

**The Undersigned Lay Delegates and Clergy Delegates to the
November 19, 2022, Special Convention to Elect
a Bishop Coadjutor for the Diocese of Florida**

November 28, 2022

The Secretary of the Convention of the Episcopal Church
in the Diocese of Florida
325 Market Street
Jacksonville, Florida 32201

Re: Episcopal Church Canon for written objections to the
November 19, 2022, election of a bishop coadjutor pursuant to
Episcopal Church Canons, Title III.11.8.

Dear Secretary:

Pursuant to The Episcopal Church (“TEC”) Canons, Title III.11.8, please consider this a written objection to the November 19, 2022, election of a bishop coadjutor.

1. *There was a material error in voting not disclosed nor discovered until after the election.*
2. *Disparate treatment of similarly situated clergy with cure in violation of TEC Canons materially affected the outcome of the election.*
3. *Duly elected lay delegates were disenfranchised by last minute rules changes in violation of Diocese of Florida Canons, depriving them of seat, voice, and vote.*
4. *The diocese’s own rules were not followed.*
5. *The election process was fundamentally unfair.*

Details of each of these issues are listed below.

I. There was a material error in voting not disclosed nor discovered until after the election.

1. The election resulted in one candidate winning with exactly the minimum number of votes in the clergy order.
2. Two days after the election, the diocese posted a list of those present at the electing convention.

3. Included on the attendance list was at least one clergy member who did not register and was never present at the electing convention.
4. At the November election the Diocese utilized no identification safeguards to ensure that the person who picked up voting ballots was the person who registered. This raises the prospect that an unregistered, ineligible voter attended and cast a vote which materially affected the outcome of the November election.
5. One vote is material in this matter since the candidate who prevailed did so by the exact minimum number of clergy votes required.

II. Clergy with Cure Not Granted Residency; Disparate Treatment of Similarly Situated Clergy.

1. Title III, Canon III.9.4(d) of the Episcopal Church Canons requires that clergy with cure present letters dimissory to the Ecclesiastical Authority and that such letters *shall be accepted* within three (3) months thereafter, unless that clergy person is under investigation for alleged Title IV offenses.
2. At least eleven (11) clergy with cure, actively working in the Diocese, have not been granted canonical residence as required by the Canons. As a result, these clergy were unfairly deprived of the ability to participate in the November election.
3. It appears that the Bishop has granted or denied canonical residence to similarly situated clergy on the basis of whether the clergy person shares, or does not share, the Bishop's views on issues such as same-sex marriage in the Church.
4. Pursuant to Diocesan Canon 1, § 3, canonical residence is a precondition to having seat, voice, and vote.
5. The Bishop's disparate treatment of similarly situated clergy in the grant or denial of canonical residency unfairly skewed the clergy and materially affected the outcome of the November 19 election.

III. Duly Elected Lay Delegates Denied Seat, Voice, and Vote.

1. The Diocese imposed a new rule for naming lay delegates in October of 2022, one month prior to the November election, which violated Diocese of Florida Canons for naming lay delegates.
2. Diocese of Florida Canon 2, § 4, states: "Lay delegates and alternates shall be selected at a meeting of each congregation not later than thirty (30) days after the close of the preceding annual meeting of the Diocesan Convention.... Each delegate shall serve [for two years] until a successor is duly selected."

3. Congregations selected their lay delegates in conformity with the Canon after the January 2022 Diocesan Convention, and these delegates voted in the May special convention.
4. The new rule announced by the Diocese in October 2022 changed the way Average Sunday Attendance (ASA) was calculated from May (when online attendance counted) to November (when online attendance was disallowed). The change in how ASA was calculated deprived duly elected lay delegates of seat, voice, and vote at the November election. The May and November elections were held just six (6) months apart.
5. The Diocese also announced a new rule in the weeks leading up to the November election that a vestry, if in agreement with the rector, could select/de-select lay delegates for the November 19, 2022 election. Yet, Diocesan Canons do not authorize vestry/rector selection or de-selection of lay delegates. The Canons specifically require that the lay delegates be selected by the congregation at the annual meeting. In any event, the rector is never given a single-person veto of delegates.
6. Even if the vestry and rector could select/de-select delegates and not violate their own by-laws, the new rule announced just one month before the November election made it impossible for many affected congregations to hold a vestry meeting let alone a congregational meeting to determine which of their duly elected delegates would be denied seat, voice, and a vote.

IV. The Diocese’s own rules were not followed.

1. The November election was premised on the original call for election of a Bishop Coadjutor (September 13, 2022 call to the election process). By the Bishop’s and Standing Committee’s own statements, the process of the November election was governed by the resolution establishing the original election. The Diocese has failed to follow the basic rules for the November election.
2. The 178th Convention of the Episcopal Diocese of Florida on Saturday, January 30, 2021 passed Diocesan Resolution 2021-001 “To Initiate the Process for the Election of a Bishop Coadjutor:”

“Whereas, this convention supports Bishop Howard’s outline for the **orderly plan** for an Episcopal Election.

...

That this convention authorize the Standing Committee to proceed with all such steps as are necessary for an Episcopal discernment process, including... conducting such work as will allow for the publication of a **search profile**...

....

That the ministry of the Bishop Coadjutor, as announced by Bishop Howard, will commence no later than **November 5, 2022.**”

None of these components of Resolutions 2021-001 were met by the November election.

3. There was no “order” in the plans and rules for the November re-election. The September 13, 2022 letter from the Standing Committee setting a re-election date of November 19, 2022 states: “This letter intentionally offers only the facts about the upcoming election. You may anticipate a message soon from the Standing Committee answering many of the questions on and rumors swirling around this situation. Additionally, all information about the Convention will be added to this webpage **as it is determined.**” (Emphasis added). As plainly stated, the plans and rules for the re-election were still under development even as a call for petitions for candidates was underway. Even the details of the process, not just the election day rules, were under development. No further discernment work was done by the Search Committee regarding information about the candidates, employment history changes, or other essential information, such as leadership of breakaway groups from the Episcopal Church. Not unlike a failed rector search, a new bishop coadjutor election does not simply begin where the previous failed election left off. There was a significant lack of “order.”
4. The authorizing resolution passed by Convention and re-affirmed by the Bishop and Standing Committee requires that the ministry of bishop coadjutor *commence* by November 5, 2022. This is simply an impossibility, and the Diocese ran out of time to elect a bishop coadjutor under the clear language of 2021-001.
5. There was no “search profile.” A search profile was required by 2021-001 in anticipation of attracting nominees, either through a search process or by petition. This requirement was not followed. The first search profile was completed and announced on October 11, 2021. But it was not updated, and further there is no authority for the Standing Committee to unilaterally declare that that previous profile to be the one for a subsequent and different election with a different slate of candidates. Further the “Diocesan Profile- Florida Bishop Search” was disabled and redirected to a link where the search profile was not listed or mentioned (Google search October 25, 2022 at 1:46 pm).

V. The election process was fundamentally unfair.

1. After the Court of Review published its findings that the May election was “null and void” for lack of a duly constituted clergy quorum, Bishop Howard released a video in which he promised that another election for bishop coadjutor would be held; that he as bishop would be involved in the next election; and highlighting that only one named candidate wanted to be the bishop and would stand for re-election.

2. Since the May election, the Diocese has publicly promoted only one candidate in the form of press releases and videos introducing only one candidate and his family to the Diocese, distributing these promotional materials across the Diocese, and posting them to the Diocesan website while the election was under protest.
3. In July of 2022 while the May election was still under protest, the Diocese relocated the preferred candidate and his family to Jacksonville from Houston and hired this candidate to be on Diocesan staff, essentially giving him bishop coadjutor duties.
4. After the Court of Review published its Report and Fr. Holt withdrew his acceptance as bishop-elect, the Diocese continued to employ Fr. Holt on Diocesan staff. The Diocese continued to promote Fr. Holt by sending him to events across the Diocese and to congregations for preaching and teaching opportunities, allowing Fr. Holt to campaign for bishop to the prejudice of the other candidates.
5. The Court of Review recognized in its earlier findings that principles of fundamental fairness are implicitly codified in the Episcopal Church Canons. The November election process violated these principles both in spirit and in action.

Further Action

The final ballot purporting to elect the Bishop Coadjutor had 113 in-person voting clergy, and 132 in-person lay delegates voting for a total of 245 purported voters. Ten percent of that number is 25 delegates. The undersigned is at least ten percent of the number casting votes on the final ballot.

Therefore, pursuant to Episcopal Church Canons, Title III. 11.8, this letter is a written objection to the election process. We anticipate you will distribute this letter to the Bishop Diocesan, Chancellor, and Standing Committee of this Diocese and the Presiding Bishop within ten days as provided in section (a) of that Canon.

May this action for order bring healing to our divided Diocese.

Yours faithfully,

[Signatures follow below and may be on multiple pages]

The Rev. Gerald G. Alexander
The Rev. Gerald G. Alexander
Clergy Delegate
St. John's Cathedral
Jacksonville, FL