

**AMENDMENTS TO THE CONSTITUTION, BYLAWS, AND CONTINUING RESOLUTIONS
OF THE EVANGELICAL LUTHERAN CHURCH IN AMERICA
AS APPROVED BY THE 2013 CHURCHWIDE ASSEMBLY**

Prepared by the Office of the Secretary
Evangelical Lutheran Church in America
August 26, 2013

Additions are underlined. Deletions are ~~struck through~~ in the text.

~~10.33.~~ **INTEGRITY OF MINISTRY**

~~10.33.01.~~

7.43.02.

Ordained ministers 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.A0513.~~ *Sources of Calls for Ordained Ministers*

...

4.0 *Churchwide ministry*

...

~~4.6~~ *Section executive Church Council*

~~4.7~~ *Other churchwide unit staff Church Council*

7.46. The provisions for termination of the mutual relationship between an ordained minister 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, ~~except in the case of the death of the pastor,~~ shall be terminated only by death or, following consultation with the synodical bishop, ~~and~~ 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 pastor, 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 pastoral office effectively in that congregation in view of local conditions, ~~without reflection on the competence or the moral and spiritual character of the pastor;~~
- 4) ~~the physical~~ disability or mental incapacity of the pastor;
- 5) ~~suspension~~ disqualification of the pastor through discipline for more than three months on grounds of doctrine, morality, or continued neglect of duty;
- 6) resignation or removal of the pastor from the roster of ordained ministers of this church;
- 7) termination of the relationship between this church and the congregation;
- ~~8) the dissolution of the congregation or the termination of a parish arrangement; or~~
- ~~9) suspension of the congregation through as a result of discipline proceedings for more than six months.~~

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 the synod,

- ~~1) the bishop in his or her sole discretion may investigate~~ or when such allegations have been brought to this 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 shall investigate—~~such conditions personally ~~together in company~~ with a committee of two ordained 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 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~~ testimony shall be obtained. When ~~a such~~ disability or incapacity is evident ~~to the committee,~~ the synodical bishop ~~may with the advice of the committee shall~~ declare the pastorate vacant ~~and the pastor shall be listed on the clergy roster as disabled.~~ Upon ~~removal of the disability and the~~ restoration of ~~the a disabled~~ pastor to health, the bishop ~~of the synod shall~~ take steps to enable the pastor to resume the ministry, either in the congregation last served or in another ~~appropriate call field of labor.~~
- 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 ~~shall be heard,~~ after which the ~~synodical~~ bishop together with the committee ~~described in 7.46.b. shall~~ present their recommendations ~~first decide on the course of action to be recommended to the pastor and then to the congregation.~~ The recommendations of the bishop's committee must address whether the pastor'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 pastor, if appropriate. ~~If the pastor and congregation they~~ agree to carry out such recommendations, no further action ~~need shall~~ be taken by the synod.
- 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 synodical 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.
- ef. If, in the course of proceedings described in ~~paragraph c. or paragraph d. above 7.46.b.,~~ the ~~bishop's~~ committee concludes that there may be grounds for disciplinary action, the committee shall make recommendations concerning disciplinary action ~~to the synodical bishop who may bring charges,~~ in accordance with the provisions of ~~the this church's constitution, and bylaws, and continuing resolutions of the Evangelical Lutheran Church in America and the constitution of this synod.~~
- f. If, following the appointment of the committee described in 7.46.b. or d., it should become apparent that the pastoral office cannot be conducted effectively in the congregation(s) being served by the ordained minister due to local conditions, the synodical bishop 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).

- 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.

8.13. The synod shall provide for pastoral care of the congregations, ordained ministers, associates in ministry, deaconesses, and diaconal ministers within its boundaries. It shall plan for, facilitate, and nurture ~~develop resources for~~ 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.

8.20. RELATIONSHIP THROUGH OTHER ORGANIZATIONAL UNITS

8.21. Conferences, clusters, coalitions, ~~or other area subdivisions,~~ or networks shall serve to assist the congregations and synods in exercising their mutual responsibilities.

8.72.17. When an ordained minister from 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 completes a contract for extended service, the synodical file on that ordained minister shall be sent to and retained by the Office of the Secretary.

9.22. All congregations of this church shall abide by the provisions of 9.21., 9.62., and 7.46. The judgment on whether a congregation meets the criteria listed in 9.21. shall be made by this church through the synod of this church to which in whose territory the congregation is located relates.

9.53.03. Each congregation shall provide a copy of its governing documents to the synod. All proposed changes in the constitution or incorporation documents of a congregation shall be referred to the synod with which the congregation is affiliated. The synod ~~shall approve or disapprove the proposed changes within 120 days of receipt thereof, and shall notify the congregation of its decision to approve or disapprove the proposed changes; in the absence of a decision,~~ the changes shall go into effect upon notification that the synod has approved them. The synod shall recognize that congregations may organize themselves in a manner which they deem most appropriate.

9.53.07. Congregations shall have the right to petition this church. ~~Petitions~~ Any petition shall be addressed to the synod to which the congregation relates for response by the synod, ~~or, at the discretion of the synod~~ By action of the Synod Council or Synod Assembly, ~~petitions may be forwarded for forwarding~~ to the Church Council or Churchwide Assembly.

10.01.11. The names and boundaries of the synods shall be:

Synod 8.F—Delaware-Maryland. The state of DELAWARE; the city of Baltimore and the counties of Allegany, Anne Arundel, Baltimore, Caroline, Carroll, Cecil, Dorchester, Frederick, Harford, Howard, Kent, Queen Anne’s, Somerset, Talbot, Washington, Wicomico, Worcester in the state of MARYLAND; the congregation of Holy Trinity, Prince George’s County, in the state of MARYLAND; the congregation of Mt. Joy, Adams County, in the state of PENNSYLVANIA; the counties of Accomack, Northampton in the state of VIRGINIA.

10.11.A13. Any synod contemplating amending articles of incorporation or undertaking other fundamental changes such as dissolution, merger, partition into multiple synods, creating a new synod corporation, incorporating in another jurisdiction, or any similar or related action, especially those that may affect relationships with other expressions of this church, must first consult with the Office of the Presiding Bishop, the Office of the Secretary, and with the bishops of any synods affected before seeking ratification by the Church Council.

10.13. The *Constitution for Synods* contains mandatory provisions that incorporate and record therein provisions of the constitution and bylaws of this church. ~~Amendments to mandatory provisions incorporating constitutional provisions of this church shall be made in the same manner as prescribed in Chapter 22 for amendments to the constitution of this church accordance with the required provisions in Chapter 18 of the *Constitution for Synods*. Amendments to mandatory provisions incorporating bylaw provisions of this church and amendments to non-mandatory provisions shall be made in the same manner as prescribed in Chapter 22 for amendments to the bylaws of this church.~~ Non-mandatory provisions shall not be inconsistent with the constitution and bylaws of this church.

10.20. PURPOSE

10.21. Each synod, in partnership with the churchwide organization, shall bear primary responsibility for the oversight of the life and mission of this church in its territory. In fulfillment of this role, the synod shall:

- a. ~~Provide for the pastoral care of congregations, ordained ministers, associates in ministry, deaconesses, and diaconal ministers in the synod, including:~~
 - 1) ~~approving candidates for the ordained ministry in cooperation with the appropriate seminaries of this church, which may be done through multi-synodical committees;~~
 - 2) ~~authorizing ordinations and ordaining on behalf of this church;~~
 - 3) ~~approving associates in ministry, deaconesses, and diaconal ministers, which may be done through multi-synodical committees;~~
 - 4) ~~authorizing the commissioning of associates in ministry, the consecration of deaconesses, and the consecration of diaconal ministers of this church; and~~
 - 5) ~~consulting in the calling process for ordained ministers, associates in ministry, deaconesses, and diaconal ministers.~~
- b. ~~Provide for leadership recruitment, preparation, and support in accordance with churchwide standards and policies, including:~~
 - 1) ~~nurturing and supporting congregations and lay leaders;~~
 - 2) ~~seeking and recruiting qualified candidates for the rostered ministries of this church;~~
 - 3) ~~making provision for pastoral care, call or appointment review, and guidance;~~
 - 4) ~~encouraging and supporting persons on the rosters of this church in stewardship of their abilities, care of self, and pursuit of continuing education to undergird their effectiveness of service; and~~
 - 5) ~~supporting recruitment of leaders for this church's colleges, universities, seminaries, and social ministry organizations.~~
- c. ~~Provide for discipline of congregations, ordained ministers, and persons on the official lay rosters; as well as for termination of call, appointment, adjudication, and appeals consistent with Chapter 20 of this constitution.~~
- d. ~~Foster organizations for youth, women, and men, and organizations for language or ethnic communities.~~
- e. ~~Plan for the mission of this church in the synod, initiating and developing policy, and implementing programs, consistent with churchwide policy, including:~~
 - 1) ~~ecumenical guidance and encouragement;~~
 - 2) ~~development of new ministries, redevelopment of existing ministries, and support and assistance in the conclusion, if necessary, of a particular ministry;~~

- 3) leadership and encouragement of congregations in their evangelism efforts;
 - 4) development of relationships to and participation in planning for the mission of social ministry organizations and ministries;
 - 5) encouragement of financial support for the work of this church by individuals and congregations;
 - 6) provision for resources for congregational life;
 - 7) assistance to the members of its congregations in carrying out their ministries in the world; and
 - 8) interpretation of social statements in a manner consistent with the interpretation given by the churchwide unit which assisted in the development of the statement, and suggestion of social study issues through (a) Synod Assembly memorials to the Churchwide Assembly or (b) resolutions for referral from the Synod Assembly through the Synod Council to the Church Council and (c) Synod Council resolutions addressed to the Church Council or for referral to a unit of the churchwide organization through the Church Council's Executive Committee.
- f. Promote interdependent relationships among congregations, synods, and the churchwide organization, and enter into partnership with other synods in the region.
 - g. Participate in churchwide programs and develop support for the ministry of the churchwide organization.
 - h. Foster the grouping of congregations in conferences, clusters, coalitions, or other area subdivisions for mission purposes.
 - i. Support relationships with and provide partnership funding on behalf of colleges, universities, and campus ministries.
 - j. Foster relationships with and provide partnership funding on behalf of social ministry organizations.
 - k. Maintain relationships with and provide partnership funding on behalf of seminaries and continuing education centers.
 - l. Foster supporting relationships with camps and other outdoor ministries.
 - m. Foster supporting relationships with preschools, elementary schools, and secondary schools operated by congregations of the synod.
 - n. Interpret the work of this church to congregations and to the public.
 - o. Respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.
 - p. Provide for archives in conjunction with other synods.
 - q. Cooperate with other synods and the churchwide organization in creating, using, and supporting regions to carry out those functions of the synod which can best be done cooperatively with other synods and the churchwide organization.

Each synod, in partnership with the churchwide organization, shall bear primary responsibility for the oversight of the life and mission of this church in its territory. In fulfillment of this role and consistent with policies and procedures of this church, the synod shall:

- a. Provide for pastoral care of congregations and rostered leaders in the synod;
- b. Plan for, facilitate, and nurture the mission of this church through congregations;
- c. Strengthen interdependent relationships among congregations, synods, and the churchwide organization, and foster relationships with agencies and institutions affiliated with or related to this church as well as ecumenical partners.
- d. Interpret the work of this church to congregations and to the public on the territory of the synod.

10.21.01.

In providing for pastoral care of congregations and rostered leaders in the synod, the responsibilities of the synod include the following:

- a. providing for pastoral care of congregations, ordained ministers, associates in ministry, deaconesses, and diaconal ministers in the synod, including:
 - 1) approving candidates for the ordained ministry in cooperation with the appropriate seminaries of this church, which may be done through multi-synodical committees;

- 2) authorizing ordinations and ordaining on behalf of this church;
 - 3) approving associates in ministry, deaconesses, and diaconal ministers, which may be done through multi-synodical committees;
 - 4) authorizing the commissioning of associates in ministry, the consecration of deaconesses, and the consecration of diaconal ministers of this church; and
 - 5) consulting in the calling process for ordained ministers, associates in ministry, deaconesses, and diaconal ministers.
- b. providing for leadership recruitment, preparation, and support in accordance with churchwide standards and policies, including:
 - 1) nurturing and supporting congregations and lay leaders;
 - 2) seeking and recruiting qualified candidates for the rostered ministries of this church;
 - 3) making provision for pastoral care, call review, and guidance;
 - 4) encouraging and supporting persons on the rosters of this church in stewardship of their abilities, care of self, and pursuit of continuing education to undergird their effectiveness of service; and
 - 5) supporting recruitment of leaders for this church's colleges, universities, seminaries, and social ministry organizations.
 - c. providing for discipline of congregations, ordained ministers, and persons on the official lay rosters; as well as for termination of call, appointment, adjudication, and appeals consistent with Chapter 20 of this constitution;
 - d. providing for archives in conjunction with other synods.

10.21.02. In planning for, facilitating, and nurturing the mission of this church through congregations, the responsibilities of the synod include the following:

- a. developing new ministries, redevelopment of existing ministries, and support and assistance in the conclusion, if necessary, of a particular ministry;
- b. leading and encouraging of congregations in their evangelism efforts;
- c. assisting members of its congregations in carrying out their ministries in the world;
- d. encouraging congregations to respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society;
- e. providing resources for congregational life;
- f. grouping congregations in conferences, clusters, coalitions, or other area subdivisions for mission purposes.

10.21.03. In strengthening interdependent relationships among congregations, synods, and the churchwide organization, and in fostering relationships with agencies and institutions affiliated with or related to this church as well as with ecumenical and global partners, the responsibilities of the synod include the following:

- a. promoting interdependent relationships among congregations, synods, and the churchwide organization, and entering into partnership with other synods in the region;
- b. fostering organizations for youth, women, and men, and organizations for language or ethnic communities;
- c. developing relationships with social ministry organizations and ministries, participating in their mission planning, and providing partnership funding;
- d. supporting relationships with and providing partnership funding on behalf of colleges, universities, and campus ministries;
- e. maintaining relationships with and providing partnership funding on behalf of seminaries and continuing education centers;
- f. fostering relationships with camps and other outdoor ministries;
- g. fostering relationships with preschools, elementary schools, and secondary schools operated by congregations of the synod;
- h. fostering relationships with ecumenical and global partners;
- i. cooperating with other synods and the churchwide organization in creating, using, and supporting regions to carry out those functions of the synod which can best be done cooperatively with other synods and the churchwide organization.

- 10.21.04.** In interpreting the work of this church on the territory of the synod, the responsibilities of the synod include the following:
- a. encouraging financial support for the work of this church by individuals and congregations;
 - b. participating in churchwide programs;
 - c. interpreting social statements in a manner consistent with the interpretation given by the churchwide unit or office which assisted in the development of the statement, and suggestion of social study issues;
 - d. providing ecumenical guidance and encouragement.

10.32. CONFLICTS OF INTEREST

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

- ...
- c. 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 ~~or~~ 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).

15.30.10.90. CONFERENCE OF BISHOPS

15.31.10.91. The Conference of Bishops shall be composed of the bishops of the synods, the presiding bishop of this church, and the secretary of this church.

15.31.01. 10.91.01. The Conference of Bishops shall ~~report to~~ consult with and advise the Church Council, ~~and~~. It may make recommendations to the presiding bishop of this church and to the Church Council, respond to referrals from the Church Council, and refer concerns and proposals to the Church Council. At each meeting the Conference of Bishops shall receive a report from the Church Council brought by the vice president of this church.

10.91.02. Members of the ~~The~~ conference shall assemble-meet at least two times each year.

15.31.02. Staff services for the functions and responsibilities of the conference shall be provided by the Office of the Presiding Bishop.

15.31.03. 10.91.03. The responsibilities of the Conference of Bishops shall be enumerated in a continuing resolution. The resolution may be amended by majority vote of the Churchwide Assembly or by a two-thirds vote of the Church Council. Should the conference disagree with the action of the Church Council, it may appeal the decision to the Churchwide Assembly.

15.31.A07. 10.91.A13. Responsibilities of the Conference of Bishops

The Conference of Bishops of the Evangelical Lutheran Church in America shall provide opportunities for worship, spiritual renewal, and theological enrichment for those elected to the office of bishop of a synod, the presiding bishop of this church, and the secretary of this church, and it shall offer advice and counsel to the Church Council and the churchwide organization. To fulfill these responsibilities, the Conference of Bishops shall:

- a. be a forum in which goals, objectives, and strategies may be developed and shared concerning pastoral leadership, care, and counsel for the synods;
- b. review recommendations from the appropriate churchwide unit ~~or office~~, pertaining to standards for the admission to the rosters of ordained ministers, associates in ministry, deaconesses, and diaconal ministers, and for their retention on those rosters;
- c. review recommendations and foster programs, in consultation with the appropriate churchwide unit ~~or office~~, pertaining to policies related to ordained ministers, associates in ministry, deaconesses, and diaconal ministers, and their families for pastoral care in such areas as call review, guidance, mobility, intervention, discipline, rehabilitation, and spiritual growth;
- d. work with the appropriate churchwide unit ~~or office~~ in the processes for first call for candidates for the ordained ministry of this church, first call for persons certified as associates in ministry, deaconesses, and diaconal ministers, mobility of rostered persons, and pastoral care;

- e. carry out programs, under the leadership of the appropriate churchwide unit or office, related to ordained ministers, associates in ministry, deaconesses, and diaconal ministers, and their families for pastoral care, including call review, guidance, mobility, intervention, discipline, rehabilitation, and spiritual growth;
- f. offer programs for orientation and continuing education for bishops, officers, and their spouses;
- g. assist the bishops in their role as teachers by being a forum for serious reflections on the theological and ethical implications of issues that affect the life of this church;
- h. participate in the development and study of ecumenical documents and assist the bishops to promote the unity of this church through leadership and ecumenical worship, fellowship, and interaction; and
- i. assist the bishops in their role as leaders in fostering support for the work of this church by being a forum for discussion of annual mission-support plans and serving as a means of providing advice and counsel to the Church Council in the council's responsibility for approval of those plans.

15.31.B03.

10.91.B13.

Organization of the Conference of Bishops

The Conference of Bishops may establish committees as the members, from time to time, may determine to assist in fulfillment of assigned responsibilities. Quadrennially, the Conference of Bishops shall elect a chair and vice chair to preside at meetings and serve as ex officio members of the executive committee of the conference with the presiding bishop and secretary. Three synodical bishops also shall be elected by the conference as members of the executive committee.

15.31.C10.

10.91.C13.

Staff Services for the Conference of Bishops

Staff services for meetings of the Conference of Bishops shall be provided by the Office of the Presiding Bishop and the Office of the Secretary. The assistant to the presiding bishop for synodical relations shall coordinate the operation of the Conference of Bishops.

11.34.

The churchwide organization shall carry out its duties through functional elements known as units and offices. Units and offices shall be responsible to the Churchwide Assembly and to the Church Council in the interim between regular meetings of the assembly.

16.12.14.

11.34.01.

Proxy and absentee voting shall not be permitted in the actions of boards, committees, task forces, or other decision-making bodies.

11.35.

~~Each separately incorporated ministry shall be governed by a board.~~

11.41.06.

No churchwide appeal to congregations or individuals of this church for the raising of funds shall be conducted by the churchwide organization or churchwide units without the consent of the Churchwide Assembly or the Church Council, following consultation with the Conference of Bishops. No appeal to selected congregations and individuals of this church for the raising of funds shall be conducted by the churchwide organization or churchwide units without the consent of the Church Council, following consultation with either the Conference of Bishops or specific synods as appropriate. Proposals for such special appeals shall be presented to the Church Council through the appropriate council committee with recommendations by the Office of the Presiding Bishop.

12.12.01.

~~A social statement, which is developed by the appropriate churchwide unit and presented to the Churchwide Assembly as a proposed social statement of the Evangelical Lutheran Church in America, shall be developed pursuant to a policy approved by the Church Council, following consultation with the Conference of Bishops. The text of a proposed social statement shall be reviewed by the Conference of Bishops and approved and recommended to the assembly by the Church Council. A proposed social statement shall require for adoption a vote of two-thirds of those voting members present and voting in a Churchwide Assembly. The text of a proposed social statement shall be approved and recommended to the assembly by the Church Council.~~

- 12.31.08. Proxy and absentee voting shall not be permitted at a Churchwide Assembly.
- ~~12.31.A11. To implement the transition to a triennial cycle, the Church Council shall make recommendations to the 2013 Churchwide Assembly regarding elections to the Church Council, boards, and committees. This continuing resolution shall expire upon adjournment of the 2013 Churchwide Assembly.~~
- 12.41.11. Each synod shall elect one voting member of the Churchwide Assembly for every ~~5,800~~ 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. 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-four~~ voting members from each synod. The Church Council may allocate up to ten additional voting members among synods ~~in order to further the principles of organization, commitment to inclusiveness, and interdependence as specified in Chapter 5 of this constitution,~~ 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.
- 13.11. **The officers shall be the presiding bishop, vice president, secretary, and treasurer. Each officer shall be a voting member of a congregation of this church.**
- 13.22. **The presiding bishop shall be elected by the Churchwide Assembly to a six-year term and serve until a successor takes office.**
- 13.32. **The vice president shall be elected by the Churchwide Assembly to a six-year term and serve until a successor takes office and shall be a voting member of a congregation of this church.**
- 13.42. **The secretary shall be elected by the Churchwide Assembly to a six-year term and serve until a successor takes office and shall be a voting member of a congregation of this church.**
- 13.52. **The treasurer shall be elected by the Church Council to a six-year term and serve until a successor takes office and shall be a voting member of a congregation of this church.**
- ~~14.12.02.~~ **The Church Council shall use parliamentary procedure in accordance with *Robert's Rules of Order*, latest edition, unless otherwise ordered by the council.**
- 14.~~21.09,12.03.~~ Proxy and absentee voting shall not be permitted at meetings of the Church Council.
- 14.21.11. The Church Council shall consult with and refer matters to the Conference of Bishops as well as receive reports from it. The Church Council shall act on resolutions from synod councils.
- 14.32. **With the exception of youth members, Church Council members shall be elected by the Churchwide Assembly to one six-year term and shall not be eligible for consecutive re-election. Youth members of the Church Council shall be elected by the Churchwide Assembly to one three-year term.**
- 14.32.~~05.02.~~ Advisory and Liaison members of the Church Council shall have voice but not vote.
- 14.32.~~A11,A13.~~ A member of the Church Council, upon invitation, may serve as a liaison for a the respective boards of trustees of a the separately incorporated ministries.

- 14.32.D05.B13.** *One voting member of the Church Council shall be selected in each ~~biennium~~ **triennium** to serve—in accord with ~~bylaw 17.31.11.~~ **16.12.D11.d.4.**—as a member of the Advisory Committee for the Church Periodical.*
- 14.41.11.** *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. . . .*
- 15.12.B130.** ***Responsibility for Ecumenical and Inter-Religious Relations***
Responsibility for ecumenical and inter-religious relations shall be exercised by the Office of the Presiding Bishop.
- a. *An **assistant to the presiding bishop**/executive for ecumenical and inter-religious relations, appointed by the presiding bishop, shall coordinate the ecumenical, inter-Lutheran, and inter-religious activities of this church, and shall recommend, through the presiding bishop, policies to the Church Council and the Churchwide Assembly. To fulfill these responsibilities, the **assistant to the presiding bishop**/executive for ecumenical and inter-religious relations shall:*
- ...
- 15.12.C130.** ***Responsibility for Federal Chaplaincy Ministries***
*Responsibility for the chaplaincies of this church in the U.S. armed forces, the Veterans Affairs Administration, and other federal agencies and institutions shall be carried out by an assistant to the presiding bishop/**director** for federal chaplaincy ministries, who shall:*
- ...
- 15.12.F130.** ***Responsibility for Synodical Relations***
*Responsibility for synodical relations shall be exercised by the Office of the Presiding Bishop in order to coordinate the relationships between the churchwide organization and synods, render support for synodical bishops and synodical staff, and provide staff services for the Conference of Bishops. To fulfill these responsibilities, an **assistant to the presiding bishop**/executive for synodical relations, appointed by the presiding bishop, shall:*
- ...
- b. *relate to the Bureau for Federal Chaplaincy Ministries and the assistant to the presiding bishop/**director** for federal chaplaincy ministries;*
- ...
- f. ***provide information, resources, and training concerning the prevention of sexual misconduct.***
- 15.12.G131.** ***Responsibility for Theological Discernment***
*Responsibility shall be exercised in the Office of the Presiding Bishop for serving the Church's theological work by promoting, coordinating, and facilitating theological discernment of the Church's message and its theological foundations in collaboration with all who share in the responsibilities to be teachers of the faith in the Church, including the Conference of Bishops, the seminary faculties, the convocation of teaching theologians, networks such as Lutheran ethicists and women theologians, the editorial staff of the ELCA publishing ministry and publications, and all rostered leaders. This responsibility for serving the Church's theological work also shall encompass theological work in and commitment to discern, understand, and respond to racism, classism, and sexism and issues of justice for women in the Church and in society in order to advance full participation, equal opportunity, and justice for all. To fulfill these responsibilities the presiding bishop shall appoint an **assistant to the presiding bishop**/executive for theological discernment, who will assist the presiding bishop and coordinate the service of staff groups that provide theological resources and assistance in programmatic implementation.*
- 15.15.03.** *Constitutional provision 16.12. and bylaws **11.34.01.,** 14.21.02., 14.21.03., **and** 14.21.07., ~~and~~ **16.12.14.** shall apply to the operation of the Endowment Fund of the Evangelical Lutheran Church in America.*

14.21.07.
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 ministers. This balance is to be evident in terms of both executive staff and support staff consistent with the inclusive policy of this church.

16.12.A143. *Congregational and Synodical Mission Unit*

The Congregational and Synodical Mission unit shall foster and facilitate the work of synods, congregations, and partners in making congregations vital centers for mission and in creating coalitions and networks to promote justice and peace. Its work includes creating and revitalizing congregations; leadership development; providing worship and liturgical resources; enhancing discipleship; supporting multicultural ministries and the commitment of this church to inclusivity, fostering relationships with educational partners; facilitating the engagement of this church in advocacy; and related activities that serve the evangelical mission of synods and congregations. The Congregational and Synodical Mission unit shall relate to the Deaconess Community, Lutheran Men in Mission, National Lutheran Campus Ministry, Inc., ~~and~~ Educational and Institutional Insurance Administrators, Inc., and the Evangelical Lutheran Education Association.

...

e. The Evangelical Lutheran Education Association (ELEA) is a separately incorporated ministry that provides service to early childhood education centers, elementary schools, and secondary schools of the synods and congregations of this church. ELEA also supports churchwide ministries in the use of schooling for mission.

17.20.03.

The Board of Pensions shall have a board of trustees composed of 14–18 persons elected by the Churchwide Assembly for one six-year three-year terms with the possibility of two consecutive re-elections. The terms of members of the board of trustees elected by the Churchwide Assembly shall begin at the commencement of the first board meeting following the assembly no consecutive re-election and with approximately one third elected each biennium as provided in Chapter 19.

a. The composition of the board of trustees shall comply with the representational principles described in constitutional provision 5.01.f. The board of trustees of the Board of Pensions shall include persons with expertise in investments, insurance, and retirement plans, and two to five at least four persons who are members of the plan, at least one of whom shall be a lay plan member or lay recipient of plan benefits and at least one of whom shall be an ordained minister who is a plan member. Up to two trustees may be members of congregations of church bodies with which this church is in a relationship of full communion, provided that both are not from the same church body.

...

17.20.05.

Constitutional provision 16.12. and bylaws 11.34.01., 14.21.02., and 14.21.07., and 16.12.14. shall apply to this board.

17.20.06.

The president shall be elected by the board of trustees of the Board of Pensions to a four-year term in consultation with and with the approval of the presiding bishop of this church. Nomination of a candidate for president shall be made jointly by the presiding bishop and the search committee of the board. The board, together with the presiding bishop, shall arrange for an annual review of the president. The president shall be eligible for re-election. The board shall establish the salary compensation of the president with the concurrence of the presiding bishop. The president may be terminated at any time jointly by the board of trustees of the Board of Pensions and the presiding bishop of this church, following recommendation by the executive committee of the board of trustees.

~~17.20.C11. To implement staggered terms for plan members and plan recipients on the board of trustees of the Board of Pensions and to move to a board consisting of at least four plan members, at least one of whom is a lay plan member or lay recipient of plan benefits, at least two people, one ordained minister who is a plan member and one lay plan member or lay recipient of plan benefits, shall be elected by the 2009 Churchwide Assembly. Thereafter, at least one plan member shall be elected as a trustee by the 2011 Churchwide Assembly, and one additional plan member shall be elected by the 2013 Churchwide Assembly. An amendment to 17.20.03. shall be proposed to the 2013 Churchwide Assembly to provide that the board shall include at least four persons who are members of the plans, at least one of whom shall be a lay plan member or lay recipient of plan benefits and at least one of whom shall be an ordained minister who is a plan member.~~

17.30.01. The Mission Investment Fund of the Evangelical Lutheran Church in America shall have a board of trustees composed of at least nine but not more than 12 members persons, who shall be elected by the Churchwide Assembly for six year three-year terms with the possibility of two consecutive re-elections no consecutive re election and with approximately one third elected each biennium as provided in Chapter 19. The terms of members of the board of trustees elected by the Churchwide Assembly shall begin at the commencement of the first board meeting following the assembly. The composition of the board of trustees shall comply with the representational principles described in constitutional provision 5.01.f. Up to two trustees may be members of congregations of church bodies with which this church is in a relationship of full communion, provided that both are not from the same church body.

17.30.02. Unless the Church Council determines that the treasurer of this church shall be the president of the Mission Investment Fund corporation, the president shall be elected by the board of trustees of the Mission Investment Fund of the Evangelical Lutheran Church in America to a four-year term in consultation with and with the approval of the presiding bishop of this church. Nomination of a candidate for president of the Mission Investment Fund shall be made jointly by the presiding bishop and the search committee of the board. The board, together with the presiding bishop, shall arrange for an annual review of the president. The president shall be eligible for re-election. The employment of the president may be terminated jointly by the board of trustees of the Mission Investment Fund of the Evangelical Lutheran Church in America and the presiding bishop of this church, following recommendation by the executive committee of the board of trustees. The Executive Committee of the board of trustees, with the concurrence of the presiding bishop, shall establish the compensation of the president.

17.30.03. Constitutional provision 16.12. and bylaws 11.34.01., 14.21.02., 14.21.03., 14.21.06., and 14.21.07., and 16.12.14. shall apply to the operation of the Mission Investment Fund of the Evangelical Lutheran Church in America.

17.40.01. This publishing house shall have a board of trustees composed of 11-15 members, persons elected by the Churchwide Assembly for one six year three-year terms with the possibility of two consecutive re-elections. The terms of members of the board of trustees elected by the Churchwide Assembly shall begin at the commencement of the first board meeting following the assembly no consecutive re election and with approximately one third elected every two years as provided in Chapter 19.

a. The composition of the board of trustees shall comply with the representational principles described in constitutional provision 5.01.f. be composed of 11 laypersons on the board of trustees shall include persons with expertise in publishing, education, business management, finance and investment, and o Ordained ministers shall include persons with expertise in rural, urban, and suburban parish ministry in small and large congregations and advanced theological study. Up to two trustees may be members of congregations of church bodies with which this church is in a relationship of full communion, provided that both are not from the same church body. . . .

- 17.40.02. Constitutional provision 16.12. and bylaws 11.34.01., 14.21.02., and 14.21.03., and 16.12.14. shall apply to this publishing house.
- 17.40.03. The president shall be elected by the board of trustees of the Publishing House of the ELCA to a four-year term in consultation with and with the approval of the presiding bishop of this church. Nomination of a candidate for president shall be made jointly by the presiding bishop and the search committee of the board. The board, together with the presiding bishop, shall arrange for an annual review of the president. The president shall be eligible for re-election. The board shall establish the salary compensation of the president with the concurrence of the presiding bishop. The president may be terminated at any time jointly by the board of trustees of the Publishing House of the ELCA and the presiding bishop of this church, following recommendation by the executive committee of the board of trustees.
- 17.50.03. Constitutional provision 16.12. and bylaws 11.34.01., 14.21.02., 14.21.03., and 14.21.06., and 16.12.14. shall apply to this organization. Bylaw 14.21.07. shall apply to the women's organization with the exception of the balance provisions for women and men and for laypersons and persons on the roster of ordained ministers.
- 19.02. **The members of the Church Council 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 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. 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 nor shall more than two thirds of the synods in a region have members on the Church Council at the same time. The Church Council shall have at least one member 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.**
- 19.04. ~~Other than elections of officers and executive directors of units~~ Unless otherwise specified in the Constitution, Bylaws, and Continuing Resolutions, elections shall be for one six-year term, without consecutive re-election, and with approximately ~~one-third~~ one-half of the members of the Church Council and of each board or advisory committee elected each ~~biennium~~ triennium.
- 19.05. Each nominee for an elected position in the churchwide organization and each nominee for a position on the board of a separately incorporated ministry elected by the Churchwide Assembly shall be a voting member of a congregation of this church, unless otherwise specified in the Constitution, Bylaws, and Continuing Resolutions of this church. Each nominee for an appointed position in the churchwide organization should be a voting member of a congregation of this church.
- 19.05.02. For purposes of nomination to and service on the Church Council or a board of a churchwide unit separately incorporated ministry, "synodical membership" shall be defined as follows:

- a. A layperson shall be recorded in the synod that includes the congregation in which such a person holds membership, with the recognition that such a person shall reside within the territory of the synod or in an area immediately adjacent to the territory in the case of border areas.
- b. An ordained minister shall be recorded in the synod on whose roster such an ordained minister's name is maintained.
- c. A diaconal minister, associate in ministry, or deaconess shall be recorded in the synod on whose roster such a rostered layperson's name is maintained.

19.10. NOMINATION AND ELECTION CONSIDERATIONS

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

- c. ~~Members of the committees of churchwide units, other than those in restricted categories, who have served less than one half of a term shall be eligible for election to one full term to be served consecutively upon the conclusion of the partial term.~~
- d. Before electing a member to a vacancy on a board or committee, the Church Council shall consult with the board or committee.
- e.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.
- f.e. Each ~~biennium~~ **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.
- g. ~~The youth organization of this church shall elect for terms of three years two persons to serve as advisory members of the Church Council.~~
- h. ~~An advisory member of a board, committee, or the Church Council shall have voice but not vote.~~

19.21.01. ~~There shall be a Nominating Committee consisting of 18 members elected by the Churchwide Assembly. Each member shall be elected to one six-year term and shall not be eligible for consecutive reelection. Six members of the committee shall be elected each biennium. There shall be a Nominating Committee 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 reelection.~~ 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.

19.21.02. 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.

19.21.A9813. *The Nominating Committee shall strive to ensure that at least ~~two~~ **ten percent** of the voting membership of the Church Council **shall be youth or young adults. Youth members shall have been***

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.

- 19.41.01.** 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. ~~The commencement of terms of office of persons elected to regular terms by the Churchwide Assembly on the board of trustees of the Publishing House of the ELCA and the board of trustees of the Board of Pensions shall be specified in the bylaws of these separately incorporated entities.~~
- 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 the unit these separately incorporated ministries.
- 19.61.02.** No member of the Church Council, a committee of the Church Council, a board of a separately incorporated ministry, or ~~other~~ 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 ~~or board~~ 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, ~~a board,~~ 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, ~~a program or 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 spouse, parent, son, daughter, sibling, uncle, aunt, niece, nephew, grandparent, grandchild, or in law (parent, son, or daughter of a spouse, or spouse of a sibling) of~~ an executive director or ~~of~~ an executive staff member of the churchwide organization shall be eligible for nomination to or membership on the Church Council, ~~board, or a~~ committee that ~~oversees~~ 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).
- ~~**19.61.05.** No person employed by an entity, agency, or institution supervised by a board or committee of the churchwide organization shall be a member of that supervising board or committee, except the full-time salaried officers as specified in the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America.~~
- 19.61.J0013.** A former full-time or part-time employee of the churchwide organization 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.

- 20.21.11. The churchwide Committee on Discipline shall consist of 36 persons, 19 of whom shall be laypersons and 17 of whom shall be ordained ministers, elected by the Churchwide Assembly for a term of six years, each without consecutive reelection, to The Churchwide Committee on Discipline shall consist of 24-36 members, half of whom should be ordained ministers 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 reelection, and will serve as needed on a discipline hearing committee in any of the synods in this church.

20.40. **MEMBERS OF CONGREGATIONS**

- 20.41.01. The offenses for which a member of a congregation shall be subject to discipline are:

- a. denial of the Christian faith;
- b. conduct grossly unbecoming a member of the Church of Christ; or
- e. persistent trouble making within the congregation.

The offenses for which a member or members of a congregation may be disciplined are:

- a. persistent and public denial of the Christian faith;
- b. willful or criminal conduct grossly unbecoming a member of the Church of Christ;
- c. continual and intentional interference with the ministry of the congregation; or
- d. willful and repeated harassment or defamation of member(s) of the congregation.

- 20.41.02. Discipline shall be administered by the Congregation Council on behalf of the congregation. The procedure which Christ instructed his disciples to follow (Matthew 18:15-17) shall be adhered to in every case, proceeding through these successive steps:

- a. private admonition by the pastor;
- b. admonition by the pastor in the presence of two or three witnesses; and
- e. written citation to appear before the Congregation Council, serving as a discipline hearing committee, having been received by the member at least 10 days prior to the meeting.

If for any reason the pastor is unable to administer the admonitions required by a. and b. hereof, the president (if not the pastor) or vice president shall administer such admonitions.

Discipline for an offense shall be administered consistent with the procedure which Christ instructed his disciples to follow (Matthew 18:15-17), proceeding through these successive steps, as necessary:

- a. seeking repentance and reconciliation through private counsel and admonition by a pastor;
- b. censure and admonition by a pastor in the presence of two or three members of the Congregation Council;
- c. written referral of the matter by the Congregation Council to the vice president of the synod, who will refer it to a consultation panel, pursuant to bylaw 20.41.03;
- d. written referral of the matter pursuant to bylaw 20.41.04. by the consultation panel to the Committee on Discipline of the synod, which shall hold a hearing and render a final decision.

- 20.41.03. If discipline against a member proceeds beyond counseling and admonition by the pastor, charges against the accused member(s) that are specific and in writing shall be prepared by member(s) of the congregation who shall sign the charges as the accuser(s). The written charges shall be filed with the pastor, who shall advise the Congregation Council of the need to issue a written citation to the accused and the accusers that specifies the time and place of the hearing before the Congregation Council. The written charges shall accompany the written citation to the accused.

If for any reason a pastor of the congregation is unable to offer the counsel and administer the admonitions required by bylaw 20.41.02., those steps may be performed by another pastor chosen by the Executive Committee of the Congregation Council. No one shall serve as a member of the consultation panel or the discipline hearing panel if such individual (i) is the accused; (ii) is related to an accused; (iii) is a member, an employee, or a former member or employee of the congregation bringing the charges; or if the participation of an individual on either panel could give rise to the

appearance of partiality even if the individual would in fact be impartial. For these purposes, a related individual is one who, with respect to the accused, 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).

20.41.04. To assure due process and due protection for the accused as required in 20.11., members of the Congregation Council who participate in the preparation of the written charges or who present evidence or testimony in the hearing before the Congregation Council are disqualified from voting upon the question of the guilt of the accused member. In addition, due process requires the following:

- a. the right to be given a specific written statement of the charges;
- b. the right to a hearing by the Congregation Council;
- c. the right of the accused to testify in person or remain silent;
- d. the right to call witnesses;
- e. the right to introduce documentary evidence;
- f. the right to confront and cross-examine witnesses;
- g. the right to a hearing closed to the public unless both the accuser(s) and the accused agree to a public hearing;
- h. the right to a written decision as required by these bylaws;
- i. the right to be treated with fundamental procedural fairness, which means:
 - 1) avoidance by council members of written communications to or from either accused or accuser(s) without copy to the other;
 - 2) avoidance by council members of other communications with either the accused or the accuser(s) outside of the presence of the other;
 - 3) maintaining proper decorum during the hearing;
 - 4) allowing both the accuser(s) and the accused to present their cases without unnecessary interruptions;
 - 5) keeping a verbatim record of the hearing, made either by a stenographer or court reporter or by audio or video recording; and
 - 6) allowing both the accuser(s) and the accused to be accompanied at the hearing by a representative (who may, but need not, be an attorney) who may also participate in the proceedings.

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). 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.

20.41.05. The accused can be found guilty by the vote of at least two thirds of the members of the Congregation Council who are not disqualified and who are present and voting. Should renewed admonition prove ineffectual, the council shall impose one of the following disciplinary actions:

- a. censure before the council or the congregation;
- b. suspension from stated privileges of membership for a definite designated period of time; or
- c. termination of membership.

A resolution of the council suspending or terminating the membership of a member of this congregation shall be delivered to the person in writing.

The goal of the consultation panel is to seek repentance, amendment of life, forgiveness, healing, and reconciliation. The consultation panel's efforts to reach a mutually agreeable resolution shall continue for no more than 45 days after the matter is submitted to it. If the consultation panel fails to

resolve the matter, the panel, upon the request of the Congregation Council, shall refer the case in writing, including the written charges and the accused member's reply, to the Committee on Discipline of the synod for a hearing. A copy of the consultation panel's written referral shall be delivered to the vice president of the synod, the Congregation Council, and the accused member(s) at the same time it is sent to the Committee on Discipline of the synod.

20.41.06. Appeal from any disciplinary action imposed by the Congregation Council may be made to the Synod Council, whose decision shall be final.

The Executive Committee of the Synod Council shall select six members from the Committee on Discipline of the synod to decide the case, and shall appoint a member of the Synod Council to preside as nonvoting chair. Those six members plus the nonvoting chair comprise the discipline hearing panel for deciding the case. The Congregation Council and the accused member(s) are the parties to the case.

20.41.07. Disciplinary actions may be reconsidered and revoked by the Congregation Council upon receipt of:

- a. evidence that injustice has been done; or
- b. evidence of repentance and amendment.

The discipline hearing panel shall, within 30 days after its selection, commence a meeting or series of meetings to receive testimony or other evidence offered by the congregation council and the accused member(s). Written notice of the date, time, and place of the hearing shall be sent by the nonvoting chair to the Congregation Council and the accused member(s) ten days in advance of the meeting. Until that first meeting is convened, the vice president of the synod shall, if necessary, appoint other members of the Committee on Discipline to fill vacancies so that the discipline hearing panel consists of six members plus the nonvoting chair.

20.41.08. No member of a congregation shall be subject to discipline for offenses that the Congregation Council has previously heard and decided, unless so ordered by the Synod Council after an appeal.

The discipline hearing panel shall decide the time, manner, and procedures for its meetings consistent with the following:

- a. the hearing before the discipline hearing panel is intended to be informal;
- b. the hearing shall be closed to the public unless the Congregation Council and the accused member(s) agree to a public hearing;
- c. all Congregation Council members, including any elected after written charges were first submitted, may attend the hearing and be witnesses;
- d. only one Congregation Council member may participate in the proceedings as the council representative;
- e. the accused member(s) may choose to testify in person or remain silent;
- f. the council representative and the accused member(s) will be allowed to present their arguments and evidence without unnecessary interruption;
- g. the accused member(s) may be accompanied by a spouse and one friend or advisor, but the spouse and friend or advisor may not participate in the proceedings, except as witnesses;
- h. the panel may conduct some of its sessions outside the presence of the parties to the case;
- i. rules of evidence and similar rules used in secular judicial proceedings shall not apply in these hearings;
- j. the parties to the case cannot be compelled to provide any information or documents to each other or to the panel.

20.41.09. Upon conclusion of the hearing, one of the following disciplinary sanctions can be imposed by the vote of at least two-thirds of the members of the discipline hearing panel who are present and voting:

- a. suspension from the privileges of congregation membership for a designated period of time;
- b. suspension from the privileges of congregation membership until the pastor and Congregation Council receive evidence, satisfactory to them, of repentance and amendment of life;
- c. termination of membership in the congregation; or

d. termination of membership in the congregation and exclusion from the church property and from all congregation activities.

20.41.10. The written decision of the discipline hearing panel shall be sent to the vice president of the synod, the accused member(s), and the Congregation Council in writing within 45 days of the convening of the first hearing for which written notice was given pursuant to 20.41.06. The decision of the discipline hearing panel shall be implemented by the Congregation Council and recorded in the minutes of the next council meeting.

20.41.11. No member of a congregation shall be subject to discipline a second time for an offense that a discipline hearing panel has heard previously and decided pursuant to these bylaws.

20.41.A09. — Rules for Appeals to a Synod Council

a. Any appeal to the Synod Council must be made by written notice within 30 days after the decision of the Congregation Council has been delivered to the accused member(s). The written notice of the intent to appeal must be given by certified or registered mail to the Synod Council (in care of the vice president of the synod), with a copy to the chair of the Congregation Council and the congregation's pastor.

b. Any party who has appealed to the Synod Council for review of a decision of a Congregation Council may request a stay in the effective date or other provision contained in the decision pending the appeal. The request must be in writing and shall set forth the reasons why the requested stay is advisable. The request shall be forwarded to the Synod Council (in care of the vice president of the synod) with copy to the other party. The Synod Council may grant the other party an opportunity to respond in writing. The Synod Council may grant a stay for the period, and may renew the stay for further periods, as it determines to be appropriate. The Synod Council may make the grant of a stay subject to such conditions as it determines to be appropriate.

e. The chair of the Congregation Council must furnish the record on appeal to the Synod Council (in care of the vice president of the synod), certifying to the completeness and accuracy of the record on appeal, within 30 days of the receipt of the written notice, unless the vice president allows additional time for compelling reasons. The record on appeal will consist of the following:

- 1) the citation and specific written charges as served upon the accused member(s) prior to the hearing before the Congregation Council;
- 2) the congregation's constitution, bylaws, and continuing resolutions and a copy of any rules governing the hearing before the Congregation Council;
- 3) identities of the person(s) who prepared the written charges and of the members of the Congregation Council who heard the case;
- 4) the verbatim record made by the stenographer or court reporter or the audio or video recording of the hearing before the Congregation Council;
- 5) all documents or physical evidence presented at the hearing before the Congregation Council;
- 6) the written decision of the Congregation Council;
- 7) proof that the written decision was delivered to the accused member(s); and
- 8) certification that the successive steps required by Matthew 18:15-17 were followed, as specified in bylaw 20.41.02. in the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America.

d. If the Synod Council has reason to believe or doubt that a required action was taken by the Congregation Council, but the action is not revealed in the record on appeal, the Synod Council may solicit, by written request to the chair of the Congregation Council with copies to the accused member(s), written confirmation of the action. Copies of the confirmation shall be supplied to the accused member(s).

- e. ~~The party making an appeal must present a written statement of reasons why the decision of the Congregation Council should be reversed or set aside. The Congregation Council will then submit a written response to the Synod Council. The party making an appeal may present a brief written rebuttal. Appropriate page limitations and due dates for these statements will be established by the vice president of the synod. Parties shall promptly give each other copies of any written statements filed with the Synod Council.~~
- f. ~~Members of the Congregation Council and the accused members shall refrain from discussing appeals made to the Synod Council, except as required to discharge their duties under these rules. Members of the Synod Council shall refrain from discussing appeals, except as required to discharge their duty to decide the appeal. Members of the Congregation Council and the accused member(s) will not communicate with Synod Council members concerning the appeal unless all parties are included in the communication.~~
- g. ~~No member of the Synod Council may participate in any appeal if such a member is related to the accused member(s), to any witness who testified before the Congregation Council, or to a member of the Congregation Council, or where such Synod Council member is a current or recent member of the congregation. For good cause, a member of the Synod Council may voluntarily disqualify himself or herself from participation.~~
- h. ~~The Synod Council will meet in executive session and consider the appeal solely on the basis of the record and written statements. Normally, the Synod Council will meet and render its written decision within 60 days from the due date for the last written statement to be submitted by the parties.~~
- i. ~~The Synod Council will affirm the decision of the Congregation Council unless it finds that:

 - 1) the requirements of due process or fundamental procedural fairness were not met;
 - 2) the Congregation Council's decision was not supported by any evidence in the record; or
 - 3) the record on appeal is insufficient to make a determination.~~
- j. ~~Final decisions of the Synod Council require an affirmative vote by at least two thirds of those present and voting. The decision of the Synod Council shall be delivered in writing to the accused member(s), the chair of the Congregation Council, the congregation's pastor, the synodical bishop, and the secretary of this church.~~

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 reelection.

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.

21.01. Subject to the limitations and duties imposed by law, each person who is or was made or threatened to be made a party to any proceeding by reason of the present or former capacity of that person as a Church Council member, officer, employee, or committee member of the churchwide organization, or member of the Conference of Bishops, shall be indemnified against all costs and expenses incurred by that person in connection with the proceeding. Indemnification by the churchwide organization of any person by reason of that person's capacity as a director, officer, employee, or committee member of a separately incorporated churchwide unit ministry or of any other organization is subject to the provisions of section 21.02.

AMENDMENTS TO THE CONSTITUTION FOR SYNODS
AS APPROVED BY THE 2013 CHURCHWIDE ASSEMBLY
OFFICIAL NOTICE OF REQUIRED PROVISIONS

Prepared by the Office of the Secretary
Evangelical Lutheran Church in America
August 26, 2013

Additions are underlined. Deletions are ~~struck through in the text~~.

Under †S18.11., required provisions are to be introduced at once into the synod's constitution upon this formal certification by the secretary of the Evangelical Lutheran Church in America.

Required provisions become effective immediately upon their adoption by the Churchwide Assembly and this subsequent formal notification of their adoption. Therefore, no vote of the Synod Assembly is needed for such required provisions; neither is such a vote to be taken.

Required provisions are those that are marked by a dagger (†) in this summary of amendments adopted by the 2013 Churchwide Assembly. Such required provisions may be amended only by the Churchwide Assembly.

Required provisions adopted by the 2013 Churchwide Assembly are now in force; the text of the amendments of required provisions should be incorporated immediately into your synod's constitution.

Amendments that are not required (*i.e.*, those not marked by a dagger) may be adopted by the Synod Assembly on a majority vote at one assembly under †S18.12. The Church Council, through the secretary of this church, shall be given prompt notification of adoption.

Constitution for Synods

†S1.01. The name of this synod, as determined by the Churchwide Assembly, shall be (*name of synod*) of the Evangelical Lutheran Church in America.

†S6.03. ~~To fulfill these purposes, this synod, in partnership with the churchwide organization, shall bear primary responsibility for the oversight of the life and mission of this church in the territory of this synod. In fulfillment of this role, this synod shall:~~

- ~~a. Provide for the pastoral care of congregations, ordained ministers, associates in ministry, deaconesses, and diaconal ministers of this church in this synod, including:~~
 - ~~1) approving candidates for the ordained ministry in cooperation with the appropriate seminaries of this church, which may be done through multi-synodical committees;~~
 - ~~2) authorizing ordinations and ordaining on behalf of this church;~~
 - ~~3) approving associates in ministry, deaconesses, and diaconal ministers of this church, which may be done through multi-synodical committees;~~
 - ~~4) authorizing the commissioning of associates in ministry, the consecration of deaconesses, and the consecration of diaconal ministers of this church; and~~
 - ~~5) consulting in the calling process for ordained ministers, associates in ministry, deaconesses, and diaconal ministers;~~
- ~~b. Provide for leadership recruitment, preparation, and support in accordance with churchwide standards and policies, including:~~
 - ~~1) nurturing and supporting congregations and lay leaders;~~
 - ~~2) seeking and recruiting qualified candidates for the rostered ministries of this church;~~
 - ~~3) making provision for pastoral care, call or appointment review, and guidance;~~
 - ~~4) encouraging and supporting persons on the rosters of this church in stewardship of their abilities, care of self, and pursuit of continuing education to undergird their effectiveness of service; and~~
 - ~~5) supporting recruitment of leaders for this church's colleges, universities, seminaries, and social ministry organizations;~~

- e. Provide for discipline of congregations, ordained ministers, and persons on the official lay rosters; as well as for termination of call, appointment, adjudication, and appeals consistent with the procedures in Chapter 20 of the constitution of the churchwide organization.
- d. Foster organizations for youth, women, and men, and organizations for language or ethnic communities.
- e. Plan for the mission of this church in this synod, initiating and developing policy and implementing programs, consistent with churchwide policy, including:
 - 1) ecumenical guidance and encouragement;
 - 2) development of new ministries, redevelopment of existing ministries, and support and assistance in the conclusion, if necessary, of a particular ministry;
 - 3) leadership and encouragement of congregations in their evangelism efforts;
 - 4) development of relationships to and participation in planning for the mission of social ministry organizations and ministries;
 - 5) encouragement of financial support for the work of this church by individuals and congregations;
 - 6) provision for resources for congregational life;
 - 7) assistance to the members of its congregations in carrying out their ministries in the world; and
 - 8) interpretation of social statements in a manner consistent with the interpretation given by the churchwide unit which assisted in the development of the statement, and suggestion of social study issues through (a) Synod Assembly memorials to the Churchwide Assembly or (b) resolutions for referral from the Synod Assembly through the Synod Council to the Church Council and (c) Synod Council resolutions addressed to the Church Council or for referral to a unit of the churchwide organization through the Church Council's Executive Committee.
- f. Promote interdependent relationships among congregations, synods, and the churchwide organization, and enter into partnership with other synods in the region.
- g. Participate in churchwide programs and develop support for the ministry of the churchwide organization.
- h. Foster the grouping of congregations in conferences, clusters, coalitions, or other area subdivisions for mission purposes.
- i. Support relationships with and provide partnership funding on behalf of colleges, universities, and campus ministries.
- j. Foster relationships with and provide partnership funding on behalf of social ministry organizations.
- k. Maintain relationships with and provide partnership funding on behalf of seminaries and continuing education centers.
- l. Foster supporting relationships with camps and other outdoor ministries.
- m. Foster supporting relationships with preschools, elementary schools, and secondary schools operated by congregations of this synod.
- n. Interpret the work of this church to congregations and to the public.
- o. Respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.
- p. Provide for archives in conjunction with other synods.
- q. Cooperate with other synods and the churchwide organization in creating, using, and supporting regions to carry out those functions of this synod which can best be done cooperatively with other synods and the churchwide organization.
- r. 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 and according to procedures specified in the bylaws of this constitution.

Each synod, in partnership with the churchwide organization, shall bear primary responsibility for the oversight of the life and mission of this church in its territory. In fulfillment of this role and consistent with policies and procedures of this church, the synod shall:

- a. **Provide for pastoral care of congregations and rostered leaders in the synod;**
- b. **Plan for, facilitate, and nurture the mission of this church through congregations;**
- c. **Strengthen interdependent relationships among congregations, synods, and the churchwide organization, and foster relationships with agencies and institutions affiliated with or related to this church as well as ecumenical partners.**
- d. **Interpret the work of this church to congregations and to the public on the territory of the synod.**

†S6.03.01. In providing for pastoral care of congregations and rostered leaders in the synod, the responsibilities of the synod include the following:

- a. providing for pastoral care of congregations, ordained ministers, associates in ministry, deaconesses, and diaconal ministers in the synod, including:
 - 1) approving candidates for the ordained ministry in cooperation with the appropriate seminaries of this church, which may be done through multi-synodical committees;
 - 2) authorizing ordinations and ordaining on behalf of this church;
 - 3) approving associates in ministry, deaconesses, and diaconal ministers, which may be done through multi-synodical committees;
 - 4) authorizing the commissioning of associates in ministry, the consecration of deaconesses, and the consecration of diaconal ministers of this church; and
 - 5) consulting in the calling process for ordained ministers, associates in ministry, deaconesses, and diaconal ministers.
- b. providing for leadership recruitment, preparation, and support in accordance with churchwide standards and policies, including:
 - 1) nurturing and supporting congregations and lay leaders;
 - 2) seeking and recruiting qualified candidates for the rostered ministries of this church;
 - 3) making provision for pastoral care, call review, and guidance;
 - 4) encouraging and supporting persons on the rosters of this church in stewardship of their abilities, care of self, and pursuit of continuing education to undergird their effectiveness of service; and
 - 5) supporting recruitment of leaders for this church's colleges, universities, seminaries, and social ministry organizations.
- c. providing for discipline of congregations, ordained ministers, and persons on the official lay rosters; as well as for termination of call, appointment, adjudication, and appeals consistent with Chapter 20 of this constitution.
- d. providing for archives in conjunction with other synods.

†S6.03.02. In planning for, facilitating, and nurturing the mission of this church through congregations, the responsibilities of the synod include the following:

- a. developing of new ministries, redevelopment of existing ministries, and support and assistance in the conclusion, if necessary, of a particular ministry;
- b. leading and encouraging of congregations in their evangelism efforts;
- c. assisting members of its congregations in carrying out their ministries in the world;
- d. encouraging congregations to respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society;
- e. providing resources for congregational life;
- f. grouping congregations in conferences, clusters, coalitions, or other area subdivisions for mission purposes.

†S6.03.03. In strengthening interdependent relationships among congregations, synods, and the churchwide organization, and in fostering relationships with agencies and institutions affiliated with or related to this church as well as with ecumenical partners, the responsibilities of the synod include the following:

- a. promoting interdependent relationships among congregations, synods, and the churchwide organization, and entering into partnership with other synods in the region;
- b. fostering organizations for youth, women, and men, and organizations for language or ethnic communities;

- c. developing relationships with social ministry organizations and ministries, participating in their mission planning, and providing partnership funding;
- d. supporting relationships with and providing partnership funding on behalf of colleges, universities, and campus ministries;
- e. maintaining relationships with and providing partnership funding on behalf of seminaries and continuing education centers;
- f. fostering supporting relationships with camps and other outdoor ministries;
- g. fostering supporting relationships with preschools, elementary schools, and secondary schools operated by congregations of the synod;
- h. fostering relationships with ecumenical and global partners;
- i. cooperating with other synods and the churchwide organization in creating, using, and supporting regions to carry out those functions of the synod which can best be done cooperatively with other synods and the churchwide organization.

†S6.03.04. In interpreting the work of this church on the territory of the synod, the responsibilities of the synod include the following:

- a. encouraging financial support for the work of this church by individuals and congregations;
- b. participating in churchwide programs;
- c. interpreting social statements in a manner consistent with the interpretation given by the churchwide unit or office which assisted in the development of the statement, and suggestion of social study issues;
- d. providing ecumenical guidance and encouragement.

†S7.21. The membership of the Synod Assembly, of which at least 60 percent of the voting membership shall be composed of laypersons, shall be constituted as follows:

- a. All ordained ministers under call on the roster of this synod in attendance at this Synod Assembly shall be voting members.
- b. All associates in ministry, deaconesses of the Evangelical Lutheran Church in America, and diaconal ministers, under call, on the official lay rosters of this synod shall have both voice and vote as lay voting members in the Synod Assembly, in addition to the voting membership of lay members of congregations provided in item †S7.21.c.
- c. A minimum of one lay member elected by each congregation with fewer than 175 baptized members and a minimum of two lay members elected by each congregation with 175 or more baptized members related to this synod, normally one of whom shall be male and one of whom shall be female, shall be voting members. The Synod Council shall establish a formula to provide additional lay representation from congregations on the basis of the number of baptized members in the congregation. The Synod Council shall seek to ensure that, as nearly as possible, 50 percent of the lay members of the assembly shall be female and 50 percent shall be male. Additional members from each congregation normally shall be equally divided between male and female.
- d. Voting membership shall include the officers of this synod.

†S7.21.01. Voting members shall begin serving with the opening of a regular Synod Assembly and shall continue serving until voting members are seated at the next regular Synod Assembly.

S7.23. The presiding bishop of the Evangelical Lutheran Church in America and such other official representatives of this church as may be designated from time to time by the Church Council shall ~~also~~ have voice but not vote in the meetings of the Synod Assembly. Like privileges shall be accorded to those additional persons whom the Synod Assembly or the Synod Council shall from time to time designate.

S7.26. This synod may establish processes through the Synod Council that permit representatives of mission settings formed with the intent of becoming recognized congregations under development and authorized worshipping communities of the synod, which have been authorized under ELCA bylaw 10.02.03., to serve as voting members of the Synod Assembly, consistent with †S7.21.

†S7.31. Proxy and absentee voting shall not be permitted in the transaction of any business of this synod.

†S8.13. The synodical bishop may appoint an attorney, admitted to the bar within the territory of the synod or the state where the synod is located, to be Synod Attorney. The appointment must be approved by the Synod Council and reported to the Synod Assembly and to the ELCA secretary. The appointment continues until resignation or until a successor is appointed. The Synod Attorney provides legal advice and counsel to the synodical officers and the Synod Council. The Synod Attorney is expected to be familiar with the governing documents and policies of the synod and, as necessary, to attend meetings of the Synod Council. The Synod Attorney serves without salary but may be retained and compensated for specific legal services requested by the synod.

†S8.16. **Conflicts of Interest**

†S8.16.01. The following procedures shall govern matters of potential conflicts of interest for synodical bishops:

- ...
- c. 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 or-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).

†S13.19. 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.

†S13.20. 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.

†S14.13. a. The call of a congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment which, ~~except in the case of the death of the pastor,~~ shall be terminated only by death or, following consultation with the synodical bishop and 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 pastor, 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 pastoral office effectively in that congregation in view of local conditions, ~~without reflection on the competence or the moral and spiritual character of the pastor;~~
- 4) ~~the~~ physical disability or mental incapacity of the pastor;
- 5) ~~suspension~~ disqualification of the pastor through discipline for more than three months on grounds of doctrine, morality, or continued neglect of duty;
- 6) resignation or removal of the pastor from the roster of ordained ministers of this church;
- 7) termination of the relationship between this church and the congregation;
- 8) ~~the~~ dissolution of the congregation or the termination of a parish arrangement; or
- 9) suspension of the congregation ~~through as a result of~~ discipline ~~proceedings~~ for more than six months.

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, ~~or when such allegations have been brought to this 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

- ~~shall~~ investigate such conditions personally ~~together in company~~ with a committee of two ordained 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 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 testimony shall be obtained. When a such disability or incapacity is evident to the committee, the bishop of this synod may with the advice of the committee shall declare the pastorate vacant and the pastor shall be listed on the clergy roster as disabled. Upon removal of the disability and the restoration of the a disabled pastor to health, the bishop of this synod shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call field of labor.~~
- 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 shall be heard, after which the bishop of this synod together with the committee described in ¶S14.13.b. shall present their recommendations first decide on the course of action to be recommended to the pastor and then to the congregation. The recommendations of the bishop's committee must address whether the pastor'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 pastor, if appropriate. If the pastor and congregation they agree to carry out such recommendations, no further action need shall be taken by the this synod.~~
- 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.~~
- ef. ~~If, in the course of proceedings described in paragraph c. or paragraph d. above ¶S14.13.d., the bishop's committee concludes that there may be grounds for disciplinary action, the committee shall make recommendations concerning disciplinary action to the synodical bishop who may bring charges, in accordance with the provisions of the this church's constitution, and bylaws, and continuing resolutions of the Evangelical Lutheran Church in America and the constitution of this synod.~~
- f. ~~If, following the appointment of the committee described in ¶S14.13.b. or d., it should become apparent that the pastoral office cannot be conducted effectively in the congregation(s) being served by the ordained minister due to local conditions, the bishop of this 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).~~

AMENDMENTS TO THE *MODEL CONSTITUTION FOR CONGREGATIONS* AS APPROVED BY THE 2013 CHURCHWIDE ASSEMBLY

Prepared by the Office of the Secretary
Evangelical Lutheran Church in America
August 26, 2013

Additions are underlined. Deletions are ~~struck through~~ in the text.

- *C4.04. This congregation shall develop an organizational structure to be described in the bylaws. The Congregation Council shall prepare descriptions of the responsibilities of each committee, task force, or other organizational group and shall review their actions. [Such descriptions shall be contained in continuing resolutions in the section on the Congregation Council Committees.]
- *C6.06. If this congregation considers relocation, it 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.
- *C6.07. If this congregation considers developing an additional site to be used regularly for worship, it 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.
- *C8.05. Membership in this congregation shall be terminated by any of the following:
...
d. disciplinary action in accordance with ELCA constitutional provision 20.40. and the accompanying bylaws by the Congregation Council;
- *C9.05. a. The call of a congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment which, ~~except in the case of the death of the pastor,~~ shall be terminated only by death or, following consultation with the synodical bishop, ~~and~~ 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 pastor, 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 pastoral office effectively in that congregation in view of local conditions, ~~without reflection on the competence or the moral and spiritual character of the pastor;~~
4) the physical disability, or mental incapacity of the pastor;
5) suspension disqualification of the pastor through discipline for more than three months on grounds of doctrine, morality, or continued neglect of duty;
6) resignation or removal of the pastor from the roster of ordained ministers of this church;
7) termination of the relationship between this church and the congregation;
8) the dissolution of the congregation or the termination of a parish arrangement; or
9) suspension of the congregation through as a result of discipline proceedings for more than six months.
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, ~~or when such allegations have been brought to this 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

~~shall~~ investigate such conditions personally ~~together in company~~ with a committee of two ordained 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 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 testimony shall be obtained. When a such disability or incapacity is evident to the committee, the bishop of this synod may with the advice of the committee shall declare the pastorate vacant and the pastor shall be listed on the clergy roster as disabled. Upon removal of the disability and the restoration of the a disabled pastor to health, the bishop of this synod shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call field of labor.~~

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 shall be heard, after which the bishop of the synod together with the committee described in *C9.05.b. shall present their recommendations first decide on the course of action to be recommended to the pastor and then to the congregation. The recommendations of the bishop's committee must address whether the pastor'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 pastor, if appropriate. If the pastor and congregation they agree to carry out such recommendations, no further action need shall be taken by the synod.~~

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.~~

ef. ~~If, in the course of proceedings described in paragraph c. or paragraph d. above *C9.05.d., the bishop's committee concludes that there may be grounds for disciplinary action, the committee shall make recommendations concerning disciplinary action to the synodical bishop, who may bring charges in accordance with the provisions of the this church's constitution, and bylaws, and continuing resolutions of the Evangelical Lutheran Church in America and the constitution of this synod.~~

f. ~~If, following the appointment of the committee described in *C9.05.b. or d., it should become apparent that the pastoral office cannot be conducted effectively in the congregation(s) being served by the ordained minister due to local conditions, 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).~~

C10.02. A special Congregation Meeting may be called by the 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.

C10.03. Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays and by mail ~~or electronic means, as permitted by state law,~~ to all [voting] members at least 10 days in advance of the date of the meeting. ~~The posting of such notice in the~~

regular mail, with the regular postage affixed or paid, sent to the last known address of such members shall be sufficient. Electronic notice of meetings may be provided in addition to notice by regular mail.

C10.05. Voting by proxy or by absentee ballot shall not be permitted.

C12.13. The Congregation Council and its committees may hold meetings by remote communication, including electronically and by telephone conference, and, to the extent permitted by state law, notice of all meetings may be provided electronically.

Chapter 15.

DISCIPLINE OF MEMBERS AND ADJUDICATION

***C15.01.** Denial of the Christian faith as described in this constitution, conduct grossly unbecoming a member of the Church of Christ, or persistent trouble making in this congregation are sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation will be attempted following Matthew 18:15-17, proceeding through these successive steps: a) private admonition by the pastor, b) admonition by the pastor in the presence of two or three witnesses, and c) citation to appear before the Congregation Council. If, for any reason, the pastor is unable to administer the admonitions required by a. and b. hereof, the president (if not the pastor) or vice president shall administer such admonitions.

Persistent and public denial of the Christian faith, willful or criminal conduct grossly unbecoming a member of the Church of Christ, continual and intentional interference with the ministry of the congregation, or willful and repeated harassment or defamation of member(s) of the congregation is sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation and repentance will be attempted following Matthew 18:15-17, proceeding through these successive steps, as necessary: a) private counsel and admonition by the pastor, b) censure and admonition by the pastor in the presence of two or three witnesses, c) written referral of the matter by the Congregation Council to the vice president of the synod, who will refer it to a consultation panel drawn from the Consultation Committee of the synod, and d) written referral of the matter by the consultation panel to the Committee on Discipline of the synod. If, for any reason, the pastor is unable to administer the admonitions required by paragraphs a. and b. hereof, those steps may be performed by another pastor chosen by the Executive Committee of the Congregation Council.

***C15.02.** The process for discipline of a member of the congregation shall be governed as prescribed by the chapter on discipline in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. If discipline against a member proceeds beyond counseling and admonition by the pastor, charges against the accused member(s) that are specific and in writing shall be prepared by member(s) of the congregation who shall sign the charges as the accuser(s). The written charges shall be filed with the pastor, who shall advise the Congregation Council of the need to issue a written citation to the accused and the accusers that specifies the time and place of the hearing before the Congregation Council. The written charges shall accompany the written citation to the accused. The written citation that specifies the time and place of the hearing before the Congregation Council and requests the presence of a member charged with the offense shall be sent at least ten days prior to the meeting. If the member charged with the offense fails to appear at the scheduled hearing, the Congregation Council may proceed with the hearing and may pass judgment in the member's absence.

The process for discipline of a member of the congregation shall be governed as prescribed by the chapter on discipline in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. If the counseling, censure, and admonitions pursuant to C15.01 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). A copy of the written charges shall be

provided to the 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. The panel's efforts to reach a mutually agreeable resolution shall continue for no more than 45 days after the matter is submitted to it.

***C15.03.** Members of the Congregation Council who participate in the preparation of the written charges or who present evidence or testimony in the hearing before the Congregation Council are disqualified from voting upon the question of the guilt of the accused member. Should the allegations be sustained by a two-thirds majority vote of the members of the Congregation Council who are not disqualified but who are present and voting, and renewed admonition prove ineffectual, the council shall impose one of the following disciplinary actions:

- a. censure before the council or congregation;
- b. suspension from membership for a definite period of time; or
- c. exclusion from membership in this congregation.

Disciplinary actions b. and c. shall be delivered to the member in writing.

If the consultation panel fails to resolve the matter, that panel shall refer the case in writing, including the written charges and the accused member's reply, to the Committee on Discipline of the synod for a hearing. A copy of the panel's written referral shall be delivered to the vice president of the synod, the Congregation Council, and the accused member(s) at the same time it is sent to the Committee on Discipline of the synod. The Executive Committee of the Synod Council shall then select six members from the Committee on Discipline to decide the case, and shall appoint a member of the Synod Council to preside as nonvoting chair. Those six members plus the nonvoting chair comprise the discipline hearing panel for deciding the case. The Congregation Council and the accused member(s) are the parties to the case.

***C15.04.** The member against whom disciplinary action has been taken by the Congregation Council shall have the right to appeal the decision to the Synod Council. Such right may not be abridged and the decision of the Synod Council shall be final.

The discipline hearing panel shall commence and conduct the disciplinary hearing in accordance with the provisions governing discipline of congregation members prescribed in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.

***C15.05.** Disciplinary actions may be reconsidered and revoked by the Congregation Council upon receipt of a) evidence that injustice has been done or b) evidence of repentance and amendment.

By the vote of at least two-thirds of the members of the discipline hearing panel who are present and voting, one of the following disciplinary sanctions can be imposed:

- a. suspension from the privileges of congregation membership for a designated period of time;
- b. suspension from the privileges of congregation membership until the pastor and Congregation Council receive evidence, satisfactory to them, of repentance and amendment of life;
- c. termination of membership in the congregation; or
- d. termination of membership in the congregation and exclusion from the church property and from all congregation activities.

***C15.06.** For disciplinary actions in this congregation, "due process" shall be observed as specified in 20.41.04. in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.

The written decision of the discipline hearing panel shall be sent to the vice president of the synod, the accused member(s), and the Congregation Council as required by the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. The decision of the discipline hearing panel shall be implemented by the Congregation Council and recorded in the minutes of the next council meeting.

- *C15.07. ~~No member of a congregation shall be subject to discipline for offenses that the Congregation Council has previously heard and decided, unless so ordered by the Synod Council after an appeal. No member of the congregation shall be subject to discipline a second time for offenses that a discipline hearing panel has heard previously and decided pursuant to this chapter.~~
- *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 ~~by mail~~ 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.
- *C17.01. Unless provision *C17.04. 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 ~~by mail~~ 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.
- *C17.03. Any amendments to this constitution that result from the processes provided in *C17.01. and *C17.02. 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. ~~The amendment shall become effective within 120 days from the date of the receipt of the notice by the synod unless the synod informs this congregation that the amendment is in conflict with the constitution and bylaws of the Evangelical Lutheran Church in America or the constitution of the (insert name of synod) Synod of the ELCA.~~
- *C17.04. 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 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 _____ voting members of the congregation, the Congregation Council shall submit such notice and call such a meeting. 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.

ENMIENDAS A LA CONSTITUCIÓN MODELO PARA CONGREGACIONES SEGÚN APROBADAS POR LA ASAMBLEA NACIONAL 2013

Preparado por la Oficina del Secretario
Iglesia Evangélica Luterana en América
26 de agosto de 2013

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ADICIONES ESTÁN SUBRAYADAS. SUPRESIONES ESTÁN ~~TACHADAS~~ EN EL TEXTO.

- *C4.04. Esta congregación desarrollará una estructura organizacional a ser descrita en los reglamentos. El Concejo Congregacional deberá preparar descripciones de las responsabilidades de cada comité, grupo de trabajo u otro grupo organizacional y deberá revisar sus acciones. [Tales descripciones deberán estar contenidas en resoluciones concurrentes en la sección sobre el Consejo los Comités Congregacionales.]
- *C6.06. Si esta congregación considera reubicarse, deberá consultar con el(la) obispo sinodal en que se encuentra territorialmente localizada y la unidad programática apropiada de la organización nacional antes de tomar cualesquiera pasos que lleven a tal acción. La aprobación del Concejo Sinodal deberá ser recibida antes de que tal acción se efectúe.
- *C6.07. Si esta congregación considera desarrollar un sitio adicional para ser utilizado regularmente para la adoración, deberá consultar con el(la) obispo del sínodo en donde esté territorialmente ubicada y la unidad programática apropiada de la organización nacional antes de tomar cualesquiera pasos que lleven a tal acción.
- *C8.05. Membresía en esta congregación será terminada por cualquiera de los siguientes medios:
...
d. acción disciplinaria de acuerdo con la estipulación 20.40. y los reglamentos que la acompañan por el Consejo Congregacional;
- *C9.05. a. La llamada de una congregación, cuando es aceptada por un(a) pastor(a), constituirá un compromiso y relación mutua continua, la cual, excepto en el caso de muerte del(de la) pastor(a), deberá ser terminada sólo por muerte o, después de consultar con el(la) obispo sinodal, ~~y~~ por las siguientes razones:
1) acuerdo mutuo de terminar la llamada o finalización de una llamada por un término específico.
2) renuncia del(de la) pastor(a), la cual se hará efectiva, a menos que se haya acordado de otra manera, no más tarde de 30 días después de la fecha en que fue sometida.
3) inhabilidad de conducir la oficina pastoral efectivamente en la congregación en vista de condiciones locales, sin reflexión sobre la competencia, la moral y/o el carácter espiritual del(de la) pastor(a);
4) discapacidad ~~incapacidad~~ física o incapacidad mental del(de la) pastor(a);
5) suspensión del(de la) pastor(a) por medio de disciplina por más de tres meses basadas en doctrina, moralidad o continuo descuido de sus funciones;
6) renuncia o remoción del (de la) pastor(a) del registro de ministros ordenados de esta iglesia;
7) terminación de la relación entre esta iglesia y la congregación;
8) la disolución de la congregación o la terminación de un arreglo parroquial; o
9) suspensión de la congregación por medio de como resultado de procedimientos disciplinarios por más de seis meses.

- b. Cuando alegaciones de ~~discapacidad-inecapacidad~~ física o ~~incapacidad~~ mental del(de la) pastor(a) ~~bajo el párrafo a.4) arriba,~~ o conducta inefectiva de la oficina pastoral ~~bajo el párrafo a.3) arriba,~~ han llegado a la atención del(de la) obispo del sínodo,
- 1) el(la) obispo en su sola discreción puede, ~~o cuando tales alegaciones han sido traídas a la atención del sínodo por medio de una exposición oficial de alegaciones por el Concejo Congregacional o por una petición firmada por no menos de una tercera parte de los miembros votantes de la congregación,~~ el(la) obispo deberá, investigar tales condiciones personalmente ~~junto a en compañía de~~ un comité de dos ministros ordenados(as) y una persona laica.
 - 2) ~~cuando tales alegaciones han sido traídas a la atención del sínodo por un relato oficial de alegaciones por el concejo congregacional o por una petición firmada por al menos un-tercio de los miembros votantes de la congregación,~~ el(la) obispo deberá investigar personalmente ~~tales condiciones junto a un comité de dos ministros ordenados y una persona laica.~~
- c. En caso de una presunta ~~discapacidad-inecapacidad~~ física o ~~incapacidad~~ mental ~~bajo el párrafo a.4) arriba,~~ el comité del(de la) obispo deberá obtener y documentar ~~se deberá obtener un testimonio opinión médica competente~~ ~~concerniente a la condición del(de la) pastor(a).~~ Cuando ~~tal~~ ~~discapacidad o incapacidad~~ sea evidente ~~al comité,~~ el(la) obispo del sínodo ~~podrá, con el consejo del comité, deberá~~ declarar el pastorado vacante ~~y el(la) pastor(a) deberá ser registrado en el registro del clero como discapacitado.~~ Ante ~~la remoción de la discapacidad y la restauración del(de la) pastor(a) discapacitado(a)~~ a la salud, el(la) obispo ~~de este sínodo~~ deberá tomar medidas para posibilitar que el(la) pastor(a) resuma el ministerio, ya sea en la última congregación servida o en otra ~~llamada apropiada campo de trabajo.~~
- d. En el caso de alegadas dificultades locales que pongan en riesgo el funcionamiento efectivo de la congregación ~~bajo el párrafo a.3) arriba,~~ ~~el comité del(de la) obispo deberá esforzarse por escuchar a~~ ~~todas las personas concernidas~~ ~~deberán ser escuchadas,~~ tras lo cual el(la) obispo ~~del sínodo,~~ junto con el comité ~~descrito en la sección *C9.05.b.,~~ deberá ~~presentar sus recomendaciones primero tomar una decisión sobre el curso a ser recomendado~~ ~~al(a) pastor(a) y después a la congregación.~~ ~~Las recomendaciones del comité del(de la) obispo deberán dirigirse a si la llamada del(de la) pastor(a) debe finalizar y, de así serlo, puede sugerir arreglos de terminación o indemnización apropiados.~~ El comité también puede proponer otras acciones que deban ser tomadas por la congregación y por el(la) pastor(a), si apropiado. Si ~~el(la) pastor(a) y la congregación~~ ~~ellos~~ aceptan seguir tales recomendaciones, ninguna otra acción ~~necesita~~ ~~deberá~~ ser tomada por el sínodo.
- e. Si cualquiera de las partes fracasa en asentir ~~a las recomendaciones del comité del(de la) obispo~~ ~~concerniente a la llamada del(de la) pastor(a),~~ la congregación puede despedir al(a) la pastor(a) ~~sólo~~ en una reunión legalmente llamada después de consultar con el(la) obispo, ya sea (a) por un voto mayoritario de dos terceras partes de los miembros votantes presentes y votando donde el obispo y el comité no recomendaron terminación de la llamada, o (b) por un voto mayoritario simple de los miembros votantes presentes y votando donde el obispo y el comité recomendaron terminación de la llamada.
- ef. Si en el curso de los procedimientos descritos en ~~el párrafo c. o párrafo d. arriba~~ ~~*C9.05.d.~~ el comité ~~del(de la) obispo~~ concluye que puede haber fundamentos para acción disciplinaria, el comité deberá hacer recomendaciones concernientes a acción disciplinaria ~~al(a) la obispo sinodal,~~ ~~quien podrá presentar cargos~~ de acuerdo con las estipulaciones de la constitución, ~~y reglamentos y resoluciones concurrentes de esta iglesia de la Iglesia Evangélica Luterana en América y la constitución de este sínodo.~~
- f. ~~Si, después de la asignación del comité descrito en *C9.05.b. ó d., se hace aparente que la oficina pastoral no puede ser conducida en forma efectiva en la(s) congregación(es) que está(n) siendo servida(s) por el(la) ministro ordenado(a) debido a condiciones locales,~~ el(la) obispo del sínodo puede suspender temporeraamente ~~al(a) la pastor(a) del servicio en la(s) congregación(es) sin prejuicio y con salario provisto a través de un fondo común del sínodo y la iglesia nacional y con vivienda provista por la(s) congregación(es).~~

- C10.02.** Una reunión especial de la congregación podrá ser convocada por el(la) pastor(a), el Concejo Congregacional o el(la) presidente de esta congregación, y deberá ser convocada por el(la) presidente de la congregación ante la solicitud por escrito de _____ [número] [porciento] de los miembros votantes. El(la) presidente del Concejo Congregacional deberá convocar una reunión especial ante la solicitud del(de la) obispo sinodal. La convocatoria a cada reunión especial deberá especificar el propósito por el cual se celebrará y ningún otro asunto se tramitará durante la misma.
- C10.03.** Se deberá dar aviso de todas las reuniones de la congregación en los servicios de adoración en los dos domingos consecutivos precedentes y por correo o medios electrónicos, según permitido por ley estatal, a todos los miembros [votantes] con por lo menos 10 días de anticipación a la fecha de la reunión. El enviar tal aviso por correo regular, con el franqueo requerido fijado o pagado, a la última dirección conocida de tales miembros, será suficiente. Se puede proveer notificación electrónica de las reuniones en adición a la notificación por correo regular.
- C12.13.** El Concejo Congregacional y sus comités podrán llevar a cabo reuniones por comunicación remota, incluyendo electrónicamente y por conferencia telefónica, y, hasta lo permitido por ley estatal, notificación de todas las reuniones se podrá proveer electrónicamente.

Chapter 15.

DISCIPLINE OF MEMBERS AND ADJUDICATION

- *C15.01.** La negación de la fe cristiana como se describe en esta constitución, conducta notoria impropia que aleje a uno(a) de ser un miembro de la Iglesia de Cristo, o causar problemas continua y persistentemente en esta congregación son causa suficiente para disciplinar a un miembro. Previo a acción disciplinaria, se intentará la reconciliación siguiendo Mateo 18:15-17, procediendo a través de estos pasos sucesivos: a) amonestación privada por el(la) pastor(a); b) amonestación por el(la) pastor(a) en presencia de dos o tres testigos; y c) citación a comparecer ante el Concejo Congregacional. Si por alguna razón, el(la) pastor(a) no puede administrar las amonestaciones requeridas por a. y b., el(la) presidente (si no el pastor) o vice presidente deberá administrar tales amonestaciones.
- Persistente y pública negación de la fe Cristiana, conducta intencional o criminal extremadamente impropia para un(a) miembro de la Iglesia de Cristo, interferencia continua o intencional con el ministerio de la congregación, o acoso o difamación repetida o intencional de miembro(s) de la congregación es causa suficiente para disciplina de un(a) miembro. Previo a acción disciplinaria, se intentará la reconciliación y el arrepentimiento siguiendo Mateo 18: 15-17, procediendo a través de estos pasos sucesivos, según sea necesario: a) consejo y amonestación privada por el(la) pastor(a), b) censura y amonestación por el(la) pastor(a) en presencia de dos o tres testigos, c) referido escrito del asunto por el Concejo Congregacional al(a) vicepresidente del sínodo, quien lo referirá a un panel de consulta sacado del Comité de Consulta del sínodo y d) referido escrito del asunto por el panel de consulta al Comité de Disciplina del sínodo. Si, por alguna razón, el(la) pastor(a) no puede administrar las amonestaciones requeridas por los párrafos a. y b. de aquí, esos pasos podrán ser realizados por otro(a) pastor(a) escogido(a) por el Comité Ejecutivo del Concejo Congregacional.
- *C15.02.** El proceso para disciplina de un miembro de la congregación deberá estar gobernado según prescrito por el capítulo sobre disciplina en la Constitución, Reglamentos y Resoluciones Concurrentes de la Iglesia Evangélica Luterana en América. Si la disciplina contra el miembro procede más allá del consejo y amonestación del(de la) pastor(a), los cargos contra el miembro acusado que sean específicos y por escrito deberán ser preparados por un(os) miembro(s) de la congregación quien(es) deberá(n) firmar los cargos como acusador(es). Los cargos escritos deberán ser archivados con el(la) pastor(a), quien deberá avisar al Concejo Congregacional de la necesidad de emitir una citación por escrito al acusado y los acusadores que especifique la hora y el lugar de una audiencia ante el Concejo Congregacional. Los cargos escritos deberán acompañar la citación por escrito al acusado. La citación por escrito que especifique la hora y el lugar de la audiencia ante el Concejo Congregacional y solicite la presencia del miembro acusado con la ofensa deberá ser enviada al menos 10 días previos a la

reunión. Si el miembro acusado de la ofensa falla en comparecer a la vista programada, el Concejo Congregacional podrá proceder con la vista y podrá pasar juicio en ausencia del miembro.

El proceso para disciplina de un miembro de la congregación deberá estar gobernado según prescrito por el capítulo sobre disciplina en la *Constitución, Reglamentos y Resoluciones Concurrentes de la Iglesia Evangélica Luterana en América*. Si el consejo, censura y amonestación en búsqueda de cumplir con *C15.01. no resultan en arrepentimiento y enmienda de vida, cargos contra el/la(los/las) miembro(s) acusado/a(os/as), que sean específicos y por escrito, pueden ser preparados por el Concejo Congregacional, firmados y sometidos al(a la) vicepresidente del sínodo. El(la) vicepresidente deberá seleccionar de entre el Comité de Consulta del sínodo un panel de cinco miembros (tres laicos y dos clero). Una copia de los cargos escritos deberá ser provista al panel de consulta y al(a la) (a los/a las) miembro(s) acusado/a(os/as). El panel de consulta, después de requerir una respuesta escrita a los cargos por parte del/de la(de los/de las) miembro(s) acusado/a(os/as), deberá considerar el asunto y buscar una resolución por medio de investigación, consulta, mediación o por cualquier otro medio que pueda parecer apropiado. Los esfuerzos del panel de alcanzar una resolución mutuamente aceptable deberán continuar por no más de 45 días después de que el asunto se le haya sometido.

- *C15.03. Miembros del Concejo Congregacional que participen en la preparación de las acusaciones escritas o que presenten evidencia o testimonio en la audiencia frente al Concejo Congregacional, están descalificados de votar sobre la pregunta de la culpabilidad del miembro acusado. Si las argumentaciones fueran sostenidas por un voto mayoritario de dos tercios de los miembros del Concejo Congregacional que no estén descalificados pero que estén presentes y votando, y amonestación renovada demuestra ser ineficaz, el concejo impondrá una de las siguientes acciones disciplinarias:
- a. Censura ante el concejo o congregación;
 - b. Suspensión de membresía por un período de tiempo definido; o
 - c. Exclusión de membresía en esta congregación.

Las acciones disciplinarias b. y c. deberán ser entregadas al miembro por escrito.

Si el panel de consulta falla en resolver el asunto, ese panel deberá referir el caso por escrito, incluyendo los cargos escritos y la respuesta del/de la(de los/de las) miembro(s), al Comité de Disciplina del sínodo para una vista. Una copia del referido escrito del panel deberá ser enviada al(a la) vicepresidente del sínodo, el Concejo Congregacional y el/la(los/las) miembro(s) acusado/a(os/as) al mismo tiempo que es enviada al Comité de Disciplina del sínodo. El Comité Ejecutivo del Concejo Sinodal deberá entonces seleccionar seis miembros del Comité de Disciplina para decidir el caso y deberá nombrar un(a) miembro del Concejo Sinodal para presidir sin derecho al voto. Esos seis miembros más la persona que preside sin derecho al voto componen el panel de vista disciplinaria para decidir el caso. El Concejo Congregacional y el/la(los/las) miembro(s) acusado/a(os/as) son parte en el caso.

- *C15.04. El miembro contra quien se haya tomado acción disciplinaria por el Concejo Congregacional tendrá el derecho de apelar la decisión al Concejo Sinodal. Tal derecho no puede ser negado y la decisión del Concejo Sinodal será final.

El panel de vista disciplinaria deberá comenzar y conducir la vista disciplinaria de acuerdo con las estipulaciones que gobiernan la disciplina de miembros congregacionales prescritas en la *Constitución, Reglamentos y Resoluciones Concurrentes de la Iglesia Evangélica Luterana en América*.

- *C15.05. Acciones disciplinarias pueden ser reconsideradas y revocadas por el Concejo Congregacional al recibir a) evidencia de que se ha cometido una injusticia o b) evidencia de arrepentimiento y enmienda. Por votación de por lo menos dos-tercios de los miembros del panel de vista disciplinaria quienes estén presentes y votando, una de las siguientes sanciones disciplinarias puede ser impuesta:

- a. suspensión de los privilegios de membresía congregacional por un período designado de tiempo;
- b. suspensión de los privilegios de membresía congregacional hasta que el(la) pastor(a) y el Concejo Congregacional reciban evidencia, satisfactoria a ellos, de arrepentimiento y enmienda de vida;

- c. terminación de membresía en la congregación; o
- d. terminación de membresía en la congregación y exclusión de la propiedad de la iglesia y de todas las actividades congregacionales.

- *C15.06. Para acciones disciplinarias en esta congregación, se deberá observar “debido proceso” como se especifica en 20.41.04. en la Constitución, Reglamentos y Resoluciones Concurrentes de la Iglesia Evangélica Luterana en América.
La decisión escrita del panel de vista disciplinaria deberá ser enviada al(a la) vicepresidente del sínodo, el/la(los/las) miembro(s) acusado/a(os/as) y el Concejo Congregacional según requerido por la Constitución, Reglamentos y Resoluciones Concurrentes de la Iglesia Evangélica Luterana en América. La decisión del panel de vista disciplinaria deberá ser implementada por el Concejo Congregacional y registrada en las minutas de la próxima reunión del concejo.
- *C15.07. Ningún miembro de una congregación podrá ser sujeto a disciplina por ofensas que el Concejo Congregacional ha previamente escuchado y decidido, a menos que así haya sido ordenado por el Concejo Sinodal después de una apelación. Ningún miembro de la congregación podrá estar sujeto a disciplina en una segunda ocasión por ofensas que un panel de vista disciplinaria haya previamente escuchado y decidido de acuerdo a este capítulo.
- *C16.03. Cambios a los reglamentos pueden ser propuestos por cualquier miembro votante, provisto que tales adiciones o enmiendas sean sometidas por escrito al Concejo Congregacional al menos 60 días antes de una reunión regular o especial de la congregación llamada para ese propósito. El Concejo Congregacional deberá notificar a los miembros de la congregación por correo sobre la propuesta con las recomendaciones del concejo al menos 30 días antes de la reunión de la congregación. La notificación podrá darse por correo o medios electrónicos, según permitido por ley estatal.
- *C17.01. A menos que la estipulación *C17.04. sea aplicable, aquellas secciones de esta constitución que no sean requeridas, de acuerdo con la *Constitución Modelo para Congregaciones de la Iglesia Evangélica Luterana en América*, pueden ser enmendadas de la siguiente manera. Enmiendas pueden ser propuestas por al menos _____ votantes o por el Concejo Congregacional. Las propuestas tienen que ser presentadas por escrito al Concejo Congregacional 60 días antes de consideración formal por esta congregación en una reunión congregacional regular o especial llamada para ese propósito. El Concejo Congregacional deberá notificar a los miembros de la congregación por correo sobre la propuesta junto con las recomendaciones del concejo al menos 30 días antes de la reunión. La notificación podrá darse por correo o medios electrónicos, según permitido por ley estatal.
- *C17.03. Cualesquier enmiendas a esta constitución que resulten de los procesos provistos en *C17.01. y *C17.02. deberán ser enviadas por el(la) secretario(a) de esta congregación al sínodo. El sínodo notificará a la congregación de su decisión de aprobar o desaprobar los cambios propuestos; los cambios deberán entrar en vigor habida notificación de que el sínodo los ha aprobado. La enmienda se hará efectiva dentro de ciento veinte (120) días de la fecha de recibo de la notificación por el sínodo a menos que el sínodo le informe a esta congregación que la enmienda está en conflicto con la constitución y reglamentos de la Iglesia Evangélica Luterana en América o la constitución del Sínodo (insertar el nombre del sínodo) de la IELA.
- *C17.04. Esta constitución podrá ser enmendada para traer cualquier sección en conformidad con una sección o secciones, sean requeridas o no requeridas, de la *Constitución Modelo para Congregaciones de la Iglesia Evangélica Luterana en América* según su más reciente enmienda por la Asamblea Nacional. Tales enmiendas pueden ser aprobadas por un voto mayoritario simple de aquellos miembros votantes presentes y votando en cualquier reunión legalmente llamada de la congregación sin presentación en una reunión previa de la congregación, provisto que el Concejo Congregacional haya sometido por correo o medios electrónicos, según permitido por ley estatal, notificación a la congregación de tal enmienda o enmiendas, junto con las recomendaciones del concejo, al menos 30 días previos a la

reunión. Cuando así sea solicitado por _____ miembros votantes de la congregación, el Concejo Congregacional deberá someter tal notificación. Seguido de la adopción de una enmienda, el(la) secretario(a) de la congregación deberá someter una copia de ella al sínodo. Tales estipulaciones se harán efectivas inmediatamente después de un voto de aprobación.