

# A I P COMMUNICATOR

WINTER 2020



## President's Message: Are the Rules Fair? Depends on Your Perspective!

By Al Gage CPP, PRP, PAP



Imagine if you will, you have spent time for the past two weeks preparing your debate on a matter of keen interest. You are next in line to speak on the matter at your Annual Convention. You are 100% certain that, since you are the world's greatest persuasive orator, that you will be able to persuade the body in your direction, despite the fact that the debate, gossip and whip count has been against your position for most of the day. The speaker before your turn walks to the microphone and moves to close debate and vote immediately or for the previous question depending on your parliamentary authority. This motion is promptly adopted by the requisite two-thirds vote and the underlying motion is voted on subsequently. This results in a resounding defeat for your position. Do you feel like the rules are fair?

Now let us reverse the situation at the same convention. You have had the same debate and proposal for the last 17 conventions. The same minority that is slightly greater than one-third of the body has belabored the point on this particular proposal for the last seven hours of convention time and there is no end in sight. You are next in line and see the person behind you is one of the proponents of the measure whose stated the same seven points for the last 17 conventions but firmly believes that they are the world's greatest persuasive orator. In your mind, every time that person speaks it reminds you of the teacher from the Peanuts Cartoon.

Knowing your parliamentary procedure, you move to close debate and vote immediately or previous question. It is seconded and the chair puts it to a vote. The previous question is defeated by a vote of 219-111. Just enough where even a vote from the chair could not change the outcome. Debate continues with several other motions to close debate being defeated by the same margin for nine more hours, effectively consuming more than half of the convention. Finally after you notice that a few of the members opposed to closing debate have slipped out to the restroom, the previous question is adopted 210-108 and upon a vote on the main motion, the measure is soundly defeated for the 18th time by a vote of 219-111. You are asking yourself, who came up with this voting threshold of two-thirds? Is this rule fair?

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## President's Message Continued

Of course, I am carrying these two scenarios to the extreme to illustrate my point. So how is the two-thirds requirement fair in either perspective? It is easy for us to determine that there has to be a balance between the rights of an individual member to sway the body and the rights of the membership as a whole to move on and proceed with their business. The two-thirds threshold is long held in parliamentary law and is believed to be the appropriate balance, but scholars often debate this point. Many believe that if a majority wants to move on, they should be allowed to do so. Others believe the threshold should be higher, perhaps three-fourths, because it takes away the right of an individual member to debate. In fact, Keeseey, Farwell and Masons allows debate to be closed by a majority vote. Robert's does not generally permit the motion for the previous question in committees. So what is fair? The two most commonly used parliamentary authorities have agreed upon two-thirds.

Enough about the fairness of rules found in the parliamentary authority, let's examine the fairness of some common rules that we all routinely see in the numerous sets of bylaws that we read on a regular basis. Many of you may have never considered the "fairness" of some of these provisions. It is certainly the right of organizations to adopt provision that are unfair to some of its members; but I believe it to be our job to make sure that these are informed decisions. That being said, I am not naïve enough to believe that many of these decisions are based on the rights of members but often are a knee jerk reaction to a problem that has appeared before the assembly.

One of the more interesting arguments arise when a discussion of nominations and term limits comes to fruition. Many organizations place requirements in their bylaws that require a member to have a certain amount of experience within the organization before they are eligible to serve in a higher level of leadership in the organization. While the concept of the equality of membership is not expressly stated in Roberts Rules of Order Newly Revised all members opinions are equal in their expression of a vote. Under AIPSC, this concept of equality of membership is expressly stated as a fundamental principal by the statement "*All members have equal rights, privileges, and obligations.*" Based on this reading, how is it fair that one member has the right to run for president and another member does not? The fact that they are not likely to be elected, or may lack sufficient organizational knowledge to be a good leader, is irrelevant to the argument that they are **ineligible** to be elected. This position cannot be reconciled by the reading of the parliamentary authorities but must be based on common sense. In the interest of good governance and leadership, it makes perfect sense to impose such a requirement.

Likewise, many organizations have term limits imposed in their bylaws. This position inherently limits an individual member from being elected to a subsequent term in violation of their fundamental equality of rights as a member. Again, this cannot be reconciled by reading the parliamentary authorities with regard to their rights. Common sense again prevails that it may be necessary to limit the number of terms a member can serve in a given position to prevent the timeless self-perpetuating board of directors or officer team. You can equally make the argument that since the membership retains the right to vote these individual members in or out of office, all term limits actually do is eliminate effective and well-established leaders from a position. While this may theoretically violate that members rights as a member, it is also common practice and, in my opinion, not a fundamental error on the part of an organization.

One common rule that I do see as problematic is the prohibition against nominations from the floor. The intent of this rule is so that candidates can be vetted as to qualifications and other criteria. To be clear, I am not saying that having candidate criteria is fundamentally unfair. Artificial deadlines such as an application has to be submitted 14 days in advance or the like in most cases is unfair – but is still very common. I also often see such rules backfire on the organization by limiting the choices available to an organization based on these deadline provisions. Nominations from the floor should almost always be permitted (I acknowledge that the organization has the ultimate right to disallow them). The member can be nominated, a check can be made that the nominee meets other required criteria, and the nominee is placed up for election. It really is not that complicated.

The bottom-line message of this article is that we should always examine rules and proposed rules for fundamental fairness to all members. We also must balance the rights of an individual member against the needs of the organization for effective and experienced leadership. As students of parliamentary law, we should counsel clients and fellow members as to this balance but also recognize that the organization ultimately can adopt almost any requirement that it collectively feels it wants or needs.

## Message from the Education Director

You may not have realized this, but all parliamentarians are teachers. Think about it, at the very least you are imparting knowledge to your friends and clients. Few other specialties have a similar intent (think accountants, doctors, or attorneys, for example). When you help someone run a meeting, you are training them how to preside. When you help a secretary with their minutes, you are transferring knowledge about the proper recording of a meeting. When you review a set of bylaws for an organization, you are teaching the group how to better document their governance practices. In addition to these obvious examples, we all recognize how giving a workshop is an explicit opportunity to teach.

Given that understanding, there are some basic things we need to do every time we engage with a client. We need to understand where they are in their knowledge of parliamentary procedure, how much they know, and how much they may retain. We need to identify the objectives of the engagement in terms as concrete as possible. We need to design the engagement to match up their level of understanding with our objectives. Finally, we need to gauge how successful the engagement is both during and after completion to help us ensure the success of our client as well as to sharpen the tools in our kit for the next time.

Think about your own practice and how you serve others and consider how much teaching you are doing without even realizing it. You'll be surprised.

Joe Theobald, PhD, CP-T, PRP



# THANK YOU PAST OFFICERS

In the Fall issue of The Communicator, we reported on the elections at the Annual Session and the board meeting that followed.

In that report, we didn't mention those members who completed their terms and left the board. Thanks to The Hon. Daniel Ivey-Soto, JD, CP-T, PRP who completed his term as Vice-President and to those Directors who finished their terms: Lucy Hicks Anderson, JD, CP, PRP, Carolyn Hoxie, and Clyde Waggoner, DMD, RP. The Institute is stronger because of their work.

## CONGRATULATIONS CERTIFIED MEMBERS

The AIP Accrediting Department is privileged to awarded both David Jackson, CP, #445 and Jason Morgan, CP, #446 their CP credentials. Congratulations to you both!

## CALENDAR OF EVENTS

Additional information regarding dates and registration will be available on the AIP website at [aipparl.org](http://aipparl.org) as they become available.

### West Coast Practicum (Virtual)

January 15 - 17, 2021

*Electronic Meeting*

The west coast practicum is limited to 150 attendees; use this link to [register today](#).

### Standard Code – Comments Forum for Second Edition of AIPSC2

January 14, 2021

*Electronic Meeting*

[Register Today](#)

### Deadline Dates for the “Communicator”

February 15, 2021

May 15, 2021

August 15, 2021

November 15, 2021

Spring 2021 Issue

Summer 2021 Issue

Fall 2021 Issue

Winter 2021 Issue

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# 2021 West Coast Practicum (Virtual)

## “What’s New in the Parliamentarians’ World?”

January 15 - 17, 2021

Forget making airline reservations. Forget making hotel reservations. **Do not** forget to register for the 40th Annual AIP West Coast Practicum which will be January 15 - 17, 2021 (Friday, Saturday, and Sunday). The first new thing is that this practicum is a virtual practicum.

You have undoubtedly been reading the new 12th Edition of *Robert’s Rules of Order Newly Revised*. Lorenzo Cuesta, PRP, will present some of the differences between the 11th and 12th Editions. Craig Henry, CPP-T, PRP, is the lead instructor.

Curriculum Coordinator Mary Remson, CPP-T, PRP, has accepted the challenge to select presenters to cover such topics as “Best Practices for Great Online Meetings,” “Know the Technology,” “Platform Attributes,” “Electronic Voting and the Pitfalls,” “The Virtual Parliamentarian,” and more. This would not be a practicum without presiding practice, so of course, we’ll have it. To insure an adequate number of facilitators for the presiding practices, the registration will be capped at 150 participants with any additional registrants placed on a provisional list.

**REGISTER TODAY**

**SPECIAL EVENT (free for all AIP members):** On January 14th (Thursday), a four-hour forum presented by the authors of the future 2nd Edition of *American Institute of Parliamentarians Standard Code of Parliamentary Procedure* will be offered with an opportunity for you to ask questions and make suggestions.

**SPECIAL EVENT**

Check the AIP website to register for this wonderful opportunity to learn some new skills!

Dollie McPartlin, CP-T, PRP  
General Coordinator



We live in a time of change. The seasons. The pandemic. The government (at least here in the United States). But some of the most significant changes are happening in the world of parliamentary procedure. Practicing parliamentarians are dealing with the challenges of meeting remotely, quite unexpectedly, and without clear guidance on what may be required. We must answer questions that only a few of us had ever previously speculated. These times of change also present an opportunity.

Informed readers and AIP members will be aware that an authorship team for the next edition of the American Institute of Parliamentarians Standard Code (AIPSC) has formed. The authorship team, appointed by the Board of Directors of AIP, refers to the work they are preparing as AIPSC2. The team is diligently working on making updates to the manual. Informed readers will also know that in recent months, several parliamentary authorities have been updated and released. The two most notable new editions are Robert's Rules of Order Newly Revised Twelfth Edition and Mason's Manual of Legislative Process 2020 edition. Both manuals are updated about once a decade and so it seems is the fate of AIPSC.

Some might say that AIPSC is at a disadvantage by being the last major authority to be updated. I beg to differ. The authorship team of AIPSC2 has a distinct upper hand when compared to these other works. There are several reasons for this belief, but the number one, in my opinion, is that most of the other books were written and finalized before the pandemic. The authors of AIPSC2 have the experience of working and adapting to this environment. Additionally, now that other major authorities have been released and analyzed, it is possible to see any areas that could be further explained.

This is not to say that AIPSC2 will be relying solely on the innovations in other authorities. AIPSC and The Standard Code before it had a notable philosophical goal. That goal can be characterized using the following phrase: Keep it Simple, Stupid. Simplicity and practical approach have long been the bedrock of Alice Sturgis and her affiliated works. That approach is not changing here, and, significantly, the authors continue to attempt to make the manual even easier to understand.

To that end, the authorship team does not want to operate in a vacuum. In short, we need your input. The authorship team has developed a few opportunities to get feedback and advice on what should be in the next edition of AIPSC. People providing feedback do not have to be members of AIP or even use AIPSC. We want good ideas regardless of where they originate.

The first way to provide feedback to the authorship team is through the manual's newly developed website. More information will be coming to the website soon, but, for now, there is a feedback form to accept feedback. You can access the website at [www.AIPSC2.com](http://www.AIPSC2.com).

The second way to provide feedback and interact with the authorship team is a special online forum right before the West Coast Practicum. The specific date is January 14, 2021. You can get more information and sign up for these special forums by [visiting this link](#).

If you have questions or concerns about AIPSC2 revision, the special forum, or the AIPSC2 website, please don't hesitate to reach out. Our email is [AIPSC2@aipparl.org](mailto:AIPSC2@aipparl.org).

# East Coast Practicum – Beyond The Book(s)

This year has presented us with many situations that are not contemplated in the parliamentary authorities and which raise numerous questions that require decisions by organizations and their leaders. Wouldn't it be great to be able to get some advice and to discuss with your colleagues how to handle these situations?

That's why AIP is excited to inform you that the topic of the June 2021 East Coast Practicum will be "Beyond The Book(s)." Among other issues, we anticipate dealing with questions about electronic meetings, the relationship between extra rules your organization has adopted and your parliamentary authority, and dealing with emergency situations. Our instructors, The Hon. Daniel Ivey-Soto, CP-T, PRP and Dr. Atul Kapur, CPP, PRP, are looking forward to exploring these and other situations with you.

To make this practicum as useful as possible for you, we invite you to tell us about issues that you have dealt with. **Tell us about situations where you thought, "Hmm. The book doesn't give me a clear answer here." Please send your questions, conundrums, or examples of situations to [secretary@aipparl.org](mailto:secretary@aipparl.org).**

As is usual with AIP Practicums, we will be adding practical skills as well as covering this topic. You will be able to enhance your presiding skills. We will give you the chance to practice and improve in a safe and supportive environment, starting with your level of experience and comfort so that all participants get the most from the sessions. You can preside using the rules in *Robert's Rules of Order Newly Revised*, the *American Institute of Parliamentarians Standard Code of Parliamentary Procedure*, or both.

The Practicum is still tentatively planned for in person. Stay tuned for more updates!

We're looking forward to a great learning experience!

Facilitators: Atul Kapur, CPP, PRP and The Honorable Daniel Ivey-Soto, CP-T, PRP

ECP Coordinators: Mary Remson, CPP-T, PRP and Valoree Althoff, CP, PRP



# WELCOME NEW MEMBERS OF AIP

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Put higher priced purchases and gifts into the AIP bookstore and purchase them through the bookstore for a higher donation to AIP. Anyone who would like to coordinate that type of activity need only contact President Al Gage for help!

This is “free money” for AIP, and anyone who supports these programs is also supporting our professional organization!!!

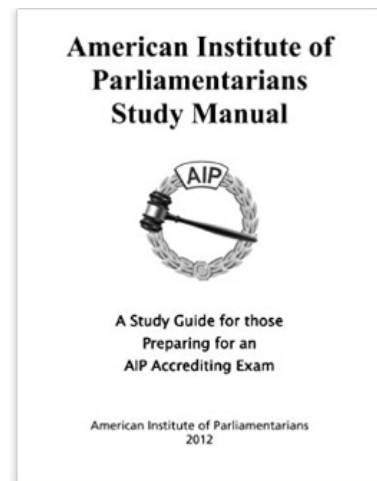
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