



# Robert's Rules of Order



Michael P. May

City Attorney

Madison, Wisconsin

Updated November, 2014

# Sources

- ◆ Robert's Rules of Order (11<sup>th</sup> Ed.): 700 pages
- ◆ Robert's Rules Abridged: 200 pages
- ◆ Robert's Rules In Short ("May's Manual"): 7 pages.
- ◆ Chapter 2, and sec. 33.01, MGO

# Who is Robert?

- ◆ General Henry M. Robert (1837-1923), distinguished engineer.
- ◆ First codified in 1876. Now in its 11<sup>th</sup> edition.
- ◆ Now edited by Henry M. Robert III.



---

# Purposes of Robert's Rules

---

- ◆ Run meetings efficiently.
- ◆ Protect the rights of the majority, the minority, individual members and absent members.
- ◆ A careful balance to allow action, and in some cases to halt action.

# Meeting Agenda

- ◆ Governed by Wisconsin's Open Meeting Law (sec. 19.81, *et seq.*, Stats.) and sec. 3.71, MGO
- ◆ Agenda items must clearly apprise the public of the matter to be considered.
- ◆ No action if not on agenda and properly noticed (normally 24 hours).

# Chapter 2, MGO

- ◆ Chapter 2 constitutes the standing rules for the Common Council.
- ◆ Except as modified by Chapter 2, Robert's Rules govern Council meetings. Sec. 2.32.
- ◆ Standing Order of Business, sec. 2.04.
- ◆ Introduction of Business at a prior meeting, secs. 2.05, 2.24 and 2.25, with exceptions.

## Ch. 2, MGO (cont.)

- ◆ Majority vote of all members, sec. 2.18.
- ◆  $\frac{3}{4}$  majority to change budget, sec. 2.19.
- ◆ Reconsideration, sec. 2.21.
- ◆ Time limits on speaking, sec. 2.29.
- ◆ Rules often (always?) suspended by  $\frac{2}{3}$  vote to take out of order.
- ◆ Use of the Consent Agenda.

# Sec. 33.01, MGO

- ◆ Governs City Boards, Committees and Commissions. Revised in 2009.
- ◆ 15 minute rule on quorum. Quorum normally is a majority of authorized members (note: 14 alders for Council). Sec. 33.01(8).
- ◆ May establish own rules (except for reconsideration), otherwise apply Robert's Rules. Sec. 33.01(9)(b).



## Sec. 33.01, MGO (cont.)

- ◆ Reports to record votes; time limit on response (normally 45 days per sec. 2.05). Sec. 33.01(11).
- ◆ Counting majority for vote: 33.01(8)(d), MGO
- ◆ Must be a majority of members in attendance.
- ◆ Must also be a majority of the quorum.
- ◆ “Abstain” or “present” does not destroy quorum; absence does.
- ◆ Example: 3 ayes, 4 abstentions on 7 member body.

## Sec. 33.01, MGO (cont.)

- ◆ Committees must allow Council members to participate in committee meetings under sec. 33.01(9)(d), MGO.
- ◆ May ask questions and participate in debate, but may not vote or make any motions.
- ◆ Does not apply to quasi-judicial proceedings.

# Role of the Chair

- ◆ Obligation to run an orderly meeting.
- ◆ Recognizes members.
- ◆ Rules on votes, subject to call for roll.
- ◆ Rules on procedure, subject to appeal to body.
- ◆ Generally, not to vote except when vote decides outcome, and not to participate in debate. Committees may change by rule.

# Proceed by Motion!

- ◆ The most basic rule of Robert's Rules: proceed by motion.
- ◆ No magic words: “I move that\_\_\_\_\_”, “I move adoption of\_\_\_\_\_”, “Move referral.”
- ◆ Matters before Council usually have a recommendation which becomes the motion.
- ◆ Teach chair to ask for motions.

# Classes of Motions

- ◆ Main motion. Underlying matter before the body.
- ◆ Subsidiary motions. To do something with or to the main motions (e.g., amend, refer).
- ◆ Incidental motions. Procedural matters related to the main motion that take precedence (e.g., point of order, suspend the rules).
- ◆ Privileged motions. Limited number that take precedence (recess, privilege, adjourn).
- ◆ See Robert's Rules, Secs. 5-6.

# Fifteen Common Motions

- ◆ Robert's lists at least 84 different types of motions, Table III.
- ◆ Adjourn. Not debatable.
- ◆ Adopt.
- ◆ Amend. Normally no more than two levels of amendment allowed. Robert's, Sec. 12.
- ◆ Division of Assembly/Roll Call. Granted when asked, not debatable.
- ◆ Division of Question/Separation. Separates votes on different issues or paragraphs. Requires a second, but is not debatable.

# 15 Motions (cont.)

- ◆ Lay on Table/Take off Table. Temporarily delay taking action. Not debatable.
- ◆ Place on file. Use by Council and some committees, is equivalent of a motion to delay or postpone indefinitely. Non-adoption without voting it down.
- ◆ Point of Information. An incidental motion to gain information before taking further action. No second required, a member simply states “Point of information”, and is recognized.

# 15 Motions (cont.)

- ◆ Point of Order/Procedure. Another incidental motion, no second required. It raises a question about the procedure being used. The Chair rules on the point, subject to an appeal (which does require a second) to the full body.
- ◆ Point of Privilege. A privileged motion, no second. Relates to a personal matter.
- ◆ Previous Question. Ends debate and proceeds to an immediate vote. Requires a second, not debatable and requires a 2/3 vote.



# 15 Motions (cont.)

- ◆ Recess. A privileged motion. The length of the recess should be stated. Not debatable.
- ◆ Reconsideration. Asks that a matter be reconsidered. Must be made at the same or next meeting by a member who voted for the winning side or had an excused absence.
- ◆ Referral. The matter is referred to another body or a later meeting of the same body. Commit in RR.
- ◆ Suspend the Rules. Requires a 2/3 majority.

# Consent

- ◆ Use of unanimous consent is a way to quickly move through non-controversial items.
- ◆ “Is there any objection to \_\_\_\_\_?”
- ◆ Council uses an extensive consent agenda.

# Precedence of Motions

- ◆ See Robert's Rules Sec. 5 and Chart I.
- ◆ A motion is not in order when a motion with higher precedence is under consideration. The motion with precedence must be disposed of before the other motion is allowed.
- ◆ Following charts show precedence; a motion is not in order if it has a higher number than the pending matter.

# Undebatable Motions

- ◆ 1. Adjourn.
- ◆ 2. Recess.
- ◆ 3. Question of Privilege.
- ◆ 4. Lay on the Table.
- ◆ 5. Previous Question
- ◆ 6. Limit or Extend Debate.

# Debatable Motions

- ◆ 7. Postpone to a definite time.
- ◆ 8. Refer or commit.
- ◆ 9. Amend.
- ◆ 10. Postpone indefinitely/place on file.
- ◆ 11. Main motion.

# Incidental Motions

- ◆ Incidental motions are not included in the list of precedence because they are subject to individual rules. Generally, whenever an incidental motion is in order, it takes precedence over all other matters. Key incidental motions are Point of order or information, Suspend the Rules, Division of the Assembly or the Question).

# “May’s Manual”

- ◆ Available on the City Attorney’s web page.
- ◆ <http://www.cityofmadison.com/attorney/>
- ◆ Contains a “Cheat Sheet” on common motions.



# Questions?



- ◆ Call us at 266-4511
- ◆ Michael May, Patricia Lauten or Roger Allen who are familiar with Robert's Rules and city procedure.