

**Proposed Amendment to the  
Constitution, Bylaws, and Continuing Resolutions  
of the Evangelical Lutheran Church in America  
2016 Churchwide Assembly**

*Recommended [CC15.11.54] by the Church Council on November 15, 2015*

- 5.01.A87.** *It shall be a goal of this church that within 10 years of its establishment its membership shall include at least 10 percent people of color and/or primary language other than English.*
- 5.01.A16.** *This church commits itself to ethnic and racial diversity. Each expression of this church shall annually assess its ethnic and racial diversity when compared to the demographic data of its community or territory. The churchwide organization will work with synods as they assist congregations to reach out to persons of color or whose primary language is other than English.*

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*The Church Council's recommended [CC15.11.52s] constitutional amendments of a general nature begin on page 41.*

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**Proposed Amendments to the  
Constitutions, Bylaws, and Continuing Resolutions  
of the Evangelical Lutheran Church in America  
2016 Churchwide Assembly**

*Recommended [CC15.11.52r] by the Church Council on November 15, 2015, related to a Word and Service roster*

**Recommended for Assembly Action:**

To authorize the secretary of the Evangelical Lutheran Church in America to strike the words “ordained minister/s” and replace with the words “minister/s of Word and Sacrament” in the *Constitutions, Bylaws and Continuing Resolutions of the Evangelical Lutheran Church in America*;

To authorize the secretary of the Evangelical Lutheran Church in America to strike the word “clergy” and replace with the words “minister/s of Word and Sacrament” in the *Constitutions, Bylaws and Continuing Resolutions of the Evangelical Lutheran Church in America*;

To authorize the secretary of the Evangelical Lutheran Church in America to strike the words “pastor/s” and replace with the words “minister/s of Word and Sacrament” where appropriate in the *Constitutions, Bylaws and Continuing Resolutions of the Evangelical Lutheran Church in America*, for the purpose of clarity and consistency;

To authorize the secretary of the Evangelical Lutheran Church in America to strike the words “associate in ministry, diaconal minister and deaconess” and replace with the words “minister/s of Word and Service” in the *Constitutions, Bylaws and Continuing Resolutions of the Evangelical Lutheran Church in America*;

To authorize the secretary of the Evangelical Lutheran Church in America to make editorial corrections that identify the rosters of this church and implement the creation of the ministers of Word and Service roster in the *Constitutions, Bylaws and Continuing Resolutions of the Evangelical Lutheran Church in America*; and

To adopt, *en bloc*, with the exception of such amendments as may be considered separately, the following amendments to the *Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*:

**7.20. ~~ORDAINED~~ MINISTRY OF WORD AND SACRAMENT**

**7.22. An ordained minister of Word and Sacrament** of this church shall be a person whose commitment to Christ, soundness in the faith, aptness to preach, teach, and witness, and educational qualifications have been examined and approved in the manner prescribed in the documents of this church; who has been properly called and ordained; who accepts and adheres to the Confession of Faith of this church; who is diligent and faithful in the exercise of the ministry; and whose life and conduct are above reproach. **An ordained minister of Word and Sacrament** shall comply with this church's constitutions, bylaws, and continuing resolutions.

- 7.23. The standards for acceptance and continuance of pastors in the ordained ministry ministers of Word and Sacrament of this church shall be set forth in the bylaws.
- 7.24. The secretary of this church shall maintain a roster containing the names of ordained ministers of Word and Sacrament who qualify on the basis of constitutional provisions 7.22., 7.23., ~~7.30.,~~ and 7.31., and related bylaws.
- 7.30. STANDARDS FOR ORDAINED MINISTERS OF WORD AND SACRAMENT
- 7.31. In accordance with the description ~~of an ordained minister~~ stated in 7.22., pastors as ordained ministers of Word and Sacrament shall be governed by the following standards, policies, and procedures.
- ~~7.31.10.~~ **Basic Standards**
- ~~7.31.101.~~ **Basic Standards.** Persons admitted to and continued in the ordained ministry of Word and Sacrament of this church shall satisfactorily meet and maintain the following, as defined by this church's constitutions, bylaws, and continuing resolutions and in policies developed by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council:
- ...
- ~~7.31.102.~~ **Responsibilities.** Consistent with the faith and practice of the Evangelical Lutheran Church in America,
- a. Every ordained minister of Word and Sacrament shall:
- ...
- 6) impart knowledge of this church and its wider ministry through distribution of its communications and publications;
- 7) witness to the Kingdom of God in the community, in the nation, and abroad; and
- 78) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.
- b. Each ordained minister pastor with a congregational call shall, within the congregation:
- 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
- 2) supervise relate to all schools and organizations of the congregation;
- 3) impart knowledge of this church and its wider ministry through distribution of its periodicals and other publications;
- ~~4) endeavor to increase the support given by the congregation to the work of the churchwide organization and synod of the Evangelical Lutheran Church in America;~~
- ~~5) install regularly elected members of the Congregation Council; and~~
- ~~64) with the council, administer discipline; and~~
- 5) endeavor to increase the support given by the congregation to the work of the ELCA churchwide organization and its synod.
- ~~7.31.103.~~ **Preparation and Approval.** Except as provided ~~below in 7.31.04.,~~ a candidate for ordination as a pastor the ministry of Word and Sacrament shall have:
- ...
- f. been examined and approved by the appropriate committee according to criteria, policies, and procedures recommended by the appropriate churchwide unit, after consultation with the Conference of Bishops, and ~~adoption adopted~~ by the Church Council;
- ...
- ~~7.31.104.~~ **Admission Approval under Other Circumstances.** Candidates for ordination as pastors or for reception the ministry of Word and Sacrament who by reason of (a) age and prior experience, (b) ordination in another Lutheran church body, or (c) ordination in another Christian church body, whether in North America or abroad, shall be approved by the candidacy committee for ordination or reception according to criteria, policies, and procedures recommended by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council. In preparing such criteria, policies, and procedures, the appropriate churchwide unit shall consult with the seminaries of this church and, as appropriate, with other churchwide units.
- ~~7.31.105.~~ **Reinstatement.** A person seeking reinstatement to the ordained ministry as a pastor as a minister of Word and Sacrament, whether having served previously in this church or in one of its predecessor bodies, shall be registered by the pastor and council of the congregation of which such a person is a member with the candidacy committee of the synod in which the person was last rostered or, upon mutual agreement of the

synodical bishops involved, after consultation with and approval by the secretary of this church, with the candidacy committee of the synod of current residence. The person then shall be interviewed, examined, and approved by the candidacy committee under criteria, policies, and procedures recommended by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council. In this process, the committee shall review the circumstances related to the termination of earlier service together with subsequent developments. The person is reinstated after receiving and accepting a letter of call to serve as a pastor minister of Word and Sacrament in this church.

- 7.31.106.** **On Leave from Call.** An ordained minister of Word and Sacrament of this church, serving under a regularly issued letter of call, who leaves the work of that ministry without accepting another regularly issued letter of call, may be retained on the roster of ordained ministers of Word and Sacrament of this church, upon endorsement by the synodical bishop, by action of the Synod Council in the synod of which the ordained minister of Word and Sacrament is a member, under policy developed by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council.
- a. Normative Pattern: By annual action of the Synod Council in the synod of which a member, upon endorsement by the synodical bishop, an ordained minister of Word and Sacrament who is without a current letter of call may be retained on the roster of ordained ministers of Word and Sacrament of this church for a maximum of three years, beginning at the completion of an active call.
  - b. Study Leave: By annual action of the Synod Council in the synod of which a member, with the approval of the synodical bishop and in consultation with the appropriate churchwide unit, an ordained minister of Word and Sacrament engaged in graduate study, in a field of study that will enhance service in the ordained ministry of Word and Sacrament, may be retained on the roster of ordained ministers of Word and Sacrament of this church for a maximum of six years.
  - c. Family Leave: An ordained minister of Word and Sacrament who has been in active service under call for at least three years may request leave for family responsibilities. By annual action of the Synod Council in the synod of which a member, upon endorsement by the synodical bishop, such an ordained minister of Word and Sacrament who is without a current letter of call and who requests leave for the birth or care of a child or children of the ordained minister of Word and Sacrament or the care of an immediate family member (child, spouse, or parent) with a serious health condition may be retained on the roster of ordained ministers of Word and Sacrament of this church—under policy developed by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council—for a maximum of six years beginning at the completion of an active call.

- 7.31.107.** **Ordination in Unusual Circumstances.** For pastoral reasons in unusual circumstances, a synodical bishop may provide for the ordination by another pastor minister of Word and Sacrament of the Evangelical Lutheran Church in America of an approved candidate who has received and accepted a properly issued, duly attested letter of call for the office of ordained ministry minister of Word and Sacrament. Prior to authorization of such an ordination, the bishop of the synod of the candidate's first call shall consult with the presiding bishop as this church's chief ecumenical officer and shall seek the advice of the Synod Council. The pastoral decision of the synodical bishop shall be in accordance with policy developed by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council.

**7.31.20.** **Invitation to Service**

- 7.31.2108.** **Invitation to Service.** In accord with bylaw 8.762.11, and following, an ordained minister of Word and Sacrament of a church body with which a relationship of full communion has been established by the Churchwide Assembly of the Evangelical Lutheran Church in America may serve contractually in a ministry setting of this church under a "Letter of Invitation to Service" upon the authorization of the bishop of the synod in which such service occurs.

- 7.31.09.** **Licensure and Synodically Authorized Ministry.** When need exists to render Word and Sacrament ministry for a congregation or ministry of this church where it is not possible to provide appropriate pastoral leadership, the synod bishop—acting with the consent of the congregation or ministry, in consultation with the Synod Council, and in accord with standards and qualifications developed by the appropriate churchwide unit, reviewed by the Conference of Bishops, and approved by the Church Council—may authorize a person who is a member of a congregation of the Evangelical Lutheran Church

in America to offer this ministry. Such an individual shall be supervised by a minister of Word and Sacrament appointed by the synod bishop; such service shall be rendered during its duration under the sacramental authority of the bishop as the synod's pastor. Such an individual will be trained and licensed to fulfill this ministry for a specified period of time and in a given location only. Authorization, remuneration, direct supervision, and accountability are to be determined by the appropriate synodical leadership according to churchwide standards and qualifications for this type of ministry. Authorization for such service shall be reviewed annually and renewed only when a demonstrated need remains for its continuation.

7.40. CALLS FOR ~~ORDAINED MINISTERS OF WORD AND SACRAMENT~~

7.41. Letters of Call. Letters of call to ~~ordained ministers of Word and Sacrament~~ of this church or properly approved candidates for this church's roster of ~~ordained ministers of Word and Sacrament~~ shall be issued in keeping with this church's constitutions, bylaws, and continuing resolutions as well as policies regarding such calls developed by the appropriate churchwide unit, reviewed by the Conference of Bishops, and approved by the Church Council.

~~7.41.10. General Categories~~

~~7.41.101. Service under Call.~~ An ~~ordained minister of Word and Sacrament~~ of this church shall serve under a letter of call properly extended by a congregation, a ~~synodical Synod Council or, a Synod Assembly,~~ the Church Council, or the Churchwide Assembly.

a. Calls may be extended for stated periods of time and for shared-time ministry by the appropriate calling body under criteria recommended by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council for service in a congregation, synod, or churchwide unit, in an institution or agency of this church, or in another setting in a category of work as provided by continuing resolution 7.44.A16.

b. A pastor serving under call to a congregation shall be a member of that congregation. In a parish of multiple congregations, a pastor shall be a member of one of the congregations being served.

~~c. Ordained m~~in ~~Ministers of Word and Sacrament~~ Ministers of Word and Sacrament serving ~~as interim pastors in interim ministry~~ appointed by the synodical bishop may serve under a letter of call, according to policies developed by the appropriate churchwide unit, reviewed by the Conference of Bishops, and approved by the Church Council. A call to interim ministry shall be a term call extended by the Synod Council upon recommendation of the synodical bishop.

~~7.41.102. Initial Call to Congregational Service.~~ Because the responsibilities of the office of the ~~ordained ministry of Word and Sacrament~~ are most clearly focused in the congregational pastorate, experience in which is deemed by this church to be invaluable for all other ~~ordained service ministry of Word and Sacrament,~~ initial service of at least three years shall be in ~~the parish ministry in a congregation of this church or, with the approval of the synodical bishop, a congregation of a church body with which a relationship of full communion exists.~~ Exceptions to the three-year requirement may be granted under criteria and procedures recommended by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council.

~~7.41.103. Calls to Non-Congregational Service.~~ Calls to serve in institutions, agencies, and other entities inside and outside this church may be extended where there is an identifiable relationship of the work to the purpose of the ~~ordained ministry of Word and Sacrament.~~ Such calls involve, for example, the care of the Word, the administration of the sacraments, pastoral care, and activities closely associated with those tasks including oversight in the church and in inter-Lutheran and inter-church agencies and institutions. Care is to be exercised so that positions in the church and in the world that can be filled adequately and appropriately by the laity not be filled by ~~ordained ministers of Word and Sacrament~~ for their convenience or status. Synodical councils and the Church Council may seek the advice of the Conference of Bishops in specific situations.

~~7.41.104. Non-Stipendiary Service Under Call.~~ When it is deemed necessary for the mission needs of this church, a letter of call may be issued by the Synod Council—according to criteria, policies, and procedures recommended by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council—to ~~an ordained minister of Word and Sacrament~~ for non-stipendiary service after the Synod Council has sought and received approval by the Conference of Bishops. Care is to be exercised so that positions in the church and in the world that can be filled adequately and appropriately by the laity

not be filled by ordained ministers of Word and Sacrament for their convenience, status, or personal preference. A call to non-stipendiary service is to be reviewed at least annually by the Synod Council and continued only as warranted for the ministry needs of this church. Such a call may be terminated by the Synod Council when it is deemed to be fulfilling no longer the mission needs of this church.

**7.41.105. Calls to Serve in Unusual Circumstances.** When it is deemed to be in the interests of this church in the care of the Gospel, ordained ministers of Word and Sacrament may be called for a stated period of time, not to exceed three years, to minister on behalf of this church while employed in an occupation outside the traditional range of the ordained ministry of Word and Sacrament. Such calls may be extended by a Synod Council or the Church Council upon recommendation by the Conference of Bishops according to criteria and procedures recommended by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council. Such calls shall be reviewed annually.

**7.41.106. Calls in Predecessor Church Bodies.** Accountability for specific calls to service extended in predecessor church bodies shall be exercised according to the policies and procedures of this church.

**7.41.107. Retirement.** Ordained Ministers of Word and Sacrament may retire upon attainment of age 60, or after 30 years on the roster of ordained ministers of Word and Sacrament of this church or one of its predecessor bodies, and continue to be listed on the roster of ordained ministers of Word and Sacrament of this church, upon endorsement by the synodical bishop, by action of the Synod Council in the synod in which the ordained minister of Word and Sacrament is listed on the roster.

a. The policies and procedures for granting retired status on the roster of ordained ministers of Word and Sacrament shall be developed by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council.

b. If an ordained minister of Word and Sacrament who has been granted retired status resides at too great a distance from any congregation of this church to be able to sustain an active relationship with that congregation, or if there are no ELCA congregations in the vicinity, other than a congregation previously served, the bishop of the synod in which the ordained minister of Word and Sacrament is listed on the roster may grant permission for the ordained minister of Word and Sacrament to hold membership in a congregation or parish of a church body with which a relationship of full communion has been declared and established by the Evangelical Lutheran Church in America.

**7.41.108. Disability.** Ordained Ministers of Word and Sacrament may be designated as disabled and continue to be listed on the roster of ordained ministers of Word and Sacrament of this church, upon endorsement by the synodical bishop, by action of the Synod Council in the synod in which the ordained minister of Word and Sacrament is listed on the roster.

a. The policies and procedures for designation of disability on the roster of ordained ministers of Word and Sacrament shall be developed by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council.

b. If an ordained minister of Word and Sacrament who has been granted disabled status resides at too great a distance from any congregation of this church to be able to sustain an active relationship with that congregation, or if there are no ELCA congregations in the vicinity, other than a congregation previously served, the bishop of the synod in which the ordained minister of Word and Sacrament is listed on the roster may grant permission for the ordained minister of Word and Sacrament to hold membership in a congregation or parish of a church body with which a relationship of full communion has been declared and established by the Evangelical Lutheran Church in America.

**7.41.109. Retention of Roster Records.** When an ordained minister of Word and Sacrament resigns or is removed from that the roster of this church, the roster record shall be retained by the secretary of this church, and the synodical bishop shall invite the person at the time of resignation or removal to provide, annually, appropriate current information for the roster record.

**7.42. Each pastor person on the roster of ordained ministers of Word and Sacrament of this church shall be related to that synod:**

a. to which the congregation issuing the call to the ordained minister of Word and Sacrament is related;

b. which issues a letter of call to the ordained minister of Word and Sacrament;

c. on whose roster the ordained minister of Word and Sacrament was listed at the time of the issuance of a letter of call from the Church Council;

- d. on whose roster the **ordained-minister of Word and Sacrament**, if a seminary teacher or administrator, was assigned by the seminary board, subject to approval by the synodical bishop and Synod Council of each affected synod, to promote proportionate representation of faculty and administration in each synod of its region;
  - e. on whose roster the **ordained-minister of Word and Sacrament** was listed at the time of the issuance of a call to federal chaplaincy or on the roster of the synod of current address, if approved by the synodical bishop and received by the Synod Council;
  - f. in which the **ordained-minister of Word and Sacrament**, upon receiving a call from this church, serves as a deployed staff person or on the roster of one of the synods to which the **ordained minister of Word and Sacrament** is deployed;
  - g. on whose roster the **ordained-minister of Word and Sacrament** was listed when placed on leave from call;
  - h. on whose roster the **ordained-minister of Word and Sacrament**, if designated as disabled, was listed when last called or the synod of current address, upon application by the **ordained minister of Word and Sacrament** for transfer and the mutual agreement of the synodical bishops involved after consultation with and approval by the secretary of this church; or
  - i. on whose roster the **ordained-minister of Word and Sacrament**, if granted retired status, was listed when last called or the synod of current address, upon application by the **ordained minister of Word and Sacrament** for transfer and the mutual agreement of the synodical bishops involved after consultation with and approval by the secretary of this church.
- 7.42.01. If the service of **an ordained-minister of Word and Sacrament** who receives and accepts a letter of call from this church, under 7.42.c., would be enhanced through transfer of roster status from the previous synod of roster to the synod of current address, such a transfer may be authorized upon mutual agreement of the synodical bishops involved after consultation with and approval by the secretary of this church.
- 7.42.02. In unusual circumstances, the transfer of **an ordained-minister of Word and Sacrament** who is on leave from call may be authorized upon mutual agreement of the synodical bishops involved after consultation with and approval by the secretary of this church.
- 7.42.03. In certain circumstances for the sake of the ministry and mission needs of this church, the transfer of **an ordained-minister of Word and Sacrament** serving under call in the churchwide organization may be authorized, at the initiative of the presiding bishop of this church, upon mutual agreement of the synodical bishops involved in such a transfer after consultation with and approval by the secretary of this church.
- 7.43. **A letter of call issued by a Synod Council or the Church Council to an ordained-minister of Word and Sacrament of this church shall be either co-terminus with, or not longer than, the duration of the service or employment for which the call was issued. With the exception of persons designated as employees of a synod or the churchwide organization, such a call does not imply any employment relationship or contractual obligation in regard to employment on the part of the Synod Council or Church Council issuing the call. The recipient of such a call remains subject to this church's standards and discipline for ordained-ministry of Word and Sacrament, as contained in this church's constitution, bylaws, and continuing resolutions and in the policy and procedure documents of this church.**
- 7.43.01. When the Synod Council or the Church Council, as the calling source, determines that the service or employment no longer fulfills the criteria under which a call was issued, the Synod Council or the Church Council shall vacate the call and direct that the individual be placed on leave from call or, if such leave status is not granted, the individual shall be removed from the roster of **ordained-ministers of Word and Sacrament**.
- 7.43.02. **Ordained-ministers of Word and Sacrament** previously under call to the churchwide organization or to a synod shall respect the integrity of the ministry in which they no longer serve and shall not interfere with or exercise the functions of the office or position in which they no longer serve unless invited to do so by the presiding bishop or Church Council in the churchwide organization or, in the synods, by the bishop or the Synod Council.
- 7.44. **Each synod shall maintain a roster containing the names of those ordained-ministers of Word and Sacrament who are related to it on the basis of 7.42. of this constitution.**

**7.44.A136. Sources of Calls for ~~Ordained~~ Ministers of Word and Sacrament**

a. Principles for Sources of Calls

- 1) A “call” is an action by expressions of this church, as specified in the “Table of Sources of Calls for ~~Ordained~~ Ministers of Word and Sacrament,” through which a person is asked to serve in a specified ministry. Such an action is attested in a “letter of call.”
- 2) Interdependence within the body of this church suggests that any action of one of its entities affects other entities. Therefore, interdependence is expressed in all calls extended within this church.
- 3) A call expresses a relationship between this church and the person called involving mutual service, support, accountability, supervision, and discipline.
- 4) A letter of call is issued by that expression of this church authorized to do so which is most directly involved in accountability for the specified ministry.
- 5) Decisions on calls for ministries in unusual circumstances not otherwise provided for but deemed to be in the interests of this church’s care of the Gospel are referred to the Conference of Bishops for recommendation to the appropriate calling body.

b. Table of Sources of Calls for ~~Ordained~~ Ministers of Word and Sacrament

Setting	Calling Body
1.0 Congregational ministry	
1.1 Single congregation	Congregation meeting
1.11 Pastor	
1.12 Senior Pastor	
1.13 Associate/assistant pastor	
1.14 Co-pastor	
1.15 Shared-time pastor	
1.2 Multiple-congregation parish	Congregation meetings, acting on a common proposal
1.21 Pastor	<u>One of the participating congregations</u>
1.22 Other pastoral arrangements	<u>One of the participating congregations</u>
1.3 Coalition and cluster ministry	Synod Council
1.4 Congregations beyond ELCA	
1.41 Independent Lutheran congregation	Synod Council
1.42 Overseas independent Lutheran congregation	Church Council upon request of appropriate churchwide unit
1.43 Other	Synod Council or Church Council
1.5 Interim pastor	Synod Council
1.6 Pastor in a congregation under development	Synod Council
2.0 Synodical ministry	
2.1 Bishop	Synod Assembly
2.2 Assistant to bishop	Synod Council

2.3	Shared staff by two or more synods	Synod Council of one of the participating synods
2.4	Synod staff partially supported by grants from churchwide units	Synod Council
3.0	Regional ministry	
3.1	Staff	Church Council
3.2	Shared synodical-churchwide staff	Church Council
4.0	Churchwide ministry	
4.1	Presiding bishop and secretary	Churchwide Assembly
4.2	Treasurer	Church Council
4.3	Staff of the churchwide organization	Church Council
	Presiding bishop's staff	
4.4	Office staff	Church Council
4.5	Unit executive director	Church Council
4.6	Other churchwide unit staff	Church Council
5.0	Chaplaincy and institutional ministry	
5.1	Institution/agency related or unrelated to a synod	Synod Council
5.2	Institution/agency related more to than one synod	Synod Council of one of the synods
5.3	ELCA-related institution/agency	Church Council upon request of appropriate churchwide unit
5.4	Federal agency/institution	Church Council
5.5	Military	Church Council
6.0	Campus ministry	
6.1	Staff	Synod Council
7.0	Church camp-Outdoor ministry	
7.1	Staff	Synod Council
8.0	Ecumenical ministry	
8.1	Related to a synod	Synod Council
8.2	Related to more than one synod	Synod Council of one of the synods
8.3	National/international organization	Church Council
9.0	Inter-Lutheran ministry	
9.1	Related to a synod	Synod Council
9.2	Related to more than one synod	Synod Council of one of the synods
9.3	National/International	Church Council

10.0 Educational ministry	
10.1 ELCA-related seminary chaplain/faculty/administrator	Church Council upon request of appropriate churchwide unit
10.2 Chaplain/faculty/administrator of seminary unrelated to ELCA	Church Council upon request of appropriate churchwide unit
10.3 ELCA-related college chaplain/faculty/administrator	Synod Council of the synod in which college is located
10.4 Chaplain/faculty/administrator of a college unrelated to ELCA	Synod Council of the synod in which college is located
10.5 ELCA-related school chaplain/faculty/administrator	Congregation of which the school is a part or, if related to several congregations, Synod Council of the synod in which the school is located
10.6 Chaplain/faculty of a school unrelated to ELCA	Synod Council of the synod in which school is located
10.7 Director/staff of a continuing education center related to a churchwide unit	Synod Council in which the main office of center is located upon the request of appropriate churchwide unit
11.0 Missionary ministry	
11.1 Outside United States	Church Council upon request of appropriate churchwide unit
11.2 Within United States	Church Council upon request of appropriate churchwide unit
12.0 Other	
12.1 Non-stipendiary service under call	Synod Council upon approval by the Conference of Bishops
12.2 Unusual ministries (as in conjunction with occupations and in approved situations not otherwise specified)	Synod Council or Church Council upon recommendation by the Conference of Bishops

7.45. In keeping with the historic discipline and practice of the Lutheran church and to be true to a sacred trust inherent in the nature of the pastoral office, no **ordained minister of Word and Sacrament** of this church shall divulge any confidential disclosure received in the course of the care of souls or otherwise in a professional capacity, nor testify concerning conduct observed by the **ordained minister of Word and Sacrament** while working in a pastoral capacity, except with the express permission of the person who has given confidential information to the **ordained minister of Word and Sacrament** or who was observed by the **ordained minister of Word and Sacrament**, or if the person intends great harm to self or others.

- 7.46. The provisions for termination of the mutual relationship between **an ordained minister of Word and Sacrament** and a congregation shall be as follows:
- a. The call of a congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment which shall be terminated only by death or, following consultation with the synodical bishop for the following reasons:
    - ...
      - 6) resignation or removal of the pastor from the roster of **ordained ministers of Word and Sacrament** of this church;
      - ...
  - b. When allegations of physical disability or mental incapacity of the pastor under paragraph a.4) above, or ineffective conduct of the pastoral office under paragraph a.3) above, have come to the attention of the bishop of this synod,
    - 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two **ordained ministers of Word and Sacrament** and one layperson, or
    - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of the congregation, the bishop personally shall investigate such conditions together with a committee of two **ordained ministers of Word and Sacrament** and one layperson.
  - c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the pastor's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the pastorate vacant and the pastor shall be listed on the **clergy roster of ministers of Word and Sacrament** as disabled. Upon removal of the disability and restoration of the pastor to health, the bishop shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call.
    - ...
- 7.47. ~~Ordained m~~**Ministers of Word and Sacrament of this church** shall be subject to discipline as set forth in Chapter 20 of this constitution ~~and bylaws.~~
- 7.47.01. No person who belongs to any organization other than the Church which claims to possess in its teachings and ceremonies that which the Lord has given solely to the Church shall be **ordained called and received onto the roster of ministers of Word and Sacrament** or otherwise received into the ministry of this church, nor shall any person so ~~ordained called and received onto the roster of ministers of Word and Sacrament~~ or otherwise received by this church be retained in its ministry who subsequently joins such an organization. ~~Violation of this rule shall make such minister subject to discipline.~~
- 7.50. ~~OFFICIAL ROSTERS OF LAYPERSONS MINISTRY OF WORD AND SERVICE~~
- 7.51. ~~This church may establish rosters of laypersons on which the names may be listed of those who qualify for such according to the bylaws and continuing resolutions of the Evangelical Lutheran Church in America.~~  
**This church calls and receives onto the roster qualified persons to provide a ministry of Word and Service, exemplifying the life of Christ-like service to all persons and creation: nurturing, healing, leading, advocating dignity and justice, and equipping the whole people of God for their life of witness and service within and beyond the congregation for the sake of God's mission in the world.**
- 7.51.01. ~~The standards of acceptance and continuance on the lay rosters of this church as defined herein shall be included in the bylaws.~~
- 7.51.02. ~~Under constitutional provision 7.51., those persons previously rostered as commissioned church staff (The American Lutheran Church), deaconesses (The Association of Evangelical Lutheran Churches), deaconesses (The American Lutheran Church), deacons (The Association of Evangelical Lutheran Churches), lay professional leaders (the Lutheran Church in America), and commissioned teachers (The Association of Evangelical Lutheran Churches) shall be retained as associates in ministry of this church (except for removals in accord with the governing documents, criteria, policies, and procedures of this~~

church) in the recognized category of ministry of their previous church body for as long as they are in good standing according to the standards, criteria, policies, and procedures of this church. Accountability for specific calls shall be exercised according to the policies and procedures of this church. Such persons may resign from the roster or may elect to be rostered in another ELCA category by meeting the appropriate criteria established by the Evangelical Lutheran Church in America and by relinquishing their previous roster category.

**7.51.03. Associates in Ministry.** This church shall maintain a lay roster of associates in ministry of those commissioned—according to the standards, criteria, policies, and procedures of this church—for such service within the life of this church in positions of Word and service on behalf of all of God’s people. Associates in ministry are to be faithful to Jesus Christ, knowledgeable of the Word of God and the Confessions of this church, respectful of the people of God, and responsive to needs in a changing world as they serve in congregations and other ministry settings. The roster of associates in ministry, in addition to those listed in bylaw 7.51.02., shall be composed of:

- a. those certified during the period of January 1, 1988, through September 1, 1993, as associates in ministry of the Evangelical Lutheran Church in America; and
- b. those who are approved, subsequent to September 1, 1993, as associates in ministry in this church according to policies and procedures developed by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council;
- c. Upon receipt and acceptance of a valid, regularly issued letter of call, a newly approved candidate shall be commissioned, according to the proper service orders of this church, as an associate in ministry;

Accountability for specific calls shall be exercised according to the policies and procedures of this church. Such persons may resign from the roster or may elect to be rostered in another ELCA category by meeting the appropriate criteria established by the Evangelical Lutheran Church in America and by relinquishing their previous roster category.

**7.51.04. Deaconesses of the Evangelical Lutheran Church in America.** This church shall maintain a lay roster of the deaconesses of the Evangelical Lutheran Church in America of those consecrated—according to the standards, criteria, policies, and procedures of this church—for such service within the life of this church in positions of Word and service on behalf of all of God’s people. Deaconesses are to be faithful to Jesus Christ, knowledgeable of the Word of God and the Confessions of this church, respectful of the people of God, and responsive to needs in a changing world. They are to be theologically trained to serve in congregations and other ministry settings.

- a. A newly approved candidate for this roster shall be consecrated, according to the proper service orders of this church, as a deaconess of the Evangelical Lutheran Church in America.
- b. As used herein, references to deaconesses of the Evangelical Lutheran Church in America mean members of the Deaconess Community of the Evangelical Lutheran Church in America listed on this church’s official rosters of laypersons as deaconesses of the Evangelical Lutheran Church in America;
- c. Unless otherwise specified, all constitutional provisions, bylaws, and continuing resolutions regarding associates in ministry of the Evangelical Lutheran Church in America, except for the service order of consecration as a deaconess of the Evangelical Lutheran Church in America, shall apply to those on the lay roster of this church as deaconesses of the Evangelical Lutheran Church in America;

**7.51.05. Diaconal Ministers.** This church shall establish and maintain a lay roster of diaconal ministers of those consecrated—according to the standards, criteria, policies, and procedures of this church—for service on behalf of this church in positions of Word and service that exemplify the servant life and that seek to equip and motivate others to live it. Diaconal ministers are to be faithful to Jesus Christ, knowledgeable of the Word of God and the Confessions of this church, respectful of the people of God, and responsive to needs in a changing world. Such diaconal ministers shall seek in a great variety of ways to empower, equip, and support all the baptized people of God in the ministry of Jesus Christ and the mission of God in the world.

- a. Upon approval as a candidate for the lay roster of diaconal ministers, and upon receipt and acceptance of a valid, regularly issued letter of call, the candidate shall be consecrated, according to the service orders of this church, as a lay diaconal minister;
- b. All constitutional provisions, bylaws, and continuing resolutions regarding associates in ministry of the Evangelical Lutheran Church in America shall apply to those on the lay roster of diaconal ministers of the Evangelical Lutheran Church in America.

**7.52. The standards of acceptance and continuance as associates in ministry, deaconesses, and diaconal ministers of this church shall be included in the bylaws. A minister of Word and Service of this church shall be a person whose commitment to Christ, soundness in the faith, aptness to serve, teach, and witness, and educational qualifications have been examined and approved in the manner prescribed in the documents of this church; who has been properly called and received onto the roster; who accepts and adheres to the Confession of Faith of this church; who is diligent and faithful in the exercise of ministry; and whose life and conduct are above reproach. A minister of Word and Service shall comply with this church's constitutions, bylaws, and continuing resolutions.**

**7.52.10. Standards for the Official Rosters of Laypersons**

**7.52.11.** Associates in ministry, deaconesses, and diaconal ministers shall be governed by the following standards, policies, and procedures:

**a. Basic Standards.** Persons approved and continued as associates in ministry, deaconesses, and diaconal ministers of this church shall satisfactorily meet and maintain the following, as defined by this church in its governing documents and in policies developed by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council:

- 1) commitment to Christ;
- 2) acceptance of and adherence to the Confession of Faith of this church;
- 3) willingness and ability to serve in response to the needs of this church;
- 4) academic and practical qualifications for the position, including leadership abilities and competence in interpersonal relationships;
- 5) commitment to lead a life worthy of the Gospel of Christ and in so doing to be an example in faithful service and holy living;
- 6) receipt and acceptance of a letter of call; and
- 7) membership in a congregation of this church;

**b. Preparation and Approval of an Associate in Ministry.** A candidate for approval and commissioning as an associate in ministry of this church shall have:

- 1) membership in a congregation of this church and registration by its pastor and council of the candidate with the appropriate synodical candidacy committee;
- 2) been granted entrance to candidacy by and under the guidance and supervision of the appropriate synodical candidacy committee for at least a year before being approved for call by the committee;
- 3) completed the academic and practical preparation for the work for which approved according to criteria and procedures established by the appropriate churchwide unit;
- 4) been examined and approved by the appropriate synodical candidacy committee according to criteria, policies, and procedures recommended by the appropriate churchwide unit after consultation with the Conference of Bishops and adoption by the Church Council;
- 5) received and accepted a properly issued and attested letter of call.

**c. Preparation and Approval of a Deaconess of the Evangelical Lutheran Church in America.** A candidate for approval and consecration as a deaconess of this church shall have:

- 1) membership in a congregation of this church and registration by its pastor and council of the candidate with the appropriate synodical candidacy committee;
- 2) been granted entrance to candidacy by and under the guidance and supervision of the synodical candidacy committee for at least a year before being approved by the synodical candidacy committee for call;

- 3) completed the academic and practical preparation for the work for which approved according to criteria and procedures established by the appropriate churchwide unit;
  - 4) been examined and approved by the synodical candidacy committee according to criteria, policies, and procedures recommended by the appropriate churchwide unit after consultation with the Deaconess Community of the ELCA and the Conference of Bishops and adoption by the Church Council;
  - 5) completed the required formation component, as defined by the appropriate churchwide unit, in the preparation program for service as a deaconess of this church;
  - 6) been recommended for call by the bishop of the synod to which the candidate has been assigned in accordance with procedures recommended by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council;
  - 7) received and accepted a properly issued and attested letter of call.
- d. Preparation and Approval of a Diaconal Minister.** A candidate for approval and consecration as a diaconal minister of this church shall have:
- 1) membership in a congregation of this church and registration by its pastor and council of the candidate with the appropriate synodical candidacy committee;
  - 2) been granted entrance to candidacy by and under the guidance and supervision of the synodical candidacy committee for at least a year before being approved by the synodical candidacy committee for call;
  - 3) demonstrated competence in at least one area of specialization or expertise according to guidelines established by the appropriate churchwide unit;
  - 4) completed a first theological degree from an accredited theological school in North America;
  - 5) completed approved work in Lutheran studies as defined by the appropriate churchwide unit;
  - 6) completed the required formation component in the preparation program for Lutheran diaconal ministry as defined by the appropriate churchwide unit;
  - 7) completed an approved internship or practical preparation as defined by the appropriate churchwide unit;
  - 8) been examined and approved by the appropriate synodical candidacy committee according to criteria, policies, and procedures recommended by the appropriate churchwide unit after consultation with the Conference of Bishops, and adoption by the Church Council;
  - 9) been recommended for call by the bishop of the synod to which the candidate has been assigned in accordance with procedures recommended by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council;
  - 10) received and accepted a properly issued and attested letter of call.
- 7.52.12. Approval under Other Circumstances.** A candidate may, for reasons of age or prior experience, be granted approval under criteria and procedures which permit certain equivalencies as defined by the appropriate churchwide unit.
- 7.52.13. Reinstatement.** A person seeking reinstatement as an associate in ministry, whether having previously served in this church or in one of its predecessor bodies, a deaconess of the Evangelical Lutheran Church in America, or a diaconal minister of the Evangelical Lutheran Church in America shall be endorsed by the pastor and council of the congregation of this church of which such a person is a member, and interviewed, examined, and approved for reinstatement by the synodical candidacy committee under criteria and procedures recommended by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council. In this process, the committee shall review the circumstances related to the termination of earlier service together with subsequent developments. The person is reinstated after receiving and accepting a letter of call in this church.
- a. Any person removed from a lay roster that existed on December 31, 1987, as cited herein, who seeks to return to active lay roster status must apply for acceptance to a roster of this church under the standards, criteria, policies, and procedures that apply to the official rosters of laypersons, as identified in 7.51.03.b. This same requirement shall apply to those certified during the period of January 1, 1988, through September 1, 1993, as associates in ministry of this church.
  - b. A person on the roster of a previous church body or a person on the roster of associates in ministry of this church, who was so certified during the period between January 1, 1988, and September 1,

1993, shall relinquish such a roster category upon being received and accepted on another roster of this church.

**7.52.14. Maintenance of Lay Rosters.** Each synod shall maintain a lay roster or rosters containing the names of those related to the synod as members of its congregations who have been approved as associates in ministry, deaconesses of the Evangelical Lutheran Church in America, and diaconal ministers—according to the bylaws and continuing resolutions of this church—for inclusion on such a roster or rosters.

- a. To promote proportionate representation of the rostered faculty and administration in each synod related directly to a seminary of this church, an associate in ministry, a deaconess, or a diaconal minister, if a seminary teacher or administrator, shall be assigned to the roster of a synod by the seminary board, subject to approval by the synodical bishop and Synod Council of the affected synod.
- b. For the sake of the ministry and mission needs of this church, an associate in ministry, a deaconess, or a diaconal minister, serving under call in the churchwide organization, may be assigned to a synod, at the initiative of the presiding bishop of this church, upon mutual agreement of the synodical bishops involved after consultation with and approval by the secretary of this church.
- c. An associate in ministry, a deaconess, or a diaconal minister, if granted retired or disability status on the roster, may be authorized to transfer from the synod where last rostered to the synod of current address, upon application for transfer and the mutual agreement of the synodical bishops involved after consultation with and approval by the secretary of this church.
- d. In unusual circumstances, the transfer of an associate in ministry, a deaconess, or a diaconal minister who is on leave from call may be authorized upon mutual agreement of the synodical bishops involved after consultation with and approval by the secretary of this church.

**7.52.15.** The secretary of this church shall maintain the lay rosters of associates in ministry, deaconesses of the Evangelical Lutheran Church in America, and diaconal ministers on which shall be listed the names of those who qualify according to the constitution, bylaws, and continuing resolutions of this church.

**7.52.20. Service as Rostered Laypersons**

**7.52.21. Service under Call.** An associate in ministry, deaconess, or diaconal minister of this church shall serve under a letter of call properly extended by a congregation, synod, or the churchwide organization.

- a. A call may be extended either for indefinite or stated periods of time by the appropriate calling body for service in a congregation, synod, or churchwide unit, in an institution or agency of this church, or in another setting in a category of work as provided by continuing resolution 7.52.A13.
- b. Regular, valid calls in this church shall be in accord with criteria, policies, and procedures recommended by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council.
- c. An associate in ministry, deaconess, or diaconal minister serving under call to a congregation shall be a member of that congregation. In a parish of multiple congregations, an associate in ministry, deaconess, or diaconal minister shall be a member of one of the congregations being served.

**7.52.22. On Leave from Call.** An associate in ministry, deaconess, or diaconal minister of this church, serving under a regularly issued letter of call, who leaves the work of that call without accepting another regularly issued letter of call, may be retained on the roster of associates in ministry, deaconesses, or diaconal ministers of this church, upon endorsement by the synodical bishop, by action of the Synod Council in the synod of which a member, under policy developed by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council.

- a. Normative Pattern: By annual action of the Synod Council in the synod of which a member, upon endorsement by the synodical bishop, an associate in ministry, deaconess, or diaconal minister who is without a current letter of call may be retained on the roster of associates in ministry, deaconesses, or diaconal ministers of this church for a maximum of three years, beginning at the completion of an active call.
- b. Study Leave: By annual action of the Synod Council in the synod of which a member, with the approval of the synodical bishop and in consultation with the appropriate churchwide unit, an associate in ministry, deaconess, or diaconal minister engaged in graduate study appropriate for

service in this church may be retained on the roster of associates in ministry, deaconesses, or diaconal ministers of this church for a maximum of six years.

c. Family Leave: An associate in ministry, deaconess, or diaconal minister who has been in active service under call for at least three years may request leave for family responsibilities. By annual action of the Synod Council in the synod of which a member, upon endorsement by the synodical bishop, such a rostered layperson who is without a current letter of call and who requests leave for the birth or care of a child or children of the rostered layperson or the care of an immediate family member (child, spouse, or parent) with a serious health condition may be retained on the roster of associates in ministry, deaconesses, or diaconal ministers of this church—under policy developed by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council—for a maximum of six years, beginning at the completion of an active call.

d. Exception to these limits for the purpose of serving the needs of this church may be granted in accordance with established policy of this church by the Synod Council in the synod of current roster after having received approval by the Conference of Bishops.

**7.52.23. Issuance and Termination of the Call of an Associate in Ministry, Deaconess, or Diaconal Minister.**

a. A letter of call to an associate in ministry, deaconess, or diaconal minister of this church shall be issued in keeping with this church's constitutions, bylaws, and continuing resolutions as well as policies regarding such calls developed by the appropriate churchwide unit, reviewed by the Conference of Bishops, and approved by the Church Council. In the case of alleged local difficulties that imperil the effective functioning of the congregation, the synodical bishop, following appropriate consultation, will recommend a course of action to the pastor, lay rostered person, and the congregation. If they agree to carry out such recommendations, no further action shall be taken by the synod. If any party fails to assent, the congregation may dismiss the associate in ministry, deaconess, or diaconal minister under criteria, policies, and procedures recommended by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council.

b. A letter of call issued by a Synod Council or the Church Council to an associate in ministry, deaconess, or diaconal minister of this church shall be either co-terminus with, or not longer than the duration of, the service or employment for which the call was issued. With the exception of persons designated as employees of a synod or the churchwide organization, such a call does not imply any employment relationship or contractual obligation in regard to employment on the part of the Synod Council or Church Council issuing the call. The recipient of such a call remains subject to this church's standards and discipline for associates in ministry, deaconesses, and diaconal ministers, as contained in this church's constitution, bylaws, and continuing resolutions and in the policy and procedure documents of this church.

c. When the Synod Council or the Church Council, as the calling source, determines that the service or employment no longer fulfills the criteria under which a call was issued, the Synod Council or the Church Council shall vacate the call and direct that the individual be placed on leave from call or, if such leave status is not granted, the individual shall be removed from the roster of associates in ministry, deaconesses, or diaconal ministers.

**7.52.24. Retirement.** Associates in ministry, deaconesses, and diaconal ministers may retire upon attainment of age 60, or after 30 years on a roster of this church or one of its predecessor bodies, and continue to be listed on the roster of associates in ministry, deaconesses, or diaconal ministers of this church, upon endorsement by the synodical bishop, by action of the Synod Council in the synod in which the associate in ministry, deaconess, or diaconal minister is listed on the roster.

a. The policies and procedures for granting retired status on the official rosters of laypersons shall be developed by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council.

b. If an associate in ministry, deaconess, or diaconal minister who has been granted retired status resides at too great a distance from any congregation of this church to be able to sustain an active relationship with that congregation, the bishop of the synod in which the associate in ministry, deaconess, or diaconal minister is listed on the roster may grant permission for the individual to hold

- membership in a congregation or parish of a church body with which a relationship of full communion has been declared and established by the Evangelical Lutheran Church in America.
- 7.52.25.** **Disability.** Associates in ministry, deaconesses, and diaconal ministers may be designated as disabled, and continue to be listed on the roster of associates in ministry, deaconesses, or diaconal ministers of this church, upon endorsement by the synodical bishop, by action of the Synod Council in the synod in which the associate in ministry, deaconess, or diaconal minister is listed on the roster.
- a. The policies and procedures for designation of disability on the official rosters of laypersons shall be developed by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council.
- b. If an associate in ministry, deaconess, or diaconal minister who has been granted disabled status resides at too great a distance from any congregation of this church to be able to sustain an active relationship with that congregation, the bishop of the synod in which the associate in ministry, deaconess, or diaconal minister is listed on the roster may grant permission for the individual to hold membership in a congregation or parish of a church body with which a relationship of full communion has been declared and established by the Evangelical Lutheran Church in America.
- 7.52.26.** **Retention of Roster Records.** When an associate in ministry, deaconess, or diaconal minister resigns or is removed from the roster of this church, the roster record shall be retained by the secretary of this church, and the synodical bishop shall invite the person at the time of resignation or removal to provide, annually, appropriate current information for the roster record.
- 7.52.27.** **Non-Stipendiary Service Under Call.** When necessary for the mission needs of this church, a letter of call may be issued by the Synod Council— according to criteria, policies, and procedures recommended by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council—to an associate in ministry, deaconess, or diaconal minister for non-stipendiary service after the Synod Council has sought and received approval by the Conference of Bishops. A call to non-stipendiary service is to be reviewed at least annually by the Synod Council and continued only as warranted for the ministry needs of this church. Such a call may be terminated by the Synod Council when it is deemed to be fulfilling no longer the mission needs of this church.
- 7.53.** **Persons on the lay rosters of this church as defined herein shall be subject to discipline as set forth in the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America.**
- 7.53.** **The standards for acceptance and continuance of ministers of Word and Service of this church shall be set forth in the bylaws.**
- 7.54.** **The secretary of this church shall maintain a roster containing the names of ministers of Word and Service who qualify on the basis of constitutional provisions 7.52., 7.53., and 7.61., and related bylaws.**
- 7.54.01.** **Ministers of Word and Service shall be known as deacons.**
- 7.54.A16.** *Those persons rostered in predecessor church bodies as commissioned church staff (The American Lutheran Church), deaconesses (The Association of Evangelical Lutheran Churches), deaconesses (The American Lutheran Church), deacons (The Association of Evangelical Lutheran Churches), lay professional leaders (the Lutheran Church in America), and commissioned teachers (The Association of Evangelical Lutheran Churches) shall be retained as deacons of this church (except for removals in accord with the governing documents, criteria, policies, and procedures of this church). Accountability for specific calls shall be exercised according to the policies and procedures of this church.*
- 7.54.B16.** *Those persons previously rostered as associates in ministry, deaconesses, or diaconal ministers in the Evangelical Lutheran Church in America shall be retained as deacons of this church (except for removals in accord with the governing documents, criteria, policies, and procedures of this church). Accountability for specific calls shall be exercised according to the policies and procedures of this church.*
- 7.60.** **LICENSURE AND SYNODICALLY AUTHORIZED MINISTRY**
- 7.61.01.** When need exists to render Word and Sacrament ministry for a congregation or ministry of this church where it is not possible to provide appropriate ordained pastoral leadership, the synodical bishop—acting with the consent of the congregation or ministry, in consultation with the Synod Council, and in accord

with standards and qualifications developed by the appropriate churchwide unit, reviewed by the Conference of Bishops, and approved by the Church Council—may authorize a person who is a member of a congregation of the Evangelical Lutheran Church in America to offer this ministry. Such an individual shall be supervised by a pastor appointed by the synodical bishop; such service shall be rendered during its duration under the sacramental authority of the bishop as the synod's pastor. Such an individual will be trained and licensed to fulfill this ministry for a specified period of time and in a given location only. Authorization, remuneration, direct supervision, and accountability are to be determined by the appropriate synodical leadership according to churchwide standards and qualifications for this type of ministry. Authorization for such service shall be reviewed annually and renewed only when a demonstrated need remains for its continuation.

**7.61.02.** When needed to provide for diaconal ministry as part of a congregation or ministry of this church where it is not possible for such ministry to be provided by appropriately rostered lay ministry, the synodical bishop—acting with the consent of the congregation or ministry, in consultation with the Synod Council, and in accord with standards and qualifications developed by the appropriate churchwide unit, reviewed by the Conference of Bishops, and approved by the Church Council—may authorize a non-rostered person who is a member of a congregation of the Evangelical Lutheran Church in America to offer such non-sacramental ministry. Such an individual shall be supervised by an ordained minister appointed by the synodical bishop and shall be trained and authorized to fulfill a particular ministry for a specific period of time in a given location only. Authorization, remuneration, direct supervision, and accountability are to be determined by the appropriate synodical leadership according to churchwide standards and qualifications for this type of ministry. Authorization for such service shall be reviewed annually and renewed only when a demonstrated need remains for its continuation.

**7.60.** **STANDARDS FOR MINISTERS OF WORD AND SERVICE**

**7.61.** **In accordance with the description stated in 7.52, ministers of Word and Service shall be governed by the following standards, policies, and procedures:**

**7.61.01.** **Basic Standards.** Persons admitted to and continued in the ministry of Word and Service of this church shall satisfactorily meet and maintain the following, as defined by this church's constitutions, bylaws, and continuing resolutions and in policies developed by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council:

- a. commitment to Christ;
- b. acceptance of and adherence to the Confession of Faith of this church;
- c. willingness and ability to serve in response to the needs of this church;
- d. academic and practical qualifications for ministry, including leadership abilities and competence in interpersonal relationships;
- e. commitment to lead a life worthy of the Gospel of Christ and in so doing to be an example in faithful service and holy living;
- f. receipt and acceptance of a letter of call; and
- g. membership in a congregation of this church.

**7.61.02.** **Responsibilities.** Consistent with the faith and practice of the Evangelical Lutheran Church in America, every minister of Word and Service shall:

- a. Be rooted in the Word of God, for proclamation and service;
- b. Advocate a prophetic diakonia that commits itself to risk-taking and innovative service on the frontiers of the Church's outreach, giving particular attention to the suffering places in God's world;
- c. Speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world, witnessing to the realm of God in the community, the nation, and abroad;
- d. Equip the baptized for ministry in God's world that affirms the gifts of all people;
- e. Encourage mutual relationships that invite participation and accompaniment of others in God's mission;
- f. Practice stewardship that respects God's gift of time, talents, and resources;
- g. Be grounded in a gathered community for ongoing diaconal formation;

- h. Share knowledge of the ELCA and its wider ministry of the gospel, and advocate for the work of all expressions of this church; and
- i. Identify and encourage qualified persons to prepare for ministry of the gospel.

**7.61.03. Preparation and Approval.** Except as provided in 7.61.04., a candidate who is to be called and received onto the roster as a minister of Word and Service shall have:

- a. membership in a congregation of this church and registration, by its pastor and council, of the candidate with the candidacy committee;
- b. been granted entrance to candidacy by and under the guidance and supervision of the appropriate committee for at least a year before being approved for call;
- c. completed the academic and practical preparation according to criteria and procedures established by the appropriate churchwide unit, after consultation with the Conference of Bishops, and adopted by the Church Council;
- d. been examined and approved by the appropriate committee according to criteria, policies, and procedures recommended by the appropriate churchwide unit, after consultation with the Conference of Bishops, and adopted by the Church Council;
- e. been recommended to a congregation or other entity by the bishop of the synod to which the candidate has been assigned for first call in accordance with the procedures recommended by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council; and
- f. received and accepted a properly issued and attested letter of call.

**7.61.04. Approval under Other Circumstances.** A candidate may, for reasons of age or prior experience, be granted approval under criteria and procedures which permit certain equivalencies as defined by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council.

**7.61.05. Reinstatement.** A person seeking reinstatement as a minister of Word and Service shall be registered by the pastor and council of the congregation of which such a person is a member with the candidacy committee of the synod in which the person was last rostered or, upon mutual agreement of the synodical bishops involved, after consultation with and approval by the secretary of this church, with the candidacy committee of the synod of current residence. The person then shall be interviewed, examined, and approved for reinstatement by the candidacy committee under criteria, policies, and procedures recommended by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council. In this process, the committee shall review the circumstances related to the termination of earlier service together with subsequent developments. The person is reinstated after receiving and accepting a letter of call to serve as a minister of Word and Service in this church.

**7.61.06. On Leave from Call.** A minister of Word and Service of this church, serving under a regularly issued letter of call, who leaves the work of that ministry without accepting another regularly issued letter of call, may be retained on the roster of ministers of Word and Service of this church, upon endorsement by the synodical bishop, by action of the Synod Council in the synod of which the minister of Word and Service is a member, under policy developed by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council.

- a. Normative Pattern: By annual action of the Synod Council in the synod of which a member, upon endorsement by the synodical bishop, a minister of Word and Service who is without a current letter of call may be retained on the roster of ministers of Word and Service of this church for a maximum of three years, beginning at the completion of an active call.
- b. Study Leave: By annual action of the Synod Council in the synod of which a member, with the approval of the synodical bishop and in consultation with the appropriate churchwide unit a minister of Word and Service engaged in graduate study, in a field of study that will enhance service in the ministry of Word and Service in this church, may be retained on the roster of ministers of Word and Service of this church for a maximum of six years.
- c. Family Leave: A minister of Word and Service who has been in active service under call for at least three years may request leave for family responsibilities. By annual action of the Synod Council in the synod of which a member, upon endorsement by the synodical bishop, such a minister of Word and Service who is without a current letter of call and who requests leave for the birth or care of a

child or children of the minister of Word and Service or the care of an immediate family member (child, spouse, or parent) with a serious health condition may be retained on the roster of ministers of Word and Service of this church—under policy developed by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council—for a maximum of six years, beginning at the completion of an active call.

- d. Exception to these limits for the purpose of serving the needs of this church may be granted in accordance with established policy of this church by the Synod Council in the synod of current roster after having received approval by the Conference of Bishops.

**7.61.A16.** Any person removed from the roster of ministers of Word and Service that existed on December 31, 1987, as cited herein, who seeks to return to active roster status must apply for acceptance to a roster of this church under the standards, criteria, policies, and procedures that apply to the official roster of ministers of Word and Service. This same requirement shall apply to those certified during the period of January 1, 1988, through September 1, 1993, as associates in ministry of this church.

**7.61.B16.** A person on the roster of a previous church body or a person on the roster of associates in ministry of this church, who was so certified during the period between January 1, 1988, and September 1, 1993, shall relinquish such a roster category upon being received and accepted on another roster of this church.

**7.70.** **CALLS FOR MINISTERS OF WORD AND SERVICE**

**7.71.** **Letters of Call.** Letters of call to ministers of Word and Service of this church or properly approved candidates for this church's roster of ministers of Word and Service shall be issued in keeping with this church's constitutions, bylaws, and continuing resolutions as well as policies regarding such calls developed by the appropriate churchwide unit, reviewed by the Conference of Bishops, and approved by the Church Council.

**7.71.01.** **Service under Call.** A minister of Word and Service of this church shall serve under a letter of call properly extended by a congregation, the Synod Council, the Synod Assembly, the Church Council, or the Churchwide Assembly.

- a. Calls may be extended either for stated periods of time and for shared-time ministry by the appropriate calling body under criteria recommended by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council for service in a congregation, synod, or churchwide unit, in an institution or agency of this church, or in another setting in a category of work as provided by continuing resolution 7.74.A16.
- b. A minister of Word and Service serving under call to a congregation shall be a member of that congregation. In a parish of multiple congregations, a minister of Word and Service shall be a member of one of the congregations being served.

**7.71.02.** **Non-Stipendiary Service Under Call.** When it is deemed necessary for the mission needs of this church, a letter of call may be issued by the Synod Council— according to criteria, policies, and procedures recommended by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council—to a minister of Word and Service for non-stipendiary service after the Synod Council has sought and received approval by the Conference of Bishops. A call to non-stipendiary service is to be reviewed at least annually by the Synod Council and continued only as warranted for the ministry needs of this church. Such a call may be terminated by the Synod Council when it is deemed to be fulfilling no longer the mission needs of this church.

**7.71.03.** **Calls in Predecessor Church Bodies.** Accountability for specific calls to service extended in predecessor church bodies shall be exercised according to the policies and procedures of this church.

**7.71.04.** **Retirement.** Ministers of Word and Service may retire upon attainment of age 60, or after 30 years on a roster of this church or one of its predecessor bodies, and continue to be listed on the roster of ministers of Word and Service of this church, upon endorsement by the synodical bishop, by action of the Synod Council in the synod in which the minister of Word and Service is listed on the roster.

- a. The policies and procedures for granting retired status on the roster of ministers of Word and Service shall be developed by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council.
- b. If a minister of Word and Service who has been granted retired status resides at too great a distance from any congregation of this church to be able to sustain an active relationship with that

congregation, or if there are no ELCA congregations in the vicinity besides the congregation previously served, the bishop of the synod in which the minister of Word and Service is listed on the roster may grant permission for the minister of Word and Service to hold membership in a congregation or parish of a church body with which a relationship of full communion has been declared and established by the Evangelical Lutheran Church in America.

**7.71.05.** **Disability.** Ministers of Word and Service may be designated as disabled, and continue to be listed on the roster of ministers of Word and Service of this church, upon endorsement by the synodical bishop, by action of the Synod Council in the synod in which the minister of Word and Service is listed on the roster.

a. The policies and procedures for designation of disability on the official roster of ministers of Word and Service shall be developed by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council.

b. If a minister of Word and Service who has been granted disabled status resides at too great a distance from any congregation of this church to be able to sustain an active relationship with that congregation, or if there are no ELCA congregations in the vicinity besides the congregation previously served, the bishop of the synod in which the minister of Word and Service is listed on the roster may grant permission for the individual to hold membership in a congregation of a church body with which a relationship of full communion has been declared and established by the Evangelical Lutheran Church in America.

**7.71.06.** **Retention of Roster Records.** When a minister of Word and Service resigns or is removed from the roster of this church, the roster record shall be retained by the secretary of this church, and the synodical bishop shall invite the person at the time of resignation or removal to provide, annually, appropriate current information for the roster record.

**7.72.** **Each person on the roster of ministers of Word and Service of this church shall be related to that synod:**

a. **to which the congregation issuing the call to the minister of Word and Service is related;**

b. **which issues a letter of call to the minister of Word and Service;**

c. **on whose roster the minister of Word and Service was listed at the time of the issuance of a letter of call from the Church Council;**

d. **on whose roster the minister of Word and Service, if a seminary teacher or administrator, was assigned by the seminary board, subject to approval by the synodical bishop and Synod Council of each affected synod, to promote proportionate representation of faculty and administration in each synod of its region;**

e. **in which the minister of Word and Service, upon receiving a call from this church, serves as a deployed staff person or on the roster of one of the synods to which the minister of Word and Service is deployed;**

f. **on whose roster the minister of Word and Service was listed when placed on leave from call;**

g. **on whose roster the minister of Word and Service, if designated as disabled, was listed when last called, or the synod of current address, upon application by the minister of Word and Service for transfer and the mutual agreement of the synodical bishops involved after consultation with and approval by the secretary of this church; or**

h. **on whose roster the minister of Word and Service, if granted retired status, was listed when last called, or the synod of current address, upon application by the minister of Word and Service for transfer and the mutual agreement of the synodical bishops involved after consultation with and approval by the secretary of this church.**

**7.72.01.** If the service of a minister of Word and Service who receives and accepts a letter of call from this church, under 7.72.c., would be enhanced through transfer of roster status from the previous synod of roster to the synod of current address, such a transfer may be authorized upon mutual agreement of the synodical bishops involved after consultation with and approval by the secretary of this church.

**7.72.02.** In unusual circumstances, the transfer of a minister of Word and Service who is on leave from call may be authorized upon mutual agreement of the synodical bishops involved after consultation with and approval by the secretary of this church.

**7.72.03.** In certain circumstances for the sake of the ministry and mission needs of this church, the transfer of a minister of Word and Service serving under call in the churchwide organization may be authorized, at the initiative of the presiding bishop of this church, upon mutual agreement of the synodical bishops involved in such a transfer after consultation with and approval by the secretary of this church.

**7.73.** A letter of call issued by a Synod Council or the Church Council to a minister of Word and Service of this church shall be either co-terminus with, or not longer than, the duration of the service or employment for which the call was issued. With the exception of persons designated as employees of a synod or the churchwide organization, such a call does not imply any employment relationship or contractual obligation in regard to employment on the part of the Synod Council or Church Council issuing the call. The recipient of such a call remains subject to this church's standards and discipline for ministry of Word and Service, as contained in this church's constitution, bylaws, and continuing resolutions and in the policy and procedure documents of this church.

**7.73.01.** When the Synod Council or the Church Council, as the calling source, determines that the service or employment no longer fulfills the criteria under which a call was issued, the Synod Council or the Church Council shall vacate the call and direct that the individual be placed on leave from call or, if such leave status is not granted, the individual shall be removed from the roster of ministers of Word and Service.

**7.73.02.** Ministers of Word and Service previously under call to the churchwide organization or to a synod shall respect the integrity of the ministry in which they no longer serve and shall not interfere with or exercise the functions of the office or position in which they no longer serve unless invited to do so by the presiding bishop or Church Council in the churchwide organization or, in the synods, by the bishop or the Synod Council.

**7.74.** Each synod shall maintain a roster containing the names of those ministers of Word and Service who are related to it on the basis of 7.72. of this constitution.

**7.52.A13.** Sources of Calls for Associates in Ministry, Deaconesses, and Diaconal Ministers

a. The principles governing sources of calls for ordained ministers shall, as appropriate, also govern sources of letters of call for associates in ministry, deaconesses, and diaconal ministers of the Evangelical Lutheran Church in America.

b. Table of Sources of Call for Associates in Ministry, Deaconesses, and Diaconal Ministers

**7.74.A16.** Sources of Calls for Ministers of Word and Service

a. Principles for Sources of Calls

1) A "call" is an action by expressions of this church, as specified in the "Table of Sources of Calls for Ministers of Word and Service," through which a person is asked to serve in a specified ministry. Such an action is attested in a "letter of call."

2) Interdependence within the body of this church suggests that any action of one of its entities affects other entities. Therefore, interdependence is expressed in all calls extended within this church.

3) A call expresses a relationship between this church and the person called involving mutual service, support, accountability, supervision, and discipline.

4) A letter of call is issued by that expression of this church authorized to do so which is most directly involved in accountability for the specified ministry.

5) Decisions on calls for ministries in unusual circumstances not otherwise provided for but deemed to be in the interests of this church's care of the Gospel are referred to the Conference of Bishops for recommendation to the appropriate calling body.

b. Table of Sources of Call for Ministers of Word and Service

	Setting	Calling Body
1.0	Congregational ministry	
1.1	Single congregation	Congregation meeting

1.2	Multiple-congregation parish	Congregation meetings, acting on a common proposal, <u>with one of the participating congregations issuing the call</u>
1.3	Coalition and cluster ministry	Synod Council
1.4	<u>Other</u> Congregations <u>beyond the ELCA</u>	
1.41	Independent Lutheran congregation	Synod Council
1.42	Other	Synod Council
2.0	Synodical ministry	<del>Synod Council</del>
2.1	<u>Assistant to the Bishop</u>	<u>Synod Council</u>
2.2	<u>Shared staff of two or more synods</u>	<u>Synod Council</u>
2.3	<u>Staff partially supported by grants from churchwide units</u>	<u>Synod Council</u>
3.0	Regional ministry	<del>Church Council</del>
3.1	<u>Staff</u>	<u>Church Council</u>
3.2	<u>Shared synodical-churchwide staff</u>	<u>Church Council</u>
4.0	Churchwide ministry	
4.1	<u>Officer's staff Secretary</u>	<u>Church Council</u> <u>Churchwide Assembly</u>
4.2	<u>Unit executive director Treasurer</u>	Church Council
4.3	<u>Other churchwide unit staff Staff of the churchwide organization</u>	Church Council
5.0	<u>Social ministry institutions Institutional ministry</u>	
5.1	Institution/agency related or unrelated to a synod	Synod Council
5.2	Institution/agency related more to than one synod	Synod Council of one of the synods
5.3	ELCA-related institution/agency	Church Council upon request of appropriate churchwide unit
5.4	Other	Church Council
6.0	Campus ministry	
6.1	Staff	Synod Council
7.0	<u>Church camp-Outdoor</u> ministry	
7.1	Staff	Synod Council
8.0	Ecumenical ministry	
8.1	Related to a synod	Synod Council
8.2	Related to more than one synod	Synod Council of one of the synods
8.3	National/international organization	Church Council
9.0	Inter-Lutheran ministry	
9.1	Related to a synod	Synod Council

9.2	<i>Related to more than one synod</i>	<i>Synod Council of one of the synods</i>
9.3	<i>National/International</i>	<i>Church Council</i>
10.0	<i>Educational ministry</i>	
10.1	<i>ELCA-related seminary</i>	<i>Church Council upon request of appropriate churchwide unit</i>
10.2	<i>Seminary unrelated to ELCA</i>	<i>Church Council upon request of appropriate churchwide unit</i>
10.3	<i>ELCA-related college</i>	<i>Synod Council of the synod in which college is located</i>
10.4	<i>College unrelated to ELCA</i>	<i>Synod Council of the synod in which college is located</i>
10.5	<i>ELCA-related school</i>	<i>Congregation of which the school is a part or, if related to several congregations, Synod Council of the synod in which the school is located</i>
10.6	<i>School unrelated to ELCA</i>	<i>Synod Council of the synod in which school is located</i>
10.7	<i>Director/staff of a continuing education center related to a churchwide unit</i>	<i>Synod Council in which the center's main office of center is located upon the request of appropriate churchwide unit</i>
11.0	<i>Missionary ministry</i>	
11.1	<i>Outside United States</i>	<i>Church Council upon request of appropriate churchwide unit</i>
11.2	<i>Within United States</i>	<i>Church Council upon request of appropriate churchwide unit</i>
12.0	<i>Other</i>	
12.1	<i>Non-stipendiary service under call</i>	<i>Synod Council upon approval by the Conference of Bishops</i>
12.2	<i>Unusual ministries (as in conjunction with occupations and in approved situations not otherwise specified)</i>	<i>Synod Council or Church Council upon recommendation by the Conference of Bishops</i>

**7.75. The provisions for termination of the mutual relationship between a minister of Word and Service and a congregation shall be as follows:**

- a. The call of a congregation, when accepted by a minister of Word and Service shall constitute a continuing mutual relationship and commitment which shall be terminated only by death or following consultation with the synodical bishop for the following reasons:**
- 1) mutual agreement to terminate the call or the completion of a call for a specific term;**
  - 2) resignation of the minister of Word and Service, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;**
  - 3) inability to conduct the office to which they have been called effectively in that congregation in view of local conditions;**

- 4) physical disability or mental incapacity of the minister of Word and Service;
  - 5) suspension of the minister of Word and Service through discipline for more than three months;
  - 6) resignation or removal of the minister of Word and Service from the roster of ministers of Word and Service of this church;
  - 7) termination of the relationship between this church and the congregation;
  - 8) dissolution of the congregation or the termination of a parish arrangement; or
  - 9) suspension of the congregation through discipline for more than six months.
- b. When allegations of physical disability or mental incapacity of the deacon under paragraph a.4) above, or ineffective conduct of the office under paragraph a.3) above, have come to the attention of the bishop of this synod,
- 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one non-rostered person, or
  - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of the congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one non-rostered person.
- c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the minister of Word and Service's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the position vacant and the minister of Word and Service shall be listed on the roster of ministers of Word and Service as disabled. Upon removal of the disability and restoration of the minister of Word and Service to health, the bishop shall take steps to enable the minister of Word and Service to resume the ministry, either in the congregation last served or in another appropriate call.
- d. In the case of alleged local difficulties that imperil the effective functioning of the congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the minister of Word and Service and then to the congregation. The recommendations of the bishop's committee must address whether the minister of Word and Service's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by the congregation and by the minister of Word and Service, if appropriate. If the minister of Word and Service and congregation agree to carry out such recommendations, no further action need be taken by the synod.
- e. If either party fails to assent to the recommendations of the bishop's committee concerning the minister of Word and Service's call, the congregation may dismiss the minister of Word and Service only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds majority vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a simple majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
- f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.

**7.76.** Ministers of Word and Service of this church shall be subject to discipline as set forth in Chapter 20 of this constitution.

**7.76.01.** No person who belongs to any organization other than the Church which claims to possess in its teachings and ceremonies that which the Lord has given solely to the Church shall be called and received onto the roster of ministers of Word and Service or otherwise received into the ministry of this church,

nor shall any person so called and received onto the roster of ministers of Word and Service or otherwise received by this church be retained in its ministry who subsequently joins such an organization.

## Chapter 20.

### CONSULTATION, DISCIPLINE, APPEALS, AND ADJUDICATION

#### 20.10. CONSULTATION AND DISCIPLINE

20.11. There shall be set forth in the bylaws a process of discipline governing officers, ordained ministers of Word and Sacrament, ministers of Word and Service, diaconal ministers, associates in ministry, deaconesses, congregations, and members of congregations. Except as provided in 20.18. or 20.19., such process shall assure due process and due protection for the accused, other parties, and this church. Since synods have responsibility for admittance of persons into the ordained ministry of this church or onto other rosters rostered ministries of this church and have oversight of pastoral and congregational relationships, the disciplinary process shall be a responsibility of the synod on behalf of this church.

20.17. None of the provisions of this chapter is intended nor shall be construed to limit the authority of a Synod Council to remove determine roster status, under the bylaws of this church, from the rosters of this church an ordained of a minister or other person who is without regular call and not retired, for any reason, even though such reason might also be the basis for disciplinary proceedings under this chapter.

20.20. ~~ORDAINED MINISTERS~~ The Committee on Appeals shall establish definitions and guidelines, subject to approval by the Church Council, to enable clear and uniform application of the grounds for discipline of officers, rostered ministers, congregations, and members of congregations.

20.21. The disciplinary process for ministers of Word and Sacrament shall be set forth in the bylaws.

20.21.01. ~~Ordained m~~Ministers of Word and Sacrament shall be subject to discipline for:

- a. preaching and teaching in conflict with the faith confessed by this church;
- b. conduct incompatible with the character of the ministerial office;
- c. willfully disregarding or violating the functions and standards established by this church for the office of ministry of Word and Sacrament;
- d. willfully disregarding the provisions of the constitutions, bylaws, and continuing resolutions; or
- e. willfully failing to comply with the requirements ordered by a discipline hearing committee under 20.23.08.

20.21.02. The disciplinary actions which may be imposed are:

- a. private censure and admonition by the bishop of the synod;
- b. suspension from the office and functions of the ordained ministry of Word and Sacrament in this church for a designated period or until there is satisfactory evidence of repentance and amendment; or
- c. removal from the ordained ministry roster of ministers of Word and Sacrament of this church.

20.21.03. Charges against an ordained minister of Word and Sacrament which could lead to discipline must be specific and in writing, subscribed to by the accuser(s), and be made by one or more of the following:

- a. at least two-thirds of the members of the congregation's council, submitted to the synodical bishop;
- b. at least one-third of the voting members of the congregation, submitted to the synodical bishop;
- c. at least two-thirds of the members of the governing body to which the ordained minister of Word and Sacrament, if not a parish congregational pastor, is accountable, submitted to the synodical bishop;
- d. at least 10 ordained ministers of Word and Sacrament or ministers of Word and Service of the synod on whose roster the accused ordained minister of Word and Sacrament is listed, submitted to the synodical bishop;
- e. the synodical bishop; or

- f. the presiding bishop of this church, but only with respect to an accused who is a synodical bishop (or who was a synodical bishop at any time during the 12 months preceding the filing of written charges), submitted to the secretary of this church.
- 20.21.04.** When there are indications that a cause for discipline may exist and before charges are made, efforts shall be made by the bishop of the synod to resolve the situation by consultation; for assistance in these efforts, the bishop may utilize either a consultation panel or an advisory panel as herein provided:
- When requested by the synodical bishop, a consultation panel consisting of five persons (three ~~ordained ministers of Word and Sacrament~~ and two laypersons) appointed from the members of the Consultation Committee of the synod by the synodical bishop, or, at the request of the synodical bishop, by the Synod Council's Executive Committee or other committee authorized to do so by the Synod Council, shall assist the synodical bishop in efforts to resolve a situation by consultation.
  - When requested by the synodical bishop, an advisory panel consisting of five persons (three ~~ordained ministers of Word and Sacrament~~ and two laypersons) appointed by the synodical bishop shall assist the synodical bishop in efforts to resolve a situation by consultation.
- 20.21.05.** If appointed, a consultation panel or advisory panel shall advise the synodical bishop as to whether or not the bishop should bring charges or may make other recommendation for resolution of the controversy that would not involve proceedings before a discipline hearing committee. To these ends, the panel may meet with complaining witnesses as well as with the concerned ~~ordained minister of Word and Sacrament~~. If requested by the synodical bishop, members of the panel also may assist, as representatives of the accuser, in the presentation of evidence and examination of witnesses before a discipline hearing committee.
- 20.21.11.** The Churchwide Committee on Discipline shall consist of 24–36 members, half of whom should be ~~ordained ministers of Word and Sacrament~~ and half of whom should be laypersons, elected by the Churchwide Assembly for a term of six years. Each member will serve until a successor is elected, without consecutive re-election, and will serve as needed on a discipline hearing committee in any of the synods in this church.
- 20.21.12.** The accused shall have the privilege of selecting two persons (one ~~clergy minister of Word and Sacrament~~ and one ~~layperson~~) and their alternates of the six persons from the churchwide Committee on Discipline to serve on a discipline hearing committee. The remaining four persons (two ~~clergy minister of Word and Sacrament~~ and two ~~laypersons~~) and their alternates, or six, if the accused does not exercise the privilege, and their alternates shall be selected by the Executive Committee of the Church Council.
- 20.21.23.** If there are indications that a cause for discipline exists or if in the course of the proceedings it should become apparent to the bishop of the synod that the pastoral office cannot be conducted effectively in the congregation(s) being served by the ~~ordained minister of Word and Sacrament~~ due to local conditions or that local conditions may be adversely affected by the continued service by the ~~ordained minister pastor~~, the bishop of the synod may temporarily suspend the pastor from service in the congregation(s) without prejudice and with pay provided through a joint synodical and churchwide fund and with housing provided by the congregation(s).
- 20.21.24.** If there are indications that a cause for discipline exists or if in the course of proceedings it becomes apparent to the bishop of the synod that the circumstances require, the bishop of the synod may temporarily suspend an ~~ordained minister of Word and Sacrament~~ serving under letter of call issued other than by a congregation from the office and functions of ~~ordained ministry of Word and Sacrament~~ without prejudice and without affecting compensation and housing.
- 20.22.** ~~LAY ROSTERED MINISTERS~~ **The disciplinary process for ministers of Word and Service shall be set forth in the bylaws.**
- 20.22.01.** ~~Laypersons on official rosters~~ **Ministers of Word and Service** shall be subject to discipline for:
- confessing and teaching in conflict with the faith confessed by this church;
  - conduct incompatible with the ~~standards for the rostered ministries of this church~~ **character of the ministerial office;**

- c. willfully disregarding or violating the functions and standards established by this church for ~~the lay roster or rosters~~ ministers of Word and Service;
  - d. willfully disregarding the provisions of the constitutions, bylaws, and continuing resolutions; or
  - e. willfully failing to comply with the requirements ordered by a discipline hearing committee under 20.23.08.
- 20.22.02.** The disciplinary actions that may be imposed are:
- a. private censure and admonition by the bishop of the synod;
  - b. suspension from the role and functions of ~~an associate in ministry, a deaconess, or a diaconal minister of Word and Service~~ for a designated period or until there is satisfactory evidence of repentance and amendment; or
  - c. removal from the ~~official roster for laypersons of~~ ministers of Word and Service of this church.
- 20.22.03.** Charges against a ~~layperson on an official roster~~ minister of Word and Service of this church that could lead to discipline must be specific and in writing, subscribed to by the accuser(s), and be made by one or more of the following:
- a. at least two-thirds of the members of the Congregation Council of the congregation in which the ~~layperson~~ minister of Word and Service is serving, submitted to the synodical bishop;
  - b. at least one-third of the voting members of the congregation in which the ~~layperson~~ minister of Word and Service is serving, submitted to the synodical bishop;
  - c. at least two-thirds of the members of the governing body to which the ~~layperson~~ minister of Word and Service is accountable, submitted to the synodical bishop;
  - d. at least 10 ~~ordained ministers or laypersons on official~~ ministers of Word and Sacrament or ministers of Word and Service on the rosters of the synod on whose roster the accused ~~layperson~~ minister of Word and Service is listed, submitted to the synodical bishop; or
  - e. the synodical bishop.
- 20.22.04.** When there are indications that a cause for discipline exists, efforts shall be made by the bishop of the synod to resolve the situation by consultation in the same manner as set forth above for ~~ordained ministers of Word and Sacrament~~ in 20.21.04. through 20.21.06.
- 20.22.05.** If those efforts fail, the procedures for discipline shall be the same as that set forth above for ~~ordained ministers of Word and Sacrament~~ in 20.21.07. through 20.21.22.
- 20.22.06.** If there are indications that a cause for discipline exists or if in the course of the proceedings it should become apparent to the bishop of the synod that the role and function of ~~the associate in ministry, deaconess, or diaconal~~ a minister of Word and Service cannot be conducted effectively in the congregation(s) being served by ~~a rostered layperson~~ the minister of Word and Service due to local conditions or that local conditions may be adversely affected by the continued service by ~~a rostered layperson~~ the minister of Word and Service, the bishop of the synod may temporarily suspend ~~a rostered layperson~~ the minister of Word and Service from service in the congregation(s) without prejudice and with pay provided through a joint churchwide-synodical-congregation fund.
- 20.22.07.** If there are indications that a cause for discipline exists or if in the course of proceedings it becomes apparent to the bishop of the synod that the circumstances require, the bishop of the synod may temporarily suspend a ~~rostered layperson~~ minister of Word and Service serving under letter of call issued other than by a congregation from the office and functions of a ~~rostered layperson~~ minister of Word and Service without prejudice and without affecting compensation.
- 20.23.** **LIMITED DISCIPLINE** A process for limited discipline of rostered ministers shall be set forth in the bylaws.
- 20.23.01.** Where the written charges specify that the accuser will not seek, in the case of an ordained minister, removal from the ordained ministry of this church or suspension from the office and functions of the ordained ministry in this church for a period exceeding three months, or, in the case of a layperson on one of the rosters of this church, the rostered minister's removal from such roster the ministry of this church or suspension from the office/role and functions of a person on such roster the ministry of this church for a period not exceeding three months, 20.23.01. through 20.23.09. shall apply to the exclusion of 20.21.08. through 20.21.24. and 20.22.05. through 20.22.07.

**20.23.08.** The discipline hearing committee shall conclude its meeting(s) and render its decision in writing within 45 days of the commencement of the meeting for which written notice was given under 20.23.06. The written decision shall be in two parts:

...

b. Determination. In this part, the committee shall state whether, based upon the facts that it has found, it believes discipline should be imposed and if so, which one or more of the following should be imposed:

- 1) private censure and admonition by the synodical bishop.
- 2) suspension for a period not exceeding three months from the office and functions of the ordained ministry in the case of an ordained minister or from the role and functions of a rostered layperson in the case of a layperson on a roster of ministry in this church.

...

**20.30. CONGREGATIONS**

**20.31. The disciplinary process for congregations shall be set forth in the bylaws.**

**20.31.02.** The disciplinary actions which may be imposed are:

- a. censure and admonition by the bishop of the synod;
- b. suspension from this church for a designated period, the consequences of such suspension being the loss of voting rights of any member (including ordained ministers of Word and Sacrament and ministers of Word and Service) of the congregation at synod or churchwide assemblies, the loss of the right to petition, and the forfeiture of eligibility by any member of the congregation to serve on any council, board, committee, or other group of this church, any of its synods, or any other subdivision thereof;

...

**20.31.04.** When there are indications that a cause for discipline exists, efforts shall be made by the bishop of the synod to resolve the situation by consultation in the same manner as set forth above for ordained ministers of Word and Sacrament in 20.21.04. and 20.21.05.

**20.31.05.** If those efforts fail, the procedures for discipline shall be the same as that set forth above for ordained ministers of Word and Sacrament in 20.21.07. through 20.21.22.

**20.40. MEMBERS OF CONGREGATIONS**

**20.41. The disciplinary process for members of congregations shall be set forth in the bylaws.**

**20.41.04.** If the counseling, censure and admonitions pursuant to bylaw 20.41.02.a. and b. do not result in repentance and amendment of life, charges against the accused member(s) that are specific and in writing may be prepared by the Congregation Council, signed, and submitted to the vice president of the synod. The vice president shall select from the synod's Consultation Committee a panel of five members (three lay persons and two clergy ministers of Word and Sacrament). A copy of the written charges shall be provided to consultation panel and the accused member(s). The consultation panel, after requesting a written reply to the charges from the accused member(s), shall consider the matter and seek a resolution by means of investigation, consultation, mediation, or whatever other means may seem appropriate.

**20.50. RECALL OR DISMISSAL**

**20.51. A process for the recall or dismissal of officers shall be set forth in the bylaws.**

~~20.51.~~ *[provision to become bylaw]*

**20.51.01.** The recall or dismissal of the presiding bishop, vice president, or secretary of this church and the vacating of office may be effected:

- a. for willful disregard or violation of the constitutions, bylaws, and continuing resolutions;
- b. for such physical or mental disability as renders the officer incapable of performing the duties of office; or

- c. for such conduct as would subject the officer to disciplinary action as ~~an ordained~~ rostered minister or as a member of a congregation of this church.

~~20.52.~~

~~[provision to become bylaw]~~

~~20.51.02.~~

Proceedings for the recall or dismissal of such an officer shall be instituted by petition by:

- a. the Church Council on a vote of at least two-thirds of its elected members; or
- b. the Churchwide Assembly on a vote of at least two-thirds of its members.

The petition shall be filed with the chair of the Committee on Appeals and shall set forth the specific charge or charges.

~~20.51.03.~~

~~Notice of a decision by the Committee on Appeals that the charges have been sustained shall be given to the accused person, the Church Council shall be notified of the entry of such judgment, and the office shall be vacated.~~

~~20.52.A116.~~

~~Recall or Dismissal of an Churchwide Officer~~

- a. ~~The petition for recall or dismissal described in 20.52. shall be filed with the chair of the Committee on Appeals (in care of the secretary of the Evangelical Lutheran Church in America, 8765 West Higgins Road, Chicago, Illinois 60631, except if the subject of the petition is the secretary, the petition shall be in care of the presiding bishop of this church at the same address).~~
- b. ~~In the case of alleged physical or mental incapacity of the officer,~~
  - 1) ~~with respect to the officer the procedures outlined in 13.63. shall first be followed, and if such officer does not accept the decision of the Church Council, the Church Council may proceed to petition for proceedings for recall or dismissal.~~
  - 2) ~~in the event of such petition, four members of the Committee on Appeals, designated by the committee chair and consisting of two ordained ministers of Word and Sacrament and two laypersons, shall~~
    - a) ~~investigate such conditions in person;~~
    - b) ~~seek competent medical testimony;~~
    - c) ~~seek the counsel and advice of the other officers of this church; and~~
    - d) ~~submit a written report of their findings to the other members of the Committee on Appeals.~~
  - 3) ~~the members of the Committee on Appeals, other than those who investigated the conditions and other than those who are disqualified, shall review the findings of the investigation committee and by an affirmative vote of at least two-thirds of those present and voting may adopt the findings and grant the petition.~~
- c. ~~If the officer is an ordained minister of Word and Sacrament, grounds for recall or dismissal include those set forth in 20.21.01. and as defined under the process described in ~~20.71.11. and 20.71.12.~~ 20.20. as grounds for discipline of ordained minister. ~~If the officer is a minister of Word and Service, grounds for recall or dismissal include those set forth in 20.22.01. and as defined under the process described in 20.20. as grounds for discipline.~~ ~~If the officer is a layperson, grounds for recall or dismissal include those set forth in 20.41.01. and as defined under the process described in 20.20. as grounds for discipline.~~~~
- d. ~~In the case of alleged willful disregard or violation of the constitutions, bylaws, and continuing resolutions or of alleged conduct as would subject the officer to disciplinary action, the following procedures shall apply:~~
  - 1) ~~The petition shall be referred to the Committee on Appeals which shall function as the discipline hearing committee that shall conduct a hearing in accordance with the rules provided for in 20.21.16., except to the extent that those rules are in conflict with 20.51., 20.52., 20.53., or with the provisions of this continuing resolution; and~~
  - 2) ~~the members of the Committee on Appeals, other than those who are disqualified, may grant the petition by an affirmative vote of at least two-thirds of those present and voting.~~
- e. ~~Upon the filing of a written petition, the Executive Committee of the Church Council may temporarily suspend the officer from service without prejudice, but with continuation of compensation, including benefits, if the officer is a salaried employee. Appeals from such temporary suspension shall be provided in 13.63.~~

**20.53.** Notice of a decision by the Committee on Appeals that the charges have been sustained shall be given to the accused person, the Church Council shall be notified of the entry of such judgment, and the office shall be vacated.

**20.53.11.** The Church Council shall appoint three members from the Committee on Appeals who shall recommend a similar process for the recall or dismissal of an officer of a synod, which process shall become operative when ratified by the Church Council.

**20.53.A11. Recall or Dismissal of a Synod Officer**

a. The recall or dismissal of the bishop, vice president, secretary, or treasurer of a synod of this church and the vacating of office may be effected:

- 1) for willful disregard or violation of the constitutions, bylaws, and continuing resolutions;
- 2) for such physical or mental disability as renders the officer incapable of performing the duties of office; or
- 3) for such conduct as would subject the officer to disciplinary action as an ordained minister of Word and Sacrament or as a member of a congregation of this church.

b. Proceedings for the recall or dismissal of a synodical bishop shall be instituted by written petition by:

- 1) the Synod Council on an affirmative vote of at least two-thirds of its elected members present and voting;
- 2) the Synod Assembly on an affirmative vote of at least two-thirds of its members present and voting;
- 3) at least 10 synodical bishops; or
- 4) the presiding bishop of this church.

The petition shall be filed with the chair of the Committee on Appeals (in care of the secretary of the Evangelical Lutheran Church in America, 8765 West Higgins Road, Chicago, Illinois 60631) and shall set forth the specific charge or charges.

c. Proceedings for the recall or dismissal of an officer of a synod, other than the synodical bishop, shall be instituted by written petition by:

- 1) the Synod Council on an affirmative vote of at least two-thirds of its elected members present and voting;
- 2) the Synod Assembly on an affirmative vote of at least two-thirds of its members present and voting; or
- 3) the synodical bishop.

The petition shall be filed with the chair of the Committee on Appeals (in care of the secretary of the Evangelical Lutheran Church in America, 8765 West Higgins Road, Chicago, Illinois 60631) and shall set forth the specific charge or charges.

d. In the case of alleged physical or mental incapacity of an officer of a synod:

- 1) the procedures outlined in ¶S8.56. shall first be followed, and if such officer does not accept the decision of the Synod Council, the Synod Council may proceed to petition for proceedings for recall or dismissal.
- 2) four members of the Committee on Appeals, designated by the committee chair and consisting of two ordained ministers of Word and Sacrament and two laypersons, shall
  - a) investigate such conditions in person;
  - b) seek competent medical testimony;
  - c) seek the counsel and advice of the presiding bishop of this church if such officer is the synodical bishop;
  - d) seek the counsel and advice of the synodical bishop if such officer is the vice president, secretary, or treasurer of the synod; and
  - e) submit a written report of their findings to the other members of the Committee on Appeals.
- 3) the members of the Committee on Appeals, other than those who investigated the conditions and other than those who are disqualified, shall review the findings of the investigation committee and by an affirmative vote of at least two-thirds of those present and voting shall adopt the findings and grant the petition.

- e. *If the synod officer is an ordained minister of Word and Sacrament, grounds for recall or dismissal include those set forth in 20.21.01. and as defined under the process described in 20.71.11. and 20.71.12. for discipline of ordained ministers of Word and Sacrament.*
- f. *If the synod officer is a layperson, grounds for recall or dismissal include those set forth in 20.41.01.*
- g. *If the case of alleged willful disregard or violation of the constitutions, bylaws, and continuing resolutions or of alleged conduct as would subject the officer to disciplinary action, the following procedures shall apply:*
  - 1) *if the proceedings were instituted by the presiding bishop of this church, the synodical bishop, or at least 10 other synodical bishops, the petitioner shall first meet with the Executive Committee of the Synod Council in which the officer serves. The Executive Committee shall function as a consultation panel to give advice to the petitioner;*
  - 2) *if as a result of the consultation the petition is not filed, no further proceedings shall be required;*
  - 3) *if as a result of the consultation the petition is filed or if the proceedings were instituted by the Synod Assembly or the Synod Council, the petition shall be referred to the Committee on Appeals, which shall function as the discipline hearing committee that shall conduct a hearing in accordance with the rules provided for in 20.21.16. except to the extent that those rules are in conflict with the provisions of this continuing resolution; and*
  - 4) *the members of the Committee on Appeals, other than those who are disqualified, may grant the petition by an affirmative vote of at least two-thirds of those present and voting;*
- h. *Upon the filing of a written petition, the Executive Committee of the Synod Council may temporarily suspend the officer from service in the synod without prejudice, but with continuation of compensation, including benefits, if the officer is a salaried employee of the synod. Appeals from such temporary suspension shall be provided in ¶8.56.*
- i. *Written notice of a decision by the Committee on Appeals that the charges have been sustained shall be given to the affected officer. The Synod Council shall be notified of such decision and the office shall be vacated if the charges have been sustained.*

**20.60. COMMITTEE ON APPEALS**

**20.61. There shall be a Committee on Appeals to which may be referred appeals from disciplinary proceedings and petitions for the recall of an officer. The Church Council shall appoint three members from the Committee on Appeals who shall recommend rules of procedure for the performance of its duties. The rules shall become effective when ratified by the Church Council.**

**20.62. The Committee on Appeals shall be comprised of six ministers of Word and Sacrament and six laypersons, elected by the Churchwide Assembly for a term of six years, without consecutive re-election.**

**20.62.A16. In the event that the term of any member of the Committee on Appeals expires before that member's successor is elected, the Church Council may elect an individual in the same category—minister of Word and Sacrament or layperson—to serve on the Committee until the next Churchwide Assembly. A member elected by the Church Council who serves less than one-half of a term shall be eligible for election to a full term by the Churchwide Assembly.**

**20.63. The Committee on Appeals shall elect its own officers.**

**20.64. The decision of a discipline hearing committee may be appealed to the Committee on Appeals by:**

- a. **the accuser(s) who brought charges upon which a discipline hearing committee has acted;**
- b. **a minister of Word and Sacrament upon whom discipline has been imposed by a discipline hearing committee;**
- c. **a minister of Word and Service upon whom discipline has been imposed by a discipline hearing committee; or**
- d. **a congregation upon whom discipline has been imposed by a discipline hearing committee.**

*[Update numbering of subsequent provisions, bylaws and continuing resolutions in Chapter 20.]*

- 20.625.02.** When the Committee on Appeals has decided to reverse or set aside the decision of the discipline hearing committee, the Committee on Appeals shall proceed as follows:
- a. If the Committee on Appeals has determined that one of the conditions listed in **20.625.01.a.1)** or **20.625.01.a.2)** exists, the Committee on Appeals may return the matter to the discipline hearing committee for further proceedings or render its own decision, which shall be final and unappealable.
  - b. If the Committee on Appeals has determined that the condition listed in **20.625.01.a.3)** exists, it shall render its own decision, which shall be final and unappealable.
  - c. If the Committee on Appeals has determined that one of the conditions listed in **20.625.01.b.**, **20.625.01.c.**, or **20.625.01.d.** exists, it shall return the matter to the discipline hearing committee for further proceedings.
- 20.63.** ~~The decision of a discipline hearing committee may be appealed to the Committee on Appeals by:~~
- ~~a. the accuser(s) who brought charges upon which a discipline hearing committee has acted;~~
  - ~~b. an ordained minister upon whom discipline has been imposed by a discipline hearing committee;~~
  - ~~c. a congregation upon whom discipline has been imposed by a discipline hearing committee; or~~
  - ~~d. other persons on the official rosters of this church upon whom discipline has been imposed by a discipline hearing committee.~~
- 20.64.** ~~The Committee on Appeals shall be comprised of six ordained ministers and six laypersons, elected by the Churchwide Assembly for a term of six years, without consecutive re-election.~~
- 20.64.A13.** ~~In the event that the term of any member of the Committee on Appeals expires before that member's successor is elected, the Church Council may elect an individual in the same category—ordained minister or layperson—to serve on the Committee until the next Churchwide Assembly. A member elected by the Church Council who serves less than one-half of a term shall be eligible for election to a full term by the Churchwide Assembly.~~
- 20.65.** ~~The Committee on Appeals shall elect its own officers.~~
- 20.70.** ~~DEFINITIONS AND GUIDELINES~~
- 20.71.11.** ~~The Committee on Appeals shall establish definitions and guidelines, subject to approval by the Church Council, to enable clear and uniform application of the grounds for discipline in each of the above categories.~~
- 20.71.12.** ~~The Committee on Appeals shall present to the Church Council for consideration and recommendation a process and definitions, as required in bylaw 20.71.11.~~
- 20.872.** When there is disagreement on a substantive issue among churchwide units or between or among synods of this church that cannot be resolved by the parties, the aggrieved party or parties may appeal to the presiding bishop and the Executive Committee of the Church Council for consultation. If this consultation fails to resolve the issue, a petition may be addressed by the parties to the Church Council requesting it to **mediate resolve** the matter.
- 20.873.** When a component ~~or beneficiary~~ of a churchwide unit ~~or office~~ has a disagreement on a substantive issue which it cannot resolve ~~with the board of its within the unit or office~~, it may address an appeal to the presiding bishop and the Executive Committee of the Church Council. In this case, the decision of the Executive Committee shall prevail, except that upon the motion of a member of the Church Council, the decision shall be referred to the Church Council for final action.

# CONSTITUTION FOR SYNODS

## Chapter 14.

### ~~ORDAINED MINISTERS AND LAY ROSTERED MINISTERS~~

#### **S14.10. Ministers of Word and Sacrament**

†S14.011. The time and place of the ordination of those persons properly called to congregations or ~~extra parish non-congregational~~ service of this synod shall be authorized by the bishop of this synod.

†S14.012. Consistent with the faith and practice of the Evangelical Lutheran Church in America,

a. Every ~~ordained minister of Word and Sacrament~~ shall:

...

4) provide pastoral care;

5) seek out and encourage qualified persons to prepare for the ministry of the Gospel;

6) impart knowledge of this church and its wider ministry through distribution of its communications and publications;

7) witness to the Kingdom of God in the community, in the nation and abroad; and

58) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.

b. Each ~~ordained minister-pastor~~ with a congregational call shall, within the congregation:

1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;

2) ~~supervise-relate to~~ all schools and organizations of the congregation;

3) install regularly elected members of the Congregation Council; and

4) with the council, administer discipline;

~~c. Every pastor shall:~~

1) strive to extend the Kingdom of God in the community, in the nation, and abroad;

2) seek out and encourage qualified persons to prepare for the ministry of the Gospel;

3) impart knowledge of this church and its wider ministry through distribution of its periodicals and other publications; and

45) endeavor to increase the support given by the congregation to the work of the ELCA churchwide organization and of this ELCA synod.

[Update the numbering of subsequent provisions in Chapter 14.]

**S14.015.** Each ~~ordained minister of Word and Sacrament~~ on the roster of this synod shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.

†S14.116. When a congregation of this church desires to call a pastor or a candidate for the ~~pastoral office in the ordained ministry of Word and Sacrament~~ of this church:

...

b. For issuance of a letter of call to a pastor or ~~pastoral~~ candidate by a congregation of this synod in accord with ELCA constitutional provision 7.41., a two-thirds ~~majority ballot~~ vote shall be required of ~~voting members~~ of the congregation present and voting at a meeting regularly called for the purpose of issuing such a call.

...

**S14.127.** No ~~ordained minister of Word and Sacrament~~ shall accept a call without first conferring with the bishop of this synod. ~~An ordained minister of Word and Sacrament~~ shall respond with an answer of acceptance or declination to a letter of call within 30 days of receipt of such call. In exceptional circumstances with the approval of the bishop of this synod and the chair of the Congregation Council of the congregation issuing the call, an additional 15 days may be granted to respond to a letter of call.

†S14.138. ~~The provisions for termination of the mutual relationship between a minister of Word and Sacrament and a congregation shall be as follows:~~

- a. The call of a congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment which shall be terminated only by death or, following consultation with the synodical bishop, for the following reasons:
- ...
- 6) resignation or removal of the pastor from the roster of ordained ministers of Word and Sacrament of this church;
- ...
- b. When allegations of physical disability or mental incapacity of the pastor under paragraph a.4) above, or ineffective conduct of the pastoral office under paragraph a.3) above, have come to the attention of the bishop of this synod,
- 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two ordained-rostered ministers and one layperson, or
  - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of the congregation, the bishop personally shall investigate such conditions together with a committee of two ordained-rostered ministers and one layperson.
- c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the pastor's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the pastorate vacant and the pastor shall be listed on the clergy roster as disabled. When the pastorate is declared vacant, the Synod Council shall list the pastor on the roster of ministers of Word and Sacrament as disabled. Upon removal of the disability and restoration of the pastor to health, the bishop shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call.
- ...
- e. If either party fails to assent to the recommendations of the bishop's committee concerning the pastor's call, the congregation may dismiss the pastor only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds majority vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a simple majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
- ...

†S14.149. Ordained mMinisters of Word and Sacrament shall respect the integrity of the ministry of congregations which they do not serve and shall not exercise ministerial functions therein unless invited to do so by the pastor, or if there is no duly called pastor, then by the interim pastor in consultation with the Congregation Council.

†S14.1521. The parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members transferred or dismissed, members who have become inactive, or members excluded from the congregation shall be kept accurately and permanently. They shall remain the property of each congregation. At the time of the closure of a congregation, such records shall be sent to the regional archives. The secretary of the congregation shall attest to the bishop of this synod that such records have been placed in his or her hands in good order by a departing pastor before:

- a. installation in another field of labor call, or
- b. the issuance of a certificate of dismissal or transfer approval of a request for change in roster status.

†S14.1622. The pastor shall make satisfactory settlement of all financial obligations to a former congregation before:

- a. installation in another field of labor call, or
- b. the issuance of a certificate of dismissal or transfer approval of a request for change in roster status.

†S14.1723. During service to a congregation, an interim pastor shall have the rights and duties in the congregation of a regularly called pastor. The interim pastor may delegate the same in part to an interim supply pastor with the consent of the bishop of this synod. The interim pastor and any ordained-rostered minister who may assist shall refrain from exerting influence in the selection of a pastor. Upon completion of service, the interim pastor shall certify to the bishop of this synod that the parochial records, for the period for which the interim pastor was responsible, are in order.

~~†S14.1824.~~ With the approval of the synodical bishop expressed in writing, which sets forth a clear statement of the purpose to be served by such a departure from the normal rule of permanency of the call as expressed in ~~†S14.1318.~~, a congregation may call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop of this synod or a representative of the bishop shall meet with the pastor and representatives of the congregation for a review of the call. Such call may also be terminated before its expiration in accordance with the provisions of ~~†S14.1318.~~

~~S14.215.~~ All ~~ordained ministers of Word and Sacrament~~ under a call shall attend meetings of the Synod Assembly, and the pastors of congregations shall also attend the meetings of the conference, cluster, coalition, or other area subdivision to which the congregation belongs.

**S14.30. Official Rosters of Laypersons Ministers of Word and Service**

~~†S14.31.~~ The provisions in the churchwide documents and such provisions as may be developed by the appropriate churchwide unit governing associates in ministry, deaconesses, and diaconal ministers of this church shall apply in this synod:

- ~~a.~~ When a congregation of this synod desires to call an associate in ministry, deaconess, or diaconal minister or a candidate for these official rosters of laypersons of this church:
  - ~~1)~~ Such a congregation of this synod shall consult the synodical bishop before taking any steps leading to extending such a call;
  - ~~2)~~ Issuance of such a letter of call shall be in accord with criteria, policies, and procedures developed by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council of the Evangelical Lutheran Church in America;
  - ~~3)~~ When the congregation has voted to issue a call to an associate in ministry, deaconess, or diaconal minister, the letter of call shall be submitted to the bishop of this synod for the bishop's signature.
- ~~b.~~ An associate in ministry, deaconess, or diaconal minister shall confer with the bishop of this synod before accepting a call within this synod.
- ~~c.~~ The call of a congregation, when accepted by an associate in ministry, deaconess, or diaconal minister, shall constitute a continuing mutual relationship and commitment which, except in the case of the death of the individual, shall be terminated only following consultation with the synodical bishop in accordance with policy developed by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council of the Evangelical Lutheran Church in America.
- ~~d.~~ Associates in ministry, deaconesses, and diaconal ministers on the roster of this synod who are serving under call shall attend meetings of the Synod Assembly.

The time and place of the consecration of those persons properly called to congregations or non-congregational service of this synod shall be authorized by the bishop of this synod.

~~†S14.32.~~ Consistent with the faith and practice of the Evangelical Lutheran Church in America, every minister of Word and Service shall:

- ~~a.~~ Be rooted in the Word of God, for proclamation and service;
- ~~b.~~ Advocate a prophetic diakonia that commits itself to risk-taking and innovative service on the frontiers of the Church's outreach, giving particular attention to the suffering places in God's world;
- ~~c.~~ Speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world, witnessing to the realm of God in the community, the nation, and abroad;
- ~~d.~~ Equip the baptized for ministry in God's world that affirms the gifts of all people;
- ~~e.~~ Encourage mutual relationships that invite participation and accompaniment of others in God's mission;
- ~~f.~~ Practice stewardship that respects God's gift of time, talents, and resources;
- ~~g.~~ Be grounded in a gathered community for ongoing diaconal formation;
- ~~h.~~ Share knowledge of the ELCA and its wider ministry of the gospel, and advocate for the work of all expressions of this church; and
- ~~i.~~ Identify and encourage qualified persons to prepare for ministry of the gospel.

~~S14.33.~~ The minister of Word and Service shall become a member of the congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the minister of Word and Service shall hold membership in one of the congregations.

- S14.34.** Each minister of Word and Service on the roster of this synod shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.
- †**S14.41.** When a congregation of this church desires to call a minister of Word and Service or a candidate for the ministry of Word and Service of this church:
- a. Each congregation of this synod shall consult the bishop of this synod before taking any steps leading to the extending of a call to a prospective minister of Word and Service.
  - b. For issuance of a letter of call to a minister of Word and Service or candidate by a congregation of this synod in accord with ELCA constitutional provision 7.71., a two-thirds vote shall be required of members of the congregation present and voting at a meeting regularly called for the purpose of issuing such a call.
  - c. When the congregation has voted to issue a call to a prospective minister of Word and Service, the letter of call shall be submitted to the bishop of this synod for the bishop's signature.
- S14.42.** No minister of Word and Service shall accept a call without first conferring with the bishop of this synod. A minister of Word and Service shall respond with an answer of acceptance or declination to a letter of call within 30 days of receipt of such call. In exceptional circumstances with the approval of the bishop of this synod and the chair of the Congregation Council of the congregation issuing the call, an additional 15 days may be granted to respond to a letter of call.
- †**S14.43.**
- a. The call of a congregation, when accepted by a minister of Word and Service, shall constitute a continuing mutual relationship and commitment which shall be terminated only by death or, following consultation with the synodical bishop, for the following reasons:
    - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
    - 2) resignation of the minister of Word and Service, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
    - 3) inability to conduct the office effectively in that congregation in view of local conditions;
    - 4) physical disability or mental incapacity of the minister of Word and Service;
    - 5) suspension of the minister of Word and Service through discipline for more than three months;
    - 6) resignation or removal of the minister of Word and Service from the roster of ministers of Word and Service of this church;
    - 7) termination of the relationship between this church and the congregation;
    - 8) dissolution of the congregation or the termination of a parish arrangement; or
    - 9) suspension of the congregation through discipline for more than six months.
  - b. When allegations of physical disability or mental incapacity of the minister of Word and Service under paragraph a.4) above, or ineffective conduct of the ministry of Word and Service under paragraph a.3) above, have come to the attention of the bishop of this synod,
    - 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
    - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of the congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
  - c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the minister of Word and Service's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the position vacant and the minister of Word and Service shall be listed on the roster of ministers of Word and Service as disabled. Upon removal of the disability and restoration of the minister of Word and Service to health, the bishop shall take steps to enable the minister of Word and Service to resume the ministry, either in the congregation last served or in another appropriate call.
  - d. In the case of alleged local difficulties that imperil the effective functioning of the congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the minister of Word and Service and then to the congregation. The recommendations of the bishop's committee address whether the minister of Word and Service's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be

undertaken by the congregation and by the minister of Word and Service, if appropriate. If the minister of Word and Service and congregation agree to carry out such recommendations, no further action need be taken by the synod.

- e. If either party fails to assent to the recommendations of the bishop's committee concerning the minister of Word and Service's call, the congregation may dismiss the minister of Word and Service only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
- f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for disciplinary action, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.

†S14.44. Ministers of Word and Service shall respect the integrity of the ministry of congregations which they do not serve and shall not exercise ministerial functions therein unless invited to do so by the Congregation Council.

†S14.45. The minister of Word and Service shall make satisfactory settlement of all financial obligations to a former congregation before:

- a. installation in another call, or
- b. approval of a request for change in roster status.

†S14.46. With the approval of the synodical bishop expressed in writing, which sets forth a clear statement of the purpose to be served by such a departure from the normal rule of permanency of the call as expressed in †S14.43., a congregation may call a minister of Word and Service for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop of this synod or a representative of the bishop shall meet with the minister of Word and Service and representatives of the congregation for a review of the call. Such call may also be terminated before its expiration in accordance with the provisions of †S14.43.

S14.47. All ministers of Word and Service under a call shall attend meetings of the Synod Assembly, and the ministers of Word and Service of congregations shall also attend the meetings of the conference, cluster, coalition, or other area subdivision to which the congregation belongs.

## MODEL CONSTITUTION FOR CONGREGATIONS

### Chapter 9.

#### THE PASTOR ROSTERED MINISTER

- \*C9.01. Authority to call a pastor shall be in this congregation by at least a two-thirds ~~majority ballot~~ vote of ~~voting~~ members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by [this congregation][the Congregation Council] to recommend the call, shall seek the advice and help of the bishop of the synod.
- \*C9.02. Only a member of the ~~clergy roster of ministers of Word and Sacrament~~ of the Evangelical Lutheran Church in America or a candidate for the roster of ~~ordained ministers of Word and Sacrament~~ who has been recommended for the congregation by the synodical bishop may be called as a pastor of this congregation.
- \*C9.03. Consistent with the faith and practice of the Evangelical Lutheran Church in America,
  - a. Every ~~ordained minister of Word and Sacrament~~ shall:
    - ...
    - 4) provide pastoral care;
    - 5) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
    - 6) impart knowledge of this church and its wider ministry through distribution of its communications and publications;
    - 7) witness to the Kingdom of God in the community, in the nation and abroad; and

- 58) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.
- b. Each ~~ordained minister~~ pastor with a congregational call shall, within the congregation:
- ...
- 3) install regularly elected members of the Congregation Council; ~~and~~
- 4) with the council, administer discipline;
- ~~c.~~ Every pastor shall:
- 1) strive to extend the Kingdom of God in the community, in the nation, and abroad;
- 2) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
- 3) impart knowledge of this church and its wider ministry through distribution of its periodicals and other publications; and
- 45) endeavor to increase the support given by the congregation to the work of the ELCA churchwide organization of the Evangelical Lutheran Church in America (ELCA) and of the *(insert name of synod)* Synod of the ELCA.
- \*C9.05.** The provisions for termination of the mutual relationship between a minister of Word and Sacrament and this congregation shall be as follows:
- a. The call of ~~a~~ this congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by death or, following consultation with the synodical bishop, for the following reasons:
- ...
- 6) resignation or removal of the pastor from the roster of ~~ordained ministers of Word and Sacrament~~ of this church;
- ...
- b. When allegations of physical disability or mental incapacity of the pastor under paragraph a.4) above, or ineffective conduct of the pastoral office under paragraph a.3) above, have come to the attention of the bishop of this synod,
- 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two ~~ordained ministers of Word and Sacrament~~ and one layperson, or
- 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of the congregation, the bishop personally shall investigate such conditions together with a committee of two ~~ordained ministers of Word and Sacrament~~ and one layperson.
- ...
- e. If either party fails to assent to the recommendations of the bishop's committee concerning the pastor's call, the congregation may dismiss the pastor only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds ~~majority~~ vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a ~~simple~~ majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
- f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for ~~disciplinary action~~ discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.
- \*C9.07.** During the period of service, an interim pastor shall have the rights and duties in the congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or Congregation Council. The interim pastor and any ~~ordained pastor~~ rostered minister providing assistance shall refrain from exerting influence in the selection of a pastor. Unless previously agreed upon by the Synod Council, an interim pastor is not available for a regular call to the congregation served.

**C9.20. Ecumenical pastoral ministry**

**C9.21.**

**C9.15.**

Under special circumstances, subject to the approval of the synodical bishop and the concurrence of this congregation, an ordained minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion may serve temporarily as pastor of this congregation under a contract between the congregation and the ordained minister-pastor in a form proposed by the synodical bishop and approved by the congregation.

**\*C9.21.** Authority to call a minister of Word and Service shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by [this congregation][the Congregation Council] to recommend the call, shall seek the advice and help of the bishop of the synod.

**\*C9.22.** Only a member of the roster of ministers of Word and Service of the Evangelical Lutheran Church in America or a candidate for the roster of ministers of Word and Service who has been recommended for this congregation by the synodical bishop may be called as a deacon of this congregation.

**\*C9.23.** Consistent with the faith and practice of the Evangelical Lutheran Church in America, every minister of Word and Service shall:

- a. Be rooted in the Word of God, for proclamation and service;
- b. Advocate a prophetic diakonia that commits itself to risk-taking and innovative service on the frontiers of the Church's outreach, giving particular attention to the suffering places in God's world;
- c. Speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world, witnessing to the realm of God in the community, the nation, and abroad;
- d. Equip the baptized for ministry in God's world that affirms the gifts of all people;
- e. Encourage mutual relationships that invite participation and accompaniment of others in God's mission;
- f. Practice stewardship that respects God's gift of time, talents, and resources;
- g. Be grounded in a gathered community for ongoing diaconal formation;
- h. Share knowledge of the ELCA and its wider ministry of the gospel, and advocate for the work of all expressions of this church; and
- i. Identify and encourage qualified persons to prepare for ministry of the gospel.

**\*C9.24.** The specific duties of the deacon, compensation, and other matters pertaining to the service of the deacon shall be included in a letter of call, which shall be attested by the bishop of the synod.

**\*C9.25.** The provisions for termination of the mutual relationship between a minister of Word and Service and a congregation shall be as follows:

- a. The call of a congregation, when accepted by a deacon, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by death or, following consultation with the synodical bishop, for the following reasons:
  - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
  - 2) resignation of the deacon, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
  - 3) inability to conduct the ministry of Word and Service effectively in this congregation in view of local conditions;
  - 4) physical disability or mental incapacity of the deacon;
  - 5) suspension of the deacon through discipline for more than three months;
  - 6) resignation or removal of the deacon from the roster of ministers of Word and Service of this church;
  - 7) termination of the relationship between this church and this congregation;
  - 8) dissolution of this congregation or the termination of a parish arrangement; or
  - 9) suspension of this congregation through discipline for more than six months.
- b. When allegations of physical disability or mental incapacity of the deacon under paragraph a.4) above, or ineffective conduct of the office of minister of Word and Service under paragraph a.3) above, have come to the attention of the bishop of this synod.

- 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
  - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of this congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
- c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the deacon's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the office vacant and the deacon shall be listed on the roster of ministers of Word and Service as disabled. Upon removal of the disability and the restoration of the deacon to health, the bishop shall take steps to enable the deacon to resume the ministry, either in the congregation last served or in another appropriate call.
  - d. In the case of alleged local difficulties that imperil the effective functioning of this congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the deacon and then to this congregation. The recommendations of the bishop's committee must address whether the deacon's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by this congregation and by the deacon, if appropriate. If the deacon and congregation agree to carry out such recommendations, no further action need be taken by the synod.
  - e. If either party fails to assent to the recommendations of the bishop's committee concerning the deacon's call, this congregation may dismiss the deacon only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds majority vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a simple majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
  - f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.
- \*C9.26.** The deacon shall make satisfactory settlement of all financial obligations to a former congregation before:
- a. installation in another field of labor, or
  - b. the issuance of a certificate of dismissal or transfer.
- \*C9.27.** When a deacon is called to serve in company with another rostered minister or other rostered ministers, the privileges and responsibilities of each rostered minister shall be specified in documents to accompany the call and to be drafted in consultation involving the rostered ministers, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
- \*C9.28.** With the approval of the bishop of the synod, this congregation may depart from \*C9.25.a. and call a deacon for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the deacon and representatives of this congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of \*C9.25.a.
- \*C9.29.** The deacon shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the deacon shall hold membership in one of the congregations.
- \*C9.31.** The deacon(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.

**Proposed Amendments to the  
Constitutions, Bylaws, and Continuing Resolutions  
of the Evangelical Lutheran Church in America  
2016 Churchwide Assembly**

*Recommended [CC15.11.52s] by the Church Council on November 15, 2015*

- 3.02.** This church confesses the one, holy, catholic, and apostolic Church and is resolved to serve Christian unity throughout the world.
- 3.03.** The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the Church, and the universal Church exists in and through congregations. This church, therefore, derives its character and powers both from the sanction and representation of its congregations and from its inherent nature as an expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in the historic continuity of the communion of saints; in breadth, it expresses the fellowship of believers and congregations in our day.
- 3.04.** This church, inspired and led by the Holy Spirit, participates in the Lutheran World Federation as a global communion of churches, engaging in faithful witness to the gospel of Jesus Christ and in service for the sake of God's mission in the world.
- 5.01.** The Evangelical Lutheran Church in America shall be one church. This church recognizes that all power and authority in the Church belongs to the Lord Jesus Christ, its head. Therefore, all actions of this church by congregations, synods, and the churchwide organization shall be carried out under his rule and authority in accordance with the following principles:
- ...
- f. Except as otherwise provided in this constitution and bylaws, the churchwide organization, through the Church Council, shall establish processes that will ensure that at least 60 percent of the members of its assemblies, councils, committees, boards, and other organizational units shall be laypersons; that as nearly as possible, 50 percent of the lay members of these assemblies, councils, committees, boards, or other organizational units shall be female and 50 percent shall be male, and that, where possible, the representation of ordained ministers shall be both female and male. At least 10 percent of the members of these assemblies, councils, committees, boards, or other organizational units shall be persons of color and/or persons whose primary language is other than English. Processes shall be developed that will assure that in selecting staff there will be a balance of women and men, persons of color and persons whose primary language is other than English, laypersons, and persons on the roster of ordained ministers. This balance is to be evident in terms of both executive staff and support the selection of staff consistent with the inclusive policy of this church.
- ...
- 5.01.B87.** ~~*With regard to the minimum goal that 10 percent of the membership of synod assemblies, councils, committees, boards, and/or other organizational units be persons of color and/or persons whose primary language is other than English, it is understood that initially there may be exceptions to the attainment of this goal based on the makeup of the membership within a particular synod. By the time of its second assembly, each synod shall establish a plan to attain this goal within 10 years.*~~
- 5.01.B16.** Each synod shall develop goals and strategies that monitor progress toward reaching the commitment expressed in 5.01.A16 as part of its consultation process with the churchwide organization.
- 5.01.D16.** The Churchwide Assembly shall receive reports from the presiding bishop and the secretary that monitor this church's progress toward meeting the commitment expressed in 5.01.A16.

- 8.10. RELATIONSHIP ~~BETWEEN OF~~ CONGREGATIONS, SYNODS, ~~AND~~ THE CHURCHWIDE ORGANIZATION, ~~AND THE LUTHERAN WORLD FEDERATION~~**
- 8.13. The synod shall provide for pastoral care of the congregations, ~~ordained ministers, associates in ministry, deaconesses, and diaconal ministers of Word and Sacrament, and ministers of Word and Service~~ within its boundaries. It shall plan for, facilitate, and nurture the life and mission of its people and shall enlarge the ministries and extend the outreach into society on behalf of and in connection with the congregations and the churchwide organization. ~~Conferences, clusters, coalitions, other area subdivisions, or networks shall serve to assist the congregations and synods in exercising their mutual responsibilities.~~**
- 8.18. This church affirms the relationship established through the Lutheran World Federation as a communion of churches that confess the triune God, agree in the proclamation of the Word of God, and are united in pulpit and altar fellowship.**
- 8.18.01. The bylaws on ecumenical availability of ministers of Word and Sacrament under relationships of full communion shall apply to such service within this church of such ministers of other member churches of the Lutheran World Federation.**
- 8.20. ~~RELATIONSHIP THROUGH OTHER ORGANIZATIONAL UNITS~~**
- 8.21. ~~Conferences, clusters, coalitions, other area subdivisions, or networks shall serve to assist the congregations and synods in exercising their mutual responsibilities.~~**

*[Update numbering of subsequent provisions and bylaws in Chapter 8.]*

- 8.322.03.** Primary responsibility for recruiting members for its board belongs to each college or university of this church. This responsibility is best exercised when appropriate structures of this church are substantially involved. The college or university and the appropriate synods shall determine how many of the college or university board members are to be elected or ratified by the approved form of relationship as provided in **8.322.02.**
- 8.322.04.** The responsibility for initiating changes in constitutional documents rests with each college or university of this church. Each college or university will reach agreement with the appropriate structures of this church as identified in **8.322.02.** regarding changes in constitutional documents. This church's participation may range from prior consultation to final approval.
- 8.322.06.** In addition to and consistent with the above provision **8.322.** and bylaws **8.322.01.** through **8.322.05.**, colleges and universities of this church where a school, department, or unit of that institution is a seminary of this church must comply with all requirements, policies, procedures, and standards specified in provision **8.321.** and bylaws **8.321.01.** through **8.321.02.**
- 8.762.11.** An ordained minister of this church, serving temporarily in a church body with which a relationship of full communion has been declared and established by a Churchwide Assembly of the Evangelical Lutheran Church in America, may be retained on the roster of ordained ministers—upon endorsement by the synodical bishop and by action of the Synod Council in the synod in which the ordained minister is listed on the roster—under policies developed at the direction of the presiding bishop and secretary, reviewed by the Conference of Bishops, and adopted by the Church Council. An associate in ministry, deaconess, or diaconal minister of this church serving temporarily in a church body with which a relationship of full communion has been declared and established by a Churchwide Assembly of the Evangelical Lutheran Church in America, may be retained on the appropriate roster—upon endorsement by the synodical bishops and by action of the Synod Council in the synod in which the associate in ministry, deaconess, or diaconal minister is listed on the roster—under policies developed at the direction of the presiding bishop and secretary, reviewed by the Conference of Bishops, and adopted by the Church Council.
- ...
- d.** ~~A letter of call to an ordained minister of this church or to an associate in ministry, deaconess, or diaconal minister who serves in a congregation of another church body, under a relationship of full communion, or an institution of such a church body on the territory of the synod, may be issued by the~~

Synod Council. A letter of call to an ordained minister of this church or to an associate in ministry, deaconess, or diaconal minister who serves in a national or international agency or institution of another church body, under a relationship of full communion, may be issued by the Church Council.

c. A first call may not be served in a congregation or other entity of a full-communion partner church.

**8.73.** This church acknowledges the relationship established through the Lutheran World Federation as a communion of member churches which confess the triune God, agree in the proclamation of the Word of God, and are united in pulpit and altar fellowship. The bylaws on ecumenical availability of ordained ministers under relationships of full communion shall apply to such service within this church of ordained ministers from other member churches of the Lutheran World Federation.

9.25. A congregation newly formed by this church and any congregation seeking recognition and reception by this church shall:

...

b. Adopt governing documents that include fully and without alterations the Preamble, Chapter 1, where applicable, and all required provisions of Chapters 2, 3, 4, 5, 6, 7, 8, 9, 15, 16, 17, 18, and 19 in the *Model Constitution for Congregations* consistent with requirements of this constitution and the *Constitution for Synods* of this church. Bylaws and continuing resolutions, appropriate for inclusion in these chapters and not in conflict with these required provisions in the *Model Constitution for Congregations*, the constitution of the synod, or the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*, may be adopted as described in Chapters 16 17 and 18 of the *Model Constitution for Congregations*.

...

9.53.06. A congregation considering a relocation shall confer with the bishop of the synod in which it is territorially located and the appropriate program unit of the churchwide organization before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is effected.

9.53.08. A congregation considering development of an additional site to be used regularly for worship shall confer with the bishop of the synod in which it is territorially located and the appropriate program unit of the churchwide organization before any steps are taken leading to such action.

**9.80. DISCIPLINE OF CONGREGATIONS**

See Chapter 20.

[Update numbering of subsequent provisions and bylaws in Chapter 9.]

**10.01.10. Names and Boundaries**

**10.01.101. Names and Boundaries.** The names and boundaries of the synods shall be:

...

Synod 1.B—Northwest Washington. The counties of Island, King (north), San Juan, Skagit, Snohomish, Whatcom in the state of WASHINGTON; the congregation Bethany, Kitsap County, in the state of WASHINGTON.

...

Synod 1.D—Eastern Washington-Idaho. The state of IDAHO; the counties of Adams, Asotin, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Klickitat, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman, Yakima in the state of WASHINGTON; the congregation Shepherd of the Mountains, Teton County, and the congregation Star Valley United, Lincoln County, in the state of WYOMING.

...

Synod 3.C—South Dakota. The state of SOUTH DAKOTA; the congregation Union Creek, Plymouth County, in the state of IOWA.

...

Synod 3.H—Saint Paul Area. The counties of Chisago, Dakota, Ramsey, Washington in the state of MINNESOTA; the congregations St. Mark, Our Savior's, and Living Waters in Anoka County, the congregation Spring Lake, Isanti County, and the congregation Christiania, Scott County, in the state of MINNESOTA.

...

Synod 5.E—Western Iowa. The counties of Adair, Adams, Audubon, Buena Vista, Calhoun, Carroll, Cass, Cherokee, Clay, Crawford, Dallas (west), Dickinson, Emmet, Fremont, Greene, Guthrie, Hamilton (west), Hancock, Harrison, Humboldt, Ida, Kossuth, Lyon, Mills, Monona, Montgomery, O'Brien, Osceola, Page, Palo Alto, Plymouth, Pocahontas, Pottawattamie, Ringgold, Sac, Shelby, Sioux, Taylor, Union, Webster, Winnebago, Woodbury, and Wright (west) in the state of IOWA.

Synod 5.F—Northeastern Iowa. The counties of Allamakee, Black Hawk, Bremer, Buchanan, Butler, Cerro Gordo, Chickasaw, Clayton, Delaware, Dubuque, Fayette, Floyd, Franklin, Grundy, Hamilton (east), Hardin, Howard, Jackson (north), Mitchell, Story (north), Tama (north), Winneshiek, Worth, Wright (east) in the state of IOWA.

...

Synod 5.K—South-Central Synod of Wisconsin. The counties of Columbia, Dane, Dodge, Grant, Green, Iowa, Jefferson, Lafayette, Richland, Rock, Sauk, Walworth in the state of WISCONSIN; the congregation Trinity, Adams County, in the state of WISCONSIN, and the congregation Jefferson Prairie, Boone County, in the state of ILLINOIS.

...

Synod 6.F—Southern Ohio. The counties of Adams, Athens, Belmont, Brown, Butler, Champaign, Clark, Clermont, Clinton, Coshocton, Darke, Delaware, Fairfield, Fayette, Franklin, Gallia, Greene, Guernsey, Hamilton, Highland, Hocking, Jackson, Knox, Lawrence, Licking, Logan, Madison, Meigs, Miami, Monroe, Montgomery, Morgan, Muskingum, Noble, Perry, Pickaway, Pike, Preble, Ross, Scioto, Shelby, Union, Vinton, Warren, Washington in the state of OHIO; the congregation St. Mark, Auglaize County, in the state of OHIO, and the congregation Bethel, Greenup County, in the state of KENTUCKY.

...

Synod 8.D—Lower Susquehanna. The counties of Adams, Cumberland, Dauphin, Franklin, Fulton, Lancaster, Lebanon, Perry, York in the state of PENNSYLVANIA; the congregations St. Michael and Zion in Schuylkill County in the state of PENNSYLVANIA.

Synod 8.E—Upper Susquehanna. The counties of Clinton, Columbia, Juniata, Lycoming, Mifflin, Montour, Northumberland, Snyder, Tioga, Union in the state of PENNSYLVANIA; the congregation Trinity, Luzerne County, and the congregation Zion, Dauphin County, in the state of PENNSYLVANIA.

...

Synod 8.H—West Virginia-Western Maryland. The county of Garrett in the state of MARYLAND; the state of WEST VIRGINIA; the congregation Calvary, Allegany County, the congregations Holy Trinity Memorial and Salem in Washington County in the state of MARYLAND; the congregation Fairview, Frederick County, in the state of VIRGINIA.

Synod 9.A—Virginia. The counties of Albemarle, Alleghany, Amelia, Amherst, Appomattox, Augusta, Bath, Bedford, Bland, Botetourt, Brunswick, Buchanan, Buckingham, Campbell, Caroline, Carroll, Charles City, Charlotte, Chesterfield, Clarke, Craig, Culpeper, Cumberland, Dickenson, Dinwiddie, Essex, Fauquier, Floyd, Fluvanna, Franklin, Frederick, Giles, Gloucester, Goochland, Grayson, Greene, Greensville, Halifax, Hanover, Henrico, Henry, Highland, Isle of Wight, James City, King and Queen, King George, King William, Lancaster, Lee, Louisa, Lunenburg, Madison, Mathews, Mecklenburg, Middlesex, Montgomery, Nelson, New Kent, Northumberland, Nottoway, Orange, Page, Patrick, Pittsylvania, Powhatan, Prince Edward, Prince George, Pulaski, Rappahannock, Richmond, Roanoke, Rockbridge, Rockingham, Russell, Scott, Shenandoah, Smyth, Southampton, Spotsylvania, Stafford, Surry, Sussex, Tazewell, Warren, Washington, Westmoreland, Wise, Wythe, York, and the independent cities within the territory of these counties in the state of VIRGINIA; the congregation of Immanuel in Mercer County in the state of WEST VIRGINIA; the congregation Lakeside in Halifax County in the state of NORTH CAROLINA.

...

Synod 9.F—Caribbean. The commonwealth of PUERTO RICO; the territory of the U.S. VIRGIN ISLANDS.

**10.31.02.** The presiding bishop of this church, or a bishop appointed by the presiding bishop of this church, shall preside for the installation into office, in accord with the policy and approved rite of this church, of each newly elected synod bishop.

[Update numbering of subsequent bylaws under provision 10.31.]

**10.32.** ~~CONFLICTS OF INTEREST~~ The procedures governing matters of potential conflicts of interest for synodical bishops shall be set forth in the bylaws.

**10.32.01.** ~~The following procedures shall govern matters of potential conflicts of interest for synodical bishops:~~

~~a.~~ Whenever a synodical bishop determines that a matter of the kind described in 10.32.01**b**2, may require his or her determination or action with respect to a related individual as defined in 10.32.01**c**3, the synodical bishop shall withdraw from personal involvement in such matter and shall so notify the presiding bishop. The presiding bishop shall then appoint another synodical bishop from the same region to handle the matter to conclusion. In dealing with such matter, the appointed bishop shall exercise all of the functions and authority to the same extent as if the appointed bishop were the elected bishop of the withdrawing bishop's synod.

~~b~~**10.32.02.** Matters include any proceedings under Chapter 20, proceedings under provision 7.46. (§14.1318.), candidacy, reinstatement, and similar matters where determinations or actions by the synodical bishop could change, limit, restrict, approve, authorize, or deny the related individual's ministry on one of the official rosters of this church.

~~c~~**10.32.03.** A related individual is one who, with respect to the synodical bishop, is a spouse, parent, son, daughter, sibling, uncle, aunt, niece, nephew, grandparent, grandchild, including corresponding members of blended families, and in-laws (parent, son, daughter, or sibling of a spouse, spouse of a sibling, or the parent or sibling of the spouse of a sibling).

**10.41.** Each synod shall have a Synod Assembly, which shall be its highest legislative authority, and which shall meet at least ~~biennially~~ triennially. Special meetings may be called as needed. With the exception of ~~ordained~~ ministers on the rosters of synods other than their synod of residence, each member of the Synod Assembly, the Synod Council, a board, committee, or other organizational unit of the synod shall be a voting member of a congregation of the synod.

**10.71.** Each synod shall remit to the churchwide organization a percentage or amount of all donor-unrestricted receipts contributed to it by the congregations of the synod, ~~such percentage to be determined by the Churchwide Assembly. Individual exceptions may be made by the Church Council upon request of a synod.~~ The actual percentage or amount shall be determined through individual consultations with each synod. Consultations may recognize and include receipts other than unrestricted receipts in establishing and reporting the synod's remittance to the churchwide organization.

**10.71.01.** The percentage or amount determined by consultation shall be acted upon by the synod assembly as part of the adoption of the synod's budget. Should the synod assembly not approve the agreed upon percentage or amount, the synod and the churchwide organization should engage in a new consultation process to reach a mutually agreed upon percentage or amount of donor-unrestricted receipts or other receipts.

**10.71.02.** The percentage or amount determined by consultation shall come to the Church Council for approval or a request to reopen consultation.

~~10.80.~~ INSTALLATION

~~10.81.01.~~ The presiding bishop of this church, or a bishop appointed by the presiding bishop of this church, shall preside for the installation into office, in accord with the policy and approved rite of this church, of each newly elected synodical bishop.

[Update numbering of subsequent provisions, bylaws and continuing resolutions in Chapter 10.]

- 12.31. The assembly shall meet **biennially in regular session through 2013, and triennially thereafter.** Special meetings may be called by a two-thirds vote of the Church Council. The purpose for a special meeting shall be stated in the notice.
- 12.31.02. The secretary shall give notice of the time and place of each regular assembly by publication thereof at least 60 days in advance **on this church's website and** in this church's periodical. The secretary shall give written notice of a special assembly to the bishop of each synod upon the issuance of a call thereof and shall publish the same **on this church's website and** in this church's periodical at least 30 days in advance of the special assembly. Notice shall be provided to all voting members or voting members-elect not more than 30 days or less than 10 days in advance of any meeting. Notice may be provided electronically for voting members or voting members-elect who have provided email addresses, unless the voting member or voting member-elect has requested that written notice be mailed.
- 12.41.11. Each synod shall elect one voting member of the Churchwide Assembly for every 6,000 baptized members in the synod. In addition, each synod shall elect one voting member for every 50 congregations in the synod. The synodical bishop, who is *ex officio* a member of the Churchwide Assembly, shall be included in the number of voting members so determined. **Unless otherwise determined by the synod, the synodical vice president shall serve as an *ex officio* member of the Churchwide Assembly and be included in the number of the synod's voting members.** These voting members elected by each synod shall comply with the principles of organization, commitment to inclusiveness, and interdependence as specified in Chapter 5 of this constitution. In addition, each synod shall elect one additional voting member who is a youth or young adult at the time of the election and one additional voting member who is a person of color or a person whose primary language is other than English. ~~There shall be at least two voting members from each synod.~~ The Church Council may allocate up to 10 additional voting members among synods, but no single synod may be allocated more than two additional voting members. The secretary shall notify each synod of the number of assembly members it is to elect.
- ~~12.41.20. **Ex Officio Members**~~
- 12.41.2115. **Ex Officio Members.** The officers of the churchwide organization and the bishops of the synods shall serve as *ex officio* members of the Churchwide Assembly. **Unless otherwise determined by a synod, the synodical vice presidents shall also serve as *ex officio* members of the Churchwide Assembly. *Ex officio* members** They shall have voice and vote.
- ~~12.41.22. Unless otherwise determined by the synod, the synodical vice president shall serve as a voting member of the Churchwide Assembly.~~
- ~~12.41.30. **Advisory Members**~~
- 12.41.3116. **Advisory Members.** Members of the Church Council, unless otherwise elected as voting members, shall serve as advisory members of the Churchwide Assembly. In addition, executive directors of units of the churchwide organization, the executive for administration, and other persons from the churchwide organization designated by the presiding bishop shall serve as advisory members of the Churchwide Assembly. The Church Council also may designate other persons as advisory members of the Churchwide Assembly. ~~12.41.32.~~ Advisory members shall have voice but not vote.
- ~~12.41.40. **Other Non-Voting Members**~~
- 12.41.4117. **Other Non-Voting Members.** Other categories of non-voting members may be established by the Churchwide Assembly.
- ~~12.51.10. **Reference and Counsel Committee**~~
- 12.51.4101. **Reference and Counsel Committee.** A Reference and Counsel Committee, appointed by the Church Council, shall review all proposed changes or additions to the constitution and bylaws and other items submitted that are not germane to items contained in the stated agenda of the assembly.

~~12.51.20. Memorials Committee~~

~~12.51.2102. Memorials Committee.~~ A Memorials Committee, appointed by the Church Council, shall review memorials from synodical assemblies and make appropriate recommendations for assembly action.

~~12.51.30. Nominating Committee~~

~~12.51.3103. Nominating Committee.~~ A Nominating Committee, elected by the Churchwide Assembly, shall ~~nominate at least one person present nominations~~ for each position for which an election will be held by the Churchwide Assembly and for which a nominating procedure has not otherwise been designated in the constitution, bylaws, and continuing resolutions of this church in accordance with Chapter 19 of this constitution.

13.21. The presiding bishop shall be an ordained minister of this church who, as its pastor, shall be a teacher of the faith of this church and shall provide leadership for the life and witness of this church. The presiding bishop shall:

...

k. ~~Recommend legal counsel to the Church Council.~~

~~l.~~ Serve as an advisory member, with voice but not vote, on all committees of this church and all boards or committees of churchwide units, or designate a person to serve as the presiding bishop's representative.

13.41.02. The secretary shall:

...

e. ~~Coordinate~~ ~~Oversee the general counsel and coordinate~~ the use of legal services by the churchwide organization.

...

14.21.12. The Church Council shall provide for the installation of the churchwide officers. At the installation of a newly elected presiding bishop of this church, the presiding minister shall be the ~~retiring previous~~ presiding bishop of this church or, where that is not possible, a synodical bishop designated by the Church Council.

14.31. The voting members of the Church Council shall consist of the four churchwide officers, the chair of the Conference of Bishops, and at least ~~33-32~~ and not more than 45 other persons elected by the Churchwide Assembly.

~~14.32.03. Any Church Council member appointed to fill a vacancy of less than three years in a Church Council position not restricted to a specific synod shall not be deemed to have served a term and is eligible for election to a full term if she or he otherwise satisfies the criteria for election.~~

~~14.41.10. Executive Committee~~

~~14.41.1101. Executive Committee.~~ The Church Council shall have an Executive Committee composed of the churchwide officers, the chair of the Conference of Bishops, and seven members of the Church Council elected by the council. The vice president of this church shall chair this committee. The Executive Committee shall:

...

16.11.01. ~~Consistent with applicable personnel policies, churchwide units and offices will have staff persons, some of whom shall be executive staff and others of whom shall be support staff.~~ In conformity with this church's commitment to inclusive practice, churchwide units and offices will assure that staff include a balance of women and men, persons of color and persons whose primary language is other than English, laypersons, and ~~persons on the roster of ordained~~ rostered ministers. ~~This balance is to be evident in terms of both executive staff and support staff consistent with the inclusive policy of this church.~~

17.50.05. The board of this organization shall meet at least two times per year and shall be responsible to the assembly that elected it. The assembly of this organization shall be representative of local and other

groupings of women who are members of the women's organization. Upon two successive absences that have not been excused by the board, a board member's position shall be declared vacant and the board shall arrange for election to fill the vacancy under Article ~~I XIII~~, Section ~~4 5~~, Item 9, of the constitution and bylaws of the women's organization.

- 18.01.01.** **Functions.** The regions shall be a means for coordinated responses by synods and the churchwide organization to mission and program opportunities within the region.
- 18.01.02.** The region shall be a forum where the synods and the churchwide organization may study, plan, and share together in developing common programs unique to the region. Responsibilities carried out together will vary from region to region depending on the decision of the synods and churchwide units.
- 18.01.03.** Additional programs or services may be developed in each region upon the request of two or more synods, or upon the request of the churchwide organization and one or more synods, providing that each requesting synod and the churchwide organization supply the necessary financial support for the services requested.
- 18.01.04.** The funding of the region shall be shared by the participating synods and the churchwide organization according to a cost allocation as decided jointly by the synods and the churchwide organization.
- 18.10.10.** **Functions**
- 18.11.11.** The regions shall be a means for coordinated responses by synods and the churchwide organization to mission and program opportunities within the region.
- 18.11.12.** The region shall be a forum where the synods and the churchwide organization may study, plan, and share together in developing common programs unique to the region. Responsibilities carried out together will vary from region to region depending on the decision of the synods and churchwide units.
- 18.11.13.** Additional programs or services may be developed in each region upon the request of two or more synods, or upon the request of the churchwide organization and one or more synods, providing that each requesting synod and the churchwide organization supply the necessary financial support for the services requested.
- 18.11.14.** The funding of the region shall be shared by the participating synods and the churchwide organization according to a cost allocation as decided jointly by the synods and the churchwide organization.

*[Update the numbering of subsequent continuing resolutions in Chapter 18.]*

- 19.01.01.** The treasurer shall be elected by a two-thirds vote of the Church Council.
- 19.01.02.** The presiding bishop shall be elected by the Churchwide Assembly by ecclesiastical ballot. Three-fourths of the votes cast shall be necessary for election on the first ballot. If no one is elected, the first ballot shall be considered the nominating ballot. Three-fourths of the votes cast on the second ballot shall be necessary for election. The third ballot shall be limited to the seven persons (plus ties) who received the greatest number of votes on the second ballot, and two-thirds of the votes cast shall be necessary for election. The fourth ballot shall be limited to the three persons (plus ties) who receive the greatest number of votes on the third ballot, and 60 percent of the votes cast shall be necessary for election. On subsequent ballots, a majority of the votes cast shall be necessary for election. These ballots shall be limited to the two persons (plus ties) who receive the greatest number of votes on the previous ballot.
- 19.01.03.** The vice president shall be elected by the Churchwide Assembly by ecclesiastical ballot. The election shall proceed without oral nominations. If the first ballot for vice president does not result in an election, it shall be considered a nominating ballot. On the first ballot, three-fourths of the votes cast shall be required for election. Thereafter only such votes as are cast for persons who received votes on the first or nominating ballot shall be valid. On the second ballot, three-fourths of the votes cast shall be required for election. On the third ballot, the voting shall be limited to the seven persons (plus ties) receiving the greatest number of votes on the second ballot and two-thirds of the votes cast shall be necessary for election. On the fourth ballot, voting shall be limited to the three persons (plus ties) receiving the greatest number of votes on the previous ballot and 60 percent of the votes cast shall elect. On subsequent ballots, voting shall be limited to the two persons (plus ties) receiving the greatest number of votes on the previous ballot and a majority of votes cast shall elect.

- 19.01.04.** The secretary shall be elected by the Churchwide Assembly by ecclesiastical ballot. The election shall proceed without oral nominations. If the first ballot for secretary does not result in an election, it shall be considered a nominating ballot. On the first ballot, three-fourths of the votes cast shall be required for election. Thereafter only such votes as are cast for persons who received votes on the first or nominating ballot shall be valid. On the second ballot, three-fourths of the votes cast shall be required for election. On the third ballot, the voting shall be limited to the seven persons (plus ties) receiving the greatest number of votes on the second ballot and two-thirds of the votes cast shall be necessary for election. On the fourth ballot, voting shall be limited to the three persons (plus ties) receiving the greatest number of votes on the previous ballot and 60 percent of the votes cast shall elect. On subsequent ballots, voting shall be limited to the two persons (plus ties) receiving the greatest number of votes on the previous ballot and a majority of the votes cast shall elect.
- 19.01.B09.** Background checks and screening shall be required and completed for persons nominated as churchwide officers prior to their election, if possible, or as soon as practical after their election. The specific procedures and timing of background checks and screening shall be determined by the Church Council.
- 19.01.C94.** ***Ecclesiastical Ballot.*** An “ecclesiastical ballot” for the election of officers (other than treasurer) of the churchwide organization of the Evangelical Lutheran Church in America is an election process:
- a. in which on the first ballot the name of any eligible individual may be submitted for nomination by a voting member of the assembly;
  - b. through which the possibility of election to office exists on any ballot by achievement of the required number of votes cast by voting members of the assembly applicable to a particular ballot;
  - c. that precludes spoken floor nominations;
  - d. in which the first ballot is the nominating ballot if no election occurs on the first ballot;
  - e. in which the first ballot defines the total slates of nominees for possible election on a subsequent ballot, with no additional nominations;
  - f. that does not preclude, after the reporting of the first ballot, the right of persons nominated to withdraw their names prior to the casting of the second ballot;
  - g. in which any name appearing on the second ballot may not be subsequently withdrawn;
  - h. that does not preclude an assembly’s adoption of rules that permit, at a defined point in the election process and for a defined period of time, speeches to the assembly by nominees or their representatives and/or a question-and-answer forum in which the nominees or their representatives participate; and
  - i. in which the number of names that appear on any ballot subsequent to the second ballot shall be determined in accordance with provisions of the governing documents.
- 19.01.D07.** ***Election Procedures Utilizing the Ecclesiastical Ballot***
- a. For each election by ecclesiastical or nominating ballot, the exact number of appropriate ballot sets equal to the number of voting members from each synod will be given to the bishop of that synod. The bishop of the synod, or his or her designee, will be responsible for distributing the ballot sets to each of the voting members from the synod.
  - b. Unless otherwise ordered by the chair, one of the numbered ballots from the appropriate ballot set is to be used on each ballot for elections determined by ecclesiastical or nominating ballot. The chair will announce the number of the ballot from the appropriate ballot set that is to be used for each ballot. Failure to use the correct numbered ballot will result in an illegal ballot.
  - c. On the first two ballots for each office being selected by ecclesiastical or nominating ballot, both the first and last names of a nominee should be used. Members should endeavor to use correct spelling and should provide, on the first ballot, any additional accurate information identifying the nominee, such as title, synod, or residence.
  - d. On the third and subsequent ballots conducted by written ballot, only the last name of the nominee need be used, provided there is no other nominee with the same or similar name.
  - e. A member may vote for only one nominee on each ballot.
  - f. Ballots should not be marked prior to the time the chair advises the voting members to do so.
  - g. Written ballots should not be folded.
  - h. Written ballots will be collected from the voting members in accordance with instructions from the Elections Committee or from the chair.

- i. When the results of the first ballot are presented, the chair will announce when and how persons nominated may withdraw their names prior to the casting of the second ballot.*
  - j. Whenever the number of names of nominees that will appear on a ballot is nine or less, on recommendation of the chair and with the consent of the assembly, voting may be by means of electronic device.*
  - k. When voting by electronic device, the first position on each ballot shall be given to the nominee who received the greatest number of votes on the immediately preceding ballot, with the remaining positions assigned to the other nominees in descending order of the number of votes received on the immediately preceding ballot. If two or more nominees were tied with the same vote on the immediately preceding ballot, their respective positions shall be determined by draw by the chair of the Elections Committee.*
  - l. On each ticket for which balloting is conducted by electronic device, the polls will remain open for a reasonable time, as determined by the chair, to permit voting members to record their votes.*
- 19.02.** **The members of the Church Council, except the chair of the Conference of Bishops and the treasurer of this church,** shall be elected by the Churchwide Assembly. In preparation for the Churchwide Assembly, the Church Council shall determine how this church's commitment to inclusive representation will affect the next election to the Church Council. For ~~33~~ **32** of the council members, the Nominating Committee shall invite each eligible synod to submit suggested nominees and shall then nominate persons who fulfill the categories assigned by the Church Council. With respect to the other nominees, the Church Council shall review its size and composition and take into consideration the experience and expertise of existing members and synodical nominees as well as the needs of the council in seeking to fulfill its duties and responsibilities. Based upon this analysis, the Church Council shall instruct the Nominating Committee to provide nominations in specific categories for the remaining positions up to ~~12~~ **13**. Excluding the churchwide officers and the chair of the Conference of Bishops, there shall not be more than two members of the Church Council from a synod. The Church Council shall have at least two members from each region. The terms of office of persons elected to regular terms on the Church Council by the Churchwide Assembly shall begin at the conclusion of the Churchwide Assembly at which such persons were elected. If there is no Churchwide Assembly in the year when terms are scheduled to conclude, they end on August 31.
- 19.02.A13.** *The Nominating Committee shall strive to ensure that at least 10 percent of the voting membership of the Church Council shall be youth or young adults. Youth members shall be younger than 18 at the time of their election, and young adults shall be older than 18 and younger than 30 years of age at the time of their election.*
- 19.02.B11.** *On behalf of the Nominating Committee, the secretary of the Evangelical Lutheran Church in America—in the year preceding each regular meeting of the Churchwide Assembly—shall solicit from eligible synods on a rotating basis the names of two persons in specified categories, in keeping with the representation principles of this church, for possible election to the Church Council. Upon their selection by the assemblies of the respective synods, the names of the two persons shall be presented to the Nominating Committee for submission to the Churchwide Assembly. In the event that any nominee withdraws or is disqualified from possible service, the Nominating Committee shall submit a replacement name from the same synod as the original nominee. In the event that the vacancy occurs subsequent to the preparation of the report of the Nominating Committee to the Churchwide Assembly, a floor nomination shall be provided from the same synod as the original nominee. Except as provided herein, no floor nominations for positions on the Church Council shall be permitted at the Churchwide Assembly.*
- 19.02.C05.** *For purposes of nominations for the Church Council on a rotating basis, the following pairing of synods shall be observed insofar as possible: Alaska Synod and Northwest Washington Synod; Eastern Washington-Idaho Synod and Montana Synod; Southwestern Washington Synod and Oregon Synod; Sierra Pacific Synod and Southwest California Synod; Pacifica Synod and Grand Canyon Synod; Rocky Mountain Synod and South Dakota Synod; Western North Dakota Synod and Eastern North Dakota Synod; Northwestern Minnesota Synod and Northeastern Minnesota Synod; Southwestern Minnesota Synod and Southeastern Minnesota Synod; Minneapolis Area Synod and Saint Paul Area Synod; Nebraska Synod and Central States Synod; Arkansas-Oklahoma and Northern Texas-Northern Louisiana Synod; Southwestern Texas Synod and Texas-Louisiana Gulf Coast Synod; Northwest Synod of Wisconsin and*

Northern Great Lakes Synod; East-Central Synod of Wisconsin and South-Central Synod of Wisconsin; La Crosse Area Synod and Northeastern Iowa Synod; Western Iowa Synod and Southeastern Iowa Synod; Northern Illinois Synod and Central/Southern Illinois Synod; Metropolitan Chicago Synod and Greater Milwaukee Synod; North/West Lower Michigan Synod and Southeast Michigan Synod; Indiana-Kentucky Synod and Northwestern Ohio Synod; Northeastern Ohio Synod and Southern Ohio Synod; New Jersey Synod and New England Synod and Slovak Zion Synod; Metropolitan New York Synod and Upstate New York Synod; Northeastern Pennsylvania Synod and Southeastern Pennsylvania Synod; Northwestern Pennsylvania Synod and Allegheny Synod; Southwestern Pennsylvania Synod and West Virginia-Western Maryland Synod; Upper Susquehanna Synod and Lower Susquehanna Synod; Delaware-Maryland Synod and Metropolitan Washington, D.C., Synod; Virginia Synod and North Carolina Synod; South Carolina Synod and Southeastern Synod; Florida-Bahamas Synod and Caribbean Synod.

**19.03.01.** Before electing a member to fill a vacancy on a board or committee, the Church Council shall consult with the board or committee.

**19.04.01.** The terms of office of persons elected to regular terms on the Nominating Committee of the Churchwide Assembly, the Committee on Discipline, and the Committee on Appeals shall begin at the conclusion of the Churchwide Assembly at which such persons were elected, except as may be specified in continuing resolutions with respect to particular pending discipline matters.

**19.04.A91.** With respect to committees that consider disciplinary cases or appeals:

- a. Any member of the churchwide Committee on Discipline who has been appointed to serve on a discipline hearing committee for a particular pending case shall continue to serve to discharge that appointment notwithstanding that his or her successor has been subsequently elected at a Churchwide Assembly.
- b. Any member of the synodical Committee on Discipline who is serving at the time that the Executive Committee of the Church Council appoints members from the churchwide Committee on Discipline to a discipline hearing committee shall continue as a member of that discipline hearing committee for the particular pending case, notwithstanding that his or her successor has been subsequently elected at a Synod Assembly.
- c. Any member of the Committee on Appeals who is serving at the time that an appeal is made shall continue to serve to decide that appeal, notwithstanding that his or her successor has been subsequently elected at a Churchwide Assembly.

**19.06.** Further procedures for elections and qualifications for office may be set forth in the bylaws and continuing resolutions, provided that such provisions do not conflict with any other provisions in this constitution.

**19.10. NOMINATION AND ELECTION CONSIDERATIONS**

**19.1106.01.** In the nomination and election process the following general considerations shall be observed:

- a. It shall be the responsibility of the Church Council to assure that this church maintains its commitment to inclusive representation.

**19.06.02.** b. In all elections by the Churchwide Assembly, other than for the presiding bishop, vice president, and secretary, a majority of the votes cast on the first ballot shall be necessary for election. If an election does not occur on the first ballot, the names of the two persons receiving the highest number of votes cast shall be placed on the second ballot. On the second ballot, a majority of the legal votes cast shall be necessary for election.

- c. Before electing a member to a vacancy on a board or committee, the Church Council shall consult with the board or committee.

- d. On the final ballot for the election of the presiding bishop, vice president, and secretary of this church, when only two names appear on the ballot, a majority of the legal votes cast shall be necessary for election.

**19.06.03.** e. Each triennium the Conference of Bishops shall select a bishop to serve as an advisory member of each board of a separately incorporated ministry and advisory committee of the churchwide

organization. No synodical bishop, with the exception of the chair of the Conference of Bishops, shall serve as a voting member of the Church Council.

**19.06.04.** The Church Council shall from time to time, by continuing resolution, establish committees and procedures for the conduct of elections at the Churchwide Assembly.

**19.06.05.** No member of the Church Council, a committee of the Church Council, a board of a separately incorporated ministry, or committee of the churchwide organization shall receive emolument for such service, nor shall any member be simultaneously an officer of this church, an elected member of the Church Council, or a voting member of a committee of the churchwide organization or board of a separately incorporated ministry. Nothing in this section shall be construed to prohibit the payment of the costs of insurance on behalf of a person who is or was a member of the Church Council, a committee of the Church Council, or committee against any liability asserted against and incurred by such person in or arising from that capacity, whether or not the churchwide organization would have been required to indemnify such person against the liability under provisions of law or otherwise.

**19.06.06.** No employee of the churchwide organization of this church or its regions, nor any individual under contract to any unit of the churchwide organization or a region shall be eligible for nomination to or membership on the Church Council, an advisory committee, a board of a separately incorporated ministry, the Committee on Appeals, the Committee on Discipline, or the churchwide Nominating Committee during the period of employment or service under contract, except the full-time salaried officers as specified in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. (The phrase “under contract” shall not mean short-term contracts for specific, limited purposes, usually not to exceed six months.)

**19.06.07.** No person related to a staff member of the churchwide organization shall be eligible for nomination to or membership on the Church Council or a committee that advises the unit in which the person’s relative is employed. For this purpose, a related individual is one who, with respect to the churchwide employee, is a spouse, parent, son, daughter, sibling, uncle, aunt, niece, nephew, grandparent, grandchild, including corresponding members of blended families and in-laws (parent, son, daughter, or sibling of a spouse, spouse of a sibling, or the parent or sibling of the spouse of a sibling).

**19.06.A02.** *Election Procedures Utilizing the Common Ballot*

- a. *The common ballot is used in those elections when the ecclesiastical or nominating ballot is not used.*
- b. *For the first common ballot, the exact number of ballot forms equal to the number of voting members from each synod will be given to the bishop of that synod. The bishop of the synod, or his or her designee, will be responsible for distributing the ballot forms to each of the voting members from the synod.*
- c. *Upon recommendation of the chair and with the consent of the assembly, the second common ballot may be conducted by electronic device. Unless the second common ballot is conducted by electronic device, the distribution of ballot forms for the second common ballot will be in the same manner as the first common ballot.*
- d. *Any discrepancy between the number of ballots given to a synodical bishop and the number of voting members (including the synodical bishop) from such synod must be reported by the synodical bishop to the Elections Committee.*
- e. *Each ticket for which an election is held will be considered a separate ballot.*
- f. *A voting member may vote for only one nominee on each ticket.*
- g. *Failure to vote for a nominee for every ticket does not invalidate a ballot for the tickets for which a nominee is marked.*
- h. *Ballots must be marked in accordance with the instructions presented in plenary session.*
- i. *Ballot forms should not be folded.*
- j. *Marked ballot forms must be deposited at the designated Ballot Stations at certain exits of the hall in which plenary sessions are held.*
- k. *If a ballot is damaged so that it cannot be scanned, a replacement ballot may be obtained at the Ballot Station upon surrender of the damaged ballot.*
- l. *Unless otherwise ordered by the assembly, polls for the first common ballot close at the time designated in the assembly’s Rules of Organization and Procedure.*

- m. On each ticket for which balloting is conducted by electronic device, the polls will remain open for a reasonable time, as determined by the chair, to permit members to record their votes.*
- n. Unless the second ballot is conducted by electronic device, polls for the second common ballot close at the time designated in the assembly's Rules of Organization and Procedure or as otherwise ordered by the assembly.*
- o. On the second ballot, whether by common ballot or by electronic device, the first position on each ticket shall be given to the nominee who received the greatest number of votes on the first ballot. If two nominees are tied for the highest vote, the first position on the ticket shall be determined by draw by the chair of the Elections Committee.*

**19.06.B98. Breaking Ties in Elections**

- a. On the ballot for the election of the presiding bishop, vice president, and secretary, when only two names appear, the marked ballot of the treasurer shall be held by the chair of the Elections Committee and shall be counted only where necessary to break a tie that would otherwise exist.*
- b. On the first common ballot, the blank ballots of the treasurer and vice president shall be held by the chair of the Elections Committee to be presented to the treasurer for her or his vote only in those elections where a tie would otherwise exist, and to be presented to the vice president for his or her vote only in those elections to break a tie remaining after the ballot of the treasurer has been counted.*
- c. On the second common ballot, the marked ballot of the treasurer shall be held by the chair of the Elections Committee and shall be counted only where necessary to break a tie that would otherwise exist.*

**19.06.C13.** *A former full-time or part-time employee shall not be eligible for a minimum of six years subsequent to such employment, for nomination or election to the board of the separately incorporated ministry or committee related to the churchwide unit in which the employee served.*

**19.2011. There shall be a Nominating Committee.**

**19.211.01.** ~~There shall be a~~ Nominating Committee shall consisting of 12–18 members elected by the Churchwide Assembly. Each member shall be elected to one six-year term and shall serve until a successor is elected. Members of the Nominating Committee shall not be eligible for consecutive re-election. The Church Council shall place in nomination the names of two persons for each position. The committee shall consist of at least one member but no more than three members from any region. Nominations from the floor shall also be permitted, but each floor nomination shall be presented as an alternative to a specific category named by the Church Council and shall therefore meet the same criteria as the persons against whom the nominee is nominated. In the materials provided in advance to each member of the assembly, the Church Council shall set forth the criteria applicable to each category that must be met by persons nominated from the floor.

**19.211.02.** ~~The~~ Except as otherwise provided, the Nominating Committee shall nominate two persons for each council, board, or committee position, according to the process described in continuing resolutions, for which an election will be held by the Churchwide Assembly. In the case of re-election, if authorized, or for nominees from church bodies with which this church is in a relationship of full communion, only one person need be nominated. Nominations from the floor, where permitted in the nomination process, shall be presented as an alternative to a specific category named by the Nominating Committee and shall therefore meet the same criteria as the persons against whom the nominee is nominated. In the materials provided in advance to each member of the assembly, the Nominating Committee shall set forth the criteria applicable to each category that must be met by persons nominated from the floor.

**19.211.03.** The Nominating Committee shall nominate at least one person for the board of trustees of each of the separately incorporated ministries identified in Chapter 17 of this constitution, according to the process described in continuing resolutions, for which an election will be held by the Churchwide Assembly. Nominations from the floor, where permitted in the nomination process, shall be presented as an alternative to a specific category named by the Nominating Committee and shall therefore meet the same criteria as the persons against whom the nominee is nominated. In the materials provided in advance to each member of the assembly, the Nominating Committee shall set forth the criteria applicable to each category that must be met by persons nominated from the floor.

[Update numbering of subsequent bylaws in Chapter 19.]

**19.21.05.**

**19.11.06.**

The Nominating Committee shall strive to ensure that all persons nominated for any position, including the boards of separately incorporated ministries, possess the necessary competence and experience for the position. All persons elected to any position, whether nominated by the Nominating Committee or not, shall strive to represent this church and not just a particular geographic area.

**19.11.A15. Nominations Desk and Nominations Form**

- a. Nominations from the floor at the Churchwide Assembly shall be made at the Nominations Desk, which shall be maintained under the supervision of the secretary of this church.
- b. A nomination from the floor shall be made by using the form provided by the secretary of this church. Nomination forms may be obtained from the Nominations Desk at times prescribed in the assembly's Rules of Organization and Procedure.
- c. The required form to be used in making nominations from the floor shall include the nominee's name, address, phone number, gender, lay or clergy status, white or person of color or primary language other than English status, congregational membership, synodical membership, and affirmation of willingness to serve, if elected; the name, address, and synodical membership of the voting member who is making the nomination; and such other information as the secretary of this church shall require.
- d. For purposes of nomination procedures, "synodical membership" means:
  - 1) In the case of a layperson who is not on the roster of this church, the synod that includes the congregation in which such person holds membership; and
  - 2) In the case of a rostered minister, the synod on whose roster such minister's name is maintained.

**19.11.B05. Floor Nominations**

- a. Floor nominations for positions on a board or committee of a churchwide unit require, in addition to the nominator, the written support of at least 10 other voting members. Floor nominations for the Church Council, the Nominating Committee, or other churchwide committee to be elected by the Churchwide Assembly require, in addition to the nominator, the written support of at least 20 other voting members.
- b. A nomination from the floor for any position (other than presiding bishop, vice president, and secretary) shall be made by filing the completed nomination form with the Nominations Desk at times prescribed in the assembly's Rules of Organization and Procedure.
- c. Nominations will be considered made in the order in which filed at the Nominations Desk.

**19.11.C05. Restrictions on Floor Nominations for Boards**

- a. Nominations from the floor for positions on churchwide boards or committees shall comply with criteria and restrictions established by the Nominating Committee and set forth in materials provided to each voting member of the assembly.
- b. So long as the number of incumbent members from a given synod serving on a board or committee with terms not expiring plus the number of positions on the same board or committee to which individuals from the same synod already have been nominated (whether by the Nominating Committee or from the floor) total less than the maximum number of two individuals from the same synod who may serve on that board or committee, an individual from the same synod may be nominated for another position on that board or committee, provided other criteria and restrictions are met. Individuals from the same synod may be nominated for a position on a board or committee to which individuals from the same synod already have been nominated, provided other criteria and restrictions are met.

**19.11.D16. Restriction on Floor Nominations for Church Council**

Nominations for positions on the Church Council shall comply with criteria and restrictions established by the Church Council and Nominating Committee and set forth in materials provided to each voting member of the assembly.

- 19.11.E98. Restriction on Floor Nominations for Nominating Committee**
- a. *Nominations from the floor for positions on the Nominating Committee shall comply with criteria and restrictions established by the Church Council and set forth in materials provided to each voting member of the assembly.*
  - b. *So long as the number of incumbent members from a given region serving on the Nominating Committee with terms not expiring plus the number of Nominating Committee positions to which individuals from the same region have already been nominated (whether by the Church Council or from the floor) total less than the maximum number of three individuals from the same region who may serve on the Nominating Committee, an individual from the same region may be nominated for another Nominating Committee position, provided other criteria and restrictions are met. Provided other criteria and restrictions are met, individuals may be nominated for a Nominating Committee position for which someone from the same region has already been nominated.*
- 19.21.A13.** *The Nominating Committee shall strive to ensure that at least 10 percent of the voting membership of the Church Council shall be youth or young adults. Youth members shall be younger than 18 at the time of their election, and young adults shall be older than 18 and younger than 30 years of age at the time of their election.*
- 19.21.B11.** *On behalf of the Nominating Committee, the secretary of the Evangelical Lutheran Church in America—in the year preceding each regular meeting of the Churchwide Assembly—shall solicit from eligible synods on a rotating basis the names of two persons in specified categories, in keeping with the representation principles of this church, for possible election to the Church Council. Upon their selection by the assemblies of the respective synods, the names of the two persons shall be presented to the Nominating Committee for submission to the Churchwide Assembly. In the event that any nominee withdraws or is disqualified from possible service, the Nominating Committee shall submit a replacement name from the same synod as the original nominee. In the event that the vacancy occurs subsequent to the preparation of the report of the Nominating Committee to the Churchwide Assembly, a floor nomination shall be provided from the same synod as the original nominee. Except as provided herein, no floor nominations for positions on the Church Council shall be permitted at the Churchwide Assembly.*
- 19.21.C05.** *For purposes of nominations for the Church Council on a rotating basis, the following pairing of synods shall be observed insofar as possible: Alaska Synod and Northwest Washington Synod; Eastern Washington-Idaho Synod and Montana Synod; Southwestern Washington Synod and Oregon Synod; Sierra Pacific Synod and Southwest California Synod; Pacifica Synod and Grand Canyon Synod; Rocky Mountain Synod and South Dakota Synod; Western North Dakota Synod and Eastern North Dakota Synod; Northwestern Minnesota Synod and Northeastern Minnesota Synod; Southwestern Minnesota Synod and Southeastern Minnesota Synod; Minneapolis Area Synod and Saint Paul Area Synod; Nebraska Synod and Central States Synod; Arkansas-Oklahoma and Northern Texas-Northern Louisiana Synod; Southwestern Texas Synod and Texas-Louisiana Gulf Coast Synod; Northwest Synod of Wisconsin and Northern Great Lakes Synod; East-Central Synod of Wisconsin and South-Central Synod of Wisconsin; La Crosse Area Synod and Northeastern Iowa Synod; Western Iowa Synod and Southeastern Iowa Synod; Northern Illinois Synod and Central/Southern Illinois Synod; Metropolitan Chicago Synod and Greater Milwaukee Synod; North/West Lower Michigan Synod and Southeast Michigan Synod; Indiana-Kentucky Synod and Northwestern Ohio Synod; Northeastern Ohio Synod and Southern Ohio Synod; New Jersey Synod and New England Synod and Slovak Zion Synod; Metropolitan New York Synod and Upstate New York Synod; Northeastern Pennsylvania Synod and Southeastern Pennsylvania Synod; Northwestern Pennsylvania Synod and Allegheny Synod; Southwestern Pennsylvania Synod and West Virginia-Western Maryland Synod; Upper Susquehanna Synod and Lower Susquehanna Synod; Delaware-Maryland Synod and Metropolitan Washington, D.C., Synod; Virginia Synod and North Carolina Synod; South Carolina Synod and Southeastern Synod; Florida-Bahamas Synod and Caribbean Synod.*
- 19.30. ELECTION OF OFFICERS**
- 19.31.01.** *The churchwide officers shall be elected as follows:*
- a. *The presiding bishop shall be elected by the Churchwide Assembly by ecclesiastical ballot. Three-fourths of the votes cast shall be necessary for election on the first ballot. If no one is elected, the first ballot shall be considered the nominating ballot. Three-fourths of the votes cast on the second ballot shall be necessary for election. The third ballot shall be limited to the seven persons (plus ties)*

who received the greatest number of votes on the second ballot, and two-thirds of the votes cast shall be necessary for election. The fourth ballot shall be limited to the three persons (plus ties) who receive the greatest number of votes on the third ballot, and 60 percent of the votes cast shall be necessary for election. On subsequent ballots, a majority of the votes cast shall be necessary for election. These ballots shall be limited to the two persons (plus ties) who receive the greatest number of votes on the previous ballot.

- b. The vice president shall be elected by the Churchwide Assembly by ecclesiastical ballot. The election shall proceed without oral nominations. If the first ballot for vice president does not result in an election, it shall be considered a nominating ballot. On the first ballot, three-fourths of the votes cast shall be required for election. Thereafter only such votes as are cast for persons who received votes on the first or nominating ballot shall be valid. On the second ballot, three-fourths of the votes cast shall be required for election. On the third ballot, the voting shall be limited to the seven persons (plus ties) receiving the greatest number of votes on the second ballot and two-thirds of the votes cast shall be necessary for election. On the fourth ballot, voting shall be limited to the three persons (plus ties) receiving the greatest number of votes on the previous ballot and 60 percent of the votes cast shall elect. On subsequent ballots, voting shall be limited to the two persons (plus ties) receiving the greatest number of votes on the previous ballot and a majority of votes cast shall elect.
- c. The secretary shall be elected by the Churchwide Assembly by ecclesiastical ballot. The election shall proceed without oral nominations. If the first ballot for secretary does not result in an election, it shall be considered a nominating ballot. On the first ballot, three-fourths of the votes cast shall be required for election. Thereafter only such votes as are cast for persons who received votes on the first or nominating ballot shall be valid. On the second ballot, three-fourths of the votes cast shall be required for election. On the third ballot, the voting shall be limited to the seven persons (plus ties) receiving the greatest number of votes on the second ballot and two-thirds of the votes cast shall be necessary for election. On the fourth ballot, voting shall be limited to the three persons (plus ties) receiving the greatest number of votes on the previous ballot and 60 percent of the votes cast shall elect. On subsequent ballots, voting shall be limited to the two persons (plus ties) receiving the greatest number of votes on the previous ballot and a majority of the votes cast shall elect.
- d. The treasurer shall be elected by a two-thirds vote of the Church Council.

**19.31.A09.** *Background checks and screening shall be required and completed for persons nominated as churchwide officers prior to their election, if possible, or as soon as practical after their election. The specific procedures and timing of background checks and screening shall be determined by the Church Council.*

**19.40.** **TERMS OF OFFICE**

**19.41.01.** The terms of office of persons elected to regular terms on a committee or board by the Churchwide Assembly shall begin at the conclusion of the assembly at which such persons were elected.

**19.41.02.** The terms of office of persons elected to regular terms on the Nominating Committee of the Churchwide Assembly, the Committee on Discipline, and the Committee on Appeals shall begin at the conclusion of the Churchwide Assembly at which such persons were elected, except as may be specified in continuing resolutions with respect to particular pending discipline matters.

**19.41.A91.** *With respect to committees that consider disciplinary cases or appeals:*

- a. *Any member of the churchwide Committee on Discipline who has been appointed to serve on a discipline hearing committee for a particular pending case shall continue to serve to discharge that appointment notwithstanding that his or her successor has been subsequently elected at a Churchwide Assembly.*
- b. *Any member of the synodical Committee on Discipline who is serving at the time that the Executive Committee of the Church Council appoints members from the churchwide Committee on Discipline to a discipline hearing committee shall continue as a member of that discipline hearing committee for the particular pending case, notwithstanding that his or her successor has been subsequently elected at a Synod Assembly.*
- c. *Any member of the Committee on Appeals who is serving at the time that an appeal is made shall continue to serve to decide that appeal, notwithstanding that his or her successor has been subsequently elected at a Churchwide Assembly.*

**19.50. EXPERIENCE AND EXPERTISE**

**19.51.01.** The Churchwide Assembly shall elect all members of the board of trustees of the Publishing House of the ELCA, the board of trustees of the Mission Investment Fund, and the board of trustees of the Board of Pensions. The Nominating Committee shall seek to ensure that these boards have within their membership persons with the expertise and experience essential to the fulfillment of the work of these separately incorporated ministries.

**19.60. OTHER MATTERS RELATED TO NOMINATIONS AND ELECTIONS**

**19.61.01.** The Church Council shall from time to time, by continuing resolution, establish committees and procedures for the conduct of elections at the Churchwide Assembly.

**19.61.02.** No member of the Church Council, a committee of the Church Council, a board of a separately incorporated ministry, or committee of the churchwide organization shall receive emolument for such service, nor shall any member be simultaneously an officer of this church, an elected member of the Church Council, or a voting member of a committee of the churchwide organization or board of a separately incorporated ministry. Nothing in this section shall be construed to prohibit the payment of the costs of insurance on behalf of a person who is or was a member of the Church Council, a committee of the Church Council, or committee against any liability asserted against and incurred by such person in or arising from that capacity, whether or not the churchwide organization would have been required to indemnify such person against the liability under provisions of law or otherwise.

**19.61.03.** No employee of the churchwide organization of this church or its regions, nor any individual under contract to any unit of the churchwide organization or a region shall be eligible for nomination to or membership on the Church Council, an advisory committee, a board of a separately incorporated ministry, the Committee on Appeals, the Committee on Discipline, or the churchwide Nominating Committee during the period of employment or service under contract, except the full-time salaried officers as specified in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. (The phrase “under contract” shall not mean short-term contracts for specific, limited purposes, usually not to exceed six months.)

**19.61.04.** No person related to an executive director or an executive staff member of the churchwide organization shall be eligible for nomination to or membership on the Church Council or a committee that advises the unit in which the person’s relative is employed. For this purpose, a related individual is one who, with respect to the churchwide employee, is a spouse, parent, son, daughter, sibling, uncle, aunt, niece, nephew, grandparent, grandchild, including corresponding members of blended families and in-laws (parent, son, daughter, or sibling of a spouse, spouse of a sibling, or the parent or sibling of the spouse of a sibling).

**19.61.A94. Ecclesiastical Ballot.** An “ecclesiastical ballot” for the election of officers (other than treasurer) of the churchwide organization of the Evangelical Lutheran Church in America is an election process:

- a. in which on the first ballot the name of any eligible individual may be submitted for nomination by a voting member of the assembly;
- b. through which the possibility of election to office exists on any ballot by achievement of the required number of votes cast by voting members of the assembly applicable to a particular ballot;
- c. that precludes spoken floor nominations;
- d. in which the first ballot is the nominating ballot if no election occurs on the first ballot;
- e. in which the first ballot defines the total slates of nominees for possible election on a subsequent ballot, with no additional nominations;
- f. that does not preclude, after the reporting of the first ballot, the right of persons nominated to withdraw their names prior to the casting of the second ballot;
- g. in which any name appearing on the second ballot may not be subsequently withdrawn;
- h. that does not preclude an assembly’s adoption of rules that permit, at a defined point in the election process and for a defined period of time, speeches to the assembly by nominees or their representatives and/or a question-and-answer forum in which the nominees or their representatives participate; and
- i. in which the number of names that appear on any ballot subsequent to the second ballot shall be determined in accordance with provisions of the governing documents.

**19.61.B15. Nominations Desk and Nominations Form**

- a. Nominations from the floor at the Churchwide Assembly shall be made at the Nominations Desk, which shall be maintained under the supervision of the secretary of this church.
- b. A nomination from the floor shall be made by using the form provided by the secretary of this church. Nomination forms may be obtained from the Nominations Desk at times prescribed in the assembly's Rules of Organization and Procedure.
- c. The required form to be used in making nominations from the floor shall include the nominee's name, address, phone number, gender, lay or clergy status, white or person of color or primary language other than English status, congregational membership, synodical membership, and affirmation of willingness to serve, if elected; the name, address, and synodical membership of the voting member who is making the nomination, and such other information as the secretary of this church shall require.
- d. For purposes of nomination procedures, "synodical membership" means:
  - 1) In the case of a layperson who is not on the official rosters of this church, the synod that includes the congregation in which such person holds membership; and
  - 2) In the case of an ordained minister, the synod on whose roster such ordained minister's name is maintained;
  - 3) In the case of an associate in ministry, a deaconess, or a diaconal minister, the synod on whose roster such person's name is maintained.

**19.61.C05. Floor Nominations**

- a. Floor nominations for positions on a board or committee of a churchwide unit require, in addition to the nominator, the written support of at least 10 other voting members. Floor nominations for the Church Council, the Nominating Committee, or other churchwide committee to be elected by the Churchwide Assembly require, in addition to the nominator, the written support of at least 20 other voting members.
- b. A nomination from the floor for any position (other than presiding bishop, vice president, and secretary) shall be made by filing the completed nomination form with the Nominations Desk at times prescribed in the assembly's Rules of Organization and Procedure.
- c. Nominations will be considered made in the order in which filed at the Nominations Desk.

**19.61.D05. Restrictions on Floor Nominations for Boards**

- a. Nominations from the floor for positions on churchwide boards or committees shall comply with criteria and restrictions established by the Nominating Committee and set forth in materials provided to each voting member of the assembly.
- b. So long as the number of incumbent members from a given synod serving on a board or committee with terms not expiring plus the number of positions on the same board or committee to which individuals from the same synod already have been nominated (whether by the Nominating Committee or from the floor) total less than the maximum number of two individuals from the same synod who may serve on that board or committee, an individual from the same synod may be nominated for another position on that board or committee, provided other criteria and restrictions are met. Individuals from the same synod may be nominated for a position on a board or committee to which individuals from the same synod already have been nominated, provided other criteria and restrictions are met.

**19.61.E05. Restriction on Nominations for Church Council**

Nominations for positions on the Church Council shall comply with criteria and restrictions established by the Church Council and Nominating Committee and set forth in materials provided to each voting member of the assembly.

**19.61.F98. Restriction on Floor Nominations for Nominating Committee**

- a. Nominations from the floor for positions on the Nominating Committee shall comply with criteria and restrictions established by the Church Council and set forth in materials provided to each voting member of the assembly.
- b. So long as the number of incumbent members from a given region serving on the Nominating Committee with terms not expiring plus the number of Nominating Committee positions to which individuals from the same region have already been nominated (whether by the Church Council or

from the floor) total less than the maximum number of three individuals from the same region who may serve on the Nominating Committee, an individual from the same region may be nominated for another Nominating Committee position, provided other criteria and restrictions are met. Provided other criteria and restrictions are met, individuals may be nominated for a Nominating Committee position for which someone from the same region has already been nominated.

**19.61.G02. Election Procedures Utilizing the Common Ballot**

- a. The common ballot is used in those elections when the ecclesiastical or nominating ballot is not used.
- b. For the first common ballot, the exact number of ballot forms equal to the number of voting members from each synod will be given to the bishop of that synod. The bishop of the synod, or his or her designee, will be responsible for distributing the ballot forms to each of the voting members from the synod.
- c. Upon recommendation of the chair and with the consent of the assembly, the second common ballot may be conducted by electronic device. Unless the second common ballot is conducted by electronic device, the distribution of ballot forms for the second common ballot will be in the same manner as the first common ballot.
- d. Any discrepancy between the number of ballots given to a synodical bishop and the number of voting members (including the synodical bishop) from such synod must be reported by the synodical bishop to the Elections Committee.
- e. Each ticket for which an election is held will be considered a separate ballot.
- f. A voting member may vote for only one nominee on each ticket.
- g. Failure to vote for a nominee for every ticket does not invalidate a ballot for the tickets for which a nominee is marked.
- h. Ballots must be marked in accordance with the instructions presented in plenary session.
- i. Ballot forms should not be folded.
- j. Marked ballot forms must be deposited at the designated Ballot Stations at certain exits of the hall in which plenary sessions are held.
- k. If a ballot is damaged so that it cannot be scanned, a replacement ballot may be obtained at the Ballot Station upon surrender of the damaged ballot.
- l. Unless otherwise ordered by the assembly, polls for the first common ballot close at the time designated in the assembly's Rules of Organization and Procedure.
- m. On each ticket for which balloting is conducted by electronic device, the polls will remain open for a reasonable time, as determined by the chair, to permit members to record their votes.
- n. Unless the second ballot is conducted by electronic device, polls for the second common ballot close at the time designated in the assembly's Rules of Organization and Procedure or as otherwise ordered by the assembly.
- o. On the second ballot, whether by common ballot or by electronic device, the first position on each ticket shall be given to the nominee who received the greatest number of votes on the first ballot. If two nominees are tied for the highest vote, the first position on the ticket shall be determined by draw by the chair of the Elections Committee.

**19.61.H07. Election Procedures Utilizing the Ecclesiastical Ballot**

- a. For each election by ecclesiastical or nominating ballot, the exact number of appropriate ballot sets equal to the number of voting members from each synod will be given to the bishop of that synod. The bishop of the synod, or his or her designee, will be responsible for distributing the ballot sets to each of the voting members from the synod.
- b. Unless otherwise ordered by the chair, one of the numbered ballots from the appropriate ballot set is to be used on each ballot for elections determined by ecclesiastical or nominating ballot. The chair will announce the number of the ballot from the appropriate ballot set that is to be used for each ballot. Failure to use the correct numbered ballot will result in an illegal ballot.
- c. On the first two ballots for each office being selected by ecclesiastical or nominating ballot, both the first and last names of a nominee should be used. Members should endeavor to use correct spelling and should provide, on the first ballot, any additional accurate information identifying the nominee, such as title, synod, or residence.

- d. *On the third and subsequent ballots conducted by written ballot, only the last name of the nominee need be used, provided there is no other nominee with the same or similar name.*
  - e. *A member may vote for only one nominee on each ballot.*
  - f. *Ballots should not be marked prior to the time the chair advises the voting members to do so.*
  - g. *Written ballots should not be folded.*
  - h. *Written ballots will be collected from the voting members in accordance with instructions from the Elections Committee or from the chair.*
  - i. *When the results of the first ballot are presented, the chair will announce when and how persons nominated may withdraw their names prior to the casting of the second ballot.*
  - j. *Whenever the number of names of nominees that will appear on a ballot is nine or less, on recommendation of the chair and with the consent of the assembly, voting may be by means of electronic device.*
  - k. *When voting by electronic device, the first position on each ballot shall be given to the nominee who received the greatest number of votes on the immediately preceding ballot, with the remaining positions assigned to the other nominees in descending order of the number of votes received on the immediately preceding ballot. If two or more nominees were tied with the same vote on the immediately preceding ballot, their respective positions shall be determined by draw by the chair of the Elections Committee.*
  - l. *On each ticket for which balloting is conducted by electronic device, the polls will remain open for a reasonable time, as determined by the chair, to permit voting members to record their votes.*
- 19.61.I98. Breaking Ties in Elections**
- a. *On the ballot for the election of the presiding bishop, vice president, and secretary, when only two names appear, the marked ballot of the treasurer shall be held by the chair of the Elections Committee and shall be counted only where necessary to break a tie that would otherwise exist.*
  - b. *On the first common ballot, the blank ballots of the treasurer and vice president shall be held by the chair of the Elections Committee to be presented to the treasurer for her or his vote only in those elections where a tie would otherwise exist, and to be presented to the vice president for his or her vote only in those elections to break a tie remaining after the ballot of the treasurer has been counted.*
  - c. *On the second common ballot, the marked ballot of the treasurer shall be held by the chair of the Elections Committee and shall be counted only where necessary to break a tie that would otherwise exist.*
- 19.61.J13.** *A former full-time or part-time employee shall not be eligible for a minimum of six years subsequent to such employment, for nomination or election to the board of the separately incorporated ministry or committee related to the churchwide unit in which the employee served.*

## CONSTITUTION FOR SYNODS

- †S3.02. “Determined by the Churchwide Assembly,” as stipulated by †S3.01., is understood to include the reported changes in synod relationship made by any congregation in a border area agreed under ELCA bylaws 10.01.†01 and 10.02.02.
- †S5.02. This church confesses the one, holy, catholic, and apostolic Church and is resolved to serve Christian Unity throughout the world.
- †S5.03. The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the Church, and the universal Church exists in and through congregations. This church, therefore, derives its character and powers both from the sanction and representation of its congregations and from its inherent nature as an expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in the historic continuity of the communion of saints; in breadth, it expresses the fellowship of believers and congregations in our day.

†S5.04. This church, inspired and led by the Holy Spirit, participates in the Lutheran World Federation as a global communion of churches, engaging in faithful witness to the gospel of Jesus Christ and in service for the sake of God’s mission in the world.

†S6.04.A01. *[continuing resolution becomes bylaw]*

†S6.04.01. It is the goal of this synod that 10 percent of the membership of synod assemblies, councils, committees, boards and/or other organizational units be persons of color and/or persons whose primary language is other than English.

†S6.04.B09. *[continuing resolution becomes bylaw]*

†S6.04.02. It is the goal of this synod that at least 10 percent of the voting members of the Synod Assembly, Synod Council, committees, and organizational units of this synod be youth and young adults. The Synod Council shall establish a plan for implementing this goal. For purposes of the constitution, bylaws, and continuing resolutions of this synod, the term “youth” means a voting member of a congregation who has not reached the age of 18 at the time of election or appointment for service. The term “young adult” means a voting member of a congregation between the ages of 18 and 30 at the time of election or appointment for service.

†S7.11. A regular meeting of the Synod Assembly shall be held at least ~~biennially~~ triennially.

S7.11.01. The time and place of the \_\_\_\_\_ Synod Assembly shall be determined by the Synod Council. The time and place for the next regular assembly normally shall be announced \_\_\_\_\_ months prior to the assembly.

S8.55. Should the vice president, secretary, or treasurer die, resign, or be unable to serve, the bishop, with the approval of the Executive Committee of the Synod Council, shall arrange for the appropriate care of the responsibilities of the officer until an election of a new officer can be held or, in the case of temporary disability, until the officer is able to serve again. The term of the successor officer, elected by the next Synod Assembly, shall be \_\_\_\_\_ years. If the treasurer is appointed by the Synod Council, the Synod Council shall appoint a new treasurer to a \_\_\_\_\_ year term.

†S8.57. The recall or dismissal of an officer ~~may be effected in accordance with the procedure established by the Committee on Appeals of the Evangelical Lutheran Church in America and the vacating of office may be effected for willful disregard or violation of the constitutions, bylaws, and continuing resolutions of this church; for such physical or mental disability as renders the officer incapable of performing the duties of office; or for such conduct as would subject the officer to disciplinary action as a rostered minister or as a member of a congregation of this church.~~

- a. Proceedings for the recall or dismissal of a synodical bishop shall be instituted by written petition by:
- 1) the Synod Council on an affirmative vote of at least two-thirds of its elected members present and voting;
  - 2) the Synod Assembly on an affirmative vote of at least two-thirds of its members present and voting;
  - 3) at least 10 synodical bishops; or
  - 4) the presiding bishop of this church.

- b. Proceedings for the recall or dismissal of an officer of a synod, other than the synodical bishop, shall be instituted by written petition by:
- 1) the Synod Council on an affirmative vote of at least two-thirds of its elected members present and voting;
  - 2) the Synod Assembly on an affirmative vote of at least two-thirds of its members present and voting;  
or
  - 3) the synodical bishop.

c. The petition shall be filed with the chair of the Committee on Appeals (in care of the secretary of the Evangelical Lutheran Church in America, 8765 West Higgins Road, Chicago, Illinois 60631) and shall set forth the specific charge or charges.

d. Upon the filing of a written petition, the Executive Committee of the Synod Council may temporarily suspend the officer from service in the synod without prejudice, but with continuation of compensation, including benefits, if the officer is a salaried employee of the synod.

- e. In the case of alleged physical or mental incapacity of an officer of the synod, the procedures outlined in †S8.56. shall be followed, and such officer shall comply with the decision of the Synod Council. If such officer fails or refuses to comply, the Synod Council may proceed to petition for recall or dismissal as follows:
  - 1) the Synod Council will submit a written report of their findings and the basis of their decision to the Committee on Appeals.
  - 2) the Committee on Appeals, other than those who are disqualified, shall review the findings and decision of the Synod Council and by an affirmative vote of at least two-thirds of those present and voting may adopt the findings and grant the petition.
- f. If the synod officer is a minister of Word and Sacrament, grounds for recall or dismissal include those set forth in ELCA bylaw 20.21.01. and as defined under the process described in ELCA constitutional provisions 20.20. and 20.21. as grounds for discipline. If the officer is a minister of Word and Service, grounds for recall or dismissal include those set forth in ELCA bylaw 20.22.01. and as defined under the process described in ELCA constitutional provisions 20.20. and 20.21. as grounds for discipline.
- g. If the officer is a layperson, grounds for recall or dismissal include those set forth in ELCA bylaw 20.41.01. as grounds for discipline.
- h. If the case of alleged willful disregard or violation of the constitutions, bylaws, and continuing resolutions or of alleged conduct as would subject the officer to disciplinary action, the following procedures shall apply:
  - 1) the petition shall be referred to the Committee on Appeals, which shall function as the discipline hearing committee that shall conduct a hearing in accordance with the rules provided for in ELCA bylaw 20.21.16. except to the extent that those rules are in conflict with the provisions of this bylaw; and
  - 2) the members of the Committee on Appeals, other than those who are disqualified, may grant the petition by an affirmative vote of at least two-thirds of those present and voting.
- i. Written notice of a decision by the Committee on Appeals that the charges have been sustained shall be given to the affected officer and to the Synod Council, and the office shall be vacated.

†S9.01. The Synod Assembly shall elect such officers of this synod and such other persons as the constitution and bylaws may require, according to procedures set forth in the bylaws. The Synod Assembly shall elect members of the Churchwide Assembly in accordance with bylaw 12.41.11. of the constitution and bylaws of the Evangelical Lutheran Church in America.

†S9.10. When notified by the secretary of this church, on behalf of the Nominating Committee of the Churchwide Assembly, the Synod Assembly shall nominate two persons in the specified categories for possible election by the Churchwide Assembly to the Church Council.

†S11.03. The Committee on Discipline of this synod shall consist of 12 persons, of whom six shall be ordained ministers and six shall be laypersons, who shall each be elected by the Synod Assembly for a term of six years without consecutive re-election.

- a. The functions of the Committee on Discipline of this synod are set forth in Chapter 20 of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.
- b. The terms of committee members shall be staggered so that the terms of four committee members (two clergy and two lay) expire every two years.

~~c. The Synod Council shall fill vacancies on the Committee on Discipline for any unexpired term.~~

†S14.138. The provisions for termination of the mutual relationship between a minister of Word and Sacrament and a congregation shall be as follows:

...

- c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the pastor's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the pastorate vacant ~~and the pastor shall be listed on the clergy roster as disabled.~~ When the pastorate is

declared vacant, the Synod Council shall list the pastor on the roster of ministers of Word and Sacrament as disabled. Upon removal of the disability and restoration of the pastor to health, the bishop shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call.

...

†S14.1521. The parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members transferred or dismissed, members who have become inactive, or members excluded from the congregation shall be kept accurately and permanently. They shall remain the property of each congregation. At the time of the closure of a congregation, such records shall be sent to the regional archives. The secretary of the congregation shall attest to the bishop of this synod that such records have been placed in his or her hands in good order by a departing pastor before:

- a. installation in another field of labor call, or
- b. the issuance of a certificate of dismissal or transfer approval of a request for change in roster status.

†S14.1622. The pastor shall make satisfactory settlement of all financial obligations to a former congregation before:

- a. installation in another field of labor call, or
- b. the issuance of a certificate of dismissal or transfer approval of a request for change in roster status.

†S15.11. Since the congregations, synods, and churchwide organization are interdependent units that share responsibly in God's mission, all share in the responsibility to develop, implement, and strengthen the financial support program of the whole church. The gifts and offerings of the members of the Evangelical Lutheran Church in America are given to support all parts of this church and thus partnership in this church should be evidenced in determining each part's share of the gifts and offerings. Therefore:

...

b. This synod shall receive the proportionate share of the mission support from its congregations, and shall transmit that percentage or amount of each congregation's mission support as determined by the Churchwide Assembly to the treasurer of the Evangelical Lutheran Church in America in consultation with the churchwide organization and approved by the Synod Assembly as part of its budget consideration.

c. Should the Synod Assembly not approve the proportionate share of mission support determined in consultation with the churchwide organization, a new consultation with the churchwide organization shall take place. The Synod Council is authorized to amend the budget adopted by the Synod Assembly to reflect the results of this consultation.

†S15.12. The annual budget of this synod shall reflect the entire range of its own activities and its commitment to partnership funding with other synods and the churchwide organization. Unless an exception is granted upon the request of this synod by the Church Council, each budget shall include the percentage of congregational mission support assigned to it by the Churchwide Assembly.

†S18.12. Whenever the secretary of the Evangelical Lutheran Church in America officially informs this synod that the Churchwide Assembly has amended the *Constitution for Synods*, this constitution may be amended to reflect any such amendment by a simple majority vote at any subsequent meeting of the Synod Assembly without presentation at a prior Synod Assembly. An amendment that is identical to a provision of the *Constitution for Synods* shall be deemed to have been ratified upon its adoption by this synod. The Church Council, through the secretary of this church, shall be given prompt notification of its adoption.

## MODEL CONSTITUTION FOR CONGREGATIONS

\*C3.02. This church confesses the one, holy, catholic, and apostolic Church and is resolved to serve Christian Unity throughout the world.

\*C3.03. The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the Church, and the

universal Church exists in and through congregations. The Evangelical Lutheran Church in America, therefore, derives its character and powers both from the sanction and representation of its congregations and from its inherent nature as an expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in the historic continuity of the communion of saints; in breadth, it expresses the fellowship of believers and congregations in our day.

**\*C3.04.** This church, inspired and led by the Holy Spirit, participates in the Lutheran World Federation as a global communion of churches, engaging in faithful witness to the gospel of Jesus Christ and in service for the sake of God's mission in the world.

**\*C3.0305.** The name Evangelical Lutheran Church in America (ELCA or "this church") as used herein refers in general references to this whole church, including its three expressions: congregations, synods, and the churchwide organization. The name Evangelical Lutheran Church in America is also the name of the corporation of the churchwide organization to which specific references may be made herein.

**\*C5.03.** Only such authority as is delegated to the Congregation Council or other organizational units in this congregation's governing documents is recognized. All remaining authority is retained by the congregation. The congregation is authorized to:

...

d. adopt amendments to the constitution, as provided in Chapter ~~17~~ 16, amendments to the bylaws, as specified in Chapter ~~16~~ 17, and continuing resolutions, as provided in Chapter 18;

...

**\*C6.05.** ~~A This~~ congregation may terminate its relationship with ~~this church~~ the Evangelical Lutheran Church in America by the following procedure:

...

f. Notice of termination shall be forwarded by the bishop to the secretary of ~~this church~~ the ELCA, who shall report the termination to the Churchwide Assembly.

g. This congregation shall abide by these covenants by and among the three expressions of this church:

1) Congregations seeking to terminate their relationship with this church which fail or refuse to comply with each of the foregoing provisions in \*C6.05. shall be required to receive Synod Council approval before terminating their membership in this church.

h. 2) Congregations which had been members of the Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in \*C6.05., to receive synodical approval before terminating their membership in this church.

i. 3) Congregations established by the Evangelical Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in \*C6.05., to satisfy all financial obligations to this church and receive Synod Council approval before terminating their membership in this church.

jh. If ~~a this~~ congregation fails to achieve the required two-thirds vote of voting members present at the congregation's first meeting as specified in paragraph a. above, another special meeting to consider termination of relationship with this church may be called no sooner than six months after that first meeting. If ~~a this~~ congregation fails to achieve the required two-thirds vote of voting members present at the congregation's second meeting as specified in paragraph d. above, another attempt to consider termination of relationship with this church must follow all requirements of \*C6.05. and may begin no sooner than six months after that second meeting.

**\*C7.03.** If ~~a two-thirds~~ majority of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to transfer to another Lutheran church body, title to property shall continue to reside in this congregation, provided the process for termination of relationship in \*C6.05. has been followed. Before this congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of the (insert name of synod) Synod.

**\*C7.04.** If ~~a two-thirds~~ majority of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to become independent or relate to a non-Lutheran church body

and have followed the process for termination of relationship in \*C6.05., title to property of this congregation shall continue to reside in this congregation only with the consent of the Synod Council. The Synod Council, after consultation with this congregation by the established synodical process, may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of this congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America.

**\*C8.02.** Members shall be classified as follows:

- ...
- c. **Voting** members are confirmed members. Such confirmed members, during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of the congregation as well as the other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.
  - d. **Associate** members are persons holding membership in other [ELCA] [Lutheran] [Christian] congregations who wish to retain such membership but desire to participate in the life and mission of this congregation; or persons who wish to retain a relationship with this congregation while being members of other congregations. They These individuals have all the privileges and duties of membership except voting rights and eligibility for elected offices or membership on the Congregation Council of this congregation or other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.
  - e. **Seasonal** members are voting members of other ELCA congregations who wish to retain such membership but desire to participate in the life and mission of this congregation, including exercising limited voting rights in this congregation. The Congregation Council may grant seasonal membership to such persons provided that this congregation is a member of a synod where the Synod Council has approved seasonal member voting on its territory. Such seasonal members shall have all the privileges and duties of voting members except that:
    - 1) they shall not be eligible for elected office in, or for membership on the Congregation Council or on a call committee of, this congregation;
    - 2) they shall not have the right to vote on any matter concerning or affecting the call or termination of call of any minister of this congregation;
    - 3) they shall not have the right to vote on any matter concerning or affecting the affiliation of this congregation with the ELCA;
    - 4) they shall not be eligible to serve as voting members from this congregation of the Synod Assembly or the Churchwide Assembly;
    - 5) they shall not, even if otherwise permitted by this congregation, vote by proxy or by absentee ballot; and
    - 6) they shall not, within any two calendar month period, exercise voting rights in this congregation and in the congregation where they remain voting members.

**\*C8.05.** Membership in this congregation shall be terminated by any of the following:

- a. death;
- b. resignation;
- c. transfer or release;
- d. disciplinary action in accordance with ELCA constitutional provision 20.4041. and the accompanying bylaws; or
- e. removal from the roll due to inactivity as defined in the bylaws in accordance with the provisions of this constitution and its bylaws.

Such persons who have been removed from the roll of members shall remain persons for whom the Church has a continuing pastoral concern.

**C10.02.** A special Congregation Meeting may be called by the [senior] pastor, the Congregation Council, or the president of this congregation, and shall be called by the president of the congregation upon the written request of \_\_\_\_\_ [number][percent] of the voting members. The president of the Congregation Council shall call a special meeting upon request of the synodical bishop. The call for each special meeting shall specify the purpose for which it is to be held, and no other business shall be transacted.

**C10.04.** \_\_\_\_\_ percent of the voting members shall constitute a quorum.

**C12.12.** A quorum for the transaction of business shall consist of a majority of the members of the Congregation Council, including the [senior] pastor or interim pastor, except when the [senior] pastor or interim pastor requests or consents to be absent and has given prior approval to the agenda for a particular regular or special meeting, which shall be the only business considered at that meeting. Chronic or repeated absence of the [senior] pastor or interim pastor who has refused approval of the agenda of a subsequent regular or special meeting shall not preclude action by the Congregation Council, following consultation with the synodical bishop.

## **Chapter 16:**

### **BYLAWS**

~~\*C16.01.~~ This congregation may adopt bylaws. No bylaw may conflict with this constitution.

~~\*C16.02.~~ Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a majority vote of those voting members present and voting.

~~\*C16.03.~~ Changes to the bylaws may be proposed by any voting member, provided that such additions or amendments be submitted in writing to the Congregation Council at least 60 days before a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the congregation's members of the proposal with the council's recommendations at least 30 days in advance of the Congregation Meeting. Notification may take place by mail or electronic means, as permitted by state law.

~~\*C16.04.~~ Approved changes to the bylaws shall be sent by the secretary of this congregation to the synod.

## **Chapter 17:**

### **AMENDMENTS**

**\*C176.01.** Unless provision \*C176.04. is applicable, those sections of this constitution that are not required, in accord with the *Model Constitution for Congregations of the Evangelical Lutheran Church in America*, may be amended in the following manner. Amendments may be proposed by at least \_\_\_\_\_ voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the congregation's members of the proposal together with the council's recommendations at least 30 days in advance of the meeting. Notification may take place by mail or electronic means, as permitted by state law.

**\*C176.02.** An amendment to this constitution, proposed under \*C176.01., shall:

- a. be approved at a legally called Congregation Meeting according to this constitution by a majority vote of those voting members present and voting;
- b. be ratified without change at the next annual meeting by a two-thirds majority vote of those voting members present and voting; and
- c. have the effective date included in the resolution<sup>1</sup> and noted in the constitution.

**\*C176.03.** Any amendments to this constitution that result from the processes provided in \*C176.01. and \*C176.02. shall be sent by the secretary of this congregation to the synod. The synod shall notify the congregation of its decision to approve or disapprove the proposed changes; the changes shall go into effect upon notification that the synod has approved them.

**\*C176.04.** This constitution may be amended to bring any section into conformity with a section or sections, either required or not required, of the *Model Constitution for Congregations of the Evangelical Lutheran Church*

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<sup>2</sup> Such an effective date must be stated in relation to the requirements of \*C17.03. to allow time for synodical review of the amendment.

in America as most recently amended by the Churchwide Assembly. Such amendments may be approved by a simple majority vote of those voting members present and voting at any legally called meeting of the congregation without presentation at a prior meeting of the congregation, provided that the Congregation Council has submitted by mail or electronic means, as permitted by state law, notice to the congregation of such an amendment or amendments, together with the council's recommendations, at least 30 days prior to the meeting. Upon the request of at least two (2) voting members of the congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of the congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following a vote of approval.

## **Chapter 17.**

### **BYLAWS**

- \*C17.01.** This congregation may adopt bylaws. No bylaw may conflict with this constitution.
- \*C17.02.** Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a majority two-thirds vote of those voting members present and voting.
- \*C17.03.** Changes to the bylaws may be proposed by any voting member, provided that such additions or amendments be submitted in writing to the Congregation Council at least 60 days before a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify this congregation's members of the proposal with the council's recommendations at least 30 days in advance of the Congregation Meeting. Notification may take place by mail or electronic means, as permitted by state law.
- \*C17.04.** Approved changes to the bylaws shall be sent by the secretary of this congregation to the synod.

## **Chapter 20.**

### **PARISH AUTHORIZATION**

*[\* Required provisions when congregation is part of a parish]*

- \*C20.01.** This congregation may unite in partnership with one or more other congregations recognized by the synod named in \*C6.01. to form a parish. Except as provided in \*C20.02. and \*C20.03., a written agreement, developed in consultation with the synod and approved by the voting members of each congregation participating in the parish, shall specify the powers and responsibilities that have been delegated to a Parish Council.
- \*C20.02.** Whenever a letter of call is being recommended for extension to an ordained minister of the Evangelical Lutheran Church in America or a candidate for the roster of ordained ministers who has been recommended to the congregation by the synodical bishop to serve the congregations of a parish, such letter of call shall be first approved by a two-thirds vote at congregational meetings of each of the congregations forming the parish. If any congregation of the parish should fail to approve extending this call, the other congregation(s) in the same parish shall have the right to terminate the parish arrangement.
- \*C20.03.** Any one of the congregations of a parish may terminate the call of a pastor as provided in †S14.13.d. of the synodical constitution of the synod named in \*C6.01. In such case, the other congregation(s) in the same parish shall have the right to terminate the parish arrangement.
- \*C20.04.** Whenever a parish arrangement is terminated, the call of any rostered person serving that parish is terminated. Should any congregation that formerly was part of the parish arrangement desire to issue a new call to that rostered person, it may do so in accordance with the call process of this church.
  
- \*C20.01.** This congregation may unite in partnership with one or more other congregations recognized by the synod named in \*C6.01. to form a parish. Except as provided in \*C20.02. and \*C20.03., a written agreement, developed in consultation with the synod and approved by the voting members of each congregation participating in the parish, shall specify the powers and responsibilities that have been delegated to the Parish Council. The Parish Agreement shall identify which congregation of the parish issues calls on behalf of the member congregations or shall establish a process for identifying which congregation issues calls on behalf of the member congregations.
- \*C20.02.** One congregation of a parish shall issue a call on behalf of the member congregations to a minister of Word and Sacrament or a candidate for the roster of ministers of Word and Sacrament who has been recommended

by the synodical bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregational meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.

**\*C20.03.** One congregation of a parish may issue a call on behalf of the member congregations to a minister of Word and Service or a candidate for the roster of ministers of Word and Service who has been recommended by the synodical bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregational meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.

**\*C20.04.** Any one of the congregations of the parish may terminate their relationship with the pastor as provided in †S14.18.d. of the synodical constitution of the synod named in \*C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.

**\*C20.05.** Any one of the congregations of the parish may terminate their relationship with a minister of Word and Service as provided in †S14.43.d. of the synodical constitution of the synod named in \*C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.

**\*C20.06.** Whenever a parish agreement is terminated, the call of any rostered minister serving that parish is terminated. Should any congregation that was formerly part of the parish agreement desire to issue a new call to that rostered minister, it may do so in accordance with the call process of this church.