

March 2008

SUMMARY OF PROPOSED SPECIAL RULES OF ORDER  
FOR THE NOMINATION AND ELECTION OF THE FOURTEENTH BISHOP OF MARYLAND

The attached Special Rules of Order which relate to the nomination and election of a Bishop, were drafted by Russell R. Reno, Jr. with the assistance of Jeffrey P. Ayres. This draft will be reviewed by the Standing Committee. As one of the first items of business at the Convention for the election of a Bishop to be held at St. James, Lafayette Square in Baltimore, Maryland on Saturday, March 29, 2008, the Special Rules will be considered for adoption, with or without amendment, at the pleasure of the Convention. These Special Rules, are similar to those adopted in 1982 by the Special Convention which elected Bishop Eastman as Bishop Coadjutor, in 1989 by the Annual Convention which elected Bishop Longest as Bishop Suffragan, in 1995 by the Annual Convention which elected Bishop Ihloff, and in 1998 by the Special Convention which elected Bishop Rabb as Bishop Suffragan.

All delegates are urged to study these proposed Special Rules carefully, and, to assist in that endeavor, this Summary will comment briefly on four of their more important features. Rules 1-17, inclusive, are more or less routine, while the most significant ones dealing with the election process begin with Rule 18.

NOMINATING PROCEDURES

The Search Committee will have distributed to all delegates in advance of the Convention materials containing photographs of and biographical data on members of the Clergy who, in the opinion of the Committee, are most qualified for consideration as the Fourteenth Bishop of the Diocese of Maryland. In addition, similar materials will have been distributed on Clergy nominated by Petition to all delegates in advance of the Convention. When nominations are called for at the Convention, the Chairperson of the Search Committee will be recognized by the President to read the names of these persons, whereupon they will be considered as having been duly nominated and seconded. Other nominations from the floor will not be permitted.

No person may be nominated without the person's consent. However, the nominee does not have to consent in advance to serve if elected.

The proposed Special Rules of Order provide no other means for nominations for Bishop. It was the feeling of the Standing Committee that if it proves impossible to achieve an election from among the persons nominated in the manner above described, it would be wiser to adjourn and regroup at a later date rather than to act hastily on nominations offered from the floor during the Convention.

THE DEADLOCK PROBLEM

Many of us are aware of the deadlock which occurred in the Diocese of Easton a number of years ago, and those who have studied the history of the Diocese of

Maryland know of the similar experience in this Diocese in 1926. In that year a Special Convention suffered through 18 ballots on two successive days and nights without achieving an election and finally adjourned for seven months, whereupon on reconvening Bishop Helfenstein was elected on the first ballot, officially the 19th. A recurrence of that exhausting experience is something to be avoided if at all possible.

Accordingly, in drafting the proposed Special Rules of Order, its authors considered carefully whether they should establish some machinery for breaking a deadlock. However, they concluded that deadlocks are unlikely to occur if the Search Committee has done a thorough job and has merited the confidence of the Convention.

For this reason the proposed Rules do not address directly the deadlock problem. However, attention is invited to Rule 21 which would permit the Convention, by a majority vote by orders, to invoke at any time after the fourth ballot a procedure whereby those receiving less than 10% of the total vote are dropped from succeeding ballots. This is a significant variation of the rule applied at the Convention of 1955, whereby those receiving less than 10% on each ballot were dropped from the next, a process which reduced the slate from 18 nominees on the first ballot to three on the second. The Standing Committee felt that the invocation of that rule after the first ballot was much too early and that, in any event, it should only be invoked at the will of the Convention and not be preordained in the Rules of Order. Rule 21 so provides.

This rule, if invoked, would have the effect of eliminating “spoilers”, i.e., those who are far short of a majority but are receiving sufficient votes to prevent any of the “front-runners” from achieving the requisite majority in both orders. Had it been in effect in 1926 the deadlock in that year would, in all likelihood, have been broken.

It seems to the Standing Committee that by putting this procedure in standby status, we have gone as far as necessary in meeting the deadlock problem, and we pray that the need for it will not arise.

#### WITHDRAWAL

Proposed Rule 20 permits any candidate to withdraw at any time by notice to the chair, with the proviso, however, that no withdrawal may be permitted if it would leave only one candidate remaining on the slate. This proviso will prevent the anomaly of forcing the Convention to accept an election by default resulting from successive withdrawals. However, Rule 20 goes on to provide that if a withdrawal request is disallowed for this reason, the President must recess the Convention for a period to be determined in the President’s discretion after which the Convention will vote on the question whether it wants to continue the balloting. Only if the question is answered affirmatively by a majority vote by orders will the balloting continue; otherwise the Convention will stand adjourned, without an election, until reconvened on call by the Standing Committee.

Although it is unlikely that these provisions of Rule 20 will come into play, they are designed to assure (1) that there cannot be an election by default resulting from withdrawals; and (2) that the Convention will not be forced to select from a slate whittled down by withdrawals unless it is satisfied to choose from among those remaining.

#### AN OPEN CONVENTION

The proposed Rules of Order call for an “open convention” whereby the delegates will be permitted to consult privately with each other or engage in open discussion if they care to do so. Under Rule 10, speakers will be limited to five minutes each, as they are under Rule 9 of our regular Rules of Order.

Whether or not the delegates avail themselves of these privileges remains to be seen. At the Special Convention in 1968 when the Convention recessed into a “Committee of the Whole” after nominations had been closed, no one accepted the opportunity to speak. This could happen again, or perhaps the spirit will move some delegates to share their views with others. However it works out in practice, the Standing Committee felt it important to avoid any semblance of rigid control and to make available an opportunity for open discussion as and if it is desired.

This procedure is in sharp contrast with the rules under which our Bishops have been elected in Maryland prior to 1982. There had prior to 1982 apparently been a feeling, led principally by incumbent Diocesans, that the trappings of politics were to be scrupulously avoided at all costs. This feeling fostered rules permitting no advance screening of candidates and prohibiting nominating speeches and even private conversation among the delegates on the subject of the election. The Standing Committee believes this is the wrong approach. It believes that it is better to let the Holy Spirit work through the hearts and minds of men and women than to call on Him for miraculous intervention.

Special Rule 22 is designed to further these objectives. It permits the presiding officer to interrupt the proceedings at any time for discussion, prayer, meditation or other forms of Divine Worship and the presiding officer may also at any time declare a recess to permit private dialogue and consultation. Rather than mandating religious services or recesses at specific times or at the request of a specified number of delegates, it seemed to the Standing Committee wiser to leave these decisions to the presiding officer who will be in a position to assess the moods and needs of the Convention. Traditionally, each ballot has been immediately preceded by a brief period of prayer and silent meditation, and presumably this tradition will continue.

These, then, are the essential features of the Special Rules of Order which are designed to assure an orderly Convention but also an open one which will help us pursue what is right and receive the grace to accomplish it.