

RULES OF ORDER – 144AC-R02

144th ANNUAL CONVENTION - DIOCESE OF NEWARK

REPORT OF THE COMMITTEE ON RULES OF ORDER AND ELECTIONS

The Committee on Rules of Order and Elections met on November 14, 2017 to consider proposed changes to the Rules of Order. The Committee reviewed the Rules of Order as amended and adopted by the 143rd Convention. The Committee held an extensive discussion on a proposal to end the practice of voting by paper ballot and adopt electronic voting. The Committee decided to offer a demonstration of the electronic system at the 144th Convention, and declined to make any revisions to the Rules of Order. The Committee on Rules of Order and Elections recommends that the Rules of Order adopted for the 143rd Convention be adopted for the 144th Diocesan Convention.

Respectfully Submitted,

The Members of the Committee on the Rules of Order and Elections

L. Allison Garde, Esq., Grace Church, Madison, Chair

John Webb, III, Esq., Episcopal Church of St. Luke & St. Mary, Hope/Belvidere

Rev. Dean Weber, All Saints, Leonia

Rev. Mary Davis, St. Paul's Chatham

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RULES OF ORDER
ONE HUNDRED AND FORTY FOURTH CONVENTION
January 2018

Convention Committees

I. The following Convention committees, consisting of clergy and laity, shall be appointed by the President at least 125 days prior to the Annual Convention:

- A. Arrangements
- B. Rules of Order and Elections
- C. Resolutions

II. The President, and Secretary of the Convention shall be members, ex-officio, of all Convention Committees.

III. The Convention Committees shall be empowered to take appropriate action prior to, and during, the next Annual Convention, as well as any Special Convention held during their year of appointment.

Arrangements

IV. The Committee on Arrangements shall be responsible for receiving post-Convention recommendations, and from such recommendations to make referrals in the following areas:

- A. To the Ecclesiastical Authority: recommendations pertaining to location, date and length of sessions and recommendations pertaining to the agenda and calendar of business.
- B. To the Committee on Rules of Order and Elections: recommendations pertaining to the legislative and election procedures.
- C. To the Nominations Committee: recommendations pertaining to nominations.
- D. To the Committee on Resolutions: recommendations pertaining to the Resolution process.

The Committee shall recommend to the Diocesan Council the procedures and arrangements for the pre-Convention meetings of Deputies, and shall be responsible for all physical arrangements of the Convention.

Rules of Order

V. The Committee on Rules of Order and Elections shall be responsible for the Rules of Order.

Nominations and Elections

VI. The nomination and election procedures at the Annual Convention shall be as follows:

A. By April 30th a Nominations Committee of clergy and lay members from different congregations shall be elected by the districts consisting of:

- one member of the clergy from each district
- one lay person from each district

Committee members will serve for two years with clergy and lay members rotating off in alternate years. Odd numbered districts will elect a lay person whose term ends in an even year; a clergy person whose term ends in an odd year. Even numbered districts will elect a lay person whose term ends in an odd year; a clergy person whose term ends in an even year.

In the event any district fails to provide its representatives, on May 1st the Bishop will make the appointments to fill vacancies from within the district.

B. The Nominations Committee shall meet at least one-hundred and ten (110) days prior to Annual Convention to elect its own chair, not to be the Secretary of Convention, and to set up procedures for evaluating and nominating candidates. The committee will nominate when possible at least one more than the number of vacancies in each category with the exceptions of Secretary of Convention, Assistant Treasurer, Treasurer and Disciplinary Board.

C. The Secretary of Convention shall send out in the Call to Convention the time and place of the Convention, a list and job descriptions of the offices by classes to be filled by election, the names of the incumbents of these offices, and an official nomination form. This Call shall be sent out, including by electronic delivery, at least one hundred (100) days before the date of the Convention to each clerical member of the Convention and to each lay deputation whose certificate has been transmitted to the Secretary, as provided in Canon I. The Call shall be published in *The Voice OnLine*.

D. Nomination of Candidates

1. There will be a notice in the June *Voice Online* asking for recommendations to be sent to the Nominations Committee no later than fifty-five (55) days prior to Annual Convention. Recommendations may be made in the following ways:

- (a.) Any person eligible to run may recommend himself or herself.
- (b.) Any person in the Diocese may recommend someone else who is eligible to run.
- (c.) Members of the Nominations Committee are strongly encouraged to present names of possible candidates from their own districts particularly, as well as suggestions from other areas of the Diocese.

The Nominations Committee will evaluate recommendations and present a report to the Secretary of Convention and Committee on Rules of Order and Elections fifty-five

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1 (55) days prior to Convention, so that the report may be distributed with the pre-
2 convention mailing. Any nominees not accepted by the Nominations Committee
3 shall be informed in writing or by electronic means fifty-five (55) days prior to
4 Convention. Nominees not accepted by the Nominations Committee may be
5 nominated as set forth in Paragraph D.2 below.
6

7 2. In addition to the slate presented by the Nominations Committee, a person may
8 be nominated by any five (5) Deputies to the Convention. Such nomination shall be
9 sent in writing or by electronic means to the Secretary of Convention. Nominations
10 made in this manner will continue to be accepted until noon on the day that is seven
11 days prior to the start of the Annual Convention. In addition to the nominations made
12 by the Nominations Committee, nominations made in accordance with this
13 Paragraph D.2 that are received by the Secretary not later than forty-two (42) days
14 prior to Annual Convention will be included in the pre-convention mailing and
15 publicized in the *Voice OnLine*. Nominations received in accordance with this
16 Paragraph D.2 after that date will be announced prior to the commencement of
17 balloting at Convention.
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20 E. The Nominations Committee shall report the names of nominees to the Annual
21 Convention in the form of an official ballot, with the nominees listed by office. The order in
22 which the names of nominees for an office appear on the ballot shall be determined as
23 follows: 1) the names of candidates who are nominated by the Nominations Committee or by
24 Convention Deputies and whose nominations are received at least forty-two (42) days prior
25 to Convention shall be determined by lot, by Order; and 2) the names of candidates received
26 through late nominations made less than forty-two (42) days prior to the start of Convention
27 shall be added in order of receipt. For those contests in which candidates will be elected to
28 terms of various lengths, candidates will be listed on the ballot as set forth in these Rules;
29 the length of term to be served by elected candidates will be determined as set forth in
30 Paragraph G of this Section.
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32 F. Only official ballots may be used in elections, except when otherwise ordered by the
33 Convention. The number of vacancies to be filled shall be printed on each ballot. Only valid
34 ballots shall be counted in the whole number of votes cast. An invalid ballot as to one
35 election shall not invalidate an otherwise valid ballot in any other election.
36

37 G. For all elections the vote shall be by ballot, each deputy having one vote for each
38 vacancy to be filled. Those candidates receiving a majority of the valid ballots cast shall be
39 elected. If no candidate receives a majority of the valid ballots cast, subsequent ballots shall
40 be taken until elected candidates shall have filled all vacant positions. When several terms
41 are to be filled, the candidate receiving the highest number of votes will fill the term of the
42 longest duration and the other candidates will fill terms in descending order based on the
43 number of votes received. For General Convention Deputies only, election requires a
44 concurrent majority in both Orders. All candidates who were not elected as General
45 Convention Deputies shall be eligible for consideration as alternate Deputies. An election of
46 alternate Deputies to General Convention shall be by simple majority of valid ballots cast.
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48 H. For all elections beginning with the third ballot, and for all succeeding ballots, the
49 name of the candidate (or candidates) with the lowest number of total votes cast on the
50 previous ballot will be withdrawn from consideration, such that the number of candidates
51 remaining shall be equal to the number of vacancies plus two. (For example, if on the third
52 ballot, seven candidates are standing for election and there are three vacancies to be filled,
53 then the names of the two candidates with the lowest number of votes on the second ballot

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1 will be withdrawn from consideration by the Convention, leaving five candidates remaining
2 for consideration on the third ballot.)

3 Resolutions

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5 VII. The Committee on Resolutions shall be responsible for receiving all Resolutions except
6 those provided by standing committees and bodies required to report to this Convention.
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8 Resolutions to be considered by this Convention may be only one of three types: (1) those
9 submitted by Standing Committees and bodies required to report to Convention; (2)
10 Resolutions concerning the budget of the Diocese; and (3) all other Resolutions. The
11 Committee on Resolutions shall be responsible for receiving all Resolutions of the third type;
12 the Diocesan Council Budget & Finance Committee shall be responsible for receiving all
13 Resolutions of the second type. (Rules governing all budgetary Resolutions are set forth in
14 XVI below.)

15 A. Except for Resolutions submitted by Standing Committees and bodies required to
16 report to Convention, only Deputies may submit Resolutions to be considered by this
17 Convention.

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19 B. All Resolutions to be considered for action by the Annual Convention shall be
20 submitted to the Secretary of Convention in writing and signed by a Deputy not less than
21 seventy-five (75) days before the date of the Annual Convention. Resolutions shall be
22 double-spaced and typed or in electronic format. Each should contain two sections: 1) the
23 RESOLVED naming the desired action, and a further RESOLVED, as appropriate, providing
24 for the implementation of the Resolution, if adopted; and 2) a brief statement or information
25 in support of the Resolution. Resolutions submitted by more than one Deputy must designate
26 one deputy as capable of agreeing to any amendments by the Committee or offered on the
27 floor of Convention. After the expiration of the seventy-five (75) day deadline, the Secretary
28 shall transmit to the Committee on Resolutions all Resolutions that are not 1) submitted by
29 Standing Committees, 2) submitted by bodies required to report to this Convention and 3)
30 Resolutions concerning the budget of this Diocese.
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32 C. The Committee on Resolutions shall hold hearing(s) prior to the Annual Convention
33 on all Resolutions submitted timely. The Committee on Resolutions shall publicize at least
34 eighty-five (85) days prior to the Annual Convention dates, place and time of its hearings,
35 inviting submitters of all Resolutions to attend. The Committee shall collate all Resolutions
36 dealing with obviously similar subjects and shall discuss such collation with the submitters.
37

38 D. Upon submission of any Resolution that in the Secretary's opinion after consultation
39 with the Chair of the Resolutions Committee may affect insurance, s/he shall submit a copy
40 to the Chair of the Diocesan Insurance Committee for review and comment. Upon
41 submission of any Resolution that in the Secretary's opinion after consultation with the chair
42 of the Resolutions Committee may have canonical or legal implications, s/he shall submit a
43 copy to the Chancellor for review and comment. Such comments shall be submitted to the
44 chair of the Committee on Resolutions prior to the initial meeting of the Committee. All
45 Resolutions concerning the budget of the Diocese shall be referred to the Budget & Finance
46 Committee of the Diocesan Council.

47 E. The Committee on Resolutions shall have the power to revise or modify any
48 proposed Resolution, and shall have the power, by a two-thirds vote of all committee

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1 members present and voting, to determine not to offer any proposed Resolution on the floor
2 of Convention.

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4 F. The Committee on Resolutions shall submit its report to the Secretary sixty (60) days
5 before the date of Convention with its recommendations for action upon each Resolution as
6 proposed or as amended or collated by the Committee. This report shall be mailed by the
7 Secretary to each deputation prior to pre-convention meetings. All Resolutions considered
8 by the Committee will be included in the report, unless withdrawn by consent of the
9 sponsoring deputy. If a Resolution to be offered to Convention has been amended by the
10 Committee without the consent of the sponsoring deputy, such amendment(s) will be clearly
11 shown.

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13 G. Any Resolution that the Committee on Resolutions determines not to offer on the
14 floor of Convention shall be permitted on the floor of Convention only by a majority vote of all
15 Convention deputies at the start of the first business session of Convention.

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17 H. Where exigent circumstances exist, and a Resolution was not submitted to the
18 Committee on Resolutions in accordance with the above Rules, a Resolution will be
19 permitted from the floor upon a two-thirds vote only at the start of the first business session
20 of Convention and only when it carries a clear statement in writing of the circumstances that
21 led to the request for its consideration. Such Resolutions should be duplicated in advance
22 by the presenter(s) with sufficient copies available for distribution to all convention Deputies
23 (550 copies are needed). Mere failure to meet the deadlines set forth in these Rules is not an
24 exigent circumstance.

25
26 I. Consent Calendar. It is recognized that certain Resolutions may not require full
27 debate prior to action by Convention. Accordingly, the Committee on Resolutions may
28 propose that certain Resolutions be included on a "Consent Calendar". Exclusion of any
29 Resolution on the Consent Calendar requires agreement of any three congregations to
30 remove it, and the Secretary of Convention must receive exclusion requests before the start
31 of the first business session in writing, signed by at least two lay Deputies from each of three
32 congregations and at least three clergy listed on the roll of clergy entitled to vote in the
33 Convention. Any Resolution included on the "Consent Calendar" shall not be subject to
34 amendment or debate, except that the sponsoring deputy or his/her designee may speak to
35 the Resolution for a period not to exceed one minute.

Computing Time

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39 VIII. A. In computing any period of time fixed by these Rules, the day of the act or event from or
40 to which the designated period begins to run is not to be included. The beginning (or ending,
41 as the case may be) day of the period so computed is to be included, unless it is a Saturday,
42 Sunday or legal holiday, in which event the period will be increased so as to include previous (or
43 next, as the case may be) day which is neither a Saturday, Sunday nor legal holiday. For
44 example, if the Rules provide that a deadline is "thirteen (13) days prior to the Annual
45 Convention," the first day of Convention is not counted. If the thirteenth day is a Saturday, then
46 the end of the previous day (Friday, which is actually the 14th day before the first day of the
47 Annual Convention), will be the specified deadline date. Or, if the Rules provide that a deadline
48 is "fifty (50) days after the Annual Convention," then the last -day of Convention is not counted,
49 the fiftieth day is the deadline. If that fiftieth day is a legal holiday, then the next day (that is not
50 a Saturday, Sunday or legal holiday) will be the specified deadline date.

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52 B. Should extraordinary circumstances arise, the Committee on Rules of Order and

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1 Elections may, in its sole discretion, temporarily revise scheduling deadlines set forth in these
2 Rules, such revised scheduling deadlines to remain in force only until the next Annual
3 Convention.

To Certify Minutes

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7 IX. At the close of Convention a Committee shall be appointed to review and certify the
8 correctness of the minutes.

On Decorum and Debate

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12 X. Except when in conflict with the Constitution or Canons or any Rule herein contained, the
13 latest edition of "Robert's Rules of Order" shall govern the interpretation of these rules and
14 procedures to follow. A required majority of the Deputies voting individually shall determine all
15 measures, unless the chair rules, consistent with the requirements of the Constitution (Article 2,
16 section 7), that the vote on the question shall be by Orders. If a vote is by Orders then a concurrent
17 majority in both Orders shall be necessary to carry any measure.

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19
20 Constitution – Article II, Section 7:

21 “On the demand of five (5) Presbyters entitled to vote, or of five (5) Lay Deputies each from
22 a different Parish, Aided Parish, Incorporated Mission, or Mission, the vote upon any
23 question shall be by orders, each Clerical and each Lay Deputy voting individually; and,
24 when a vote is thus taken, a concurrent majority in both orders shall be necessary to carry
25 any measure.” (Constitution Article II, Section 7)

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27 XI. No motion shall be considered as before Convention unless seconded, and, when required
28 by the President, reduced to writing and signed by the mover, whose name shall be entered on the
29 journal. Each proposed amendment to a Resolution made during floor debate must be submitted in
30 writing (on paper or by electronic device) to the Secretary of Convention immediately after
31 being moved, so that it can be projected onto the screen for floor consideration.

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33 XII. Any member about to speak shall, with due respect address the President, and in speaking
34 confine comments to the point in debate.

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36 XIII. No member shall speak more than once and for no more than two minutes in the same
37 debate without leave of the Convention (except the mover who is entitled to reply).

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39 XIV. If any member by speech or action transgresses the rules of the Convention, the President
40 shall call the member to Order, and the member shall immediately take his/her seat, unless
41 permitted by the Convention to explain or proceed in order.

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43 XV. The motions below have priority in order listed.

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45 The mover - cannot interrupt a member who has the floor,
46 - must be recognized, and
47 - the motion must be seconded.

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49 A. To Adjourn or to Recess
50 - not debatable - majority vote

51 B. To Lay on Table or to Table
52 - not debatable - majority vote

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- 1 C. To move the Previous Question or Limit or Extend Debate
2 - not debatable - amendable as to time if specified, two-thirds vote
3 D. To Postpone to a Certain Time
4 - debatable - amendable - majority vote
5 E. To Commit or Recommit to any Committee
6 - debatable - amendable - majority vote
7 F. To Amend or to Substitute
8 - debatable - amendable - majority vote
9 G. To Postpone Indefinitely
10 - debatable - not amendable - majority vote
11 H. To Suspend the Rules or Take Up Business Out of Order
12 - not debatable - two-thirds vote
13 I. To Divide the Question
14 - not debatable - majority vote
15 J. To Reconsider (must be made on day that the vote is taken)
16 - 1. must be moved and seconded by ones who voted in majority;
17 - 2. debatable - two-thirds vote

On the Budget

21 XVI. The following procedures shall govern the presentation and adoption of the budget:

22
23 A. A recommended budget shall be adopted by the Diocesan Council. Every effort shall
24 be made to encourage interested individuals and/or groups to submit funding requests to
25 Council, and for Council to give such individuals and groups the opportunity to present
26 information in support of such funding requests. On or before the date which is one week
27 after the date that Diocesan Council adopts its recommended budget it shall publish the
28 recommended budget. (Posting of the recommended budget on the Diocesan website shall
29 be sufficient publication.) In addition, on or before such date, the individuals or groups who
30 submitted funding requests shall be notified by Council of its decision with regard to their
31 requests.

32 B. Copies of the recommended budget shall be sent to Deputies prior to Annual
33 Convention, in sufficient time to be available for discussion at pre-convention meeting(s).
34 The last preconvention meeting shall be held no later than one week prior to the deadline
35 for budget Resolutions.

36 C. Once the recommended budget has been adopted by Council, Resolutions proposing
37 changes to the recommended budget shall be in order. Only Deputies may submit
38 Resolutions proposing changes to the recommended budget. Such Resolutions shall be
39 sent to the Secretary of Convention, in the format prescribed by paragraph B of Section VII
40 of these Rules, on or before noon of the day that is seven days prior to the start of the
41 Annual Convention. Because the budget must be in balance, the total of all changes in a
42 Resolution must have a nil impact on the recommended budget. Consequently, the
43 "Resolved" of each Resolution may be only one of the following:

- 44 1) to add one line item and delete another line item(s) in an offsetting amount;
45 2) to delete one line item and add another line item(s) in an offsetting amount;
46 3) to increase one line item and decrease another line item(s) in an offsetting
47 amount;

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1 4) to decrease one line item and increase another line items(s) in an offsetting
2 amount.

3 Any proposed change to a line item that has the effect of increasing an expense or
4 reducing income must also include a proposal to change other line item(s) that will, when
5 taken together, fully offset the proposed increase in expense or decrease in income.

6 The Secretary shall refer all such Resolutions to the Diocesan Budget & Finance
7 Committee.

8 D. No Resolutions concerning the recommended budget shall be in order if received by the
9 Secretary of Convention after the deadline set forth in Paragraph C of this Section. No
10 Resolutions concerning the recommended budget shall be in order at Convention.

11 E. The Diocesan Council Budget & Finance Committee shall review all such Resolutions
12 and hold an open hearing at Annual Convention on these proposed changes to the
13 recommended budget. Any deputy wishing to do so may speak for or against any such
14 Resolution at the hearing. Upon the conclusion of the hearing, the Budget & Finance
15 Committee shall go into executive session to consider the proposed Resolutions, and may,
16 at its discretion, consult expert witnesses during such executive session.

17 F. The Diocesan Council Budget & Finance Committee shall present its final proposed
18 budget to the Annual Convention. Such proposed budget shall reflect its recommendations
19 on each budget Resolution submitted to the Budget & Finance Committee. The final budget
20 must not be in deficit. The Budget & Finance Committee shall present its reasons for
21 including or excluding any recommended proposal for doing so in its final report to
22 Convention.

23 G. The Convention will vote on every Resolution that was properly submitted. No motions
24 to amend such Resolutions shall be in order. Each Resolution shall be considered
25 individually.

26 H. Once all Resolutions have been considered, a motion to approve the final budget, as
27 amended by adopted Resolutions, if any, shall be in order.

28 I. The following rules shall be used during debate of the Budget and Budget Resolutions:
29

30 (1) The Diocesan Council Budget & Finance Committee shall have FIVE MINUTES to
31 speak with respect to the Committee's report on the Budget.

32 (2) Up to ONE HOUR shall be allotted to the debate, the time being equally divided
33 among Resolutions to be considered. If fewer than five (5) Resolutions are to be
34 considered, the Chair shall have non-debatable discretion to shorten the total time of debate
35 to a total number of minutes equal to no more than ten (10) minutes times the number of
36 Resolutions to be considered.

37 (3) Of the time allotted to the consideration of each Resolution, the recommendation of
38 the Diocesan Council Budget & Finance Committee concerning the Resolution shall be
39 limited to ONE MINUTE.

40 (4) To the extent possible, the Chair shall recognize speakers of opposite view in
41 alternate succession.

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1 (5) During the debate on each Resolution each speaker shall be limited to one minute
2 and no speaker shall speak more than once. The Chair may permit the Diocesan Council
3 Budget & Finance Committee to respond briefly to views opposing the Committee's
4 recommendations after all other speakers have been heard on the Resolution.

5 (6) No motion to lay on the table (or other motion that has the effect of terminating
6 debate on a Resolution) shall be in order during the allotted time period.

7 (7) After the consideration of all Resolutions and the termination of debate, TEN
8 MINUTES shall be allotted for the budget Resolutions as finally perfected by the Convention
9 to be considered and adopted as a unit.

Committee of the Whole

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13 XVII. On motion duly moved and adopted, the Convention may go into Committee of the Whole for
14 the consideration of any matter. The President shall designate some member of the Convention to
15 act as Chair of the Committee, which, when in session, shall be governed by these rules.

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17 A. A motion to rise and to report to the Convention, with or without leave to sit again,
18 may be made at any time, and shall take precedence of all other motions, and shall be
19 decided without further debate. No such motion once made shall be renewed until further
20 proceeding shall have taken place in the Committee.

21
22 B. A motion that a vote be taken at some designated time may be made and be
23 disposed of without debate at any time, but as before provided a motion to report to the
24 Convention shall take precedence.

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26 C. No motion to lay on the table shall be entertained.

Reports

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30 XVIII. No printed matter of any kind shall be distributed at the Convention or placed on the seats
31 except by the authority of the President or Secretary.

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33 XIX. All reports shall be in writing, and when made shall be the property of the Convention without
34 any motion for acceptance. All reports recommending Convention action shall be accompanied by a
35 Resolution to that effect.

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37 XX. All reports requiring Convention action shall be in writing and, at least, one complete copy
38 and, if available and appropriate, four synopses shall be in the possession of each deputation prior
39 to Convention. All other reports submitted to Convention shall be read by title only.