, the chair may debate, make motions and vote. Even so, the chair must exercise restraint. In order to achieve this, Jurassic Parliament recommends that on a small board, the chair should speak and vote last. Read our blog post [When does the chair discuss and vote?](#) for more details.

OUTSIDE THE MEETING the chair has other duties which may involve giving orders, making decisions, managing affairs and setting a direction. We encourage all chairs of nonprofit boards and leaders in local government to keep this distinction clear. Outside the meeting, exercise all your proper powers. During the meeting, be the servant of the group, and always remember that you are not responsible for the decision the group makes. The group is responsible, and the group is the final authority.

Read more about how the group's authority is exercised in our book, *Mastering Council Meetings*, and in blog posts about "appeal" on our website.



Open meeting	To open the meeting at the appointed time by taking the chair (sitting in the seat reserved for the presiding officer), after finding that a quorum is present, and calling the meeting to order.
Announce next activity	To announce in proper sequence the next activity before the group in accordance with the prescribed order of business.
Recognize members	To recognize group members who are entitled to the floor (who have the exclusive right to be heard at that time).
State questions and put to vote	To state and put to vote all questions that legitimately come before the group as motions or that otherwise arise in the course of proceedings, and to announce the result of each vote; or, if a motion that is not in order is made, to rule it out of order.
Refuse to recognize dilatory motions	To protect the group from obviously dilatory (time-wasting or obstructive) motions by refusing to recognize them.
Enforce order and decorum	To enforce the rules relating to debate and those relating to order and decorum within the group.
Expedite business	To expedite business in every way compatible with the rights of group members and the group rules.
Decide all questions of order	To decide all questions of order subject to appeal—unless, when in doubt, the chair prefers initially to submit such a question to the group for decision.
Respond to inquiries	To respond to inquiries of group members relating to parliamentary procedure or factual information bearing on the business of the group.
Authenticate documents	To authenticate by signature, when necessary, all acts, orders and proceedings of the group.
Close meeting	To declare the meeting adjourned when the group so votes or—where applicable—at the time prescribed in the agenda, or at any time in the event of a sudden emergency affecting the safety of those present.

What are the 11 duties of the chair?

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Lost the vote? Don't sabotage the council's action



We've had inquiries recently about elected officials who lost a vote, and then actively worked against the outcome. This amounts to trying to sabotage the council. It is wrong, wrong, wrong.

THE MAJORITY RULES

General Henry Martyn Robert, the original author of *Robert's Rules of Order*, expresses it this way:

The great lesson for democracies to learn is for the majority to give to the minority a full, free opportunity to present their side of the case, and then for the minority, having failed to win a majority to their views, gracefully to submit and to recognize the action as that of the entire organization, and cheerfully to assist in carrying it out, until they can secure its repeal.

—Quoted in *Robert's Rules of Order Newly Revised*, 12th edition, p. xlvii

This is a fundamental principle of our system of government. It is embedded in our common law heritage, and our entire society. Government and its administration cannot function optimally, cannot best serve the citizens, and cannot advance, if the very people who are elected to serve choose to pursue their own private views against the decision of the body they belong to. When elected officials “go rogue” and work against their organization's action, they are violating their fiduciary duties of loyalty and obedience. Even more, they are assaulting the foundation of our democracy.

For these reasons, we consistently tell officials: If you lost the vote, you have an obligation to accept the vote as the decision of your body. Your agreement to serve as a public official carries with it the duty to support the fundamental principle of our system of government. You may express your disagreement in public (see our article [Criticizing a board decision in public](#)). However, you should not take a single step to undermine the decision, because that would harm the organization which you have a duty to serve.



IS SOMEBODY TRYING TO SABOTAGE YOUR COUNCIL?

If you are dealing with such a situation, we recommend getting advice from your attorney about the law in your state. Review your bylaws and this quotation from *Robert's Rules of Order*:

An organization or assembly has the ultimate right to make and enforce its own rules, and to require that its members refrain from conduct injurious to the organization or its purposes.

—*Robert's Rules of Order Newly Revised, 12th edition, 61:1*

Once you are armed with the law and the rules, discuss the matter with the independent-minded member in private (if the sunshine laws in your state allow two members to have a private conversation). They may need help understanding the issue. Explain what is wrong with their attempt at sabotage, and show the importance of allowing the body's action to stand. If that doesn't work, it may be necessary to bring it up at a public meeting of your council or board. And if public shaming fails to have any effect, you may have to sanction the member (see our article, [Sanctioning rogue board members](#)).

BEING ELECTED LIMITS ACTIONS YOU MAY TAKE

American individualism is a great thing, but when you accept election to a local governmental body, you give up some of your First Amendment rights and some of your freedom of action. You agree to put the welfare of the organization above your own interest. You agree to compromise. You agree to follow the rules your body has adopted. And you agree that the entire body chooses its course of action, not any one self-interested individual. It ain't easy! But it's the American way.

EXAMPLES OF ATTEMPTS TO SABOTAGE

Here are instances I have encountered of attempted sabotage:

- A planning commissioner publishes letters opposing the decisions of the commission and complaining about the members.
- A city council takes a position on the status of the wetlands in response to a request from the state department of ecology. Three minority members send a letter to the department saying that they disagree with the city's position.
- The school board has approved a large bond issue. A member who disagrees publishes an Op-Ed in the local newspaper urging citizens to vote against the bond.

Have you had to deal with attempted sabotage? [Let us know!](#)

Lost the vote? Don't sabotage the council's action

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Sanctioning rogue board members



In general, people who serve on nonprofit boards or in local government are peaceful and compliant. But every once in a while, you get a rogue board member. What can be done? We believe that it's important for boards to be prepared to sanction rogue members when necessary.

This is an unpleasant subject. However, all human organizations, even benign institutions like hospitals, schools and retirement communities, depend on power enforcement for their survival. If a member on your board is disrupting your work, we recommend you seek allies and take action. (Read this excellent article on [“The Outlier Syndrome in Governing Bodies”](#) for perspective on rogue board members.)

Note that this article applies only to members of boards and local government bodies, not to the ordinary members of a nonprofit organization. Professional organizations with ethics requirements for their members will have separate procedures. The article also does not apply to citizens giving public comment at meetings. [See our guidelines](#) on that topic.

ESTABLISH CLEAR GUIDELINES AND EXPECTATIONS

The first and most important step is to establish clear guidelines and behavioral expectations. If you have adopted Robert's Rules of Order as your parliamentary authority, you have the basics in place. It can also be helpful to adopt more detailed discussion guidelines — [see our blog post here](#). When everybody knows what is expected and agrees on how your group will conduct its business, managing that business becomes much easier.

Just to remind, all persons present at a meeting have an obligation to obey the legitimate orders of the presiding officer (*Robert's Rules of Order Newly Revised, 11th edition, p. 645*).



YOUR RULES SHOULD INCLUDE THE POWER TO SANCTION

In drafting bylaws or procedural rules, it's easy to forget to mention sanctions. It's human nature to hope that everyone will be polite and act appropriately in all circumstances. Unfortunately that doesn't always happen. Including the power to sanction, and specific actions that may be taken, in your bylaws or procedural rules will make it easier to tackle the problem if it occurs.

WHAT KINDS OF OFFENSES SHOULD BE SANCTIONED?

Given human ingenuity, there are many actions that could be subject to sanction. Here's a starter list:

- Failing to offer courtesy and respect, using insulting or foul language in discussion
- Failing to observe the rules of discussion: interrupting others, speaking out of turn, speaking beyond the established time limits
- Violating the confidentiality of executive session
- Failing to observe ethics guidelines
- Taking actions outside the meeting which are aimed at undermining a board decision

WHAT SANCTIONS CAN BE IMPOSED?

Obviously sanctions should be considered only when there is an ongoing problem. Before embarking on the sanctions route, we recommend that a serious conversation be held with the offender, and that the individual be encouraged to change behavior without formal action by the board. Sometimes bringing the options to the offender's attention is enough to bring about change, or even resignation from office.

If that isn't effective, you may have to impose a sanction. [Craig Freshley wrote](#) that "ideal penalties inflict just the right amount of hurt in order to tilt the scales toward compliance." Options include:

- Verbal admonishment
- Letter of reprimand
- Formal motion of censure
- Removal from external or internal committees
- Being directed to leave the meeting at which the behavior occurs
- Removal from a nonprofit board if the board has the power to do this

Note that directing a member to leave the meeting at which the behavior occurs, [removing a director from a nonprofit board](#), and [removing the chair during a meeting](#) are all drastic steps. Consult with your attorney before doing this. We have more information in the linked blog posts.

WHO CAN VOTE ON SANCTIONS?

Since misbehavior is a serious matter, it's best to require that a majority of the entire board (all directors in office) vote in favor. Check your state law and conflict of interest policy to determine whether the person who is the subject of the proposed sanction may vote on the motion, or not.

From the perspective of parliamentary procedure, Robert's Rules has a specific disciplinary process, described on pp. 643 to 669. If this process has been started, the member may not vote on their own case. Robert also says that if a member offends repeatedly during a meeting, to the extent that the presider has warned the offender three times and "named" the member, they may not vote (see p. 646). Robert says that in other circumstances, the member may vote on the motion proposing to sanction them.

On a nonprofit board, even if you don't follow the formal disciplinary process, you may want to establish a special or select committee to consider the behavior and recommend action to the board. In a local government body, you will of course review state law and your options before moving ahead.

SAMPLE SCRIPT FOR OFFENSES DURING A MEETING

Member A: *Member B has repeatedly violated our rules of procedure and persists in using insulting language towards his colleagues and the public. I move that Member B be issued a verbal admonishment and directed to cease his inappropriate behavior.*

Member C: *Second!*

Chair: *It has been moved and seconded that Member B be issued a verbal admonishment and directed to cease his inappropriate behavior. Is there any discussion?*

Member A: *This has just gone on too long! At every meeting Member B calls his colleagues "bozos" and describes the public as "the great unwashed." It's impossible to get any work done with all the high emotion around here.*

Member B: *You people are all too sensitive. I'm just using humor to lighten things up a bit. I think this motion is a bunch of malarkey.*

Member D: *Well, I agree with the motion. I'm sick and tired of all this nonsense.*

Chair: *Is there any further discussion? [pause] Hearing none, we'll take the vote. All those in favor of the motion to issue a verbal admonishment to Member B and direct him to cease his inappropriate behavior, please say "aye."*

Members A, C, D and Chair: *Aye!*

Chair: *All those opposed, please say "no."*

Member B: *No!*

Chair: *The ayes have it and the motion passes. Member B, you are hereby admonished for your inappropriate and disruptive use of language during our meetings. Kindly cease such actions immediately and abide by our guidelines.*

Member B: *Well, I have a lot more to say about that, Chair.*

Chair interrupts: *The motion has been approved and no further discussion is in order. The next business in order is...*

Sanctioning rogue board members.

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Suspend the Rules with extreme caution



By Ann G. Macfarlane, Professional Registered Parliamentarian

The motion to Suspend the Rules is a trap for the unwary. Be careful in using this motion and avoid doing things that may get you into big trouble.

David Baker, Mayor of Kenmore, Washington, once said to me, “The rule is there for a reason. When you suspend the rule, you give up on the reason, and you don’t know what may happen as a result.” Experience in meetings has led him to recommend that city councils avoid the use of Suspend the Rules if at all possible. Nonprofit boards should also be very cautious.

RULES YOU CAN'T SUSPEND

You can't use this motion to:

1. Suspend state law or a higher authority
2. Suspend all of Robert's Rules
3. Suspend your constitution or bylaws (with 2 exceptions)
4. Suspend the fundamental principles of parliamentary procedure
5. Suspend the rights of an individual member
6. Suspend a rule pertaining to something outside the meeting itself

Let's examine these, and then talk about what you CAN do with Suspend the Rules.

1. You can't suspend state law or a higher authority

Your organization is governed by the laws of your state, if you are a local government, or the state in which you are incorporated, if you are a nonprofit organization. Procedural rules established by state law cannot be suspended. For example, if your state law says that a majority of the board directors present must vote in favor for a motion to pass, you can't suspend that rule.

The principle applies more broadly. You can't suspend rules established by a higher authority. For example, if you are a state chapter of a professional association, you can't suspend rules imposed by your national organization.



If your organization suspends the rules and takes action that contravenes such provisions, the action is null and void.

2. You can't suspend all of Robert's Rules

We sometimes hear of cases where a person says, "Let's suspend all of Robert's Rules!" No, no and no again. This cannot be done. The motion Suspend the Rules is not an invitation to ignore the parameters set by your organization and do whatever you want.

3. You can't suspend your constitution or bylaws (with 2 exceptions)

Constitution and bylaws cannot be suspended, no matter how many people want to do it, or how inconvenient the provision is.

A reader writes describing how the club bylaws required that officers should be employed full-time in the profession. The president was due to retire and wanted to continue serving as president until her term ended. We advised her that the club could not suspend the bylaws in order to do this. They would have to amend the bylaws to achieve this purpose.

There are two exceptions:

- If a particular rule in the bylaws provides for its own suspension, then it may be suspended.
- If an item in the bylaws is "in the nature of a rule of order," then it may be suspended. C. Alan Jennings, PRP, says that this exception is narrow. The only rules it allows to be suspended are:
 - changes to an order of business,
 - permitting someone other than the president to preside, or
 - permitting someone other than the secretary to take the minutes.

This happened to me when a public hospital board was facing a set of 32 bylaws amendments. The president preferred to have the parliamentarian run that portion of the meeting in the interest of efficiency. The board voted by 4-1 to suspend the rules and allow the parliamentarian to preside. (I'm happy to report that we did work our way through all of the amendments in a single evening—though it was late when we finished!)

4. You can't suspend fundamental principles

There are certain fundamental principles of parliamentary procedure that can't be suspended.

- A school board was evenly divided on a question and asked the superintendent to cast the deciding vote. Non-members cannot vote.
- A society wanted to take up two motions at once. One thing must be considered at a time.
- The nonprofit board meeting had started with a quorum, but several people had to leave so the quorum was lost. The board voted to suspend the rules and take action anyway. Quorum requirements cannot be suspended.
- You can't suspend notice requirements, rules protecting absentees, rule protecting a minority, or rules of decorum.
- Voting protocols cannot be suspended. If your bylaws require a ballot vote, but there's only one candidate, you can't suspend that rule and elect the candidate by acclamation.

5. You can't suspend the rights of an individual member

- If a member has failed to pay their dues, they can't be prohibited from voting.
- If a board member has missed every meeting, they can't be barred from attending the annual meeting.

Exceptions: Sometimes bylaws allow for such penalties. And if a member is under disciplinary proceedings, the rules are different.

6. You can't suspend a rule pertaining to something outside the meeting itself

The standing rules state that the board of directors may authorize the organization to make grants of up to \$500 to charitable organizations that qualify. A director is gung ho to give \$1000 to the local Rotary. The rules can't be suspended to do this.

WHEN CAN YOU SUSPEND THE RULES?

In some situations it is fine to suspend the rules. A member must be recognized to make this motion, it needs a second, it cannot be debated or amended, and it usually takes a two-thirds vote. The usual form of the motion is that the member moves "to suspend the rules in order to do [whatever action is desired]."

If your council has a 30-minute limit for public comment, a member could move to suspend the rules to give 15 minutes more, so citizens who are waiting can speak. If the board needs a few minutes to finish up a pending item, it could suspend the rules to extend the meeting.

Another significant use of Suspend the Rules can occur when the person running the meeting refuses to follow Robert's Rules, abuses their power, or acts in an arbitrary manner. The group may temporarily replace the chair, for that meeting only, with another presiding officer expected to act in accord with the will of the assembly. Read our blog post, "[Removing the chair during a meeting](#)," for more on this issue.

SAMPLE SCRIPT TO SUSPEND THE RULES

Member A: *I move to suspend the rules in order to extend our meeting time until 10:30 pm.*

Member B: *Second!*

Chair: *It has been moved and seconded that we suspend the rules in order to extend our meeting time until 10:30 pm. This motion cannot be debated and takes a two-thirds vote. All those in favor, please raise your right hand.*

Members in favor: *[raise right hand]*

Chair: *Thank you, hands down. All those opposed, please raise your right hand.*

Members opposed: *[raise right hand]*

Chair: *Thank you, hands down. There are two-thirds in favor and our meeting is extended until 10:30 pm, OR there are not two-thirds in favor and we will adjourn at the usual time.*

Note that a two-thirds vote should not be taken by voice. [Read our blog entry on this here.](#)

USE UNANIMOUS CONSENT

Often everyone is in agreement with a proposal to suspend the rules. If this is the case, the chair can use unanimous consent to move ahead. Read about this very useful technique in our [blog post here](#).

AVOID THIS LANGUAGE IN CITY COUNCIL RULES OF PROCEDURE

We sometimes see language like this in city council rules of procedure:

Any provision of these rules may be temporarily suspended by a two-thirds vote of the council, except when suspension would conflict with state law or city ordinance.

This seems to us to be too broad. It could result in problematic actions. We recommend something along these lines:

The council may vote to suspend the rules as authorized in Robert's Rules of Order, except when such suspension would conflict with state law or city ordinance.

An argument is sometimes made that if a council has adopted Robert's Rules of Order, there is no need to refer to Robert specifically in the rules of procedure. We have found that since the book is 800+ pages long, it is useful to include individual points that are less familiar to readers within the rules of procedure themselves. The rules of procedure are more likely to be read.

USE SUSPEND THE RULES APPROPRIATELY

A political party had a rule that no endorsements could be made at convention. However, they frequently suspended the rules to allow such endorsements. Don't do this! If your group uses this motion frequently, consider amending your bylaws or standing rules as a better way to achieve your goals and keep your actions congruent with your stated purposes.

LEARN MORE ON SUSPEND THE RULES

We've tried to offer clear examples here, but sometimes Suspend the Rules gets into murky waters. *Robert's Rules of Order Newly Revised, 11th edition*, covers the motion Suspend the Rules on pp. 260 to 266. You may find it useful to study these pages, see more examples, and learn more about the nuances of this challenging motion.

Suspend the Rules with extreme caution.

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