



**Evangelical Lutheran Church in America**

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# **Guidelines For Synod Bishop Elections**

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## I. Introduction

Electing a bishop is one of the most important responsibilities in the life of a synod in the Evangelical Lutheran Church in America and a key responsibility of the Synod Assembly. As an election, it is a process governed by the constitution, bylaws, and continuing resolutions of the synod; however, it is also a call process. As such, it involves discernment, from the perspective both of individual potential nominees and of the synod as a whole.<sup>1</sup> Thus, engaging in prayerful reflection and seeking the guidance of the Holy Spirit are indispensable aspects of the process of nomination and election, regardless of the particular provisions in the synod's governing documents.

Thoughtful preparation also is an important ingredient in the process of nominating and electing a bishop. The Office of the Presiding Bishop and the Office of the Secretary have reviewed the nomination and election processes of many synods and have prepared this memorandum to assist your synod in this important endeavor. It is our goal to support you in the process of nomination and election of a bishop and to provide information so you can avoid pitfalls that have occurred elsewhere. Do not hesitate to telephone or e-mail us if you have any questions or concerns.

As you begin to consider the nomination and election of a bishop, it may be useful to prepare a profile of your synod and reflect on the attributes desired in a bishop. You can approach preparing a profile just as a congregation prepares a profile as part of a call process.<sup>2</sup> In considering attributes for a bishop, you can begin by reviewing the responsibilities of a synod bishop as delineated in provision +S8.12. in the *Constitution for Synods* and consider also the practice in your synod. Although the substance of this memorandum addresses procedures and pitfalls, prayerful reflection on the ministry of the synod and thoughtful consideration of the role of the bishop are critical aspects at each stage of the nomination and election process.

## II. The Constitutional Context

Chapter 9 of your synod's constitution addresses nominations and elections. S9.04. specifically addresses the process for the election of a bishop. Because this provision in the *Constitution for Synods* is not required, considerable variety exists among synods in the processes for the nomination and election of bishops. Regardless of the specifics, it is

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<sup>1</sup> This document will refer to persons nominated for the office of synodical bishop as "nominees" to underscore that this is a church process. The word "candidate" should be avoided because it implies a political process.

<sup>2</sup> The Research and Evaluation team in the churchwide organization can assist your synod by providing important demographic data, and the Office of the Presiding Bishop can provide examples of synodical profiles prepared in connection with bishop nomination and election processes. For an example of a profile and related documents prepared by a synod in connection with a bishop nomination and election process, see the Rocky Mountain Synod Web site <http://www.rmselca.org>.

exceedingly important that the requirements of the constitution (and any applicable bylaws or continuing resolutions) be followed carefully.<sup>3</sup>

S9.04. in the model *Constitution for Synods* provides as follows:

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.<sup>4</sup>

Some synods use a modified ecclesiastical ballot that allows identification and nomination of nominees before the Synod Assembly. In these circumstances, the first ballot may contain previously selected nominees.

In response to requests from synods for a definition of “ecclesiastical ballot” and guidance on its use, the Church Council in 1994 adopted the following definition:

To define an “ecclesiastical ballot” for the election of a bishop in synods of the Evangelical Lutheran Church in America as an election process:

1. in which on the first ballot the name of any eligible individual may be submitted for nomination by a voting member of the assembly;
2. 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;
3. that precludes spoken floor nominations;
4. in which the first ballot is the nominating ballot if no election occurs on the first ballot;

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<sup>3</sup> If a bishop will be elected at a special meeting of the Synod Assembly, care must be taken to review and comply with the synod’s articles of incorporation, as well as the constitution, bylaws, and continuing resolutions. This step is particularly important when it comes to defining voting members of a special assembly. In general, provisions in the articles of incorporation control if there are inconsistencies with the constitution, bylaws, and continuing resolutions. If you have a question, contact the Office of the Secretary.

<sup>4</sup> The adjective “legal” in this (and other) provisions was added as the result of action taken at the Churchwide Assembly in 2001. If your synod constitution incorporated this change pursuant to +S18.11., invalid or illegal votes are not counted in determining the percentage needed for election. An illegal vote is a ballot, for instance, on which the name of a person not eligible for election to a synodical bishop is submitted. (Thus, as former Secretary Almen reported, votes once cast for Pope John Paul III were illegal!) Other examples of “illegal” votes would be any ballots cast for persons who are not on the roster of ordained ministers of the ELCA. Similarly, if a ballot is unintelligible, it is not considered a legal vote. If the term “legal” is not used in your synod’s S9.04. provision, all votes cast are counted for determining the applicable percentages. Whether or not the word “legal” appears in your synod constitution, however, blank ballots never are counted and are ignored. See *Robert’s Rules of Order (Newly Revised)*, 11<sup>th</sup> ed., Section 44.

5. in which the first ballot defines the total slate of nominees for possible election on a subsequent ballot, with no additional nominations permitted;
6. 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;
7. in which any name appearing on the second ballot may not be subsequently withdrawn;
8. that does not preclude an 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 question-and-answer forum in which the nominees or their representatives participate; and
9. in which the number of names that appear on any ballot subsequent to the second ballot shall be determined in accordance with the provisions of the governing documents (or, if the governing documents are silent, in accordance with rules adopted by the assembly).<sup>5</sup>

Whether or not your synod's constitution provides for the ecclesiastical ballot according to this definition, your governing documents must be reviewed and followed carefully to ensure a proper process that cannot be challenged.

### **III. Pre-election Issues**

A number of issues must be addressed in advance of the Synod Assembly to ensure a thoughtful and orderly process for the bishop's election, consistent with your synod's governing documents. This section identifies and briefly discusses these issues.

#### **A. Synod Council Responsibilities**

The Synod Council has oversight responsibility to make certain that the process for nomination and election of a bishop is competently and fairly handled.

As indicated above, it is important to understand and follow the synod's governing documents and to make use of resources available through the churchwide organization.<sup>6</sup> It also is advisable to review minutes of prior Synod Assemblies at which bishop elections occurred to determine and evaluate prior nomination and election practices. Additionally, it is sometimes useful to confer with the officers of other synods that have recently elected a bishop. The ELCA listservs provide a convenient vehicle to ask questions and solicit input regarding bishop nomination and election processes from synod bishops, vice presidents, and secretaries.

A threshold issue that must be addressed well in advance is the composition of the Synod Assembly. +S7.21. prescribes the composition of the Synod Assembly and requires that at least 60 percent of voting members be laypersons. +S6.04.A01. establishes a goal that 10 percent of

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<sup>5</sup> This definition was codified for elections at the Churchwide Assembly in continuing resolution 19.61.A94.

<sup>6</sup> If the Synod Council is considering amendment of S9.04. or the adoption of new or revised bylaws regarding the bishop nomination and election process or the composition of the Synod Assembly, it is important to take into account the requisite amendment process and timelines specified in Chapter 18 of the *Constitution for Synods*. The changes should take place no later than the Synod Assembly preceding the assembly at which a bishop is to be elected.

the membership in the Synod Assembly be persons of color and/or persons whose primary language is other than English. +S6.04.B09. establishes a goal that at least 10 percent of the voting members the Synod Assembly be youth and young adults and requires the Synod Council to develop a plan to implement this goal. In addition, S7.22. authorizes the synod to establish processes that permit retired rostered persons and those rostered persons on leave from call or designated as disabled to serve as voting members; S7.26. authorizes the synod to establish processes that permit representatives of mission settings and synodically authorized worshiping communities to serve as voting members; and S7.27. authorizes the synod to establish processes that permit ordained ministers from full communion partners serving congregations in the synod to serve as voting members.<sup>7</sup> In all cases, extra care is warranted in determining the composition of the Synod Assembly when a bishop's election will take place to ensure that constitutional prerequisites are met.

Whether or not a synod utilizes the ecclesiastical ballot, numerous decisions must be timely made and communicated regarding the nomination and election process. With respect to pre-assembly matters, the Synod Council must determine if there will be informational meetings regarding the bishop's nomination and election process. It is desirable and useful to identify and discuss what the synod is looking for in terms of leadership and the desired attributes of a bishop and to recall the commitments of this church to raise up and support faithful, wise, and courageous leaders, including persons of color and women. Information should be disseminated to congregations so that they are aware of the important responsibility that will be exercised by their voting members. If informational meetings or forums will be held, it is important to ensure that they be scheduled throughout the synod in a way to maximize synod-wide exposure and opportunity for input from both rostered and lay persons. Whether or not informational meetings or forums are held, it is important to publicize the upcoming election and provide congregations and individuals information regarding the role and responsibilities of the bishop and the nomination and election process in a timely manner. Synod Web sites provide a useful tool to disseminate information, but synods must be careful to consider other methods of communication because not all voting members will have a computer or be facile in its use.

In addition, the Churchwide Assembly in 2009 adopted an amendment to the *Constitution for Synods* mandating background checks and screening of nominees for synodical officers. +S9.12. provides:

Background checks and screening shall be required and completed for persons nominated as synodical 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.

Under this provision, the Synod Council must develop a protocol and conduct background checks and screening before the Synod Assembly on nominees for bishop, if there is a pre-assembly nomination process. If the election will take place by ecclesiastical ballot, a

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<sup>7</sup> If processes are established for additional ordained ministers to serve as voting members of the Synod Assembly in accordance with S7.22., S7.26., and S7.27., the Synod Council must ensure that the total membership of the Synod Assembly is comprised of 60 percent laypersons. In accordance with +S7.21., additional lay representation must be based upon the number of baptized members in congregations.

background check and screening must be conducted as soon as practical after the election using a protocol developed by the Synod Council. Regardless of the timing of the background check and screening, it is important to establish the process and advise potential nominees about it in advance of the Synod Assembly. (The Appendix contains a form authorizing a background check and screening.)

The Synod Council also must determine if there will be other election procedures in addition to those described in the governing documents. For example, S9.04. does not provide for a question-and-answer period or speeches by the nominees. Many synods have question-and-answer periods and/or speeches at some time during the election process. Some synods also have other steps in the election process.<sup>8</sup> Whether or not to utilize such procedures should be addressed by the Synod Council well in advance of the Synod Assembly and the ground rules disseminated so that potential nominees, congregations, and voting members understand the process. Once decisions are made about utilizing these additional steps in the election process, the Synod Council must determine whether to incorporate them into the synod's governing documents or the applicable rules of organization and procedure or standing rules of the assembly. (The Appendix contains sample provisions for incorporation into the rules of organization and procedure or standing rules.)

In addition, it is very important to ensure that the persons preparing the agenda build into it sufficient time so that the election can take place smoothly. Thus, as part of its oversight capacity, the Synod Council should take care that adequate time is incorporated into the agenda to facilitate counting ballots (especially the first ballot), allowing withdrawal of nominees, contact of absent nominees, completion and dissemination of biographical information, question-and-answer periods, speeches, and other activities involved in the election process.

Some synods have utilized electronic voting for bishop's elections. Although the technology can expedite the counting and tabulation of results, some significant problems have occurred using electronic voting. If this option will be used, the Elections Committee must carefully coordinate with the person(s) responsible for the voting machines so that everyone is familiar with voting procedures and reporting responsibilities and protocols. Based on prior experience, it may not be advisable to use voting machines for the first time at an assembly at which a bishop will be elected.

Once the Synod Council addresses all the issues relating to the process for election of the bishop, they must be disseminated to voting members and others sufficiently in advance of the Synod Assembly to afford the opportunity for conversation and prayerful reflection. In addition, if pre-assembly responsibilities are delegated to the Elections Committee or other designees, the Synod Council should provide explicit instructions, including expectations for reporting and oversight.

The conclusion or potential conclusion of a bishop's tenure also raises important issues regarding closure, transition, and acknowledgment of service. Important issues also exist

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<sup>8</sup> For example, at least one synod has asked each of the final three nominees to prepare and present a Bible study using a pre-selected text.

relating to synod staff in times of transition. These issues warrant thoughtful and prayerful consideration by synod leadership in collaboration with the Office of the Presiding Bishop and should not be neglected as preparation takes place for the nomination and election process.

B. Elections Committee Responsibilities<sup>9</sup>

A competent Elections Committee, chaired by a person knowledgeable about the synod and its governing documents and procedures, can significantly facilitate the nomination and election process. The timing of appointment of committee members also is important. If the Elections Committee will be responsible for informational meetings or forums before the Synod Assembly or other pre-assembly activities, it is important to appoint and train the Elections Committee in a timely manner.<sup>10</sup>

In considering the composition of the Elections Committee, avoid appointing persons who are likely to be nominated for bishop. (In the case of elections using the ecclesiastical ballot, a potential committee member should indicate that he or she will withdraw after the nominating ballot prior to appointment to the committee.) It is also important to appoint sufficient members to the Elections Committee to address pre-assembly responsibilities as well as to serve as tellers and counters at the Synod Assembly. (In general, it is advisable for a single Elections Committee to handle all aspects of the election process under the oversight of the Synod Council.)

The responsibilities of the Elections Committee should be carefully specified by the Synod Council. For example, the committee's charter should address who is responsible for preparing announcements and disseminating information regarding the nomination and election process, setting up pre-assembly informational meetings or forums (if they will occur), drafting questions for nominees (if there will be a question-and-answer period), assisting nominees through the process, addressing absent nominees (including notification, obtaining biographical information, and arranging for representatives to make presentations, if applicable), preparing ballots, counting votes, reporting election results, etc. If responsibilities are allocated to the Elections Committee, there should be periodic reports to the Synod Council.

C. Information from Nominees

Regardless of the mechanism used to obtain nominations for bishop, the synod must be prepared to obtain biographical and other information from nominees. To facilitate this process, a form for biographical and other information should be used that is the same for all nominees.

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<sup>9</sup> Some synods have suggested designating the Elections Committee as the "Call Committee." This title is not recommended because the committee does not operate similar to a congregational call committee which does not oversee an election process.

<sup>10</sup> Some synods utilize a modified ecclesiastical ballot and have conferences/clusters nominate persons for bishop in advance of the Synod Assembly. In some cases, the initial nominations are made several months in advance of the Synod Assembly. If the Synod Council delegates responsibility for eliciting nominations to an Elections Committee, it must be appointed and educated on the processing of such nominees substantially before the initial deadline.

(A sample form is attached in the Appendix.<sup>11</sup>) This form should be provided in sufficient time so that potential nominees will have marshaled the information necessary for its completion in advance. In addition, it will be important for the Elections Committee to be prepared to facilitate completion of the form by nominees who are not physically present.

With respect to substance, both background information and responses to open-ended questions should be obtained. Because communication skills are important for a bishop, voting members should have the opportunity to see how nominees answer important questions in writing. Open-ended questions also allow nominees to address issues raised in the synod's profile and important synodical priorities.

At whatever stage of the process biographical information is obtained, the Elections Committee should review the forms submitted by nominees before they are finalized and distributed. For the appearance of fairness, completed forms should be disseminated at the same time for all nominees, if possible. If nominees are identified in advance, biographical and other information can be posted on the synod's Web site and distributed to congregations and voting members.<sup>12</sup>

A form authorizing a background check and screening should be obtained as soon as practical from nominees for bishop. (A sample Authorization and Release form is provided in the Appendix.)

#### D. Liaison with the Churchwide Organization

The presiding bishop appoints representatives of the churchwide organization to attend Synod Assemblies. In synods at which bishop's elections will occur, the churchwide representative is willing and trained to conduct the election itself, if desired by the Synod Council. A decision should be made about who will conduct the election before the nomination and election process begins, if possible.

The Office of the Presiding Bishop and the Office of the Secretary will endeavor to keep lines of communication open with the persons in the synod who will be responsible for the bishop's election. Conference calls between representatives of the churchwide organization and the Elections Committee and/or Executive Committee should take place to review the nomination and election process and issues relating to it. In addition, within approximately 30 days of the Synod Assembly, the churchwide representative at the Synod Assembly and the Elections Committee and/or Executive Committee should confer.

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<sup>11</sup> The scope and content of questionnaires vary from synod to synod. Each synod should evaluate the information requested in a questionnaire in light of its individual circumstances. A pivotal consideration is uniformity and the equal opportunity of all nominees to complete the form.

<sup>12</sup> One synod that identified nominees before the Synod Assembly videotaped presentations and posted them on the synod's Web site. If this approach is utilized, care must be taken that the presentations are not campaign speeches.

## IV. The Synod Assembly

By the time the Synod Assembly convenes, voting members should be thoroughly oriented and the agenda and rules of organization and procedure or standing rules should be carefully crafted to facilitate the election process.<sup>13</sup> In addition, the Elections Committee must be ready to proceed with the election.

### A. Introduction of the Election Process

Because the election of a bishop is both an election and a call process, it is appropriate to devote time before the first ballot for reflection on the office of the bishop. The representative of the presiding bishop will be prepared to speak on the role and responsibilities of the synodical bishop and the importance of the election process. The meditation reflects the spiritual content and context of the decision the assembly will make in the election. Pausing at the beginning of the process to ponder the duties of the office and the meaning of calling a pastor for the synod is an introductory step that facilitates a wholesome and Spirit-led election process. Further, the presentation includes leading the assembly voting members in prayer as they embark on their crucial responsibility in the life of this church. Modeling the importance of prayer and reflection sets an important precedent and tone for each subsequent step in the election process.

After the initial meditation, the person chairing the election process should review the governing documents and describe in detail to the assembly the procedures regarding the ballots to be cast, the required margins for elections, the timing of balloting, and other aspects of the election process.

### B. Credentials Committee Responsibilities

In all deliberative assemblies, including Synod Assemblies, the registration of voting members and the issuance of appropriate credentials are important responsibilities. It is even more important when elections occur. Because only voting members may cast ballots for the election of officers, voting members must be appropriately registered and identified in advance of the balloting.

Provisions in Chapter 7 of the *Constitution for Synods* address the membership of the Synod Assembly. S7.21. specifies the composition of the voting membership of the Synod Assembly. Members of the Synod Council who are not otherwise elected as voting members have the privilege of voice and vote, pursuant to S7.28. In addition, other provisions in Chapter 7 provide options to allow other persons attending Synod Assemblies to have voice and vote. For example, under S7.22., retired rostered persons and persons on leave from call or designated disabled who are not voting members have the privilege of voice but not vote at Synod Assemblies, but the Synod Council may establish processes to make such persons voting members. S7.26. and S7.27. also authorize the Synod Council to establish processes to allow other designated persons to have voice and vote. *Unless specifically authorized in Chapter 7 of*

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<sup>13</sup> Sample rules of organization and procedure providing for processes addressed in this section are contained in the Appendix.

*the synod's constitution, persons cannot serve as voting members of the Synod Assembly and vote in the bishop's election.* However, synods may provide in their rules of organization and procedure or standing rules that others have voice (but not vote) at the Synod Assembly. Of course, guests almost always attend Synod Assemblies, but they have neither voice nor vote.

Regardless of registration procedures for others, the Credentials Committee must ensure that voting members are appropriately registered and issued credentials that allow them to be identified at the time of balloting. It is generally not desirable to authorize seating of others with voting members. Careful preparation of registration processes and identification of voting members at the time of balloting will minimize the risk of a challenge to election results or an invalid ballot.

It also is important to coordinate reports of the Credentials Committee with balloting. This avoids the potential problem, which has materialized in synods on occasion, where there are more ballots cast than voting members reported present. As a practical matter, an abbreviated credentials report announcing the number of voting members present should be made immediately before each ballot.<sup>14</sup>

### C. The First Ballot

As indicated above, the process of balloting should be prefaced by a reflection on the election of a bishop. After the meditation and the report of the Credentials Committee, the person conducting the election will review the process for casting the first ballot, announce the vote required for election, and solicit questions. (Pursuant to *Roberts' Rules of Order (Newly Revised)*, 11<sup>th</sup> ed., Section 45, once voting begins, there should not be any interruptions, so care should be taken to ensure that the opportunity exists to answer all questions before initiating the voting process.) During this time persons who are not voting members should move to areas outside those occupied by voting members.

The Elections Committee or designated tellers should distribute the ballots, if paper ballots are utilized, upon instruction of the person presiding at the election. (The Appendix contains sample forms for written ballots, including a nominating ballot and subsequent ballots.) Only voting members should receive ballots. Once ballots are distributed, the person presiding will explain the proper method for voting (writing a name, circling a name, checking a box).<sup>15</sup> Members should be asked to refrain from marking their ballots until instructed to do so. In addition, the process for collecting ballots should be explained. (For ease of counting, it is advisable not to fold paper ballots; instruct members to turn ballots face down and pass them in a designated direction.)

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<sup>14</sup> It is neither necessary nor desirable to have a complete report of the Credentials Committee before each vote. Once a quorum exists and the Synod Assembly is properly constituted, the interim reports of the Credentials Committee should include only the number of voting members present.

<sup>15</sup> The ecclesiastical ballot process does not allow spoken nominations from the floor. (See ELCA continuing resolution 19.61.A94.) If the first ballot is denominated a nominating ballot under other election processes, spoken nominations from the floor are not necessary or desirable. If the first ballot is not denominated as a nominating ballot, applicable governing document provisions or rules of procedure should address whether spoken nominations from the floor are authorized.

It is appropriate and recommended to transition from instruction to voting with a period of silence, followed by prayer. (Either the person presiding at the election or a member of a synod prayer team may lead the prayer, but in all cases the person(s) should be designated in advance and prayers offered should be worded carefully.) After silence and prayer, the presiding person will announce that the first ballot for bishop will now be taken and instruct voting members to mark their ballots.

The Elections Committee or designated tellers should collect *all* ballots when instructed by the person presiding at the election. After the voting and collection of ballots, the person presiding will declare that the first ballot is closed. Thereafter, the Elections Committee will count and tabulate the results in secret. The Rostered Leader Lookup feature on the ELCA Web site or the current edition of the *ELCA Yearbook* should be utilized to determine if nominees are on the roster of ordained ministers of this church. Any questions regarding the counting should be addressed to the person presiding over the election.

All blank ballots should be discarded and neither counted nor reported. Ballots cast, both legal and illegal, should be retained until after the Synod Assembly adjourns, when they should be discarded.

It is important that assembly planners integrate sufficient time into the agenda to allow for counting and tabulating the first ballot.

#### D. Reporting of Election Results

S9.09. specifies that the result of each ballot in every election shall be announced in detail to the Synod Assembly. Thus, for the first ballot and all succeeding ballots for the election of a bishop, both the names of the individuals and the vote totals for each person must be reported to the assembly as part of the report of the Elections Committee. (A form for the report of each ballot is contained in the Appendix.) Regardless of the form, the report should include the number of total votes cast, the number of illegal votes cast, the number of legal votes cast, and the number of votes needed for election on the particular ballot, as well as each nominee's name and the number of votes each person received. (See paragraph I below for special instructions when a ballot results in an election.) It also is advisable to post the report of the first ballot after it is announced. The report form should be maintained by the synodical secretary for purposes of preparing assembly minutes.

After the report of the first ballot, the presiding officer will address the process for nominees to withdraw from the election process, as explained in more detail in the following section. It also is important to remind nominees that a background check and screening will take place in accordance with the synod's governing documents and policies, and an Authorization and Release for Background Check and Screening form will need to be signed at an appropriate time.

E. After the First Ballot

When the ecclesiastical ballot or modified ecclesiastical ballot is utilized, it is important to incorporate sufficient time in the agenda to confirm that nominees are on the roster of ordained ministers of this church and to provide an easy and expeditious process for allowing nominees to withdraw. This process should involve use of a written form, such as the one provided in the Appendix. The process for withdrawing should not include people going to microphones to withdraw verbally.

The Elections Committee should be prepared to contact nominees who are not in attendance at the Synod Assembly. An absent nominee should be allowed to withdraw in writing, by using e-mail or fax. If an absent nominee does not desire to withdraw, the nominee should be invited to attend the Synod Assembly and to submit biographical and other information as prescribed in the synod's procedures. If the nominee cannot attend, a representative may be identified to speak on the nominee's behalf or a speaker phone arranged, if these alternatives are authorized by the synod's procedures.

The second ballot for bishop should be scheduled a sufficient time after the report of the first ballot to allow adequate time for withdrawals, contact of absent nominees, and preparation of a new written ballot. In addition, if biographical information will be obtained, it is advisable to distribute forms to nominees on the second ballot in order to save time between the second and third ballots.

F. Subsequent ballots

The process for the second and subsequent ballots is essentially the same as the first ballot, except voting members will vote only for persons whose names appear on the ballot. Thus, after an interim report of the Credentials Committee, the person presiding will explain the process for that ballot, answer questions, call for a period of silence, lead prayer, and call for the balloting. After voting takes place and the ballots are collected, the second (or subsequent) ballot for bishop will be declared closed.

An appropriate time to distribute the Authorization and Release for Background Check and Screening is before the third ballot when the ecclesiastical ballot is used.

The report of the Elections Committee for ballots subsequent to the first should follow the format described above, except in the case of the final ballot when the total for the runner-up is announced first, followed by the vote total for the person elected. (Sample report forms for subsequent ballots are contained in the Appendix.) Ballots cast should be maintained until the Synod Assembly adjourns, and the report of the Elections Committee should be provided to the secretary for purposes of preparing Synod Assembly minutes.

When biographical and other written information is obtained, it must be carefully reviewed and questions regarding content answered before it is duplicated and distributed. Although speed is always important, fairness militates for ensuring that the information provided

from nominees is comparable and not argumentative and that it is distributed at the same time. It is usually advisable to distribute the biographical material no later than before the third ballot. The more time that is available for voting members to review the biographical and other information the better.

#### G. Questions to Nominees

Many synods, like the Churchwide Assembly, provide for a question-and-answer period when the number of nominees is reduced following the second ballot. Experience has shown that thoughtful preparation and presentation of the question-and-answer period can be important in the discernment process of electing a bishop.

A key ingredient in a meaningful question-and-answer period is the preparation of questions. Sometimes the Executive Committee or Elections Committee prepares questions; sometimes questions are solicited from the assembly. Regardless of the mechanism, it is strongly recommended that the questions be reviewed, organized, and edited in advance. This avoids duplication, ensures that questions are intelligible and focused on important issues, and makes the most effective use of time.<sup>16</sup> (Sample questions are provided in the Appendix.) It is also recommended that a neutral person be designated to ask the questions. Ordinarily, this will be the person designated to preside at the election, although it could also be the synodical vice president, chair of the Elections Committee, or other neutral person.

The procedure for asking questions must be carefully considered and the process disseminated in advance. Fairness to the nominees as well as time management are important factors. Based on experience, the following are suggestions regarding the question-and-answer process:

1. Exactly the same questions should be asked of each nominee.
2. Questions should be asked of nominees in a predetermined, rotating order.<sup>17</sup> Thus, the same persons will not answer all questions in the same order.
3. A time limit should be announced and fairly imposed; a 90-second maximum response time works well. (A timekeeper can indicate with a yellow card when 30 seconds remains and a red card when time has expired.)
4. Applause should be withheld until the conclusion of the question-and-answer period, when it should be invited by the chair.

Before the question-and-answer period begins, the person presiding at the election should review the ground rules with the nominees and lead them in prayer.

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<sup>16</sup> A potential problem exists if questions are prepared by the Executive Committee or other group, and one of the members becomes a nominee. This occurred at a Churchwide Assembly election and resulted in questions being rewritten in order to ensure fairness.

<sup>17</sup> An alternative format to a question-and-answer period in plenary session is to divide the assembly into the same number of groups as number of nominees and to have each nominee rotate from group to group. This allows each nominee to respond to questions without being influenced or affected by prior responses of other nominees.

## H. Speeches

Just as the question-and-answer period must be thoughtfully planned and implemented, provision for speeches from nominees must be carefully addressed in advance.

A threshold issue is the timing of the speeches. Some synods have speeches when the number of nominees is seven; others have speeches when the number is three. If nominees are not well known by many voting members, it is generally advisable to allow a larger number of speakers to address the assembly.

Many of the same considerations apply to speeches as to the question-and-answer period. Thus, based on experience, the following suggestions are made for nominee speeches:

1. The ground rules regarding time and content of speeches should be disseminated in advance.
2. The sequence of speeches should be predetermined and established in a random manner.<sup>18</sup>
3. A time limit should be announced and fairly imposed; five minutes has worked well in the past. (Again, a timekeeper should be identified who will provide a 30-second warning and indicate when time has expired.)
4. Instruction should be given that there will be no applause after individual speakers; after all speeches are completed, the person presiding at the election will thank and invite applause for all nominees.

Again, it is appropriate that the person presiding at the election confer with the speakers in advance to ensure that they understand the ground rules and to lead them in prayer.

## I. The Election

When, as the result of any ballot, there is an election, the person reporting for the Elections Committee should advise the person presiding *before* the formal report is made to the assembly. This allows the person presiding time to make several preparatory comments (which also will signal that persons should return to the assembly hall for the announcement). Similarly, if electronic voting is utilized, the results should be provided to the person presiding *before* displaying them to the assembly.

When there has been an election by the required percentage of the vote, the report of the Elections Committee should announce that fact in advance of the vote totals. Unlike the report on the previous ballots, it is advisable to report vote totals in ascending order so that the last person announced is the person elected. This will facilitate the audience in applauding the results and election at the end of the report and allow the person presiding to declare the person elected as the new bishop.

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<sup>18</sup> Some synods sequester nominees so that they cannot hear the presentations of other nominees.

After the report of the Elections Committee, the person presiding at the election will declare, on the basis of the report, that the person who received the requisite number of votes has been duly elected (or re-elected) bishop of the synod.

After the opportunity for a brief presentation by the person elected, the person presiding (if other than the current bishop) will return the chair to the bishop.

## **V. Appendix**

Attached in the Appendix to these Guidelines are the following forms and information that may assist in the election process.

- A. Authorization and Release for Background Check and Screening
- B. Sample Rules of Organization and Procedure
- C. Sample Biographical Information Form
- D. Sample Ballots for Bishop
- E. Request for Withdrawal from Ballot for Bishop
- F. Sample Reports of Election Results
- G. Sample Questions for Synod Bishop Nominees

# **APPENDIX**

## Appendix A: Authorization and Release for Background Check and Screening

### Authorization and Release

I authorize any reference, supervisors, ELCA entity (including congregation, synod, churchwide organization), or any other person or organization to give the \_\_\_\_\_ (synod) any information (including opinions) regarding my character and fitness for ministry. I also release any individual, employer, reference, synod, congregation, ELCA entity or related organization, institution, organization, or official, or any other person or organization providing information, from any liability for damages of whatever kind or nature that may exist at any time on account of compliance or any attempts to comply with this authorization, excepting only the communication of knowingly false information.

I authorize any prospective employer to conduct reference and background checks and screening, and I agree to supply additional information or consents as requested.

A signed facsimile, electronic version, or photocopy of the Authorization and Release shall be as valid as the original.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

*The Authorization and Release form is similar to the version used as part of the mobility forms that rostered leaders complete. It is intended for use by an ELCA congregation or other ELCA entity or related organization that is considering calling a rostered leader.*

*Most background checks will require a different and more complete form and disclosure of information to be signed by the nominee. Typically, such a form will be provided by the background check company.*

## Appendix B: Sample Rules of Organization and Procedure

1. Biographical Information: Biographical information on the seven nominees (plus ties) who received the greatest number of votes on the second ballot, submitted on a form determined by the Synod Council, shall be distributed to voting members prior to the casting of the third ballot for bishop.
2. Speeches by Nominees: Prior to the third ballot for bishop, the seven persons (plus ties) who received 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 individual, if possible, may designate an alternate to speak on her or his behalf. A timekeeper 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.
3. Questions: Prior to the fourth ballot for 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 person designated to preside at the election. The questions shall be asked in rotating order of the nominees, and the same questions will be asked to each nominee. Each nominee shall have a maximum of 90 seconds to respond to each question. A timekeeper shall indicate to the speaker when 30 seconds remain of the allotted time and when the allotted time has ended. The sequence of the questions to be asked shall be determined by the vice president and secretary of the synod. Questions may be submitted in writing to the secretary, or the secretary's designee, by any voting member of the assembly by (*list date, day, and time certain for the deadline*). The time for the question-and-answer period shall be a maximum of 45 minutes.

**Appendix C: Sample Biographical Information**

**BIOGRAPHICAL INFORMATION FORM:**

**NOMINEE FOR BISHOP OF THE \_\_\_\_\_ (synod)**

1. Name: \_\_\_\_\_

2. Current Position: \_\_\_\_\_

3. Congregation Membership: \_\_\_\_\_

4. Date and Year of Birth: \_\_\_\_\_

5. Date and Year of Ordination: \_\_\_\_\_

6. Previous Positions: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. Education and Earned Degrees (with institutions and years, most recent first):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. List up to five (5) current or past synodical or churchwide activities that would inform your service as bishop of this synod.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9. List up to five (5) current or past community-related activities that would inform your service as bishop of this synod.

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10. What gifts would you bring to the office of bishop of this synod? (1000 characters maximum)

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11. What do you see as the principal challenge to this synod in the next six (6) years, and how would you address it? (1000 characters maximum)

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12. Describe your leadership style. (1000 characters maximum)

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**Appendix D: Sample Ballots for Bishop**

**First Ballot  
for Bishop of the \_\_\_\_\_(synod)**

To vote, print the name of an ordained minister of the Evangelical Lutheran Church in America:

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*(If you are uncertain as to spelling, please provide information such as congregation membership or geographical location.)*

*(Do not fold your ballot. After voting, turn your ballot upside down and pass it as instructed by the person presiding at the election.)*



**Third Ballot**  
**for Bishop of the \_\_\_\_\_ (synod)**

*(List names of seven nominees [in synods where the third ballot is limited to the top seven] in descending order of totals received on second ballot.)*

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**Fourth Ballot**  
**for Bishop of the \_\_\_\_\_ (synod)**

*(List three names in descending order of totals received on third ballot.)*

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**Fifth Ballot**  
**for Bishop of the \_\_\_\_\_ (synod)**

*(List two names in descending order of totals received on fourth ballot.)*

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Appendix E

**Request for Withdrawal  
from Ballot for Bishop  
of the \_\_\_\_\_(synod)**

I, the Reverend \_\_\_\_\_ , request that my name be  
withdrawn from the ballot for bishop of the \_\_\_\_\_(synod)  
of the Evangelical Lutheran Church in America.

(Signed)\_\_\_\_\_

Date\_\_\_\_\_

*(Submit this form to the secretary of the synod prior to the announced deadline.)*





# Report of the Third Ballot for Bishop of the \_\_\_\_\_ (synod)

Number of votes cast: XXX

Number of illegal votes cast: X

Number of legal votes cast: XXX

Number of votes needed for election on this ballot (two-thirds): XXX

*(List names in descending order of totals.)*

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# Report of the Fourth Ballot for Bishop of the \_\_\_\_\_ (synod)

Number of votes cast: XXX

Number of illegal votes cast: X

Number of legal votes cast: XXX

Number of votes needed for election on this ballot (60%): XXX

*(List names in descending order of totals.)*

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# Report of the Fifth Ballot for Bishop of the \_\_\_\_\_ (synod)

Number of votes cast: XXX

Number of illegal votes cast: X

Number of legal votes cast: XXX

Number of votes needed for election on this ballot (majority): XXX

*(List names in ascending order of totals. Be sure to advise the presider of the election results **before** reporting to the assembly.)*

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## **Appendix G: Sample Questions for Synod Bishop Nominees**

What do you see as the principal challenge for this synod's bishop in the next six (6) years?

What is your vision for the ministry of this synod in the next six (6) years?

What is your principal priority for this synod and what will you do to address it?

What gifts will you bring to the office of bishop of this synod?

What experiences in your life have prepared you for the responsibilities of synod bishop?

Describe some of the leadership positions that you have held in the past and how you made a difference in those positions.

As you look at the difficult issues facing this synod and this church, how will you provide leadership to facilitate decision-making to help address them?

One of the strategic directions of the ELCA is to assist members, congregations, synods, institutions, and agencies of this church to grow in evangelical outreach. If you are elected bishop, what ideas do you have to facilitate and motivate evangelical outreach?

What specific steps will this synod take under your leadership as bishop to identify and develop lay and rostered leaders for the mission and ministry of this church?

Describe specific events or experiences in your life that reflect your commitment to making this church diverse and multicultural.

The strategic directions of the ELCA include a commitment to be a "public church." What does this mean to you and how would your leadership reflect this commitment?

One of the strategic directions of the ELCA is to deepen and extend global, ecumenical, and interfaith relationships. What steps would you undertake as bishop to advance this strategic goal?

The office of synod bishop requires significant time away from the synod in leadership throughout this church. Tell us what you have done in the past to balance two very demanding roles.

Tell a story about how God's Word has shaped your life.

Tell us a favorite story about Jesus and how you use in your daily life.

Describe the defining moment in your call to the ministry.

If you could change one thing in the administration or organization of this synod, what would it be?