

BETTER USE OF PARLIAMENTARY PROCEDURE

Jim Slaughter, JD, CPP-T, PRP

Updated from "Prescription for Troubled Meetings: Better Use of Parliamentary Procedure," *Common Ground*, 1998

Running an association meeting by proper parliamentary procedure is smart for two reasons. First, it helps to avoid legal challenges to your actions; second, it produces better, more productive meetings.

A presiding officer who properly applies parliamentary procedure can turn long, confrontational meetings into short, painless ones. One association had such a difficult time conducting annual meetings that all the officers dreaded attending them. None wanted to preside. The association dealt with the problem by hiring a professional parliamentarian. The professional provided the expert advice needed to keep the meeting flowing in an orderly fashion.

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. One homeowners association had annual meetings that routinely ran overtime and failed to complete business. By engaging a parliamentarian, the board found that at subsequent meetings, it not only completed all business but ended early—earning praise from participants.

WHICH RULE BOOK?

Parliamentary procedure is the means by which organizations make decisions. Stated another way, parliamentary procedure is all of the laws and rules of organizations that govern the transaction of business. Contrary to common perception, parliamentary procedure is not synonymous with the book *Robert's Rules of Order (11th Edition)*.

Instead, there are several major parliamentary books, with *Robert's* being the most popular. It is used by approximately 85 percent of U.S. organizations. Another well-known parliamentary authority is *Sturgis Standard Code of Parliamentary Procedure*, used by approximately 10 percent of organizations. Other excellent manuals of parliamentary procedure are available. However, the fact that *Robert's* is the most widely used book as well as the easiest to locate argues in its favor as a parliamentary authority.

Robert's is an excellent resource for association leaders. The book includes sections on presiding, the duties of officers, running elections, writing and amending bylaws, counting votes, and holding board and committee meetings. *Robert's* is fairly easy to find—just be sure to buy the right one. There are numerous *Robert's* “clones” and earlier editions that are easy to pick up by mistake. Identify *Robert's Rules of Order* by its publisher, Da Capo Press, and by the number of pages (716). It's available in both hardback and softcover.

ADOPT WRITTEN RULES

Most groups formally adopt written rules of procedure. The group normally approves a bylaws provision that a particular book shall be the parliamentary authority. The procedural rules in that book then govern the association in all cases in which the rules are not inconsistent with higher authority, such as state or federal law or the governing documents of the association. This parliamentary authority can also be supplemented with specific rules to cover specific situations.

The conduct of business in an assembly often varies by size. Annual meetings of large organizations are typically formal in procedure. Similarly, business conducted in a board of more than a dozen members follows the same formal procedure. Some characteristics of formal parliamentary procedure are as follows:

- Members must be recognized by the presiding officer before speaking;

- A motion to take action must precede any discussion of an issue;
- Motions must be seconded;
- Members may only speak to a specific issue twice;
- The presiding officer does not participate in discussion; and
- Formal votes are taken by voice or ballot.

In contrast, formal procedure in a meeting of fewer than a dozen may actually hinder business. *Robert's Rules of Order* recommends that the procedure in smaller boards be less formal, such 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, and motions to close or limit debate generally should not be entertained (unless the group has adopted a rule to the contrary);
- The chair need not rise while putting questions to vote;
- The chair can speak in discussion without rising or leaving the chair; and
- Subject to rule or custom, the chair usually can make motions and usually votes on all questions.

While smaller boards can operate more informally, there are times that more formal procedure may be warranted. If a particular issue is hotly contested or likely to subject the board to publicity or a lawsuit, more formal procedure can ensure that procedural safeguards have been observed.

CONCLUSION

In summary, officers of community associations need to be aware of proper parliamentary procedure. Such knowledge can enhance leadership credibility, produce

better meetings, and make the difference between official actions that stand up in court—and illegal ones that don't.

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 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 PO Box 2173, Wilmington, DE 19899, phone number 302-762-1811, fax number 302-762-2170. The AIP Web site is located at www.aipparl.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 816-833-3892, fax number 816-833-3893. The NAP Web site is located at www.parliamentarians.org

Jim Slaughter is an attorney, Certified Professional Parliamentarian, Professional Registered Parliamentarian, and past President of the American College of Parliamentary Lawyers. He is author of *The Complete Idiot's Guide to Parliamentary Procedure Fast-Track* and lead author of *Notes and Comments on Robert's Rules, Fourth Edition*. Jim is a partner in the North Carolina law firm of Rossabi Black Slaughter, PA. For more information, visit www.jimslaughter.com.