



**Attorney General of the
Associated Students of the
University of Utah**

Interpretation Request

Redbook Section in Question:

Redbook Constitution or Bylaws? Bylaws

Article: I.I

Section: 11

Clause: 1

Requestor Information:

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Question (Be as specific as possible):

Given the clause, I am trying to figure out if, in the case of parliamentary procedure that violates *Robert's Rules of Order* but is not inconsistent with Order of Operations, a motion and action in Assembly would be valid. For example, if Order of Operations does not modify the process for calling for previous question, *Robert's Rules of Order* says this is not a debatable motion and cannot be amended. If, after the motion is seconded, there is debate or amendments made, this clause seems to imply that the action taken by the chamber would be invalid.

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Attorney General: Cole McCubbins

Text of Section in Question:

"The guidelines of parliamentary procedure comprised in the most recent edition of *Robert's Rules of Order*, will guide the Assembly in all cases where they are applicable and where they are not inconsistent with the standing Order of Operations of the Assembly and Assembly Bylaws."

Interpretation:

Based on the text in Redbook, the standing Order of Operations will take precedence should there be inconsistency with *Robert's Rules of Order*. With removal of the double negative in Redbook, a more simplified version of the text could read, "*Robert's Rules of Order* will guide the Assembly in all cases where they are applicable and consistent with the standing order of operations." Thus, an action that is consistent (i.e. not inconsistent) with the Order of Operations but is in violation of *Robert's Rules of Order* would be valid.

In this particular case – which occurred in the Assembly meeting which took place on January 29th, 2019 – the procedure was valid as per the Order of Operations passed at the 2018-2019 Assembly's first Rules

Committee meeting (see Bylaws I.I § 11 (2)). The 2018-2019 Assembly has maintained a relatively flexible Order of Operations between its meetings, and their standing paradigm would allow the actions outlined in the example you presented.

Another key word in this section is “guide.” It’s important to note that our student legislators are not all well-versed in parliamentary procedure, and mistakes will likely be made. In past cases, the knowledge of the legislative body has been helpful in establishing and maintaining the most proper procedure. The Parliamentarian of the body should be the central point of reference and should take active measures to maintain the body’s parliamentary procedure.