

**RULES OF PROCEDURE FOR THE THIRTY-THIRD ANNUAL ASSEMBLY
OF THE SOUTHEASTERN PENNSYLVANIA SYNOD, MAY 5 & 6, 2023**

**Chapter 7.
SYNOD ASSEMBLY**

- †S7.01. **This synod shall have a Synod Assembly, which shall be its highest legislative authority. The powers of the Synod Assembly are limited only by the provisions in the Articles of Incorporation, this constitution and bylaws, the assembly’s own resolutions, and the constitution and bylaws of the Evangelical Lutheran Church in America.**
- †S7.11. **A regular meeting of the Synod Assembly shall be held at least triennially.**
- S7.11.01. A regular meeting of the Synod Assembly shall be held annually unless performance becomes impossible or impracticable, especially as a result of an event or effect that could not have been anticipated or controlled, such as a public health crisis; severe acts of nature or weather events including floods, fires, earthquakes, hurricanes, or explosions; war, acts of terrorism, and epidemics; acts of governmental authorities such as expropriation, condemnation, confinement orders/recommendations; strikes and labor disputes; or other such events that make the meeting impossible or impracticable.
- S7.12. **Special meetings of the Synod Assembly may be called by the bishop with the consent of the Synod Council, and shall be called by the bishop at the request of one-fifth of the voting members of the Synod Assembly.**
- a. **The notice of each special meeting shall define the purpose for which it is to be held. The scope of actions to be taken at such a special meeting shall be limited to the subject matter(s) described in the notice.**
- b. **If the special meeting of the Synod Assembly is required for the purpose of electing a successor bishop because of death, resignation, or inability to serve, the special meeting shall be called by the Synod Council after consultation with the presiding bishop of the Evangelical Lutheran Church in America.**
- S7.13. **Notice of the time and place of all meetings of the Synod Assembly shall be given by the secretary of this synod.**
- S7.13.10. Notice of the time and place of the regular meeting or of an adjourned meeting of the Synod Assembly shall be sent by the secretary not less than four weeks preceding the meeting. Notice of the time and place of a special meeting shall be sent by the secretary not less than two weeks preceding the meeting. To the extent permitted by state law, meetings of the Synod Assembly and its committees may

be held electronically or by telephone conference, and notice of all meetings may be provided electronically.

S7.14. One-half of the members of the Synod Assembly shall constitute a quorum.

†S7.21. The membership of the Synod Assembly, of which at least 60 percent of the voting membership shall be composed of laypersons, shall be constituted as follows:

a. All ministers of Word and Sacrament under call on the roster of this synod in attendance at the Synod Assembly shall be voting members.

b. All ministers of Word and Service, under call, on the roster of this synod shall be voting members in the Synod Assembly.

c. A minimum of one lay member elected by each congregation with fewer than 175 baptized members and a minimum of two lay members elected by each congregation with 175 or more baptized members related to this synod, typically one of whom shall be a man and one of whom shall be a woman, shall be voting members. The Synod Council shall establish a formula to provide additional lay representation from congregations on the basis of the number of baptized members in the congregation. The Synod Council shall seek to ensure that at least 45 percent of the lay members of the assembly shall be women and at least 45 percent shall be men.

d. Voting membership shall include the officers of this synod.

†S7.21.01. Voting members shall begin serving with the opening of a regular Synod Assembly and shall continue serving until voting members are seated at the next regular Synod Assembly.

†S7.21.01. If a special Synod Assembly is called and voting members at the previous assembly are unable to serve as voting members, where permitted by state law, the congregation through the Congregation Council may elect new members who shall continue to serve until the next Synod Assembly.

S7.21.11. In addition to the congregation's election of voting member(s) of the Synod Assembly as established by S7.21.c, each congregation may elect one additional voting member of the Synod Assembly who shall be a voting member of the congregation up to the age of 25.

S7.22. This synod may establish processes that permit retired rostered ministers, or those designated as disabled, or on leave from call, on the roster of the synod to serve as voting members of the Synod Assembly, consistent with †S7.21.c. If the synod does not establish processes to permit the rostered ministers

specified above to serve as voting members, they shall have voice but not vote in the meetings of the Synod Assembly.

- S7.22.10.** Retired rostered ministers who have indicated to the bishop their willingness and availability to serve in the synod and whose intent meets with the concurrence of the bishop shall be permitted to vote at meetings of the Synod Assembly.
- S7.22.11.** In establishing a formula pursuant to Chapter †7.21.c of this Constitution, the number of retired ministers of Word and Sacrament permitted to vote at meetings of the Synod Assembly shall be a factor in determining the number of additional lay representatives necessary to comprise at least 60% of the membership of the Synod Assembly.
- †S7.23.** **The presiding bishop of the Evangelical Lutheran Church in America and such other official representatives of the churchwide organization as may be designated by the presiding bishop shall have voice but not vote in the meetings of the Synod Assembly. Like privileges shall be accorded to those additional persons whom the Synod Assembly or the Synod Council shall from time to time designate.**
- S7.24.** **Ministers under call, or on leave from call but available for call, as determined by the Office of the Bishop, on the rosters of this synod shall remain as members of the Synod Assembly so long as they remain under call, or on leave from call but available for call, as determined by the Office of the Bishop, and so long as their names appear on the rosters of this synod. Lay members of the Synod Assembly representing congregations shall continue as such until replaced by the election of new members or until they have been disqualified by termination of membership. Normally, congregations will hold elections prior to each regular meeting of the Synod Assembly.**
- †S7.25.** **Except as otherwise provided in this constitution or in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*, each voting member of the Synod Assembly shall be a voting member of a congregation of this synod.**
- S7.26.** **This synod may establish processes through the Synod Council that permit representatives of authorized worshipping communities of the synod, which have been authorized under ELCA bylaw 10.01.04., to serve as voting members of the Synod Assembly, consistent with †S7.21. Authorized worshipping communities, acknowledged under criteria, policies, and procedures approved by the Church Council of the Evangelical Lutheran Church in America, shall accept and adhere to the Confession of Faith and Statement of Purpose of this church, shall be served by leadership under the criteria of this church, and shall be subject to the discipline of this church.**

- S7.27.** This synod may establish processes through the Synod Council to grant a minister of Word and Sacrament from a church body with which a relationship of full communion has been declared and established by the Churchwide Assembly of the Evangelical Lutheran Church in America the privilege of both voice and vote in the Synod Assembly during the period of that minister's service in a congregation of this church.
- S7.28.** Duly elected voting members of the Synod Council who are not otherwise voting members of the Synod Assembly under †S7.21. shall be granted the privilege of both voice and vote as members of the Synod Assembly.
- S7.29.** All ministers of Word and Sacrament, on leave from call but available for call, as determined by the Office of the Bishop, on the roster of this synod in attendance at the Synod Assembly shall be voting members. All ministers of Word and Service, on leave from call but available for call, as determined by the Office of the Bishop, on the roster of this synod shall have both voice and vote as lay voting members in the Synod Assembly, in addition to the voting membership of lay members of congregations as provided in item †S7.21.c.
- S7.30.** Retired ministers of Word and Sacrament on the roster of the synod in attendance at the Synod Assembly may serve as voting members of this synod consistent with †7.21 above, and as specified in the bylaws.
- †S7.31.** Proxy and absentee voting shall not be permitted in the transaction of any business of the Synod Assembly.
- S7.32.** *Robert's Rules of Order*, latest edition, shall govern parliamentary procedure of the Synod Assembly, unless otherwise ordered by the assembly.
- S7.32.10.** At any time during a meeting, the Synod Assembly may resolve to go into executive session, in which case only the voting body shall be present.
- S7.32.A01.** *The Synod Assembly shall be governed by the following Rules of Procedure:*
1. *Rule Regarding Distribution*

The distribution of any materials that do not come to the Assembly through regular reports, synod committees, agencies, institutions, or Synod Council must be approved by the Committee on Reference and Counsel. Therefore, no materials may be distributed to the Assembly without the prior approval of Reference and Counsel.
 2. *Rule Regarding Resolutions Not Meeting the Deadline for Reference and Counsel*

The assembly, by a two-thirds vote, may grant permission for consideration of a resolution that a voting member wishes to bring to the floor, but which has not met the imposed deadline of the Reference and Counsel Committee. Any resolution not meeting the original deadline MUST be submitted one week prior to the assembly AND be granted permission for consideration by the two-thirds vote as indicated above. NO RESOLUTION WILL BE CONSIDERED PAST THIS DEADLINE.

3. Rules Regarding Floor Nominations

- a. For all positions to be elected at this assembly, nominations from the floor shall be made at the time of the first report of the Nominating Committee during the first business session of the Synod Assembly. After the nominations have been closed no further nominations shall be accepted.*
- b. As nominations are made from the floor, the nominator must present a typed or printed biography to the synod secretary on the special form provided immediately after the report of the Nominating Committee.*
 - c. In accordance with ¶S6.04 of the Synod Constitution, at least 10 percent of the representation on the Synod Council, ELCA Assembly voting membership, and other elected boards is required to be persons of color and/or persons whose primary language is other than English. In the event such representation is not accomplished through normal voting procedures, the nominated person of color or whose primary language is other than English and who has the next highest number of votes shall supersede the elected individual with the least number of votes.*

4. Rules for Dealing with Memorials and/or Resolutions Submitted to the Committee on Reference and Counsel

- (1) The deadline for submitting memorials and/or resolutions to the Committee on Reference and Counsel shall be one month before the opening of the Synod Assembly.*
- (2) The Committee on Reference and Counsel shall publish all memorials and/or resolutions, submitted by the deadline, at the synod website no later than two weeks before the opening of the Synod Assembly.*
- (3) The Committee on Reference and Counsel shall make available to Synod Assembly voting members when they register at the Synod Assembly electronic copies of all memorials and/or resolutions, submitted to the committee by the deadline, and the committee's recommendations. For in person assemblies the committee will make available hard copies at the site.*

S7.33. *“Ex officio”* as used herein means membership with full rights of voice and vote unless otherwise expressly limited.

Chapter 8. OFFICERS

S8.20. Vice President

†**S8.21.** The vice president shall be elected by the Synod Assembly, the vice president shall be a layperson. The vice president shall be a voting member of a congregation of this synod. The vice president shall not receive a salary for the performance of the duties of the office.

S8.22. The vice president shall chair the Synod Council.

S8.22.01. The vice president shall be an *ex officio* voting member from the Synod to the Churchwide Assembly. In the event that the vice-president is unable to attend the Churchwide Assembly an additional nominee for the appropriate lay panel shall be made by the Nominating Committee.

S8.30. Secretary

†**S8.31.** The secretary shall be elected by the Synod Assembly. The secretary shall be a voting member of a congregation of this synod. The secretary may be either a layperson or a rostered minister.

S.8.40. Treasurer

†**S8.41.** The treasurer may be elected by the Synod Assembly or may be appointed by the Synod Council. The treasurer shall be a voting member of a congregation of this synod. The treasurer may be either a layperson or a rostered minister.

S8.41.01. The Synod Council shall appoint the treasurer.

Chapter 9. NOMINATIONS AND ELECTIONS

†**S9.01.** The Synod Assembly shall elect such officers of this synod and such other persons as the constitution and bylaws may require, according to procedures set forth in the bylaws. The Synod Assembly shall elect members of the Churchwide Assembly in accordance with bylaw 12.41.11. of the constitution and bylaws of the Evangelical Lutheran Church in America.

†**S9.02.** In all elections by the Synod Assembly, other than for the bishop, a majority of the legal votes cast shall be necessary for election.

- S9.02.01.** All elections shall be by ballot, except in those categories where no contest exists, in which case the bishop shall direct the secretary to declare the nominees to be elected.
- S9.02.02.** No ballot for an ineligible person shall be counted as a vote cast in any election.
- S9.03.** **There shall be a Nominating Committee which shall be appointed by the Synod Council to serve for each regular meeting of the Synod Assembly in accordance with the bylaws. Additional nominations may be made from the floor for all elections for which nominations are made by the Nominating Committee.**
- S9.03.01.** Nominating Committee.
- a. The Synod Council shall appoint a Nominating Committee. The committee shall be composed of members of the Synod Council and others with the goal of having representation from each conference.
- b. For positions to be filled by election, the committee shall present nominations to the Synod Assembly and to the Synod Council, except in such instances as are specifically distinguished herein or in the Constitution and Bylaws of the ELCA. The term of office for committee members shall be no more than one year, beginning with the meeting of the Synod Council at which they are appointed. The committee shall be appointed not later than the second regular meeting of the Synod Council following the Synod Assembly.
- 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 who are willing to serve if elected. 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.**
- S9.04.A94.** *1) Following the first ballot, reasonable efforts shall be made to contact nominees in order to determine their willingness to serve. The assembly shall be informed of those efforts as well as the responses of the nominees. A nominee may withdraw from the process by informing the Committee on Bishop Elections by one of the following means:*
- a. written notification*

b. email notification

c. verbal notice, in person or by electronic means, to 2 members of the election committee

2) For the purpose of S9.04 of the Synod Constitution, a nominee shall be presumed willing to serve unless he or she has expressed an unwillingness to do so.

3) When reasonable efforts have been made to contact a nominee, but have been unsuccessful, it shall be assumed that the nominee is willing to serve.

4) No nominee willing to serve shall be a member of the contacting group.

5) Biographical information about the nominees included on the third ballot shall be distributed to voting members of the assembly prior to that ballot.

6) At a plenary session prior to the fourth ballot, the agenda shall include a forum at which nominees shall be permitted to respond to written questions posed by voting members to the Committee on Bishop Elections.

7) Prior to the fifth ballot, the agenda shall include time for nominees to address the assembly for up to five minutes each.

8) Implementation of these rules of procedure shall be the responsibility of the Committee on Bishop Elections unless otherwise delegated by the Synod Council.

S9.04.B17 *Process for preparing the Synod for the election of a Bishop*

When there is an election for a bishop where there is no incumbent, this synod shall use a three-stage process which will allow for those who will be voting members to the Synod Assembly at which a bishop will be elected to consider both the needs of the synod and persons who might exhibit the gifts to serve as bishop. This process shall begin the year prior to such election and conclude with the ecclesiastical ballot for bishop at the appointed Assembly. This process will not be required in the event of a special election for a bishop. The teams for this process shall be appointed by the Executive Committee in consultation with the Bishop and approved by the Synod Council. The teams shall be chaired by laypersons.

A. Stage One. A Transition Team shall develop a Synodical Mission Profile. Included in such a Mission Profile might be the latest demographics and vitality indicators of the congregations on the territory of the synod, updated demographic information on the rostered leaders serving in the synod, and an assessment of the hoped for direction of the synod and its ministry. This Synodical Mission Profile shall be completed by December 1st of the year prior to the election and made available upon completion.

B. Stage Two. A Discernment Team shall develop a prayer-filled process for conversation and discernment across the synod. This process shall include ways to discuss the gifts for ministry that might be helpful to advance the Synodical Mission Profile and how to identify persons who might possess these gifts. The structure for this prayerful conversation shall include consideration of:

- 1) how persons with gifts for this ministry might be identified, e.g., who might raise up names, by what authority, and by what mechanism;*
- 2) how the names of those persons might be brought forward for discussion, e.g., through conference meetings, cluster meetings, or synod-wide gatherings;*
- 3) how the conversations about those brought forward might be structured so that their gifts for ministry might be explored;*
- 4) how these conversations might be shared across the synod for the edification of the whole.*

The process for these conversations shall be completed and shared by the time the Synodical Mission Profile is completed. These conversations shall begin after the completion of the Synodical Mission Profile and be completed at least one month prior to the election.

C. Stage Three. The Committee on Bishop Elections shall oversee the process of ecclesiastical ballot as specified in S9.04. No names raised in stage two of this process shall be on the ballot at the start of the Assembly. Any names to be placed in nomination shall be made from the floor of the Assembly on the first ballot.

S9.05. The Nominating Committee shall nominate at least one person for vice president only if there is an incumbent; otherwise the Nominating Committee shall nominate at least two persons for vice president. Additional nominations may be made from the floor.

S9.06. The Synod Council shall nominate at least one person for secretary only if there is an incumbent; otherwise the Synod Council shall nominate at least two persons for secretary. Additional nominations may be made from the floor.

S9.07. If the treasurer is elected, the Synod Council shall nominate at least one person for treasurer only if there is an incumbent; otherwise the Synod Council shall nominate at least two persons for Treasurer. Additional nominations may be made from the floor.

S9.08. In all elections except for the bishop, the names of the persons receiving the highest number of legal votes, but not elected by a majority of legal votes cast on the first ballot, shall be entered on the next ballot up to the number of two for every vacancy unfilled. On any ballot when only two names appear, a majority of the legal votes cast shall be necessary for election.

S9.08.01. Synod Council

- a. The nominating and election process for the members of the Synod Council shall proceed in a manner that will ensure the composition of the Synod Council meets the requirements set forth in Chapter 10 of this constitution.
- b. Each conference whose lay position is up for election shall nominate at least one layperson from their conference for the position. Every conference may nominate laypeople for the at-large lay positions. Normally, these nominations will take place at a full assembly of the conference. The Nominating Committee shall receive these nominations from the conferences to include in its report. Additional nominations may be made from the floor.
- c. The Nominating Committee shall nominate at least one person for each minister of Word and Sacrament and lay at-large position up for election. Geographic consideration shall be given in proposing nominees, as well as the need to assure an adequate number of persons of color and/or persons whose primary language is other than English. Additional nominations may be made from the floor.
- d. The Nominating Committee shall nominate at least one person for each youth and young adult position up for election. Additional nominations may be made from the floor.
- e. The election of conference lay positions shall be completed before balloting for at-large positions begins. Nominees not elected to conference lay positions shall be added to the at-large ballots. The election of young adult positions shall be completed before balloting for at-large positions begins. Nominees not elected to the young adult positions shall be added to the at-large ballots. Balloting for at-large lay positions shall be by male and female panels.
- f. If a nominee is ineligible or becomes ineligible for a position on the Synod Council, as defined in †S10.01 and related bylaws, that nominee shall be removed from the ballot.

S9.08.01.A21. *No person may serve concurrently in more than one of the following positions in this synod: member of the Synod Council, dean of a conference, and member of the Candidacy Committee. Election or appointment to one of these positions shall constitute resignation from the others.*

S9.08.02. Nominations and elections for voting members to the Churchwide Assembly, for members of the Committee on Consultation, and the Committee on Discipline shall be by panels of laymen, laywomen and clergy. The number of persons elected by the synod to those positions and their terms shall be as specified in the bylaws of the ELCA.

- S9.08.03.** Each Board of an agency or institution related to the synod, whose membership is elected in whole or in part by the Synod Assembly or the Synod Council, may nominate one or more persons for each vacancy on its Board. Such nominations shall be submitted to the Synod Assembly or Synod Council, as appropriate, by the Nominating Committee, together with other nominees, as the Synod Institution Agreement permits.
- S9.08.04** The Synod Council shall elect members to the boards of the Gettysburg Seminary, the Philadelphia Seminary, Gettysburg College and Muhlenberg College according to procedures established with each of the institutions.
- S9.08.05.** Members of the boards of Social Ministry Organizations shall be elected according to the requirements of those organizations governing documents.
- S9.09.** **The result of each ballot in every election shall be announced in detail to the assembly.**
- S9.09.01.** The report of the Nominating Committee shall be printed in the bulletin of reports for the meeting of the Synod Assembly at which its nominees are to be submitted. Its report shall indicate the congregation of membership for each nominee and the source of the nomination. In addition, those nominees who are persons of color and/or persons whose primary language is other than English shall be specifically designated.
- S9.09.02.** The ballot preparation for use in synod elections shall list the nominees for each position in chance order.
- †S9.10.** **When notified by the secretary of this church, on behalf of the Nominating Committee of the Churchwide Assembly, the Synod Assembly shall nominate two persons in the specified categories for possible election by the Churchwide Assembly to the Church Council.**
- †S9.12.** **Background checks and screening shall be required and completed for persons nominated as synod officers prior to their election, if possible, or as soon as practical after their election. The specific procedures and timing of background checks and screening shall be determined by the Synod Council.**

Chapter 10.
SYNOD COUNCIL

- †S10.01.** **The Synod Council consisting of the four officers of the synod, 10 to 24 other members, and at least one youth and at least one young adult shall be elected by the Synod Assembly.**
- a.** **Each person elected to the Synod Council shall be a voting member of a congregation of this synod, with the exception of ministers on a roster of this**

synod who reside outside the territory of this synod. The process for election and the term of office when not otherwise provided shall be specified in the bylaws. A member of the Church Council of the Evangelical Lutheran Church in America, unless otherwise elected as a voting member of the Synod Council, may serve as an advisory member of the Synod Council with voice but not vote.

b. The term of office of members of the Synod Council, with the exception of the officers and the youth member, shall be three years.

S10.01.01. General Membership.

a. With the exception of the officers, the youth members, and the young adult members, the general membership of the Synod Council shall consist of six rostered ministers, one layperson from each conference of this synod, and a sufficient number of at-large laypersons to ensure at least 60% of the Synod Council is laypersons. The number of conferences and at large members shall be enumerated in a continuing resolution.

b. The terms for the general membership of the Synod Council shall be staggered so that the terms of two rostered ministers, and approximately one-third of the lay positions, both the conference representatives and the at-large lay position(s), expire each year. None of the general membership of the Synod Council shall be eligible to serve for more than two consecutive terms. The lay position assigned to each conference shall alternate every two terms between man and woman. The at-large position(s) shall also alternate, as needed, every two terms between man and woman to effect a membership with at least 45% men and 45% women.

c. At least three members of the general membership of the Synod Council shall be persons of color and/or persons whose primary language is other than English.

d. The general membership of the Synod Council shall consist of no more than one member of the same congregation at the same time. Exceptions may be made to this requirement only if necessary to meet the requirements of S10.01.01.c.

S10.01.A21. *There shall be eight (8) conference representatives, and one (1) at large member as lay positions in the general membership of the Synod Council.*

S10.01.02. The Synod Council shall include one youth member, and one young adult member. The term of the youth member shall be two years. The youth member may serve two consecutive terms if eligible. The term of the young adult member shall be three years. The young adult member may serve two consecutive terms if eligible.

S14.25. **All ministers of Word and Sacrament under a call shall attend meetings of the Synod Assembly, and the pastors of congregations shall also attend the**

meetings of the conference, cluster, coalition, or other area subdivision to which the congregations belongs.

S14.47. All ministers of Word and Service under a call shall attend meetings of the Synod Assembly, and the ministers of Word and Service of congregations shall also attend the meetings of the conference, cluster, coalition, or other area subdivision to which the congregation belongs.