

Guidelines for Voting Members and Rules of Procedure for the Synod Assembly May 18-20, 2023

Southeast Michigan Synod *Evangelical Lutheran Church in America* **Introduction**

Parliamentary rules and procedures are “constructed upon a careful balance of the rights of persons or of sub-groups within an organization’s or an assembly’s total members.” They constitute a method or tool devised to enable an assembly with due regard for every member’s opinion, to arrive at the general will on a maximum number of questions of varying complexity in a minimum of time and under all kinds of internal climate ranging from total harmony to hardened or impassioned division of opinion.

The Constitution of the Southeast Michigan Synod, Evangelical Lutheran Church in America, states that the latest edition of *Robert’s Rules of Order* shall govern parliamentary procedure of the Synod Assembly (S7.32). Many sections of these rules are quoted directly from the latest edition of *Robert’s Rules of Procedure* and the **Southeast Michigan Synod Constitution**. It is hoped that the information in this document will be of help to voting members in the introduction and conduct of business in this Assembly.

Robert’s Rules of Order provides that an Assembly may adopt, by a 2/3s majority, Rules of procedure which provide for rules and procedures which are at variance with the procedures contained in *Robert’s Rules of Order*. Prior experience has demonstrated that certain parliamentary rules of *Robert’s Rules of Order* are best modified for the expeditious conduct of the business of the Assembly as well as to provide for other procedural matter not covered by *Robert’s*.

This document brings together in one place all of the provisions of the Constitution, bylaws, and continuing resolutions as well as the “standing “rules that describe the composition, functions, and responsibilities of the Synod Assembly.

General Procedure

1. Voting Members

The voting membership of a convention consists of persons who hold proper credentials as voting members or as persons in some other way entitled to such membership, which must be certified and reported to the convention by its Credentials Committee. Upon arriving at the Assembly all persons shall check in with the Registration Committee. Distinctive badges will be provided to Voting Member, Alternates and Registered Visitors.

Alternates

Lay persons chosen as alternate voting members by their congregations must be registered as such with the Credentials Committee. There can be no alternates for clergy. If an alternate is to replace a voting member who has registered, proper evidence of that voting member's withdrawal from such status must be presented to the Credentials Committee, and the alternate must be re-registered as the new voting member before he or she can sit or vote as a member of the assembly. No alternate or other person can substitute for a voting member who remains registered. In other words, a voting member's temporary absence from the assembly hall does not entitle an alternate to make motions, speak in debate, or cast the voting member's vote - even with the voting member's authorization.

2. The right to speak and vote is granted to:

- a. Lay voting members who have been accredited to the Assembly by the Credentials Committee;
- b. rostered ministers under call on the roster of this Synod;
- c. retired rostered ministers who have been elected by their congregation as voting members;
- d. Officers of the Synod;
- e. Synod Council members.

3. The right to speak (without vote) is granted to (S7.23.)

- a. official representatives of the Evangelical Lutheran Church in America;
- b. ordained clergy not under call but on the roster of this Synod;
- d. called Synod Staff persons who are not otherwise voting members of the Assembly; and
- e. additional persons whom the Assembly may from time to time designate.
- f. Resolutions submitted less than thirty days in advance of the Assembly must be accompanied by two hundred fifty paper copies of the item to be considered and may be considered only after other previously submitted resolutions have been voted upon.

4. Smoking is not permitted in the Assembly area.

5. Electronic Devices

All voting members will use their own tablet, laptop, desktop computer or smart phone to participate in voting at the assembly.

6. Addressing the Assembly

- a. One who wishes to address the Assembly shall stand at a microphone and wait until recognized by the Chair, and state his or her name and congregation or agency;
- b. In general, "privilege of the floor" is assigned in the order in which speakers approach a microphone; usually, voting members speaking "pro" or "con" on issues will be recognized in an alternating fashion;
- c. Except with special permission, all comments are to be directed to the Chair, not to the Assembly or individuals;
- d. As much as possible, the use of names of members should be avoided in debate;
- e. During the debate of resolutions, there will be a brief pause for silent prayer between speakers.

7. Limitations on Debate

- a. In debate an individual may speak twice on the same question in the same meeting for a period of three minutes per time and may not make a second speech on the same question if another member who has not spoken on that question desires to do so.
- b. Rights in debate are not transferable either to another person or another time.
- c. The Assembly may exercise special control over debate on a pending question or on a series of pending questions through the use of the subsidiary motion to "Limit or Extend the Limits of Debate." Such a motion requires a two-thirds vote of the Assembly for adoption.
- d. Any voting member, feeling that debate should be stopped, may request the Assembly to do so by obtaining the floor and moving the "Previous Question." If this is seconded and the Assembly decides by a two-thirds vote in favor, then debate is stopped and the vote is taken on the pending question. Moving "Previous Question" or "Previous Question on All Matters Before the House" is not in order until three (3) speakers on each side of each question have had an opportunity to address the assembly.
- e. Calls of "question" in lieu of a motion to move the "Previous Question" are

never in order.

- f. A member may both speak in debate and conclude by offering a secondary motion, which is a particular application of the principle that a member having been recognized for any legitimate purpose has the floor for all legitimate purposes, provided however, that a member who has spoken on a pending question may not move the previous question at the conclusion of the members speech.

8. Concerning Nominations

A motion to close nominations is not necessary if there are no further nominations.

9. Concerning Action on the Budget

- a. Motions to appropriate funds without the approval of the Synod Council require a two-thirds vote for adoption as stated in S10.04., "Any proposal to appropriate funds, whether by amendment to the budget or otherwise, which is presented to a meeting of the Synod Assembly without the approval of the Synod Council shall require a two-thirds vote for adoption."
- b. A motion to increase any line item expenditure must include an offsetting reduction to another line item expenditure.
- c. When there is a motion from the floor to reduce any item in the budget, no action may be taken upon the motion until a representative of the item affected has had an opportunity to address the proposed reduction.

10. Concerning Voting

- a. It is a fundamental principle of parliamentary law that the right to vote is limited to the members of an organization who are actually present at the time the vote is taken in a legal meeting.
- b. "Proxy and absentee voting shall not be permitted in the transaction of the business of this Synod" (S7.31.).
- c. Thus, under no circumstance is it permissible for one person to vote on behalf of another even with the latter's permission or at his or her request whether the vote is by "voice or by ballot." To do so may invalidate the entire vote.
- d. A demand for "Division of the Assembly" can be made by any member without a motion and results only in the vote being taken by "rising."
- e. A "count" of the votes may be demanded only by an appropriate motion receiving majority approval.
- f. On all ballots except in the election of a bishop a majority is necessary for election (S9.02.).
- g. The result of each ballot in every election shall be announced in detail to the Assembly and be included in the Assembly Minutes (S9.09.).

The Introduction of Business

Business is normally introduced to the Assembly in one of three ways.

1. **Through reports of Boards and/or Committees which are contained in the Bulletin of Reports or introduced directly at the appropriate time in the Agenda.**
 - a. Reports are received by virtue of the presentation and are not acted upon.
 - b. Recommendations attached to these reports constitute “main motions” and are acted upon accordingly.

2. **“Main Motions” which are introduced directly by voting members at a time in the Agenda when they are germane, i.e., closely related to or having bearing on the subject at hand.**
 - a. Motions of this nature should be written out on forms provided for this purpose and available at the Secretary’s table. One copy is to be given to the Chair and another copy to the Secretary.
 - b. The voting member then addresses the Chair, is recognized, and reads the motion. After the motion is seconded and stated by the chair it becomes the business of the Assembly.

3. **Through the Resolutions Committee as described in (S7.33.01.d.)**
 - a. All motions or resolutions not germane to the business at hand are to be written out and submitted to this Committee.
 - b. Assistance will be provided by this Committee in the framing and phrasing of resolutions and appropriate counsel given to voting members.
 - c. The Committee will report the resolution to the Assembly with its recommendations for action.
 - d. The Assembly will act on the committee’s recommendations, unless the recommendation is to either to adopt or to defeat the resolution. When the committee’s recommendation is to adopt or defeat the resolution, the assembly will act on the resolution itself and the recommendation will simply be received as information.
 - e. This Committee will also give assistance as the Bishop may request during the course of the Assembly; grant or deny permission to distribute printed matter not issuing from the office of the Secretary and approve or reject

announcements to be made during the Assembly; and distribute copies of resolutions it has received to the Assembly at least one meeting prior to the meeting they are to be acted upon.

- f. Resolutions submitted less than sixty days in advance of the Assembly must be accompanied by five hundred copies of the item to be considered and may be considered only by a majority of the Assembly as indicated in S7.33.01.d.

Acting on Business in the Assembly

Generally, business before the Assembly must be disposed of in one of three ways:

1. by adoption/approval.
2. by rejection. Normally a motion may be adopted or rejected in its original form or in a changed form brought about through "Amendment" procedures outlined below. The vote required is usually a majority (i.e., more than half).
3. by application of an appropriate "subsidiary motion", such as,
 - a. lay on the table;
 - b. previous question;
 - c. limit or extend limits of debate;
 - d. postpone to a certain time;
 - e. commit or refer;
 - f. postpone indefinitely, a motion which effectively kills a motion for this Assembly and should not be confused with a. above.

The above motions are listed in the order of "precedence" or "rank;" no motion on this list is "in order" if a motion of higher rank on this list is pending.

Amendment Procedures

Business before the Assembly can generally be amended or changed at the will of the Assembly.

1. **Amendments may be of three types:**
 - a. "insert" or "add" words, sentences or paragraphs;
 - b. "strike out" words, sentences or paragraphs; or
 - c. "strike out and insert" words or sentences. A special form of this option is "substitute" by which an amendment strikes out and inserts longer sections such as paragraphs.
2. **Amendments may be of two degrees:**
 - a. Primary, which is amendment of the main motion, and
 - b. Secondary, which is amendment of the amendment.

No more than one of each degree may be pending at the same time.

3. Amendments must always be germane. i.e., closely related to or having bearing on the subject of the motion to be amended. No new subject can be introduced under pretext of being an amendment.
4. Although amendments cannot introduce an independent question, they can be hostile to, or even defeat, the spirit of the original motion, and still be germane.
5. Amendments require a majority vote, even if the main motion to be amended requires two-thirds.
6. In the case of Amendment by Substitution, at the discretion of the Chair, opportunity is first given to perfect the pending motion by amendment. Then opportunity is given to perfect the proposed substitution. Debate is then in order on either motion. The vote is then taken on the “act of substituting.” An affirmative vote means that the substitute takes the place of the original and is now open for debate; it is amendable only by adding non-modifying matter. If the vote is negative, the substitute is discarded and debate continues on the original. It is amendable by any of the three types. After debate ends the vote is taken on the motion before the Assembly.

Suspending Rules

When an Assembly wishes to do something that it cannot without violating one or more of its regular rules, it can adopt a motion to “Suspend the Rules” interfering with the proposed action, provided that the proposal is not in conflict with the organization’s bylaws or constitution, local, state, or national law, or the fundamental principles of parliamentary law.

Suspending the Rules usually requires a two-thirds vote. However, no rules protecting a minority of a particular size can be suspended in the face of a negative vote as large as the minority protected by the rule.

Rules protecting absentees or a basic right of the individual member cannot be suspended, even by unanimous consent or an actual vote. Suspension of the Rules by unanimous consent is possible and may save time if the matter is clearly non-controversial.

Since the motion to “Suspend the Rules” has a number of specific applications that relate to various classes of rules, please refer to RR, pp. 9-18 and 252-258 for detailed information.

Reconsideration

A motion to “Reconsider,” if adopted, enables a majority to bring back, within a limited time, for further consideration a motion which has already been voted on. The purpose of reconsidering a vote is to permit correction of hasty, ill-advised, or erroneous action or to take into account added information or a changed situation that has developed since the taking of the vote.

To provide both usefulness and protection against abuse, the motion to “Reconsider” has the following unique characteristics:

- a. it may be made only by a member who voted with the prevailing side;
- b. it may be made only on the date the vote to be reconsidered was taken or on the next succeeding day of Assembly business;
- c. the making of the motion has a higher rank than its consideration;
- d. if adopted, the question before the Assembly is exactly the same question and is in the same form as at the time the original vote was taken;
- e. with limitations, debate on the motion to reconsider may include debate on the matter to be reconsidered;
- f. a majority vote is required for adoption.

Election of the Synod Bishop

Ecclesiastical Ballot Defined

An “ecclesiastical ballot” for the election of the Bishop of the Synod is an election process:

- a. In which on the first ballot the name of any ordained minister of the ELCA may be submitted for nomination by a voting member of the assembly;
- b. Through which the possibility of election to office exists on any ballot by achievement of the required number of votes cast by voting members of the assembly applicable to a particular ballot;
- c. That precludes spoken floor nominations;
- d. In which the first ballot is the nominating ballot if no election occurs on the first ballot;
- e. In which the first ballot defines the total slate of nominees for possible election on a subsequent ballot, with no additional nominations;
- f. That does not preclude, after the reporting of the first ballot, the right of persons nominated to withdraw their names prior to the casting of the second ballot;
- g. In which any name appearing on the second ballot may not be subsequently withdrawn;
- h. That does not preclude any assembly’s adoption of rules that permit, at a defined point in the election process and for a defined period of time, speeches to the assembly by nominees or their representatives and/or a questions-and-answer forum in which the nominees or their representatives participate; and
- i. In which the number of names that appear on any ballot subsequent to the second ballot shall be determined in accordance with provisions of the governing

documents.

Election Procedures Utilizing the Ecclesiastical Ballot

For each election by ecclesiastical or nominating ballot, the exact number of appropriate ballots will be given to each voting member of the synod.

Unless otherwise ordered by the chair, one of the numbered ballots from the appropriate ballot set is to be used on each ballot for elections determined by ecclesiastical or nominating ballot. The chair will announce the number of the ballot from the appropriate ballot set that is to be used for each ballot. Failure to use the correct numbered ballot will result in an illegal ballot.

On the first two ballots for each office being selected by ecclesiastical or nominating ballot, both the first and last names of a nominee should be used. Members should endeavor to use correct spelling and should provide any additional accurate information identifying the nominee, such as title, synod, residence, etc.

On the third and subsequent ballots conducted by written ballot, only the last name of the nominee need be used, provided there is no other nominee with the same or similar name.

A member may vote for only one nominee on each ballot.

Ballots should not be marked prior to the time the chair advises the voting members to do so.

Written ballots shall not be folded.

Written ballots will be collected from the voting members in accordance with instructions from the Elections Committee or from the chair.

When the results of the first ballot are presented, the chair will announce when and how persons nominated may withdraw their names prior to the casting of the second ballot.

Excerpt from the Synod Constitution:

The bishop shall be elected by the Synod Assembly by ecclesiastical ballot.

Three-fourths of the 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 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 votes on the second ballot, and two-thirds of the 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 votes on the third ballot, and 60 percent of the votes cast shall be necessary for election. On subsequent ballots, a majority of the votes cast shall be necessary for election. These ballots shall be limited to the two persons (plus ties) who receive the greatest number of votes on the previous ballot. **S9.04**

Prior to the third ballot for bishop, biographical data will be distributed for the seven persons (plus ties) who receive the greatest number of votes on the second ballot.

Prior to the third ballot for synod bishop, the seven persons (plus ties) receiving the greatest number of votes on the second ballot will be invited to address the assembly, with each speech limited to five minutes. If any such person is not present at the assembly, the Elections Committee will endeavor to facilitate the address either by phone link or some other method.

Prior to the fourth ballot for synod the three nominees receiving the highest number of votes will be allowed to receive questions in two different forums. In the first forum, questions will be written by the Executive Committee or the Bishop Election Process Task Force based on information gathered from clusters meetings. The questions will be read to the nominees by the Presiding Bishop or his designee. All nominees will answer the questions before the whole assembly and must limit their responses to two minutes. The time for the first forum will be limited to sixty minutes. After questions are answered before the whole assembly, the voting members will move into three small groups. Each of the final nominees will then appear before each small group moderated by the Presiding Bishop or his designee for 15 minutes and will answer questions asked directly by voting members. The questions must be limited to one minute and the response will be limited to two minutes.

Minutes

Minutes of the Synod Assembly shall be subject to approval of the Synod Council acting on behalf of the Assembly at the Synod Council meeting immediately following the Assembly.

Unfinished Business

Any resolutions or Synod Council Action items which cannot be considered due to a lack of time in the agenda will be referred to the Synod Council.