



# Discipline of Members and Guests

Chapter XX, § 61 & 62

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CSAP PRESIDENT, 2020-2022

“Cases of conduct subject to disciplinary action divide themselves into: offenses occurring in a meeting; and offences by members outside a meeting.” §61:5

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**This lesson covers offenses occurring during a meeting.**

“All persons present at a meeting have the obligation to **obey the legitimate orders** of the presiding officer.” §61:8

# WHAT IS A “LEGITIMATE ORDER”?

§ 62:2–15 (IN RONR 11<sup>TH</sup> ED, 62:2-7)

One that does not...

- ❖ Deny the floor to any member entitled to it.
- ❖ Ignore a properly made, non dilatory motion.
- ❖ Improperly attempt to cut off debate.
- ❖ Violate any other rule of parliamentary procedure.

“In dealing with any case of disorder in a meeting, the presiding officer ... may become increasingly firm if a situation demands it.”

“Under no circumstances should the chair attempt to drown out a disorderly member...or permit himself to be drawn into a verbal duel.”

§61:9

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**“HOWEVER, PROPER DISCIPLINARY PROCEEDINGS ... CAN BE CONDUCTED WHILE A DISORDERLY MEMBER CONTINUES TO SPEAK.”**

# Breaches of Order by Members in a Meeting

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## A “SLIGHT BREACH” BY A MEMBER

- Addressing another member instead of the chair in debate;
- Failing to confirm remarks to the merits of the pending question (unless habitual);
- Speaking before being recognized when recognition is required (unless habitual).

§ 61:10

## A “MORE SERIOUS” BREACH BY A MEMBER

- **Repeatedly** questioning the motives of other members, mentioned by name;
- **Persists** in speaking on completely irrelevant matters in debate;
- **Speaking over** a member who has the floor;
- Use of **offensive** personal references when speaking in debate.

§ 61:11

# Calling a Member to Order

## § 61:11

“If the offence is more serious ... the chair normally should first warn the member; but with or without such a warning, **the chair or any other member can “call the member to order.”**”

**Chair:** “The member is out of order and will be seated” or, “The member is out of order and will cease and desist.”

Any member: (Without waiting to be recognized) “Mr. President, I call the member to order.” *And then resumes their seat.*

The member has *raised a point of order*. “If the chair finds the point well taken, he declares the offender out of order and directs him to be seated.”

“**If the offender had the floor, then [] the chair clearly states the breach involved and puts the question to the assembly: “Shall the member be allowed to continue speaking?”**”

*“Although the chair has no authority to impose a penalty or to order the offending member removed from the hall, the assembly has that power.”*

RONR 12<sup>TH</sup> ed. §61:13

# “Naming” an offender.

§61:12-18

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## Prerequisites:

1. Obstinance or grave breach of order.
2. Repeated warnings.
3. The chair directs the secretary to take down objectionable or disorderly words used by the member.
4. *If the offender is named*, the words taken down by direction of the chair are entered in the minutes.



# *“Naming” an offender.*

§61:12-18

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Example:

**Chair:** “Mr. J! The chair has repeatedly directed you to refrain from offensive personal references when speaking in this meeting. Three times the chair has ordered you to be seated [to desist], and you have nevertheless attempted to continue speaking.”

**NOW WHAT?**



If the member obeys (finally), the matter can be dropped or not, **as the assembly chooses.**

Any member can move to order a penalty. (Apology, censure, eject, suspend rights, expel.)

Or the chair can first ask, “What penalty shall be imposed on the member?”

The offending member can be required to leave the hall while a penalty is considered, but he “must be allowed to present his defense briefly first.”

The vote on imposing a penalty (majority) must be taken by ballot unless it is only expulsion from the remainder of the meeting. (Expulsion from membership requires a 2/3 vote.)

If an offending member **or non-member** refuses to leave when ordered, a committee may be appointed to remove him, a sergeant-at-arms may be used, or the police may be called.

*§61:15-21*

*“Any member may immediately raise a Point of Order” when concerned about decisions or actions of the chair.”*

**§62:4**

§62:5

TO RAISE A POINT OF ORDER, A MEMBER RISES AND, WITHOUT WAITING TO BE RECOGNIZED, IMMEDIATELY ADDRESSES THE CHAIR, SAYING,

“I RISE TO A POINT OF ORDER,” OR SIMPLY,  
“POINT OF ORDER!”

Mr 1: Madam President! I rise to a point of order!

Chair: The member will please state his point.

Mr 1: Member Johnson wants to speak on the pending motion but has not been recognized.

Chair: Mr 1, your point is well taken, thank you. Mr Johnson, you have the floor.

**OR -**

*Mr 1, Mr Johnson spoke to the motion twice so far. Our rules allow each member two speeches on any pending motion. Therefore, your point is not well taken. Is there any further debate?*

Mbr 1: Madam President! I rise to a point of order!

Chair: The member will please state his point.

Mbr 1: Member Johnson's apology is not enough! He should be censured.

Chair: Mbr 1, the assembly agreed to accept Mbr Johnson's apology and move on. Your point is not well taken.

**OR –**

*Mbr Johnson, in light of the assembly's decision to accept an apology and move on, do you have a motion in mind?*

The chair has just ruled on a point of order. *Without exception*, the chair's ruling is subject to appeal.

**“Immediately** after the chair makes a ruling, any member who disagrees[] may then move an *Appeal* ...

(... unless another appeal is already pending or an appeal would be dilatory because there cannot possibly be two reasonable opinions on the question).” § 62:6

## Move an appeal? Here's How -

“The member does this by rising and, without waiting to be recognized, addressing the chair, saying, “I appeal from the decision of the chair.”

“If the *Appeal* is seconded, the chair must state the question on it, clearly explain the exact parliamentary question at issue, allow any permissible debate, and put the question to a vote as shown in 24.” § 62:6

“If the chair ignores a point of order that is not dilatory, the member can **repeat the point a second and third time** and if the chair still ignores it ...

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... the member, standing in his place, can immediately put the point of order to a vote without debate. The question may be put as, “Is the point of order to ... well taken?”

§62:8



“Likewise, if the chair ignores an appeal appropriately made and seconded, a member can repeat the appeal and if, despite its being seconded the chair still ignores it, the member can repeat it a third time, and if it is again seconded but still ignored - - -

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... the member can immediately, standing in his place, put the appeal to a vote without debate. The question may be put as, “Shall the decision of the chair be sustained?”

§62:9

# Removal of Presiding Officer from Chair for All or Part of a Session

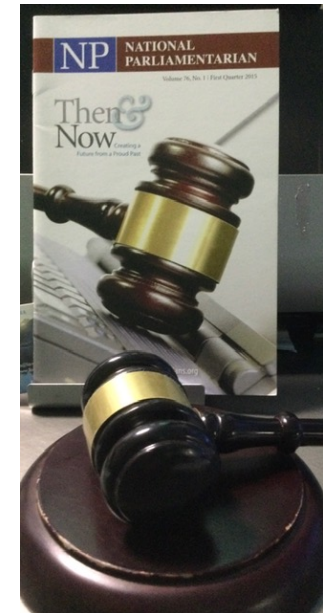
If the offending occupant of the chair is ...

## AN APPOINTED OR ELECTED CHAIRMAN PRO TEM

The assembly may temporarily replace the chair by a motion; *any member* may move to “**declare the chair vacant and proceed to elect a new chairman**”, one who will “**act in accordance with the will of the assembly.**” §62:10-11

(A question of privilege affecting the assembly; an incidental main motion; needs a majority vote to pass.) §62:11

## CHAIR PRO TEM



# Removal of Presiding Officer from Chair for All or Part of a Session

If the offending officer is not a temporary occupant of the position of chair, then ...

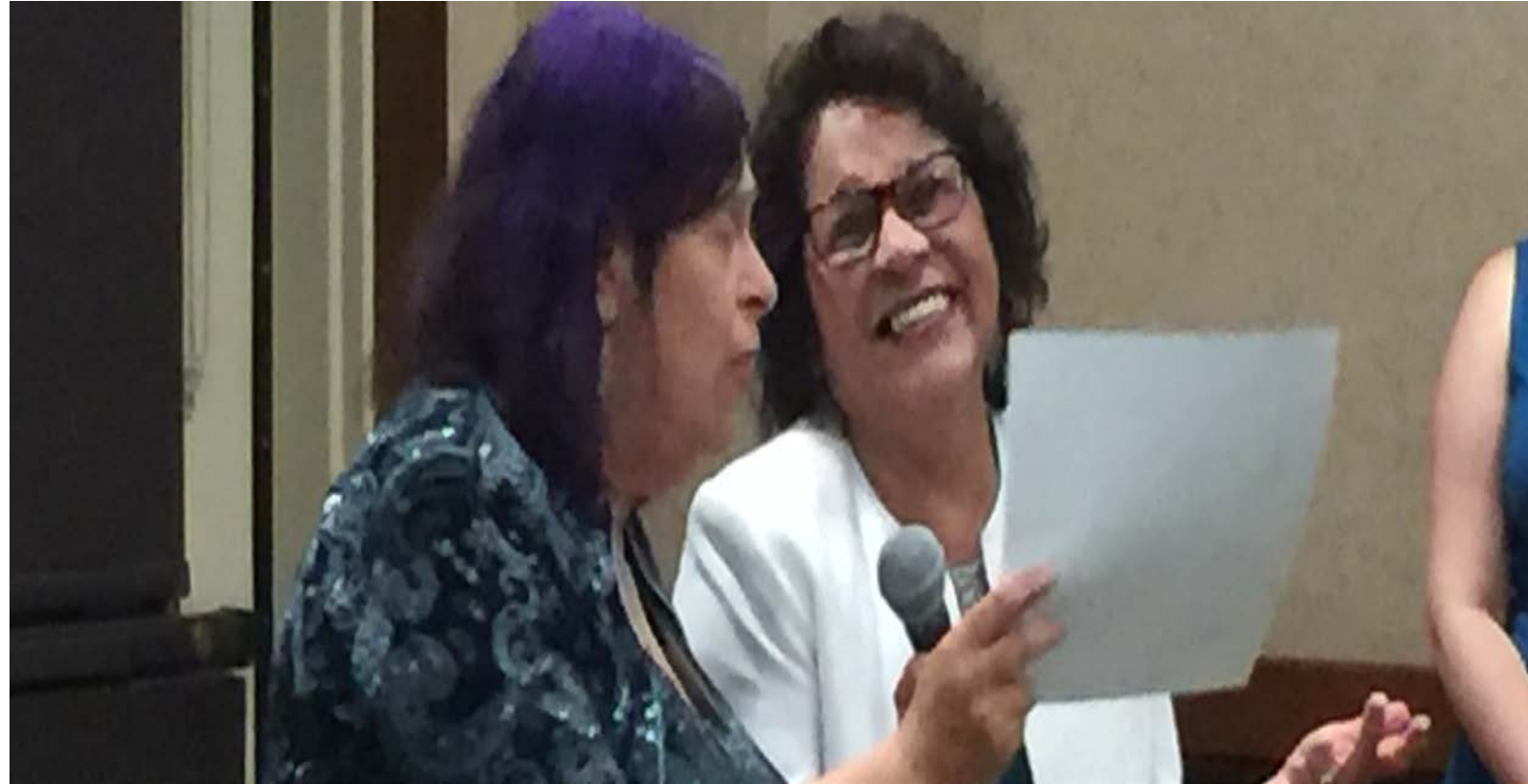
***MOVE TO SUSPEND THE RULES!***



*Any member* may move to suspend the rules to remove from the offending member the authority to preside for the remainder of the meeting. The motion is not debatable, not amendable, and requires a 2/3 vote to pass.

The offending chair, after stating the motion, must relinquish the chair to another (43:29); *if not, the maker of the motion may put it to a vote.*  
§62:12

If the motion to suspend the rules is adopted without naming the new occupant of the chair, then the ranking vice-president assumes the chair. In the absence of the vice-president, “an elected temporary presiding officer has the duty of presiding” through the end of the session or other lesser period adopted in the motion to suspend the rules or replace the presiding officer. [§62:14](#)



§ 62:13 - 15

**SUSPEND THE RULES IS GOOD FOR ONE SESSION - AT MOST.**

Before we address removal from office, let's talk about guests at a meeting. [§61:19](#)

**“Protection from Annoyance by Nonmembers in a meeting; Removal of an Offender from the Hall”**

Nonmembers are guests who have “no rights with reference to the proceedings.” The chair, acting alone, can do what is required to maintain order. This includes requiring nonmembers to leave the meeting. Could a nonmember appeal this ruling? No. Could a member appeal this ruling? Yes!

If an offending member refuses to leave when ordered, a committee may be appointed to remove him, a sergeant-at-arms may be used, or the police may be called. [§61:20-21](#)

# REMOVAL FROM OFFICE

## §62:16

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RONR says an officer can be removed from office by adoption of a motion to do so. This [incidental main] motion requires a 2/3 vote, a majority with previous notice, or a vote of a majority of the entire membership. Removal in this fashion is proper only if the term of office is expressed as “...for \_\_\_ years **or** until their successors are elected.”

If the term is for a fixed number of years, removal must be “for cause”, in accordance with the procedures in § 63, INVESTIGATION AND TRIAL, not covered in this lesson.

CSAP Bylaw Article VI – Officers, provides as follows: **Section 4. Term of Office**

A. Annual Meeting-elected officers shall serve a term of two years **or** until their successors take office.



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(Take quiz; check answers by review of the RONR Short Take: **Discipline of Members and Guests**)

Select the appropriate answer:

1. Conduct outside of a meeting is subject to disciplinary action.  True  False
2. Non-members at a meeting are not bound by parliamentary procedure.  True  False
3. A presiding officer may not deny the floor to a member who is entitled to it.  True  False
4. A presiding offer should attempt to drown out a disorderly member.  True  False
5. Speaking over a member who has the floor is a serious breach.  True  False
6. Only the chair can call a member to order.  True  False
7. Only the assembly can order a member be removed from the meeting.  True  False
8. Once an offender is named by the chair, a penalty is required.  True  False
9. Once “named”, a members’ breach can be forgiven only by the assembly.  True  False
10. Even a guest may appeal the decision of the chair.  True  False
11. Without exception, the chair’s ruling is subject to appeal.  True  False
12. If the chair ignores a point of order, members must adjourn the meeting.  True  False
13. If necessary, a member may put the question, “should the decision of the char be sustained?”  True  False
  
14. Removal of a chair who is pro tem requires a 2/3 vote.  True  False
15. Removal of a chair who is NOT pro tem, requires a 2/3 vote.  True  False
16. A non-member may appeal a ruling of the chair.  True  False
17. If necessary, a “removal committee” may be appointed to remove an offending member.  True  False
  
18. Removal of an officer requires a majority vote.  True  False
19. If the term is for a fixed number of years removal must be for cause.  True  False
20. Regrettable disciplinary matters may never be rescinded and expunged.  True  False



Answer key:

1. T
2. F
3. T
4. F
5. T
6. F
7. T
8. F
9. T
10. F
11. T
12. F
13. T
14. F
15. T
16. F
17. T
18. F
19. T
20. F