



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 #139 Appeals

What if the chair rules on a motion, and you think the ruling was incorrect? If the ruling was objective, based on written rules or policies where there's only one logical interpretation, the matter is finished. But if the ruling was not based on clear rules, or involves an opinion rather than fact, it can be appealed.

Just as a point of order must be timely, so must an appeal. Once some other business has taken place, it's too late to appeal, and the chair's ruling – right or wrong – stands.

Although it only takes one person to make a point of order, it takes two to appeal: the mover and the seconder. The second is required because, if no other members think the chair's ruling was questionable, there's no sense taking time to look at it again. Although the chair has the responsibility of ruling on a point of order, the chair can also submit the question directly to the assembly, and let them decide, thereby settling the matter with one vote, because there is no appeal from a decision of the assembly.

Any member, not just the person who raised the point of order, has the right to appeal a ruling of the chair. It's the responsibility of all members to protect the integrity of the rules and make sure they are applied consistently and fairly. Once a member has said: "I appeal the ruling of the chair" and another member has seconded the appeal, a unique process begins.

In most cases motions that are not directly related to the business on the floor (called incidental motions) are considered procedural and thus not debatable. Appeal is different; not only do the members debate, so does the chair. In fact, the chair begins the debate by explaining to the assembly the reasons for the ruling and any other pertinent facts. Then the members may speak. Although debatable motions usually allow each member to speak twice, the rules are different for appeals: members may only speak once – except the chair, who has the right to speak first and again just prior to taking the vote.

This is not the only thing different about the motion to appeal a decision of the chair. This motion is one of a few where the vote is "turned around" to keep things from being confusing. Instead of voting for or against the appeal, the chair puts the question as for or against the ruling of the chair. A majority vote sustains the decision and a negative vote overturns it. There's yet another difference, unique to the motion to appeal. A tie vote automatically sustains the decision of the chair. Simply put, unless there's a majority of members who disagree with the chair's decision, the ruling stands.

The right to appeal is one of the many checks and balances members have in meetings. It's not a personal attack on a chair; at stake is the preservation of the rules. A chair must be ready to justify and explain decisions based on existing rules and sound principles, not just the whim of the chair.