

Constitution and Bylaw Revisions

This spring the synod council approved revisions of our governing documents, making sure they are up to date, consistent, and reflect accurately how things are done and have been done for some time. These revisions fall into three categories:

Continuing resolutions

The council incorporated pertinent sections of a previous document, the Council Policy Manual, into our governing document as continuing resolutions, which do not require synod assembly action.

Bylaw changes

A number of bylaw changes will require assembly approval. None are substantive change—this is merely clean-up work that makes our bylaws accurate and functional.

Constitutional amendments

Several constitutional changes will be presented for a first reading at this assembly and then come before the 2011 synod assembly for approval. Most of these also fall into the category of housekeeping, updating, consistency, etc. But one provision—S9.04.—would change some of the procedures used in election of a bishop and will be presented this year for discussion before voting in 2011.

S9.04. Election of a Bishop: Background

The *Model Constitution for Synods* provides for a bishop to be elected by “ecclesiastical ballot,” in which the first ballot is a nominating ballot. On that ballot any person on the ELCA clergy roster can be named. Then all those names (except for those who withdraw their names) appear on the second ballot, the top seven on the third, etc., until a final ballot has only two, or a candidate has received the required level of majority on an earlier ballot. In other words, everything happens at the assembly. Most of the ELCA synods use this model procedure.

The Saint Paul Area Synod is one of several that have adopted a “modified ecclesiastical ballot,” in which the synod designs a nominating process prior to the assembly to surface names of potential candidates. In our case, it is the conference assemblies that may nominate up to three candidates each. There may be discussions or forums involving those nominees prior to the synod assembly. Those names

then appear printed on the first ballot at the assembly, along with a space for any other clergy name to be written in. The remaining balloting procedure follows the ELCA model.

Proposed procedure for discussion in 2010

The proposed procedure would use the current modified ecclesiastical ballot for all elections except where an incumbent bishop is eligible for a second term. In those cases, the ELCA model would be followed, meaning that the conference nominating process would be dropped.

Rationale

The church believes the election of a bishop is a call process; just as a congregation carefully considers the calling of a pastor, so does a synod in calling its pastor/bishop. A nominating process prior to assembly gives opportunity for the people of the synod to become more familiar with persons considered, conduct forums as a congregation might conduct interviews, etc.

When an incumbent bishop is eligible for a second term (our synod limits tenure to two terms), this is a consideration of affirming a continuing call to this pastoral office. Unlike secular politics with a wide-open election every time, a consideration of affirmation of call is more like the review and renewal of a call that is given to a variety of other ministries—campus ministry and global missionaries, for example, or a parish pastor with a term call. In all these cases, a full call process is used initially, but a review and affirmation is the focus when the term is up and renewal is to be decided.

A significant consideration in the synod council discussion was whether this gives unfair advantage to the incumbent, making it less likely that a synod may choose different leadership if the first term has not gone well. The experience in the first 22 years of the ELCA’s existence is worth noting: there have been ten instances where incumbents were not re-elected; eight of them took place with an ecclesiastical ballot.

At this assembly we will provide for discussion of this provision. Such a constitutional change cannot be made at this assembly, but would be voted on in 2011.