

# Resolution to amend the South Dakota Synod Bylaws for the Election of a Bishop

June 6, 2012

From: The Bishop Elections Committee

**Whereas**, Walter May, Assistant to the Presiding Bishop, and David Swartling, ELCA Secretary, have directed the synods of the ELCA who will be holding Bishop elections in 2012 and 2013 to: “review and follow carefully all the governing documents for the election of a Bishop to ensure a proper process that cannot be challenged” (ELCA 2012 Guidelines for Synod Bishop Elections, page 3); and

**Whereas**, “electing a bishop is one of the most important responsibilities in the life of a synod in the ELCA and a key responsibility of the Synod Assembly” (ELCA 2012 Guidelines for Synod Bishop Elections, page 1); and

**Whereas**, electing a bishop by ecclesiastical ballot is the norm for most ELCA synods; and

**Whereas**, election by ecclesiastical ballot allows for the possibility of a large number of ordained ministers to be considered for the call of Synod Bishop; and

**Whereas**, election by ecclesiastical ballot would be good stewardship of synod resources and nominees’ time by eliminating the need to cover the travel expenses of numerous nominees for their participation in pre-Assembly open meetings; therefore, be it

**RESOLVED**, to amend the South Dakota Synod Constitution and Bylaws with the following additions and deletions (additions are underlined; deletions are ~~struck through~~):

**S9.04.** The Bishop shall be elected by the Synod Assembly. The process of nomination and election shall be as provided in the bylaws.

**S9.04.01** The Bishop shall be elected 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.

**S9.04.02** Other election matters, such as the process of identifying potential nominees leading to the election of a bishop, and the rules of procedure for the election of a bishop shall be specified in the continuing resolutions of the South Dakota Synod Constitution, as approved by the Synod Assembly one (1) year prior to the assembly at which a bishop is to be elected.

**S9.04.10** The process of the nomination and election of the Synod Bishop shall be supervised by the Bishop Elections Committee, which shall consist of three persons appointed by the Synod Council. The Bishop Elections Committee shall have final authority for all matters pertaining to the election.

**S9.04.11.** ~~The Synod Council shall arrange for a synod study to be completed six months prior to the beginning of the bishop election process. The synod study shall focus upon the ministry of the synod, the role and responsibilities of the office of the bishop, and the needs and opportunities facing the~~

**Resolution 7a**  
**Recommendation: Do Pass**  
**Action Taken:**

~~synod. The study results shall be distributed to synod leadership and congregations as candidates for the position of bishop are considered and nominated.~~

~~**S9.04.12.** Each congregation of this synod, no later than 120 days prior to the Synod Assembly, through its congregation council, may submit to the Conference Secretary the names of not more than three members of the ELCA clergy roster as congregational nominees to be included on the conference nominating ballot. Only names submitted by congregations may appear on the conference nominating ballot.~~

~~**S9.04.13.** The Conference Council, as constituted by each conference, meeting no sooner than 115 days nor later than 100 days prior to the Assembly, by majority, shall elect no more than seven persons from the conference nominating ballot and forward their names to the Synod Secretary. In the event that a Conference Council receives fewer than seven congregational nominees, all names shall be forwarded to the Synod Secretary.~~

~~**S9.04.14.** The Synod Secretary shall:~~

- ~~a. Ascertain the willingness of all persons named by the conference councils to serve in the office of Synod Bishop if nominated and elected, obtain biographical information from such persons and prepare the synod nominating ballot including all the names of those who respond affirmatively; and~~
- ~~b. distribute the synod nominating ballot and biographical information of the nominees to all pastors, congregational presidents, Conference Chairs and Conference Secretaries.~~

~~**S9.04.15.**~~

- ~~a. All conferences of this synod shall meet in assembly on the same day, not later than 65 days prior to the Synod Assembly, and each shall elect five persons, by majority vote, from the synod nominating ballot. These names shall be forwarded to the Synod Secretary.~~
- ~~b. The Conference Executive Committee shall devise a process to insure the biographical information on all candidates is available to all delegates at the Conference Assembly.~~
- ~~c. All names, except those receiving a majority, shall remain on the ballot for all votes until a full slate is elected.~~

~~**S9.04.16.** The five persons named by the greatest number of conferences shall be the nominees for Synod Bishop. If there are persons tied for the fifth position on the ballot, all shall appear if the resulting ballot has no more than seven names, or the Synod Nominating Committee shall break the tie to arrive at a ballot containing seven names.~~

~~**S9.04.17.** The Synod Secretary and the Synod Nominating Committee shall release the identity and number of conferences nominating any person nominated.~~

~~**S9.04.18.** The names of the nominees and biographical information about the candidates shall be distributed immediately to all pastors and congregational presidents, and shall be placed on the Synod Assembly ballot. There shall be no further nominations.~~

~~**S9.04.19.** Area open meetings shall be held in this synod at least 20 days prior to the Assembly where members of the synod congregations may meet the candidates. Expenses of the candidates shall be paid by this synod.~~

~~**S9.04.20.** No later than the first day of the Assembly the Synod Secretary shall provide biographical material on each candidate. The Assembly Agenda shall provide time for the candidates to address the assembly and answer questions prior to the first ballot.~~

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~~S9.04.21. If no one receives a majority of the votes cast on the first ballot, the slate of candidates shall be reduced to the three (plus ties) who received the highest number of votes.~~

~~S9.04.22. If no one receives a majority of the votes cast on the second ballot, the slate of candidates on the third ballot shall be reduced to the two (plus ties) who received the highest number of votes. The candidates shall address the Synod Assembly before the third ballot vote is taken.~~

~~S9.04.23. A simple majority shall elect on the subsequent ballots.~~