ANNUAL SEMINAR ON MUNICIPAL LAW

Bob’s Rules of Order
This Session
Road Map

Bylaws vs. Rules of Order

Benefit of Rules of Order

*Robert’s Rules of Order* (1876)

*Bob’s Rules of Order*

Questions
Bylaws & Rules of Order

Bylaws

• Organization & Management of the Body
• Largely **Specific** to the Body
• Charter, Statutes & Policies for Meetings

Rules of Order

• Procedures for Decision Making
• Can be **Uniform** for Similar Bodies

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BYLAWS

Purpose & Powers
Members, Officers & Removal
Calling Meetings
Absences - Number & Excused
Types of Meetings, Remote
Quorum Requirements
Conflicts of Interest
Agenda Preparation
Voting Methods
Decorum
And more…

RULES OF ORDER

Determining Quorum
Presiding Officer’s Role
Disclosing Conflicts & Recusal
Accessing the Floor
Available Motions
Form of Motion & Second
Limits on Debate
Voting – Yes, No, Abstaining
Suspending & Deviating Rules
And more…
Bylaws

Somewhat “Hardwired”

More Challenging to Change

Rules of Order

Easy to Change, Deviate, or Suspend During Meeting

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Adopts Rules of Order

Requires Compliance with Both Rules and Bylaws
Benefit of Rules of Order

FAIRNESS
DEFENDING DECISIONS
EFFICIENCY
“Best” Rules of Order?

• Reasonably Simple & Understandable
• Tailored to Purpose, Authority & Law
• Reasonably Comprehensive
• Allows for Flexibility
• “Fits” with Historic/Cultural Practices
• Followed Consistently
Some Too Simplistic
Some More Complex than Needed
Do Not Set Rules – More General Discussion
Do Not Address Quasi-Judicial Meeting Issues
Do Not Recognize *Local Government* Obligations
• **803 Pages**

• **96 Motions**

• **Good for Large Legislative Bodies**

• **But For Typical Local Government?**
  
  o Very Difficult to Quickly Reference
  
  o Some Conflicts with Colorado Law
  
  o Unacceptable Procedures for Local Government
  
  o No recognition of Quasi-judicial Procedures
  
  o Simply Not **Used** or Usable – “As It Is”
Options?

- Yes, *Robert’s Rules of Order*
- Custom-Tailored Rules
- Another Government’s Rules
- *Bob’s Rules of Order*
• Not a “Shameless Plug”
• Product of 34 years of:
  o +1,600 Public Meetings & Hearings
  o Meeting Frustrations & Problems
  o Successful Meeting Practices
  o Listserv Issues & Questions
  o Actual Use & Improvements
Expert Advisors

David Broadwell
Jerry Dahl
Sam Light
Wynetta Massey
Robert Sheesley
• Just the Basics Needed
• (Hopefully) Simplistic Enough
• Provides Flexibility
  o Presiding Officer Discretion
  o Suspend & Deviate
• Conforms to Colorado Law
• Addresses Quasi-Judicial Obligations
“Jeez, Bob, this is kind of elementary and basic.”

“Yep, it is written for the members of your governing body, boards, commissions, and committees.”

“And you lawyers get your fill of citations and a little law in the endnotes.”
Look inside

Bob’s Rules of Order

Why & How to Adopt
Terminology
Rules
Points & Motions

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Revising & Adopting

NOT NECESSARILY A STAND-ALONE RESOURCE

Step 1 – Test the Rules
Step 2 – Revise (It is Okay!)
Step 3 – Adopt
Step 4 – Train & Follow
Step 5 – Eventual Autopilot
Terminology

**Words:**
- "Body"
- "Presiding Officer"
- "Quorum"
- "Floor"

**Distinctions:**
- Legislative & Quasi-Judicial
- Continue ↔ Postpone
- Discussion & Debate
- Recuse & Abstain

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Rule 1.2
The meeting agenda will be followed unless properly amended or modified.

Commentary
An efficient meeting is, in part, the result of organization. Organization is best achieved by following a meeting agenda. To

Special Note: Discussion of Quasi-Judicial Matters
Members sitting as judges for a quasi-judicial matter must remain fair, impartial, and unbiased and judge the matter

The Rule in Practice
The following dialogue provides an example of Rule 6.1 in practice:

Background: The Town Manager presents Ordinance 19 to the Town Board. Ordinance 19 will amend the
Some Rules

• “Friendly Amendment”
• “Friendly Withdrawal”
• “So Moved” Motion
• Voting “Yes,” “No” and “Abstaining”
• Presiding Officer General Neutrality
• Fairness – Right to Floor, Time Limits, & Number Limits
• One Motion to Amend at a Time
Points (3)

• Point of **Order**
  (Bring the Body into Compliance)

• Point of **Information**
  (Obtain Urgently Needed Information)

• Point of **Appeal**
  (Appeal Presiding Officer Decision)
Motions (Only 8)

- **Principal** Motion
- Motion to **Continue or Postpone**
- Motion to **Amend**
- Motion to **Close Debate**
- Motion to **Reconsider**
- Motion to **Recess**
- Motion to **Adjourn**
- Motion for **Executive Session**
APPENDIX B

List of Rules for Reference

1.0 The Meeting Generally

Rule 1.1 Any state or local law that concerns the conduct of a meeting is a part of the Rules of Order to the extent the law is applicable to the Body.

Rule 1.2 The meeting agenda will be followed unless properly amended or modified.

Rule 1.3 The Body may presume that any legally required public notice for the meeting and for each agenda item was properly completed.

Rule 1.4 A Member shall disclose a conflict of interest and recuse themselves from both participation and voting when required by applicable state or local law.
## APPENDIX C

*Bob's Rules of Order*

### Summary Table of Points and Motions

<table>
<thead>
<tr>
<th>TYPE</th>
<th>MOTION</th>
<th>FLOOR?</th>
<th>WHEN IN ORDER?</th>
<th>SECOND?</th>
<th>DEBATABLE?</th>
<th>VOTE?</th>
</tr>
</thead>
<tbody>
<tr>
<td>POINT</td>
<td>Order</td>
<td>No</td>
<td>Any time</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>Information</td>
<td>No</td>
<td>Any time</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>Appeal</td>
<td>No</td>
<td>Immediately following Presiding Officer's decision</td>
<td>No</td>
<td>No</td>
<td>Majority of quorum</td>
</tr>
<tr>
<td>MAIN</td>
<td>Principal Motion</td>
<td>Yes</td>
<td>When no motion is pending</td>
<td>Yes</td>
<td>Yes</td>
<td>Majority of quorum usually but may depend on special law, Rule 7.6</td>
</tr>
<tr>
<td></td>
<td>Reconsider</td>
<td>Yes</td>
<td>When no motion is pending but with limited availability, Section 19</td>
<td>Yes, only as to the reason to reconsider</td>
<td>Majority of quorum</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Adjourn</td>
<td>Yes</td>
<td>When no motion is pending</td>
<td>Yes</td>
<td>Yes</td>
<td>Majority of quorum</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>TYPE</th>
<th>MOTION</th>
<th>FLOOR?</th>
<th>WHEN IN ORDER?</th>
<th>SECOND?</th>
<th>DEBATABLE?</th>
<th>VOTE?</th>
</tr>
</thead>
<tbody>
<tr>
<td>MAIN</td>
<td>Continue or Postpone</td>
<td>Yes</td>
<td>When no motion is pending</td>
<td>Yes</td>
<td>Yes</td>
<td>Majority of quorum</td>
</tr>
<tr>
<td>SUBSIDIARY</td>
<td>Amend a pending debatable motion</td>
<td>Yes</td>
<td>When a debatable motion is pending</td>
<td>Yes</td>
<td>Yes</td>
<td>Majority of quorum</td>
</tr>
<tr>
<td>PRIVILEGED</td>
<td>Close Debate</td>
<td>Yes</td>
<td>When a debatable motion is pending</td>
<td>Yes</td>
<td>No</td>
<td>2/3 of quorum</td>
</tr>
<tr>
<td></td>
<td>Recess</td>
<td>Yes</td>
<td>Any time</td>
<td>Yes</td>
<td>No</td>
<td>Majority of quorum</td>
</tr>
<tr>
<td></td>
<td>Executive Session</td>
<td>Yes</td>
<td>Any time</td>
<td>Yes</td>
<td>No</td>
<td>2/3 of quorum</td>
</tr>
</tbody>
</table>

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How to Find Bob’s Rules?

- One copy mailed to Municipal Clerks
- CML.org
  - Digital
  - Hardcopy
Thank You!

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