



**Recommendation:**

**General Amendments to the Constitutions of the ELCA**

*Recommended [CC18.11.251] by the Church Council on November 11, 2018*

**Chapter 4: Statement of Purpose**

- 4.02 c. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity ~~and~~, justice, ~~and equality~~ for all people, working for peace and reconciliation among the nations, ~~caring for the marginalized, embracing and welcoming racially and ethnically diverse populations,~~ and standing with the poor and powerless and committing itself to their needs.

**CHAPTER 5: PRINCIPLES OF ORGANIZATION**

- 5.01 c. The congregations, synods, and churchwide organization of this church are interdependent ~~partners-expressions~~ sharing responsibly in God's mission. In an interdependent relationship, primary responsibility for particular functions will vary ~~between the partners among the expressions.~~ Whenever possible, the entity most directly affected by a decision shall be the principal party responsible for decision and implementation, with the other entities facilitating and assisting. Each congregation, synod, and separately incorporated ministry, as well as the churchwide organization itself, is a separate legal entity and is responsible for exercising its powers and authorities.
- d. Each congregation and synod in its governing documents shall include the Confession of Faith and Statement of Purpose and such ~~structural~~ components as are required in ~~this constitution~~ the Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America. Beyond these common elements, congregations and synods shall be free to organize in such manner as each deems appropriate for its jurisdiction.
- e. ~~The Church Council shall establish an ongoing process to review the function of the structural organization of this church and to develop recommendations for changes.~~
- f. Except as otherwise provided in this constitution and bylaws, the appropriate office or unit of the churchwide organization, through the Church Council, shall establish processes that will ensure that at least 60 percent of the members of its assemblies, councils, committees, boards, and other organizational units shall be laypersons; that ~~as nearly as possible, 50 at least 45~~ percent of the lay members of these assemblies, councils, committees, boards, or other organizational units shall be female women and ~~50 at least 45~~ percent shall be male men, and that, where possible, the representation of ministers of Word and Sacrament shall ~~be both female and male~~ include both women and men. At least 10 percent of the members of these assemblies, councils, committees, boards, or other organizational units shall be persons of color and/or persons whose primary language is other than English. Processes shall be developed that will assure that in selecting staff there will be a balance of women and men, persons of color and persons whose primary language is other than English, laypersons, and persons on the rosters of this church. This balance is to be evident in the selection of staff consistent with the inclusive policy of this church.
- gf. Except as otherwise provided in this constitution and bylaws, synods, through synodical councils, shall establish processes that will ensure that at least 60 percent

of the members of their assemblies, councils, committees, boards, and other organizational units shall be laypersons; that, ~~as nearly as possible, 50 at least 45~~ percent of the lay members of their assemblies, councils, committees, boards, or other organizational units shall be ~~female women~~ and ~~50 at least 45~~ percent shall be ~~male men~~, and that, where possible, the representation of ministers of Word and Sacrament shall ~~be both female and male~~ include both women and men. Each synod shall establish processes that will enable it to reach a minimum goal that 10 percent of the membership of its assemblies, councils, committees, boards, or other organizational units be persons of color and/or persons whose primary language is other than English.

**g.** A layperson is a person who is not on the roster of Ministers of Word and Sacrament or the roster of Ministers of Word and Service of this church.

**5.01.B169** *Each synod shall submit its goals and strategies to the appropriate churchwide unit or office and shall annually submit a report on progress toward its goals to ~~the Church Council~~ such unit or office.*

**5.01.E19** *The Church Council shall establish triennial percentage goals for this church to meet the commitment expressed in 5.01.A16. The minimum goal shall be that at least 10 percent of the members of this church shall be persons of color or whose primary language is other than English.*

**5.01.F19** *It is the goal of this church that at least 10 percent of the voting members of the Churchwide Assembly, Church Council, and churchwide boards and committees be youth and young adults. The Church Council shall establish a plan for implementing this goal. For purposes of the Constitution, Bylaws, and Continuing Resolutions of the ELCA, the term "youth" means a voting member of a congregation who has not reached the age of 18 at the time of election or appointment for service. The term "young adult" means a voting member of a congregation between the ages of 18 and 30 at the time of election or appointment for service.*

**5.01.G19** *To implement 5.01.g., those deacons elected as laypersons prior to the adoption of this provision may complete the term to which they were elected as a layperson. They would not be eligible for reelection as a layperson if such reelection were otherwise possible.*

#### CHAPTER 6: MEMBERSHIP

**6.02.** Membership status and the obligations and rights of congregation members are determined by reference to Chapter 8 of the *Model Constitution for Congregations of the Evangelical Lutheran Church in America*.

**6.03.** The synods of this church and the churchwide organization have no individual members except for those congregation members who serve as voting members of the synod corporations and churchwide organization corporation.

**6.04.** The voting members of the synods and churchwide organization shall be those persons ~~elected to serve congregation members serving~~ as members of the synod assemblies and the Churchwide Assembly respectively. Membership in a congregation does not, in and of itself, confer voting rights in this these corporations.

**6.02.A09.** *It is the goal of this church that at least 10 percent of the voting members of the Churchwide Assembly, Church Council, and churchwide boards and committees be youth and young*

*adults. The Church Council shall establish a plan for implementing this goal. For purposes of the Constitution, Bylaws, and Continuing Resolutions of the ELCA, the term "youth" means a voting member of a congregation who has not reached the age of 18 at the time of election or appointment for service. The term "young adult" means a voting member of a congregation between the ages of 18 and 30 at the time of election or appointment for service.*

## CHAPTER 7: MINISTRY

### **7.25. Ministers of Word and Sacrament shall be subject to discipline as set forth in Chapter 20 of this constitution.**

- 7.31.02 a. Every minister of Word and Sacrament shall:
- 6) impart knowledge of this church and its wider ministry through distribution of its periodicals and other publications available channels of effective communication;
  - 8) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world publicly advocate dignity, justice, and equality for all people, working for peace and reconciliation among the nations, caring for the marginalized, embracing and welcoming racially and ethnically diverse populations, and standing with the poor and powerless.
- b. Each pastor with a congregational call shall, within the congregation:
- 4) with the council, administer discipline; and
  - 5) endeavor to increase the support given by the congregation to the work of the ELCA churchwide organization and its the synod; and
  - 6) encourage adherence to covenantal relationships with this church as expressed in the Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America.
- 7.31.03. d. completed at least one year of residency in a seminary of this church or of the Evangelical Lutheran Church in Canada, except when waived by the appropriate committee in consultation with the faculty of a seminary of this church or of the Evangelical Lutheran Church in Canada;
- e. been recommended for approval by the faculty of a seminary of this church or of the Evangelical Lutheran Church in Canada or have received the waiver described in 7.31.03.d.;
- 7.31.05. Roster status in more than one church body is precluded in the Evangelical Lutheran Church in America. As required by constitutional provision 7.22. and bylaw 7.31.01., ministers on the Word and Sacrament roster of the Evangelical Lutheran Church in America must accept and adhere to this church's Confession of Faith, as well as abide by this church's standards and policies for ministers of Word and Sacrament.

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

reinstated after receiving and accepting a letter of call to serve as a minister of Word and Sacrament in this church.

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

- a. Normative Pattern: By annual action of the Synod Council in the synod of which a member, upon endorsement by the **synodical** bishop, a minister of Word and Sacrament who is without a current letter of call may be retained on the roster of Ministers of Word and Sacrament of this church for a maximum of three years, beginning at the completion of an active call.
- b. Study Leave: By annual action of the Synod Council in the synod of which a member, with approval of the **synodical** bishop and in consultation with the appropriate churchwide unit, a minister of Word and Sacrament engaged in graduate study, in a field of study that will enhance service in the ministry of Word and Sacrament, may be retained on the roster of Ministers of Word and Sacrament of this church for a maximum of six years.
- c. Family Leave: A minister of Word and Sacrament **who has been in active service under call for at least three years** may request leave for family responsibilities. By annual action of the Synod Council in the synod of which a member, upon endorsement by the **synodical** bishop, such a minister of Word and Sacrament who is without a current letter of call and who requests leave for the birth or care of a child or children of the minister of Word and Sacrament or the care of an immediate family member (child, spouse, or parent) with a serious health condition may be retained on the roster of Ministers of Word and Sacrament of this church—under policy developed by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council—for a maximum of six years, beginning at the completion of an active call.
- d. Exception to these limits for the purpose of serving the needs of this church may be granted in accordance with established policy of this church by the Synod Council in the synod of current roster after having received approval by the Conference of Bishops.

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

**7.31.089. Invitation to Service.** In accord with bylaw **8.62.11-8.63.01**, and following, a minister of Word and Sacrament of a church body with which a relationship of full communion has been established by the Churchwide Assembly of the Evangelical Lutheran Church in America may serve contractually in a ministry setting of this church under a "Letter of Invitation to Service" upon the authorization of the bishop of the synod in which such service occurs.

**7.31.0910. ~~Licensure and Synodically Authorized Synod-authorized~~ Ministry.** When need exists to render Word and Sacrament ministry for a congregation or ministry of this church where it is not possible to provide appropriate pastoral leadership, the synod bishop—acting with the consent of the congregation or ministry, in consultation with the Synod Council, and in accord with standards and qualifications developed by the appropriate churchwide unit, reviewed by the Conference of Bishops, and approved by the Church Council—may authorize a person who is a member of a congregation of the Evangelical Lutheran Church in America to offer this ministry. Such an individual shall be supervised by a minister of Word and Sacrament appointed by the synod bishop; such service shall be rendered during its duration under the sacramental authority of the bishop as the synod’s pastor. Such an individual will be trained ~~and licensed~~ to fulfill this ministry for a specified period of time and in a given location only. Authorization, remuneration, direct supervision, and accountability are to be determined by the appropriate ~~synodical~~ leadership according to churchwide standards and qualifications for this type of ministry. Authorization for such service shall be reviewed annually and renewed only when a demonstrated need remains for its continuation.

**7.31.11.** No person who currently belongs to any organization such as a lodge or fraternal order which claims to possess in its teachings and ceremonies that which the Lord has given solely to the Church shall be called and received onto the roster of Ministers of Word and Sacrament or otherwise received into the ministry of this church, nor shall any person so called and received onto the roster of Ministers of Word and Sacrament or otherwise received by this church be retained in its ministry who subsequently joins or is discovered to be a current member of such an organization.

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

- a. Calls may be extended for stated periods of time and for shared-time ministry by the appropriate calling body under criteria recommended by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council for service in a congregation, synod, or churchwide unit, in an institution or agency of this church, or in another setting in a category of work as provided by continuing resolution 7.44.A169.
- c. Ministers of Word and Sacrament serving in interim ministry appointed by the ~~synodical~~ bishop may serve under a letter of call, according to policies developed by the appropriate churchwide unit, reviewed by the Conference of Bishops, and approved by the Church Council. A call to interim ministry shall be a term call extended by the Synod Council upon recommendation of the ~~synodical~~ bishop.

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

**7.41.03. Calls to Non-Congregational Service.** Calls to serve in institutions, agencies, and other entities inside and outside this church may be extended where there is an identifiable relationship of the work to the purpose of the ministry of Word and Sacrament. Such calls

involve, for example, the care of the Word, the administration of the sacraments, pastoral care, and activities closely associated with those tasks including oversight in the church and in inter-Lutheran and inter-church agencies and institutions. Care is to be exercised so that positions in the church and in the world that can be filled adequately and appropriately by the laity not be filled by ministers of Word and Sacrament for their convenience, ~~or status, or~~ personal preference. A call to non-congregational service is to be reviewed at least annually by the Synod Council or Church Council and continued only as warranted for the ministry needs of this church. Such a call may be terminated when it is no longer serving the mission needs of this church. Synodical councils and the Church Council may seek the advice of the Conference of Bishops in specific situations.

- 7.41.04. Non-Stipendiary Service Under Call.** When it is deemed necessary for the mission needs of this church, a letter of call may be issued by the Synod Council—according to criteria, policies, and procedures recommended by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council—to a minister of Word and Sacrament for non-stipendiary service after the Synod Council has sought and received approval by the Conference of Bishops. Care is to be exercised so that positions in the church and in the world that can be filled adequately and appropriately by the laity not be filled by ministers of Word and Sacrament for their convenience, status, or personal preference. A call to non-stipendiary service is to be reviewed at least annually by the Synod Council and continued only as warranted for the ministry needs of this church. Such a call may be terminated by the Synod Council when it is deemed to be fulfilling no longer servng the mission needs of this church.
- 7.41.05. Calls to Serve in Unusual Circumstances.** When it is deemed to be in the interests of this church in the care of the Gospel, ministers of Word and Sacrament may be called for a stated period of time, not to exceed three years, to minister on behalf of this church while employed in an occupation outside the traditional range of the ministry of Word and Sacrament. Such calls may be extended by a Synod Council or the Church Council upon recommendation by the Conference of Bishops according to criteria and procedures recommended by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council. Such calls shall be reviewed annually. A call to serve in unusual circumstances is to be reviewed at least annually by the Synod Council or Church Council and continued only as warranted for the ministry needs of this church. Such a call may be terminated when it is no longer serving the mission needs of this church.
- 7.41.06. Calls in Predecessor Church Bodies.** Calls extended in predecessor church bodies that have not terminated are to be treated as current calls issued by and responsible to the appropriate expression of this church. Accountability for specific calls to service extended in predecessor church bodies shall be exercised according to the in compliance with the governing documents, policies, and procedures of this church.
- 7.41.07. Retirement.** Ministers of Word and Sacrament may retire upon attainment of age 60, or after 30 years on the roster of Ministers of Word and Sacrament of this church or one of its predecessor bodies, and continue to be listed on the roster of Ministers of Word and Sacrament of this church, upon endorsement by the synodical bishop, by action of the Synod Council in the synod in which the minister of Word and Sacrament is listed on the roster.
- b. If a minister of Word and Sacrament who has been granted retired status resides at too great a distance from any congregation of this church to be able to sustain an active relationship with that congregation, or if there are no ELCA congregations of this church in the vicinity, other than a congregation previously served, the bishop of the synod in

which the minister of Word and Sacrament is listed on the roster may grant permission for the minister of Word and Sacrament to hold membership in a congregation of a church body with which a relationship of full communion has been declared and established by the Evangelical Lutheran Church in America.

- 7.41.08. Disability.** Ministers of Word and Sacrament may be ~~designated as disabled~~ **granted disability status** and continue to be listed on the roster of Ministers of Word and Sacrament of this church, upon endorsement by the ~~synodical~~ bishop, by action of the Synod Council in the synod in which the minister of Word and Sacrament is listed on the roster.
- a. The policies and procedures for designation of disability on the roster of Ministers of Word and Sacrament shall be developed by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council.
  - b. If a minister of Word and Sacrament who has been granted ~~disabled~~ **disability** status resides at too great a distance from any congregation of this church to be able to sustain an active relationship with that congregation, or if there are no ~~ELCA~~ congregations **of this church** in the vicinity, other than a congregation previously served, the bishop of the synod in which the minister of Word and Sacrament is listed on the roster may grant permission for the minister of Word and Sacrament to hold membership in a congregation of a church body with which a relationship of full communion has been declared and established by the Evangelical Lutheran Church in America.

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

- 7.42. Each person on the roster of Ministers of Word and Sacrament of this church shall be related to that synod:**
- d. **on whose roster the minister of Word and Sacrament, if a seminary teacher or administrator, was assigned by the seminary board, subject to approval by the ~~synodical~~ bishop and Synod Council of each affected synod, to promote proportionate representation of faculty and administration in each synod of its region;**
  - e. **on whose roster the minister of Word and Sacrament was listed at the time of the issuance of a call to federal chaplaincy or on the roster of the synod of current address, if approved by the ~~synodical~~ bishop and received by the Synod Council;**
  - g. **on whose roster the minister of Word and Sacrament ~~was listed when placed on leave from call, if granted on-leave-from-call status, was listed when last called or the synod of current address, upon application by the minister of Word and Sacrament for transfer and the mutual agreement of the synod bishops involved after consultation with and approval by the secretary of this church;~~**
  - h. **on whose roster the minister of Word and Sacrament, if ~~designated as disabled~~ **granted disability status**, was listed when last called or the synod of current address, upon application by the minister of Word and Sacrament for transfer and the mutual agreement of the ~~synodical~~ bishops involved after consultation with and approval by the secretary of this church; or**
  - i. **on whose roster the minister of Word and Sacrament, if granted retired status, was listed when last called or the synod of current address, upon application by the minister of Word and Sacrament for transfer and the mutual agreement of the ~~synodical~~ bishops involved after consultation with and approval by the secretary of this church.**

**7.42.01.** If the service of a minister of Word and Sacrament who receives and accepts a letter of call from this church, under 7.42.c., would be enhanced through transfer of roster status from the previous synod of roster to the synod of current address, such a transfer may be authorized upon mutual agreement of the **synodical** bishops involved after consultation with and approval by the secretary of this church.

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

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

**7.44.** **Each synod shall maintain a roster containing the names of those ministers of Word and Sacrament who are related to it on the basis of 7.42. of this constitution. All additions, deletions, changes, and corrections to this roster shall be reported promptly to the Office of the Secretary.**

**7.44.A169.** *Sources of Calls for Ministers of Word and Sacrament*

*b. Table of Sources of Calls for Ministers of Word and Sacrament*

<i>Setting</i>	<i>Calling Body</i>
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<i>1.0 Congregational ministry</i>	
<i>1.1 Single congregation</i>	<i>Congregation meeting</i>
<i>1.11 Pastor</i>	
<i>1.12 Senior pastor</i>	
<i>1.13 Associate/assistant pastor</i>	
<i>1.14 Co-pastor</i>	
<i>1.15 Shared-time pastor</i>	
<i>1.2 Multiple-congregation parish</i>	<i>Congregation meetings, acting on a common proposal</i>
<i>1.21 Pastor</i>	<i>One of the participating congregations</i>
<i>1.22 Other pastoral arrangements</i>	<i>One of the participating congregations</i>
<i>1.3 Coalition and cluster ministry</i>	<i>Synod Council</i>
<i>1.4 Congregations beyond <b>ELCA this church</b></i>	
<i>1.41 Independent Lutheran congregation</i>	<i>Synod Council</i>
<i>1.42 Overseas independent Lutheran congregation</i>	<i>Church Council upon request of appropriate churchwide unit</i>
<i>1.43 <b>Full communion congregation</b></i>	<i><b>Synod Council</b></i>

<u>1.44</u> Other	Synod Council or Church Council
1.5 Interim pastor	Synod Council
1.6 Pastor in a <del>congregation</del> <u>under development</u> <u>synod-authorized</u> <u>ministry</u>	Synod Council
2.0 <del>Synodical</del> ministry	
2.1 Bishop	Synod Assembly
2.2 Assistant to bishop	Synod Council
2.3 Shared staff by two or more synods	Synod Council of one of the participating synods
2.4 Synod staff partially supported by grants from churchwide units	Synod Council
3.0 Regional ministry	
3.1 Staff	Church Council
3.2 Shared <del>synodical</del> -churchwide staff	Church Council
4.0 Churchwide ministry	
4.1 Presiding bishop and secretary	Churchwide Assembly
4.2 Treasurer	Church Council
4.3 Staff of the churchwide organization	Church Council
5.0 Chaplaincy and institutional ministry	
5.1 Institution/agency related or unrelated to a synod	Synod Council
5.2 Institution/agency related to more than one synod	Synod Council of one of the synods
5.3 ELCA-related institution/agency	Church Council upon request of appropriate churchwide unit
5.4 Federal agency/institution	Church Council
5.5 Military	Church Council
6.0 Campus ministry	
6.1 Staff	Synod Council
7.0 Outdoor ministry	
7.1 Staff	Synod Council
8.0 Ecumenical/ <u>Inter-religious</u> ministry	
8.1 Related to a synod	Synod Council
8.2 Related to more than one synod	Synod Council of one of the synods
8.3 National/international organization	Church Council
9.0 Inter-Lutheran ministry	
9.1 Related to a synod	Synod Council
9.2 Related to more than one synod	Synod Council of one of the synods
9.3 National/International	Church Council

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

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

- a. **The call of a congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment which shall be terminated only by the pastor's death or, following consultation with the synodical bishop, for the following reasons:**
- c. **In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the pastor's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the pastorate vacant. When the pastorate is declared vacant, the Synod Council shall list the pastor on the roster of Ministers of Word and Sacrament **as disabled with disability status**. Upon removal of the disability and restoration of the pastor to health, the bishop shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call.**
- e. **If either party fails to assent to the recommendations of the bishop's committee concerning the pastor's call, the congregation may dismiss the pastor only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds **majority** vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a **simple** majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.**
- f. **If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.**

**7.47. Ministers of Word and Sacrament shall be subject to discipline as set forth in Chapter 20 of this constitution.**

**7.47.01. No person who belongs to any organization other than the Church which claims to possess in its teachings and ceremonies that which the Lord has given solely to the Church shall be called and received onto the roster of Ministers of Word and Sacrament or otherwise received into the ministry of this church, nor shall any person so called and received onto the roster of Ministers of Word and Sacrament or otherwise received by this church be retained in its ministry who subsequently joins such an organization.**

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

**7.54.A16. Those persons rostered in predecessor church bodies as commissioned church staff (The American Lutheran Church), deaconesses (The Association of Evangelical Lutheran Churches), deaconesses (The American Lutheran Church), deacons (The Association of Evangelical Lutheran Churches), lay professional leaders (the Lutheran Church in America), and commissioned teachers (The Association of Evangelical Lutheran Churches) shall be retained as deacons of this church (except for removals in accord with the governing**

~~documents, criteria, policies, and procedures of this church). Accountability for specific calls shall be exercised according to the policies and procedures of this church.~~

**7.54.BA16.** *Those persons previously rostered as associates in ministry, deaconesses, or diaconal ministers in the Evangelical Lutheran Church in America shall be retained as deacons of this church (except for removals in accord with the governing documents, criteria, policies, and procedures of this church). Accountability for specific calls shall be exercised according to the policies and procedures of this church.*

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

- 7.61.02**
- c.  ~~speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world, witnessing to the realm of God in the community, the nation, and abroad advocate publicly dignity, justice, and equality for all people, working for peace and reconciliation among the nations, caring for the marginalized, embracing and welcoming racially and ethnically diverse populations, and standing with the poor and powerless;~~
  - h. share knowledge of ~~the ELCA~~ this church and its wider ministry of the gospel, and advocate for the work of all expressions of this church;

**7.61.05.** No person who currently belongs to any organization such as a lodge or fraternal order which claims to possess in its teachings and ceremonies that which the Lord has given solely to the Church shall be called and received onto the roster of Ministers of Word and Service or otherwise received into the ministry of this church, nor shall any person so called and received onto the roster of Ministers of Word and Service or otherwise received by this church be retained in its ministry who subsequently joins or is discovered to be a current member of such an organization.

**7.61.06.** Roster status in more than one church body is precluded in the Evangelical Lutheran Church in America. As required by constitutional provision 7.52. and bylaw 7.61.01., ministers on the Word and Service roster of the Evangelical Lutheran Church in America must accept and adhere to this church's Confession of Faith, as well as abide by this church's standards and policies for ministers of Word and Service.

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

**7.61.068.** **On Leave from Call.** A minister of Word and Service of this church, serving under a regularly issued letter of call, who leaves the work of that ministry without accepting another regularly issued letter of call, may be retained on the roster of Ministers of Word and Service

of this church, upon endorsement by the **synodical** bishop, by action of the Synod Council in the synod of which the minister of Word and Service is a member, under policy developed by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council.

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

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

- a. Calls may be extended **either** for stated periods of time and for shared-time ministry by the appropriate calling body under criteria recommended by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council for service in a congregation, synod, or churchwide unit, in an institution or agency of this church, or in another setting in a category of work as provided by continuing resolution **7.74.A169.**
- b. A minister of Word and Service serving under call to a congregation shall be a member of that congregation. In a parish of multiple congregations, a minister of Word and Service shall be a member of one of the congregations being served.

**7.71.02. Calls to Non-Congregational Service.** **Calls to serve in institutions, agencies, and other entities inside and outside this church may be extended where there is an identifiable relationship of the work to the purpose of the ministry of Word and Service. Such calls involve, for example, the care of the Word, spiritual care, and activities closely associated with those tasks including oversight in the church and in inter-Lutheran and inter-church agencies and institutions. Care is to be exercised so that positions in the church and in the world that can be filled adequately and appropriately by the laity not be filled by ministers of Word and Service for their convenience, status, or personal preference. A call to non-congregational service is to be reviewed at least annually by the Synod Council or Church Council and continued only as warranted for the ministry needs of this church. Such a call may be terminated when it is no longer serving the mission needs of this church. Synod**

councils and the Church Council may seek the advice of the Conference of Bishops in specific situations.

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

**7.71.034. Calls in Predecessor Church Bodies.** Calls extended in predecessor church bodies that have not terminated are to be treated as current calls issued by and responsible to the appropriate expression of this church. Accountability for specific calls to service extended in predecessor church bodies shall be exercised according to the in compliance with the governing documents, policies and procedures of this church.

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

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

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

- a. The policies and procedures for designation of disability on the official roster of Ministers of Word and Service shall be developed by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council.
- b. If a minister of Word and Service who has been granted disabled disability status resides at too great a distance from any congregation of this church to be able to sustain an active relationship with that congregation, or if there are no ELCA congregations of this church in the vicinity besides the, other than a congregation previously served, the bishop of the synod in which the minister of Word and Service is listed on the roster may grant permission for the individual minister of Word and Service to hold membership in a congregation of a church body with which a relationship of full communion has been declared and established by the Evangelical Lutheran Church in America.

**7.71.067. Retention of Roster Records.** When a minister of Word and Service resigns or is removed from the roster of this church, the roster record shall be retained by the secretary of this

church, and the synodical bishop shall invite the person at the time of resignation or removal to provide, annually, appropriate current information for the roster record.

- 7.72. Each person on the roster of Ministers of Word and Service of this church shall be related to that synod:**
- d. on whose roster the minister of Word and Service, if a seminary teacher or administrator, was assigned by the seminary board, subject to approval by the synodical bishop and Synod Council of each affected synod, to promote proportionate representation of faculty and administration in each synod of its region;**
  - f. on whose roster the minister of Word and Service ~~was listed when placed on leave from call, if granted on-leave-from-call status, was listed when last called or the synod of current address, upon application by the minister of Word and Sacrament for transfer and the mutual agreement of the synod bishops involved after consultation with and approval by the secretary of this church;~~**
  - g. on whose roster the minister of Word and Service, if ~~designated as disabled granted disability status,~~ was listed when last called, or the synod of current address, upon application by the minister of Word and Service for transfer and the mutual agreement of the synodical bishops involved after consultation with and approval by the secretary of this church; or**
  - h. on whose roster the minister of Word and Service, if granted retired status, was listed when last called, or the synod of current address, upon application by the minister of Word and Service for transfer and the mutual agreement of the synodical bishops involved after consultation with and approval by the secretary of this church.**

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

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

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

**7.74. Each synod shall maintain a roster containing the names of those ministers of Word and Service who are related to it on the basis of 7.72. of this constitution. All additions, deletions, changes, and corrections to this roster shall be reported promptly to the Office of the Secretary.**

**7.74.A169. Sources of Calls for Ministers of Word and Service**

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

Setting

Calling Body

1.0 Congregational ministry

- 1.1 Single congregation *Congregation meeting*
- 1.4 Congregations beyond the ELCA this church
  - 1.41 Independent Lutheran congregations *Synod Council*
  - 1.42 Full communion congregation *Synod Council*
  - 1.43 Deacon in a synod-authorized ministry *Synod Council*
  - 1.44 Other *Synod Council*
- 2.0 ~~Synodical~~ ministry
- 3.0 Regional ministry
  - 3.1 Staff *Church Council*
  - 3.2 Shared ~~synodical~~-churchwide staff *Church Council*
- 8.0 Ecumenical/Inter-religious ministry
  - 12.0 Independent Lutheran Organization *Church Council*
  - 13.0 Separately Incorporated Ministry *Church Council*
  - 14.0 Other
    - 124.1 Non-stipendiary service under call *Synod Council upon approval by the Conference of Bishops*
    - 124.2 Unusual ministries (as in conjunction with occupations and in approved situations not otherwise specified) *Synod Council or Church Council upon recommendation by the Conference of Bishops*

- 7.75. **The provisions for termination of the mutual relationship between a minister of Word and Service and a congregation shall be as follows:**
- a. The call of a congregation, when accepted by a minister of Word and Service, shall constitute a continuing mutual relationship and commitment which shall be terminated only by the deacon's death or following consultation with the synodical bishop for the following reasons:
  - c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the minister of Word and Service's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the position vacant. When the position is declared vacant, the Synod Council shall list the deacon on the roster of Ministers of Word and Service as disabled with disability status. Upon removal of the disability and restoration of the minister of Word and Service to health, the bishop shall take steps to enable the minister of Word and Service to resume the ministry, either in the congregation last served or in another appropriate call.
  - e. If either party fails to assent to the recommendations of the bishop's committee concerning the minister of Word and Service's call, the congregation may dismiss the minister of Word and Service only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds majority vote of the voting members present and voting where the bishop and the committee did not recommend

termination of the call, or (b) by a **simple** majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.

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

**7.76.01.** **No person who belongs to any organization other than the Church which claims to possess in its teachings and ceremonies that which the Lord has given solely to the Church shall be called and received onto the roster of Ministers of Word and Service or otherwise received into the ministry of this church, nor shall any person so called and received onto the roster of Ministers of Word and Service or otherwise received by this church be retained in its ministry who subsequently joins such an organization.**

#### *CHAPTER 8: RELATIONSHIPS*

**8.11.** **This church shall seek to function as people of God through congregations, synods, and the churchwide organization, all of which shall be interdependent. Each part, while fully the church, recognizes that it is not the whole church and therefore lives in a partnership-an interdependent relationship with the others.**

**8.15.** **Since-The three expressions of this church—congregations, synods, and the churchwide organization —are partners that share in God's mission, all share in the responsibility to develop, implement, and strengthen the financial support program of this church.**

**8.18.** **This church shall not, in any manner, be responsible for the debts or liabilities of other religious or charitable organizations, institutions, or agencies, whether independent of or affiliated with this church, or whether denominated as Lutheran or related to any Lutheran church body.**

**8.19.** **This church affirms the relationship established through The Lutheran World Federation as a communion of churches that confess the triune God, agree in the proclamation of the Word of God, and are united in pulpit and altar fellowship.**

**8.189.01.** **The bylaws on ecumenical availability of ministers of Word and Sacrament under relationships of full communion shall apply to such service within this church of such ministers of other member churches of The Lutheran World Federation.**

**8.19.02.** **The bylaws on ecumenical availability of ministers of Word and Sacrament under relationships of full communion shall apply to such ministers of churches who have established a full communion relationship with a member church of The Lutheran World Federation provided that church is a member of a World Christian Communion that has a member church that is in full communion with this church.**

**8.21.07.** **The seminaries shall receive churchwide and **synodical** financial support. The amount of such support shall be determined through a consultation process involving seminaries, synods, and the appropriate churchwide unit. To implement financial support by this church, synods shall be assigned to specific seminaries in such manner as to attain equitable distribution of synods. Normally, all synods in a given region will be assigned to one**

seminary. Churchwide funds shall be distributed according to a formula developed by the appropriate churchwide unit and approved by the Church Council. Seminaries shall provide for their remaining financial requirements through tuition, fees, endowment income, and fundraising programs. Fundraising in the congregations of supporting synods, however, shall be conducted only upon approval of the synods.

- 8.21.08.** Aid to students preparing for the ministries of this church shall be administered by the seminaries under guidelines developed by the appropriate churchwide units in consultation with the presidents of the seminaries ~~and adopted by the Church Council.~~
- 8.22.02.** Colleges and universities of the Evangelical Lutheran Church in America may relate to this church in various ways, including relationship with the Churchwide Assembly, the Church Council, a ~~synodical~~ assembly, or a corporation whose voting members are, or have been elected by, ~~synodical~~ assemblies, other organizational units (conferences, clusters, etc.), or congregations. Subject to approval by the appropriate synods, a college or university may be owned by a not-for-profit corporation (1) that has voting members, at least a majority of whom shall consist of members of the Churchwide Assembly or the Church Council, and (2) that shall hold the meeting of such a corporation in conjunction with the Churchwide Assembly or the Church Council for the purpose of approving amendments to the articles of incorporation, and approving amendments to other governing documents which affect the relationship between the college or university and this church. A majority of the members of the governing board of a corporation that meets in conjunction with the Churchwide Assembly or Church Council shall be members of this church or of a church body with which this church is in a relationship of full communion, but under no circumstances shall fewer than forty (40) percent of the members of such board be members of this church.
- 8.23.01.** ~~Through membership in Lutheran Services in America and the appropriate churchwide unit as designated by the Church Council, this church shall, with affiliated social ministry organizations, develop criteria for their ministries, establish affiliations and alliances within this church and within society, and carry out a comprehensive social ministry witness. Social ministry organizations affiliate with this church through criteria and policies developed by the appropriate churchwide unit and through membership in Lutheran Services in America.~~
- 8.42.** ~~This church shall not, in any manner, be responsible for the debts or liabilities of other Lutheran organizations, institutions, or agencies, whether independent of or affiliated with this church.~~
- 8.62.10.** ~~Ecumenical Availability of Ministers of Word and Sacrament and Ministers of Word and Service~~
- 8.63.** ~~The provisions governing ecumenical availability and service of ministers of Word and Sacrament and ministers of Word and Service shall be set forth in the bylaws.~~
- 8.623.101.** A minister of Word and Sacrament of this church ~~or a minister of Word and Service~~, serving temporarily in a church body with which a relationship of full communion has been declared and established by a Churchwide Assembly of the Evangelical Lutheran Church in America, may be retained on the roster ~~of Ministers of Word and Sacrament~~—upon endorsement by the ~~synodical~~ bishop and by action of the Synod Council in the synod in which the minister ~~of Word and Sacrament~~ is listed on the roster—under policies developed at the direction of the presiding bishop and secretary, reviewed by the Conference of Bishops, and adopted by

the Church Council. ~~A minister of Word and Service of this church serving temporarily in a church body with which a relationship of full communion has been declared and established by a Churchwide Assembly of the Evangelical Lutheran Church in America, may be retained on the roster—upon endorsement by the synodical bishops and by action of the Synod Council in the synod in which the minister of Word and Service is listed on the roster—under policies developed at the direction of the presiding bishop and secretary, reviewed by the Conference of Bishops, and adopted by the Church Council.~~

- a. A letter of call may be issued to a minister of Word and Sacrament of this church, serving temporarily in such a church body, by the Church Council of the Evangelical Lutheran Church in America or a Synod Council, in accord with the Table of Sources of Calls (~~ELCA churchwide continuing resolution 7.44.A169.b.~~).
- b. A letter of call may be issued to a minister of Word and Service of this church, serving temporarily in such a church body, by the Church Council of the Evangelical Lutheran Church in America or a Synod Council, in accord with the Table of Sources of Calls (~~ELCA churchwide continuing resolution 7.74.A169.b.~~).
- c. A letter of call issued by the Church Council or a Synod Council for service in a church body with which a relationship of full communion has been established by the Churchwide Assembly shall be governed by ~~churchwide constitutional~~ provision 7.43. and ~~churchwide~~ bylaw 7.43.01.

**8.623.102.** A minister of Word and Sacrament of a church body with which a relationship of full communion has been declared and established by a Churchwide Assembly of the Evangelical Lutheran Church in America may be authorized by the ~~synodical~~ bishop to serve in a congregation or employing entity of this church. Such service shall be rendered under a contract between the congregation or employing entity and the minister of Word and Sacrament in a form proposed by the ~~synodical~~ bishop and approved by the congregation or employing entity. Any such service shall be in accord with churchwide policies developed at the direction of the presiding bishop and secretary, reviewed by the Conference of Bishops, and adopted by the Church Council of the Evangelical Lutheran Church in America.

**8.623.103.** Whenever a rostered minister of the Evangelical Lutheran Church in America is to serve or is serving in a church body with which a relationship of full communion has been declared and established by the Churchwide Assembly, or whenever a minister of Word and Sacrament of a church body with which a relationship of full communion has been so declared and established is to serve or is serving in this church, a full sharing of relevant information concerning such rostered minister's experience and fitness for ministry is expected between the ~~synodical~~ bishop (or other appropriate office or entity) of this church and the appropriate person, office, or entity in the other church. Relevant information related to fitness for ministry shall include, but is not limited to, any information concerning disciplinary proceedings or allegations that could result, or could have resulted, in disciplinary proceedings.

**8.623.104.** A minister of Word and Sacrament 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 may be granted the privilege of both voice and vote in the Synod Assembly during the period of that minister's service in a congregation of this church, in accord with ~~ELCA churchwide~~ bylaw ~~8.62.12. 8.63.02.~~

**8.623.105.** The availability of a minister of Word and Sacrament 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 shall be understood normally in three categories: availability to serve in an occasional situation; availability to meet an extended need, including service in “yoked parish” settings; and availability for a transfer of roster status.

- a. *Occasional service:* An occasional situation is defined as one in which a minister of Word and Sacrament of a church body with which a relationship of full communion exists may be asked to preach or administer the sacraments in an ELCA a congregation of this church on an occasional basis with the authorization of the synodical bishop.
- b. *Extended service:* A minister of Word and Sacrament of a church body with which a relationship of full communion exists may be invited to serve as the pastor of an ELCA a congregation of this church for an extended period of time, yet remain a minister of Word and Sacrament of his or her present church body. Such a person would be expected to preach, teach, and administer the sacraments in an ELCA a congregation of this church in a manner that is consistent with the Confession of Faith of the Evangelical Lutheran Church in America and to live in a manner consistent with the ministerial policy of this church. Such service shall be rendered only as authorized by the synodical bishop in order to serve the ministry and mission needs of the ELCA this church in a given situation.
- c. *Transfer:* A minister of Word and Sacrament of a church body with which a relationship of full communion exists who seeks to serve indefinitely within the ministry of Word and Sacrament of the Evangelical Lutheran Church in America may apply for admission to the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America and be approved through the candidacy process for admission to the roster. Such a minister would then become an ELCA pastor a minister on the roster of Ministers of Word and Sacrament of this church upon receipt and acceptance of a regular call and installation in an ELCA a congregation or other setting in this church.
- ~~d. Roster status in more than one church body is precluded in the Evangelical Lutheran Church in America. As required by ELCA churchwide constitutional provision 7.22, and bylaw 7.31.01., ministers on the Word and Sacrament roster of the Evangelical Lutheran Church in America must accept and adhere to this church’s Confession of Faith, as well as abide by this church’s standards and policies for ministers of Word and Sacrament.~~

**8.623.106.** Rostered ministers of the Evangelical Lutheran Church in America, while serving in an ecumenical setting, remain subject to the standards, policies, and discipline of the Evangelical Lutheran Church in America. A minister of Word and Sacrament of a church body with which a relationship of full communion exists is understood by the Evangelical Lutheran Church in America as subject to the standards, policies, and discipline of the church body in which the minister is rostered or holds ministerial membership. Such a minister, while serving in an ELCA a congregation or other ministry of this church, is expected to abide by the standards and policies of this church related to ministers of Word and Sacrament.

**8.623.107.** When a minister of Word and Sacrament 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 minister shall be sent to and retained by the Office of the Secretary.

**8.634.** **This church, in accord with constitutional provision 2.05., acknowledges as one with it in faith and doctrine all churches that accept the teaching of the Unaltered Augsburg Confession and understands that altar and pulpit fellowship with congregations and**

**other entities of such churches may be locally practiced. Local practice of altar and pulpit fellowship, in accord with churchwide constitutional provision 2.05., is subject to the approval of the Synod Council, upon endorsement by the synodical bishop. Notice of such approval is to be given to the presiding bishop as the chief ecumenical officer of the Evangelical Lutheran Church in America.**

**8.634.01.** The approval is granted initially for one year only and must be reviewed and approved annually by the Synod Council. Any time that the local practice of altar and pulpit fellowship no longer serves the mission and ministry needs of this church, the synodical bishop may withdraw endorsement and the Synod Council may withdraw the approval.

**8.634.02.** A minister of Word and Sacrament of a church body ~~with which the ELCA is~~ not in full communion ~~who is with this church, while~~ serving in a ministry involving the local practice of altar and pulpit fellowship with ~~an ELCA a~~ congregation ~~of this church,~~ is understood to be subject to the standards, policies, and discipline of the church body in which the minister is rostered or holds ministerial membership. Such a minister, while serving ~~an ELCA a~~ congregation or other ministry ~~of this church,~~ is expected to abide by the standards and policies of this church related to ministers of Word and Sacrament. A minister of Word and Sacrament of this church, while serving in a ministry involving the local practice of altar and pulpit fellowship with a non-ELCA congregation, remains subject to the standards, policies, and discipline of the Evangelical Lutheran Church in America.

**8.645.** **Synods of the Evangelical Lutheran Church in America and units of the churchwide organization are encouraged to engage in cooperative work, wherever possible, with churches that accept the teachings of the Unaltered Augsburg Confession. Units engaging in this work shall advise the presiding bishop of such developments.**

#### *CHAPTER 9: CONGREGATIONS*

**9.21.** This church shall recognize, receive, and maintain on the roster those congregations which by their practice as well as their governing documents:

- d.** agree to call pastoral leadership from the roster of Ministers of Word and Sacrament of this church in accordance with the call procedures of this church, except in special circumstances as defined in the bylaws accompanying this provision, and with the approval of the synodical bishop;
- e.** agree to be responsible for their life as a Christian community; ~~and~~
- f.** agree to support the life and work of this church; ~~and~~
- g.** adhere to the additional commitments expressed in this chapter of the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America.

**9.21.01.** Approval of the synodical bishop, as required in 9.21.d., involves the bishop's attesting that a candidate for the roster of Ministers of Word and Sacrament of this church has been approved, in conformity with the governing documents and policies of this church, through the synodical candidacy process for first call as a seminary graduate or for call in this church through approval for reception into this church from another Lutheran church body or another Christian church body. Consultation with the synodical bishop in accordance with the call procedures and governing documents of this church and the synod is required for the calling of pastoral leadership from among persons on the roster of Ministers of Word and Sacrament of this church or persons who are approved as eligible candidates for the roster of Ministers of Word and Sacrament of this church.

- 9.21.02. Under special circumstances, subject to the approval of the **synodical** bishop and the concurrence of the congregation, a minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion by action of a Churchwide Assembly may serve temporarily under contract as pastor of a congregation of this church.
- 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 the congregation relates.**  
**In addition to this Chapter 9, all congregations of this church shall abide by the provisions of 6.01., 7.46., and 7.75., and bylaws 20.41.01. through 20.41.11.**
- 9.23. In accord with constitutional provision 9.21.d. and bylaw 9.21.01. and without invoking the provisions of Chapter 20, a congregation that maintains as its pastor a minister of Word and Sacrament who has resigned or been removed from this church's roster of Ministers of Word and Sacrament or that calls as its pastor one who has not been approved for the roster of Ministers of Word and Sacrament may be removed from the roster of congregations of this church by the Synod Council upon recommendation of the **synodical** bishop.
- 9.25. A congregation newly formed by this church and any congregation seeking recognition and reception by this church shall:
- a. Accept the criteria for recognition and reception as a congregation of this church, fulfill the functions of the congregation, and accept the governance provisions as provided in Chapter 9 of ~~the ELCA constitution and bylaws~~ **this constitution.**
  - c. Accept the commitments expected of all congregations of ~~the ELCA~~ **this church** as stated in \*C6.01., \*C6.02., and \*C6.03. of the *Model Constitution for Congregations*. **If a congregation is a member of another church body, the leaders of the congregation first should consult with the appropriate authorities of that church body before taking action to leave its current church body. After such consultation, leaders of the congregation should make contact with the ELCA synod bishop or staff where the congregation is located.**
- 9.26.** Recognition and reception into this church of transferring or independent congregations by the Evangelical Lutheran Church in America is based on the judgment of the synod and action by the synod through the Synod Council and Synod Assembly. The synod bishop shall provide for prompt reporting of such additions to the secretary of this church for addition to the ~~register~~ **roster** of congregations.
- a. If a congregation is a member of another church body, the leadership of the congregation first should consult with the appropriate authorities of that church body before taking action to leave its current church body. After such consultation, leaders of the congregation should contact the synod bishop or synod staff in this church where the congregation is located.**
  - b. The synod bishop or synod staff where the transferring or independent congregation is located shall confer with the congregation to assure its understanding and acceptance of commitment to and affiliation with the Evangelical Lutheran Church in America.**
- 9.27.** **Each congregation, except those which are in relationship with the Slovak Zion Synod, shall establish a relationship with the synod in whose territory it is located.**

- 9.51. Each congregation shall structure itself in such a way as to involve its members in fulfilling the definition, purpose, and functions of a congregation **of this church.**
- 9.52. The governing documents of congregations recognized at the establishment of this church shall continue to govern such congregations **until amended.** When such a congregation wishes to amend any provision of its governing documents, the governing documents of that congregation shall be so amended to conform to 9.25.b. The synod responsible for the review of such amendments may permit, for good cause, a congregation to retain particular unamended provisions in the congregation's governing documents that were in force at the establishment of this church.
- ~~9.52.A93. *The Church Council, in cooperation with the synods, shall provide an ongoing process for congregations whose governing documents have been accepted into this church under 9.52. to review those documents and compare them with the required elements of the Model Constitution for Congregations listed in 9.25.b., applicable to the extent provided in 9.52. to congregations recognized and received by this church as of January 1, 1988. Congregations are encouraged to resolve significant conflicts between their governing documents and the Model Constitution for Congregations.*~~
- 9.53. Each congregation shall have governing documents, no terms of which shall conflict with provision 9.21. Subject to the provisions of 9.52., these documents shall contain the elements listed in the bylaws. **The judgment on whether a congregation meets the criteria listed in 9.21. shall be made by the synod to which the congregation relates.**
- 9.53.01. The governing documents of congregations shall include:
- d. a process for calling a ~~pastor~~ **rostered minister**;
  - e. a listing of the duties of a ~~pastor~~ **rostered minister**;
  - f. provisions describing the role of the ~~pastor~~ **rostered minister** in the governance of the congregation;
  - g. a process for removal of a ~~pastor~~ **rostered minister**;
  - h. provisions regulating the disposition of property;
  - k. a definition of each ~~structural-organizational~~ component (e.g., committees, boards);
- 9.53.02. A *Model Constitution for Congregations* shall be provided by this church. Amendments to the *Model Constitution for Congregations* shall be made in the same manner as prescribed in Chapter 22 for amendments of the bylaws of this church. **Congregations are expected to resolve conflicts between their current governing documents and the *Model Constitution for Congregations*.**
- 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 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 synod shall recognize that congregations may organize themselves in a manner which they deem most appropriate, **consistent with this chapter.**
- 9.53.04. Each congregation shall take the necessary steps to protect its members and this church from liability, **including incorporation as indicated in 9.24., appropriate insurance coverage, indemnification, and similar actions.**

- 9.53.07. ~~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 before any steps are taken leading to such action.~~
- 9.53.08.** Congregations shall have the right to petition this church. ~~Such petitions will be presented as resolutions or memorials in the form prescribed by the secretary of this church. Any petition-resolution or memorial shall be addressed to the synod to which the congregation relates for response by the synod. By action of the Synod Council or Synod Assembly, petitions-resolutions or memorials may be forwarded to the Church Council or Churchwide Assembly.~~
- 9.53.08.** ~~A congregation considering development of an additional site to be used regularly for worship shall confer with the bishop of the synod in which it is territorially located and the appropriate unit of the churchwide organization before any steps are taken leading to such action.~~
- 9.61. The relationship between a congregation and this church ~~may be is~~ terminated in one of the following ways:
- e. ~~The congregation is removed by the synod pursuant to 9.23.~~
  - f. ~~The membership of the congregation becomes so scattered or diminished in numbers as to make it impracticable for such congregation to fulfill the purposes for which it was organized. In such case, the synod, in order to protect the property from waste and deterioration, through the Synod Council or trustees appointed by it, may take~~  
~~The synod takes~~ charge and control of the property of the congregation to hold, manage, and convey the same on behalf of the synod ~~pursuant to †S13.24. of the synod constitution.~~ The congregation shall have the right to appeal the decision to the ~~next~~ Synod Assembly.
- 9.62. A congregation may terminate its relationship with this church by the following procedure:
- a. A resolution indicating the intent to terminate its relationship must be adopted at ~~a~~ ~~two~~ legally called and conducted special ~~meetings~~ of the congregation by a two-thirds vote of the voting members present ~~at each meeting.~~ ~~Such-~~~~The first such~~ meeting may be held no sooner than 30 days after written notice of the meeting is received by the bishop of the synod, during which time the congregation shall consult with the bishop and the bishop's designees, if any. The times and manner of the consultation shall be determined by the bishop in consultation with the Congregation Council. Unless he or she is a voting member of the congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the meeting.
  - b. ~~The-~~~~Within 10 days after the resolution has been voted upon, the~~ secretary of the congregation shall submit a copy of the resolution to the bishop, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, and shall ~~mail a copy-send copies~~ of the resolution ~~and certification to the~~ voting members of the congregation. ~~This notice shall be submitted within 10 days after the resolution has been adopted.~~
  - c. ~~The-~~~~If the resolution was adopted by a two-thirds vote of the voting members present at the meeting, the~~ bishop of the synod and the congregation shall continue in consultation, as specified in paragraph a. above, during a period of at least 90 days after receipt by the ~~synod-bishop~~ of the ~~notice-attestation and certification~~ as specified in paragraph b. above.

- d. If the congregation, after such consultation, ~~still seeks to terminate~~ is still considering termination of its relationship with this church, such action may be taken at a legally called and conducted special meeting by a two-thirds vote of the voting members present. Notice of the meeting shall be ~~mailed sent~~ to all voting members and to the bishop at least 10 days in advance of the meeting. Unless he or she is a voting member of the congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the meeting.
- e. ~~A~~ Within 10 days after the resolution has been voted upon, the secretary of the congregation shall submit a copy of the resolution to the bishop, attesting that the second special meeting was legally called and conducted and certifying the outcome of the vote, ~~shall be sent to the bishop within 10 days after the resolution has been adopted, at which time and shall send copies of the resolution and certification to the voting members of the congregation. If the resolution was adopted by a two-thirds vote of the voting members present at the meeting,~~ the relationship between the congregation and this church shall be terminated, subject to Synod Council approval as required by paragraphs g., h., and i. below.
- f. Unless this notification to the bishop also certifies that the congregation has voted ~~by a two-thirds vote~~ to affiliate with another Lutheran denomination, the congregation ~~will be conclusively presumed to be~~ shall be deemed an independent or non-Lutheran church, in which case 9.71.e. shall apply.
- f. ~~Notice of termination shall be forwarded by the bishop to the secretary of this church, who shall report the termination to the Churchwide Assembly.~~
- h. Congregations which had been members of the Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in 9.62., to receive synodical approval before terminating their membership in this church.
- j. If a congregation fails to achieve the required two-thirds vote ~~of voting members present~~ at the congregation's first meeting as specified in paragraph a. above, another ~~special meeting~~ first meeting as specified in paragraph a. above to consider termination of relationship with this church may be called no sooner than six months after that first meeting. If a congregation fails to achieve the required two-thirds vote of voting members present at the congregation's second meeting as specified in paragraph d. above, another attempt to consider termination of relationship with this church must follow all requirements of 9.62. and may begin no sooner than six months after that second meeting.
- k. Notice of a congregation's termination of its relationship with this church shall be forwarded by the bishop to the secretary of this church, who shall report the termination to the Churchwide Assembly.

9.71. Subject to the provisions of 9.52., the following shall govern the ownership of property by congregations of this church:

- d. Title to the property of a congregation that has acted to terminate its relationship with this church by the provisions of 9.62. and has ~~acted by a two-thirds vote~~ voted to relate to another Lutheran church body shall continue to reside in the congregation.
- e. Title to the property of a congregation that has acted to terminate its relationship with this church by the provisions of 9.62. and has ~~acted by a two-thirds vote~~ voted to become independent or to relate to a non-Lutheran church body shall continue to reside in the congregation only with the consent of the Synod Council. The Synod Council, after consultation with the congregation ~~by an established~~ synodical process, may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the

majority of the congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of this church. **In neither case does title to the congregation's property transfer to the synod.**

**9.80. ~~FEDERATED OR UNION OR FEDERATED~~ CONGREGATIONS**

**9.81.01.** A ~~federated-union~~ congregation is one congregation that is formed and maintained with the approval of both the synod in which the congregation is located and the comparable ecclesiastical entity of one or more church bodies with which a relationship of full communion has been established. A ~~federated-union~~ congregation shall conduct its life and work under a plan of agreement adopted by the ~~federated-union~~ congregation in accord with policy of the synod in which the ~~federated-union~~ congregation is located and the comparable entity or entities of a church body or church bodies with which a relationship of full communion has been declared by the Evangelical Lutheran Church in America, in accord with 8.61. and 9.81.

- a. The plan of agreement shall follow, as clearly as is practicable, the model provisions developed by the secretary of this church, after consultation with the appropriate churchwide unit or units and ~~the~~ Conference of Bishops, ~~and approved by the Church Council, and such.~~ **Such** a plan of agreement shall be subject to the constitutions of each church body involved.
  - 1) Whenever the constitutions of the respective church bodies differ, the mandatory provisions of one shall apply in all cases when the others are permissive.
  - 2) Whenever conflicting mandatory provisions or conflicting permissive provisions exist, petition shall be made to the appropriate governing bodies of the church bodies involved to resolve the conflict under the internal procedures of the respective church bodies.
- b. The plan of agreement of a ~~federated-union~~ congregation shall be consistent with the commitments made by the Evangelical Lutheran Church in America in church-to-church resolutions and documents for the continuing relationship of full communion.
- c. The plan of agreement of each ~~federated-union~~ congregation shall be subject to review and ratification by the Synod Council of the synod in which the ~~federated-union~~ congregation is located.
- d. Implementation of the plan of agreement of a ~~federated-union~~ congregation shall be guided by policies and procedures developed in consultation with the appropriate churchwide unit or units by the Office of the Secretary, reviewed by the Conference of Bishops, and approved by the Church Council of the Evangelical Lutheran Church in America.
- e. A ~~federated-union~~ congregation shall be incorporated, when legally possible, under the laws of the state of location. A ~~federated-union~~ congregation shall take the necessary steps to protect its members and the related church bodies from liability.

**9.81.02.** A ~~union-federated~~ congregation may be formed by two separate congregations that shall continue to exist as separate but cooperating entities. The separate congregations in a ~~union-federated~~ congregation shall be related to their respective church bodies that have established a relationship of full communion in accord with 8.61. and 9.81. A ~~union-federated~~ congregation shall conduct its life and work under a plan of agreement approved by the two separate congregations upon

recommendation of the synod in which the congregation is located, with the synod acting in concert with the comparable ecclesiastical entity of a church body with which a relationship of full communion exists.

- a. The plan of agreement of a union-federated congregation shall follow, as clearly as is practicable, the model provisions of such a plan of agreement developed by the secretary of this church, after consultation with the appropriate churchwide unit or units and the Conference of Bishops, and approved by the Church Council, and such. Such a plan of agreement for a union-federated congregation shall be subject to the constitutions of each church body involved.
- b. The plan of agreement of a union-federated congregation shall be consistent with the commitments made by the Evangelical Lutheran Church in America in church-to-church resolutions and documents for the continuing relationship of full communion.
- c. The plan of agreement of a union-federated congregation shall be subject to review and ratification by the Synod Council of the synod in which the union federated congregation is located.
- d. Implementation of the plan of agreement of a union-federated congregation shall be guided by policies and procedures developed in consultation with the appropriate churchwide unit or units by the Office of the Secretary, and reviewed by the Conference of Bishops, and approved by the Church Council of the Evangelical Lutheran Church in America.
- e. Each congregation in a union-federated congregation shall take the necessary steps to protect its members and the related church body from liability.

#### CHAPTER 10: SYNODS

**10.01.** This The territory of this church shall be divided into geographic synods, except the Slovak Zion Synod, the names and boundaries of which shall be determined by the Churchwide Assembly and included in the bylaws.

**10.01.01. Names and Boundaries.** The names and boundaries of the synods shall be:  
 Synod 1.D—Eastern Washington-Idaho. The state of IDAHO; the counties of Adams, Asotin, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Klickitat, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman, Yakima in the state of WASHINGTON; the congregation Shepherd of the Mountains, Teton County, and the congregation Star Valley United, Lincoln County, in the state of WYOMING the counties of Lincoln and Teton in the state of WYOMING; the congregation St. Paul, Malheur County, in the state of OREGON.

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Synod 2.D—Grand Canyon. The state of ARIZONA; the counties of Clark, Esmeralda, Lincoln, Nye in the state of NEVADA; the congregation New Promise, Washington County, in the state of UTAH.

Synod 2.E—Rocky Mountain. The states of COLORADO; NEW MEXICO; UTAH; and WYOMING, excluding the counties of Big Horn, Park, Sheridan, and Washakie; the counties of Brewster, Culberson, El Paso, Hudspeth, Jeff Davis, Loving, Presidio, Reeves, Ward, Winkler in the state of TEXAS; the counties of Albany, Campbell, Carbon, Converse, Crook, Fremont, Goshen, Hot Springs, Johnson, Laramie, Natrona, Niobrara, Platte, Sublette, Sweetwater, Uinta, Weston in the state of WYOMING.

Synod 3.A—Western North Dakota. The counties of Adams, Benson (the town/parishes of Esmond), Billings, Bottineau, Bowman, Burke, Burleigh, Divide, Dunn, Emmons, Golden

Valley, Grant, Hettinger, Kidder (excluding the Woodworth Parish of Pettibone), Logan (excluding the towns/ parishes of Fredonia and Gackle), McHenry, McIntosh, McKenzie, McLean, Mercer, Morton, Mountrail, Oliver, Pierce, Renville, Rolette, Sheridan, Sioux, Slope, Stark, Towner, Ward, Wells, Williams in the state of NORTH DAKOTA; the congregation Leeds Evangelical, Benson County, in the state of NORTH DAKOTA; the congregation and the parishes of Lemmon, Lodgepole, Ralph, and Shadehill Perkins County, and the congregation Ralph, Harding County, in the state of SOUTH DAKOTA; the congregation Trinity, Wibaux County, in the state of MONTANA.

Synod 3.B—Eastern North Dakota. The counties of Barnes, Benson (east of and including the towns/ parishes of Maddock and Leeds), Cass, Cavalier, Dickey, Eddy, Foster, Grand Forks, Griggs, Kidder (the Woodworth Parish of Pettibone), LaMoure, Logan (the towns/parishes of Fredonia and Gackle), Nelson, Pembina, Ramsey, Ransom, Richland, Rolette, Sargent, Steele, Stutsman, Towner, Traill, Walsh in the state of NORTH DAKOTA; the congregations Martin Luther and Emmanuel, Logan County, in the state of NORTH DAKOTA.

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Synod 3.E—Northeastern Minnesota. The counties of Aitkin, Carlton, Cass, Cook, Crow Wing, Itasca, Kanabec, Koochiching, Lake, Mille Lacs (part), Morrison, Pine, St. Louis in the state of MINNESOTA.

Synod 3.F—Southwestern Minnesota. The counties of Benton, Big Stone, Blue Earth (part), Brown, Chippewa, Cottonwood, Jackson, Kandiyohi, Lac qui Parle, Lincoln, Lyon, McLeod, Martin, Meeker, Mille Lacs (part), Murray, Nicollet, Nobles, Pipestone, Pope, Redwood, Renville, Rock, Sherburne (part), Sibley, Stearns, Stevens, Swift, Watonwan, Wright (part), Yellow Medicine in the state of MINNESOTA.

Synod 3.I—Southeastern Minnesota. The counties of Blue Earth (part), Dodge, Faribault, Fillmore, Freeborn, Goodhue, Houston, Le Sueur, Mower, Olmsted, Rice, Steele, Wabasha, Waseca, Winona in the state of MINNESOTA.

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Synod 4.D—Northern Texas-Northern Louisiana. . . in the state of LOUISIANA; the congregation Trinity, Curry County, in the state of NEW MEXICO. . .

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Synod 5.D—Southeastern Iowa. The counties of Appanoose, Benton, Boone, Cedar, Clarke, Clinton, Dallas (east), Davis, Decatur, Des Moines, Henry, Iowa, Jackson (south), Jasper, Jefferson, Johnson, Jones, Keokuk, Lee, Linn, Louisa, Lucas, Madison, Mahaska, Marion, Marshall, Monroe, Muscatine, Polk, Poweshiek, Scott, Story (south), Tama (south), Van Buren, Wapello, Warren, Washington, Wayne in the state of IOWA; the congregation St. John Lutheran Church, Schuyler County, in the state of MISSOURI.

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

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

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Synod 5.I—East-Central Synod of Wisconsin. The counties of Brown, Calumet, Door, Fond Du Lac, Green Lake, Kewaunee, Langlade, Lincoln, Manitowoc, Marathon (east), Marquette, Menominee, Oconto, Outagamie, Portage, Shawano, Waupaca, Waushara, Winnebago, Wood (southeast) in the state of WISCONSIN; the congregation Redeemer, Sheboygan County, in the state of WISCONSIN.

Synod 5.J—Greater Milwaukee. The counties of Kenosha, Milwaukee, Ozaukee, Racine, Sheboygan, Washington, Waukesha in the state of WISCONSIN; the congregations of Cross and St. Matthew, Jefferson County, and the congregations St. Olaf and Zion, Dodge County, in the state of WISCONSIN.

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Synod 6.A—Southeast Michigan. The counties of Genesee, Lapeer, Lenawee, Livingston, Macomb, Monroe, Oakland, Saint Clair, Shiawasee, Washtenaw, Wayne in the state of MICHIGAN; the congregation Trinity, Sanilac County, in the state of MICHIGAN.

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Synod 6.D—Northwestern Ohio. The counties of Allen, Auglaize, Crawford, Defiance, Erie, Fulton, Hancock, Hardin, Henry, Huron, Lucas, Marion, Mercer, Morrow, Ottawa, Paulding, Putnam, Sandusky, Seneca, Van Wert, Williams, Wood, Wyandot in the state of OHIO; the congregation St. James, Jay County, in the state of INDIANA.

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Synod 8.A—Northwestern Pennsylvania. The counties of Armstrong (part), Cameron, Clarion, Crawford, Elk, Erie, Forest, Indiana (part), Jefferson, McKean, Mercer, Potter, Venango, Warren in the state of PENNSYLVANIA.

Synod 8.B—Southwestern Pennsylvania. The counties of Allegheny, Armstrong (part), Beaver, Butler, Fayette, Greene, Indiana (part), Lawrence, Washington, Westmoreland in the state of PENNSYLVANIA.

Synod 8.C—Allegheny. The counties of Bedford, Blair, Cambria, Centre, Clearfield, Huntingdon, Somerset in the state of PENNSYLVANIA; the congregation Christ, Garrett County, in the state of MARYLAND.

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MARYLAND; the state of WEST VIRGINIA; the congregation Mount Calvary, Allegany County, the congregations Holy Trinity Memorial and Salem ~~in~~, Washington County in the state of MARYLAND; the congregation Fairview, Frederick County, in the state of VIRGINIA.

**10.02. — Each congregation, except those which are in partnership with the Slovak Zion Synod, shall establish a relationship with the synod in whose territory it is located.**

**10.02.01.**

**10.01.02.**

The Slovak Zion Synod shall continue as a non-geographic synod of this church. In all other respects it shall be bound by the provisions of the constitutions, bylaws, and continuing resolutions of this church. In addition, it shall enter into relationships with geographic synods in order to provide opportunities for congregations, rostered ministers, and other leaders to share in the programmatic services of such synods, workshops, and conferences. It shall also periodically review and evaluate its ministries to ascertain their continuing effectiveness.

**10.02.02.**

**10.01.03.**

Any congregation in a border area desiring to change its synod relationship may do so upon approval of the synod assemblies of the synods concerned, which shall report any such change to the Churchwide Assembly.

~~10.02.03.~~

~~10.01.04.~~

Within the territory of each geographic synod, the synod—in keeping with criteria, policies, and procedures proposed by the secretary of this church, after consultation with the appropriate churchwide unit or units, and approved by the Church Council—may acknowledge certain authorized worshiping communities such as developing ministries, preaching points, or chapels as related to the synod and part of the synod’s life and mission. Such authorized worshiping communities of the synod shall accept and adhere to the Confession of Faith and Statement of Purpose of this church, shall be served by leadership under the criteria of this church, and shall be subject to the discipline of this church.

~~10.11.A13.~~ *[This continuing resolution becomes a bylaw.]*

~~10.11.01.~~

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.

**10.21. Each synod, in partnership-cooperation 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:**

**10.21.01. ~~In providing for pastoral care of congregations and rostered ministers in the synod, the~~ The responsibilities of the synod include the following:**

- a. providing for pastoral care of congregations, ministers of Word and Sacrament, and ministers of Word and Service in the synod, including:
  - 1) approving candidates for the ministry of Word and Sacrament in cooperation with the appropriate seminaries of this church, which may be done through multi-synodical committees;
  - 2) authorizing ordinations and ordaining ministers of Word and Sacrament on behalf of this church;
  - 3) approving ministers of Word and Service, which may be done through multi-synodical committees;
  - 4) authorizing ~~consecrations and consecrating ordinations and ordaining~~ ministers of Word and Service on behalf of this church; and

**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~~ companions, the responsibilities of the synod include the following:**

- a. promoting interdependent relationships among congregations, synods, and the churchwide organization, and entering into ~~partnership~~ mutually beneficial relationships 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~~ supportive 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 companions**;

**10.31. The officers of each synod shall be a bishop, a vice president, a secretary, and a treasurer.**

- 7) **Preside at all meetings of the Synod Assembly and be the chief executive officer of the synod; provide for the preparation of the agenda of the Synod Assembly, Synod Council, and the Executive Committee; see to it that the constitution and bylaws of the synod are duly observed, and that the actions of the synod in conformity therewith are carried into effect; coordinate the work of all **synodical** staff members; and appoint all committees for which provision is not otherwise made.**
- 9) **Exercise solely this church's power to ordain (or provide for the ordination by another **synodical** bishop of) approved candidates who have received and accepted a properly issued, duly attested letter of call for the office of ministry of Word and Sacrament (and as provided in the bylaws of this church); and to ~~consecrate-ordain~~ (or provide for the ~~consecration-ordination~~ of) approved candidates who have received and accepted a properly issued, duly attested letter of call for service as a minister of Word and Service (and as provided in the bylaws of this church); and to install (or provide for the installation of) rostered ministers whose calls the bishop has attested.**

**10.31.A19.** *When authorized by the Synod Council in order to address special circumstances, the synod bishop may be compensated as an employee or contractor for specified services to another expression of this church. Such an arrangement may be terminated by the Synod Assembly or Synod Council if determined to be detrimental to the function of the office or if the special circumstances no longer apply.*

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

**10.32.01.** Whenever a **synodical** bishop determines that a matter of the kind described in 10.32.02. may require his or her determination or action with respect to a related individual as defined in 10.32.03., the **synodical** bishop shall withdraw from personal involvement in such matter and shall so notify the presiding bishop. The presiding bishop shall then appoint another **synodical** bishop from the same region to handle the matter to conclusion. In dealing with such matter, the appointed bishop shall exercise all of the functions and authority to the same extent as if the appointed bishop were the elected bishop of the withdrawing bishop's synod.

**10.32.02.** Matters include any proceedings under Chapter 20, proceedings under provision 7.46. (†S14.18.), candidacy, reinstatement, and similar matters where determinations or actions by the **synodical** bishop could change, limit, restrict, approve, authorize, or deny the related individual's ministry on one of the rosters of this church.

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

- 10.41.** Each synod shall have a Synod Assembly, ~~which shall be its highest legislative authority, and~~ which shall meet at least triennially. Special meetings may be called as needed. With the exception of ministers on the rosters of synods other than their synod of residence, each member of the Synod Assembly, the Synod Council, a board, committee, or other organizational unit of the synod shall be a voting member of a congregation of the synod.
- 10.41.01.** 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:
- b. All ministers of Word and Service under call on the roster of the synod shall be voting members in the Synod Assembly, ~~in addition to the voting membership of lay members of congregations provided in item 10.41.01.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 the synod, ~~normally typically~~ one of whom shall be ~~male a man~~ and one of whom shall be ~~female a woman~~, 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 at least 45~~ percent of the lay members of the assembly shall be ~~female women~~ and ~~50 at least 45~~ percent shall be ~~male men~~. ~~Additional members from each congregation normally shall be equally divided between male and female.~~
- 10.41.02.** Synods may establish processes that permit retired rostered ministers, or those ~~designated as disabled granted disability status~~, on the roster of the synod to serve as voting members of the Synod Assembly, consistent with bylaw 10.41.01.
- 10.41.04.** Synods may establish processes that permit representatives of ~~congregations under development and synodically authorized~~ worshiping communities, under bylaw ~~10.02.03, 10.01.04.~~, to serve as voting members of the Synod Assembly, consistent with bylaw 10.41.01.
- 10.61.** Each synod may establish conferences, clusters, coalitions, area subdivisions, and networks as appropriate within its territory and in collaboration with other synods and ~~partners organizations~~ as specified in the bylaws and continuing resolutions. The purpose of such groupings shall be to foster interdependent relationships for missional purposes among congregations, synods, the churchwide organization, and other ~~partners affiliates~~.
- 10.71.02.** The percentage or amount determined by consultation shall ~~come be reported~~ to the Church Council ~~for approval or a request to reopen consultation.~~
- 10.72.** Each synod shall arrange to have an annual audit of its financial records conducted by a certified public accountant firm selected by the Synod Council. The audited annual financial report shall be submitted by the synod to the churchwide Office of the Treasurer and to the congregations of the synod. ~~Synodical~~ financial reports shall be in a format approved by the churchwide Office of the Treasurer in order to attain uniformity in reporting.

**10.81.B14. 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. The Conference of Bishops shall establish criteria and terms for three **synodical** bishops to be elected by the conference as members of the executive committee.*

**10.81.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.*

**CHAPTER 11: CHURCHWIDE ORGANIZATION—DEFINITION AND PURPOSES**

**11.32. The Church Council shall exercise interim legislative authority and shall serve as the board of directors of the **corporation churchwide organization**.**

**11.33. Leadership of this church shall be vested in the churchwide officers, the Churchwide Assembly, the Church Council, the Conference of Bishops, and executive directors of churchwide units. The full-time officers shall be the presiding bishop, secretary, and treasurer. The vice president ~~shall be non-salaried and~~ shall serve as chair of the Church Council, **may perform such other tasks for the benefit of this church as the Church Council directs, and may be compensated as the Church Council determines.****

**CHAPTER 12: CHURCHWIDE ASSEMBLY**

**12.41.11.** Each synod shall elect one voting member of the Churchwide Assembly for every 6,000 baptized members in the synod. In addition, each synod shall elect one voting member for every 50 congregations in the synod. The **synodical** bishop, who is *ex officio* a member of the Churchwide Assembly, shall be included in the number of voting members so determined. Unless otherwise determined by the synod, the **synodical** vice president shall serve as an *ex officio* member of the Churchwide Assembly and be included in the number of the synod's voting members. The 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. The Church Council may allocate up to 10 additional voting members among synods, but no single synod may be allocated more than two additional voting members. The secretary shall notify each synod of the number of assembly members it is to elect.

**12.41.12.** The secretary of each synod shall submit to the secretary of this church at least nine months before each regular Churchwide Assembly a certified list of the voting members elected by the Synod Assembly. If a voting member elected by the Synod Assembly is unable to serve, the name of an eligible person chosen by the Synod Council shall be submitted by the secretary of the synod to the secretary of this church. If a vacancy occurs or exists within 30 days or less of the convening of the Churchwide Assembly or during the meeting of the Churchwide Assembly, the **synodical** bishop may submit the name of an eligible person to the secretary of this church. The individual whose name is submitted to the secretary of this church shall be registered and seated by the Credentials Committee as a voting member from the synod.

- 12.41.13.** Each voting member of the Churchwide Assembly shall be a voting member of a congregation of this church. Any such voting member (except a rostered minister described in 7.42. or 7.72.) shall cease to be a member of the assembly if no longer a voting member of a congregation of this church within the synod from which elected. ~~The criterion for voting membership in the congregation from which the voting member is elected shall be in effect regarding minimum age for that voting member.~~
- 12.41.16.** **Ex Officio Members.** ~~The officers of the churchwide organization, the members of the Church Council,~~ and the bishops of the synods shall serve as *ex officio* members of the Churchwide Assembly. Unless otherwise determined by a synod, the ~~synodical~~ vice presidents shall also serve as *ex officio* members of the Churchwide Assembly. *Ex officio* members shall have voice and vote.
- 12.41.17.** **Advisory Members.** ~~Members of the Church Council, unless otherwise elected as voting members, shall serve as advisory members of the Churchwide Assembly. In addition, executive~~ ~~Executive~~ directors of units of the churchwide organization, the executive for administration, and other persons from the churchwide organization designated by the presiding bishop shall serve as advisory members of the Churchwide Assembly. The Church Council also may designate other persons as advisory members of the Churchwide Assembly. Advisory members shall have voice but not vote.
- 12.51.02.** **Memorials Committee.** A Memorials Committee, appointed by the Church Council, shall review memorials from ~~synodical~~ assemblies and make appropriate recommendations for assembly action.

### CHAPTER 13: OFFICERS

- 13.21.** The presiding bishop shall be a minister of Word and Sacrament of this church who, as its pastor, shall be a teacher of the faith of this church and shall provide leadership for the life and witness of this church. The presiding bishop shall:
- c. ~~In collaboration with the leadership of each group, provide~~ Provide for the preparation of the agenda for the Churchwide Assembly, Church Council, Executive Committee, and Conference of Bishops, and preside at the Churchwide Assembly
  - h. ~~Coordinate~~ ~~Appoint~~ and supervise the ~~work of~~ executives ~~directors~~ of churchwide units.
  - k. Serve as an advisory member, with voice but not vote, on all committees of this church and all boards ~~or committees of churchwide units,~~ or designate a person to serve as the presiding bishop's representative.
- 13.32.02.** The vice president ~~shall serve without salary~~ may perform such other tasks for the benefit of this church as the Church Council directs, and may be compensated as the Church Council determines.
- 13.32.03.** ~~Staff services for the work of the vice president shall be provided by the Office of the Presiding Bishop and the Office of the Secretary, as needed.~~
- 13.41.05.** The secretary shall provide staff services to the Nominating Committee of the Churchwide Assembly and the nomination process of the Church Council; shall be responsible for declaring an interim vacancy resulting from the resignation, death, or disability of a member of a board, committee, or council; and shall arrange for an election by the Church Council to fill the vacancy consistent with Chapter ~~19~~ 14.

**CHAPTER 14: CHURCH COUNCIL**

- 14.11.** ~~The Church Council shall be the board of directors and shall serve as the interim legislative authority between meetings of the Churchwide Assembly.~~  
**The Church Council shall exercise interim legislative authority and shall serve as the board of directors of the churchwide organization.**
- 14.13.** “Interim legislative authority” is defined to mean that between meetings of the churchwide assemblies, the Church Council may exercise the authority of the Churchwide Assembly, **including dealing with all matters which are necessary in pursuit of the purposes and functions of this church,** so long as:
- a. the actions of the Church Council do not conflict with the actions of and policies established by the Churchwide Assembly; **provided, however, that nothing in this constitution and bylaws precludes the Church Council from establishing policies concerning areas where the Churchwide Assembly has not acted;** and
  - b. the Church Council is not precluded by ~~constitutional or bylaw provisions the~~ **Articles of Incorporation or this constitution and bylaws** from taking action on the matter.
- 14.15.** ~~The Church Council shall fulfill responsibilities for elections as provided in the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America and, in the event that a vacancy on the council or on a board or committee of the churchwide organization is declared by the secretary, the Church Council shall elect a member to serve the balance of the term.~~
- 14.16.** The Church Council of the Evangelical Lutheran Church in America may remove for cause a voting member of the Church Council, other than an officer, at a duly held regular meeting by the affirmative vote of two-thirds of the voting members of the Church Council, provided that at least 30 days written notice shall be given to each voting member of the Church Council that removal of a specific member of the Church Council will be on the agenda for such a meeting. The Church Council may remove an advisory member for cause, provided notice has been given as specified in this provision, by a majority vote of the voting members of the council.
- 14.21.01.** The Church Council shall act on the policies proposed by churchwide units, ~~subject to review by the Churchwide Assembly when requested by the presiding bishop or the churchwide unit.~~ **The Church Council shall ensure that the actions of the Churchwide Assembly are implemented by the applicable unit or office.**
- 14.21.02.** ~~The Church Council shall review the procedures and programs of the churchwide units to assure that churchwide purposes, policies, and objectives are being fulfilled. Each unit shall recommend policy and develop strategies in its particular areas of responsibility after consultation with other units of the churchwide organization and affected synods, congregations, agencies, and institutions.~~
- a. ~~Policies related to the day to day functioning of the unit or to the specific responsibilities of the unit that have no implications for other units, congregations, synods, agencies, or institutions may be approved by the unit, subject to ratification by the Church Council.~~
  - b. ~~All other policies shall be submitted to the Church Council for approval.~~
- The Church Council shall receive from the Office of the Presiding Bishop regular reports on the programs and procedures of the churchwide units. The Church Council, through the presiding bishop, shall ensure that the purposes,**

policies and objectives of this church are being fulfilled.

- a. Specific policies identified in this constitution and bylaws, developed by the appropriate churchwide unit, and reviewed by the Conference of Bishops, shall be submitted to the Church Council for approval.
- b. Separately incorporated ministries of this church, as defined in Chapter 17, shall submit a report to the Church Council on their policies and programs. The Church Council shall act to approve those policies and programs as required in this constitution and bylaws.

**14.21.03.** The Church Council shall review all recommendations from churchwide units for possible consideration by the Churchwide Assembly and determine which, if any, should be forwarded to the Churchwide Assembly for action.

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

**14.21.15.** The Church Council shall determine, unless otherwise specified in the constitution, bylaws, and continuing resolutions, the appropriate churchwide unit for the fulfillment of particular program or policy responsibilities identified in the bylaws.

**14.21.16.** The Church Council shall establish the criteria and policies for the relationship between the churchwide organization and independent, cooperative, and related Lutheran organizations. The policies adopted by the Church Council shall be administered by the appropriate unit of the churchwide organization. The determination of which organization shall relate to a specific unit of the churchwide organization shall be made by the Church Council.

**14.21.20. ELECTIONS BY THE CHURCH COUNCIL**

**14.21.21.** Unless otherwise specified in the constitution, bylaws, and continuing resolutions, the Church Council shall elect the executive director for each churchwide unit to a four year term in consultation with and with the approval of the presiding bishop. Nomination of a candidate for election shall be made by the presiding bishop. The presiding bishop, as chief executive officer, shall arrange within the personnel policies of the churchwide organization for an annual review of each executive director. A unit executive director shall be eligible for re-election. The employment of the executive director may be terminated jointly by the presiding bishop and the Executive Committee of the Church Council.

**14.21.22.** The Church Council shall arrange the process for all elections as specified in this constitution and bylaws for churchwide units to assure conformity with established criteria.

**14.22** The Church Council shall fulfill responsibilities for elections as provided in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America* and, in the event that a vacancy on the council or on a board or committee of the churchwide organization is declared by the secretary, the Church Council shall elect an individual to serve the balance of the term.

**14.22.01.** Before electing an individual to fill a vacancy on a board or committee, the Church Council shall consult with the board or committee.

**14.32.01.** The Church Council shall have as liaison members nine **synodical** bishops, each elected by the Conference of Bishops to one four-year term. One bishop shall be elected from each region.

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

- a. perform those functions of the Church Council assigned to it by the Church Council, which shall include acting for the Church Council between meetings of the council

**14.41.02.** Liaison bishops, ecumenical guests, and other advisors to the Church Council may serve as advisory members to the council's committees with voice but not vote.

**CHAPTER 15: CHURCHWIDE OFFICES AND ADMINISTRATION**

**15.11.03. Responsibility for Planning and Evaluation.** The Office of the Presiding Bishop shall provide coordinated, strategic planning for, and review and evaluation of, the work of the churchwide organization and shall coordinate this planning process with the budget-development process.

**15.12.E109. Responsibility for Planning, Research, and Evaluation**

Responsibility for planning, research, and evaluation shall be exercised by the Office of the Presiding Bishop to provide reliable and valid research, relevant information, and appropriate evaluation related to the purposes of this church in order to assist the presiding bishop, other leaders, and staff of the churchwide organization to accomplish their duties to provide coordinated, strategic planning for, and review and evaluation of, the work of the churchwide organization and shall coordinate this planning process with the budget-development process. This work assists the presiding bishop and other leaders, and staff of the churchwide organization to accomplish their duties. The executive for planning, research, and evaluation shall be appointed by the presiding bishop.

**15.12.F13. 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:

- c. plan and coordinate churchwide participation in **synodical** assemblies;
- d. provide for **synodical** services, including assistance to synods for organizational concerns, long-range planning, and ongoing evaluation; and
- e. coordinate the interaction of churchwide units with **synodical** responsibilities and programs; and

**15.12.G16. 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 ministers. 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.*

**15.12.H1619. Responsibility for Worship**

5) *assist the synods, congregations and churchwide units of this church in carrying out the ministry of worship, maintaining a network of **partners-colleagues** in order to be responsive to the diversity of worship practices of this church;*

**15.14.A17. Responsibilities of the Office of the Treasurer**

d. *This office, through the Budget and Finance Committee of the Church Council, shall recommend to the Church Council a certified public accounting firm to audit the financial records of the churchwide organization. **Synodical** financial reports shall be submitted to this office for compilation.*

**15.15.** ~~This church shall have a separately incorporated ministry, known as the Endowment Fund of the Evangelical Lutheran Church in America, which shall hold and manage endowment assets and offer pooled investment services for endowment funds of this church and its related congregations, synods, agencies, and institutions.~~

**15.15.01.** ~~The Endowment Fund shall have a board of trustees that shall be composed of at least nine but not more than 12 persons elected to six-year terms by the Church Council of the Evangelical Lutheran Church in America, with no consecutive re-election and with approximately one-third of the members elected each biennium. The board of trustees shall have advisory members as specified in the bylaws of the Endowment Fund.~~

**15.15.02.** ~~The president of the Endowment Fund shall be elected by the board of trustees to a four-year term in consultation with and with the approval of the presiding bishop of the Evangelical Lutheran Church in America. The president shall be eligible for re-election. The employment of the president may be terminated jointly by the board of trustees and the presiding bishop of the Evangelical Lutheran Church in America.~~

**15.15.03.** ~~Constitutional provision 16.12. and bylaws 11.34.01., 14.21.02., 14.21.03., and 16.11.01, shall apply to the operation of the Endowment Fund of the Evangelical Lutheran Church in America.~~

**15.15.04.** ~~In addition to management of endowment assets and pooled investments, specific responsibilities of the Endowment Fund of the Evangelical Lutheran Church in America may be enumerated in a continuing resolution.~~

**15.15.A18. Responsibilities of the Endowment Fund of the ELCA**

~~The Endowment Fund of the ELCA—also known as the ELCA Foundation—shall:~~

a. ~~offer, promote, administer, and oversee endowment, deferred giving, life income, and similar planned giving programs for individual donors, congregations, synods, the churchwide organization, and related institutions and agencies in support of ELCA ministries;~~

- b. offer pooled investment services for endowment funds of this church and its congregations, synods, churchwide organization, and related institutions and agencies;
- c. manage assets of endowment, deferred giving, life income agreements, donor advised funds, and funds held for external participants;
- d. oversee the administration of earned income payments to donors and to remainder beneficiaries as regulated by life income, trust, and other fiduciary donor agreements;
- e. determine annual endowment fund distribution rate;
- f. set fees associated with endowment and deferred giving programs;
- g. hire and oversee such managers, service providers, consultants, advisors, and sub-advisors as it deems appropriate;
- h. develop and approve an annual budget that will be financed through revenue from its gift planning and investment activities and programs;
- i. coordinate programs and ministries with the priorities of the ELCA and other stewardship and financial resource development activities of this church; and
- j. act in accordance with constitutional provision 16.12. and bylaws 11.34.01., 14.21.02., 14.21.03., 14.21.06., and 14.21.07.

## CHAPTER 16: UNITS OF THE CHURCHWIDE ORGANIZATION

**16.12.** Each unit shall report to the Churchwide Assembly and will report to the Church Council in the interim. ~~The policies, procedures, and operation of each unit shall be reviewed by the Church Council in order to assure conformity with the constitution, bylaws, and continuing resolutions and with Churchwide Assembly actions.~~

**16.12.02.** Executive directors of each unit shall be appointed by the presiding bishop to a four-year term. The presiding bishop, as chief executive officer, shall arrange within the personnel policies of the churchwide organization for an annual review of each executive director. A unit executive director shall be eligible for re-appointment. The employment of the executive director may be terminated in accordance with the personnel policies of the churchwide organization.

### **16.12.A169.** Domestic Mission Unit

The Domestic Mission unit shall foster and facilitate the work of synods, congregations, and ~~partners~~ others 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; enhancing discipleship; supporting multicultural ministries and the commitment of this church to inclusivity; fostering relationships with educational ~~partners~~ institutions; facilitating the engagement of this church in advocacy; and related activities that serve the evangelical mission of synods and congregations. The Domestic Mission unit shall relate to the Deaconess Community, Lutheran Men in Mission, National Lutheran Campus Ministry, Inc., Educational and Institutional Insurance Administrators, Inc., and the Evangelical Lutheran Education Association.

- a. The Deaconess Community of the Evangelical Lutheran Church in America is a separately incorporated ministry of theologically trained, professionally prepared women called to ~~ministry and service by intentional community and serving as ministers~~ of Word and Service in congregations, synods, and agencies of the Evangelical Lutheran Church in America and the Evangelical Lutheran Church in Canada. Its mission is "Compelled by the love of Christ and sustained by community, we devote our lives to proclaiming the Gospel through ministries of mercy and servant leadership." ~~Deaconesses are consecrated by the ELCA and the ELCIC.~~

**16.12.B1319. Global Mission Unit**

2. *Mission Formation and Relationships: mutual learning and growth with companion churches and ELCA synods and congregations in the accompaniment model for mission, companion synod relationships, young adults in global mission, relationships with independent Lutheran organizations related to global mission, and mission efforts for full communion ~~partners churches~~; and*
3. *Diakonia: meeting human need and working collaboratively with ~~partners others~~ toward the flourishing of human community through engagement in international development and disaster response.*

**16.12.C17. Mission Advancement Unit**

- e. *engage members, congregations, synods, and agencies and institutions of this church in efforts to raise financial support for the ministries of ~~the ELCA this church~~;*
- g. *manage ~~ELCA~~ constituent data ~~of this church~~;*

**CHAPTER 17: SEPARATELY INCORPORATED MINISTRIES**

**17.20. This church shall have a separately incorporated ministry, known as the Board of Pensions of the Evangelical Lutheran Church in America, to provide church retirement and other benefits ~~plans, and complementary services within and beyond this church~~. The president of the corporation shall serve as its chief executive officer.**

**17.20.01.** The Churchwide Assembly shall:

- a. approve the documents governing the ~~ELCA~~ Pension and Other Benefits Program that have been referred by the Church Council; and
- b. refer any amendments to the ~~ELCA~~ Pension and Other Benefits Program initiated by the Churchwide Assembly to the Board of Pensions for recommendation before final action by the Church Council, assuring that no amendment shall abridge the rights of ~~members with respect to their retirement accumulations~~ sponsored members in the ELCA Retirement Plan.

**17.20.02.** The Church Council shall:

- a. review policy established by the board and take action on any policy that would change significantly the documents establishing and governing the ~~ELCA~~ Pension and Other Benefits Program.
- b. approve any changes in the ~~ELCA~~ Pension and Other Benefits Program when there is to be:
  - 1) a significant increase in cost to ~~the ELCA~~ employers or sponsored members; or
  - 2) a significant ~~increase or~~ decrease in benefits to ~~the members~~ sponsored members in the Pension and Other Benefits Program.
- c. refer any amendments to the ~~ELCA~~ Pension and Other Benefits Program initiated by the Church Council to the board for recommendation before final action by the Church Council, assuring that no amendment shall abridge the rights of ~~members with respect to their retirement accumulations~~ sponsored members in the ELCA Retirement Plan.
- d. refer, as it deems appropriate, proposed amendments to the ~~ELCA~~ Pension and Other Benefits Program to the Churchwide Assembly for final action.

**17.20.03.** The Board of Pensions shall have a board of trustees composed of 14–18 persons elected by the Churchwide Assembly for 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.

- a. The composition of the board of trustees shall comply with the representational principles described in constitutional provision ~~5.01.f.~~ 5.01.e. The board of trustees of the Board of Pensions shall include persons with expertise in investments, insurance, and retirement plans, and 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 a minister of Word and Sacrament 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. shall apply to this board.~~  
Constitutional provision 16.12. and bylaws 11.34.01., 14.21.02., and 16.11.01. shall apply to the operation of this organization.

**17.20.A149.** ***Responsibilities of the Board of Pensions of the Evangelical Lutheran Church in America***  
*The Board of Pensions of the Evangelical Lutheran Church in America —also known as Portico Benefit Services—shall:*

- a. *manage and operate the Pension and Other Benefits Program for this church and plans for other organizations operated exclusively for religious purposes, and shall invest the assets according to fiduciary standards set forth in the plans and trusts.*
- b. *provide retirement, health, and other benefits ~~exclusively~~ for the benefit of eligible members working within the structure of this church and other organizations operated exclusively for religious purposes.*
- c. *provide summary plan descriptions outlining all benefits to be provided as a part of the ELCA Pension and Other Benefits Program.*
- d. *provide complementary services within and beyond this church.*
- e. *report to the appropriate committee of the Church Council on the financial effect of changes to the ELCA Pension and Other Benefits Program.*
- ef. *report to the Churchwide Assembly through the Church Council, with the Church Council making comments on all board actions needing approval of the Churchwide Assembly.*
- fg. *maintain appropriate communication with other units of this church.*
- gh. *be self-supporting, except for certain ELCA minimum pensions and post-retirement health benefits of certain ELCA retirees, with all costs being paid from the administrative and management charges to the employers and members utilizing the plans and from investment income.*
- hi. *manage its finances in a manner that assures an efficient and effective administration of the plans for retirement and other benefits. The board shall maintain its own accounting, data processing, personnel, and other administrative functions essential to the ongoing work of this organization.*
- ij. *not be responsible, nor assume any liability for, health-insurance programs provided by colleges and universities of this church through voluntary employees' beneficiary associations or similar arrangements.*
- jk. *manage and operate those portions of The American Lutheran Church and Lutheran Church in America plans requiring continuation in this church.*
- kl. *provide an appeal process with the Board of Pensions to enable members in the plans to appeal decisions.*
- lm. *make editorial and administrative changes and routine modifications to the ELCA Pension and Other Benefits Program benefits programs, as well as changes required to comply with federal and state law.*

~~iii.~~ set contribution rates for the ELCA Survivor Benefits Plan, the ELCA Disability Benefits Plan, and the ELCA Medical and Dental Benefits Plan, and establish interest crediting rates for the ELCA Retirement Plans.

~~iv.~~ manage assets, as requested, for ~~the ELCA this church~~ and other organizations operated exclusively for religious purposes.

**17.30.01.** The Mission Investment Fund of the Evangelical Lutheran Church in America shall have a board of trustees composed of 9–12 persons elected by the Churchwide Assembly for 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. The composition of the board of trustees shall comply with the representational principles described in constitutional provision ~~5.01.f, 5.01.e.~~ 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~~ The president shall be elected by the board of trustees of the Mission Investment Fund

**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. shall apply to the operation of the Mission Investment Fund of the Evangelical Lutheran Church in America.~~

~~Constitutional provision 16.12. and bylaws 11.34.01., 14.21.02., 14.21.06., and 16.11.01. shall apply to the operation of this organization.~~

**17.30.A159.** *Operation of the Mission Investment Fund of the ~~ELCA Evangelical Lutheran Church in America~~*

*f. offer building and architectural consultative services to new congregations entering first-unit construction, to congregations relocating with ~~synodical~~ approval, to other congregations, and to other organizations and institutions that are affiliated with this church;*

**17.40.01.** This publishing house shall have a board of trustees composed of 11–15 persons elected by the Churchwide Assembly for 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.

a. The composition of the board of trustees shall comply with the representational principles described in constitutional provision ~~5.01.f, 5.01.e.~~ Laypersons on the board of trustees shall include persons with expertise in publishing, education, business management, finance and investment. Ministers of Word and Sacrament 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. shall apply to this publishing house.~~

~~Constitutional provision 16.12. and bylaws 11.34.01., 14.21.02., and 16.11.01. shall apply to the operation of this organization.~~

**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 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.

**17.40.A169. *Responsibilities of the Publishing House of the ELCA Evangelical Lutheran Church in America***

**17.50.01.** Membership of this organization shall be women of this church who wish to participate through local and other groupings that affirm the purposes of this organization. This organization shall function in local, synodical, and churchwide settings.

**17.50.03.** Constitutional provision 16.12. and bylaws 11.34.01., 14.21.02., ~~14.21.03.,~~ and 14.21.06. shall apply to this organization. Bylaw 16.11.01. 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 Ministers of Word and Sacrament~~ rostered ministers.

**17.60.** **This church shall have a separately incorporated ministry, the Endowment Fund of the Evangelical Lutheran Church in America, to hold and manage endowment assets, to offer pooled investment services for endowment funds of this church and its related congregations, synods, agencies, and institutions, and to provide planned giving programs that support this church's mission and ministry. The Endowment Fund shall be incorporated.**

**17.60.01.** The Endowment Fund shall have a board of trustees composed of the presiding bishop of this church and 9–15 persons elected by the Churchwide Assembly for three-year terms with the possibility of two consecutive re-elections. Any vacancies occurring because of the death, resignation, or removal of a member of the board of trustees shall be filled by the Church Council for the unexpired term of such member of the board of trustees. The composition of the board of trustees shall comply with the representational principles described in constitutional provision 5.01.e. 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.

**17.60.02.** The advisory members of the board of trustees of the Endowment Fund shall have no vote and shall include: the treasurer of this church, a synod bishop elected by the Conference of Bishops of the Evangelical Lutheran Church in America, and such other persons as may be designated by the board of trustees.

**17.60.03.** The presiding bishop of this church shall be a member of the board of trustees, *ex officio*, with voice and vote.

**17.60.04.** The president of the Endowment Fund shall be elected to a four-year term by the board of trustees 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 executive 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 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.

**17.60.05.** Constitutional provision 16.12. and bylaws 11.34.01., 14.21.02., 14.21.06., and 16.11.01. shall apply to the operation of this organization.

**17.60.06.** The specific responsibilities of the Endowment Fund shall be enumerated in a continuing resolution.

**17.60.A19.** *Operation of the Endowment Fund of the Evangelical Lutheran Church in America*  
The Endowment Fund of the ELCA—also known as the ELCA Foundation—shall:

- a. offer, promote, administer, and oversee endowment, deferred giving, life-income, and similar planned giving programs for individual donors, congregations, synods, the churchwide organization, and related institutions and agencies in support of ELCA ministries;
- b. offer pooled investment services for endowment funds of this church and its congregations, synods, churchwide organization, and related institutions and agencies;
- c. manage assets of endowment, deferred giving, life-income agreements, donor-advised funds, and funds held for external participants;
- d. oversee the administration of earned-income payments to donors and to remainder beneficiaries as regulated by life-income, trust, and other fiduciary donor agreements;
- e. determine annual endowment fund distribution rate;
- f. set fees associated with endowment and deferred giving programs;
- g. hire and oversee such managers, service providers, consultants, advisors, and sub-advisors as it deems appropriate;
- h. develop and approve an annual budget that will be financed through revenue from its gift planning and investment activities and programs; and
- i. coordinate programs and ministries with the priorities of this church and other stewardship and financial-resource development activities of this church.

**17.60.B19** *Initial Election of Board of Trustees of Endowment Fund Under Chapter 17*

For the first election of members of the board of trustees of the Endowment Fund under this Chapter 17, the Church Council shall divide the currently serving trustees, other than the presiding bishop, into three classes: one class which shall be deemed to have served one full term and be eligible for election to two more terms; one class which shall be deemed to have served two full terms and be eligible for election to one more term; and one class which shall be deemed to have served three full terms and not be eligible for further election.

## CHAPTER 18: REGIONS

**18.01.** This church shall have regions as ~~a partnership between an association among nine specific~~ groups of synods and the churchwide organization for the purpose of exercising mutual responsibilities ~~for mission and ministry throughout this church.~~

**18.01.B9419.** In fulfilling the region's function and the purposes of this church, each region may assist in:

- d. facilitating, when requested, relationships with colleges, universities, and campus ministries and ~~partnership supportive~~ funding responsibilities of the synods and churchwide organization on behalf of colleges, universities, and campus ministries;

- e. *facilitating gatherings of ~~synodical~~ bishops, ~~synodical~~ staff, and regional staff;*

**19.01.C9419.**

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

- c. *that precludes spoken floor nominations ~~but allows nomination of persons not in attendance at the meeting;~~*
- d. *in which those casting ballots have primary responsibility to nominate persons willing to serve if elected;*
- ~~d~~e. *in which the first ballot is the nominating ballot if no election occurs on the first ballot;*
- ef. *in which the first ballot defines the total slates of nominees for possible election on a subsequent ballot, with no additional nominations;*
- g. *in which each synod bishop will seek to inform nominees from that synod that they have been nominated and that they may withdraw if they do not seek election;*
- ~~f~~h. *that ~~does not preclude~~ allows, after the reporting of the first ballot, the ~~right of~~ persons nominated to withdraw their names prior to the casting of the second ballot;*
- gi. *in which any name appearing on the second ballot may not be subsequently withdrawn;*
- hj. *that does not preclude an assembly’s adoption of rules that permit, at a defined point in the election process and for a defined period of time, speeches to the assembly by nominees or their representatives and/or a question-and-answer forum in which the nominees or their representatives participate; and*
- ik. *in which the number of names that appear on any ballot subsequent to the second ballot shall be determined in accordance with provisions of the governing documents.*

**19.01.D0719.**

***Election Procedures Utilizing the Ecclesiastical Ballot***

- a. *For each election by ecclesiastical or nominating ballot, the exact number of appropriate ballot sets equal to the number of voting members from each synod will be given to the bishop of that synod. ~~The~~ Unless an electronic or computerized voting system is being utilized, the bishop of the synod, or his or her designee, will be responsible for distributing the ballot sets to each of the voting members from the synod.*
- b. *~~Unless otherwise~~ The chair will announce what type of voting system is to be used for the election. If ordered by the chair to use paper ballots, one of the numbered ballots from the appropriate ballot set is to be used on each ballot ~~for elections determined by ecclesiastical or nominating ballot.~~ The chair will announce the number of the ballot from the appropriate ballot set that is to be used for each ballot. Failure to use the correct numbered ballot will result in an illegal ballot.*
- c. *On the first two ballots for each office being selected by ecclesiastical or nominating ballot, both the first and last names of a nominee should be used. Members should endeavor to use correct spelling and should provide, on the first ballot, any additional accurate information identifying the nominee, such as title, ~~position,~~ synod, ~~congregation,~~ or residence.*
- ~~j~~. *Whenever the number of names of nominees that will appear on a ballot is nine or less, on recommendation of the chair and with the consent of the assembly, voting may be by means of electronic device.*
- ki. *When voting by electronic device, the first position on each ballot shall be given to the nominee who received the greatest number of votes on the immediately*

*preceding ballot, with the remaining positions assigned to the other nominees in descending order of the number of votes received on the immediately preceding ballot. If two or more nominees were tied with the same vote on the immediately preceding ballot, their respective positions shall be determined by draw by the chair of the Elections Committee.*

**k.** *On each ticket for which balloting is conducted by electronic device, the polls will remain open for a reasonable time, as determined by the chair, to permit voting members to record their votes.*

**19.02.** **The members of the Church Council, except the chair of the Conference of Bishops and the treasurer of this church, shall be elected by the Churchwide Assembly. In preparation for the Churchwide Assembly, the Church Council shall determine how this church's commitment to inclusive representation will affect the next election to the Church Council. For 32 of the council members, the Nominating Committee shall invite each eligible synod to submit suggested nominees and shall then nominate persons who fulfill the categories assigned by the Church Council. With respect to the other nominees, the Church Council shall review its size and composition and take into consideration the experience and expertise of existing members and synodical nominees as well as the needs of the council in seeking to fulfill its duties and responsibilities. Based upon this analysis, the Church Council shall instruct the Nominating Committee to provide nominations in specific categories for the remaining positions up to 13. Excluding the churchwide officers and the chair of the Conference of Bishops, there shall not be more than two members of the Church Council from a synod. The Church Council shall have at least two members from each region. The terms of office of persons elected to regular terms on the Church Council by the Churchwide Assembly shall begin at the conclusion of the Churchwide Assembly at which such persons were elected. If there is no Churchwide Assembly in the year when terms are scheduled to conclude, they end on August 31.**

**19.02.A13.** *The Nominating Committee shall strive to ensure that at least 10 percent of the voting membership of the Church Council shall be youth or young adults. Youth members shall be younger than 18 at the time of their election, and young adults shall be older than 18 and younger than 30 years of age at the time of their election.*

**19.02.BA11.** *On behalf of the Nominating Committee, the secretary of the Evangelical Lutheran Church in America—in the year preceding each regular meeting of the Churchwide Assembly—shall solicit from eligible synods on a rotating basis the names of two persons in specified categories, in keeping with the representation principles of this church, for possible election to the Church Council. Upon their selection by the assemblies of the respective synods, the names of the two persons shall be presented to the Nominating Committee for submission to the Churchwide Assembly. In the event that any nominee withdraws or is disqualified from possible service, the Nominating Committee shall submit a replacement name from the same synod as the original nominee. In the event that the vacancy occurs subsequent to the preparation of the report of the Nominating Committee to the Churchwide Assembly, a floor nomination shall be provided from the same synod as the original nominee. Except as provided herein, no floor nominations for positions on the Church Council shall be permitted at the Churchwide Assembly.*

**19.02.CB05.** *For purposes of nominations for the Church Council on a rotating basis, the following pairing of synods shall be observed insofar as possible: Alaska Synod and Northwest Washington Synod; Eastern Washington-Idaho Synod and Montana Synod; Southwestern*

*Washington Synod and Oregon Synod; Sierra Pacific Synod and Southwest California Synod; Pacifica Synod and Grand Canyon Synod; Rocky Mountain Synod and South Dakota Synod; Western North Dakota Synod and Eastern North Dakota Synod; Northwestern Minnesota Synod and Northeastern Minnesota Synod; Southwestern Minnesota Synod and Southeastern Minnesota Synod; Minneapolis Area Synod and Saint Paul Area Synod; Nebraska Synod and Central States Synod; Arkansas-Oklahoma and Northern Texas-Northern Louisiana Synod; Southwestern Texas Synod and Texas-Louisiana Gulf Coast Synod; Northwest Synod of Wisconsin and Northern Great Lakes Synod; East-Central Synod of Wisconsin and South-Central Synod of Wisconsin; La Crosse Area Synod and Northeastern Iowa Synod; Western Iowa Synod and Southeastern Iowa Synod; Northern Illinois Synod and Central/Southern Illinois Synod; Metropolitan Chicago Synod and Greater Milwaukee Synod; North/West Lower Michigan Synod and Southeast Michigan Synod; Indiana-Kentucky Synod and Northwestern Ohio Synod; Northeastern Ohio Synod and Southern Ohio Synod; New Jersey Synod and New England Synod and Slovak Zion Synod; Metropolitan New York Synod and Upstate New York Synod; Northeastern Pennsylvania Synod and Southeastern Pennsylvania Synod; Northwestern Pennsylvania Synod and Allegheny Synod; Southwestern Pennsylvania Synod and West Virginia-Western Maryland Synod; Upper Susquehanna Synod and Lower Susquehanna Synod; Delaware-Maryland Synod and Metropolitan Washington, D.C., Synod; Virginia Synod and North Carolina Synod; South Carolina Synod and Southeastern Synod; Florida-Bahamas Synod and Caribbean Synod.*

**19.03.** **In the event an interim vacancy on a board, committee, or the Church Council is declared by the secretary, the Church Council shall elect a member to serve the balance of the term.**

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

**19.043.** **Unless otherwise specified in ~~the Constitution, Bylaws, and Continuing Resolutions~~ this church's constitution, bylaws, and continuing resolutions, elections shall be for one six-year term, without consecutive re-election, and with approximately one-half of the members of the Church Council and of each board or ~~advisory~~ committee elected each triennium.**

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

**19.043.A91.** *With respect to committees that consider disciplinary cases or appeals:*  
*b. Any member of the ~~synodical~~ Committee on Discipline who is serving at the time that the Executive Committee of the Church Council appoints members from the churchwide Committee on Discipline to a discipline hearing committee shall continue as a member of that discipline hearing committee for the particular pending case, notwithstanding that his or her successor has been subsequently elected at a Synod Assembly.*

**19.054.** **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~~ constitution, bylaws, and continuing resolutions of this church.**

- 19.054.01.** Each voting member of the Church Council, board, or ~~advisory~~ committee of the churchwide organization shall cease to be a member of the Church Council, board, or ~~advisory~~ committee if no longer a voting member of a congregation of this church. Upon two successive absences that have not been excused by the Church Council, board, or ~~advisory~~ committee, a member's position ~~shall~~ **may** be declared vacant by the secretary of this church, who shall arrange for election by the Church Council to fill the unexpired term.
- 19.054.02.** For purposes of nomination to and service on the Church Council or a board of a separately incorporated ministry, "~~synodical~~ membership" shall be defined as follows:
- 19.054.03.** A board of directors or trustees of a separately incorporated ministry of the Evangelical Lutheran Church in America may remove a director or trustee from the board, if done in accordance with the governing documents of such corporation after at least 30 days' prior notice to the secretary of this church. The decision to remove a director or trustee shall be reported to the Church Council by the secretary.
- 19.065.** **Further procedures for elections and qualifications for office may be set forth in the bylaws and continuing resolutions, provided that such provisions do not conflict with any other provisions in this constitution.**
- 19.065.01.** It shall be the responsibility of the Church Council to assure that this church maintains its commitment to inclusive representation.
- 19.065.02.** In all elections by the Churchwide Assembly, other than for the presiding bishop, vice president, and secretary, a majority of the votes cast on the first ballot shall be necessary for election. If an election does not occur on the first ballot, the names of the two persons receiving the highest number of votes cast shall be placed on the second ballot. On the second ballot, a majority of the legal votes cast shall be necessary for election.
- 19.065.03.** Each triennium the Conference of Bishops shall select a bishop to serve as an advisory member of each board of a separately incorporated ministry and advisory committee of the churchwide organization. No ~~synodical~~ bishop, with the exception of the chair of the Conference of Bishops, shall serve as a voting member of the Church Council.
- 19.065.04.** The Church Council shall from time to time, by continuing resolution, establish committees and procedures for the conduct of elections at the Churchwide Assembly.
- 19.065.05.** No member of the Church Council, a committee of the Church Council, a board of a separately incorporated ministry, or committee of the churchwide organization shall receive emolument for such service, ~~nor shall any member be simultaneously an officer of this church, an elected member of the Church Council, or a voting member of a committee of the churchwide organization or board of a separately incorporated ministry.~~ Nothing in this section shall be construed ~~to prohibit the payment of salaries and benefits of the officers of this church, nor~~ to prohibit the payment of the costs of insurance on behalf of a person who is or was a member of the Church Council, a committee of the Church Council, or committee against any liability asserted against and incurred by such person in or arising from that capacity, whether or not the churchwide organization would have been required to indemnify such person against the liability under provisions of law or otherwise.

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

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

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

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

- o. On the second ballot, whether by common ballot or by electronic device, the first position on each ticket shall be given to the nominee who received the greatest number of votes on the first ballot. If two nominees are tied for the highest vote, the first position on the ticket shall be determined by draw by the chair of the Elections Committee.*

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

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

**19.06.C13.**

**19.05.A13.**

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

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

**19.11.05.** The Church Council shall endeavor to ensure that every synod has at least one person serving on the Church Council or churchwide boards, committees, task forces, or other groups. Among those persons elected by the assembly, **excluding the officers,** no more than two persons from any one synod shall serve on the Church Council or any one board, committee, task force, or other group.

**19.11.A16. Nominations Desk and Nominations Form**

- c. The required form to be used in making nominations from the floor shall include the nominee's name, address, phone number, **gender,** lay or rostered status, white or person of color or primary language other than English status, congregational membership, **synodical** membership, and affirmation of willingness to serve, if elected; the name, address, and **synodical** membership of the voting member who is making the nomination; and such other information as the secretary of this church shall require.*
- d. For purposes of nomination procedures, "**synodical** membership" means:*

**19.11.B0519. Floor Nominations**

- a. *Floor nominations for positions on a board or committee of a churchwide unit require, in addition to the nominator, the written support of at least 10 other voting members. Floor nominations for the Church Council, the Nominating Committee, or other churchwide committee or board to be elected by the Churchwide Assembly require, in addition to the nominator, the written support of at least 20 other voting members.*

**19.11.F19. Election Procedures Utilizing the Common Ballot**

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

**19.11.G98. Breaking Ties in Elections**

- a. *On the ballot for the election of the presiding bishop, vice president, and secretary, when only two names appear, the marked ballot of the treasurer shall be held by the*

*chair of the Elections Committee and shall be counted only where necessary to break a tie that would otherwise exist.*

*b. On the first common ballot, the blank ballots of the treasurer and vice president shall be held by the chair of the Elections Committee to be presented to the treasurer for her or his vote only in those elections where a tie would otherwise exist, and to be presented to the vice president for his or her vote only in those elections to break a tie remaining after the ballot of the treasurer has been counted.*

*c. On the second common ballot, the marked ballot of the treasurer shall be held by the chair of the Elections Committee and shall be counted only where necessary to break a tie that would otherwise exist.*

**CHAPTER 20: CONSULTATION, DISCIPLINE, APPEALS, AND ADJUDICATION**

**20.20.** **There shall be a Committee on Appeals to which may be referred appeals from disciplinary proceedings and petitions for the recall of an officer. The Committee on Appeals shall be comprised of six rostered ministers, at least one of whom shall be a minister of Word and Service, and six laypersons, elected by the Churchwide Assembly for a term of six years, without consecutive re-election. The Committee on Appeals shall elect its own officers.**

**20.21.** **The Committee on Appeals shall establish definitions and guidelines, subject to approval by the Church Council, to enable clear and uniform application of the grounds for discipline of officers, rostered ministers, congregations, and members of congregations. The Church Council shall appoint three members from the Committee on Appeals who shall recommend rules of procedure for the performance of its duties. The rules shall become effective when ratified by the Church Council.**

**20.21.01.** **The churchwide Committee on Discipline shall consist of 24–36 members, half of whom should be rostered ministers (including at least two ministers of Word and Service) and half of whom should be laypersons, elected by the Churchwide Assembly for a term of six years. Each member will serve until a successor is elected, without consecutive re-election, and will serve as needed on a discipline hearing committee in any of the synods in this church.**

**20.21.02.** **The churchwide Committee of Hearing Officers shall consist of six to nine persons elected by the Church Council for a term of six years, each without consecutive re-election, to serve as needed on a discipline hearing committee in any of the synods of this church.**

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

**20.212.01.** **Ministers of Word and Sacrament shall be subject to discipline for:**  
 d. willfully disregarding the provisions of the constitutions, bylaws, and continuing resolutions **of this church**; or  
 e. willfully failing to comply with the requirements ordered by a discipline hearing committee under ~~20.23.08, 20.24.08.~~

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

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

a. at least two-thirds of the members of the congregation’s council, submitted to the ~~synodical~~ bishop;

- b. at least one-third of the voting members of the congregation, submitted to the synodical bishop;
- c. at least two-thirds of the members of the governing body to which the minister of Word and Sacrament, if not a congregational pastor, is accountable, submitted to the synodical bishop;
- d. at least 10 ministers of Word and Sacrament or ministers of Word and Service of the synod on whose roster the accused minister of Word and Sacrament is listed, submitted to the synodical bishop;
- e. the synodical bishop; or
- f. the presiding bishop of this church, but only with respect to an accused who is a synodical bishop (or who was a synodical bishop at any time during the 12 months preceding the filing of written charges), submitted to the secretary of this church.

- 20.212.04.** When there are indications that a cause for discipline may exist and before charges are made, efforts shall be made by the bishop of the synod to resolve the situation by consultation; for assistance in these efforts, the bishop may utilize either a consultation panel or an advisory panel as herein provided:
- a. When requested by the synodical bishop, a consultation panel consisting of five persons (three ministers of Word and Sacrament and two laypersons) appointed from the members of the Consultation Committee of the synod by the synodical bishop, or, at the request of the synodical bishop, by the Synod Council's Executive Committee or other committee authorized to do so by the Synod Council, shall assist the synodical bishop in efforts to resolve a situation by consultation.
  - b. When requested by the synodical bishop, an advisory panel consisting of five persons (three ministers of Word and Sacrament and two laypersons) appointed by the synodical bishop shall assist the synodical bishop in efforts to resolve a situation by consultation.

- 20.212.05.** If appointed, a consultation panel or advisory panel shall advise the synodical bishop as to whether or not the bishop should bring charges or may make other recommendation for resolution of the controversy that would not involve proceedings before a discipline hearing committee. To these ends, the panel may meet with complaining witnesses as well as with the concerned minister of Word and Sacrament. If requested by the synodical bishop, members of the panel also may assist, as representatives of the accuser, in the presentation of evidence and examination of witnesses before a discipline hearing committee.

- 20.212.06.** When charges are brought other than by the synodical bishop or the presiding bishop of this church, the synodical bishop may refer such charges to a consultation panel as provided in 20.21.04.a. 20.22.04.a.
- a. If as a result of meeting with a consultation panel the charges are withdrawn by the accuser(s), no further proceedings shall be required.
  - b. Upon recommendation of the consultation panel that the charges be dismissed, the synodical bishop may dismiss the charges, in which case no further proceedings shall be required.
  - c. Upon recommendation of the consultation panel that some of the allegations supporting the charges be stricken, the synodical bishop may strike some or all of such allegations, and further proceedings shall be required on the remaining allegations.
  - d. In the case of charges that do not anticipate disciplinary action, the consultation panel shall submit a report in writing to the synodical bishop that sets forth the action or actions recommended by the consultation panel, and the synodical bishop shall convey the recommendations to the parties. If either party does not accept the

recommendations, that party may appeal to the Synod Council, whose decision shall be final.

- e. In the case of charges that anticipate disciplinary action that have not been withdrawn or dismissed as a result of ~~20.21.06.a, 20.22.06.a~~ or b. above, the charges shall be referred to a discipline hearing committee for a hearing.

~~20.21.07.~~ When charges are brought by a ~~synodical~~ bishop or the presiding bishop of this church, or when charges are brought other than by a ~~synodical~~ bishop and have not been withdrawn or dismissed or otherwise disposed of as provided in ~~20.21.06, 20.22.06~~, the ~~synodical~~ bishop or the presiding bishop, as appropriate, shall deliver a copy of the charges to the accused and the secretary of this church.

~~20.21.08.~~ A discipline hearing committee shall be convened to conduct a hearing. The voting members of this committee shall be composed of 12 persons of whom six shall be selected by the Synod Council's Executive Committee from the Committee on Discipline of the synod and six shall be selected from the churchwide Committee on Discipline under the process described in ~~20.21.12, 20.22.11~~. The rules authorized in ~~20.21.16, 20.22.14~~ shall establish the method, based upon the remainder of the term, for determining which members of the ~~synodical~~ committee shall serve as the voting members and which shall serve as alternates. A hearing officer selected from the churchwide Committee of Hearing Officers under the process described in ~~20.21.14, 20.22.12~~ shall preside as the non-voting chair of the discipline hearing committee.

~~20.21.11.~~ ~~The Churchwide Committee on Discipline shall consist of 24-36 members, half of whom should be ministers of Word and Sacrament and half of whom should be laypersons, elected by the Churchwide Assembly for a term of six years. Each member will serve until a successor is elected, without consecutive re-election, and will serve as needed on a discipline hearing committee in any of the synods in this church.~~

~~20.21.12.~~  
~~20.22.11.~~ The accused shall have the privilege of selecting two persons (one ~~rostered~~ minister ~~of Word and Sacrament~~ and one layperson) and their alternates of the six persons from the churchwide Committee on Discipline to serve on a discipline hearing committee. The remaining four persons (two ~~rostered~~ ministers ~~of Word and Sacrament~~ and two laypersons) and their alternates, or six, if the accused does not exercise the privilege, and their alternates shall be selected by the Executive Committee of the Church Council.

~~20.21.13.~~ ~~The churchwide Committee of Hearing Officers shall consist of nine persons elected by the Church Council for a term of six years, each without consecutive re-election, to serve as needed on a discipline hearing committee in any of the synods of this church.~~

~~20.21.14.~~  
~~20.22.12.~~ The presiding bishop of this church shall select one member of the churchwide Committee of Hearing Officers to serve as the non-voting chair of a discipline hearing committee.

~~20.21.15.~~  
~~20.22.13.~~ The presiding bishop of this church may appoint one or more persons as facilitators to make arrangements for, and to provide technical assistance to, a discipline hearing committee.

~~20.21.16.~~  
~~20.22.14.~~ The Church Council shall appoint three members from the Committee on Appeals who shall recommend rules of procedure for the performance of the duties of hearing officers and

discipline hearing committees. The rules shall become effective when ratified by the Church Council.

**20.21.17.**

**20.22.15.**

~~In each specific case for which a discipline hearing committee has been constituted, the~~ The discipline hearing committee shall, within 60 days after the secretary of this church has given notice of the selection by the Executive Committee of the Church Council of the members of the churchwide Committee on Discipline to serve on a discipline hearing committee, meet with the accused and the accuser(s) to hold a hearing. The committee shall render its written decision within 15 days after the committee concludes the hearing. The 60-day period may be extended one or more times to a specified date by a written stipulation signed by the accuser(s), the accused, and the hearing officer prior to the expiration of the original 60-day period or prior to the extended specified date.

**20.21.18.**

**20.22.16.**

Written notice of the date, time, and place of the hearing and a copy of the charges shall be delivered to the accused and to the accuser(s) at least 20 days prior to the date of the hearing.

**20.21.19.**

**20.22.17.**

At the hearing, the accuser(s) may present evidence in support of the charges and thereafter the accused shall be entitled to present evidence. The accused and the accuser(s), or other person acting on behalf of either of them, shall be entitled to question the other party or any of the witnesses appearing on behalf of the other party. A verbatim record shall be made by a stenographer or court reporter or by audio or video recording of the hearing.

**20.212.21.**

The discipline hearing committee shall render its decision in writing. The written decision shall be in two parts:

**20.212.22.**

The decision of the discipline hearing committee shall be made by a majority vote of its members who were present at the hearing. The decision of the discipline hearing committee shall be final on the date it is issued by the committee. Within 30 days, one of the parties may appeal to the Committee on Appeals and may request the Committee on Appeals to stay the effective date of the decision. A stay may be granted in whole or in part and subject to such conditions, if any, as the Committee on Appeals may require. The decisions of the Committee on Appeals shall be final.

**20.212.23.**

If there are indications that a cause for discipline exists or if in the course of the proceedings it should become apparent to the bishop of the synod that the pastoral office cannot be conducted effectively in the congregation(s) being served by the minister of Word and Sacrament due to local conditions or that local conditions may be adversely affected by the continued service by the minister of Word and Sacrament, the bishop of the synod may temporarily suspend the pastor from service in the congregation(s) without prejudice and with pay provided through a joint synodical and churchwide fund and with housing provided by the congregation(s).

**20.212.24.**

If there are indications that a cause for discipline exists or if, in the course of proceedings, it becomes apparent to the bishop of the synod that the circumstances require, the bishop of the synod may temporarily suspend a minister of Word and Sacrament serving under letter of call issued other than by a congregation from the office and functions of the ministry of Word and Sacrament without prejudice and without affecting compensation and housing.

**20.223.** The disciplinary process for ministers of Word and Service shall be set forth in the bylaws.

**20.223.01.** Ministers of Word and Service shall be subject to discipline for:

- d. willfully disregarding the provisions of the constitutions, bylaws, and continuing resolutions **of this church**; or
- e. willfully failing to comply with the requirements ordered by a discipline hearing committee under ~~20.23.08, 20.24.08.~~

**20.223.02.** The disciplinary actions that may be imposed are:

**20.223.03.** Charges against a minister of Word and Service of this church that could lead to discipline must be specific and in writing, subscribed to by the accuser(s), and be made by one or more of the following:

- a. at least two-thirds of the members of the Congregation Council of the congregation in which the minister of Word and Service is serving, submitted to the **synodical** bishop;
- b. at least one-third of the voting members of the congregation in which the minister of Word and Service is serving, submitted to the **synodical** bishop;
- c. at least two-thirds of the members of the governing body to which the minister of Word and Service is accountable, submitted to the **synodical** bishop;
- d. at least 10 ministers of Word and Sacrament or ministers of Word and Service on the rosters of the synod on whose roster the accused minister of Word and Service is listed, submitted to the **synodical** bishop; or
- e. the **synodical** bishop.

**20.223.04.** When there are indications that a cause for discipline exists, efforts shall be made by the bishop of the synod to resolve the situation by consultation in the same manner as set forth above for ministers of Word and Sacrament in ~~20.21.04, 20.22.04.~~ through ~~20.21.06, 20.22.06.~~

**20.223.05.** If those efforts fail, the procedures for discipline shall be the same as that set forth above for ministers of Word and Sacrament in ~~20.21.07, 20.22.07.~~ through ~~20.21.22, 20.22.22.~~

**20.223.06.** If there are indications that a cause for discipline exists or if in the course of the proceedings it should become apparent to the bishop of the synod that the role and function of a minister of Word and Service cannot be conducted effectively in the congregation(s) being served by the minister of Word and Service due to local conditions or that local conditions may be adversely affected by the continued service by the minister of Word and Service, the bishop of the synod may temporarily suspend the minister of Word and Service from service in the congregation(s) without prejudice and with pay provided through a joint churchwide-**synodical**-congregation fund.

**20.223.07.** If there are indications that a cause for discipline exists or if in the course of proceedings it becomes apparent to the bishop of the synod that the circumstances require, the bishop of the synod may temporarily suspend a minister of Word and Service serving under letter of call issued other than by a congregation from the office and functions of a minister of Word and Service without prejudice and without affecting compensation.

- 20.234.** A process for limited discipline of rostered ministers shall be set forth in the bylaws.
- 20.234.01.** Where the written charges specify that the accuser will not seek the rostered minister's removal from the ministry of this church or suspension from the office/role and functions of the ministry of this church for a period not exceeding three months, ~~20.23.01. through 20.23.09.~~ shall apply to the exclusion of ~~20.21.08. through 20.21.24. and 20.22.05. through 20.22.07.~~ ~~20.24.01. through 20.24.09.~~ shall apply to the exclusion of ~~20.22.08. through 20.22.24. and 20.23.05. through 20.23.07.~~
- 20.234.02.** The voting members of a discipline hearing committee convened to conduct a hearing on charges described in ~~20.23.01.-20.24.01.~~ shall be six members of the synod's Committee on Discipline selected by the Executive Committee of the Synod Council. A hearing officer selected from the churchwide Committee of Hearing Officers by the secretary of this church shall preside as the nonvoting chair of the discipline hearing committee described in this ~~20.23.02. 20.24.02.~~
- 20.234.03.** The secretary of this church may appoint one or more persons as facilitators to make arrangements for, and to provide technical assistance to, a discipline hearing committee considering charges described in ~~20.23.01. 20.24.01.~~
- 20.234.04.** Three members of the Committee on Appeals, appointed by the Church Council, shall develop rules of procedure for the performance of the duties of hearing officers and discipline hearing committees considering charges described in ~~20.23.01. 20.24.01.~~ The rules become effective when adopted by the Church Council.
- 20.234.05.** In each case for which a discipline hearing committee has been constituted, the committee shall, within 60 days after the secretary of this church has given notice of the selection of the hearing officer to serve on a discipline hearing committee, commence a meeting or series of meetings with the accused and the accuser(s) to receive testimony or other evidence offered by the accused or the accuser(s). The 60-day period may be extended one or more times to a specified date by a written stipulation signed by the accuser(s), the accused, and the hearing officer prior to the expiration of the original 60-day period or prior to the extended specified date.
- 20.234.06.** Written notice of the date, time, and place of the first meeting of the discipline hearing committee at which testimony will be received, and a copy of the charges, shall be delivered to the accused and to the accuser(s) at least 20 days prior to the date of the meeting.
- 20.234.07.** The discipline hearing committee shall decide, consistent with rules adopted under ~~20.23.04. 20.24.04.~~, to what extent the accused shall be able to confront or cross-examine witnesses testifying on behalf of the accuser and to what extent the accuser shall be able to confront or cross-examine witnesses testifying on behalf of the accused. A verbatim record shall be made by a stenographer or court reporter or by audio or video recording of all meetings of the committee at which testimony is presented. The accused and the accuser may be accompanied at the meeting(s) by a friend or advisor. Such friend or advisor shall not participate in the proceedings before the committee.
- 20.234.08.** The discipline hearing committee shall conclude its meeting(s) and render its decision in writing within 45 days of the commencement of the meeting for which written notice was given under ~~20.23.06. 20.24.06.~~ The written decision shall be in two parts:
- 1) private censure and admonition by the **synodical** bishop.

- 4) referral of written charges (amended to reflect additional evidence presented to the committee) to a discipline hearing committee convened under ~~20.21.08. through 20.21.24. or 20.22.05. through 20.22.07. 20.22.08. through 20.22.24. or 20.23.05. through 20.23.07.~~

**20.234.09.** The decision of the discipline hearing committee shall be made by a majority vote of its members who were present at the hearing. The decision of the discipline hearing committee shall be final on the date it is issued by the committee. Within 30 days of that date, one of the parties may appeal to the Committee on Appeals and may request the Committee on Appeals to stay the effective date of the decision. A stay may be granted in whole or in part and subject to such conditions, if any, as the Committee on Appeals may require. The decisions of the Committee on Appeals shall be final.

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

**20.31.01.** Congregations shall be subject to discipline for:

- c. willfully disregarding or violating the provisions of the constitutions, bylaws, and continuing resolutions of this church.

**20.31.03.** Charges against a congregation which could lead to discipline must be specific and in writing, subscribed to by the accuser(s), and be made by one or more of the following:

- a. at least one-fifth of the voting members of the congregation, submitted to the ~~synodical~~ bishop;  
 b. at least three other congregations of the synod, submitted to the ~~synodical~~ bishop;  
 d. the ~~synodical~~ bishop.

**20.31.04.** When there are indications that a cause for discipline exists, efforts shall be made by the bishop of the synod to resolve the situation by consultation in the same manner as set forth above for ministers of Word and Sacrament in ~~20.21.04. 20.22.04. and 20.21.05. 20.22.05.~~

**20.31.05.** If those efforts fail, the procedures for discipline shall be the same as that set forth above for ministers of Word and Sacrament in ~~20.21.07. 20.22.07. through 20.21.22. 20.22.22.~~

**20.51.A169. Recall or Dismissal of an Officer**

- a. *The petition for recall or dismissal described in ~~20.52. 20.51.02.~~ shall be filed with the chair of the Committee on Appeals (in care of the secretary of the Evangelical Lutheran Church in America, 8765 West Higgins Road, Chicago, Illinois 60631, except if the subject of the petition is the secretary, the petition shall be in care of the presiding bishop of this church at the same address).*
- c. *~~If the officer is a minister of Word and Sacrament, grounds for recall or dismissal include those set forth in 20.21.01. and as defined under the process described in 20.20. for discipline. If the officer is a minister of Word and Service, grounds for recall or dismissal include those set forth in 20.22.01. and as defined under the process described in 20.71.11. and 20.20. as grounds for discipline. If the officer is a layperson, grounds for recall or dismissal include those set forth in 20.41.01. and as defined under the process described in 20.20. as grounds for discipline. The grounds and process for recall or dismissal of an officer are as described in Chapter 20 of this constitution.~~*
- d. *In the case of alleged willful disregard or violation of the constitutions, bylaws, and continuing resolutions or of alleged conduct as would subject the officer to disciplinary action, the following procedures shall apply:*

- 1) *The petition shall be referred to the Committee on Appeals which shall function as the discipline hearing committee that shall conduct a hearing in accordance with the rules provided for in ~~20.21.16, 20.22.14,~~ except to the extent that those rules are in conflict with ~~20.51, 20.52, 20.53, 20.51.01., 20.51.02., 20.51.03,~~ or with the provisions of this continuing resolution; and*

**20.60. COMMITTEE ON APPEALS**

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

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

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

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

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

**20.641.A13. Rules of the Committee on Appeals**

- f. The persons or entities who may appeal to the Committee on Appeals are set forth in ~~20.64, 20.61.~~*
- g. The circumstances for which the Committee on Appeals may reverse or set aside the decision of a discipline hearing committee are set forth in ~~20.65.01, 20.62.01,~~ and consequences of such circumstances are set forth in ~~20.65.02, 20.62.02.~~*
- j. Notice of decisions of the Committee on Appeals shall be given in writing to the accused, the accuser(s), the chair of the discipline hearing committee, the ~~synodical~~ bishop, and the secretary of this church.*
- q. See ~~20.51.A16-A19,~~ and †S8.57. for additional rules of procedure applicable in proceedings for recall or dismissal.*
- r. See ~~20.64.B95, 20.61.B95.~~ for additional rules of procedure applicable to stays*

**20.641.B95. Any party who has appealed to the Committee on Appeals for review of a decision of a discipline hearing committee may request a stay in the effective date or other provision contained in said decision pending the appeal. Such request shall be in writing and shall set forth the reasons why the requested stay is advisable. The request shall be forwarded to the Committee on Appeals, c/o ELCA Secretary, 8765 West Higgins Road, Chicago, Illinois 60631, with copy to the other party. The Committee on Appeals may grant the other party an opportunity to respond in writing. The Committee on Appeals may grant a stay for such period, and may renew the stay for such further periods, as it determines to be appropriate. The Committee on Appeals may make the grant of a stay**

*subject to such conditions as it determines to be appropriate. Such determinations shall be final.*

**20.652.** The circumstances for which the Committee on Appeals may reverse or set aside the decision of a discipline hearing committee and the consequences of such action shall be set forth in the bylaws.

**20.652.01.** The judgment of a discipline hearing committee must be sustained unless the Committee on Appeals finds that one of the following conditions exists:

**20.652.02.** When the Committee on Appeals has decided to reverse or set aside the decision of the discipline hearing committee, the Committee on Appeals shall proceed as follows:

- a. If the Committee on Appeals has determined that one of the conditions listed in ~~20.65.01.a.1) or 20.65.01.a.2)~~ 20.62.01.a.1) or 20.62.01.a.2) exists, the Committee on Appeals may return the matter to the discipline hearing committee for further proceedings or render its own decision, which shall be final and unappealable.
- b. If the Committee on Appeals has determined that the condition listed in ~~20.65.01.a.3)~~ 20.62.01.a.3) exists, it shall render its own decision, which shall be final and unappealable.
- c. If the Committee on Appeals has determined that one of the conditions listed in ~~20.65.01.b., 20.65.01.c., or 20.65.01.d.~~ 20.62.01.b., 20.62.01.c., or 20.62.01.d. exists, it shall return the matter to the discipline hearing committee for further proceedings.

**20.663.** Decisions of the Committee on Appeals shall be final; an affirmative vote by at least two-thirds of those present and voting shall be necessary to render a decision or opinion. Each decision or opinion shall be reported as soon as practical in writing to the parties concerned, and a summary of action taken shall be reported to the Churchwide Assembly.

**20.70.** **CONSULTATION AND ADJUDICATION**

**20.71.** The presiding bishop and the Executive Committee of the Church Council shall be available to give **guidance and** counsel when disputes arise ~~within among the three expressions of~~ this church.

**20.72.** When there is disagreement on a substantive issue ~~between or among synods of this church and offices of the churchwide organization~~ **between or** among churchwide units ~~or between or among synods of this church and offices of the churchwide organization~~ that cannot be resolved by the parties, the aggrieved party or parties may appeal to the presiding bishop ~~and the Executive Committee of the Church Council, or his or her designee,~~ for consultation. If this consultation fails to resolve the issue, a petition may be addressed by the parties to the Church Council requesting ~~it to resolve a resolution of~~ **it to resolve a resolution of** the matter.

**20.73.** When ~~a component of a churchwide unit or office has a~~ **there is** disagreement on a substantive issue ~~which it cannot resolve within the unit or office, it between or among synods which cannot be resolved by the parties, the synod affected~~ **which it cannot resolve within the unit or office, it between or among synods which cannot be resolved by the parties, the synod affected** may address an appeal to the presiding bishop and the Executive Committee of the Church Council. In this case, the decision of the Executive Committee shall prevail, ~~except that unless,~~ upon the motion of a member of the Church Council, the decision ~~shall be is~~ referred to the Church Council for final action.

**20.74.** When there is disagreement on a substantive issue between a synod or synods and the churchwide organization that cannot be resolved by the parties, ~~the aggrieved any~~

party or parties may appeal to the Committee on Appeals for consultation and adjudication. If this appeal consultation fails to resolve the issue, a petition may be addressed by the parties to the Churchwide Assembly, whose decision shall be final for a final decision.

20.75. When there is disagreement among factions within a congregation on a substantive issue which cannot be resolved by the parties, members of a congregation shall have access to the synodical bishop for consultation after informing the chair of the Congregation Council of their intent. If the consultation fails to resolve the issue(s), the Consultation Committee of the synod shall consider the matter. If the Consultation Committee of the synod shall fail to resolve the issue(s), the matter shall be referred to the Synod Council, whose decision shall be final.

When there is disagreement between or among congregations in the same synod on a substantive issue which cannot be resolved by the parties, the council of an affected congregation may petition the synod bishop for consultation after informing the other affected congregation(s) of its intent to do so. The synod bishop shall seek a timely resolution of the dispute. If the bishop's consultation fails to resolve the issue(s), the bishop shall refer the matter to the Consultation Committee of the synod, which shall undertake efforts to find an appropriate solution. If the Consultation Committee's efforts fail to resolve the issue(s), the entire matter shall be referred to the Synod Council for adjudication by whatever process the Council deems necessary. The Synod Council's decision shall be final.

20.76. When there is disagreement between or among factions within a congregation on a substantive issue which cannot be resolved by the parties, members of the congregation may petition the synod bishop for consultation after informing the president of the Congregation Council of their intent to do so. The synod bishop shall seek a timely resolution of the dispute. If the issue relates directly to the pastor, the bishop may begin the process in †S14.18.d. In all other matters, if the bishop's consultation fails to resolve the issue, the bishop shall refer the matter to the Consultation Committee of the synod, which shall undertake efforts to find an appropriate solution. If the Consultation Committee's efforts fail to resolve the dispute, the entire matter shall be referred to the Synod Council for adjudication by whatever process the Council deems necessary. The Synod Council's decision shall be final.

## CONSTITUTION FOR SYNODS

### CHAPTER 3: TERRITORY

†S3.02. "Determined by the Churchwide Assembly," as stipulated by †S3.01., is understood to include the reported changes in synod relationship made by any congregation in a border area agreed under ELCA bylaws 10.01.01. and ~~40.02.02.~~ 10.01.03.

### CHAPTER 6: STATEMENT OF PURPOSE

†S6.02. To participate in God's mission, this synod as a part of the Church shall:

- c. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity and justice for all people, working for peace and reconciliation among the nations, and standing with the poor and powerless and committing itself to their needs.

Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity, justice and equality for all people, working for peace and

reconciliation among the nations, caring for the marginalized, embracing and welcoming racially and ethnically diverse populations, standing with the poor and powerless and committing itself to their needs.

†S6.03. ~~Each This~~ synod, in partnership-cooperation 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:

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

- a. providing for pastoral care of congregations, ministers of Word and Sacrament, and ministers of Word and Service in the synod, including:
  - 1) approving candidates for the ministry of Word and Sacrament in cooperation with the appropriate seminaries of this church, which may be done through multi-synodical committees;
  - 2) authorizing ordinations and ordaining ministers of Word and Sacrament on behalf of this church;
  - 3) approving ministers of Word and Service, which may be done through multi-synodical committees;
  - 4) authorizing consecrations and consecrating ordinations and ordaining ministers of Word and Service on behalf of this church; and

†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-relationships with other synods in the region;
- c. developing relationships with social ministry organizations and ministries, participating in their mission planning, and providing partnership supportive funding;
- d. supporting relationships with and providing partnership supportive funding on behalf of colleges, universities, and campus ministries;
- e. maintaining relationships with and providing partnership supportive funding on behalf of seminaries and continuing education centers;
- h. fostering relationships with ecumenical and global partners companions

†S6.04. Except as otherwise provided in this constitution and bylaws, the Synod Council shall establish processes that will ensure that at least 60 percent of the members of the synod assemblies, councils, committees, boards, and other organizational units shall be laypersons; and that, as nearly as possible, 50 at least 45 percent of the lay members of assemblies, councils, committees, boards, or other organizational units shall be female women and 50-at least 45 percent shall be male men; and that, where possible, the representation of ministers of Word and Sacrament shall ~~be both male and female~~ include both men and women. This synod shall establish processes that will enable it to reach a minimum goal that 10 percent of its assemblies, councils, committees, boards, or other organizational units be persons of color and/or persons whose primary language is other than English.

†S6.05. Each assembly, council, committee, board, commission, task force, or other body of this synod or any synodical units shall be conclusively presumed to have been properly

constituted, and neither the method of selection nor the composition of any such assembly, council, committee, board, commission, task force, or other body may be challenged in a court of law by any person or be used as the basis of a challenge in a court of law to the validity or effect of any action taken or authorized by any such assembly, council, committee, board, commission, task force, or other body.

#### CHAPTER 7: SYNOD ASSEMBLY

- †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:
- b. All ministers of Word and Service, under call, on the roster of this synod shall be voting members in the Synod Assembly, ~~in addition to the voting membership of lay members of congregations provided in item †S7.21.e.~~
  - 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 a man~~ and one of whom shall be ~~female a woman~~, 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 at least 45~~ percent of the lay members of the assembly shall be ~~female women~~ and ~~50 at least 45~~ percent shall be ~~male men~~. ~~Additional members from each congregation normally shall be equally divided between male and female.~~
- †S7.21.02. ~~If a special Synod Assembly is called and voting members at the previous assembly are unable to serve as voting members, where permitted by state law, the congregation through the Congregation Council may elect new members who shall continue to serve until the next Synod Assembly.~~
- S7.22. This synod may establish processes that permit retired rostered ministers, or those ~~designated as disabled granted disability status~~, or on leave from call, on the roster of the synod to serve as voting members of the Synod Assembly, consistent with †S7.21.c. If the synod does not establish processes to permit the rostered ministers specified above to serve as voting members, they shall have voice but not vote in the meetings of the Synod Assembly.
- [The following provision becomes required.]*
- †S7.23. The presiding bishop of the Evangelical Lutheran Church in America and such other official representatives of ~~this church the churchwide organization~~ as may be designated ~~from time to time~~ by the ~~Church Council presiding bishop~~, shall 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 ~~congregations under development and~~ authorized worshipping communities of the synod, which have been authorized under ELCA bylaw ~~10.02.03, 10.01.04.~~, 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 the Synod Assembly~~.

**CHAPTER 8: OFFICERS**

**S8.11.01.** When authorized by the Synod Council in order to address special circumstances, the synod bishop may be compensated as an employee or contractor for specified services to another expression of this church. Such an arrangement may be terminated by the Synod Assembly or Synod Council if determined to be detrimental to the function of the office or if the special circumstances no longer apply.

- c. Exercise solely this church's power to ordain (or provide for the ordination by another synodical bishop of) approved candidates who have received and accepted a properly issued, duly attested letter of call for the office of ministry of Word and Sacrament (and as provided in the bylaws of the Evangelical Lutheran Church in America).
- d. Consecrate (or provide for the consecration of) Ordain (or provide for the ordination of) approved candidates who have received and accepted a properly issued, duly attested letter of call for service as ministers of Word and Service of this church.
- h. Practice leadership in strengthening the unity of the Church and in so doing:
  - 4) consult be a member of the Conference of Bishops and consult regularly with other synodical bishops and the Conference of Bishops;
    - i. Oversee and administer the work of this synod and in so doing:
  - 5) coordinate the work of all synodical staff members;
  - 8) provide for preparation and maintenance of synodical rosters containing the names and addresses of all rostered ministers of this synod and a record of the calls under which they are serving or the date on which they become retired or disabled their retired or disability status took effect;
  - 10) provide for prompt reporting to the secretary of this church of:
    - a) additions to and subtractions from the rosters of this synod and the register of congregations;
  - 11) provide for preparation and maintenance of a register-roster of the congregations of this synod and the names of the laypersons who have been elected to represent them; and

†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 of this church. 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.

S8.14. The synodical bishop may have such assistants as this synod shall from time to time authorize.

†S8.15. The presiding bishop of this church, or the appointee of the presiding bishop, shall install into office, in accord with the policy and approved rite of this church, each newly elected synodical bishop.

†S8.16. **Conflicts of Interest**

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

- a. Whenever a synodical bishop determines that a matter of the kind described in †S8.16.01.b. may require his or her determination or action with respect to a related

individual as defined in †S8.16.01.c., the **synodical** bishop shall withdraw from personal involvement in such matter and shall so notify the presiding bishop. The presiding bishop shall then appoint another **synodical** bishop from the same region to handle the matter to conclusion. In dealing with such matter, the appointed bishop shall exercise all of the functions and authority to the same extent as if the appointed bishop were the elected bishop of the withdrawing bishop's synod.

- b. Matters include any proceedings under Chapter 20, proceedings under provision 7.46. of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America* (†S14.18.), candidacy, reinstatement, and similar matters where determinations or actions by the **synodical** bishop could change, limit, restrict, approve, authorize, or deny the related individual's ministry on one of the official rosters of this church.
- c. A related individual is one who, with respect to the **synodical** bishop, is a spouse, parent, son, daughter, sibling, uncle, aunt, niece, nephew, grandparent, grandchild, including corresponding members of blended families and in-laws (parent, son, daughter, or sibling of a spouse, spouse of a sibling, or the parent or sibling of the spouse of a sibling).

**[The following provision becomes required.]**

**†S8.23.** In the event of the death, resignation, or disability of the bishop, the vice president, after consultation with the presiding bishop of the Evangelical Lutheran Church in America, shall convene the Synod Council to arrange for the conduct of the duties of the bishop until a new bishop shall be elected or, in the case of temporary disability, until the bishop resumes full performance of the duties of the office.

**S8.30. Secretary**

**†S8.31.** The secretary shall be elected by the Synod Assembly. The secretary shall be a voting member of a congregation of this synod. The secretary may be either a layperson or a **rostered minister of Word and Sacrament**.

**S8.40. Treasurer**

**†S8.41.** The treasurer may be elected by the Synod Assembly or may be appointed by the Synod Council. The treasurer shall be a voting member of a congregation of this synod. The treasurer may be either a layperson or a **rostered minister of Word and Sacrament**.

**S8.50. General Provisions**

**†S8.51.** The terms of office of the officers of this synod shall be **as follows**:

- b. The vice president and secretary of this synod shall be elected to a term of \_\_\_\_\_ years and may be re-elected. **The officer shall serve until his or her successor takes office.**
- c. The treasurer of this synod shall be [elected] [appointed] to a \_\_\_\_\_-year term and may be re-elected or reappointed. **The treasurer shall serve until his or her successor takes office.**

**†S8.57.** The recall or dismissal of an officer and the vacating of office may be effected for willful disregard or violation of the constitutions, bylaws, and continuing resolutions of this church; for such physical or mental disability as renders the officer incapable of performing the duties of office; or for such conduct as would subject the officer to disciplinary action as a rostered minister or as a member of a congregation of this church.

- a. Proceedings for the recall or dismissal of a **synodical** bishop shall be instituted by written petition by:
  - 3) at least 10 **synodical** bishops; or
- b. Proceedings for the recall or dismissal of an officer of a synod, other than the **synodical** bishop, shall be instituted by written petition by:
  - 3) the **synodical** bishop.
- f. If the synod officer is a minister of Word and Sacrament, grounds for recall or dismissal include those set forth in ELCA bylaw **20.21.01-20.22.01.** and as defined under the process described in ELCA constitutional provisions **20.20. and 20.21. and 20.22.** as grounds for discipline. If the officer is a minister of Word and Service, grounds for recall or dismissal include those set forth in ELCA bylaw **20.22.01-20.23.01.** and as defined under the process described in ELCA constitutional provisions **20.20. and 20.21. and 20.22.** as grounds for discipline.
- h. If the case of alleged willful disregard or violation of the constitutions, bylaws, and continuing resolutions or of alleged conduct as would subject the officer to disciplinary action, the following procedures shall apply:
  - 1) the petition shall be referred to the Committee on Appeals, which shall function as the discipline hearing committee that shall conduct a hearing in accordance with the rules provided for in ELCA bylaw **20.21.16-20.22.14.** except to the extent that those rules are in conflict with the provisions of this bylaw; and

**CHAPTER 9: NOMINATIONS AND ELECTIONS**

- †S9.12. Background checks and screening shall be required and completed for persons nominated as **synodical** officers prior to their election, if possible, or as soon as practical after their election. The specific procedures and timing of background checks and screening shall be determined by the Synod Council.

**CHAPTER 10: SYNOD COUNCIL**

**S10.08.** ***Robert's Rules of Order*, latest edition, shall govern parliamentary procedure of all meetings of the Synod Council.**

- S10.078.01.** To the extent permitted by state law, meetings of the Synod Council and its committees may be held electronically or by telephone conference, and notice of all meetings may be provided electronically.

**CHAPTER 11: COMMITTEES**

- †S11.05. The Audit Committee of this synod shall consist of three to six persons, none of whom **are members-is a member** of the synod staff.

**CHAPTER 12: CONFERENCES, CLUSTERS, COALITIONS, AREA SUBDIVISIONS, AND NETWORKS**

- †S12.01. This synod may establish conferences, clusters, coalitions, area subdivisions, and networks as appropriate within its territory and in collaboration with other synods and **partners entities**, as specified in the bylaws and continuing resolutions. The purpose of such groupings shall be to foster interdependent relationships for missional purposes among congregations, synods, the churchwide organization, and other **partners affiliates**

**CHAPTER 13: CONGREGATIONS**

- †S13.01. Each congregation, except those certified as congregations of the Evangelical Lutheran Church in America by the uniting churches, prior to being listed in the **register-roster** of congregations of this synod, shall adopt the *Model Constitution for Congregations* or one

acceptable to this synod that is not in contradiction to the constitution and bylaws of the Evangelical Lutheran Church in America.

- a. **New congregations.** A congregation newly formed by this church and any congregation seeking recognition and reception by this church shall:
  - 1) Accept the criteria for recognition and reception as a congregation of this church, fulfill the functions of the congregation, and accept the governance provisions as provided in Chapter 9 of the ~~ELCA~~ constitution and bylaws ~~of this church~~.
  - 3) Accept the commitments expected of all congregations of ~~the ELCA this church~~ as stated in \*C6.01., \*C6.02., and \*C6.03. of the *Model Constitution for Congregations*.
- b. **Congregations from another church body.** If a congregation is a member of another church body, the ~~leaders leadership~~ of the congregation first should consult with the appropriate authorities of that church body before taking action to leave its current church body. After such consultation, leaders of the congregation should ~~make contact with~~ the ELCA synod bishop or staff where the congregation is located. ~~The synod bishop or synod staff where the transferring or independent congregation is located shall confer with the congregation to assure its understanding and acceptance of commitment to and affiliation with this church.~~
- c. **Recognition and reception.** Recognition and reception into this church of transferring or independent congregations by the Evangelical Lutheran Church in America is based on the judgment of the synod and action by the synod through the Synod Council and Synod Assembly. The synod bishop shall provide for prompt reporting of such additions to the secretary of this church for addition to the ~~register roster~~ of congregations.

†S13.02. It shall be the responsibility of each congregation of this synod ~~annually~~ to choose from among its voting members laypersons to serve as members of the Synod Assembly as well as persons to represent it at meetings of any conference, cluster, coalition, or other area subdivision of which it is a member. The number of persons to be elected by each congregation and other qualifications shall be as prescribed in guidelines established by this synod.

~~†S13.19.~~  
~~†S13.20.~~

A congregation considering a relocation shall confer with the bishop of the synod in which it is territorially located and the appropriate 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.~~  
~~†S13.21.~~

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 unit of the churchwide organization before any steps are taken leading to such action.

~~S13.21.~~

~~The alignment of congregations in pastoral charges, and all alterations in any alignment, shall be subject to approval by the Synod Assembly or by the Synod Council.~~

†S13.23. Provision 9.71. of the ~~ELCA~~ constitution ~~of this church~~ shall govern the relationship of this synod and a congregation of this synod regarding the property of the congregation. This synod may transfer or convey property to a congregation of the synod, subject to restrictions accepted by the congregation, including provision that if the Synod Council, in its sole and exclusive discretion, determines (1) that the property is not being used to serve the mission and ministry needs of this church, or (2) that the congregation has transferred, encumbered,

mortgaged, or in any way burdened or impaired any right, title, or interest in the property without the prior approval of the Synod Council, then title to the property shall revert to the synod, and the congregation, upon written demand, shall reconvey the property to the synod.

**S13.24.** If any congregation of this synod has disbanded, or if the members of a congregation agree that it is no longer possible for it to function as such, or if it is the opinion of the Synod Council that the membership of a congregation has become so scattered or so diminished in numbers as to make it impractical for such a congregation to fulfill the purposes for which it was organized or that it is necessary for this synod to protect the congregation's property from waste and deterioration, the Synod Council, itself or through trustees appointed by it, may take charge and control of the property of the congregation to hold, manage, and convey the same on behalf of this synod. The congregation shall have the right to appeal the decision to the Synod Assembly.

†**S13.24.** The Synod Council, itself or through trustees appointed by it, may take charge and control of the property of a congregation of this synod to hold, manage, and convey the same on behalf of this synod, if any of the following apply:

- a. The congregation has disbanded, ceased to worship, or otherwise ceased to exist as a congregation.
- b. The congregation has abandoned its property.
- c. The remaining members of the congregation decide that it is no longer possible to function as a congregation or that they are unable to provide required governance.
- d. The Synod Council determines that the membership of a congregation has become so scattered or so diminished in numbers that it cannot provide required governance or that it has become impractical for the congregation to fulfill the purposes for which it was organized.
- e. The Synod Council determines that it is necessary for this synod to protect and preserve the congregation's property from waste and deterioration.

The congregation shall have the right to appeal any such decision to the next Synod Assembly.

**S13.25.** This synod may temporarily assume administration of a congregation upon its request or with its concurrence. Such synod administration shall continue only so long as necessary to complete the purposes for which it was requested by the congregation or until the congregation withdraws consent to continued administration.

†**S13.31.** Congregations and members of congregations are subject to discipline in accordance with the provisions of Chapter 20 of the ELCA constitution and bylaws. *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. The synod's involvement in and responsibility for such disciplinary processes shall be as set forth in that chapter.

**S13.40.** ~~Synodically Authorized~~ Synod-authorized **Worshipping Communities**

#### **CHAPTER 14: ROSTERED MINISTERS**

†**S14.11.** The time and place of the ordination of those persons properly called to congregations or non-congregational service of ministry in this synod shall be authorized by the bishop of this synod.

†**S14.12.** Consistent with the faith and practice of the Evangelical Lutheran Church in America,

- a. Every minister of Word and Sacrament shall:
  - 6) impart knowledge of this church and its wider ministry through ~~distribution of its communications and publications~~ available channels of effective communication;
  - 8) ~~speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world~~ publicly advocate dignity, justice, and equality for all people, working for peace and reconciliation among the nations, caring for the marginalized, embracing and welcoming racially and ethnically diverse populations, and standing with the poor and powerless.
- b. Each pastor with a congregational call shall, within the congregation:
  - 4) with the council, administer discipline; ~~and~~
  - 5) endeavor to increase the support given by the congregation to the work of the ELCA churchwide organization and of this synod; ~~and~~
  - 6) encourage adherence to covenantal relationship with this church as expressed in the *Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.

**S14.14.** Whenever members of a congregation move to such a distance that regular attendance at its services becomes impractical, it shall be the duty of the pastor to commend them, upon their consent, to the pastoral care of a ~~Lutheran~~ congregation nearer to their place of residence.

**S14.17.** No minister of Word and Sacrament shall accept a call without first conferring with the bishop of this synod. A minister of Word and Sacrament shall respond with an answer of acceptance or declination to a letter of call within 30 days of receipt of such call. In exceptional circumstances with the approval of the bishop of this synod and the ~~chair~~ president of the Congregation Council of the congregation issuing the call, an additional 15 days may be granted to respond to a letter of call.

†**S14.18.** The provisions for termination of the mutual relationship between a minister of Word and Sacrament and a congregation shall be as follows:

- a. The call of a congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment which shall be terminated only by ~~the pastor's~~ death or, following consultation with the ~~synodical~~ bishop, for the following reasons:
- c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the pastor's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the pastorate vacant. When the pastorate is declared vacant, the Synod Council shall list the pastor on the roster of Ministers of Word and Sacrament ~~as disabled with disability status~~. Upon removal of the disability and restoration of the pastor to health, the bishop shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call.

†**S14.24.** With the approval of the ~~synodical~~ bishop expressed in writing, which sets forth a clear statement of the purpose to be served by such a departure from the normal rule of permanency of the call as expressed in †S14.18., a congregation may call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop of this synod or a representative of the bishop shall meet with the pastor and representatives of the congregation for a review of the call. Such call may also be terminated before its expiration in accordance with the provisions of †S14.18.

- †S14.31. The time and place of the ~~consecration~~ ordination of those persons properly called to ~~congregations or non-congregational service of ministry in~~ this synod shall be authorized by the bishop of this synod.
- †S14.32. Consistent with the faith and practice of the Evangelical Lutheran Church in America, every minister of Word and Service shall:
- c. ~~Speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world, witnessing to the realm of God in the community, the nation, and abroad~~  
Advocate publicly dignity, justice, and equality for all people, working for peace and reconciliation among the nations, caring for the marginalized, embracing and welcoming racially and ethnically diverse populations, and standing with the poor and powerless;
  - h. Share knowledge of ~~the ELCA this church~~ and its wider ministry of the gospel, and advocate for the work of all expressions of this church;
- S14.42. No minister of Word and Service shall accept a call without first conferring with the bishop of this synod. A minister of Word and Service shall respond with an answer of acceptance or declination to a letter of call within 30 days of receipt of such call. In exceptional circumstances with the approval of the bishop of this synod and the ~~chair~~ president of the Congregation Council of the congregation issuing the call, an additional 15 days may be granted to respond to a letter of call
- †S14.43. The provisions for termination of the mutual relationship between a minister of Word and Service and a congregation shall be as follows:
- a. The call of a congregation, when accepted by a minister of Word and Service, shall constitute a continuing mutual relationship and commitment which shall be terminated only by the deacon's death or, following consultation with the ~~synodical~~ bishop, for the following reasons:
  - c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the minister of Word and Service's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the position vacant. When the position is declared vacant, the Synod Council shall list the deacon on the roster of Ministers of Word and Service ~~as disabled~~ with disability status. Upon removal of the disability and restoration of the minister of Word and Service to health, the bishop shall take steps to enable the minister of Word and Service to resume the ministry, either in the congregation last served or in another appropriate call.
- †S14.46. With the approval of the ~~synodical~~ bishop expressed in writing, which sets forth a clear statement of the purpose to be served by such a departure from the normal rule of permanency of the call as expressed in †S14.43., a congregation may call a minister of Word and Service for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop of this synod or a representative of the bishop shall meet with the minister of Word and Service and representatives of the congregation for a review of the call. Such call may also be terminated before its expiration in accordance with the provisions of †S14.43.

**CHAPTER 15: FINANCIAL MATTERS**

- †S15.11. Since the congregations, synods, and churchwide organization are interdependent **units expressions** that share **responsibly** in God's mission, all share in the responsibility to develop, implement, and strengthen the financial support **program** of the whole church. The gifts and offerings of the members of the Evangelical Lutheran Church in America are given to support all parts of this church ~~and thus partnership in~~, **the unity of** this church should be evidenced in determining each part's share of the gifts and offerings.
- †S15.12. The annual budget of this synod shall reflect the entire range of its own activities and its commitment to **partnership-supportive** funding with other synods and the churchwide organization.
- S15.14. Except when such procedure would jeopardize current operations, a reserve amounting to no more than 16 percent of the sum of the amounts scheduled in the next year's budget for regular distribution to **synodical** causes shall be carried forward annually for disbursement in the following year in the interest of making possible a more even flow of income to such causes. The exact number of dollars to be held in reserve shall be determined by the Synod Council.

**CHAPTER 16: INDEMNIFICATION**

- †S16.04. When written charges against a rostered minister of this church are made in disciplinary proceedings under Chapter 20 of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America* by the **synodical** bishop or when written charges against a congregation are made in disciplinary proceedings by the Synod Council or the **synodical** bishop, and the discipline hearing committee determines that no discipline shall be imposed, then if such determination is not reversed or set aside on appeal, indemnification shall be made by the synod to the accused for reasonable attorney's fees and other reasonable expenses related to the defense of the charges. The determination of the reasonableness of such fees and expenses shall be decided by the Synod Council.

**CHAPTER 17: CONSULTATION AND ADJUDICATION**

- †S17.01. The **synodical** bishop and the Executive Committee of the Synod Council shall be available to give counsel when disputes arise within this synod.
- †S17.02. The **synodical** bishop and the Executive Committee of the Synod Council shall receive expressions of concern from rostered ministers of this church, congregations, and organizations within this synod; provide a forum in which the parties concerned can seek to work out matters causing distress or conflict; and make appropriate recommendations for their resolution. **When a concern relates directly to the synod bishop, the synod vice president will lead the Executive Committee's efforts at resolving the matter.** When the matter at issue cannot be resolved in this manner, ~~the prescribed-applicable~~ procedures for investigation, decision, appeal, and adjudication shall be followed. Allegations or charges that could lead to the discipline of a rostered minister of this church shall not be addressed by the Executive Committee but shall be resolved through the disciplinary process set forth in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.
- †S17.03. ~~When there is disagreement among units of this synod on a substantive issue that cannot be resolved by the parties, the aggrieved party or parties may appeal to the synodical bishop and the Executive Committee of the Synod Council for a consultation. If this consultation~~

fails to resolve the issue, a petition may be addressed by the parties to the Synod Council requesting it to arbitrate the issue. The decision of the Synod Council shall be final. When there is disagreement between or among congregations of this synod on a substantive issue that cannot be resolved by the parties, the council of an affected congregation may petition the synod bishop for a consultation after informing the other affected congregation(s) of its intent to do so. If this consultation fails to resolve the issue, the bishop shall refer the matter to the Consultation Committee of the synod, which shall undertake efforts to find an appropriate solution. If the Consultation Committee's efforts fail to resolve the issue(s), the entire matter shall be referred to the Synod Council for adjudication by whatever process the council deems necessary. The decision of the Synod Council shall be final.

- †S17.04. When a component or beneficiary of a synod has a disagreement on a substantive issue that it cannot resolve, it may address an appeal to the synodical bishop and the Executive Committee of the Synod Council. In this case the decision of the Executive Committee shall prevail, except that upon the motion of a member of the Synod Council, the decision shall be referred to the Synod Council for final action. When conferences, clusters, coalitions, or area subdivisions of this synod have a disagreement on a substantive issue that they cannot resolve, the aggrieved party or parties may petition the synod bishop and the Executive Committee of the Synod Council requesting a consultation after informing the other affected parties of their intent to do so. In this case the decision of the Executive Committee shall prevail, except that, upon the motion of a member of the Synod Council, the decision shall be referred to the Synod Council for final action.

- †S17.11. When there is disagreement among factions within a congregation on a substantive issue that cannot be resolved by the parties, members of a congregation shall have access to the synodical bishop for consultation after informing the chair of the Congregation Council of their intent. If the consultation fails to resolve the issue(s), the Consultation Committee of this synod shall consider the matter. If the Consultation Committee of this synod shall fail to resolve the issue(s), the matter shall be referred to the Synod Council, whose decision shall be final. When there is disagreement between or among factions within a congregation on a substantive issue which cannot be resolved by the parties, members of the congregation may petition the synod bishop for consultation after informing the president of the Congregation Council of their intent to do so. The synod bishop shall seek a timely resolution of the dispute. If the issue relates directly to the pastor, the bishop may begin the process in †S14.18.d. In all other matters, if the bishop's consultation fails to resolve the issue, the bishop shall refer the matter to the Consultation Committee of the synod, which shall undertake efforts to find an appropriate solution. If the Consultation Committee's efforts fail to resolve the dispute, the entire matter shall be referred to the Synod Council for adjudication by whatever process the council deems necessary. The Synod Council's decision shall be final.

#### **CHAPTER 18: AMENDMENTS, BYLAWS, AND CONTINUING RESOLUTIONS**

- †S18.13. Other amendments to this constitution may be adopted by this synod through either of the following procedures:
- a. An amendment may be adopted by a two-thirds vote at a regular meeting of the Synod Assembly after having been presented in writing at the previous regular meeting of the Synod Assembly over the signatures of at least \_\_\_\_\_ members and having been

~~approved by a two-thirds vote of the voting members present and voting at such a regular meeting of the Synod Assembly.~~

Introduced with the support of at least \_\_\_\_\_ voting members and having been approved by a two-thirds vote of the voting members present and voting at a regular meeting of the Synod Assembly, an amendment may be adopted unchanged by a two-thirds vote at the next regular meeting of the Synod Assembly.

## MODEL CONSTITUTION for CONGREGATIONS of the EVANGELICAL LUTHERAN CHURCH IN AMERICA

### CHAPTER 4: STATEMENT OF PURPOSE

- \*C4.02. To participate in God's mission, this congregation as a part of the Church shall:
- d. ~~Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity and justice for all people, working for peace and reconciliation among the nations, standing with the poor and powerless, and committing itself to their needs.~~  
Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity, justice and equality for all people, working for peace and reconciliation among the nations, caring for the marginalized, embracing and welcoming racially and ethnically diverse populations, standing with the poor and powerless and committing itself to their needs.
- \*C4.03. To fulfill these purposes, this congregation shall:
- g. Motivate its members to provide financial support for ~~the this~~ congregation's ministry and the ministry of ~~other parts the other expressions~~ of the Evangelical Lutheran Church in America.
- \*C4.05. This congregation shall, ~~from time to time~~, adopt and periodically review a mission statement which will provide specific direction for its programs.

### CHAPTER 5: POWERS OF THE CONGREGATION

- \*C5.03. Only such authority as is delegated to the Congregation Council or other organizational units in this congregation's governing documents is recognized. All remaining authority is retained by ~~the this~~ congregation. ~~The This~~ congregation is authorized to:
- \*C5.04. This congregation shall ~~choose elect~~ from among its voting members laypersons to serve as voting members of the Synod Assembly as well as persons to represent it at meetings of any conference, cluster, coalition, or other area subdivision of which it is a member. The number of persons to be elected by ~~the this~~ congregation and other qualifications shall be as prescribed in guidelines established by the (insert name of synod) of the Evangelical Lutheran Church in America.

### CHAPTER 6: CHURCH AFFILIATION

- \*C6.01. This congregation shall be an interdependent part of the Evangelical Lutheran Church in America or its successor, and of the (insert name of synod) ~~Synod~~ of the Evangelical Lutheran Church in America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America.

- \*C6.03.** This congregation acknowledges its relationship with the Evangelical Lutheran Church in America in which:
- d. This congregation agrees to consider ministers of Word and Service for call to other staff positions in ~~the this~~ congregation according to the procedures of the Evangelical Lutheran Church in America.
- \*C6.04.** Affiliation with the Evangelical Lutheran Church in America ~~may be is~~ terminated as follows:
- c. This congregation is removed from membership in the Evangelical Lutheran Church in America according to the procedures for discipline of the Evangelical Lutheran Church in America or in accordance with provision 9.23. of the constitution and bylaws of the Evangelical Lutheran Church in America.
  - d. The (insert name of synod) takes charge and control of the property of this congregation to hold, manage, and convey the same on behalf of the synod pursuant to †S13.24. of the synod constitution. This congregation shall have the right to appeal the decision to the next Synod Assembly.
  - ~~de.~~ This congregation follows the procedures outlined in \*C6.05.
- \*C6.05.** This congregation may terminate its relationship with the Evangelical Lutheran Church in America by the following procedure:
- a. A resolution indicating the intent to terminate its relationship must be adopted at a two legally called and conducted special meetings ~~of the this~~ congregation by a two-thirds vote of the voting members present at each meeting. ~~Such The first such~~ meeting may be held no sooner than 30 days after written notice of the meeting is received by the bishop of the synod, during which time ~~the this~~ congregation shall consult with the bishop and the bishop's designees, if any. The times and manner of the consultation shall be determined by the bishop in consultation with the Congregation Council. Unless he or she is a voting member of ~~the this~~ congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the first meeting.
  - b. The Within 10 days after the resolution has been voted upon at the first meeting, the secretary of ~~the this~~ congregation shall submit a copy of the resolution to the bishop, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, and shall mail a copy send copies of the resolution and certification to voting members of ~~the this~~ congregation. This notice shall be submitted within 10 days after the resolution has been adopted.
  - c. The If the resolution was adopted by a two-thirds vote of the voting members present at the first meeting, the bishop of the synod and ~~the this~~ congregation shall continue in consultation, as specified in paragraph a. above, during a period of at least 90 days after receipt by the synod of the notice bishop of the attestation and certification as specified in paragraph b. above.
  - d. If ~~the this~~ congregation, after such consultation, still seeks to terminate its relationship is still considering termination of its relationship with this church, such action may be taken at a legally called and conducted special meeting by a two-thirds vote of the voting members present. Notice of the second meeting shall be mailed sent to all voting members and to the bishop at least 10 days in advance of the meeting. Unless he or she is a voting member of ~~the this~~ congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the second meeting.
  - e. A copy of the resolution, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, shall be sent to the bishop within 10 days after the resolution has been adopted, at which time the relationship between the congregation and this church shall be terminated subject to paragraph g. below.

Within 10 days after the resolution has been voted upon, the secretary of this congregation shall submit a copy of the resolution to the bishop, attesting that the second special meeting was legally called and conducted and certifying the outcome of the vote, and shall send copies of the resolution and certification to the voting members of the congregation. If the resolution was adopted by a two-thirds vote of the voting members present at the second meeting, the relationship between the congregation and this church shall be terminated subject to Synod Council approval as required by paragraphs f. and g. below.

- f. Unless this notification to the bishop also certifies that ~~the this~~ congregation has voted ~~by a two-thirds vote~~ to affiliate with another Lutheran denomination, ~~the this~~ congregation ~~will be conclusively presumed to be shall be deemed~~ an independent or non-Lutheran church, in which case \*C7.04. shall apply.
- f. Notice of termination shall be forwarded by the bishop to the secretary of the ELCA, who shall report the termination to the Churchwide Assembly.
- g. This congregation shall abide by these covenants by and among the three expressions of this church:
  - 2) Congregations which had been members of the Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in \*C6.05., to receive ~~synodical~~ approval before terminating their membership in this church.
- h. If this congregation fails to achieve the required two-thirds vote of voting members present at ~~the this~~ congregation's first meeting as specified in paragraph a. above, ~~another special meeting to consider termination of relationship with this church may be called no sooner than six months after that first meeting. If this congregation or~~ fails to achieve the required two-thirds vote of voting members present at ~~the this~~ congregation's second meeting as specified in paragraph d. above, another attempt to consider termination of relationship with this church must follow all requirements of \*C6.05. and may begin no sooner than six months after ~~that second the~~ meeting ~~at which the two-thirds vote was not achieved.~~

\*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 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 taken~~.

#### CHAPTER 7: PROPERTY OWNERSHIP

- \*C7.01. If this congregation ceases to exist, title to undisposed property shall pass to the (insert name of synod) ~~Synod~~ of the Evangelical Lutheran Church in America.
- \*C7.02. If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline or pursuant to 9.23. of the constitution and bylaws of the Evangelical Lutheran Church in America, title to property shall continue to reside in this congregation.
- \*C7.03. If ~~two-thirds of~~ the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to transfer to another Lutheran church body, title to property shall continue to reside in this congregation, provided the process for termination of relationship in \*C6.05. has been followed. Before this congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of the (insert name of synod) ~~Synod~~.

- \*C7.04.** If ~~two-thirds of~~ the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to become independent or relate to a non-Lutheran church body and have followed the process for termination of relationship in \*C6.05., title to property of this congregation shall continue to reside in this congregation only with the consent of the Synod Council. The Synod Council, after consultation with this congregation by the ~~established synodical~~ process established by the synod, may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of this congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America. In neither case does title to this congregation's property transfer to the synod.

*[The following provision becomes required.]*

- \*C7.05.** Notwithstanding the provisions of \*C7.02. and \*C7.03. above, where this congregation has received property from the synod pursuant to a deed or other instrument containing restrictions under provision 9.71.a. of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*, this congregation accepts such restrictions and:

#### **CHAPTER 8: MEMBERSHIP**

- \*C8.02.** Members shall be classified as follows:
- c. **Voting** members are confirmed members. Such confirmed members, during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of ~~the this~~ congregation as well as the other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws. They shall not have voted as a seasonal member of another congregation of this church in the previous two calendar months.
  - e. **Seasonal** members are voting members of other ~~ELCA~~ congregations of this church who wish to retain such membership but desire to participate in the life and mission of this congregation, including exercising limited voting rights in this congregation. The Congregation Council may grant seasonal membership to such persons provided that this congregation is a member of a synod where the Synod Council has approved seasonal member voting on its territory. Such seasonal members shall have all the privileges and duties of voting members except that:
    - 3) they shall not have the right to vote on any matter concerning or affecting the affiliation of this congregation with ~~the ELCA this church~~;
- \*C8.05.** Membership in this congregation shall be terminated by any of the following:
- d. disciplinary action in accordance with ~~ELCA constitutional provision 20.41. and the accompanying bylaws Chapter 20 of the constitution and bylaws of the Evangelical Lutheran Church in America~~;

#### **CHAPTER 9: ROSTERED MINISTER**

- \*C9.02.** Only a member of the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of Word and Sacrament who has been recommended for ~~the this~~ congregation by the ~~synodical~~ bishop may be called as a pastor of this congregation.
- \*C9.03.** Consistent with the faith and practice of the Evangelical Lutheran Church in America,

- a. Every minister of Word and Sacrament shall:
  - 6) impart knowledge of this church and its wider ministry through ~~distribution of its communications and publications~~ available channels of effective communication;
  - 8) ~~speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world~~ publicly advocate dignity, justice, and equality for all people, working for peace and reconciliation among the nations, caring for the marginalized, embracing and welcoming racially and ethnically diverse populations, and standing with the poor and powerless.
- b. Each pastor with a congregational call shall, within the congregation:
  - 4) with the council, administer discipline; ~~and~~
  - 5) endeavor to increase the support given by the congregation to the work of the ELCA churchwide organization and of the *(insert name of synod)* ~~Synod of the ELCA; and~~
  - 6) encourage adherence to covenantal relationship with this church as expressed in *the Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America.*

**\*C9.05.**

- The provisions for termination of the mutual relationship between a minister of Word and Sacrament and this congregation shall be as follows:
- a. The call of this congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by the pastor's death or, following consultation with the synodical bishop, for the following reasons:
    - 3) inability to conduct the pastoral office effectively in the-this congregation in view of local conditions;
    - 7) termination of the relationship between this church and the-this congregation;
    - 8) dissolution of the-this congregation or the termination of a parish arrangement; or
    - 9) suspension of the-this congregation through discipline 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,
    - 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-this congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
  - c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the pastor's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the pastorate vacant. When the pastorate is declared vacant, the Synod Council shall list the pastor on the roster of Ministers of Word and Sacrament as disabled with disability status. Upon removal of the disability and the restoration of the pastor to health, the bishop shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call.
  - d. In the case of alleged local difficulties that imperil the effective functioning of the this congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the pastor and then to the this 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~~-~~this~~ congregation and by the pastor, if appropriate. If the pastor and congregation agree to carry out such recommendations, no further action need be taken by the synod.

- e. If either party fails to assent to the recommendations of the bishop's committee concerning the pastor's call, ~~the~~-~~this~~ congregation may dismiss the pastor only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.

**\*C9.07.** During the period of service, an interim pastor shall have the rights and duties in ~~the~~-~~this~~ congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or Congregation Council. The interim pastor and any rostered minister providing assistance shall refrain from exerting influence in the selection of a pastor. Unless previously agreed upon by the Synod Council, an interim pastor is not available for a regular call to the congregation served.

**\*C9.08.** This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting ~~related to the Evangelical Lutheran Church in America.~~

**\*C9.11.** With the approval of the bishop of the synod, ~~the~~-~~this~~ congregation may depart from \*C9.05.a. and call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the pastor and representatives of ~~the~~-~~this~~ congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of \*C9.05.a.

**\*C9.12.** The pastor of this congregation:  
a. shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from ~~the~~ ~~this~~ congregation;

**\*C9.14.** The parochial records of this congregation shall be maintained by the pastor and shall remain the property of ~~the~~-~~this~~ congregation. The secretary of this congregation shall attest in writing to the bishop of this synod that such records have been placed in his or her hands in good order by a departing pastor before the installation of that pastor in another ~~field of labor or the granting by the synod of retired status to the pastor call or approval of a request for change in roster status.~~

**C9.15.** Under special circumstances, subject to the approval of the ~~synodical~~ bishop and the concurrence of this congregation, a minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion may serve temporarily as pastor of this congregation under a contract between ~~the~~-~~this~~ congregation and the pastor in a form proposed by the ~~synodical~~ bishop and approved by ~~the~~-~~this~~ congregation.

- \*C9.21. Authority to call a ~~minister of Word and Service~~ **deacon** shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by [this congregation][the Congregation Council] to recommend the call, shall seek the advice and help of the bishop of the synod.
- \*C9.22. Only a member of the roster of Ministers of Word and Service of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of Word and Service who has been recommended for this congregation by the **synodical** bishop may be called as a deacon of this congregation.
- \*C9.23. Consistent with the faith and practice of the Evangelical Lutheran Church in America, every minister of Word and Service shall:
- c. **Speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world, witnessing to the realm of God in the community, the nation, and abroad**  
**Advocate publicly dignity, justice, and equality for all people, working for peace and reconciliation among the nations, caring for the marginalized, embracing and welcoming racially and ethnically diverse populations, and standing with the poor and powerless;**
  - h. Share knowledge of **the ELCA this church** and its wider ministry of the gospel and advocate for the work of all expressions of this church;
- \*C9.25. The provisions for termination of the mutual relationship between a minister of Word and Service and this congregation shall be as follows:
- a. The call of this congregation, when accepted by a deacon, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by the **deacon's** death or, following consultation with the **synodical** bishop, for the following reasons:
  - c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the deacon's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the position vacant. When the position is declared vacant, the Synod Council shall list the deacon on the roster of Ministers of Word and Service ~~as disabled with disability status~~. Upon removal of the disability and the restoration of the deacon to health, the bishop shall take steps to enable the deacon to resume the ministry, either in the congregation last served or in another appropriate call.
- \*C9.26. ~~The deacon shall make satisfactory settlement of all financial obligations to a former congregation before:~~  
~~a. installation in another field of labor, or~~  
~~b. the issuance of a certificate of dismissal or transfer.~~  
**This congregation shall make satisfactory settlement of all financial obligations to a former deacon before calling a successor. A deacon shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting.**

#### **CHAPTER 10: CONGREGATION MEETING**

- C10.01.** ~~The [annual][semi-annual][quarterly] meeting of this congregation shall be held at a time specified in the bylaws.~~

This congregation shall have at least one regular meeting per year. The regular meeting(s) of the congregation shall be held at the time(s) specified in the bylaws. Consistent with the laws of the State of \_\_\_\_\_, the bylaws shall designate one regular meeting per year as the annual meeting of this congregation.

**C10.02.** A special Congregation Meeting may be called by the [senior] pastor, the Congregation Council, or the president of this congregation, and shall be called by the president of ~~the~~ this 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.

**C10.06.** All actions approved by ~~the~~ this congregation shall be by majority vote of those voting members present and voting, except as otherwise provided in this constitution or by state law.

**C10.08.** This congregation may hold meetings by remote communication, including electronically and by telephone conference, as long as there is an opportunity for simultaneous aural communication. To the extent permitted by state law, notice of all meetings may be provided electronically.

#### **CHAPTER 11: OFFICERS**

**C11.01.** The officers of this congregation shall be a president, vice president, secretary, and treasurer.

b. The officers shall be voting members of ~~the~~ this congregation.

**C11.02.** The [congregation][Congregation Council] shall elect its officers and they shall be the officers of ~~the~~ this congregation. The officers shall be elected by written ballot and shall serve for one year or until their successors are elected. Their terms shall begin at the close of the annual meeting at which they are elected.

**or**

The officers shall be elected by the [congregation] [Congregation Council] by written ballot and shall serve for one year. The term shall begin on \_\_\_\_\_ (month and day) and end on \_\_\_\_\_ (month and day).

**or**

The pastor shall be *ex officio* president of ~~the~~ this congregation and the Congregation Council. The [congregation][Congregation Council] shall elect by written ballot the other officers of ~~the~~ this congregation who shall serve for one year or until their successors are elected. Their terms shall begin at the close of the annual meeting at which they are elected.

**or**

The pastor shall be *ex officio* president of ~~the~~ this congregation and the Congregation Council. The [congregation][Congregation Council] shall elect by written ballot the other officers of ~~the~~ this congregation who shall serve for one year or until their successors are elected. Their terms shall begin on \_\_\_\_\_ (month and day) and end on \_\_\_\_\_ (month and day).

#### **CHAPTER 12: CONGREGATION COUNCIL**

**C12.01.** The voting membership of the Congregation Council shall consist of the pastor(s) [~~the~~ the ~~deacon(s),~~ [~~the~~ the officers of ~~the~~ this congregation,] and [ \_\_\_\_\_ members] [not more than \_\_\_\_\_ nor fewer than \_\_\_\_\_ members] of ~~the~~ this congregation, at least one of whom shall be a youth and at least one of whom shall be a young adult. Any voting member of ~~the~~ this

~~this~~ congregation may be elected, subject only to the limitation on the length of continuous service permitted in that office. A member's place on the Congregation Council shall be declared vacant if the member a) ceases to be a voting member of this congregation or b) is absent from four successive regular meetings of the Congregation Council without cause. Consistent with the laws of the state in which this congregation is incorporated, ~~the this~~ congregation may adopt procedures for the removal of a member of the Congregation Council in other circumstances.

**C12.02.** The members of the Congregation Council except the pastor(s) ~~and deacon(s)]~~ shall be elected by written ballot to serve for \_\_\_\_\_ years or until their successors are elected. Such members shall be eligible to serve no more than two full terms consecutively. Their terms shall begin at the close of the annual meeting at which they are elected.

**or**

The members of the Congregation Council except the pastor(s) ~~and deacon(s)]~~ shall be elected at a legally called meeting of ~~the this~~ congregation during the month of \_\_\_\_\_. Their term of office shall be for \_\_\_\_\_ years, with the term of office beginning on \_\_\_\_\_ (month and day) and ending on \_\_\_\_\_ (month and day). Newly elected Congregation Council members shall be installed at worship ~~the Sunday prior to the date they assume office at a time appointed by the Congregation Council.~~

**C12.04.** The Congregation Council shall have general oversight of the life and activities of this congregation, and in particular its worship life, to the end that everything be done in accordance with the Word of God and the faith and practice of the Evangelical Lutheran Church in America. The duties of the Congregation Council shall include the following:

h. To emphasize ~~partnership with support of~~ the synod and churchwide organization of the Evangelical Lutheran Church in America as well as cooperation with other congregations, both Lutheran and non-Lutheran, subject to established policies of the synod and the Evangelical Lutheran Church in America.

**C12.05.** The Congregation Council shall be responsible for the financial and property matters of this congregation.

- b. The Congregation Council shall not have the authority to buy, sell, or encumber real property unless specifically authorized to do so by a meeting of ~~the this~~ congregation.
- d. The Congregation Council shall prepare an annual budget for adoption by this congregation, shall supervise the expenditure of funds in accordance therewith following its adoption, and may incur obligations of more than \$ \_\_\_\_\_ in excess of the anticipated receipts only after approval by a Congregation Meeting. The budget shall include this congregation's full indicated share in support of the wider ministry being carried on in ~~partnership collaboration~~ with the synod and churchwide organization.
- e. The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of ~~benevolence mission support~~ monies to the ~~synodical~~ treasurer.

**C12.08.** The Congregation Council shall be responsible for the employment and supervision of the staff of this congregation. Nothing in this provision shall be deemed to affect ~~the this~~ congregation's responsibility for the call, terms of call, or termination of call of any employees who are on a roster of this church.

**C12.12.** A quorum for the transaction of business shall consist of a majority of the members of the Congregation Council, including the [senior] pastor or interim pastor, except when the

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

#### **CHAPTER 13: CONGREGATION COMMITTEES**

**C13.05.** When a ~~pastoral~~ vacancy occurs **in a position for which this congregation calls a rostered minister**, a *Call Committee* of six voting members shall be elected by [this congregation] [the Congregation Council]. Term of office will terminate upon installation of the newly called ~~pastor~~ **rostered minister**.

**C13.08.** The [senior] pastor of this congregation shall be *ex officio* a member of all committees and boards of ~~the this~~ congregation. [The president of this congregation shall be *ex officio* a member of all committees and boards of ~~the this~~ congregation, except the Nominating Committee.]

#### **CHAPTER 14: ORGANIZATIONS WITHIN ~~THE THIS~~ CONGREGATION**

#### **CHAPTER 15: DISCIPLINE OF MEMBERS AND ADJUDICATION**

**\*C15.01.** 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 this~~ congregation, or willful and repeated harassment or defamation of member(s) of ~~the this~~ 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 this~~ 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 laypersons and two ministers of Word and Sacrament). 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.

- \*C15.05. 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:
- c. termination of membership in ~~the this~~ congregation; or
  - d. termination of membership in ~~the this~~ congregation and exclusion from the church property and from all congregation activities.
- \*C15.07. No member of ~~the this~~ 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.

\*C15.10. **Adjudication**

\*C15.11. ~~When there is disagreement among factions within this congregation on a substantive issue that cannot be resolved by the parties, members of this congregation shall have access to the synodical bishop for consultation after informing the chair of the Congregation Council of their intent. If the consultation fails to resolve the issue(s), the Consultation Committee of the synod shall consider the matter. If the Consultation Committee of the synod shall fail to resolve the issue(s), the matter shall be referred to the Synod Council, whose decision shall be final.~~

~~When there is disagreement between or among factions within this congregation on a substantive issue which cannot be resolved by the parties, members of this congregation may petition the synod bishop for consultation after informing the president of this congregation of their intent to do so. The synod bishop shall seek a timely resolution of the dispute. If the issue relates directly to the pastor, the bishop may begin the process in †S14.18.d. In all other matters, if the bishop's consultation fails to resolve the issue, the bishop shall refer the matter to the Consultation Committee of the synod, which shall undertake efforts to find an appropriate solution. If the Consultation Committee's efforts fail to resolve the dispute, the entire matter shall be referred to the Synod Council for adjudication by whatever process the Council deems necessary. The Synod Council's decision shall be final.~~

**CHAPTER 16: AMENDMENTS**

- \*C16.01. Unless provision \*C16.04. 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 this~~ congregation's members of the proposal together with the council's recommendations at least 30 days in advance of the meeting. Notification may take place by mail or electronic means, as permitted by state law.
- \*C16.02. An amendment to this constitution, proposed under \*C16.01., shall:
- a. be approved at ~~a any~~ legally called ~~Congregation Meeting according to this constitution meeting of this congregation~~ by a majority vote of those voting members present and voting;
  - b. be ratified without change at the next ~~annual meeting-regular meeting of this congregation held pursuant to C10.01.~~ by a two-thirds vote of those voting members present and voting;

c. have the effective date included in the resolution<sup>1</sup> and noted in the constitution.

**\*C16.03.** Any amendments to this constitution that result from the processes provided in \*C16.01. and \*C16.02. shall be sent by the secretary of this congregation to the synod. The synod shall notify ~~the~~ **this** 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.

**\*C16.04.** 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 majority vote of those voting members present and voting at any legally called meeting of ~~the~~ **this** congregation without presentation at a prior meeting of ~~the~~ **this** congregation, provided that the Congregation Council has submitted by mail or electronic means, as permitted by state law, notice to ~~the~~ **this** congregation of such an amendment or amendments, together with the council's recommendations, at least 30 days prior to the meeting. Upon the request of at least two (2) voting members of ~~the~~ **this** congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of ~~the~~ **this** congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following a vote of approval.

#### **CHAPTER 17: BYLAWS**

**\*C17.03.** Changes to the bylaws may be proposed by any voting member, provided that such additions or amendments be submitted in writing to the Congregation Council at least 60 days before a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify ~~the~~ **this** congregation's members of the proposal with the council's recommendations at least 30 days in advance of the Congregation Meeting. Notification may take place by mail or electronic means, as permitted by state law.

**\*C17.04.** ~~Approved changes to the Adopted or amended~~ bylaws shall be sent by the secretary of this congregation to the synod.

#### **CHAPTER 18: CONTINUING RESOLUTIONS**

**\*C18.01.** ~~The~~ **This** congregation in a legally called meeting or the Congregation Council may enact continuing resolutions. Such continuing resolutions may not conflict with the constitution or bylaws of this congregation.

**\*C18.02.** Continuing resolutions shall be enacted or amended by a majority vote of a meeting of ~~the~~ **this** congregation or a two-thirds vote of all voting members of the Congregation Council.

**\*C18.03.** ~~Adopted or amended continuing resolutions shall be sent by the secretary of this congregation to the synod.~~

#### **CHAPTER 20: PARISH AUTHORIZATION**

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

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<sup>12</sup> Such an effective date must be stated in relation to the requirements of \*C16.03. to allow time for ~~the~~ **the** ~~synodical's~~ review of the amendment.

- \*C20.01.** This congregation may unite ~~in partnership~~ with one or more other congregations recognized by the synod named in \*C6.01. to form a parish. Except as provided in \*C20.02. and \*C20.03., a written agreement, developed in consultation with the synod and approved by the voting members of each congregation participating in the parish, shall specify the powers and responsibilities that have been delegated to the Parish Council. The Parish Agreement shall identify which congregation of the parish issues calls on behalf of the member congregations or shall establish a process for identifying which congregation issues calls on behalf of the member congregations.
- \*C20.02.** One congregation of a parish shall issue a call on behalf of the member congregations to a minister of Word and Sacrament or a candidate for the roster of Ministers of Word and Sacrament who has been recommended by the ~~synodical~~ bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregational meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.
- \*C20.03.** One congregation of a parish may issue a call on behalf of the member congregations to a minister of Word and Service or a candidate for the roster of Ministers of Word and Service who has been recommended by the ~~synodical~~ bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregational meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.
- \*C20.04.** Any one of the congregations of the parish may terminate their relationship with the pastor as provided in †S14.18.d. of the ~~synodical~~ constitution of the synod named in \*C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.
- \*C20.05.** Any one of the congregations of the parish may terminate their relationship with a minister of Word and Service as provided in †S14.43.d. of the ~~synodical~~ constitution of the synod named in \*C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.