

An Alternative to Robert's Rules of Order

Ever attend a community association meeting where there was a vote on an emotional issue? As you watched the losing side, did you worry that deep divisions might sour neighborhood spirit? Ever watched a meeting where only a few people knew the rules of the process? Ever wondered if there was a better way? There is!

Many community association boards of directors use Robert's Rules of Order because they help to ensure that meetings are productive, orderly and fair. But are they always the best way? Parliamentary procedure's majority rule concept means that 49 percent of the people can leave a meeting disgruntled. The formal process of making motions can also inhibit identification of creative solutions that work for the larger group. Complex procedural rules mean that parliamentarians can exert inordinate influence.

What if a decision-making process not only promoted productive, orderly, and fair meetings, but also was easily utilized by the board, committees and owners, and helped identify creative solutions that work for the vast majority? A Consensus Building Approach (CBA) to decision making can do that.

Do not let the word "Consensus" fool you. Focus, instead, on the word "Building", as this article addresses the "how-to" of building a decision that both sides can endorse.

CBA is not about achieving unanimity. It is a process in which the input of everyone impacted is considered and an outcome is crafted that best meets the needs of the group. Members of the association consent to the crafted agreement, even though it may not work for some individuals. However, because it is best for the group, the detrimentally impacted individuals agree to the decision because they have been included in the process. CBA is not a formless, unending process; rather, there are clear steps which help ensure that it will work.

A community association board seeking to use CBA to address a particular issue may want to consider these steps.

Problem Solving

Creative problem solving is facilitated if the board, committee and owners clearly separate inventing from committing. People need the freedom to try out ideas and brainstorm without fear that they are making a commitment. They need to know that their ideas will not be judged negatively. Collaborative problem solving is facilitated when the group aims to find a package solution that will be an improvement for the whole group. Focusing on everyone's underlying interests (e.g. privacy or safety) rather than the solutions they want (e.g. a fence or bright lights) will open up possibilities for creating win-win packages. Setting a time limit for problem solving can help focus members' creative thinking.

Transparency

The legitimacy of the decision reached in the CBA depends significantly on whether homeowners feel that the process was transparent and not secretive. So, it is important to distribute written copies of agendas, ground-rules, and meeting summaries to owners on a regular basis. Meeting summaries should not list who said what. This inhibits candor and can make individuals less flexible in the long run. Instead, minutes should summarize the facts, expert advice, and the disposition of motions duly seconded.

Roles and Responsibilities

A board member will need to communicate the issues to the affected homeowners and solicit their interests and concerns. Another will need to identify the ground rules for this CBA (for example: "we agree to disagree without being disagreeable"). Another will determine what expert advice is needed and

how experts will be engaged. Finally, who facilitates? The president of the board may facilitate, but when the issues are contentious or the president has a vested interest, it may make sense to bring in an outside neutral facilitator.

Agreement

Once you have enough ideas on the table, it is time to begin drafting a tentative solution (a single text that will go through a series of revisions). This tentative solution should integrate the most promising ideas generated through the brainstorming process. Straw votes can be a helpful tool for revising the text. Those opposed to the proposal can then articulate what would make it acceptable, and the text can be revised. As the tentative solution gets wider and wider support, the group next anticipates the problems which may arise in implementation. The tentative solution is further revised to address these implementation concerns and establish the specific commitments that individuals have made. You may also want to circulate the tentative solution to the membership or committee to get additional input and again make further revisions. Finally, the tentative solution should probably include a mechanism to reconvene in case there are problems with implementation.

Implementation

Each member of the CBA group should sign the agreement as a symbol of their commitment to the agreement. The agreement can then be adopted through the formal process established in the community association's governing documents.

These steps may seem time consuming and tiring compared to the “moved-seconded-all-in-favor-say-aye” decision that Robert's Rules of Order details. But a “final” decision that drives disgruntled losers to lawyers and the courthouse won't really become “final” until the judge has his or her say some years down the road. So, in the long run, CBA can actually save time by producing a decision that resolves a crisis – such as an urgent need to raise and spend millions on structural repairs – in a way that the members will support. The funny thing is that CBA builds not just consensus, but it builds relationships, too. Isn't that an important part of what community associations are all about?