

PARLIAMENTARY CRIB SHEET
for
MODERATORS AND COMMITTEE CHAIRS
 Prepared by Edward Koster for the Presbytery of Detroit

What	Here's how to do it	Comments	References (Robert's Rules 11 th Ed)
<p>1. LARGE GROUPS, COMMITTEES, COMMISSIONS, MOST SESSIONS AND LEADERSHIP GROUPS (e.g. Coordinating Cabinet)</p>		<p>Parliamentary procedure becomes more relaxed as groups grow smaller. For most Sessions and leadership groups (by whatever name), (Robert's Rules puts the number at twelve—the dynamic number that is the general limit of “small group” process. But for close-knit groups where everyone knows each other, it could be double that or more), relaxed procedures are permitted because they do not essentially interfere with the process of doing business. Committees also work on even more procedures. See generally Robert's Rules, §§49,50</p>	
<p>2. General Duties and powers of the moderator/chair</p>	<p>Robert's Rules, pp. 448-452. This list of duties and powers presumes that a moderator/chair may have to assert a lot of control over the assembly. As a practical matter, in the Presbytery of Detroit and its committees, there is generally not a lot of disagreement over parliamentary procedure. In some cases, there are special provisions required by the Constitution or by the bylaws of your assembly.</p> <p>The general role is to make the process move on to resolution. The way this is done varies according to the size of the assembly. IN LARGE BODIES, the procedure must of necessity be more formal. Otherwise you will never end. IN COMMITTEES, COMMISSIONS MOST SESSIONS AND LEADERSHIP GROUPS (by whatever name), the process can be much less formal.</p> <p>*****Except in committees, commissions, most SESSIONS and leadership groups (by whatever name), the moderator does not ordinarily make motions, debate, or vote (except to break a tie). See Robert's Rules, p. 449ff,486ff, 499ff.</p>		
<p>3. Controlling the process.</p>	<p>The moderator has substantial power and responsibility to make sure the process moves along efficiently and fairly. If a person makes a motion that is inappropriate, badly timed, not proper, you may rule the motion (not the person) out of order. (If that person does not like your ruling, he may appeal it to the assembly.) Directing a person to stop, to sit down, to move on, etc., can ordinarily be done, particularly if done in a dignified (and persistent) way.</p>	<p>The general goal of parliamentary process is to ensure people have the freedom to make motions, debate them, and vote on them. Rights of substantial minorities (usually 1/3 or more) are protected, but the right of the majority is paramount. In some cases, rights of individuals are protected; usually that is an absent member. Robert's Rules, p. Li.</p>	

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4. When you don't know what to do.	<ul style="list-style-type: none"> You can ask the clerk. You can take a short recess to check Robert's Rules or to consult with someone. Ask any other person in the assembly for his/her advice. (It is appropriate to "huddle" for a brief time for this purpose.) You can ask the whole assembly for its advice. If you still are uncertain, make a decision that you believe best preserves and balances the rights of the majority, the rights of significant minorities, and the rights of the individual to make motions and debate. But ultimately, the Moderator must make a decision. 	<p>Note that some items are more critical to get right. When rights of members or important questions are involved, you need to take more care than when the issue is a mere formality. You can always protect yourself by giving the assembly choices. You may wish to inform the assembly of their right to appeal your decision to the body, and to instruct them how to do it.</p>	Robert's Rules, p. 395.
5. Who can have the floor.	<ul style="list-style-type: none"> A person does not have the floor until "recognized" by the moderator. The speaker should identify herself. A person without the "privilege" of the floor (a member or someone given that privilege by vote or by-law) may not speak. (At Presbytery meetings, every person who has the privilege of the floor has a name tag.) A person ordinarily may debate no more than 2 times for any motion. Ordinarily, the second time is allowed only after everyone who wishes has had the chance to speak the first time. A person may not give his "time" to another person. 	<p>The power to call on speakers is one of the main controls a moderator has over the assembly. All speakers must address the moderator (not the assembly).</p> <p>Intentionally not calling on someone is probably an abuse of power.</p>	Robert's Rules, pp. 29-31; §42.
	<ul style="list-style-type: none"> IN COMMITTEES, COMMISSIONS, MOST SESSIONS AND LEADERSHIP GROUPS (BY WHATEVER NAME), the process is intentionally less formal. Debate is not limited to two opportunities to speak. The "floor" is regularly passed on from one to the next without formal recognition. The problem in committees is regularly the need to keep people on target and to move to resolution. The moderator has substantial power to in this area. 		Robert's Rules, pp. 487f, 500ff.
6. When you want to make things	<ul style="list-style-type: none"> The moderator has a great deal of power to place things on the floor if 	<p>It is probably best if the Moderator/Chair looks at</p>	

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move along easily.	<p>necessary. You can suggest motions, direct procedures, enter into discussions with the person on the floor about process, etc. In Presbytery dockets, the times are <u>not</u> orders of the day, unless specifically designated, so it is not necessary to extend the docket when things go long. The custom is to give the Moderator the authority and discretion to move things forward.</p> <ul style="list-style-type: none"> • “Unanimous consent” is an excellent way to move along. It is in the form, “Unless there is an objection, we will ____.” If any person objects, then you must put it to a vote. 	<p>his/her power in terms of helping a person do what he wants to do, rather than a means of control. In the long run, you do best to let people vote on something if you can.</p> <p>You can either propose unanimous consent, or you can use unanimous consent to move votes along.</p>	<p>Robert's Rules pp. 54ff</p>
•	<p>IN COMMITTEES, COMMISSIONS, MOST SESSIONS AND LEADERSHIP GROUPS (BY WHATEVER NAME) there is freedom to make things move faster by informal process, as long as the assembly allows it, and as long as it does not violate the rights of the member to make motions, debate them, and vote on them.</p>		
<p>7. When a member is unsure of what to do or is having great difficulties. When someone has a “parliamentary inquiry.”</p>	<p>The Moderator has the responsibility to assist people in these circumstances. It is appropriate to help them craft the proper motion to accomplish what they wish. You can get into a dialogue with them and ask them what they want to accomplish.</p> <p>IN COMMITTEES, COMMISSIONS, MOST SESSIONS AND LEADERSHIP GROUPS (BY WHATEVER NAME), motions are regularly crafted by the committee itself. The request for a ‘parliamentary inquiry’ rarely occurs in that form, but getting a “good” motion</p>	<p>Robert's Rules pp 293f</p> <p>Robert's Rules, pp. 487f, 500ff.</p>	
<p>8. About needing a motion.</p>	<p>The general rule is that there can be no discussion without a motion. And that a person cannot discuss something first and then make a <u>main</u> motion. The intention of this is to keep the assembly on track. In theory, a deliberative body only debates and decides motions, and no more. A person may speak to a main motion and then make a secondary motion.</p>	<p>Presbytery meetings regularly have a lot of reports and announcements. These are not usually under the time for motions and debate.</p>	<p>RONR (11th ed.) pp 116, 378, 386.</p>

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•	<p>IN COMMITTEES, COMMISSIONS, MOST SESSIONS AND LEADERSHIP GROUPS (BY WHATEVER NAME), there does not need to be a motion on the floor for discussion to occur. The moderator/chair needs to use his judgment as to when to intervene and require a motion. Moreover, where it is clear what the intention is, something can be put to a vote without a formal motion if there is unanimous consent. P.488. In such cases, the moderator should ensure that the clerk records exactly what was approved in the minutes. This would ordinarily require verification by the clerk.</p>		Robert's Rules, pp. 487f, 500ff
9. When a motion is made.	<p>STEPS TO TAKE</p> <ol style="list-style-type: none"> 1. If it is from an individual, you should get a "second." If it is from a committee, no second is necessary. 2. State the motion. 3. Ask for discussion. 4. When discussion is complete, put the motion to a vote. 	<p>A member (or the moderator) can ask for "unanimous consent" in those cases where the business is routine.</p> <p>The Moderator can move to vote by asking, "Are you ready to vote?"</p>	Robert's Rules, §4, p 54.
•	<p>IN COMMITTEES, COMMISSIONS, MOST SESSIONS AND LEADERSHIP GROUPS (BY WHATEVER NAME), a second is not required, and the process is less formal. However, the need to get a clear motion and to get a specific and clear vote is still the primary need. Moderators may make motions and speak to all motions.</p>		Robert's Rules pp 486ff, 499ff
10. When there are lots of parts to a motion.	<ul style="list-style-type: none"> • When there are a lot of different paragraphs or sections to a motion, it can be voted on "seriatim" (or "by paragraph"). • When there are a lot of separate independent motions (as in the COM report), they can be separated by a motion for a "division of the question." • Where there are different resolutions in one main motion, a member can <u>demand</u> individual consideration of any vote. A typical instance would be in the Committee on Ministry report, where each item in the report is a different resolution. 	<p>The discussion and amendments are by paragraph. The entire motion is voted on in a single vote</p> <p>In the Presbytery of Detroit, we regularly get such divisible motions, which are placed on the floor in a single act. If a person wishes to exclude any one item, it is appropriate to exclude that item from the vote, and then vote on all the others. You would then go to the excluded motion, debate it, and vote on it in due process.</p>	Robert's Rules, §§ 27, 28, p. 274.

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11. When someone wants to amend a motion.	<ol style="list-style-type: none"> 1. Handle as a motion needing a second. 2. Consider the types of amendments available to the maker, and get him to conform: <ul style="list-style-type: none"> • Insert something • Delete something • Delete and insert something. • Substitute (one motion for another) 3. Allow an amendment to an amendment, but NOT an amendment to an amendment to an amendment. 4. When the discussion is complete, put the amendment to a vote. <p>If the vote fails, the original motion is back on the floor. If the vote passes, the amended motion is on the floor.</p>	Technically, amendments to insert or delete can only apply to consecutive words. But this rule is often not applied.	Robert's Rules §12
12. When a motion just doesn't look like it will work.	<p>There are several possibilities.</p> <ul style="list-style-type: none"> • Propose that the motion be referred back to a committee. • Assist the maker in crafting a motion that works. • Ask the "meta question." That is, "What is it you are trying to do here?" Then use that answer to propose ways to accomplish it. • The moderator has sufficient authority over the meeting to "exit" the formal proceedings. He or she could, for example, call for a recess to allow individuals of groups to work it out. This could be done by proposing a recess for this purpose and asking for unanimous consent. • Put it to a vote and let the system cope with the difficulties generated by a bad motion. 	A motion to refer should be to a specific committee for a specific purpose. It may include specific instructions to the committee; e.g. when to report back, what to consider, etc.	Robert's Rules §13
13. When someone moves to "table" a motion.	<p>A motion to table is not debatable. However, it is usually improperly used.</p> <ol style="list-style-type: none"> 1. First, suggest that a person really wants to postpone a motion. That is a debatable motion. 2. Second, if they insist, ask what urgent matter has come up that should be attended to now. If there is none, put 	<p>The use of a motion to table that has the effect of killing a motion without debate is not in order.</p> <p>If a person doesn't think we should be considering a matter, the proper response</p>	Robert's Rules §17

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	<p>the motion on the floor as a motion to postpone.</p> <p>If a motion is legitimately tabled, a motion to take it from the table is in order later in the meeting or during the next meeting. One cannot table a motion to some future time.</p>	is an “ objection to the consideration of a motion. ” Robert’s Rules §26. This needs no second, is not debatable, but requires a 2/3 vote.	
14. When someone moves to postpone a motion.	<p>There are two kinds of motion to postpone. Both are debatable.</p> <ol style="list-style-type: none"> 1. A motion to postpone indefinitely. 2. A motion to postpone to a certain time. <p>FIRST, identify which kind it is.</p> <ul style="list-style-type: none"> • POSTPONE INDEFINITELY kills a motion. It cannot be brought back at this session. And it must be moved again at a later date. This is a debatable motion that requires majority vote, and you can debate the merits of the original motion. • POSTPONE TO _____. The effect of this is to place it on the docket for the specified date (and time if included). Debate can only consider the merits of the postponement. 	A Moderator may wish to suggest one of these two motions where a motion to “table” is being improperly used.	Robert’s Rules §§ 11, 14
15. When someone “calls the question.”	<ul style="list-style-type: none"> • A motion to “call the question” requires a second, and requires a 2/3 vote. That motion is not debatable. • If the motion passes, you move directly to vote on the motion on the floor with no further comment. 	NOTE: You are not required to recognize someone who shouts out a motion to call the question. For a motion to be placed on the floor, the speaker must be specifically recognized by the moderator.	Robert’s Rules §16
	<ul style="list-style-type: none"> • IN COMMITTEES AND COMMISSIONS, you cannot call the question. 		Robert’s Rules, p. 198
16. When it’s time to vote.	<ul style="list-style-type: none"> • Ordinarily: Votes are by voice. Call for those in favor, then those opposed. Then announce the result: [“The motion is approved.” “The motion is defeated.”] • When a voice vote is close. Have people vote by rising. This is called a “division of the house.” Announce the 	Always ask for yes <u>and</u> no votes.	Robert’s Rules §§ 44-45.

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	<p>vote as above.</p> <ul style="list-style-type: none"> When you are unable to determine from a rising vote, you may order a count. A member may move to have a vote counted. A vote can be taken by ballot upon motion. If the voting by ballot is in the docket, approving the docket suffices to order a ballot vote With care to ensure no one's rights are limited, a Moderator may take votes by "unanimous consent." When doing so, ensure that people are aware of how and when to raise an objection. 	If a vote is by ballot or count, the specific tally is announced and recorded in the minutes.	
	<ul style="list-style-type: none"> IN COMMITTEES, COMMISSIONS, MOST SESSIONS AND LEADERSHIP GROUPS (BY WHATEVER NAME), votes can be taken even when there is no formal motion on the floor. This can be done only when the vote is very clear, and ordinarily by unanimous consent. It is also possible to record a decision where there has been no real motion made. The minutes must reflect the full content of what was voted on. 		Robert's Rules pp 486ff, 499ff
17. When someone calls for a specific kind of voting.	<ul style="list-style-type: none"> A person may request a "division of the house." That calls for a "rising" vote. The moderator can do this on his or her own initiative. If a person wishes a "counted" vote, then the motion should be to "count the vote." The moderator can direct the vote be counted in his own initiative. A person may move to vote by ballot. 	Where votes are counted, the tall must be announced and entered into the minutes.	Robert's Rules §§ 44-45.
18. When someone wants to re-do a vote.	<ul style="list-style-type: none"> If it is during the same meeting, the appropriate motion is a "motion to reconsider." If it is a later meeting, it is by a motion to rescind or amend something previously adopted. If there is prior notice, the motion is passed by majority vote. If no notice has been given, it requires a 2/3 vote. If the motion passes, the earlier motion is either rescinded or amended as stated 	<p>The motion must be made by someone who originally voted with the majority. A simple yes vote places the original motion back on the floor for debate and vote.</p> <p>You cannot rescind a former act if it has already been carried out, in full or in significant part.</p>	Robert's Rules § 37

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	<p>in the motion.</p> <ul style="list-style-type: none"> A member may delay implementation of a motion by moving to Reconsider and Enter on the Minutes. It does not require a vote, only a second. The effect is to limit implementation of the motion until the reconsideration can be voted on at a later meeting. 	<p>Can only be applied a motion that finally disposes of a main motion. E.g., cannot be used for things such as amendments, referrals, or definite postponements. The maker must have voted with the majority.</p>	<p>RONR, p. 332.</p>
	<ul style="list-style-type: none"> IN COMMITTEES, there are some special rules: the vote can be at a later meeting; the mover can be any member who did not vote with the losing side (e.g., who did not vote or who was absent); needs a 2/3 vote unless all members who voted with the winning side are either present or have been notified. 		<p>Robert's Rules, p. 500.</p>
<p>19. When someone raises a "point of order."</p>	<p>Immediately ask the person, "What is your point?"</p> <ul style="list-style-type: none"> If the point is well taken, do what is necessary to correct it. If the point of order is not, state it and move on. <p>The moderator/chair makes a ruling on the point of order, which stands unless reversed by the assembly on appeal.</p>	<p>The moderator should not worry about challenges. Make a ruling and then stand by it. A Moderator may wish to instruct protesters that they can appeal your decision, and tell them how to do it.</p>	<p>Robert's rules §23</p>
<p>20. When someone doesn't like what you have done, or "Appeals the moderator's ruling to the assembly."</p>	<ul style="list-style-type: none"> When someone does not like a decision you have made, they can appeal it to the assembly. They should rise and make that appeal. If someone appeals, immediately ask the assembly, "Shall the decision of the moderator stand?" and call for debate. If the vote is yes, move on. If no, go back to the point of order raised. 	<p>An appeal is debatable, and the moderator may speak first and last without leaving the chair.</p> <p>An appeal is not necessarily a bad thing. If the assembly supports you, you can move on. If it does not, nothing lost.</p>	<p>Robert's Rules §24.</p>
<p>21. Questions of information.</p>	<p>Ordinarily, people debate motions from the floor. Sometimes they need more information. Technically, they can "rise to a point of information." This should not be allowed as a way debate the merits of a question.</p>	<p>The Moderator can supply the information requested or ask anyone in the assembly to do it.</p>	<p>Robert's Rules §33.</p>
	<ul style="list-style-type: none"> IN COMMITTEES, this is a process that is a natural part of committee work. 		

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22. Where someone wants their names on record in opposition to a motion.	Allow the person to rise and state that he dissents and wishes his name be recorded as dissenting. Direct the clerk to include the name of the person in the minutes.	The rules do not allow the reason for dissent to be placed in the minutes.	G-3.0105a
23. When someone wishes to include his reasons for voting against an action.	Direct them to prepare a written “protest” and submit it to the clerk before the end of the meeting. If received, read it to the body. If it is written in “decorous and respectful language,” it can be entered into the minutes of the meeting by vote of the assembly.	The right to put something in the minutes is limited by “decorous and respectful language,” and is the right of the assembly to do it.	G-3.0105b
24. Elections	<p>Except for the certain specific elections, the floor is always opened for nominations, and the question should be asked, “Are there nominations from the floor?). If there is no more than one nominee for each position, the election can be by voice vote.</p> <p>Debate is not allowed on the merits of one candidate over another. It is not proper for there to be questions about how a candidate would vote on any question (because it is always as led by the Spirit).</p>	You may not cast a unanimous ballot where voting is by ballot, even if by unanimous vote. Robert's Rules, p. 413.	Robert's Rules §46.
25. Suspending rules.	<p>The Constitution and the bylaws cannot be suspended (except where specifically allowed).</p> <p>Procedural rules of order (Robert's Rules, special rules) may be suspended by a 2/3 vote.</p> <p>Rules protecting individuals or minority rights cannot be suspended.</p> <p>Presbytery Policies and Procedures can be suspended in plenary of committee by a majority vote if notice is given, or by a 2/3 vote if no notice is given.</p>	a	Robert's Rules §25

NOTES ON PARLIAMENTARY PROCEDURE
Citations to Robert's Rules of Order, 10th Ed. (RONR (10th ed.))

ON COUNTING ABSTENTIONS:

The question was raised at the last Presbytery meeting regarding whether an abstention should be counted as a vote when determining a majority: If 100 people are present, and one cast a vote "abstain," is a majority then 50 or 51? If an abstention is counted as a vote cast, then a majority would be 51 (out of 100); if it is not counted as a vote cast, the majority would be 50 (out of 99).

Robert's Rules of Order, Newly Revised, states:

"To 'abstain' means not to vote at all, and a member who makes no response if 'abstentions' are called for abstains just as much as one who responds to that effect." RONR (10th ed.) p. 43, l. 27.

"The word *majority* means 'more than half,' and when the term *majority vote* is used without qualification—as in the case of the basic requirement—it means that more than half of the votes cast by persons legally entitled to vote, excluding blanks or abstentions, at a regular or properly called meeting at which a quorum is present." page 395.

Ordinarily the moderator does not ask for abstentions, and when a person does not vote on a voice or counted vote, he or she is not counted to determine a majority. Not standing or speaking when a vote is taken constitutes an abstention. The confusion arose last meeting because abstention was an option: To avoid that confusion, today's ballot does not offer abstentions.

To Presbytery, 4/22/97.

ON MOTIONS THAT VIOLATE THE CONSTITUTION OR THE BY-LAWS

At the April 22nd meeting, a member made a motion to approve his own Interim Pastor contract directly to the Presbytery. A parliamentary inquiry was raised as to whether the motion was in order. The general rule is that a motion is not in order if it violates the Constitution of the Church or the Bylaws of the Presbytery of Detroit. RONR (10th ed.) p.106, l. 14 ff.. Before it could be determined if the motion violated the Book of Order, the motion was referred to the Committee on Ministry.

The Form of Government requires a contract between a session and an interim pastor to go first to the Committee on Ministry before it can be approved by Presbytery:

"Concurrence of the presbytery through its committee on ministry is required when a session invites an interim pastor, interim co-pastor, or interim associate pastor as provided for in G-14.0513b and c." G-11.0502f.

Since the motion proposed an action not permitted by the Form of Government, the motion was not in order.

To Presbytery, 5/27/97

VOTING PROCEDURES

At the January, 1998 meeting of the Presbytery, Presbytery voted on the election of the Stated Clerk. Presbytery bylaws require that the vote to elect the Stated Clerk be by written ballot. Since the vote was taken at the end of the meeting, and since it appeared that Presbytery would elect, two motions were made to make the procedure go faster: to suspend the bylaws so that the election could be by voice vote; and to cast a unanimous ballot (since there was only a single nominee).

On suspending bylaws. Bylaws may not be suspended under any circumstance unless the bylaws themselves permit suspension. RONR (10th ed.) p. 254, l. 28 ff. The bylaws of the Presbytery do not allow suspension except where specifically allowed; this provision is not one that is allowed.

On permitting a voice vote where the bylaws call for a written ballot. Where the bylaws require a vote to be taken by ballot, this requirement cannot be suspended, even by a unanimous vote. RONR (10th ed.) p.398, l. 28.

On casting a "unanimous ballot" where a ballot vote has been taken. Robert's Rules prohibit a motion to cast a "unanimous ballot" where there has been a vote by ballot. The reason for this prohibition is the protection of those who voted in opposition to the majority. For them to oppose a "unanimous ballot" vote requires them to reveal a vote made in secret. RONR (10th ed.) p.398, l. 28 ff. The provision allowing a vote by "acclamation" or "unanimous consent" is allowable only when the vote is by voice and there is only one candidate. RONR (10th ed.) p.428, l. 32.

To Presbytery, 2/24/98

ON GIVING ONES TIME TO ANOTHER

A special parliamentary rule of the Presbytery of Detroit (in the Bylaws) limits speeches during debate to 3 minutes. In recent meetings, when speakers have gone beyond 3 minutes, other members have taken the floor and given their time to the person whose time has expired. Such a procedure is improper. *Robert's Rules of Order* states, "Rights in regard to

debate are not transferable. Unless the organization has a special rule on the subject, a member cannot yield any unexpired portion of his time to another member, . . .” RONR (10th ed.) p. 376, l. 4.

If a Presbyter has used up his time and he or she wishes to make additional points in debate, there is a way that this can be done. *Robert’s Rules* allows a person to speak up to two different times on the same motion on the same day. The second speech may be made only after everyone else who desires to speak on the motion has already done so once. If debate is closed before a member has an opportunity to make a second speech, none may be made. RONR (10th ed.) p. 376, l. 23.

To Presbytery, 4/28/98

ON “FRIENDLY AMENDMENTS”

At the April Presbytery meeting, a motion was placed on the floor, and debate began on the motion. A member made a suggestion that the maker of the motion wanted to accept as a “friendly amendment.” I objected to that, and we went on to debate the amendment and finally the motion as amended.

Once a motion is made and placed before the Presbytery, the motion belongs to the Presbytery and not the maker. RONR (10th ed.) p. 38, l. 19 ff. A motion can be modified by the maker before it has been stated and before debate has begun, but not after. There is a good reason for this: a member does not have unlimited rights to speak to a motion, and a “friendly amendment” made after he or she speaks would affect the right to speak to the “amended” motion. It is possible to modify a motion before debate begins if another member is quick to ask for it. It is also possible to make such a “friendly” amendment by the process whereby the Moderator puts it to the Presbytery for “unanimous consent”—allowing any member the option to object.

A rule such as this one is less important in small bodies such as committees or SESSIONS where the debate is generally less formal and motions are regularly negotiated and crafted. In a body as large as the Presbytery, it is generally a good idea to follow the notion that motions are acts of the entire Presbytery once placed before the Presbytery and seconded.

To Presbytery, 5/26/98

WHEN YOU BELIEVE THE MODERATOR HAS MADE A MISTAKE.

At the October meeting of Presbytery, There was disagreement regarding a ruling made by the Moderator. Moderators are called upon to make all kinds of decisions during the course of a meeting, some of them explicit and some less noticeable. When a “point of order” is raised, the effect is to require the Moderator to make an explicit ruling.

If a member or Commissioner believes the Moderator has made a wrong ruling, he or she may appeal that ruling to the Presbytery. The way to do it is to rise and state something to the effect, “I appeal the decision of the Moderator.” In most cases, the appeal is debatable, and the Moderator can debate the issue without leaving the chair. The Moderator has priority over anyone the first time he or she speaks to the issue, and may speak last. When the time comes to vote, the question is put in this kind of form: “Shall the decision of the Moderator be sustained?” A tie or majority “yes” vote sustains the decision of the Moderator. RONR (10th ed.) §24.

Where you believe the Moderator’s decision is correct, and still want to do what you want to do, you can move to “suspend the rules.” One can suspend Robert’s Rules, or the Standing Rules of Presbytery in this manner. The motion to suspend the rules must state its specific purpose. The motion requires a second, cannot be debated or amended, and ordinarily requires a 2/3 vote to approve. RONR (10th ed.) p.p. 17, l. 19; §25.

There are, however, some limits on suspending the rules. You may not suspend the Book of Order or Confessions or the Bylaws (unless specific allowance is given); you may not suspend a rule that protects absentees or a basic right of a member. A successful appeal of a decision of the Moderator that has the effect of suspending a rule of a type cited here, or of violating civil law, would also not be effective.

To Presbytery, 11/24/98

ON SPEAKING TO A MOTION BEFORE MAKING IT:

It has long been the practice of the Presbytery of Detroit to call out of order any motion made after a person has spoken. I am not sure where this practice came from, but I believe it is not true. Robert’s does say this: “Until a matter has been brought before the assembly in the form of a motion proposing a specific action, it cannot be debated.” Robert’s Rules, p. RONR (10th ed.) p. 373, l. 33.. This prohibition is directed to motions that initially bring business to the floor (a “main” motion). Once a main motion brings business to the floor, it is proper to debate it and bring various motions that properly apply. In the course of debating the main motion, it is permitted to speak to the main motion and then make an appropriate motion germane to it:

“While debate is in progress, amendments or other secondary (subsidiary, privileged, or incidental) motions can be introduced and disposed of—and can be debated in the process, if they are debatable. . . . A member may both speak in debate and conclude by offering a secondary motion, which is a particular application of the principle that

a member having been recognized for *any* legitimate purpose has the floor for *all* legitimate purposes.” RONR (10th ed.) p.374, l. 14.

Roberts Rules does not specify this, but it seems it should not be in order to make a speech before making a non-debatable secondary motion. For example, during debate on a main motion, it would seem improper to make a speech in support of ending debate and then move to call the question. In such a case it would appear that a person trying to make the motion would not be permitted to make it, since no other member would be able to debate it. This was fundamentally the rule in Rule 98.51 of the old *General Rules for Judicatories*.

To Presbytery, 9/28/99

ON DIVISION OF A QUESTION

At the October meeting of Presbytery, a motion was made to “divide the question”: “That Presbytery vote on items 1-6 together, and item 7 separately.” After debate, a member of Presbytery pointed out that such a motion is not debatable.

A motion for a “division of the question” can be made “when a motion relating to a single subject contains several parts, each of which is capable of standing as a complete proposition if others are removed . . .” RONR (10th ed.) p. 261, l. 20. In such a case, by a motion to divide the question each part can be considered and voted on individually, provided the part can be separated from the rest of the motion out without editing. The motion requires a second and cannot be debated. We should not have debated the motion when it was made.

There are two other situations that are similar. One is where independent resolutions dealing with different subjects are offered in the same motion. When that is the case, any member may demand that separate votes be made separately on the resolution. When this is a case, any time before the vote begins, a member may rise and make the demand, even by interrupting another speaker. There is no vote. RONR (10th ed.) p. 265, l. 1.

A complex resolution can also be taken up “by paragraph” or “seriatim.” This can be done where there are a series of articles, paragraphs, or articles that are not totally separate, but which are in the same motion. An example is a set of bylaws. In this case, a person may move that the resolution be considered “seriatim” or considered “by paragraph.” Each article or paragraph is then debated individually if desired, but the whole thing is voted by a single vote after amendments have been made. Consideration seriatim is by motion, needs a second, and is not debatable. RONR (10th ed.) §28.

To Presbytery, 11/23/99

ON VOTING BY BALLOT

At the September meeting there were several issues raised concerning voting. Council had included on the docket the provision that there would be a written ballot for the general order of the day regarding rescinding the action taken in November 1999 that would require either the interim or permanent Executive Presbyter be African American. A motion was made to vote by rising vote on the rescission. The moderator ruled the matter not in order on the grounds that one could not require a less restrictive means of voting than what had been called for. I suggested at the time that any vote to do so would need to be by written ballot. When the ruling of the Moderator was challenged, Presbytery sustained the ruling. A later inquiry was made about requiring people to sign their ballots, and the Moderator stated that he would rule such a motion out of order.

The ordinary method of voting is by voice vote. Any person may demand a “division” of the house, which calls for a “rising” vote. A counted vote can be ordered by the Moderator, or can be required by a motion. A ballot can only be ordered by vote. RONR (10th ed.) p. 398, l. 10, 23.

In the case at the Presbytery meeting, since there was no bylaw provision requiring a written ballot for the motion, the voting method could have been changed to another form of voting. When Presbytery voted on the docket containing the provision that the voting be done by ballot, Presbytery approved this method of voting. A motion to change the voting procedure would have required a motion to amend the docket after it has been approved, which requires a 2/3 vote. RONR (10th ed.) p. 360, l. 24. The voting method could have been deleted during the approval of the docket by simple amendment.

Voting by ballot is “used when secrecy of the members’ votes is desired.” RONR (10th ed.) p. 398, l. 16. It would appear that requiring a person to sign a secret ballot is so contrary to the intent that it would not be in order to require it.

To Presbytery, 10/24/00

ON SPEAKING TO A MOTION BEFORE MAKING IT:

A motion was made by Council at the January 2001 meeting involving creating a “fellowship.” During debate, a member spoke to the motion and concluded by making a motion to refer the matter back to Council. Another member objected that it was out of order because she had spoken to the motion before making it.

It has long been the practice of the Presbytery of Detroit to call out of order any motion made after a person has spoken. I am not sure where this practice came from, but it may have its origin in Rule 98.51 of the old *General Rules for*

Judicatories, which is no longer authoritative. Robert's Rules does say this: "Until a matter has been brought before the assembly in the form of a motion proposing a specific action, it cannot be debated." RONR (10th ed.) p. 373, l. 33. This prohibition is directed to motions that initially bring business to the floor (a "main" motion). Once a main motion brings business to the floor, it is proper to debate it and bring various motions that properly apply. In the course of debating the main motion, it is permitted to speak to the main motion and then make an appropriate motion germane to it:

"While debate is in progress, amendments or other secondary (subsidiary, privileged, or incidental) motions can be introduced and disposed of—and can be debated in the process, if they are debatable. . . . A member may both speak in debate and conclude by offering a secondary motion, which is a particular application of the principle that a member having been recognized for *any* legitimate purpose has the floor for *all* legitimate purposes." RONR (10th ed.) p.374, l. 14.

Roberts Rules does not specify this, but it seems it should not be in order to make a speech before making a non-debatable secondary motion. For example, during debate on a main motion, it would seem improper to make a speech in support of ending debate and then move to call the question. In such a case it would appear that a person trying to make the motion would not be permitted to make it, since no other member would be able to debate it.

To Presbytery 2/27/01

ON A MOTION TO VOTE BY BALLOT AFTER THE QUESTION HAS BEEN CALLED

On a motion to approve an overture at the January 2001 meeting, the matter was debated and Presbytery approved a motion to call the previous question. A member then moved that the vote be taken by ballot, and the Moderator stated that the motion was not in order because Presbytery had voted to end debate. A member raised a point of order, and the Moderator properly reversed her ruling.

Ordinarily votes are taken by voice. A member may demand a "division" of the house, which calls for a rising vote. A member may move (or the Moderator may order) a counted vote. Voting by ballot can occur only upon motion. The motion requires a second, is not debatable, and requires a majority vote. The motion is in order after the question has been called, and even up to the moment that the *next* question is stated by the moderator (that is, until Presbytery moves to the next item of business). RONR (10th ed.), p. 273, l. 26.

To Presbytery 2/27/01

On Postponing Motions

At the May meeting of Presbytery, a motion was made to postpone a decision on a pending motion. The point was made that a motion to postpone is not debatable, which the Moderator properly determined was incorrect. A motion to postpone to a certain time (definitely) may be made, and, after second, may be debated as to the merits of postponing (only). If amendments or a motion to refer are pending on the main motion, they would be postponed as well. The motion must state the time to when the motion is to be postponed, which time may not be more than three months away. If the time is only to a particular meeting (e.g., to the September meeting of Presbytery), it becomes a "general order of the day," somewhere on the docket; this requires a simple majority vote. If it is for a specific time that takes priority (e.g., to 7:00 p.m. of the September meeting of Presbytery), it becomes a "special order of the day," and requires a 2/3 vote. RONR (10th ed.), §14.

There may be some confusion with the motion to "table" something. A motion to table is not debatable. Roberts Rules does not allow for tabling something to a particular time. Since it is not debatable, it may not be used for the purpose of frustrating consideration of a motion. The only acceptable intent of a motion to table is to "permit interruption of pending business so as to permit doing something else immediately." A motion tabled is brought back to the body by a motion to lift from the table. RONR (10th ed.), §17.

To Presbytery 6/26/01

On Motions to Table.

At the last Presbytery meeting, a motion was made to table a resolution until the next meeting of Presbytery, and the Moderator inquired if the maker intended that it be a motion to postpone. The inquiry was proper, because a motion to table may not set a time for taking the matter up again. The only way to get a tabled motion considered is by a motion to lift it from the table, which motion ordinarily must be taken up before the end of the subsequent meeting. RONR (10th ed.), pp. 201-210. Furthermore, the motion is not in order if there is no other matter requiring the immediate attention of Presbytery. RONR (10th ed.), p. 207, l. 15. Unfortunately, the term "table" has come into common use when a person wishes to delay consideration of a motion, which reason is specifically rejected by Robert's Rules. RONR (10th ed.), p. 208 l. 5ff. Since there is no debate, it has the effect of taking a motion out of consideration without discussion, and is thus considered to be a violation of the rights of the minority. RONR (10th ed.), p. 202, l. 10. The proper motion to delay consideration is a motion

to postpone to a certain time, which has the effect of making the motion an order of the day. RONR (10th ed.), pp. 172-183. This motion is debatable and the debate can be on the merits of postponing (only). The proper means of killing a motion without voting on it specifically is to postpone it indefinitely. This is also debatable, but the merits of the original motion can be taken up in the debate. RONR (10th ed.), pp. 121-124.

To Presbytery 10/23/01

On resolutions with preambles (“whereas” clauses).

A motion with a series of “whereas” clauses (a preamble) was placed on the floor at the September meeting, and Presbytery was instructed that it could not debate the “whereas” clauses until the “be it resolved” (action) clauses were approved. Apparently this led members to believe the motion had not been properly made. The matter was further confused when a substitute motion was placed on the floor, also with “whereas” clauses. The instructions given were proper. Robert’s Rules does not recommend preambles for the very reason demonstrated at the meeting. But where there are “whereas” clauses, the resolution clauses are voted on first and then the preamble is voted on. The reason is simple: unless you do that, then the resolution (action) clauses may be based on preamble clauses that are not congruent. That is, the “whereas” clauses may need to be amended to conform to the action taken. RONR (10th ed.), pp. 102-103.

To Presbytery 10/23/01

On substitute motions.

At the September meeting, a substitute motion was offered. When it is not practicable to amend a motion because of number of changes or because the amendments are incongruent with the main motion a “substitute motion” (a sub-class of the motion to amend) can be made. The general practice in the Presbyterian Church (U.S.A.) is to use a process by which the main and the substitute motions are “perfected.” The process is to place the main motion on the table, then to place the substitute motion on the table. The main motion is then “perfected” by making amendments to it. When there are no more amendments, then the substitute motion is “perfected” in the same way. The result is that there are then two motions that are acceptable before the assembly. The first vote is whether the [perfected] substitute motion becomes the main motion. If yes, then it is on the floor and can then be amended. If no, the original main motion is back on the floor and can be amended before a final vote. RONR (10th ed.), pp 146-154.

To Presbytery 10/23/01

Re: Amending previous actions.

At the May meeting of Presbytery, the Committee on Ministry made a motion to amend the minutes of the November, 2001 meeting to reflect the actual effective date of a minister member's work. Since it was a motion to amend something previously adopted, it was included in the call to the meeting, which made the vote necessary for approval a simple majority.

A commissioner raised a parliamentary inquiry about the motion, questioning whether it should have been a motion to amend the original motion action than to amend the minutes. The COM had proposed the motion on the advice of the Stated Clerk, and defended the wording on the weight of the Stated Clerk's advice.

I believe the commissioner was correct, and that I gave the COM bad advice. The better motion would have been to amend the original action, which would have required the same steps as amending the minutes. The effect of the motion as approved will functionally be the same as the better motion to amend the action.

To Presbytery 6/25/02

POLICY AND PARLIAMENTARY NOTES

At the February, 2003, Presbytery meeting, a motion was made to send an overture to the 215th General Assembly asking that the General Assembly rescind the “authoritative interpretation” prohibiting the ordination of self-affirmed practicing homosexual persons. Motions were made to table, then postpone the matter to the April meeting of Presbytery. A member raised the matter of the Presbytery policy on controversial issues, P-5. All deserve further interpretation.

1. **Policies.** Because the memorandum accompanying the Policies and Procedures Manual, submitted for a first reading, was unclear, a member believed that Presbytery Policy P-5, “Controversial Issues” was not in effect. In fact it was in effect. All of the policies in the manual were and are in effect. The motion at this meeting (April 22nd) is to rescind all policies, and then adopt this manual. The effect of the motion will be to rescind the many other policies the Presbytery has passed over the years since 1973 and keep the ones in the manual, some as committee policies and some as Presbytery policies.

What to do when a member of Presbytery or any Committee believes a motion is violating a policy.

It is appropriate to rise to a point of order on the grounds that the motion before the Presbytery or Committee

violates a policy. The Moderator/Chair will then determine if it is or is not a violation of the policy, and then make a ruling on the point of order. Any ruling can be appealed to the Presbytery/Committee. If the policy does not involve an action outside of the meeting, it can be suspended by a motion to suspend the rules, which requires a majority vote. (“Mr. Moderator, I move that Presbytery suspend the rules to allow”) The rule is then suspended for the duration of the meeting. RONR (10th ed.), p. 256, l. 6.

- 2. Parliamentary Procedure.** The motion was made to table the resolution until the next meeting, and the Moderator ruled that a **motion to table** was not in order. A motion to table is not debatable and is to be used only to interrupt the pending business so as to permit doing something else immediately. It is not the appropriate motion to avoid dealing with a particular matter at the current meeting. RONR (10th ed.), p. 201, l. 25. The Moderator properly guided the member to make the motion desired, **to postpone until the next Presbytery meeting**. A motion to postpone to a definite time is debatable, but only on the question of whether to postpone. It is not proper in the motion to debate the merits of the motion itself. RONR (10th ed.), p. 172, l. 1. If postponing a motion will have the effect of killing it, it is not in order. RONR (10th ed.), p. 176, l. 12. Since the overture moved would require in interpretation of the Constitution, and since the Constitution requires such overtures to be submitted 120 days before the beginning of the GA (in this case, February 15th), G-13.0112c, the effect of postponing to April 22nd was to kill it. For that reason, the Moderator properly declared the motion not in order.

These two motions demonstrate a **parliamentary principle: Robert’s Rules does not favor voting on a motion without permitting debate on its merits**. The effect of tabling and the effect of postponing until the April meeting would have prohibited debating the motion itself.

There is a motion available to “kill” a resolution without actually voting on the motion: **postpone indefinitely**. RONR (10th ed.), p. 121, l. 1. A motion to postpone indefinitely would have been in order. The debate of such a motion would have included the merits of the overture. If it passed, the motion would have been dead for the rest of the meeting, but since there would have been debate on the merits of the overture, it is permitted even though the motion to postpone indefinitely was not. If not passed, the motion is then taken up. This motion is frequently used when people want to test the waters and get a vote count without taking the risk of losing the vote on the motion.

To Presbytery, 4/22/03

Re: Approving a resolution with “rationale”

Robert’s Rules of Order believes it is unwise to include reasons as a part of a resolution. RONR (10th ed.), p. 102, l.7. It can be done, however, and Robert’s Rules refers to the use of a “preamble,” a series of “whereas” clauses that precede the resolution to be passed. The current practice of the General Assembly encourages the use of “rationale” clauses rather than the old-style “whereas” clauses. The proposed overture from the Session of Greenfield Church contains several rationale clauses.

Robert’s Rules states that in a case such as this, the resolution (overture) shall be debated and amended first, and the rationale clauses debated and amended last. The question can be called while debating the resolution, but the debate on the rationale remains until it is voted on. RONR (10th ed), p. 103, l. 25-35. The reason for this procedure is quite simple: If the overture is amended, it may require a change in the rationale.

In plain English, the procedure calls for debating and amending the overture portion first, and then debating and amending the rationale. When both have been debated and amended, they are voted on together with one vote.

For the Presbytery meeting 11/8/03

On Abstentions and Illegal Votes

At the November meeting, a member of Presbytery rose and stated that he would abstain when called to vote on the overture from Greenfield Church asking the General Assembly to rescind the authoritative interpretation on the ordination of homosexuals.

In the Presbyterian Church, presbyters are ordained for the purpose of governing, and they are to govern by their participation in decisions of SESSIONS Presbyteries, Synods, and the General Assembly. Even though members have a duty to vote, Robert’s Rules of Order states that a member cannot be compelled to vote, effectively giving a right of abstention. RONR (10th ed.), p. 394, l. 6.

An abstention is not a vote, but is merely decision not to cast a vote. Therefore, abstentions are never counted or reported. They are not included in the count of the total votes cast. The presiding officer should not ask abstentions. RONR (10th ed.), p. 43, l. 25. Since the majority is ordinarily calculated by counting the number of persons present and voting,

abstentions have the effect of lowering the number votes needed for approval. In ballot voting, the proper way to abstain from voting is to cast a blank ballot or no ballot at all.

Abstentions do have an effect in some cases. In cases where the vote of a fixed number is required, an abstention has the effect of voting “no.” In some rare cases, majorities of the entire membership or the members present (even if not voting) are required, but the only place this ordinarily has an effect in the Presbyterian Church is when Presbyteries vote on amendments to the Book of Order or Book of Confessions. Since the Form of Government requires a majority or 2/3 vote of the Presbyteries to approve a change in the Book of Order or the Confessions, a Presbytery that does not vote effectively votes “no.” And, of course, abstentions have the effect of reducing the number required to approve.

At the November meeting, the ballot offered two options, Yes and No, following the ballot form in Robert’s Rules, RONR (10th ed.), p. 399, l. 12ff. Five people wrote “abstain” on their ballots. The tellers counted the five “abstain” ballots and included them in the total vote count. The total vote count they recorded was 162 (81+76+5), by which the required number for approval would have been 82. Counting the “abstain” ballots as abstentions rather than votes cast, I recommended to the moderator that he should count only the yes and no votes, by which the measure passed, 81 yes, 76 no. The Moderator ruled the “abstain” ballots were abstentions, and announced only the yes and no votes. He properly did not report the abstentions.

In reviewing the voting and counting procedure after the meeting, I have concluded that the “abstain” ballots should have been counted as “illegal” votes, as described in Robert’s Rules. (Not all the folks with whom I have consulted agree with my opinion on this.) Although illegal votes are counted for determining the number of votes cast (which would mean 162 votes were cast, 82 would be necessary for approval, and the overture would fail), it is not inappropriate to treat the five “abstain” ballots as “small technical errors”, RONR (10th ed.), p. 402, l. 12ff, and therefore consider them blank ballots. The rationale for this view is that it appears those who wrote “abstain” on their ballots intended not to affect the outcome of the vote. Their votes were apparently the result of their misunderstanding of the meaning and process of abstaining.

To Presbytery, 2/14/04

Ballot Count in the November election of General Assembly Commissioners.

Because there was a nomination from the floor, Presbytery voted for elder commissioners to the 218th General Assembly by written ballot. There were six nominees for five positions. The tellers reported that there was a tie for the last position. The Moderator reported to me that she had not voted, and asked about casting her vote to break the tie., and I advised her that she could. The other alternative was to take a new vote between the two. It turns out that my advice to the Moderator was incorrect. While the presiding officer in a large assembly does not vote, he or she can vote to create or break a tie. Robert’s Rules of Order (10th ed.), pp 394. When the vote is by ballot, however, the Moderator may vote with the Presbytery. If the Moderator does not, he or she may cast a vote to break the tie with the permission of Presbytery. RONR (10th ed.), p. 400.

It would have been appropriate for a member to rise to a point of order when the Moderator announced her vote, on the grounds that she had cast her vote without the permission of Presbytery. In that case there could have been an immediate re-vote. A point of order must be raised promptly when the breach occurs, however, so it cannot now be raised. RONR (10th ed.), p. 243. If a member desires to take the vote again, however, a motion could be made during the time for motions from the floor to vote again on the two commissioners.

To Presbytery 1/22/08

Procedures for Minority Reports

The special committee that considered the overture on the Iraq war has come back with a majority and a minority report. A motion will be made that the minority report be substituted for the majority report, a procedure not used in recent memory. The process for a substitute motion is designed to allow Presbytery to choose between clear alternatives.

Since the majority report includes both a resolution and a rationale, it requires a special procedure by which the resolution is open for amendment first, and then the rationale is open for amendment.

Combining the two procedures leads to the following process:

- The majority report is presented and moved.
- The minority report is presented and moved.
- The majority report is “perfected.”
 - Perfected means that it is amended until it is satisfactory to those who intend to vote for the majority report. (It is not in order for an opponent to amend during this period.)
 - Note that since the majority report includes both a resolution and a rationale, it must be done in two parts: the resolution is perfected and then the rationale is perfected.

- The minority report is perfected.
- The Moderator shall ask the question: "Shall the substitute motion (the minority report) be the main motion?"
- Presbytery then debates the chosen motion. If Presbytery selects the minority report, there may be amendments, but only by minor additions that do not change the substance. If Presbytery has chosen the majority report, it can be amended.

To Presbytery 1/22/08

On "friendly" amendments.

At the November meeting, there were a series of amendments made to the Vision Statement. It was suggested that some of these could be "friendly" amendments. The presumption is that if the maker of the motion agrees with the proposed amendment, it is "friendly," and needs no debate. Robert's Rules states:

FRIENDLY AMENDMENTS. The term "friendly amendment" is often used to describe an amendment offered by someone who is in sympathy with the purposes of the main motion, in the belief that the amendment will either improve the statement or effect of the main motion, presumably to the satisfaction of its maker, or will increase the chances of the main motion's adoption. Regardless of whether or not the maker of the main motion "accepts" the amendment, it must be opened to debate and voted on formally (unless adopted by unanimous consent) and is handled under the same rules as amendments generally. RONR (11th ed.) (10th ed.), p. 154.

The reason behind this prohibition of "friendly amendments" is that once a motion is made and seconded, it no longer belongs to the maker, but to the whole body. This is demonstrated by the observation that there were eight motions to amend; one was approved.

There are two ways to do "friendly" amendments. One is by unanimous consent, whereby the Moderator asks if there are any objections to the amendment, and if no one raises their voice, it can be ordered. If there is an objection, it must be debated. Another way is to make your suggestions to the maker of the motion before it is moved. Most resolutions are posted on line. If you would like to make a "friendly" amendment, you can go to the maker and suggest changes. If the maker agrees, the resolution can be amended before it is moved and seconded, avoiding the need to debate it.

To Presbytery 1/22/08

Re motions with rationales

Handling resolutions with rationales (preamble clauses) requires a special and specific procedure. These once were the "whereas" clauses, which we Presbyterians have transmogrified into rationale clauses (the preferred form by the General Assembly). They are governed by Robert's Rules of Order Newly Revised (10th ed), pp 102-105, 133, 194, 269. The special consideration is necessary when the approval of a resolution also means approval of the rationale, which happens ordinarily only when we send an overture to a higher governing body for its consideration. (It is ordinarily not necessary when a rationale is presented to support a resolution that goes no further than the presbytery.)

Generally the main motion is "perfected," the substitute is "perfected," and then the matter proceeds to vote:

- The Moderator asks for any amendments to the resolution portion. When there are no further amendments, he declares it perfected.
- The Moderator asks for any amendments to the rationale. When there are no further amendments, he declares it perfected.
- The entire resolution is open for debate.
- A vote is then taken on both together.

The reason for this procedure is that an amendment of the resolution may necessitate amendment of the rationale.

There is an additional rule that applies. If Presbytery votes to end debate before the rationale are discussed, the motion does not apply to the rationale unless the motion is to end debate on all pending issues.

Re substitute amendments.

A motion to substitute one resolution for another is a form of amendment. See RONR (10th ed.), §12. AMEND, with specific attention to 3(b). *To Substitute, pp 146ff.* This provision is not all that clear. The key is the term "perfected," which appears in the section but is not lifted up. The procedure goes this way:

- The main motion is moved and seconded.
- The motion amend by substitution is moved and seconded.
- The Moderator opens the main motion to amendment. When there are no further amendments, he declares it perfected.
- The Moderator opens the substitute motion to amendment. When there are no further amendments, he declares it

perfected.

- The question is put: "Shall the substitute motion be the main motion?" It is debatable.
- Then the main motion (whichever it be) is open for debate. Only minor/non-substantive motions are allowed at this point.
- The main motion is voted on.

Combining the two (substitute motion with rationale)

There will be a substitute motion proposed for the resolution on ordination. In this case, both procedures must be followed. But since the process for amending is similar to the procedure for approving rationale, the process of perfecting need occur only once:

- The main motion is moved and seconded.
- The amendment by substitute is moved and second.
- The main resolution is perfected.
- The rationale for the main resolution is perfected.
- The substitute resolution is perfected.
- The rationale for the substitute is perfected.
- The motion is put, "Shall the substitute motion be the main motion?"

To Presbytery 11/22/09

On motions with rationales

Presbytery will vote on an overture to the Synod of the Covenant that includes a set of rationales.

Handling resolutions with rationales (preamble clauses) requires a special and specific procedure. These once were the "whereas" clauses, which we Presbyterians have transmogrified into rationale clauses (the preferred form by the General Assembly). The process is governed by Robert's Rules of Order Newly Revised (10th ed), pp 102-105, 133, 194, 269. The special consideration is necessary when the approval of a resolution also means approval of the rationale, which happens ordinarily only when we send an overture to a higher governing body for its consideration. (It is ordinarily not necessary when a rationale is presented to support a resolution that goes no further than the presbytery.)

Generally the resolution is "perfected," the rationale is "perfected," and then the matter proceeds to vote. The specific procedures are as follow:

- The Moderator asks for any amendments to the resolution portion. When there are no further amendments, he declares it perfected.
- The Moderator asks for any amendments to the rationale. When there are no further amendments, he declares it perfected.
- The entire resolution is open for debate: Only minor amendments are allowed..
- A vote is then taken on both together.

The reason for this procedure is that an amendment of the resolution may necessitate amendment of the rationale.

There is an additional rule that applies. If Presbytery votes to end debate before the rationale are discussed, the motion does not apply to the rational unless the motion is to end debate on all pending issues.

To Presbytery 1/26/10

On Postponing

At the last meeting, there were some parliamentary difficulties regarding the motion to postpone discussion of the Belhar Confession.

The motion made was to postpone discussion until equal time is given in opposition to the Belhar Confession. There are two forms of a motion to postpone. One is a motion to postpone indefinitely—that is, with no time to return to the motion. Since this kind of motion effectively kills a motion for the session, debate can go into the merits of the motion. A second kind of postponement is one to postpone definitely—that is, to postpone until a particular time. In this kind of postponement, debate can go into the merits of postponing only, since if it is approved, the merits would be debated at the appointed time. If a motion to postpone (of either kind) is approved, the matter is finished for that meeting, and we move on to the next item of business. If a motion to postpone (of either type) is defeated, we return to debating the merits of the motion. The various motions to postpone are described in Robert's Rules of Order Newly Revised (10th ed.), sections 11 and 14.

Since the motion to postpone was made to a specific time (until equal time is given in opposition to the Belhar Confession), it was properly accepted as a motion to postpone definitely, and the Moderator properly restricted discussion to the merits of postponing. A member made a motion to amend by making it to the June meeting of Presbytery, an allowable

amendment. The motion to amend to June got lost in the course of the various questions and debates. It was never voted on.

When the Moderator came to the vote on postponing, she put the question in the following way: “to postpone discussion to the June meeting of Presbytery.” That motion was not approved. A point of order was raised that the vote taken was really a vote on the amendment, not on the motion to postpone. The Moderator ruled that since she had put the question as she did, it was properly a motion to postpone until June. The authority for her ruling is the following statement in Robert’s Rules of Order Newly Revised (10th ed), which says on p 42, “If the chair’s wording of the question is erroneous, a point of order may be made until any member has actually voted. Except as it may be corrected in response to such a point of order, the exact wording the chair uses in putting the question is definitive, and the wording in the minutes should be the same.” This rule imposes on every member the obligation to listen carefully to the specific words when a moderator puts a question to the vote, for it requires that a point of order be raised immediately if the moderator does not properly state the motion.

The matter could have been resolved by challenging the Moderator’s ruling or by a motion to reconsider the action taken and then to proceed in the vote in a different way if the Presbytery voted to reconsider.

To Presbytery 6/28/11

ALL NOTES FOLLOWING REFER TO RONR (11th ed.)

On speaking before making a motion

At the November meeting of Presbytery, a member rose to debate a motion that was on the floor, and ended by making a motion to end debate. A member rose to a point of order that it was not on order for someone to say something and then make a motion.

Robert’s Rules of Order (11th ed.) states:

When assigned the floor, a member may use it for any proper purpose, or a combination of purposes; for example, although a member may have begun by debating a pending motion, he may conclude by moving any secondary motion, including the Previous Question (16), that is in order at the time.

RONR (11th ed.), p. 378

A member may speak in debate on the main motion and conclude by offering a secondary motion.

RONR (11th ed.), p. 116.

A member may both speak in debate and conclude by offering a secondary motion, which is a particular application of the principle that a member having been recognized for any legitimate purpose has the floor for all legitimate purposes.

RONR (11th ed.), p.386

Many believe that the motion to end debate was not in order because of a widespread misunderstanding. RONR (11th ed.) says that it is improper to make a speech and then make a main motion.

Under parliamentary procedure, strictly speaking, discussion of any subject is permitted only with reference to a pending motion. When necessary, a motion can be prefaced by a few words of explanation, which must not become a speech; or a member can first request information, or he can indicate briefly what he wishes to propose and can ask the chair to assist him in wording an appropriate motion. In general, however, when a member has obtained the floor while no motion is pending—unless it is for a special purpose, such as to ask a question—he makes a motion immediately. . . . For a member to begin to discuss a matter while no question is pending, without promptly leading to a motion, implies an unusual circumstance and requires permission of the assembly (see p. 299) in addition to obtaining the floor. In larger assemblies, this rule requires firm enforcement. In smaller meetings, it may sometimes be relaxed with constructive effect if the members are not accustomed to working under the standard rule. . .

RONR (11th ed.), p. 34f.

The general rule, then, is that a member may rise and debate a main motion on the floor and then make a secondary motion. A member may not, without the permission of the assembly, make a speech and then introduce a main motion.

To Presbytery 1/22/13

On Receiving reports

At the April meeting a point of order was raised about a motion to “receive a report.” Robert’s Rules says it is not in order to receive a report. RONR (11th ed.), pp. 28, 507. It is not necessary, since a report is “received” when presented to the Presbytery. I believe the intent in most cases is that the report be included in the minutes. There is a separate provision for entering a report in the minutes. RONR (11th ed.) p. 471.

To Presbytery 6/25/13