

Quorum in a Congregational Meeting

Questions have been raised about the impact of the adoption of the new Form of Government on the establishment of a quorum in a congregational meeting. The passage in the new Form of Government that is pertinent here is G-1.0501, which states, in pertinent part:

“...Congregations shall provide by rule the quorum necessary to conduct business.”

This is a change from the previous requirements of G-7.0305, which state:

“The quorum of a meeting of the congregation shall be not less than one tenth of the members unless the particular church upon application to the presbytery shall obtain the consent of the presbytery to a provision for a smaller quorum. A congregation by its own vote may fix a higher quorum. No meeting of fewer than three members shall be considered a congregational meeting.”

Many congregations have bylaws, articles of incorporation, or administrative manuals that specify a quorum for congregational meetings. If such a document is in place, it should continue to govern the congregation’s practice and constitute the congregation’s “provision by rule” for a quorum.

Many congregations have bylaws or other documents that specify a quorum by means of reference to the *Book of Order*, G-7.0305. If such a reference is in place, the most reasonable interpretation would be that the language of former G-7.0305 (one tenth of the membership, but not less than three) is the intent of the congregation in establishing its rule. The congregation would be wise to make this intent explicit at the next congregational meeting, but that meeting itself would be governed by the G-7.0305 quorum.

Some congregations, however, do not have bylaws, articles of incorporation, or administrative manuals, and therefore have no specification regarding quorum. Some have expressed the conviction that, in the absence of such bylaw provisions, the requirements of *Robert’s Rules of Order, Newly Revised* (10th e., hereafter, *RRONR*) would govern the establishment of a quorum.

This is not necessarily the case. The requirement of G-3.0105 in the new Form of Government that meetings be “conducted in accordance with the most recent edition of [*RRONR*]” applies to *councils* – that is, sessions, presbyteries, synods, and the General Assembly. Strictly speaking, a congregation is not a council, and matters pertaining to congregational meetings are discussed in a completely separate section of the new Form of Government. That section, G-1.05, makes no reference to *RRONR*. Hence, after 10 July 2011, a congregational meeting would **not** be subject to the quorum requirements of *RRONR*, whether or not it has otherwise specified a quorum.

That said, there may be those who *choose* to apply *RRONR* to the conduct of congregational meetings, even though it is not required by the *Book of Order*. If so, it is worth noting carefully what *RRONR*, sec. 3 (p. 20) says of a quorum:

“The requirement of a quorum is a protection against totally unrepresentative action in the name of the body by an unduly small number of persons. In both houses of Congress, the quorum is a majority of the members, by the United States Constitution. Such a quorum is appropriate in legislative bodies but *too large in most voluntary societies*. In an ordinary society, therefore, a provision of the bylaws should

specify the number of members that shall constitute a quorum, which should approximate the *largest number that can be depended on to attend* except in very bad weather or other unfavorable conditions” (emphasis added).

RRONR, sec. 40 (pp. 334-35), further defines the establishment of a quorum by relating it to the ability of the deliberative body accurately to assess its membership, if the body has not otherwise specified a quorum. The two pertinent paragraphs read:

“2) In organizations such as many churches or some societies in which there are no required or effective annual dues and the register of members is not generally reliable as a list of the bona-fide members, the quorum at any regularly or properly called meeting consists of those who attend....

“4) In any other deliberative assembly with enrolled membership whose bylaws do not specify a quorum, the quorum is a majority of all the members.”

While it is the expectation of the *Book of Order* (G-3.0204a) that a session shall maintain a roll of active members, it is nonetheless true in many congregations the membership rolls are not necessarily an accurate list of the “bona-fide” membership of the congregation. Where this is the case, paragraph 2 above might be argued to apply.

This argument, however, clearly would not stand if a congregation’s rolls are relatively accurate and up-to-date. In this case paragraph 4 with its requirement of a “majority of all the members” may be seen by some to set the standard, and to set it at what may be a challengingly high threshold. In congregations so persuaded, prudence would counsel that a congregational meeting be held prior to 10 July 2011 at which a quorum can be fixed in compliance with G-1.0501. That quorum could be the standard of former G-7.0305 or some other number approved by the congregation.

Of course, organizing a congregational meeting during the summer poses its own set of difficulties, not least of which may be achieving a quorum. In the event that a congregation is not able to meet to set a quorum prior to 10 July 2011, historical precedent and an appreciation of the spirit as well as the letter of *RRONR* are germane and offer some relief. Since 1986, the *Book of Order* has specified “one-tenth but not less than three.” It is reasonable to assume that, in a good-faith effort to meet the requirements of G-1.0501, a congregation could establish its quorum rule in a meeting governed by quorum requirements that have been in place until the adoption of the new Form. In other words, a congregation that is honestly seeking to meet the requirements of G-1.0501 but that cannot do so prior to 10 July 2011, might legitimately argue that “the largest number that can be depended on to attend” (*RRONR*, p.20) is accurately reflected in the congregation’s historic practice of recent years. Since that practice will have been defined by the “one-tenth but not less than three” rule, that rule could be reasonably argued to be the proper quorum until the congregation acts to adopt another statement.

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