

How to Handle Discipline of Members – Offenses in Meetings

Adapted excerpt from Robert's Rules of Order Newly Revised (RONR), 12th edition

In most societies it is understood that members are required to be of honorable character and reputation, and certain types of associations may have particular codes of ethics to enforce. Although ordinary societies seldom have occasion to discipline members, an organization or assembly has the ultimate right to make and enforce its own rules, and to require that its members refrain from conduct injurious to the organization or its purposes. (RONR 61:1)

A society has the right to determine who may be present at its meetings and to control its hall during meetings. All persons present at a meeting have an obligation to obey the legitimate orders of the presiding officer (subject to appeal) who, when dealing with any disorder, should maintain a calm, deliberate tone, not attempt to drown out a disorderly member with either voice or gavel, nor enter a verbal duel.

Slight Offenses - Remind and Advise

For slight offenses, the chair simply raps slightly, points out the fault, and advises the member to avoid it. The member can continue to speak if he commits no further breaches. Slight breaches include:

Offenses:

- addressing another member instead of the chair in debate
- failing to confine remarks to the merits of the pending question (first time)

Serious Offenses – Steps 1, 2, 3

Step 1 Calling the Member to Order

For offenses more serious than the slight offenses above, the **chair** should first warn the member by calling the member to order, “**The member is out of order and will 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?**” This question is undebatable.

Offenses:

- Repeatedly questions motives of other members by name
- Persistently speaking on completely irrelevant matters in debate

A **member** may also make the call by rising and, without waiting to be recognized, says, “Mr. Chair, I call the member to order”, then resumes his seat. If the chair finds this point of order well taken, he declares the offender out of order and directs him to be seated as above.

Step 2 Naming an Offender

For offenses that are obstinate or a grave breach of order, the chair can, after repeated warnings, “name” the offender, which amounts to preferring charges and should be resorted to only in extreme circumstances.

Offenses:

- Obstinate – refusing to change action despite warnings
- Grave breach of order

Before “naming” the offender, the chair directs the secretary to take down objectionable or disorderly words used by the member. This direction by the chair, and the words taken down pursuant to it, are entered in the minutes only if the chair finds it necessary to name the offender.

The chair does not have the authority to impose a penalty nor to order the offending member removed from the hall, only the assembly has that power. Any penalty imposed should be made promptly after the breach while the witnesses are all present and make up the body that is to determine the penalty.

To name the offender, the chair addresses the offender by name and the declaration entered in the minutes. A declaration may be as follows:

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

If the offender obeys at this point, apologizes or withdraws objectionable remarks, the matter can be dropped or not, as the assembly chooses.

Step 3 Serious Disciplinary Action

If the matter is not deemed sufficiently resolved, any member can move to order a penalty, or the chair can first ask, “**What penalty shall be imposed on the member?**”

Penalties:

1. Apologize
2. Censured by motion – formal disapproval statement (debatable, majority vote)
3. Removed from hall for remainder of meeting or until apologizes
4. Fined (if authorized in the bylaws)
5. Member rights suspended for a time
6. Expulsion from the organization (requires a two-thirds vote)

During Consideration of Penalty

During consideration of a penalty, the offender must be allowed to briefly present his defense, before his departure during the consideration which may be ordered by the assembly. Such motion, which may be assumed by the chair if he thinks it appropriate, is undebatable, is unamendable, and requires a majority vote.

If the member denies having said anything improper, the words recorded by the secretary can be read to him and, if necessary, the assembly can decide by vote whether he was heard to say them.

On the demand of a single member—other than the named offender, who is not considered to be a voting member while his case is pending—the vote on imposing a penalty must be taken by ballot, unless the penalty proposed is only that the offender be required to leave the hall for all or part of the remainder of the meeting.

Last Resort

If the assembly orders an offending member to leave the hall during a meeting and he refuses to do so, the considerations stated below regarding the removal of offenders apply; but such a member exposes himself to the possibility of more severe disciplinary action by the society.

If a person—whether a member of the assembly or not—refuses to obey the order of proper authority to leave the hall during a meeting, the chair should take necessary measures to see that the order is enforced but should be guided by a judicious appraisal of the situation.

The chair can appoint a committee to escort the offender to the door, or the sergeant-at-arms—if there is one—can be asked to do this. If those who are assigned that task are unable to persuade the offender to leave, it is usually preferable that he be removed by police—who may, however, be reluctant to intervene unless representatives of the organization are prepared to press charges.

The sergeant-at-arms or the members of the appointed committee themselves may attempt to remove the offender from the hall, using the minimum force necessary. Such a step should generally be taken only as a last resort, since there may be adverse legal consequences; and a person who would refuse to leave upon legitimate request may be the type most likely to bring suit, even if with little justification. In cases where possibly serious annoyance by hostile persons is anticipated—in some mass meetings, for example—it may be advisable to arrange in advance for the presence of police or guards from a security service agency.