

RESOLUTION

To Memorialize the LCMS to return to nominating practice used prior to 2004 Convention.

Preamble

There is a feature in the nominating process in our Synod that is new since the last Synodical Convention. It deals with the process by which vacancies on boards or commissions of the synod are filled between conventions.

The Bylaws that deal with the matter are 3.2.5 & 3.2.5.1, which are as follows:

3.2.5 Unless otherwise specified in these Bylaws, vacancies that occur on elected boards or commissions of the Synod shall be filled by the Board of Directors of the Synod.

(a) The Secretary of the Synod shall be responsible for gathering a list of nominees from the board or commission where the vacancy occurs, the President of the Synod, the district boards of directors, and the slate of candidates from the previous convention of the Synod within 90 days of notification of the vacancy.

(b) A list of at least three but no more than five candidates shall be submitted as soon as possible to the appropriate appointing body.

(c) This list shall be determined by the chairman and two members of the Committee for Convention Nominations of the Synod as determined by the committee. The Synod's Director of Human Resources shall be consulted in developing the candidate list.

3.2.5.1 Vacancies in any appointed board or commission of the Synod shall be filled by the appointing authority unless otherwise specified in these Bylaws. The board or commission may submit suggestions to the appointing authority.

Prior to the last Synodical convention, vacancies on boards or commissions were filled in a way similar to that noted above, except that the final list of nominees was put together by a three-member committee made up of the chairman of the Synod's Nominating Committee, the Director of Human Resources, and the Secretary of the Synod. This committee, made up of people from diverse entities, provided lists of candidates for vacancies that were objective and representative of various positions in the synod. This committee was also sensitive to the nominations made from the board or commission on which the vacancy existed.

The compiling of lists of nominees from which boards and commissions may select replacements for vacancies has changed dramatically now that the three-member committee made up of the chairman, and two members of the Synod's Nominating Committee, is responsible for the forming of the lists. This committee has operated with a fairly heavy hand in forming lists of nominees from which boards and commissions may fill vacancies. This has been the case in spite of the strong indications in the Bylaws that suggest a more moderate and cooperative approach to this process.

The critical question here for the synod is this: Is this three member committee intended to have a very determinative role in the process of filling vacancies, or is it to have a servant role of making the job of the board or commission that is to fill the vacancy easier by doing some refining of possibilities for their consideration? The role of the nominating committee has been and should be one of a servant, assisting the process, not dictating the end result.

It has been argued that this three-member committee, made up of members of the Synod's Nominating Committee appointed by the Nominating Committee, which is elected by the Synod, is therefore representative of the Synod, and so this method is very objective and fair. But, is the three-member committee really representative of the Synod? First, the entire Nominating Committee is made up of members elected by only one half of the Districts of the Synod for each national convention. Then, with the exception of the chairman of the Nominations Committee who is automatically a member of the three-member committee, the other two members are appointed by the majority of the Nominations Committee. The three-member committee is not truly representative of the synod, or surely not as representative of the entire synod as the former process was.

Robert's Rules of Order assumes that nominating committees will not be, cannot be, entirely objective even in the best of circumstances. There will always be a majority in the committee, and the majority will have a point of view that will favor some nominees over others. And that being the case, Robert's Rules insists that nominations from the floor should be provided for and in fact are essential as a basic right of the assembly.

Therefore be it resolved that the Pastors Conference of the Wyoming District memorialize the Lutheran Church Missouri Synod to do the following:

- to provide a Bylaw change that will allow nominations from the floor of the board or commission responsible for filling a vacancy.

- to return to the make up of the committee submitting nominations for filling vacancies that existed prior to the 2004 convention. That committee was made up of the Chairman of the Nominations Committee, the Director of Human Resources of the Synod, and the Secretary of the Synod.

Adopted at the 2006 Wyoming District Fall Pastoral Conference