



INTERPRETIVE RULING

No. 2019-2 (Mar. 29, 2019)

Ruling: Quorum for RVC election meetings may be (1) 50% of all regional electors or (2) if “convention” rules are applied, a majority of the regional electors who have “registered as attending” in advance of the convention. ¹

On or about March 18, 2019, the International Executive Committee was requested to provide guidance on the Charter’s quorum requirement for Regional Vice Chair elections. We conclude that (1) the Charter does not expressly establish a quorum requirement for RVC elections, (2) in the absence of a stated quorum, 50% of a body’s members must be present to conduct business, and (3) RVC election meetings qualify as conventions under Robert’s Rules.

Under Section 6.2(a):

Each Region shall elect a Regional Vice Chair at a meeting of the Region held in odd-numbered years. Election shall be by simple majority of the votes cast by the Chairs (or Vice Chairs) of the Country Committees in the Region in attendance.

While Article Six clearly establishes the electors, it does not state a quorum for such meetings. Thus, we may look to other sections or articles of the Charter for guidance.

Section 6.4 states “[t]he rules applicable to [regional] meetings shall be the same as those applicable to DPCA meetings.” However, in Interpretive Ruling 2019-1, we refused to apply DPCA rules to regional meetings “where DPCA rules cannot be directly applied without requiring the International Executive Committee to expressly or tacitly change the rule to force it into the context of the regional meetings”.

If we applied the DPCA quorum requirement to regional meetings, the International Chair or Vice Chair would be required to attend, along with 40% of DPCA members as well as DPCA members from four different countries and two regions. Charter, Sec. 3.4. In addition, the

¹ The activities of the Democratic Party Committee Abroad (“DPCA”) and its affiliated country committees naturally raise questions about the interpretation of language in the Democrats Abroad Charter (“DA Charter”) or other documents containing the official rules or policies applicable to the DPCA, including but not limited to resolutions adopted by the DPCA Executive Committee or the DPCA. From time to time, the DPCA International Executive Committee, pursuant to its responsibility for the conduct of the affairs of Democrats Abroad set forth in Section 4.11 of the DA Charter, may exercise this responsibility by issuing interpretive rulings that are binding on all DPCA members and the activities of the country committees only to the extent that such activities are related to country committee rights or obligations addressed by the DA Charter or other sources of DPCA authority.

physical presence requirement would conflict with Article Six's express authorization of meetings conducted solely by electronic participation. Charter, Sec. 6.2(b). We conclude that the DPCA quorum requirement cannot be directly applied to the regional context without leading to absurd results; therefore, we decline to do so.

As the Charter is unable to provide an answer on quorum, Article Ten of the Charter instructs us to refer to Robert's Rules of Order Newly Revised. Charter, Art. 10; *see* I.R. 2019-1. The default rule is that a body without a stated quorum must have 50% of its members present to make quorum. Robert's Rules, Sec. 40, p. 346. Accordingly, the default quorum requirement for RVC election meetings is 50%.

However, this clear rule loses clarity when applied. Article Six permits either one elector or two electors from each Country Committee to vote. Thus, a region with 26 Country Committees would have a body consisting of 52 members, but not all 52 members are required to attend to cast the 26 Country Committees' votes. As a result, a 50% quorum would range from 13 to 26, depending on who plans to attend.

Under Robert's Rules, a "convention" is "a body of delegates, . . . [and] the quorum is a majority of the number who have been registered as attending, irrespective of whether some may have departed. This may differ greatly from the number elected or appointed." Robert's Rules, *Id.* Because the election of RVCs is a right and duty of Country Committee Chairs and Vice Chairs vested in them by the Section 6.2(a) of the Charter, they serve as delegates who cast their votes on behalf of their fellow Country Committee members. Therefore, RVC elections qualify as "conventions" under Robert's Rules, and a regional nominations and election committee may apply the convention rules on registration if desired. Accordingly, we conclude that a quorum for an RVC election meeting may be either (1) 50% of all regional electors or (2) if "convention" rules are applied, a majority of the regional electors who have "registered as attending" in advance of the convention.

March 29, 2019

INTERNATIONAL EXECUTIVE COMMITTEE
DEMOCRATIC PARTY COMMITTEE ABROAD