

May 31, 2019

**To:** ECC Annual Meeting Delegates  
**From:** The Annual Meeting Officers, 2019  
**RE:** Procedure and Process for Involuntary Dismissal

Notice was given to the whole Covenant regarding the recommendation coming before the ECC Annual Meeting for the dismissal of First Covenant Church of Minneapolis (FCCM) from membership in the denomination. Here is the recommendation from the ECC Executive Board:

***"Because FCCM is and remains out of harmony with the ECC after all steps required or allowed by Section 4.4 of the ECC Bylaws and attempts to bring the congregation back into harmony have been unsuccessful, the Executive Board of the ECC recommends to the 134<sup>th</sup> Annual Meeting that FCCM be involuntarily dismissed from the roster of ECC churches."***

This recommendation comes from the ECC Executive Board. At this time officers of FCCM have communicated the congregation's intention to exercise its prerogative to "have the opportunity to defend themselves" to the ECC Annual Meeting (Bylaws, Article IV, section 4.4).

These decisions are being widely discussed throughout the denomination, and the Annual Meeting Officers (AMO) have worked together to prepare procedures to facilitate the discernment of the ECC Annual Meeting in reference to this recommendation.

Many of the procedural specifics being proposed by the AMO are included for adoption in the Standing Rules. This includes 15 minutes of presentation by representatives of the defending congregation, and 15 minutes by representatives of the ECC Executive Board. This will be followed by debate among the delegates according to the adopted Standing Rules, and then the recommendation will be voted on. This letter hopes to make clear what the appeal of the defending church is about, what the debate is about, and what the vote means.

1. The Connection between Bylaws IV.4.4 to *Robert's Rules of Order*

The process of the congregation's defense takes place at the Conference Executive Board, and then with the ECC Executive Board, and then before the ECC Annual Meeting. As the finding for involuntary dismissal is being contested by the defending church for the first time in 134 years, the Annual Meeting officers have been guided by the procedures for disciplinary hearings in Chapter XX of *Robert's Rules, 11<sup>th</sup> ed.* (RR). By the time it reaches the ECC Annual Meeting, the action in view, as described in *Robert's Rules*, is the recommendation for expulsion from membership.

- By the time the process has reached the ECC Annual Meeting, the finding is already established by the ECC Executive Board.
- The question before the ECC Annual Meeting is not the finding, it is whether dismissal from membership in the ECC is the appropriate remedy.
- It is stated in RR pp. 648, 668 that expulsion from membership of a body requires 2/3 of delegates present and voting.
- Lesser penalties require a simple majority (50% +1) of delegates present and voting.

2. What this Means

## Agenda Item 10.

- Should a 2/3 majority fail to be reached to dismiss FCCM, the congregation would continue to be a member congregation in the ECC.
  - This is not the same as finding FCCM “innocent.” If there is no further action from the ECC Annual Meeting, the matter returns to the ECC Executive Board.
  - Motions recommending lesser penalties are in order and debatable, but not until the motion to dismiss from membership has been decided.
  - Motions to declare a reversal of the finding of guilt by the ECC Executive Board will be ruled out of order. Other motions related to the presenting issues may be in order.
3. General Procedures and Advance Rulings for the ECC Annual Meeting 2019
- The ECC Annual Meeting Officers are proposing, in the standing rules, that the electronic voting process through LUMI, which is an anonymous secret ballot with the advantage of speed and efficiency, will be the default voting procedure.
  - The Standing Rules, if adopted, limits overall debate on a question to 30 minutes and each speaker in debate to 3 minutes. In addition, once debate has begun, the privileged motion from the floor to “call the previous question” is a motion to end debate which can be made at any time between speakers, even if there are still speakers waiting in line at microphones. This is not debatable; it goes directly to a vote: “There has been a call for the previous question. Those who are in favor of ending debate will indicate “yes” on your LUMI device.” There is no provision at the ECC Annual Meeting that protects attempts to filibuster and delay.
  - *Robert’s Rules* stipulates that discipline matters are conducted in “executive session.” Those in the room will be limited to registered voting delegates and approved resource persons. Everyone else is excused. During the matter concerning FCCM, from the time it is introduced, through the course of the presentations, throughout the entire debate and vote, observers and guests must leave the room, the live feed will be discontinued, and private recording by audio or film shall be strictly prohibited as dilatory to the meeting and a breach of ethics. This is not arbitrary, this is *Robert’s Rules*, and our constitution binds us to use them.
  - Because the recommendation coming to the Annual Meeting from the ECC Executive Board results from a process outlined by our Bylaws to Constitution, any motion to remove consideration of FCCM’s case from the agenda shall be ruled out of order as dilatory to constitutional governance.
  - Rulings of the moderator may be appealed. If the moderator is overturned, the procedural question before the body may proceed at times with a simple majority, and at times with a 2/3, depending on the procedure at issue.
  - On any vote on any question, an abstention does not count toward the total votes cast.

There is much more business to conclude this year in addition to the resolution of this question. Please join us in praying for a productive and blessed meeting in Omaha this year.

Respectfully Submitted,  
The Annual Meeting Officers  
Jonathan Wilson, Moderator  
Weston Gibson, Vice-Moderator

Michael DeLong, Secretary  
Eric Filkin, Parliamentarian