

# Problems with Rosenberg's Rules of Order

Rosenberg's Rules of Order is a simplified set of parliamentary rules widely used in California. In many respects it parallels Robert's Rules of Order. Rosenberg offers an excellent discussion on the role of the chair and the basic format for an agenda item discussion. However, Jurassic Parliament believes that there are several problems with Rosenberg's Rules. This article lists those issues, and also compares the two authorities using these editions:



- *Robert's Rules of Order Newly Revised, 11th edition*, published 2011
- *Rosenberg's Rules of Order, revised 2011*. [Download from League of California Cities](#).

## PROBLEMS

- Under Rosenberg, the chair has discretion in several matters which Robert leaves to the body as a whole, which is more democratic.
- Rosenberg gives too much importance and latitude to “substitute motions.” This could be very confusing for the body. Jurassic Parliament recommends against the widespread use of substitute motions. Better to defeat a motion and then propose a new one.
- Rosenberg approves the common usage of “friendly amendment.” This goes against the principle that a motion, once made, seconded and stated by the chair, belongs to the body as a whole. The maker and seconder should not have the right to accept an amendment during discussion.
- Rosenberg allows members of the body to interrupt debate and withdraw a motion unilaterally. This is disruptive and undemocratic.
- In Rosenberg, only three motions may be on the floor at the same time. This greatly restricts the number of actions a body may take.
- Robert provides information on many motions, situations and issues in its 716+ pages that are not covered in Rosenberg's 10 pages.



TOPIC	JURASSIC PARLIAMENT COMMENTS
<b>Fundamental structure</b>	The fundamental structure of both sets of rules is the same. It is derived from common parliamentary principles and practices.
<b>Quorum</b> p. 2	Same treatment.
<b>Role of the Chair</b> p. 2	Rosenberg’s description of the role of the chair is succinct and well-written.
<b>Basic Format for Agenda Item Discussion</b> p. 2-3	Rosenberg gives a good description of how agenda items are processed in public bodies. There is more detail than is provided in Robert’s Rules and this is useful. But see below:
p. 3	Fourth, “the chair may limit the time of public speakers.” According to Robert’s Rules, this power is subject to the decision of the body.
p. 3	Sixth, “a second is not an absolute requirement...This is a matter left to the discretion of the chair.”  Robert’s Rules states that a second is not required in small boards (up to about 12 people). Jurassic Parliament believes that bodies should adopt a consistent practice and not leave this to the discretion of the chair.
<b>Motions in General</b> p. 3	Same treatment.
<b>Three Basic Motions</b> pp. 3-4	Rosenberg’s “basic motion” corresponds to Robert’s “main motion.” But see below:
p. 4	<b>Motion to amend</b> is the same in general, though Robert gives much more detail about how to amend.
p. 4	<b>Substitute motion:</b> There is a significant difference here. Under Robert’s Rules, “to substitute” is a type of amendment. There are rules governing how substitutions are handled and they are somewhat complex. Rosenberg allows members to propose a completely different motion as a “substitute motion.” He further gives the chair discretion to rule on whether a motion is a “motion to amend” or a “substitute motion.” In Jurassic Parliament’s view the widespread use of substitute motions is not a desirable practice. Should a different action be desired, it is better to defeat a motion and then have a member propose a different motion.
p. 4	<b>Friendly amendment:</b> Rosenberg allows the common practice of a “friendly amendment” and states that the maker and seconder have the right to accept it or not. Robert says that “friendly amendments” are in essence treated like any other amendment. Jurassic Parliament believes that it is contrary to democratic practice to give the maker and seconder the right to accept a friendly amendment, and recommends that bodies not use this practice allowed in Rosenberg.
<b>Multiple Motions Before the Body</b> p. 4	In restricting motions to three total, Rosenberg rejects the customary system of “precedence of motions.” Robert allows up to 13 ranking motions. Jurassic Parliament believes that this is an arbitrary restriction that deprives the body of several alternatives that may be useful.

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<b>To Debate or Not to Debate</b> p. 4	The general provisions in Robert and Rosenberg correspond. Note exceptions below with regard to non-debatable motions.
p. 4	<b>Motion to recess:</b> Rosenberg allows the chair to determine the length of the recess. In Robert the length is included in the motion made by a member (amendable but not debatable), so it is within the control of the body.
p. 4	<b>Motion to fix the time to adjourn:</b> Rosenberg has provided a motion here which allows the body to fix the time to adjourn—that is, to decide when the meeting must end. Robert has a different motion which sounds similar but has an entirely different purpose: “Motion to fix the time to which to adjourn,” which determines the time in the future at which the body will resume its meeting.
p. 5	<b>Motion to table:</b> Rosenberg and Robert both allow the body to put a motion aside by tabling. However, in Robert, this motion must be justified by urgent other business and cannot be debated. Rosenberg’s motion to table “until a specific time” corresponds to Robert’s “postpone to a certain time.” Both are debatable.
pp. 4-5	<b>Motion to limit debate:</b> Rosenberg’s treatment of this motion is accurate and corresponds to “previous question” in Robert. The motion called “motion to limit debate with a time limit” corresponds to Robert’s “motion to limit or extend the limits of debate.”
p. 5	<b>Motion to suspend the rules:</b> Rosenberg allows debate, but under Robert this motion is not debatable. Under Robert, some rules cannot be suspended. Jurassic Parliament believes that it is better not to debate this motion, but simply to vote on it, and that certain fundamental rules should not be allowed to be suspended.
<b>Majority and Super Majority Votes</b> p. 5	Same but see below
<b>Counting Votes</b> p. 5	Rosenberg says that for a simple majority vote, “one vote more than 50% of the body is required.” It is impossible to have a part of a person or to cast a part of a vote. The correct formulation is that a simple majority requires “more than half or more than 50% of the votes cast.”
p. 6	The discussion about “ <b>abstention</b> ” is accurate both for Rosenberg and Robert. However, in addressing what it means to vote “absent,” Rosenberg leaves the determination up to the chair. We believe that this gives too much discretion to the chair.
<b>Motion to Reconsider</b> p. 6	In general Rosenberg corresponds to Robert. However, Rosenberg says that if the motion to reconsider passes, “a new original motion is in order.” This is a significant difference from Robert, who says that if the motion to reconsider passes, debate is resumed at the point it had reached just before the vote was taken. Rosenberg also says that a member who voted “with the majority” has the right to move to reconsider, whereas Robert says that a member who voted “with the prevailing side” has that right. These are different requirements.

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<b>Courtesy and Decorum</b> p. 7	Robert and Rosenberg agree on the need for courtesy and decorum, and the chair's right to cut off discussion that is too personal, too loud, or too crude.
p. 7	<b>Interruptions: Privilege.</b> Rosenberg allows interrupting to raise a question of privilege, whereas Robert says that this should be done only if unavoidable.
p. 7	<b>Interruptions: Point of Order.</b> Same treatment.
p. 7	<b>Interruptions: Appeal.</b> Basically Robert and Rosenberg are the same, but Robert says further that some appeals cannot be debated; for example, appeals pertaining to language and decorum are not debatable. Robert also gives a special process of debate for those appeals that are debatable.
p. 7	<b>Interruptions: Call for the orders of the day.</b> Both allow interrupting in order to bring everyone back to the agenda. Jurassic Parliament believes that interrupting for this purpose, even if technically allowable, is seldom justified.
p. 7	<b>Interruptions: Withdraw a motion.</b> Rosenberg differs significantly from Robert in this regard in allowing a member to interrupt debate and withdraw a motion at any time. Under Robert, once a motion has been made, seconded and stated by the chair, it belongs to the body itself, not to the original maker. If a member wishes to withdraw the motion, the member asks permission of the body. Robert does not allow interruption for this purpose and does not allow a member to withdraw a motion unilaterally. In Jurassic Parliament's view, Rosenberg's treatment of "withdrawal" could be very disruptive and does not correspond to democratic principles.
<b>Special Notes About Public Input</b> p. 7	Rosenberg's points are excellent.

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