



Robert's Rules, Chapters 49-50, Rules for Small Boards

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Editor's Note: We welcome Karen Moore, Local Government Specialist for the UW Division of Extension's Local Government Center as an author of the *For the Good of the Order* column. Karen is responsible for planning the annual *Essentials* and *Issues, Challenges, and Strategies* distance education webinar series for local government officials throughout the state. She has a law degree from Marquette University and a doctorate degree in urban studies from UW-Milwaukee. Karen is also a licensed attorney and active member of the Wisconsin Bar, with

many years of experience both practicing law and teaching college-level policy and law courses.

Karen and Daniel Foth will both be writing the *For the Good of the Order* column. If you have parliamentary procedure questions, you can contact Karen at karen.moore@wisc.edu or Daniel at daniel.foth@wisc.edu

You can read all of the *For the Good of the Order* columns on the League's website <https://lwm-info.org/1504/Parliamentary-Procedure>

Robert's Rules of Order recognizes that leaders need formal rules to manage large group meetings effectively. Yet it also acknowledges that "some of the formality that is necessary for a large assembly would hinder business" in smaller settings. Earlier versions of *Robert's Rules* streamlined procedures for groups of up to a dozen members, and the current edition (RONR 11th Ed.) has extended these special rules to apply to all standing and special committees regardless of size.¹

As certified parliamentarian James Slaughter explains, smaller bodies do not require the formality necessary for meetings of larger organizations. Due to their larger size, informal discussion in these larger bodies is impractical, limits on debate are necessary to keep meetings

on time, and formal votes help to avoid legal challenges. In contrast, he says that a smaller group attempting to be too formal "may actually hinder business" and recommends applying "the Goldilocks rule: meeting procedure should be 'just right' for the size of the assembly."²

The first departure from the larger body rules relates to standing to speak; both members and the chair may remain seated under the small board rules. Second, rules for small boards allow informal discussion, whether a motion is pending or not and without time limits; therefore, it is rare for the chair to permit a motion to close or limit debate.³ Each person may also speak on a subject multiple times. Despite the relative informality, the requirement remains that

only one person may speak at a time, as does the civility requirement.

Third, after a member makes a motion, there is no need for a second before a vote. A formal motion is not required, so long as the proposal is clear to everyone. For instance, someone on a downtown development committee, discussing ideas to reduce weekend traffic around popular entertainment venues, might state: "We need to place more prominent signs directing traffic to the free parking lots north and south of the district." Members are then free to discuss the idea or throw out other solutions to the same problem.

Fourth is the issue of voting. Depending on the discussion, the chair may also consider the signage suggestion to be a motion and call a vote. Or, the chair

may wait to see if a consensus is reached, usually when the discussion has lulled. When taking a vote, the chair may simply ask whether everyone agrees to add additional signs and seek a voice vote. The chair need only ask for a show of hands when there is a vote to overturn a prior board action, which must be done by two-thirds of the body.

Fifth, unless specifically stated otherwise in bylaws or statutes, the chair in a small meeting (for instance, of a committee)

may engage in discussion and make motions along with other members. However, since some committee members are likely to give significant weight to the chair's opinion, he or she should allow others to speak first.

Please remember that a small group may still elect to use more formal rules when the chair and/or several of the members believe this is necessary, such as when there may be legal consequences or in order to thwart the efforts of a repeat

offender member who frequently hijacks meetings. Otherwise, as noted, there is a certain logic to the distinction between formal rules for larger assemblies and less formal ones for smaller committees – Slaughter's "Goldilocks Principle."

One additional benefit is that these rules provide an opportunity for members to interact in a more relaxed setting outside the larger body, which is likely to foster greater collaboration in service to the community.

1. Henry Robert III and others, *Robert's Rules of Order, Newly Revised*, 11th Ed. Boston: Da Capo Press, 2011, pp. 487-488. All references in this article are to this publication unless otherwise noted. The 12th edition is projected to be released in August 2020.

2. Jim Slaughter, "Board Procedures Versus a Membership Meeting or Convention: What Rules Should You Follow?" March 1, 2013, *JimSlaughter.com* (accessed 4/15/2020).

3. However, a time limit may be injected where necessary to prevent a member from abusing the privilege to delay resolution of a matter.



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Intoxicating Liquors FAQ 2

Can the municipal clerk issue picnic beer and wine licenses without action by the governing body?

Municipal governing bodies may delegate the authority to issue picnic beer and wine licenses to a municipal official such as the clerk. Wis. Stat. §§ 125.26(1) and 125.51(1)(a). Such a delegation of authority should probably be accomplished by enacting an ordinance containing standards to guide the clerk or other designated official. (rev. 1/20)



Appointments & Vacancies FAQ 10

If a new position is created by the municipal governing body, can a member of the governing body resign from the board and apply for the new position?

No. Section 66.0501(2) of the Wisconsin Statutes provides that, unless expressly authorized by statute, no member of a town, village or county board, or city council, during the term for which the member is elected, is eligible for any office or position which during that term has been created by, or the selection to which is vested in, the board or council, but the member is eligible for any elective office. Because the member is ineligible during the entire term for which the member is elected, resigning does not make the member eligible to hold the office or position. (rev. 5/20)

Governing Bodies: General FAQ 7

How does a city or village change the size of its governing body?

A village board may, by ordinance, change the number of trustees but the change shall not affect the term of office of trustees elected before the ordinance authorizing the change is adopted. Wis. Stat. § 61.20(4). The common council of a city may, by a two-thirds vote of all its members but not more frequently than once in 2 years, increase or decrease the number of aldermanic districts or the number of members of the city council. However, the common council must then redistrict, readjust and change the boundaries of aldermanic districts to meet certain statutory requirements. Wis. Stat. § 62.08(4). (rev. 5/20)