

# Know Rules or No Rights

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To Further Knowledge of Law and its Procedures



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# Parliamentary Workshop

Sacramento Legal Secretaries Association -- May 22, 2014



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## Why Parliamentary Procedure?

**Principles Underlying Parliamentary Procedure are constructed upon a careful balance of the rights:**

- ✓ Of the majority,
- ✓ Of the minority,
- ✓ Of the individual members,
- ✓ Of the absentees, and
- ✓ Of all of these groups together.

**Parliamentary Procedure enables the membership:**

- ✓ To express its will through its membership,
- ✓ To empower an effective leadership, and
- ✓ To retain direct control of its affairs.

**A majority decides** the will of the assembly through a deliberative process of full and free discussion.

**Every member** has the same right to make the maximum effort to have his position declared the will of assembly.

Parliamentary procedure (**effective meeting management**) allows an assembly to arrive at the will of the majority for the greatest number of questions in the shortest amount of time. This is accomplished regardless of whether the assembly is in total harmony or impassionate division of opinion.

## Hierarchy of Governance

1. Federal Statutes (regulatory guidelines)
2. State Laws:
  - a. Brown Act of 1953
  - b. Corporations Code – Board of Directors, Quorum, Voting
  - c. California Public Records Act
3. City and Local Statutes
4. Constitution: Name; Object
5. Bylaws: A Society's Business Defined
6. Rules of Order (Robert's): Everything else
7. Standing Rules: Maintenance rules and operational policies
8. Customs: Scary part

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## Sample Order of Business \*\* (Chronology and Authority)

1. **Reading and Approving of the Minutes:**  
*If there is no objection* the minutes will be adopted as read/distributed/printed.
2. **Reports of Officers, Boards, and Standing Committees:**  
Recommendations from the report may result in motions from any member in attendance. Or a member may ignore the recommendation and move a completely different motion.  
Reports are heard in the order that the officers, boards, or standing committees are listed in the bylaws. But if these are not listed in the bylaws, the officer or committee has no power in your association.  
Officers should not make motions off their own reports.
3. **Reports of Special (Ad hoc) Committees:**  
Recommendations from the report may result in motions from any member in attendance. Or a member may ignore the recommendation and move a completely different motion.  
Reports are heard in the order that the special committees were created.
4. **Special Orders:**  
Issues are taken in the order they were moved (by a 2/3 vote). Those Special Orders not dealt with at the last meeting come first.  
Often the bylaws dictate that a certain task (such as elections, creation of committees, etc.) must be dealt with at a specific meeting. These bylaw tasks are typically dealt with as a Special Orders.
5. **Unfinished Business and General Orders:**  
Any issue that was left pending when the last meeting adjourned, or which was not reached before adjournment, constitutes Unfinished Business.  
Any motion that was postponed from the last meeting to the current meeting constitutes General Orders. The older motions come before the newer motions.
6. **New Business:**  
Any issue new to the current meeting.

### \*\* Exceptions:

A motion may be Taken from the Table under its same class of business, or after Special Orders.

Opening Ceremonies come before the Order of Business. Program, Announcements, and Closing Ceremonies come after the Order of Business.



## **Dos and Don'ts of Minute Taking**

### **Make sure you ...**

1. DO use the agenda as a guide;
2. DO record the kind of meeting, date, time, and location;
3. DO record the presiding officer's and the minute taker's complete name;
4. DO record the presence of a quorum if announced by the presiding officer;
5. **DO write the full name of the maker of every motion;**
6. **DO include the totals from the treasurer's report for previous balance, receipts, disbursements, and current balance;**
7. DO record the full names of officers and committee chairs who presented a report;
8. DO file complete signed reports of all written reports attached to the minutes as exhibits;
9. **DO enter motions and amendments in the exact wording as stated by the presiding officer and as finally adopted;**
10. **DO show the exact action taken on every motion (e.g., adopted, defeated, postponed, referred, laid on the table, etc.);**
11. **DO record all balloted or ordered counted votes, for and against;**
12. **DO record all Notices, Points of Order, Appeals (including the reason for the chair's ruling and the outcome of the appeal);**
13. DO include the category of business;
14. DO list the names of members elected or appointed to special committees, the name of each committee, and its purpose;
15. DO include important announcements pertaining to the whole society.

### **Make sure to ...**

1. **NOT forget to check past minutes for agenda items;**
2. **NOT include the names of the seconds;**
3. **NOT include every detail from a report;**
4. **NOT include any content of the debate unless ordered to do so;**
5. **NOT include any motion withdrawn before the presiding officer stated it;**
6. **NOT include personal opinions or descriptive phrases;**
7. NOT include words of praise or criticism from anyone;
8. NOT forget to include the time of adjournment;
9. NOT close with "Humbly" or "Respectfully submitted,";
10. NOT forget to date and sign the minutes with your title, adding whether the minutes were later adopted with or without corrections.



## Origins of a Motion

1. **Item on an agenda:**
  - a. The chair introduces the item briefly
  - b. A member moves a motion (seconded)
  - c. Debate/Vote.
2. **Item not on an agenda (bylaws allow 'New Business'):**
  - a. A member moves a motion (seconded) related to and during any time on the agenda, or during 'New Business'
  - b. Debate/Vote.
3. **Committee is charged with returning a recommendation:**
  - a. Committee Chair presents a report
  - b. Committee Chair states the committee's recommendations  
*[Resolutions committees are not charged with moving a motion. They are asked for a recommendation. A member must then move a motion.]*
  - c. Any member moves the recommendation as a motion (no second required), or
  - d. Any member moves a slightly different motion (second required), or
  - e. Any member moves a completely different motion (second required)
  - f. Debate/Vote.
4. **Committee is charged with returning a motion (or has the power):**
  - a. Committee Chair presents a report
  - b. Committee Chair moves the committee's motion (no second required)  
*[A chair may read this expected resolution in the form of a motion and handle it as an assumed motion. Debate would follow without a second required. It is wiser to allow the committee to make its own motion.]*
  - c. Debate/Vote.
5. **Chair assumes a routine motion:**
  - a. Chair states, "If there is no objection, a motion to ... will be adopted."
  - b. If there is no objection the motion has been properly adopted without a second, debate, or voting.
  - c. If there is an objection, the chair handles the motion according to Robert's Rules' 6 formal steps.

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## Debate Protocol (Similar to a trial in front of a judge.)

1. Only one person speaks at a time.
2. A speaker must be recognized before speaking.
3. All comments are made through the chair.
4. Comments are confined to the current issue.
5. Discussion should alternate between Pro and Con.
6. No reading of lengthy papers.
7. No cross conversations; no interruptions.
8. No verbal attacks of other members.
9. If proper decorum cannot be maintained – call a recess.
10. Enforce the debate time limits (bylaws or the parliamentary authority).
11. Decisions are null and void in the absence of a quorum or proper posting.
12. The vote required to adopt a motion should always be very clear – majority or 2/3.
13. All decisions are binding on all members regardless of how a member voted.
14. All rules must be respected and obeyed – who can move, debate, vote.

## Problem motions during debate

- Request for Information
- Question of Privilege (also, Adjourn, Recess)
- Point of Order (also, Previous Question, Division)

-----  
[**Temporary Disposition** of a motion means that a motion is not adopted or defeated, yet. There are a few motions that will accomplish this delay of a final decision:

1. ***Move to Lay the motion on the Table.***  
This requires a temporary emergency. You probably have never seen this motion applied correctly especially in the movies.
2. ***Move to Postpone the motion.***  
One may postpone the motion to later in the session or to the next meeting.
3. ***Move to Refer the motion.***  
One may refer the motion to an ad hoc or a standing committee, and have the committee report at the next meeting or later.]

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**Script F:** Debate Protocol. We are under New Business.

We need 7 speaking roles (Ch, A, B, C, D, E, and Z)

## Poor Situation 1:

**Ch:** Our next item under New Business is what instructions to give the delegates.  
Do we have a motion?

**A:** We should advise them to think of our district, exclusively.

**B:** No, we should tell them to think of all special districts in California.

**A:** Member B, you are too inexperienced and narrow minded to advise any delegate.

**B:** Inexperienced? When I was in the Boys Scouts, I ran the entire Regional Convention.  
Of course I know about conventions.

**C:** Put a cork in it. Neither one of you knows the difference between changing a light bulb  
and changing a diaper.

**B:** What do you know, Member C? You have never had to control 500 eager scouts.  
Of course I know how to run a convention.

**A:** It does not take brains to handle a group whose ideas are still lost in the 18<sup>th</sup> century.

**B:** Lost? You don't even know how to text with your thumbs. Your mama still dresses you.

**C:** Mr. Chair, what is the current agenda item?

The delegates, the Boys Scouts, or Member B's dressing skills?

## Poor Situation 2:

**Ch:** Our next item under New Business is what instructions to give the delegates.  
Do we have a motion?

**A:** We should advise them to think of our district, exclusively.

**B:** No, we should tell them to think of all special districts in California.

**Ch:** Please wait to be recognized.

Which of you is ready to make a motion?

**A:** Shouldn't we discuss the topic for 45 minutes so that we can explore everyone's thoughts  
on what the motion should be?

**Ch:** No. All discussion is limited to the motion on the floor. We cannot discuss aimlessly  
fishing for inspiration.

**Ch:** Member A, are you ready to make a motion?

**A:** **I move that** we advise the delegates to vote only for motions that favor us.

**Z:** Second

**B:** But, that means that ...

**Ch:** Please wait, Member B.

I need to state the motion so that all know what the discussion is limited to.

Script F Page 1



**It is moved and seconded** to advise the delegates to vote only for motions that favor us. Are you ready for the question? *[Or, Is there any discussion?]*

**B:** So, does that mean that ...

**Ch:** Member B. You must wait to be recognized before speaking.

And anyway, the mover of the motion has the right to speak first on the motion.

The mover of the motion, Member A, has the floor.

**A:** That's OK. I want to hear what others have to say.

**Ch:** Member B, do you wish to speak on the motion?

**B:** Why can't the delegates just meet on their own and decide on their own? Isn't that what delegates are supposed to do? Why do we have to spoon-feed them?

*[Member E raises his hand to seek recognition.]*

**Ch:** Thank you for your comments. Member C has just raised his hand.

**B:** Wait a minute I did not get any answers to my questions.

**Ch:** Member B, you were recognized to discuss, not to make rhetorical questions, or argumentative statements. You did not seek recognition to move, "Request for Information." We listened with respect, and now it is Member C's turn to discuss.

**B:** *[Member B Turns to the Member D who is sitting next to him and asks.]*

Don't you think my questions are valid?

**D:** Shhh. I want to hear Member C's comments. He is always either laughable or profound.

**Ch:** Please no private conversations. Cross talk prevents others from hearing the discussion.

**B:** Can't I take Member D to the back of the room to plan our debate?

**Ch:** The only way your private conversation will not be a distraction to this board is if you quietly take it out in the hallway.

*[Member E and Member B raise their hands to seek recognition.]*

**Ch:** Member C, did you wish to address this board?

**C:** What is the registration fee?

**Ch:** Member C, please confine your comments to the current motion.

If you have no comments on the current motion, Member B is our next speaker.

**E:** Point of Order, Mr. Chair.

**Ch:** State your Point of Order, Member E.

**E:** I have been seeking recognition for 10 minutes. You keep ignoring me. Actually, you even recognize members who have already spoken and then ignored me. I have not had an opportunity to be heard.

**Ch:** Your Point of Order is well taken. I apologize for that.

Members who have already spoken will not be recognized again until those who have not spoken have had an opportunity to be heard. You have the floor, Member E.

**E:** I forgot what I was going to say.



## Six Steps to Handling a Motion

A motion is a formal proposal by a member during a meeting that the assembly take certain action. The basic form of the motion is the Main Motion.

### A Main Motion is brought before an assembly:

1. **Motion is moved:** While no motion is pending, a member rises and seeks recognition. Once she is recognized she has the exclusive right to be heard at that time. Member makes the motion, “I move we allocate \$300 to repair the computers.”
2. **Motion is seconded:** Someone without needing to be recognized, seconds the motion. The seconder is not claiming to agree with motion. The seconder is stating that the motion should be discussed and voted by the organization.
3. **Motion is stated:** The chair states the question, “It is moved and seconded to allocate \$300 to repair the computers.” As the chair turns to the maker of the motion, she states, “Are you ready for the question?” The motion no longer belongs to the mover; it belongs to the assembly.

### A Main Motion is considered by the assembly:

4. **Motion is debated:** All remarks by the members are made to the chair, never to or about another member. Debate can be closed only by a 2/3 vote by the assembly.
5. **Motion is put:** The chair says, “The motion is to allocate \$300 to repair the computers. All in favor of the motion indicate by saying, ‘Aye’.  
All opposed to the motion indicate by saying, ‘No’.”  
The wording of the motion when the question is put is the way it goes into effect.  
A voice vote is the regular method when a majority vote is required for adoption.  
A rising vote is the normal method when a 2/3 vote is required for adoption.  
A ‘show of hands’ is intended for small assemblies or after an inconclusive voice vote.
6. **Vote is announced:** The chair makes the following 4 statements.
  - “The ‘ayes’ have it. Or, the ‘Noes’ have it.”
  - “The motion is adopted. Or, the motion is lost.”
  - The chair states the effect of the vote or orders its execution.
  - “The next item of business is ...”

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## **Script A: Handling a Motion**

**We join the regular monthly meeting during the 'New Business' part of the agenda.**

*[Six speaking roles – CH, A, B, C, D, Z]*

**CH:** The first item under New Business is the purchase of the council's printer system.

*[Step 1]*

**A:** Madam Chair *[Rises and is recognized]*

I move that the council purchase a printer system at a cost not to exceed \$1,500.

*[Step 2]*

**Z:** Second

*[Step 3]*

**CH:** It is moved and seconded that the council purchase a printer system at a cost not to exceed \$1,500.

*[Step 4]*

Are you ready for the question? *[Or, - Is there any debate? Are you ready to vote?]*

**A: and B:** *[Simultaneously]* Madam Chair. *[Both rise seeking recognition]*

**A:** I have distributed several documents illustrating the specifications and benefits of the best printer model under \$1,500. That is the one I suggest we purchase.

**B:** Madam Chair. Shouldn't we buy a new screen instead? Why can't we replace the microphone system instead? I know, let's buy an iPad for each officer, instead.

**CH:** Thank you for your comments. Are you ready for the question?

**A:** *[Is recognized and begins to speak for the second time.]*

**C:** Madam Chair, Point of Order.

**CH:** What is your Point of Order?

**C:** Member A has already spoken once and there are others seeking to speak. Member A should not be recognized again yet.

**CH:** Your point is well taken. Member A will please sit down.

**D:** Madam Chair, Request for Information.

**CH:** What is your question Member D?

**D:** Do we have the right to spend up to \$1,500 on a printer system?

**CH:** The council has already been authorized to spend a certain amount of money on business equipment as long as it is for the benefit of the student body. Are you ready for the question?



*[Step 5]*

**CH:** The question before you is shall the council purchase a printer system at a cost not to exceed \$1,500?

All in favor of the motion indicate by saying, 'Aye'. *[Half say, 'Aye'.]*

All opposed to the motion indicate by saying, 'No'. *[Half say, 'No'.]*

*[Step 6]*

The 'Ayes' have it. The motion is adopted.

**Z:** Division. Division.

**Ch:** Division has been call for.

We need to retake the vote, but by rising.

All in favor of the motion indicate by rising. *[Most do so.]*

All opposed to the motion indicate by rising. *[Few do so.]*

The 'Ayes' have it. The motion is adopted.

The council will purchase a printer system at a cost not to exceed \$1,500.

The next item under New Business is ...



## Amendments

### 1° Amendment (Form 1) – Insert or Add

1. Original Main Motion

I move to award a copy of *The Legal Eagle* to all new members.

2. What you really wanted was ...

I want to award *The Legal Secretary* as well.

3. You need to move to amend

I move to amend by inserting “**and The Legal Secretary**” after the word “**Eagle.**”

4. If the amendment is adopted the main motion will read

I move to award a copy of *The Legal Eagle* **and The Legal Secretary** to all new members.

### DRILL: Primary Amendment (Form 1)

**Ch:** The motion is to purchase a printer system at a cost not to exceed \$1,500.

Are you ready for the question?

**A:** Madam Chair, I move **to amend** the motion by inserting ...

**Z:** ...

**CH:** It is moved and seconded to amend by inserting ...

Are you ready for the question?

[Assume some debate]

**CH:** The motion before you is to amend by inserting ...

All in favor ...

All opposed ...

The .... have it.

The motion to amend by inserting ... is ...

We are back to the main motion (as amended).

Are you ready for the question?

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## 1° Amendment (Form 2) – Strike

### 1. Original Main Motion

I move that upon application and approval by SLSA's membership, active members also become members of LSI.

### 2. What you really wanted was ...

I don't want approval by SLSA's membership to be necessary.

### 3. You need to move to amend

I move to amend by striking “**and approval by SLSA's membership**” after the word “**application.**”

### 4. If the amendment is adopted the main motion will read

I move that upon application, active members also become members of LSI.

## DRILL: Primary Amendment (Form 2)

**Ch:** The motion is to purchase a printer system at a cost not to exceed \$1,500.

Are you ready for the question?

**A:** Madam Chair, I move **to amend** the motion by striking ...

**Z:** ...

**CH:** It is moved and seconded to amend by striking ...

Are you ready for the question?

[Assume some debate]

**CH:** The motion before you is to amend by striking ...

All in favor ...

All opposed ...

The .... have it.

The motion to amend by striking ... is ...

We are back to the main motion (as amended).

Are you ready for the question?

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## 1° Amendment (Form 3) – Strike and Insert

### 1. Original Main Motion

I move that SLSA help its member meet their CCLS and LSI requirements.

### 2. What you really wanted was ...

I want SLSA to help members with MCLE not LSI requirements.

### 3. You need to move to amend

I move to amend by striking “**LSI**” before the word “**requirements**” and inserting “**MCLE.**”

### 4. If the amendment is adopted the main motion will read

I move to that SLSA help its member meet their CCLS and **MCLE** requirements.

## DRILL: Primary Amendment (Form 3)

**Ch:** The motion is to purchase a printer system at a cost not to exceed \$1,500.

Are you ready for the question?

**A:** Madam Chair, I move **to amend** the motion by striking ... and inserting ...

**Z:** ...

**CH:** It is moved and seconded to amend by striking ... and inserting ...

Are you ready for the question?

[Assume some debate]

**CH:** The motion before you is to amend by striking ... and inserting ...

All in favor ...

All opposed ...

The .... have it.

The motion to amend by striking ... and inserting ... is ...

We are back to the main motion (as amended).

Are you ready for the question?



## **2° Amendment – Any of the 3 Forms**

1. Original Main Motion

I move to create a committee to study the Clay Pigeon habitat.

2. You want to move to amend (Primary Amendment)

I move to amend by inserting “**of 3 members**” after the word “committee”.

3. You want to move to amend (Secondary Amendment)

I move to amend by striking “**3**” and inserting “**2**”.

4. If the amendments are adopted, the main motion will read

I move to create a committee **of 2 members** to study the Clay Pigeon habitat.

## **DRILL: Secondary Amendment (used on either of the 3 forms)**

**Ch:** The motion is to purchase a printer system at a cost not to exceed \$1,500.

Are you ready for the question?

**A:** Madam Chair, I move **to amend** the motion by inserting ... *[Primary Amendment]*

**Z:** ...

**CH:** It is moved and seconded to amend by inserting ... *[Primary Amendment]*

Are you ready for the question?

**B:** Madam Chair, I move **to amend** the amendment by striking ... *[Secondary Amendment]*

**Z:** ...

**CH:** It is moved and seconded to amend the amendment by striking ... *[Secondary Amendment]*

Are you ready for the question?

[Assume some debate]

**CH:** The motion before you is to amend the amendment by striking ... *[Secondary Amendment]*

All in favor ...

All opposed ...

The .... have it.

The motion to amend the amendment by striking ... is ... *[Secondary Amendment Adopted]*

**CH:** We are now back to the Primary Amendment of inserting ...

Are you ready for the question?



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**Script B: Postpone to a Certain Time vs. Lay on the Table**

*[During a regular meeting a Main Motion is temporarily disposed of with a motion to Lay on the Table and then with a motion to Postpone to a Certain Time.] [7 speakers – CH, A, B, C, D, E, Z]*

**Ch:** The motion before you is to hold the next retreat on a cruise ship.  
Are you ready for the question?

**A:** Mr. Chair.

**Ch:** Yes, Member A.

*[As Member A starts to speak, he notices that a high official from our Administrative Office has entered the room signaling a request for a few minutes of the board's time.]*

**A:** I notice that the board's attention is requested by our administration.  
I move to Lay the current motion on the Table.

**Ch:** If there is no objection, the pending question is Laid on the Table.

*[No one objects.]*

*[Notice. No time limit is ever given with the motion to Lay on the Table!]*

*[The official delivers information on an upcoming fundraiser and leaves.]*

**B:** Mr. Chair.

**Ch:** Yes, Member B.

**B:** I move that this board supports the upcoming fundraiser.

**Ch:** If there is no objection, this board will support the upcoming fundraiser.

*[No one objects.]*

**C:** Mr. Chair.

**Ch:** Yes, Member C.

**C:** I move to Take from the Table the motion related to our retreat on a cruise ship.

**Ch:** If there is no objection, the motion related to our retreat on a cruise ship will be Taken from the Table.

*[No one objects.]*

*[Member A speaks, but too much.]*

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**D:** Mr. Chair.

**Ch:** Yes, Member D.

**D:** I move to Postpone the pending question until after the break.

**Z:** Second

**Ch:** If there is no objection, the pending question will be Postponed until after the break.

**E:** I object

*[Since Member E objected, he is Seconding the motion to Postpone which is now ready for debate, amendments, and voting.]*

**Ch:** Member E, you have the floor.

**E:** Our schedule for today is already full. We will need more time than expected for this motion. I move to amend the motion by striking the phrase “until after the break”.

**Z:** Second

**Ch:** If there is no objection, the pending question will be amended by striking the phrase “until after the break”.

*[No one objects.]*

**Ch:** The motion to Amend the Postpone motion ...is adopted by unanimous consent. We are now back on the motion to Postpone. Except now as amended. Are you ready for the question?

**Ch:** If there is no objection, the motion to Postpone the Main Motion will be adopted.

*[No one objects.]*

**Ch:** The motion related to our next retreat is Postponed until our next meeting.

**Ch:** The next item of business is ...

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## Script C: Refer a Main Motion to a Committee

[6 speaking roles: Chair, Sect, A, B, C, and Z]

The subsidiary motion to commit or to refer requires several elements:

Refer to a Standing Committee	Refer to a Special (Ad Hoc) Committee
1. Instructions on the task 2. Date of when to report back 3. Which existing Standing Committee	1. Instructions on the task 2. Date of when to report back 3. Number of Committee members 4. Names of Committee members 5. Name of Committee Chair

**Ch:** Is there any new business?

**A:** *(Rises and is recognized)* I move we hold our next Annual Meeting at the Hilton Hotel

**Z:** Second

**A:** *(Rises and is recognized)* Everyone loves a big hotel when away from work.

**B:** *(Rises and is recognized)* We cannot decide this right now without more information. This question should be studied by a special committee.

**Ch:** Is that a motion?

**B:** Yes. I move we create a special committee of 3 members with me as the chair. I think member C and member D should be committee members.

**Z:** Second

**Ch:** What would you have this committee do?

**B:** The committee should explore the costs associated with renting a meeting hall in the top three hotels in downtown Sacramento, CA. and report at the next meeting.

**Z:** Second

**Ch:** The secretary will please read the motion.

**Sect:** "That we create a special committee of 3 members with member B as the chair, and with member C and member D as committee members. The committee should explore the costs associated with renting a meeting hall in the top three hotels in downtown Sacramento, CA. and report at the next meeting."

**Ch:** The motion, as read by the secretary, is moved and seconded.  
Are you ready for the question?

**C:** *(Rises and is recognized)* I move to postpone the main motion to 4:00 p.m. this afternoon.

**Z:** Second

**Ch:** It is moved and seconded to postpone the main motion to 4:00 p.m. this afternoon.  
Are you ready for the question?

**If there is no objection,** the main motion will be postponed to 4:00 p.m. this afternoon.

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## Script D: Point of Order and Appeal

*[During the President's Report, the president wishes to add a new item to New Business with a majority vote, but the Bylaws require a 2/3 vote. [6 speakers – CH, Comm CH, A, B, C, D]]*

**Ch:** All in favor of adding to the agenda the new business proposed by the Budget Committee say, "Aye".

*[Just over half respond.]*

Those opposed say, "No". *[Less than half respond.]*

The "Ayes" have it. The new business is added to the agenda.

**Ch:** The next item of business is to hear from the Budget Committee's support of this new business. The chair of the committee will please explain.

**Committee Ch:** The committee has always believed that ...

**A:** Point of Order, Madam Chair.

**Ch:** We are in the middle of a report. Can't you show some manners and wait?

**A:** Madam Chair, I rise to a **point of order**, or is it a Point of Parliamentary Inquiry?

**Ch:** For goodness sakes! What is so important that you have to interrupt our business?

**A:** Our bylaws clearly state that it takes a 2/3 vote to add any new business to the agenda. You added the new business with a mere majority. The motion to add new business failed.

**Ch:** You are too late with your point of order. Keep up with the conversation.

**Ch:** The committee chair shall proceed with her report.

**A:** Madam chair. Is that your **ruling** on my point of order?

**Ch:** Obviously. Weren't you paying attention? Let us listen to the committee's report.

**A: I appeal from the decision of the chair!**

**B:** Second

**Ch:** You what? Fine. Since you insist. There is an appeal on a righteous ruling by the chair. The confused member believes that the vote necessary to add new business to our agenda is a 2/3 vote. I will show how I am infallible.

Here is the process. First I will explain the wisdom of my ruling. And then, anyone else who wishes to discuss the issue and show her limited understanding of our bylaws may speak, but I get to speak again after everyone else has spoken.



**Ch:** It is a well-known fact that rules can be suspended when dealing with important issues. I believe, that there is nothing more important than dealing with new business. I chose to suspend the 2/3 vote required by the bylaws. I took the vote correctly, and I am the president.

**A:** A bylaw may never be suspended regardless of how inconvenient it may appear. Even under unanimous consent, a bylaw may not be suspended. *[p. 263 line 1]*

**B:** Though most points of order must be made before a new issue is introduced, a point of order related to a violation of a bylaw has no such time limitation. *[p. 251 line 9]*

**C:** A 2/3 vote cannot even be taken with a voice vote. It must be taken with a rising vote or a show of hands. *[p. 401 line 29]*

**Ch:** Does anyone else want to show how little she understands my role as your president?

**Ch:** I will close debate by reminding you that when you elected me your president, you delegated to me the authority to make these difficult decisions. *[p. 255 line 26]*

**Ch:** We are going to vote now. The question before you is “**Shall the decision of the chair be sustained?**” This means that a tie will not defeat my decision. Only a majority in the negative will defeat my decision. Also, I can vote to cause a tie, if I want to. *[p. 258 line 16]*

**Ch:** **As many as are in favor of sustaining the decision of the chair** say, “Aye”. *[Few vote]* Those opposed say, “No”. *[Most vote]*

**Ch:** The “Ayes” have it. **The decision of the chair is sustained.** Thank you all. We will now continue listening to the committee’s explanation.

**D:** Division. Division. *[p. 280 line 10]*

**Ch:** A division of the assembly has been demanded.

All in favor of sustaining the decision of the chair, please rise. *[Few rise]* Thank you. Please be seated. All opposed, please rise. *[Almost everyone rises]* Thank you, please be seated. It appears to be very close, but I will show you how noble and magnanimous I am. I will yield.

**Ch:** The amendment of the agenda failed. We will not add to the agenda the New Business as proposed by the Budget Committee. We will return to the President’s Report.

**Parliamentary Workshop**  
Sacramento Legal Secretaries Association -- May 22, 2014



**Script E: Reconsider the Vote** (Composed of Move and Call)

*[We join the monthly meeting of District X. [6 speakers – CH, A, B, C, D, Z]]*

**CH:** The motion before you is “to support Legislation AB 123.”

All in favor of the motion indicate by saying, ‘Aye’. *[Everyone says, ‘Aye’.]*

All opposed to the motion indicate by saying, ‘No’. *[Silence]*

The ‘Ayes’ have it. The motion is adopted.

The chair of the Legislative Committee will draft a letter for the chair’s signature.

The next item on the agenda is Legislation AB 456.

**A:** Madam Chair *[Rises and is recognized]*

I move we support Legislation AB 456.

**Z:** Second

**CH:** It is moved and seconded that we support Legislation AB 456.

Are you ready for the question?

**A:** Madam Chair *[Rises and is recognized]*

I have researched this legislation and I know it is good for us. Trust me.

**CH:** Are you ready for the question?

**B:** Madam Chair *[Rises and is recognized]*

I move to reconsider the vote on Legislation AB123. I voted on the prevailing side.

**Z:** Second

**CH:** The secretary will make a note that it was moved and seconded to reconsider the vote on Legislation AB123.

**B:** Let me explain why it is critical that we ...

**CH:** Member B, we are in the middle of another motion. Though you may **move to reconsider** a vote now, you cannot **call it up** until there is no motion pending.

Please continue Member A.

**B:** I knew that.

**A:** I was just saying, ...perhaps,... maybe, ...I guess I am done.

**C:** Madam Chair *[Rises and is recognized]*

I have researched this legislation and I know Legislation AB 456 is terrible for us. Trust me.

**CH:** Are you ready for the question?

**CH:** The motion before you is “to support Legislation AB 456.”

All in favor of the motion indicate by saying, ‘Aye’. *[Everyone says, ‘Aye’.]*

All opposed to the motion indicate by saying, ‘No’. *[Silence]*

The ‘Ayes’ have it. The motion is adopted.



*[We are now finished with AB 456.]*

**B:** Madam Chair *[Rises and is recognized]*

I **call up** the motion to reconsider the vote on Legislation AB 123.

**CH:** The motion to reconsider the vote is called up.

**B:** Let me explain why it is critical that we not support Legislation AB 123.

**D:** Point of Order

**CH:** What is your Point of Order?

**D:** Member B is debating a motion that has not yet been seconded.

**CH:** Your point is not well taken.

The motion to reconsider a vote has 2 parts, **to move** and **to call**. Only the move part requires a second. And, it was seconded when it was moved. Please continue Member B.

**B:** During the debate of the last motion I was bored with the discussion so I was catching up with my Facebook page. I came across a posting that all of you need to hear about.

*[After much mindless and pompous bickering by Member A and Member B...]*

**CH:** Are you ready for the question?

**CH:** The motion before you is whether or not to reconsider the vote on AB 123.

All in favor of reconsidering the vote indicate by saying, 'Aye'. *[Everyone says, 'Aye'.]*

All opposed to reconsidering the vote indicate by saying, 'No'. *[Silence]*

The 'Ayes' have it. The motion to reconsider the vote is adopted.

**CH:** Member B, you may debate the original motion in support of AB 123.

**B:** Oh, no thanks. I have said enough.

**CH:** Are you ready for the question?

**CH:** The motion before you is "to support legislation AB 123."

All in favor of the motion indicate by saying, 'Aye'. *[Silence]*

All opposed to the motion indicate by saying, 'No'. *[Everyone says, 'No'.]*

The 'Noes' have it. The motion is defeated.

The chair of the Legislative Committee will not draft a letter for the chair's signature.



## **Suspend the Rules** (not 'Suspend the Orders of the Day')

When an assembly wishes to do something it cannot do without violating its regular rules, it can adopt to '**Suspend the Rules**' that interfere with the proposed action.

This motion cannot be debated or amended, however it does have other restrictions.

- I. A Standing Rule may be suspended with a majority vote.
- II. Rules of Order (Robert's) may be suspended with a 2/3 vote (except FPPL).
- III. The following may not be suspended even with unanimous consent.
  - A. Bylaws or Constitution unless they provide for their own suspension.
  - B. Federal, State, or local laws
  - C. Fundamental Principles of Parliamentary Law (FPPL):
    - 1. Rule that allows only one question at a time
    - 2. Rule that allows only members to vote
    - 3. Rule that prohibits absentee or cumulative voting
    - 4. Rule that protects absentees or basic rights of individuals
      - a. Rule requiring presence of a quorum
      - b. Rule requiring a notice
      - c. Rule protecting the right to attend meetings, nominate, make motions, second motions, speak in debate, and vote

### **Drill**

"I move to suspend the rules that interfere with listening to the committee's report."

### **For each of the following,**

1. Move a motion to **suspend the rules that prohibit** the action;
2. State if the rule can be suspended; and
3. State what the necessary vote for adoption would be.

You want to **suspend the rules that prohibit** the following actions. Make the motion:

- a. To allow delegates to sit wherever they wish
- b. To allow a speaker to debate an additional 2 minutes
- c. To allow smoking in the assembly room
- d. To allow voting by mail
- e. To allow election of officers by a show of hands
- f. To take up 2 motions at one time
- g. To allow the voting in the absence of a quorum
- h. To allow members at the convention without their required name tags
- i. To dispense with the listening to the Treasurer's Report
- j. To not require a resolution in writing at the convention



## Purpose and Form for Each Motion

(Beware of Order of Precedence)



Purpose	The Motion and its Form
Propose some action	<b>Main Motion</b> I move to donate \$50 to preserve the habitat of the Clay Pigeon.
Improve a proposal	<b>Amend</b> I move to amend the motion by striking \$50 and inserting \$75.
Change the amount of time for discussion	<b>Limit or Extend Debate</b> I move to limit debate to 1 minute per speaker.
Stop discussion and vote now	<b>Close Debate</b> I call the previous question.
Delay a decision	<b>Refer</b> I move to refer the motion to the bylaws committee  <b>Postpone to a Certain Time</b> I move to postpone the motion until after the break.  <b>Recess</b> I move to recess for 5 minutes.
Kill a motion	<b>Postpone Indefinitely</b> I move to postpone the motion indefinitely.
Deal with an emergency	<b>Lay on the Table</b> I move to lay the motion on the table.  <b>Suspend the Rules (Not Suspend the Orders of the Day)</b> I move to suspend the rules that prohibit us from taking up the new business now.
Obtain information	<b>Parliamentary Inquiry</b> Mr. Chair, if we adopt this motion can we rescind it tomorrow?  <b>Request for Information</b> Mr. Chair, can the treasurer tell us if we have enough money for this motion?
Challenge the ruling of the chair	<b>Point of Order</b> Point of Order. We cannot vote on this motion. There is already another motion on the floor.  <b>Appeal</b> I appeal from the decision of the chair.
Assure the accuracy of the voice vote	<b>Division</b> Division. Division.
Close the meeting	<b>Adjourn</b> I move to adjourn.



## Strategy through Parliamentary Procedure

(Beware of Order of Precedence)

You support the motion	You oppose the motion
<b>Second</b> it promptly and enthusiastically.	Do not <b>second</b> it. Distract the seconder.
<b>Speak</b> in favor of it as soon as possible.	<b>Speak</b> against it as soon as possible. Ask questions that put the proponents on the defensive.
Move to <b>amend</b> it to make it more acceptable. Speak against any amendment that makes the motion less acceptable to you.	Move to <b>amend</b> it, to encumber it adversely. Move to amend it so as to remove what displeases you, or adds what pleases you.
Vote against <b>postponement</b> unless it will strengthen your motion.	Move to <b>postpone</b> to a time when your friends will be there or when others will forget about the motion.
Vote against <b>referring</b> to a committee unless you can vote your friends as committee members. Vote to refer to a committee if defeat appears likely.	Move to <b>refer</b> to a committee and fill the committee with your friends. Vote against referring to a committee if defeat is likely.
Vote against a <b>recess</b> unless you can use it to bring in more of your friends or more facts.	Move to <b>recess</b> so that you can convince some more voters or bring in more friends or more facts.
Make sure your friends do not leave to assure that you have a <b>quorum</b> .	Question the presence of a <b>quorum</b> .
On a <b>voice vote</b> , vote emphatically.	On a <b>voice vote</b> , vote emphatically.
Move to <b>divide the motion</b> if it will strengthen the motion.	Move to <b>divide the motion</b> if it will weaken the motion.
Review your <b>parliamentary authority</b> before the motion comes up.	Review your <b>parliamentary authority</b> before the motion comes up.
Use <b>Point of Order</b> as a shield.	Use <b>Point of Order</b> as a sword.
Beware of the timing on the <b>agenda</b> to assure that the motion is not abandoned.	Use the timing on the <b>agenda</b> to terminate consideration of the motion.
Vote against <b>adjournment</b> in order to continue discussing the motion and to reach a vote.	Move to <b>adjourn</b> to prevent further discussion or a vote.

# Parliamentary Workshop

Sacramento Legal Secretaries Association -- May 22, 2014



## Ranking of Selected Motions

	Interrupt	Second	Debate	Amend	Vote
<b>PRIVILEGED MOTIONS</b>					
13. Fix the Time to Which to Adjourn		S		A	M
12. Adjourn		S			M
11. Take a Recess		S		A	M
10. Raise a Question of Privilege	I				C
9. Call for the Orders of the Day	I				C**
<b>SUBSIDIARY MOTIONS</b>					
8. Lay on the Table		S			M
7. Previous Question		S			2/3
6. Limit or Extend Limits of Debate		S		A	2/3
5. Postpone to a Certain Time		S	D	A	M**
4. Commit (Refer)		S	D	A	M
3. Amend		S	D**	A	M
2. Postpone Indefinitely		S	D		M
1. MAIN MOTION		S	D	A	M
<b>INCIDENTAL MOTIONS (No Ranking)</b>					
Appeal	I	S	D		M
Division of Assembly	I				**
Point of Order	I				C**
Request for Information					C
Suspend the Rules (that prohibit)		S			2/3
<b>BRING AGAIN BEFORE ASSEMBLY</b>					
Rescind/Amend Something Prev Adopted		S	D**	A	**
Reconsider the Vote		S	D		M
Discharge a Committee		S	D**	A	**
Take from the Table		S			M

\*\* See Robert's Rules  
**C** Chair Decides  
**I** Can Interrupt

**S**  
**A, D**  
**M or 2/3**

Requires a Second  
 May be Amended, Debated  
 Vote Required to Adopt