

REPORT AND RECOMMENDATIONS FROM THE TASK FORCE ON THE ELECTION OF BISHOP

Background and Rationale

The 2010 assembly of the Lower Susquehanna Synod adopted the following resolution:

***BE IT RESOLVED**, the Lower Susquehanna Synod, in assembly, direct the Synod Council to form a task force to review this synod's procedures for the election of a bishop giving special attention to ways a nominating ballot may be completed prior to the beginning of the synod assembly in which the bishop is to be elected, and further be it*

***RESOLVED**, the Lower Susquehanna Synod, in assembly, direct the Synod Council to bring a report and recommendations including any recommended synod constitutional changes to the 2011 Assembly.*

Pursuant to this resolution, the Synod Council appointed a task force consisting of the following persons: Pastor Kurt Strause (chair), Pastor John Brock, Pastor William DeHass, Pastor Lisa Hair, Pastor Henry Herbner, Jered Hock, Pastor Tom McKee, Pastor Jeffrey Pretz, and Joanne Wilhelm.

The task force held four meetings, reviewed several documents which were circulated between sessions, and appointed a sub-group to prepare drafts of its Report and Recommendations and drafts of this discussion of background and rationale. Among the documents reviewed were "Guidelines for Synod Bishop Elections" prepared by The Rev. Kathie Bender Schwich, Executive for Synodical and Constituent Relations, and David D. Swartling, ELCA Secretary; a memorandum dealing with "issues regarding the ecclesiastical ballot and synod bishop elections," prepared by Mr. Swartling; and a further "information summary regarding procedures for election of a bishop" compiled by Joanne Wilhelm after requesting input from staff members of other synods.

The task force also reviewed synod constitutional provisions dealing with the election of the bishop:

+S8.11. The bishop shall be elected by the Synod Assembly. The bishop shall be a pastor who is an ordained minister of the Evangelical Lutheran Church in America. (The "+" indicates that this is a required provision for constitutions of ELCA synods).

S9.04. The bishop shall be elected by the Synod Assembly by ecclesiastical ballot. Three-fourths of the legal votes cast shall be necessary for election on the first ballot. If no one is elected, the first ballot shall be considered the nominating ballot. Three-fourths of the legal votes cast on the second ballot shall be necessary for election. The third ballot shall be limited to the seven persons (plus ties) who received the greatest number of legal votes on the second ballot, and two-thirds of the legal votes cast shall be necessary for election. The fourth ballot shall be limited to the three persons (plus ties) who receive the greatest number of legal votes on the third ballot, and 60 percent of the legal votes cast shall be necessary for election. On subsequent ballots a majority of the legal votes cast shall be necessary for election. These ballots shall be limited to the two persons (plus ties) who receive the greatest number of legal votes on the previous ballot. (This provision is included in the model constitution for ELCA synods, but is not required).

The documents reviewed stressed that the bishop election process is also a call process. Yet, in contrast with a congregational call process, in many synods, including ours, the bishop's election/call

process has been truncated into two or three days. Further, under the model constitution for synods, there is no “official” way to surface the names of potential nominees before the assembly, and there is the risk that many voting members do not have adequate information to make informed decisions regarding the call. In addition, under the polity of the ELCA, governing bodies are comprised of at least 60 percent lay person, and lay persons are even less likely than clergy to know nominees. (Memorandum of Secretary Swartling at pages 3 and 4).

Eighteen synods have developed various procedures for identifying nominees for bishop before the electing assembly. All but two or three of the sixty-five synods, however, utilize a form of the ecclesiastical ballot. Mr. Swartling’s memorandum noted that, in at least two of the synods that do not retain the ecclesiastical ballot, unexpected complications have arisen, including one instance in which an election violated the synod’s constitution. (Memorandum of Secretary Swartling at page 4).

Members of our task force approached their assignment from divergent viewpoints. They discussed varying options on what changes, if any, should be made to our synod’s bishop election process. Among the possibilities noted were retaining our past procedure “as is,” instituting a process of formal nominations pre-assembly, and conducting multiple pre-assembly forums at which nominees or potential nominees would address participants.

In the end, the task force unanimously agreed on the process set forth in its Report and Recommendations. This process would

- provide opportunities for assembly voting members to learn more about likely nominees before the assembly begins,
- underscore the democratic nature of the election procedure by giving the assembly voting members from each conference the opportunity to suggest and discuss potential nominees in their own, relatively small conference meetings,
- require no change in our synod constitution and thus be less likely to entail unforeseen complications that might impugn the validity of the process,
- make all involved more conscious of the fact that the election of a bishop is a call, and
- accord both the voting members and potential nominees greater time in which prayerfully to consider who would be an appropriate “fit” for the position.

PRELIMINARY IDENTIFICATION PROCESS OF POTENTIAL NOMINEES LEADING TO THE ELECTION OF A BISHOP

1. An incumbent bishop shall announce to the Synod Council his or her willingness to serve a subsequent term. Such announcement shall take place no later than the Synod Council meeting in November prior to the Synod Assembly during which a bishop is to be elected.
2. The processes for identifying potential nominees for bishop and election of a bishop shall apply for all elections of a bishop regardless of incumbency.
3. The current Vision for Mission and any strategic planning adopted by Synod Council shall be distributed to rostered members and congregations of the synod nine months prior to the election which shall provide guidance throughout this synod as potential nominees for bishop are identified.

4. At the assembly of each conference prior to the election of a bishop, the voting members will be asked to consider a set of topics developed by Synod Council designed to clarify the vision for this synod's mission, the issues they deem important for this synod, and the gifts desirable and necessary in a bishop. The secretary of each conference shall provide minutes of this discussion to the secretary of synod for use by the Synod Council.
5. At the same conference assembly, the voting members will be asked to identify currently rostered ELCA pastors whom the voting members believe have gifts desirable in a bishop. Prior permission from those so identified is to be secured before the conference assembly. Identified pastors do not need to be members of the conference or of the Lower Susquehanna Synod. All ELCA pastors are encouraged to give permission to be considered in the discernment process.
6. After all voting members have had opportunity to identify potential nominees as possessing gifts for the office of bishop, the voting members will, at the same assembly, engage in a process of their own determination to select three potential nominees to be forwarded to the synod for inclusion in the Potential Nominees for the Office of Bishop.
7. The dean of each conference will contact the individuals selected by the conference to confirm their willingness to have their names included with those selected by all the conferences as possessing gifts for the office of bishop. If these individuals reaffirm their willingness to be so identified, the dean will facilitate their completion of a biographical information form developed by Synod Council. The potential nominees are to submit these completed forms to the secretary of synod within ten days of the conference assembly.
8. The secretary of synod will post the names and biographical information of the Potential Nominees for the Office of Bishop selected by the conferences on the synod website 45 days before the Synod Assembly begins.
9. While these individuals are identified as potential nominees for the office of bishop, the Lower Susquehanna Synod will continue to use the ecclesiastical ballot in which any rostered pastor of the ELCA may be placed in nomination on the first ballot. Any person identified as a potential candidate must still be nominated on the first ballot by a voting member at the assembly.
10. The Synod Assembly will adopt Rules of Procedure for the Election of a Bishop based upon the ecclesiastical ballot as required by the Lower Susquehanna Synod Constitution, S9.04.

PROPOSED RULES OF PROCEDURE FOR THE ELECTION OF A BISHOP

1. In accordance with S9.04 of the synod constitution, the election of a bishop shall be by ecclesiastical ballot. There shall be no spoken nominations from the floor.
2. Any ordained minister in the ELCA is eligible for nomination for bishop. A valid ballot is to contain the nominee's full name as found in the clergy roster. All registered voting members of the Lower Susquehanna Synod Assembly shall be eligible to cast a ballot.
3. Three-fourths of the votes cast on the first ballot shall be necessary for the election of a bishop.
4. If no election occurs, the first ballot is the nominating ballot. This ballot becomes the total slate of nominees.
5. Pastors who are nominated on the nominating ballot and desire that their name be retained on subsequent ballots shall submit a completed biographical form to the secretary of synod by (insert time and day).
6. Pastors nominated on the first ballot shall have the right to withdraw their names from subsequent ballots before the casting of the second ballot. A form requesting the name to be withdrawn must be secured from the pages' desk and must be returned to the secretary of synod by (insert time and day).
7. On the second and all subsequent ballots, the order of listing of the nominees on the ballot shall be from the greatest number of ballots cast to the least. Ties shall be listed alphabetically. Three-fourths of the votes cast on the second ballot shall be necessary for election.

8. Following the report of the second ballot, biographical data for the seven nominees (plus ties) who receive the greatest number of ballots cast on the second ballot shall be distributed to all voting members.
9. Before the casting of the third ballot, the seven nominees (plus ties) who receive the greatest number of ballots cast on the second ballot shall be invited to the stage and be introduced by name to the members of the assembly. There shall be no applause before, during, or after each individual introduction. After time has been allotted for all voting members to read the biographical information of the seven nominees (plus ties) who receive the greatest number of ballots cast on the second ballot, these seven persons (plus ties) will be invited to address the assembly on a subject of their own choosing, with each speech limited to five minutes. If any such person is not present at the assembly, the individual, if possible, may designate an alternate to speak on her or his behalf. A time keeper shall indicate to the speaker when 30 seconds remain of the allocated time and when the allocated time has elapsed. The sequence of the speeches shall be determined by lot. There shall be no applause before, during, or after individual speeches; only after all have spoken is there to be such affirmation. There shall be ten minutes time allotted after these speeches for voting members to engage in prayer, reflection on the speeches, and informal conversation with other voting members before the third ballot is cast.
10. Two-thirds of the vote shall be necessary for election on the third ballot.
11. Prior to the fourth ballot for synod bishop, the three persons (plus ties) who received the greatest number of votes on the third ballot will be invited to participate in a question-and-answer period. The period shall be moderated by the designated presider for the election process. The same six questions shall be asked of each of the nominees. Only one nominee shall be in the assembly room at a time. The order that the nominees shall appear on stage to answer the questions shall be determined by the draw of names. Each nominee shall have a maximum of two minutes to respond to each question. If any nominee is not present at the assembly, that individual, if possible, may designate an alternate to answer on her or his behalf. A time keeper will indicate to the speaker when 30 seconds remain of allotted time and when the allotted time has ended. Questions to be asked shall be determined by a committee appointed by Synod Council. Any voting member of the Synod Assembly may submit questions in a sealed envelope to the vice president of synod, 900 S. Arlington Avenue, Suite 208, Harrisburg, PA 17109, by (insert date). There shall be no applause before, during, or after each answer; only after the question-and-answer period has come to an end is there to be such affirmation.
12. The casting of the fourth ballot will not be held until the beginning of the sixth assembly meeting to provide time for prayer, reflection on the speeches, and informal conversation with other voting members. 60% of the votes cast shall be necessary for election on the fourth ballot.
13. On ballots after the fourth ballot, the ballots shall be limited to the two nominees (plus ties) who receive the greatest number of votes cast.
14. On all subsequent ballots a majority of the votes cast shall be necessary for election.
15. The results of each ballot shall be printed, distributed, and announced to the assembly.

Adopted by Synod Council on February 26, 2011, for recommendation to the 2011 Synod Assembly

Thomas E. McKee, synod secretary