



HENRY McMASTER
ATTORNEY GENERAL

April 7, 2010

The Honorable Vida O. Miller
South Carolina House of Representatives
District No. 108
P. O. Box 3157
Pawleys Island, South Carolina 29585

Dear Representative Miller:

We received your letter requesting an opinion of this Office concerning Robert's Rules of Order. You asked whether, "a member of an appointed body [can] change minutes of a meeting as written by the secretary of that body before the minutes are brought before the membership for approval." We assume herein that the body in question has adopted Robert's Rules of Order as the parliamentary authority which guides its decisions. This Office has addressed questions surrounding Robert's Rules of Order; however, the specific question of approving minutes has not been addressed. Therefore, this opinion will directly interpret Robert's Rules of Order as related to the specific situation at hand.

Law/Analysis

Robert's Rules of Order has never been codified in the South Carolina Code of Laws of 1976. However, many times throughout, the S.C. Code states that various boards, committees, and departments are to be governed by Robert's Rules of Order.

Robert's Rules of Order is a well-known parliamentary authority. The most recent edition is the Tenth (10th) Edition.¹ Minutes and Reports of Officers, specifically the Reading and Approval of Minutes are explained in § 48 as follows:

When the next regular business session will be held within a quarterly time interval (see p. 88), when the session does not last longer than one day, and when there will be no change

¹ The Tenth Edition supersedes all previous editions and is intended automatically to become the parliamentary authority in organizations whose bylaws prescribe "Robert's Rules of Order," "Robert's Rules of Order Revised," or the like . . . [unless] the bylaws specifically identify one of the nine previous editions. RONR (10th ed.).

or replacement of a portion of the membership before the next session, procedures relative to the reading and approval of minutes are as follows:

- **The minutes of the meeting are normally read and approved at the beginning of the next regular meeting**, immediately after the call to order and any opening ceremonies. An adjourned meeting of an ordinary society approves the minutes of the meeting that established the adjourned meeting; its own minutes are approved at the next adjourned or regular meeting, whichever occurs first. A special meeting does not approve minutes; its minutes should be approved at the next regular meeting.
- **Corrections, if any, and approval of minutes are normally done by unanimous consent. The chair calls for the reading of the minutes, asks for any corrections, then declares the minutes approved**, as shown on pages 343-44.
- By a majority vote without debate, the reading of the minutes can be “dispensed with” - that is, *not carried out at the regular time*. If the reading of the minutes is dispensed with, it can be ordered (by majority vote without debate) at any later time during the meeting while no business is pending; and if it is not thus taken up before adjournment, these minutes must be read at the following meeting before the reading of the later minutes. If it is desired to approve the minutes without having them read, it is necessary to suspend the rules for this purpose.
- **A draft of the minutes of the preceding meeting can be sent to all members in advance**, usually with the notice. In such case, it is presumed that the members have used this opportunity to review them, and they are not read unless this is requested. **Correction of them and approval, however, is handled in the usual way**. It must be understood in such a case that the formal copy placed in the minute book contains all corrections that were made and that none of the many copies circulated to members and marked by them is authoritative (see also p. 344).

RONR (10th ed.), p. 456-57, l. 10-19 (emphasis added).

If an organization has a meeting (Meeting A), the minutes from Meeting A will not be approved until the following regularly scheduled meeting (Meeting B). The minutes from Meeting A will either be read at the start of Meeting B or a draft of the minutes from Meeting A will be sent to all members in advance of Meeting B.² If the minutes are sent out in advance, the actual reading of the minutes at Meeting B can be waived if no member objects. In either case, unanimous consent must be given for approval of the minutes. RONR (10th ed.), p. 456-57, l. 10-19.

²“It is natural for the members to prefer to study the minutes beforehand to be better prepared to offer corrections; and this procedure generally saves time when the minutes come up for approval. On the other hand, the minutes do not become *the* minutes and assume their essential status as the official record of the proceedings of the society until they have been approved.” RONR (10th ed.), p. 343-44, l. 3-11.

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At the beginning of Meeting B, the Secretary will ask if any corrections need to be made to the minutes from Meeting A. At this time, members may speak and propose any corrections to the minutes. If there are no corrections, or no further corrections, the Secretary will state that the minutes stand approved or are approved as corrected. The corrections are made in the text of the minutes, the minutes of Meeting B would simply state that "a correction was made to the minutes of the prior meeting." RONR (10th ed.), p. 343-44, l. 10-18.

Conclusion

Pursuant to the rules as set forth in Robert's Rules of Order, a member of an appointed body must refrain from making official corrections to meeting minutes until asked by the Secretary, during a regularly scheduled meeting, if corrections to minutes from the past meeting need to be made. At that time, the member may propose his or her corrections and the body will vote, or by general consent determine, whether or not the corrections should be made. Once corrections are made, the presiding officer may deem the minutes "approved as corrected."

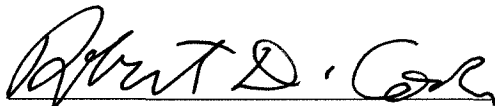
Sincerely,

Henry McMaster
Attorney General



By: Leigha Blackwell
Assistant Attorney General

REVIEWED AND APPROVED BY:



Robert D. Cook
Deputy Attorney General