

Report of the Special Committee on the Rules of Order on the House of Deputies

The past General Conventions, particularly the one held amidst the COVID-19 pandemic, presented unique challenges and necessitated certain adaptations in the functioning of The Episcopal Church and the House of Deputies. These experiences and ongoing evolutionary shifts in our operations signaled an opportune moment for a comprehensive reassessment of our rules of order. Recognizing this, President Ayala Harris appointed our committee to explore potential improvements and modifications to these rules for the House of Deputies at the forthcoming General Convention.

Throughout this process, our committee has upheld the democratic ethos that forms the cornerstone of The Episcopal Church. We strongly believe that this is a core value of what it means to be an Episcopalian. To that end we actively sought feedback from deputies and undertook a detailed review of each received comment, the insights from which have significantly informed this draft report. Our recommendations thus not only incorporate key learnings from the COVID-19 Convention and reflect best practices from previous non-COVID conventions. Our guiding principle in this endeavor has been to harmonize the operational needs of the House with the core values of The Episcopal Church and the House of Deputies.

The Committee's Work Process

An intentional process has driven our committee's work. We initiated our efforts with a survey designed to gather insights, concerns, and suggestions from our deputies on what worked or did not in the past Conventions. Additionally, we conversed with stakeholders and deputies on their experiences at the 80th General Convention, what worked and what did not. The conversations, the survey, and the expertise of the Committee members served as an underpinning for our deliberations.

Our committee then convened multiple sessions to discuss, debate, and refine these proposed rules. Our committee's vibrancy and diversity of views mirrored that of the wider House of Deputies, enabling us to consider the potential impacts of each proposed change from various angles.

This draft report is the culmination of our rigorous and inclusive process. It reflects our commitment to democratic engagement and our endeavor to uphold the values of inclusivity, adaptability, and democratic process that lie at the core of The Episcopal Church and the House of Deputies.

In reviewing the proposed resolutions, we addressed the following areas.

Preconvention Work and Legislative Committees

Central to our recommendations is the emphasis on thorough preparation before the convention. This approach is vital for the smooth and effective conduct of our gatherings. We propose an advanced submission of resolutions, aligning the deadline with other crucial milestones, including the appointment of committees. Providing deputies ample time to examine and contemplate the resolutions before the convention promotes the thoughtful deliberation of both deputies and

committees. It also enables us to have more accurate translations to ensure deputies whose first language is not English can participate fully.

This process was first trialed at the COVID convention and has received generally positive comments. We did hear concerns regarding the workload and some of the challenges, but we believe those challenges are being addressed through some of our changes. Additional changes are being made on a back end not reflected in these rules to increase the accessibility and ease of participating in hearings.

We did consider a hybrid approach by having meetings at the General Convention and Online. This approach would create massive logistical challenges and likely lead to a poor experience for the committees and the hearing participants. A single approach is ideal.

We cannot forget that by having the committee work online and in advance, we have opened the legislative process for the church to the entire church—not just those who can afford the time off or the travel to the site of the General Convention. Challenges do remain, but we are confident they can be addressed.

Based on these principles, we propose that all the committee work be completed before arriving at the General Convention. All resolutions would be submitted in advance, and hearings would be conducted online. Committee meetings at the General Conventions would be limited to addressing changes to resolutions made on the floors of the respective Houses. In doing so, we also recognize substantial cost savings in room fees and rental expenses. We also improve the experience for attendees at the convention and allow them to focus more on the resolutions and amendments they will be voting on.

We have also included a process for written comments on resolutions. This creates an additional channel of communication for committees in conducting their work. It also facilitates participation by ensuring that individuals who cannot attend a hearing or “bilocate” can submit remarks to the committee. Written comments may also facilitate minor and technical changes to a resolution by providing an easy avenue to submit minor grammatical corrections (rather than on the floor of the House or at a hearing).

Consent Calendar

One of the most discussed items was how we handled the consent calendar at the convention. Given the increasing volume of resolutions at the Convention and the limited time to discuss them, the consent calendar is essential for processing resolutions. It also reflects the practical reality: the key work on resolutions takes place in the committee, not on the floor of the House.

Additionally, we feel it is important to balance the floor time intentionally to ensure adequate time for meaningful deliberation on key resolutions and issues facing the church. If the volume of resolutions that receive a full debate is too high, deliberation becomes increasingly limited, and everyone becomes frustrated.

We generally received mostly positive feedback on how the consent calendar was changed, with several concerns identified. Deputies appreciated the higher threshold to remove items from the consent calendar but felt that the previous threshold of almost 1/3 was too high.

We strove to balance these issues. First, we reduced the threshold from the past General Convention to 20 deputies—believing this is a reasonable compromise. Second, we introduced the vote mechanism by the Committee on Dispatch. The Committee on Dispatch will play a pivotal role in response to these concerns. This neutral body, with representatives in all legislative committees, ensures a balanced and inclusive approach in shaping the calendar through the dispatch process. It also provides a single committee to balance the needs of the House and the available time for debate.

Submission and Consideration of Amendments

Among the changes include making permanent the pre-submission and publication of amendments. Doing so lets people know what will happen on the floor and what they may want to consider addressing. It removes an element of “surprise” from the legislative process and increases transparency. It also improves the translation process and increases the accessibility for our non-English speaking deputies.

When deputies start a session, they will know exactly what they will be voting on. We allow deputies to submit amendments in advance, ensuring they understand what they're voting on, enabling more informed decisions. We also replace the rush to the microphone with a rush to file an amendment with the Secretary, to encourage advance publication of the amendments.

This preparation also ensures the effective use of limited floor time, where every minute spent in debates adds value to our collective decisions.

Minor Technical Changes

We have also made several minor technical changes as well. These include some changes to the motion to suspend the rules and recall from a committee. These changes are addressed in the resolutions that follow.

Conclusion and Next Steps

This draft report, and the revised rules it proposes, represents our intended approach. These recommendations will be voted upon as the first legislative item of the Convention and will apply to our work in the run-up to the Convention. Mindful of that and the changes, we hope to continue to solicit feedback. Over the next 30 days, please provide us with your comments.

Your responses will be carefully considered before we finalize our recommendations. Furthermore, we will host a Zoom webinar in September to discuss the proposed changes, answer any questions, and comprehensively present the revised rules. We look forward to your continued engagement as we work together to make The House’s legislative process as inclusive and effective as possible.

Proposed Resolution Amending frequency of the Consent Calendar

Resolved, the House of Deputies amends Rule VI.C.1 of its Rules of Order as follows:

1. Business placed upon the Consent Calendar. A Consent Calendar will be maintained by the Secretary and voted upon ~~once a day~~ as the first legislative order of each session, the day.

And be it further

Resolved, the House of Deputies amends Rule VI.A.1. of its Rules of Order as follows:

1. *Regular schedule.* The regular Order of Business of each session of the House will be as follows, unless modified by the House in the schedule adopted by the House.
 - i. Opening Prayer
 - ii. Report of the Certification of the Minutes
 - iii. Report from the Committee on Credentials
 - iv. Communications from the President
 - v. Messages from the House of Bishops
 - vi. Report of the Committee on the Dispatch of Business
 - vii. Report on Elections
 - viii. Consent Calendar
 - ix. Committee Reports and Legislation

Explanation:

During the 79th General Convention, it was determined that a more efficient approach would be to conduct consent calendar votes at each legislative session, rather than limiting them to once a day in the morning. This strategic change allows for grouping related items on the calendar, facilitating a smoother and timelier process of passing resolutions. It's important to note that while this modification optimizes the legislative process, all other rules would remain unchanged. Deputies will still have a 24-hour window to review the consent calendar thoroughly before casting their votes or requesting the removal of specific items. This adjustment aims to enhance the Convention's effectiveness and decision-making while upholding transparency and thoughtful consideration of all matters on the agenda. This was the approach used under the Special Rules of Order at the 80th General Convention.

Proposed Resolution amending motion to suspend the rules of order:

Resolved, the House of Deputies amends Rule XIII.B.1.v of its Rules of Order as follows:

To Suspend the Rules:

- a. is used to suspend or modify the Rules of the House that interfere with a particular goal of the House;
- b. has the following characteristics:
 1. amendments are allowed;
 2. debate is allowed except if the motion relates to setting, extending, limiting, or adjusting the time for debate;

3. a two-thirds vote is required.

Explanation: A motion to suspend the rules serves multiple purposes during the Convention. One use is to adjust the limits on debate, allowing for extensions or restrictions on discussions. When the motion is made for that purpose, debate should be limited to avoid taking an extended period of debate on how long the debate should take.

Proposed Resolution on removal from the consent calendar

Resolved, the House of Deputies amends Rule VI.C.3 and VI.C.4 as follows:

3. Placing items on the Consent Calendar. Every Committee Reports on Resolutions or other matters will be placed on the Consent Calendar automatically unless:

- ~~i. the committee votes to exclude it from the Consent Calendar;~~
- i. it is removed in accordance with these Rules;
- ii. the Rules of Order, the Joint Rules of Order, the Canons, or the Constitution require a different procedure or vote threshold other than a majority for considering the ~~item~~ resolution or matter;
- iii. the item has been set by a Special Order of Business; or
- iv. the item is one of the following:
 - a. an election;
 - ~~b. a Resolution of privilege or courtesy;~~
 - b. the confirmation of the election of the Presiding Bishop

4. Who may remove items from the Consent Calendar. An item may be removed from the Consent Calendar any time before the final vote on the Calendar by:

- ~~i. the Legislative Committee proposing the action;~~
- ii. ~~i~~ the Chair of the Committee on Dispatch of Business or a vote of the Committee on Dispatch;
- iii. ~~the proposer of the Resolution or Memorial;~~
- ~~iv. ii~~ any twenty Deputies by petition;
- ~~v. iii.~~ the President of the House.

5. Procedure to remove items from the Consent Calendar. An item may be removed by providing notice to the Secretary; ~~or before the beginning of the session at which the calendar will be voted upon.~~

i.—

ii. ~~announcement on the floor of the House.~~

Explanation:

This proposal represents a continuation and compromise building upon the changes implemented during the previous General Convention. Notably, the House of Deputies has been unique in lacking a mechanism for intentional planning on its legislative calendar, setting it apart from other legislative bodies worldwide. This deficiency has been corrected in recent revisions to the Rules of Order, by giving the Committee on Dispatch the ability to reorder resolutions for the daily calendar to help process legislation efficiently and fairly. Additionally, certain resolutions represent a major change to our position on an issue, our structure, our worship, or our polity. These resolutions may be controversial or represent a need for intentional extended discernment by Deputies before a vote. If floor time is consumed with many resolutions, it adds pressure and makes our decision-making feel forced.

Deputies must consider a huge number of resolutions in a limited period. Even with a fully scheduled convention, the Deputies cannot consider all resolutions through the default floor rules for debate. Most resolutions are adopted with minimal debate and without modifications to committee recommendations. As a result, the critical lobbying and legislative work primarily occur within the committees, making it essential for deputies to focus their efforts there if they wish to amend the text or outcome.

To address these challenges, it is critical that our rules accurately reflect the realities of the legislative process. A key aspect is allocating sufficient floor time in the House to engage in in-depth discussions on issues crucial for the Church's discernment of its vision. The increasing volume of resolutions, combined with the absence of limitations, hinders deputies' ability to thoroughly debate major legislation, leading to frustration among all involved in the process. To remedy this, finding a balanced approach that considers the limited floor time available while ensuring adequate discussion on specific resolutions becomes necessary. The Committee on Dispatch, with its representatives in every legislative committee, is well-equipped to facilitate this balance.

Moreover, the proposal acknowledges the mechanism to remove legislation from the consent calendar if deputies deem it necessary. Raising the threshold ensures the Committee on Dispatch is the primary mechanism for allocating floor time. It also lowers it from the past convention and provides a release valve so that legislation with widespread support or controversy can be appropriately addressed and potentially removed from consideration, promoting a more thorough and thoughtful decision-making process.

Proposed Resolution on Resolution Submission Deadline

Resolved, the House of Deputies amends Rule VII.E of its Rules of Order as follows:

E. Submission Deadline. No Resolution or Memorial may be first submitted to the House after the date which is 90 days before the first legislative day ~~the end of the second legislative day~~, unless it is:

1. a Resolution of privilege or courtesy;
- ~~2. proposed by a House of Deputies Legislative Committee;~~
3. proposed by the President of the House of Deputies;
4. a Message from the House of Bishops; or
5. voted on by the House to consider it.

Explanation. The above change is a significant step forward in optimizing the legislative process. By allowing Legislative Committees to begin their work before the General Convention and conduct hearings while making recommendations, this modification ensures that resolutions are promptly and thoroughly reviewed within the committees. This proactive approach grants committees adequate time to carefully assess each resolution, fostering a more thoughtful and well-informed decision-making process. It also facilitates more accurate and timely translation.

Another essential benefit of this change is the ability to publish the resolutions, promoting transparency and encouraging full participation across the wider church in the legislative process. By making resolutions accessible to all stakeholders, we facilitate greater engagement and input from various voices within the church, enriching the quality of the discussions and ultimately leading to more inclusive and representative outcomes once we arrive at Convention.

Committees still retain the ability to propose legislation, but the submission would occur before the 90-day period. The addition of Committees being able to submit resolutions after the deadline was a more recent innovation when the Deputies rewrote their rules.

Committees still retain the ability to adopt a substitute or a consolidated substitute—which should be a significant focus of their work. That means that if the committee wishes to rewrite one or multiple resolutions in their entirety, they can continue to do so after the deadline and it avoids adding more resolutions to the system.

Proposed Resolution on Changes to Debate Rules

Resolved, the House of Deputies amends Rule XII.D. of its Rules of Order as follows:

D. Time Limits

1. A total of 30 minutes is the maximum time allowed to debate on:
 - i. any matter; and
 - ii. all motions related to that matter.
2. ~~If a person rises to speak during the first six minutes of debate on a matter, no member may move the following unless no person seeks to debate on the matter:~~
 - ~~i. amend the motion or Resolution;~~
 - ~~ii. move a substitute;~~
 - ~~iii. end debate.~~

The following time limits will govern debate:

- i. During the first six minutes of debate, no one may move to amend, substitute, or end debate, unless no one wishes to speak on the matter.
 - ii. Following the first six minutes of debate, the House will automatically proceed to consider all amendments submitted on a matter in the order that they were submitted. Debate on each amendment will be limited to four minutes.
3. During a debate on any motion or other matter, a member may:
- i. speak up to two minutes; ~~and~~
 - ~~ii.~~ ask a question to the committee using their time for both the question and the response; and
 - iii. speak twice.

Explanation: The 80th General Convention tested this approach, receiving overwhelmingly positive feedback. This new method introduces a well-structured and equitable process for considering amendments. The system guarantees a fair and transparent evaluation of proposed changes by reviewing amendments in the order they are submitted to the Secretary and Deputies.

One of the key benefits of this approach is that Deputies will have ample time to review all upcoming amendments, enabling them to gain a comprehensive understanding of what they will be voting on and adequately prepare for discussions. This increased clarity, and preparation fostered more informed and productive deliberations during the Convention.

Furthermore, the new process clarifies how questions are managed on the Convention floor. This ensures that all concerns and inquiries are addressed promptly and effectively, enhancing the overall efficiency and efficacy of the legislative proceedings.

Resolution on Presubmission of Amendments

Resolved, the House of Deputies amends Rule XIII.B.3.ii of its Rules of Order as follows:

- iii. To Amend or Substitute:
 - a. is used to modify or change a Resolution or motion. This would include a technical change or a substantive change that would alter the meaning or the intent of a Resolution or motion. Amendments must be related to the item in the Resolution or motion that they are trying to change.
 - b. Secondary Amendments are:
 1. proposed changes to an amendment. Secondary Amendments must relate to the specific subject of an amendment and may not be used to alter other parts of a Resolution or parts not affected by an amendment.
 - c. has the following characteristics:

1. Must be filed with the Secretary before the start of the Session at which the matter will be considered and will be published by the Secretary;
2. The proposer may withdraw a prefiled amendment by providing notice on the Floor or to the Secretary before the amendment is considered by the House;
2. debate is allowed;
- ~~2-3~~ only Secondary Amendments are allowed;
4. a majority vote is required.

Explanation:

This practice, tested and successfully implemented for resolutions under special rules of order during the 80th General Convention and under certain special rules of order in previous conventions, is proposed to be the new default rule. Adopting this approach addresses the challenges of translation and simultaneous interpretation, which can be both cumbersome and time-consuming, particularly when amendments are made on the spot. By requiring amendments to be submitted in writing, the process becomes more transparent, enabling effective translation and publication for all Deputies to review.

This significant improvement results in a more orderly and efficient utilization of floor time during the Convention. With amendments provided in writing, Deputies can better understand the proposed changes in advance, allowing for more focused and informed discussions. Deputies can also read the proposed amendments in advance to organize their thoughts on how they will need to vote. This streamlining of the amendment process ultimately enhances the effectiveness and productivity of the legislative proceedings, fostering a more impactful decision-making environment for the benefit of all involved.

Resolution to update the rules upon a different convention schedule

Resolved, the House of Deputies amends Rule XIII.B.2.iii of its Rules of Order as follows:

iii. To Recall from a Committee:

- a. is used to bring something out of a legislative committee and immediately to the floor of the House;
- b. has the following characteristics:
 1. may not be brought until the ~~fourth~~ second legislative day;
 2. debate is allowed;
 3. no amendments are allowed;
 4. a two-thirds vote is required.

Explanation: With the change to the standard number of days, and the fact that more work is occurring earlier in the convention and before convention, this motion is being modified to move up the time when a resolution may be recalled from a committee.

Resolution on Written Comments on a Resolution

Resolved, the House of Deputies amends Rule VIII.B of its Rules of Order by adding a section 5 and changing the heading title as follows:

B. Legislative Committee Hearings and Written Testimony

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5. Written Testimony

i. The Secretary of the House will provide a mechanism and guidelines for anyone to submit written testimony on any Resolution, Memorial, or other matter referred to a Legislative Committee.

ii. Written testimony must be directed at a specific Resolution, Memorial, or other matter referred to a Legislative Committee.

iii. Written testimony will be published in the form that it is received.

iv. Written testimony must be submitted before the beginning of the scheduled hearing time for the Committee on the Resolution, Memorial, or other matter that the testimony is addressing.

Explanation:

This change has been discussed across several conventions, reflecting its importance and potential benefits. By including written testimony, we create a more accessible and participatory legislative process, enabling a broader range of individuals to actively engage and offer valuable feedback on resolutions.

The introduction of written testimony streamlines the process and allows individuals to contribute their insights even if they cannot attend the committee sessions. This inclusivity ensures that more diverse perspectives can be considered, enhancing the overall quality of the legislative decisions made.

Furthermore, this change also simplifies the submission of minor technical changes and grammatical corrections to the Committee, fostering accuracy and precision in the resolutions presented. Allowing such contributions creates a more polished and well-crafted legislative framework.

In the spirit of transparency and openness, comments and feedback received will be published, providing an additional layer of accountability and visibility to the legislative process. This practice reinforces the Convention's commitment to ensuring that all stakeholders have access to the information and insights shared during the deliberations.

Overall, this proposed change represents a significant step towards a more inclusive, efficient, and transparent legislative process, harnessing the power of written testimony to enrich the decision-making and strengthen the democratic foundations of the General Convention.

Resolution on Legislative Committee Report Deadline

Resolved, the House of Deputies amends Rule VIII.C of its Rules of Order by adding a section 3 as follows:

3. Deadline.

 i. The Legislative Committee's initial recommendation must be filed seven days before the start of the First Legislative Session unless the House adopts a different deadline in its order of business.

 ii. If the House of Bishops modifies a Resolution or other matter, the Legislative Committee must file a new report within 24 hours of receiving the message from the House of Bishops.

Explanation. This amendment clarifies the submission deadlines for committee reports on resolutions, aligning it with the new process for earlier committee work. Previously, the absence of a deadline for committee reports led to delays in the publication and calendaring of resolutions. Consequently, deputies faced challenges in accessing timely information.

With the introduction of this change, a defined turnaround time is established, facilitating a more efficient and organized process. Committees must now adhere to specific submission deadlines for their reports, expediting the publication and calendaring of resolutions. This, in turn, empowers deputies with access to information promptly, enabling them to be better informed and prepared for discussions and decisions during the Convention.