



What's a Snippet? Glad you asked! A Snippet is short article about meetings or parliamentary procedure. New snippets are released on the first day of every month at www.agreatmeeting.com.



Snippet #157 Special Rules

Special rules can be extremely useful, but they must be written down so they can be consistent over time, instead of “but we’ve always done it this way.”

Ranked just below the legal documents that govern associations (laws, charters, and articles of incorporation) are the rules that associations create to govern themselves. Ranked below the bylaws and above the parliamentary authority are the special rules of order. Special rules might be in the form of board standing rules, policies, or procedures – but by whatever name, they are customized rules created to make exceptions to the general procedural rules found in the parliamentary authority. Having written special rules also helps presidents resist the urge to have things their way – resulting in governance by whim. As special rules are far easier to change than bylaws, their primary benefit is to ensure that the board, not this year’s president, is making the governance decisions.

There are a few special rules that everyone needs. If your parliamentary authority is *Robert’s Rules of Order Newly Revised* (RONR), each member has the right to speak for ten minutes when recognized. Certainly this is a rule that should have been changed long ago, but we’ll have to wait until the next edition in 2020 to see what happens. In the meantime, it’s a simple fix - adopt a special rule that each member may speak up to two minutes. If someone can’t make their point in two minutes, they can’t make it in ten. AIPSC has no time limit on debate, but states that it can be set by rule if needed. It’s better to set the rule and avoid problems than wait until the problem arises.

Another suggested special rule regards the content of minutes. RONR states that the name of the maker of a motion – but not the name of the seconder, unless ordered by the assembly – is recorded in the minutes. The *American Institute of Parliamentarians Standard Code of Parliamentary Procedure* (AIPSC) is a bit more pusillanimous, stating that, when the name of the maker is put into the minutes and the original motion is substantially changed by the assembly, the original motion should also be included to avoid confusion. Frankly, both of these practices are unnecessarily complicated. Once a motion has been placed on the floor, it belongs to the assembly. All rights of ownership by the maker or seconder have been relinquished – it is of no concern whatever who made the motion. What matters is the final language that was acted on and the outcome. Was it referred, postponed, adopted? That’s the only action we need to record. A special rule to eliminate all names of makers and seconds of motions can greatly simplify a lot of peoples’ lives.

Special rules that conflict with the bylaws are null and void to the extent of the conflict. The most common place where this happens is with nomination and election rules. Nominating committees may not adopt eligibility criteria beyond those listed in the bylaws. (*See AGM Snippet 134 – Eligible vs. Qualified.*) Having a certain number of years’ experience in certain positions might be desirable, and might make a committee recommend one particular candidate over another, but unless that criterion is established in the bylaws it can’t be used to exclude potential candidates from consideration.

Special rules can be used to codify customs and create continuity from one board or house of delegates to the next. Setting reasonable deadlines, such as for submitting agenda items or presenting motions in writing can make the meeting go much more smoothly. Adopting special rules initially requires previous notice and a two-thirds vote, but you can decide that future special rules will only require a majority vote (that’s a special rule!). Although it may be considered important for a board to be nimble, if the board never makes the choices about how to conduct its business and leaves it to each successive chair, the board isn’t nimble, it’s spasmodic.

The bottom line is: if you don't like something in RONR or AIPSC, override it with a special rule.