

RULES OF ORDER – 148AC-R02

148th ANNUAL CONVENTION - DIOCESE OF NEWARK

REPORT OF THE COMMITTEE ON RULES OF ORDER AND ELECTIONS

The Committee on Rules of Order and Elections reviewed the Rules of Order as amended and adopted by the 147th Convention, which were used in the unique circumstances under which last year's convention was held. Since some of those unique circumstances continue to be applicable to this year's convention, the Committee recommends that the Rules of Order that were adopted for the 147th Convention be adopted for this year's Rules, with a few minimal changes.

The Committee's recommended Rules to be adopted for this 148th Convention be modified in two general areas: 1) continuing the deletion of references to budget resolutions, as Diocesan Council has already adopted a budget for this year; and 2) changing the references to deadlines to conform to the date of this year's Convention.

The Committee on Rules of Order and Elections recommends that the revised Rules of Order for this convention, entitled "148AC-RO2" (attached to this Report) be adopted for this 148th Convention of the Diocese of Newark.

Respectfully Submitted,

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

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

Mr. John A. King, Secretary of Convention [ex-officio]

Diane Sammons, Esq., Chancellor [ex-officio]

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RULES OF ORDER
ONE HUNDRED AND FORTY EIGHTH CONVENTION
May, 2022

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 any 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 **January 14th**, the President shall appoint a Nominations Committee of clergy and lay members from different congregations representing each of the districts.

Committee members will serve for two Annual Conventions.

B. The Nominations Committee shall meet prior to **January 28th** 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, prior to **January 14th** 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 *Voice Online* on or before **February 11th** asking for recommendations to be sent to the Nominations Committee no later than **March 11th**. 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 no later than **March 11th**. Any nominees not accepted by the Nominations Committee shall be informed in writing or by electronic means prior to **March 11th**. Nominees not accepted by the Nominations Committee may be nominated as set forth in Paragraph D.2 below.

2. In addition to the slate presented by the Nominations Committee, a person may be nominated by any five (5) Deputies to the Convention. Such nomination shall be sent in writing or by electronic means to the Secretary of Convention. Nominations made in this manner will continue to be accepted until noon on **April 29th**. In addition to the nominations made by the Nominations Committee, nominations made in accordance with this Paragraph D.2 that are received by the Secretary not later than **March 25th** will be included in the pre-

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1 convention mailing and publicized in the *Voice OnLine*. Nominations received in accordance
2 with this Paragraph D.2 after that date will be announced prior to the commencement of
3 balloting at Convention.
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6 E. The Nominations Committee shall report the names of nominees to the Annual
7 Convention in the form of an official ballot, with the nominees listed by office. The order in
8 which the names of nominees for an office appear on the ballot shall be determined as
9 follows: 1) the names of candidates who are nominated by the Nominations Committee or by
10 Convention Deputies and whose nominations are received prior to or on **March 25th** shall be
11 determined by lot, by Order; and 2) the names of candidates received through late
12 nominations made after **March 25th** shall be added in order of receipt. For those contests in
13 which candidates will be elected to terms of various lengths, candidates will be listed on the
14 ballot as set forth in these Rules; the length of term to be served by elected candidates will
15 be determined as set forth in Paragraph G below.
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17 F. Only official ballots (which may be in electronic form) shall be used in elections,
18 except when otherwise ordered by the Convention. The number of vacancies to be filled
19 shall be included on each ballot. Only valid ballots shall be counted in the whole number of
20 votes cast. An invalid ballot as to one election shall not invalidate an otherwise valid ballot in
21 any other election.
22

23 G. For all elections the vote shall be by ballot, each Deputy having one vote for each
24 vacancy to be filled. Those candidates receiving a majority of the valid ballots cast shall be
25 elected. If no candidate receives a majority of the valid ballots cast, subsequent ballots shall
26 be taken until elected candidates shall have filled all vacant positions. When several terms
27 are to be filled, the candidate receiving the highest number of votes will fill the term of the
28 longest duration and the other candidates will fill terms in descending order based on the
29 number of votes received. For General Convention Deputies only, election requires a
30 concurrent majority in both Orders. All candidates who were not elected as General
31 Convention Deputies shall be eligible for consideration as alternate Deputies. An election of
32 alternate Deputies to General Convention shall be by simple majority of valid ballots cast.
33

34 H. For all elections beginning with the third ballot, and for all succeeding ballots, the
35 name of the candidate (or candidates) with the lowest number of total votes cast on the
36 previous ballot will be withdrawn from consideration, such that the number of candidates
37 remaining shall be equal to the number of vacancies plus two. (For example, if on the third
38 ballot, seven candidates are standing for election and there are three vacancies to be filled,
39 then the names of the two candidates with the lowest number of votes on the second ballot
40 will be withdrawn from consideration by the Convention, leaving five candidates remaining
41 for consideration on the third ballot.)

Resolutions

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43 VII. The Committee on Resolutions shall be responsible for receiving all Resolutions except
44 those provided by standing committees and bodies required to report to this Convention.
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47 Resolutions to be considered by this Convention may be only one of two types: (1) those submitted
48 by Standing Committees and bodies required to report to Convention; and (2) all other Resolutions.
49 The Committee on Resolutions shall be responsible for receiving all Resolutions of the second type.
50 No Resolutions concerning the budget for the 2022 fiscal year shall be entertained.

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1 A. Except for Resolutions submitted by Standing Committees and bodies required to
2 report to Convention, only Deputies may submit Resolutions to be considered by this
3 Convention.

4 B. All Resolutions to be considered for action by the Annual Convention shall be
5 submitted to the Secretary of Convention in writing and signed by a Deputy on or prior to
6 **February 21st**. Resolutions shall be double-spaced and typed or in electronic format. Each
7 should contain two sections: 1) the RESOLVED naming the desired action, and a further
8 RESOLVED, as appropriate, providing for the implementation of the Resolution, if adopted;
9 and 2) a brief statement or information in support of the Resolution. Resolutions submitted by
10 more than one Deputy must designate one Deputy as capable of agreeing to any
11 amendments by the Committee or offered on the floor of Convention. After **February 21st**,
12 the Secretary shall transmit to the Committee on Resolutions all Resolutions that are 1) not
13 submitted by Standing Committees and 2) not submitted by bodies required to report to this
14 Convention.

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16 C. The Committee on Resolutions shall hold hearing(s) prior to the Annual Convention
17 on all Resolutions submitted timely. Hearings may be held by electronic means. The
18 Committee on Resolutions shall publicize prior to **February 11th**, the place and time of its
19 hearings, inviting submitters of all Resolutions to attend. The Committee shall collate all
20 Resolutions dealing with obviously similar subjects and shall discuss such collation with the
21 submitters.

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23 D. Upon submission of any Resolution that in the Secretary's opinion after consultation
24 with the Chair of the Resolutions Committee may affect insurance, s/he shall submit a copy
25 to the Chair of the Diocesan Insurance Committee for review and comment. Upon
26 submission of any Resolution that in the Secretary's opinion after consultation with the chair
27 of the Resolutions Committee may have canonical or legal implications, s/he shall submit a
28 copy to the Chancellor for review and comment. Such comments shall be submitted to the
29 chair of the Committee on Resolutions prior to the initial meeting of the Committee.

30 E. The Committee on Resolutions shall have the power to revise or modify any
31 proposed Resolution, and shall have the power, by a two-thirds vote of all committee
32 members in attendance and voting, to determine not to offer any proposed Resolution on the
33 floor of Convention.

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35 F. The Committee on Resolutions shall submit its report to the Secretary on or prior to
36 **March 7th** with its recommendations for action upon each Resolution as proposed or as
37 amended or collated by the Committee. This report shall be distributed by the Secretary to
38 each Deputation with the pre-Convention packet, on or before **April 29th**. All Resolutions
39 considered by the Committee will be included in the report, unless withdrawn by consent of
40 the sponsoring Deputy. If a Resolution to be offered to Convention has been amended by
41 the Committee without the consent of the sponsoring Deputy, such amendment(s) will be
42 clearly shown.

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44 G. Any Resolution that the Committee on Resolutions determines not to offer on the
45 floor of Convention shall be permitted on the floor of Convention only by a majority vote of all
46 Convention Deputies at the start of the business session of Convention.

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48 H. Where exigent circumstances exist, and a Resolution was not submitted to the
49 Committee on Resolutions in accordance with the above Rules, a Resolution will be
50 permitted from the floor upon a two-thirds vote only at the start of the business session of
51 Convention and only when it carries a clear statement in writing of the circumstances that led

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1 to the request for its consideration. Such Resolutions must be provided by the presenter(s)
2 in cooperation with the Secretary sufficiently in advance of the business session so that the
3 text of such Resolutions can be projected onto the screen for floor consideration. Mere
4 failure to meet the deadlines set forth in these Rules is not an exigent circumstance.
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6 I. Consent Calendar. It is recognized that certain Resolutions may not require full
7 debate prior to action by Convention. Accordingly, the Committee on Resolutions may
8 propose that certain Resolutions be included on a "Consent Calendar". Exclusion of any
9 Resolution on the Consent Calendar requires agreement of any three congregations to
10 remove it, and the Secretary of Convention must receive exclusion requests before the start
11 of the business session in writing, signed by at least two lay Deputies from each of three
12 congregations and at least three clergy listed on the roll of clergy entitled to vote in the
13 Convention. Any Resolution included on the "Consent Calendar" shall not be subject to
14 amendment or debate, except that the sponsoring Deputy or his/her designee may speak to
15 the Resolution for a period not to exceed one minute.
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Computing Time

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19 VIII. A. In computing any period of time fixed by these Rules, the day of the act or event from or
20 to which the designated period begins to run is not to be included. The beginning (or ending,
21 as the case may be) day of the period so computed is to be included, unless it is a Saturday,
22 Sunday or legal holiday, in which event the period will be increased so as to include previous (or
23 next, as the case may be) day which is neither a Saturday, Sunday nor legal holiday. For
24 example, if the Rules provide that a deadline is "thirteen (13) days prior to the Annual
25 Convention," the first day of Convention is not counted. If the thirteenth day is a Saturday, then
26 the end of the previous day (Friday, which is actually the 14th day before the first day of the
27 Annual Convention), will be the specified deadline date. Or, if the Rules provide that a deadline
28 is "fifty (50) days after the Annual Convention," then the last day of Convention is not counted,
29 the fiftieth day is the deadline. If that fiftieth day is a legal holiday, then the next day (that is not
30 a Saturday, Sunday or legal holiday) will be the specified deadline date.
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32 B. Should extraordinary circumstances arise, the Committee on Rules of Order and
33 Elections may, in its sole discretion, temporarily revise scheduling deadlines set forth in these
34 Rules, such revised scheduling deadlines to remain in force only until the next Annual
35 Convention.
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To Certify Minutes

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39 IX. At the close of Convention a Committee shall be appointed to review and certify the
40 correctness of the minutes.
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On Decorum and Debate

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

2 “On the demand of five (5) Clergy entitled to vote, or of five (5) Lay Deputies each from a
3 different Parish, Aided Parish, Incorporated Mission, or Mission, the vote upon any question
4 shall be by orders, each Clerical and each Lay Deputy voting individually; and, when a vote
5 is thus taken, a concurrent majority in both orders shall be necessary to carry any measure.”
6 (Constitution Article II, Section 7)
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8 XI. No motion shall be considered as before Convention unless seconded, and, when required
9 by the President, reduced to writing and signed by the mover, whose name shall be entered on the
10 journal. Each proposed amendment to a Resolution made during floor debate must be submitted in
11 writing (on paper or by electronic device) to the Secretary of Convention immediately after
12 being moved, so that it can be projected onto the screen for floor consideration.
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14 XII. Any member about to speak shall, with due respect address the President, and in speaking
15 confine comments to the point in debate.
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17 XIII. No member shall speak more than once and for no more than two minutes in the same
18 debate without leave of the Convention (except the mover who is entitled to reply).
19

20 XIV. If any member by speech or action transgresses the rules of the Convention, the President
21 shall call the member to Order, and the member shall immediately take his/her seat, unless
22 permitted by the Convention to explain or proceed in order.
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24 XV. The motions below have priority in order listed.
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26 The mover - cannot interrupt a member who has the floor,
27 - must be recognized, and
28 - the motion must be seconded.
29

30 A. To Adjourn or to Recess

31 - not debatable - majority vote

32 B. To Lay on Table or to Table

33 - not debatable - majority vote

34 C. To move the Previous Question or Limit or Extend Debate

35 - not debatable - amendable as to time if specified, two-thirds vote

36 D. To Postpone to a Certain Time

37 - debatable - amendable - majority vote

38 E. To Commit or Recommit to any Committee

39 - debatable - amendable - majority vote

40 F. To Amend or to Substitute

41 - debatable - amendable - majority vote

42 G. To Postpone Indefinitely

43 - debatable - not amendable - majority vote

44 H. To Suspend the Rules or Take Up Business Out of Order

45 - not debatable - two-thirds vote

46 I. To Divide the Question

47 - not debatable - majority vote

48 J. To Reconsider (must be made on day that the vote is taken)

49 - 1. must be moved and seconded by ones who voted in majority;

50 - 2. debatable - two-thirds vote
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53 XVI. [INTENTIONALLY OMITTED]

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Committee of the Whole

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3 XVII. On motion duly moved and adopted, the Convention may go into Committee of the Whole for
4 the consideration of any matter. The President shall designate some member of the Convention to
5 act as Chair of the Committee, which, when in session, shall be governed by these rules.
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7 A. A motion to rise and to report to the Convention, with or without leave to sit again,
8 may be made at any time, and shall take precedence of all other motions, and shall be
9 decided without further debate. No such motion once made shall be renewed until further
10 proceeding shall have taken place in the Committee.
11

12 B. A motion that a vote be taken at some designated time may be made and be
13 disposed of without debate at any time, but as before provided a motion to report to the
14 Convention shall take precedence.
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16 C. No motion to lay on the table shall be entertained.
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Reports

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20 XVIII. No printed matter of any kind shall be distributed at the Convention or placed on the seats
21 except by the authority of the President or Secretary.
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23 XIX. All reports to Convention, and where appropriate, a synopsis of the report, shall be submitted
24 in writing or by electronic means to the Secretary of Convention by **March 22nd** and when submitted
25 shall become the property of the Diocese. Each report (and its synopsis, where appropriate) shall
26 be distributed to all Deputies prior to Convention. All reports recommending Convention action shall
27 be accompanied by a Resolution or Resolutions to that effect. No motion is required for the
28 Convention to consider the recommendations of a report. Reports to Convention that do not
29 recommend Convention action shall be accepted by the President of Convention and shall be
30 incorporated by the Secretary of Convention in the minutes of Convention, but need not be read
31 aloud during the Convention.