

would require a membership organization to have a mail balloting procedure. Many state nonprofit corporation laws do, however, have a default provision allowing proxy voting unless prohibited in the bylaws. If the alumni organization is incorporated in such a state, then the association may have to permit proxy voting contrary to the apparent intentions of association leadership if there is not an explicit prohibition on proxies in the bylaws.

2012-572 Current Edition of Sturgis's *Standard Code*

I work with several organizations that have adopted the 4th edition of Alice Sturgis's *Standard Code of Parliamentary Procedure* as their parliamentary authority. AIP has recently published a book entitled the *American Institute of Parliamentarians Standard Code of Parliamentary Procedure*. I am unclear as to whether this should be considered a new edition of Alice Sturgis's book, and I also am unsure whether changing the bylaws is needed in order for the new edition to become the authority.

One organization's bylaws says: "The official parliamentary authority of this Society shall be the latest edition of *Sturgis Standard Code of Parliamentary Procedure*." Another organization's bylaws says: "The latest edition of *Sturgis's Standard Code of Parliamentary Procedure* shall govern questions of parliamentary procedure and order."

My understanding is that since Mrs. Sturgis's death, AIP has continued revising the *Sturgis Standard Code*, listing Mrs. Sturgis as the author. The new edition lists the author as AIP, without Mrs. Sturgis's name. Also, it was not described in the pre-publication publicity as a 5th edition of Mrs. Sturgis's *Standard Code*.

Would you please advise me on this matter? I'm not sure whether I should begin to use the new *AIP Standard Code* as these organizations' parliamentary authority and whether it is necessary for the organizations to change their bylaws to reference the new *AIP Standard Code* explicitly in order to use it as their parliamentary authority.

Opinion

The AIP Opinions Committee's position is that the *American Institute of Parliamentarians Standard Code of Parliamentary Procedures (AIPSC)* is a new work. While it is based on the principles of simplification, modernization, and ease of comprehension enunciated by Alice Sturgis, *AIPSC* is not a simple updating of the 4th edition of Alice Sturgis's *Standard Code of Parliamentary Procedure* (McGraw-Hill, 2001) (*TSC*). The authorship team for *AIPSC* consisted of certified parliamentarians whose mandate was to create an up-to-date parliamentary authority in continuity with the underlying principles of Mrs. Sturgis, while working on improving the timeliness and user-friendliness of the first and subsequent editions of the Sturgis work. The author for the new work is AIP. Despite the fact that the new work is described online in some places as the 5th edition of *TSC* and is published by the same publisher as *TSC* (4th ed.) and that AIP provided revision committees to update the third (1988) and 4th (2001) editions of *TSC*, Mrs. Sturgis is not listed as an author of the new work, *AIPSC*. You should also note the difference in terminology. *AIPSC* was written by an "authorship team," while *TSC*, 3d and 4th were edited by a "revision committee." The AIP Board of Directors authorized the writing of a *new* parliamentary authority "based on the principles and philosophies" of Alice Sturgis.

Therefore, in organizations, like yours, that specifically state in their bylaws or rules that the most recent edition of Mrs. Sturgis's *Standard Code of Parliamentary Procedure* will be that organization's parliamentary authority, the 4th edition of *TSC* (2001) will remain the organization's parliamentary authority until the organization's bylaws or rules are amended.

A somewhat more difficult issue is posed by an organization using the preferred adoption language of *TSC*, 4th edition: "The current edition of *The Standard Code of Parliamentary Procedure* governs this organization in all parliamentary situations that are not provided for in the law or in its charter, bylaws, or adopted rules." That adoption language does not specifically refer to Mrs.

Sturgis, although it does mention *The Standard Code*. The opinions committee believes that use of this language, particularly in bylaws adopted or amended in relevant part prior to 2012, demonstrates a clear intent by the bylaw writers to refer to *TSC*, which was at that time the only *Standard Code of Parliamentary Procedure*. As stated above, the 4th edition of *TSC* (2001) is a continuation of Mrs. Sturgis's earlier editions (and therefore the current parliamentary authority for organizations adopting such a bylaw provision even when the first, second, or third editions were then the most current) and not a new work, as is *AIPSC*.

To adopt *AIPSC* as an organization's parliamentary authority in place of *TSC*, in order to utilize the new work's more streamlined approach and references to current technology, the organization should amend its bylaws or rules to state as follows: "In all matters not covered by its constitution, bylaws, and standing rules, this organization shall be governed by the current edition of the *American Institute of Parliamentarians Standard Code of Parliamentary Procedure*."

Please note that two of the members of the AIP Opinions Committee are members of the authorship team for the *American Institute of Parliamentarians Standard Code of Parliamentary Procedure*.

Editor's Notes: With this set of Opinions we say goodbye to James Lochrie as a member of the Committee and welcome Tom Urbaniak as a Consultant to the Committee. A huge "Thank You" to James for his years of service. The Canadian viewpoint will continue with Tom.

In addition, notice the new abbreviation that appears in the Opinions – *AIPSC* which stands for *American Institute of Parliamentarians Standard Code of Parliamentary Procedure*.