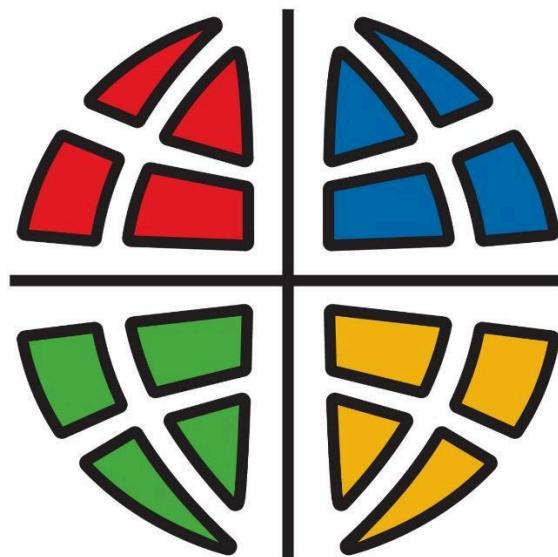


**The Constitution, Bylaws,
and Continuing Resolutions
of the
Metropolitan Chicago Synod
of the
Evangelical Lutheran
Church
in America**



Presented & Approved by Assembly Vote at 2022 Synod Assembly of the Metropolitan Chicago Synod; inclusive of required provisions of the CWA 2022; ratified by Churchwide Council November 2022

Introduction to the *Constitution of the Metropolitan Chicago Synod of the Evangelical Lutheran Church in America*

The *Constitution of the Metropolitan Chicago Synod of the Evangelical Lutheran Church in America*, like the other governing documents of this church, is an ecclesial, legal, and missional document that reflects the underlying theology and doctrines of this church as well as its polity and governance structures. As the guiding document of one of the three expressions of this church, it reflects that this synod, while fully the church, is not the whole church; and exists in an interdependent relationship with congregations and the churchwide organization and is part of the one holy, catholic, and apostolic Church. As such, the *Constitution of the Metropolitan Chicago Synod* is deeply rooted in the Gospel of Jesus Christ, the Lutheran Confessions, and the history of this church.

➤ **Required provisions:** Sections of this *Constitution for Synods* that are marked by a dagger [†] are required provisions. These sections, including constitutional provisions, bylaws, and continuing resolutions, are used without alteration or amendment of the text in any manner (i.e., neither additions nor deletions are permissible) and reflect the interdependent relationship that exists between this synod, the ELCA churchwide expression and the various congregations and institutions of this synod.

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Constitution, Bylaws, and Continuing Resolutions of the Metropolitan Chicago Synod, Evangelical Lutheran Church in America

November, 2022

Chapter 1.

NAME AND INCORPORATION

†S1.01. The name of this synod, as determined by the Churchwide Assembly, shall be the Metropolitan Chicago Synod of the Evangelical Lutheran Church in America.

†S1.02. For the purposes of this constitution and the accompanying bylaws, the Metropolitan Chicago Synod of the Evangelical Lutheran Church in America is hereafter designated as “this synod” or “the synod.”

†S1.11. This synod shall be incorporated. Amendments to the articles of incorporation of this synod shall be submitted to the Church Council for ratification before filing.

S1.11.01. Place of incorporation location of office. This synod shall be incorporated under the laws of the State of Illinois; its office shall be at Chicago, Illinois, or elsewhere in the territory as the Synod Council may from time to time determine.

†S1.21. The seal of this synod is a circular device with the words “METROPOLITAN CHICAGO SYNOD OF THE EVANGELICAL LUTHERAN CHURCH IN AMERICA” on the margin, and the words “CORPORATE SEAL ILLINOIS” in the central portion.

Chapter 2.

STATUS

†S2.01. This synod possesses the powers conferred upon it, and accepts the duties and responsibilities assigned to it, in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*, which are recognized as having governing force in the life of this synod.

†S2.02. The name Evangelical Lutheran Church in America (ELCA or “this church”) as used herein refers in general references to this whole church, including its three expressions: congregations, synods, and the churchwide organization. The name Evangelical Lutheran Church in America is also the name of the corporation of the churchwide organization to which specific references may be made herein.

†S2.03. No provision of this constitution shall be inconsistent with the constitution and bylaws of this church.

Chapter 3.

TERRITORY

†S3.01. The territory of this synod, as determined by the Churchwide Assembly, shall be the Counties of Cook, DuPage, Kane, and Lake in the State of Illinois.

†S3.02. “Determined by the Churchwide Assembly,” as stipulated by †S3.01., is understood to include the reported changes in synod relationship made by any congregation in a border area agreed under ELCA bylaws 10.01.01. and 10.02.02.

Chapter 4.

CONFESION OF FAITH

†S4.01. This synod confesses the Triune God, Father, Son, and Holy Spirit.

†S4.02. This synod confesses Jesus Christ as Lord and Savior and the Gospel as the power of God for the salvation of all who believe.

a. Jesus Christ is the Word of God incarnate, through whom everything was made and through whose life, death, and resurrection God fashions a new creation.

b. The proclamation of God's message to us as both Law and Gospel is the Word of God, revealing judgment and mercy through word and deed, beginning with the Word in creation, continuing in the history of Israel, and centering in all its fullness in the person and work of Jesus Christ.

c. The canonical Scriptures of the Old and New Testaments are the written Word of God. Inspired by God's Spirit speaking through their authors, they record and announce God's revelation centering in Jesus Christ. Through them God's Spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.

†S4.03. This synod accepts the canonical Scriptures of the Old and New Testaments as the inspired Word of God and the authoritative source and norm of its proclamation, faith, and life.

†S4.04. This synod accepts the Apostles', Nicene, and Athanasian Creeds as true declarations of the faith of this synod.

†S4.05. This synod accepts the Unaltered Augsburg Confession as a true witness to the Gospel, acknowledging as one with it in faith and doctrine all churches that likewise accept the teachings of the Unaltered Augsburg Confession.

†S4.06. This synod accepts the other confessional writings in the Book of Concord, namely, the Apology of the Augsburg Confession, the Smalcald Articles and the Treatise, the Small Catechism, the Large Catechism, and the Formula of Concord, as further valid interpretations of the faith of the Church.

†S4.07. This synod confesses the Gospel, recorded in the Holy Scripture and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God's mission in the world.

Chapter 5.

NATURE OF THE CHURCH

†S5.01. All power in the Church belongs to our Lord Jesus Christ, its head. All actions of this synod are to be carried out under his rule and authority.

†S5.02. This church confesses the one, holy, catholic, and apostolic Church and is resolved to serve Christian unity throughout the world.

†S5.03. The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the Church, and the universal Church exists in and through congregations. This church, therefore, derives its character and powers both from the sanction and representation of its congregations and from its inherent nature as an expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in the historic continuity of the communion of saints; in breadth, it expresses the fellowship of believers and congregations in our day.

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

Chapter 6.

STATEMENT OF PURPOSE

†S6.01. The Church is a people created by God in Christ, empowered by the Holy Spirit, called and sent to bear witness to God's creative, redeeming, and sanctifying activity in the world.

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

a. Proclaim God's saving Gospel of justification by grace for Christ's sake through faith alone, according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.

b. Carry out Christ's Great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministry with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.

- c. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity, and justice, and equity 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 in solidarity with the poor and oppressed and committing itself to their needs. Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, and service.
- e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.
- f. Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity which the Spirit gives.

†S6.03. This synod, in 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:

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

†S6.03.01. 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 rostered ministry in cooperation with the appropriate seminaries of this church, which may be done through multi-synod committees;
 - 2) authorizing ordinations and ordaining rostered ministers on behalf of this church;
 - 3) consulting in the call process for rostered ministers.
- b. providing for leadership recruitment, preparation, and support in accordance with churchwide standards and policies, including:
 - 1) nurturing and supporting congregations and lay leaders;
 - 2) seeking and recruiting qualified candidates for the rostered ministries of this church;
 - 3) making provision for pastoral care, call review, and guidance;
 - 4) encouraging and supporting persons on the rosters of this church in stewardship of their abilities, care of self, and pursuit of continuing education to undergird their effectiveness of service; and
 - 5) supporting recruitment of leaders for this church's colleges, universities, seminaries, and social ministry organizations.
- c. providing for discipline of congregations, ministers of Word and Sacrament, and ministers of Word and Service; as well as for termination of call, appointment, adjudication, and appeals consistent with Chapter 20 of this church's constitution.
- d. providing for archives in conjunction with other synods.

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

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

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

- a. promoting interdependent relationships among congregations, synods, and the churchwide organization, and entering into 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 supportive funding;
- d. supporting relationships with and providing supportive funding on behalf of colleges, universities, and campus ministries;
- e. maintaining relationships with and providing supportive funding on behalf of seminaries and continuing education centers;
- f. fostering supporting relationships with camps and other outdoor ministries;
- g. fostering supporting relationships with preschools, elementary schools, and secondary schools operated by congregations of the synod;
- h. fostering relationships with ecumenical and global companions;
- i. cooperating with other synods and the churchwide organization in creating, using, and supporting regions to carry out those functions of the synod which can best be done cooperatively with other synods and the churchwide organization.

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

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

†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, at least 45 percent of the lay members of assemblies, councils, committees, boards, or other organizational units shall be women and, as nearly as possible, at least 45 percent shall be men; and that, where possible, the representation of rostered ministers shall 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.

†S6.04.01. It is the goal of this synod that at least 10 percent of the voting members of the Synod Assembly, Synod Council, committees, and organizational units of this synod be youth and young adults. The Synod Council shall establish a plan for implementing this goal. For purposes of the constitution, bylaws, and continuing resolutions of this synod, the term "youth" means a voting member of a congregation who has not reached the age of 18 at the time of election or appointment for service. The term "young adult" means a voting member of a congregation between the ages of 18 and 30 at the time of election or appointment for service.

S6.04.03 This Synod has been designated a "Reconciling in Christ" (RIC) synod with a commitment to welcome, include, and celebrate lesbian, gay, bisexual, transgender, queer, intersex, and asexual (LGBTQIA+) people. As such, it is the goal of this synod to ensure that the membership within all synod assemblies, councils, committees, boards and/or other organizational units include individuals who identify as LGBTQIA+.

S6.04.A22 *To best live out its Reconciling In Christ designation, this synod encourages the following:*

- a. *That all buildings utilized for synod events, meetings, assemblies, offices, and the like have the availability of a non-gendered bathroom.*

- b. *That events, meetings, and the like include the ability for people to self-designate their gender pronouns during registration, introductions, on name tags, and the like, except when made impossible by required designations by the ELCA churchwide unit or required constitutional provisions.*
- c. *That language at all functions be carefully used to acknowledge the diversity of sexual orientations and gender identities found in this synod.*

S6.04.B88 *It shall be the goal of this Synod that at least 20% of the membership of the Synod Council, committees, and boards be persons of color and/or persons whose primary language is other than English to include but not be limited to American Sign Language and that this goal be attained within four years.*

- †**S6.05.** Each assembly, council, committee, board, commission, task force, or other body of this synod or any synod 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.
- †**S6.06.** References herein to the nature of the relationship between the three expressions of this church—congregations, synods, and the churchwide organization—as being interdependent or as being in a partnership relationship describe the mutual responsibility of these expressions in God’s mission and the fulfillment of the purposes of this church as described in this chapter, and do not imply or describe the creation of partnerships, co-ventures, agencies, or other legal relationships recognized in civil law.

Chapter 7.

SYNOD ASSEMBLY

†S7.01. This synod shall have a Synod Assembly, which shall be its highest legislative authority. The powers of the Synod Assembly are limited only by the provisions in the Articles of Incorporation, this constitution and bylaws, the assembly’s own resolutions, and the constitutions and bylaws of the Evangelical Lutheran Church in America.

S7.01.01. Synod Assembly report. For all regular meetings of the Synod Assembly, the secretary of this synod shall prepare a Synod Assembly report. At least 20 days prior to each such meeting, the secretary shall distribute the Synod Assembly report to all Congregations and voting members elect, and file a copy thereof in the public file. The Synod Assembly report shall include a proposed agenda for the meeting; minutes of the preceding regular meeting of the Synod Assembly and of each special meeting since the preceding regular meeting; reports of the bishop, the Synod Council, related and affiliated organizations, Standing committees, and deans; and, the proposed budget. For meetings at which elections are held, the Synod Assembly report shall also include information concerning such elections.

S7.01.02. Arrangements for Synod Assembly meetings. The arrangements for agenda, program, and worship at meetings of the Synod Assembly shall be under the supervision of the bishop. This synod shall be responsible for the costs of the Synod Assembly; such costs shall not include voting members’ expenses.

S7.01.05. Synod Assembly committees and officials. The Synod Assembly shall have committees and officials as provided in this bylaw. Generally, eligibility for appointment to a committee of the Synod Assembly is as provided in S11.01.02. Unless the bishop so requires, a Synod Assembly committee or official need not make a formal report covering its or the official’s activities.

- a. The Synod Council shall appoint a Committee on Reference and Counsel consisting of five to ten members. The functions and responsibilities of the committee are to review and advise the Synod Assembly and the bishop (or other person presiding at a meeting of the Synod Assembly) with respect to proposed changes or additions to the constitution and the bylaws and other items submitted to the Synod Assembly which are not germane to items in the agenda of the meeting.
- b. Officials and committees of the Synod Assembly, in addition to the Committee on Reference and Counsel (such as Planning Committee, Credentials Committee, Memorials Committee,

Resolutions Committee, convention manager, sergeant-at-arms, tellers, parliamentarian), as deemed necessary by the bishop or the Synod Council, may be appointed by the bishop with the advice of the Synod Council. The specific functions and responsibilities of each such official and committee shall be described in writing before appointment is made.

- c. For special meetings of the Synod Assembly the committees and officials may be the same as for the preceding regular meeting as directed by the bishop.
- d. Committees and officials of the Synod Assembly are accountable to the bishop and the Synod Assembly for due performance of their functions and responsibilities.

S7.01.A22. *The secretary of this synod shall review and propose to the Synod Council for recommendation to the Synod Assembly the "Rules of Organization and Procedure for the Assembly" prior to each Synod Assembly. The secretary shall have access to those officials and committees of the Synod Assembly as is necessary to complete this function.*

S7.01.B22.

- a. Definitions. *In this resolution --*
 - 1) "this Synod Assembly" means the next or current meeting of the Synod Assembly.
 - 2) "the Committee on Reference and Counsel shall have constitution as described in S11.01.05. and responsibilities as described in S7.01.05
 - 3) "Synod Council resolution" means a form of resolution which is presented to this Synod Assembly on behalf of the Synod Council and with the Synod Council's recommendation for adoption.
 - 4) "reported resolution" means a form of resolution, other than a Synod Council resolution, which the Synod Council deems worthy of consideration by this Synod Assembly.
 - 5) "prospective voting member" means a person who is likely to be a voting member to this Synod Assembly and, as to a lay person, has been selected by the individual's Congregation to be but is not yet registered as a voting member. The prospective voting member remains as such until the assembly is seated
 - 6) "additional resolution" means a form of resolution, other than a Synod Council resolution or reported resolution, which a prospective voting member or a voting member intends to propose to this Synod Assembly, and
 - i. seeks to amend the constitution or the bylaws, or
 - ii. seeks to add an item of new business to the agenda of this Synod Assembly, or
 - iii. is not germane to the proposed agenda, the agenda, or the pending question or report before the Synod Assembly.
 - 7) "pre-amendment" means a form of amendment which relates to a reported resolution or additional resolution, is endorsed by five voting members and, if the reported resolution or additional resolution were to be the pending question before the Synod Assembly, may be expected to be pertinent thereto.
 - 8) "prospective mover" means the prospective voting member or voting member who proposes an additional resolution or is responsible for presenting a reported resolution to the Synod Assembly.
 - 9) "registered" means a prospective voting member who is present at the Synod Assembly and who has received their credentials as a voting member for the Synod Assembly.
- b. Synod Council resolutions and reported resolutions
 - 1) *Council resolutions and reported resolutions shall be set forth in the Synod Assembly Report. Also, as in the Synod Council's view circumstances warrant, the Synod Council may present revised and additional Synod Council resolutions, and shall furnish each such revised Synod Council resolution and additional Synod Council resolution, if any, to this Synod Assembly in written form and at the earliest practicable time.*
- c. Form and initial processing of additional resolutions.
 - 1) *An additional resolution shall be in written form and identified as such, be addressed to the bishop, include the signature of the voting member or prospective voting member proposing it,*

and, if the proposer is a prospective voting member, the name of the proposer's Congregation and the proposer's contact information.

- 2) *A prospective voting member may pre-submit an additional resolution prior to this Synod Assembly. If a prospective voting member does not register as a voting member on the first day of this Synod Assembly, an additional resolution which was pre-submitted by the prospective voting member will be discarded. The Committee on Reference and Counsel retains discretion to permit a substitute registered voting member to present a pre-submitted additional resolution, in the case that the prospective voting member who submitted the resolution is unable to register for the Synod Assembly.*
- 3) *The bishop shall resolve under the definition provided any question as to the status of a matter as an additional resolution, and refer each additional resolution to the Committee on Reference and Counsel or, in case of a pre-submitted additional resolution, for the Committee's attention when it convenes.*

d. Further processing and status of additional resolutions

- 1) *The Committee on Reference and Counsel will endeavor to consider pre-submitted additional resolutions prior to this Synod Assembly and shall provide a written preliminary report with reference thereto for the bishop and for voting members at the time of registration. Each pre-submitted additional resolution shall be set forth in the preliminary report, but the Committee need not then advise as to any additional resolution. No additional resolution shall afford grounds for delay in presentation to or adoption of any matter (including the proposed agenda) by this Synod Assembly.*

e. Form and delivery of pre-amendments.

- 1) *A pre-amendment shall be in written form and identified as such, specify the additional resolution or reported resolution to which it relates, set forth the proposed form of amendment, and include the signatures of five voting members as endorsers. An endorser of a pre-amendment shall deliver it to the Committee on Reference and Counsel, but no pre-amendment shall be delivered to the Committee prior to the first business session of this Synod Assembly.*

f. Processing and status of pre-amendments.

- 1) *The Committee on Reference and Counsel will endeavor to consider pre-amendments with the matters to which they respectively relate. If the endorsers of a pre-amendment and the prospective movant of the additional resolution or reported resolution to which the pre-amendment relates so concur in writing, the Committee may deal with the matter as modified by the pre-amendment. No endorser of a pre-amendment may withdraw or revoke endorsement. No pre-amendment shall afford grounds for delay in presentation to or adoption of any matter (including the proposed agenda, any additional resolution and any reported resolution) by this Synod Assembly.*

g. Considerations for pre-amendments

- 1) *The Committee on Reference and Counsel shall review actions of previous Synod Assemblies regarding similar proposed actions and resolutions, particularly resolutions or continuing resolutions that may still be in effect.*
- 2) *The Committee on Reference and Counsel shall search for any similar actions, especially memorials to the Churchwide Assembly or Churchwide Council that are being considered by other synods so as to attempt to coordinate language and action.*

h. Limitations.

- 1) *No member of the Committee on Reference and Counsel may propose an additional resolution or endorse a pre-amendment, but this limitation shall not foreclose the Committee from consultation or concurrence with prospective movants and endorsers as to formal revision of additional resolutions, reported resolutions and pre-amendments.*
- 2) *The Synod Council may prescribe reasonable limitations with reference to additional resolutions, reported resolutions and pre-amendments, including limitations as to --*
 - i. number and priority of pre-submitted additional resolutions;*

- ii. *the time for pre-submission of an additional resolution;*
- iii. *the number of additional resolutions a prospective voting member or voting member may submit;*
- iv. *the time for submission of an additional resolution;*
- v. *the number and priority of pre-amendments;*
- vi. *the latest time for delivery of a pre-amendment;*
- vii. *the number of words comprising an additional resolution or pre-amendment. The Synod Council shall seek advice from the Committee on Reference and Counsel as to limitations which are to be operative during this Synod Assembly. Limitations as to pre-submitted additional resolutions shall be publicized in pre-assembly materials provided to Congregations and prospective voting members, and other limitations shall be announced to this Synod Assembly not later than the first business session.*

- i. Advice by the Committee on Reference and Counsel
 - 1) *The Committee on Reference and Counsel, upon reasonable opportunity to consider the additional resolutions, reported resolutions and pre-amendments, shall advise the bishop and this Synod Assembly concerning disposition of those matters, but shall not advise as to disposition of a reported resolution for which there is no pre-amendment. The Committee shall accord priority to the advised disposition of matters which seek to amend the constitution or the bylaws.*
 - 2) *The Committee on Reference and Counsel may advise also as to the order and time for consideration of a reported resolution for which there is a pre-amendment and items of new business arising from additional resolutions. If the Committee advises that an additional resolution not be placed on the agenda, a majority vote of this Synod Assembly is required to add it to the agenda as an item of new business. If the Committee advises unfavorably as to a pre-amendment, the advice is not subject to review but shall not affect an effort to amend an additional resolution or reported resolution which is the pending question before this Synod Assembly.*
 - 3) *The Committee on Reference and Counsel shall have the services of the parliamentarian, synod legal counsel, the churchwide Office of the Secretary, or similar resources in aid of the Committee's work.*

[†]S7.11.

A regular meeting of the Synod Assembly shall be held at least triennially.

S7.11.01.

Frequency, time-of-year and place of Synod Assembly meetings. The time and place of the Synod Assembly shall be determined by the Synod Council. The time and place for the next regular assembly normally shall be announced 6 (six) months prior to the assembly.

S7.12.

Special meetings of the Synod Assembly may be called by the bishop with the consent of the Synod Council, and shall be called by the bishop at the request of one-fifth of the voting members of the Synod Assembly.

a. The notice of each special meeting shall define the purpose for which it is to be held. The scope of actions to be taken at such a special meeting shall be limited to the subject matter(s) described in the notice.

b. If the special meeting of the Synod Assembly is required for the purpose of electing a successor bishop because of death, resignation, or inability to serve, the special meeting shall be called by the Synod Council after consultation with the presiding bishop of the Evangelical Lutheran Church in America.

S7.13.

Notice of the time and place of all meetings of the Synod Assembly shall be given by the secretary of this synod, consistent with provision S7.11.01 and S7.12.

S7.14.

One-half of the members of the Synod Assembly shall constitute a quorum.

[†]S7.21.

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

a. All rostered ministers under call on the roster of this synod shall be voting members of the Synod Assembly.

- b. 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, typically one of whom shall be a man and one of whom shall be 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, at least 45 percent of the lay members of the assembly shall be women and, as nearly as possible, at least 45 percent shall be men.
- d. Voting membership shall include the officers of this synod.

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

†S7.21.02. 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 regular Synod Assembly.

S7.21.03. The †S7.21.c. formula. Preparatory to regular meetings of the Synod Assembly, the Synod Council shall provide the †S7.21.c. formula, with revisions as from time to time necessary. Prior to each such meeting the Synod Council shall file a written description of the formula's current version and application in the public file.

S7.21.A88 *The membership of the Synod Assembly, in addition to the members indicated in †S7.21., shall include the retired minister of Word and Sacrament and ministers of Word and Service whose names appear on the rosters of this synod and who are elected by the Synod Council to such membership.*

S7.21.B04 *The membership of the Synod Assembly, in addition to the members indicated in †S7.21., shall include ministers of Word and Sacrament and ministers of Word and Service whose names appear on the roster of this synod and who are serving as interim minister under contract in a congregation of this synod at the time of the assembly.*

S7.21.C21 *The membership of the Synod Assembly, in addition to the members indicated in †S7.21., shall include those Ministers of Word and Sacrament and Ministers of Word and Service who have been granted disability status, or on leave from call status, on the roster of the synod may be elected by the Synod Council to such membership.*

S7.21.D21 *Retired rostered ministers, or those designated as disabled, or on leave from call, on the roster of the synod must indicate to the bishop's office their desire and intention to serve as voting members of the Synod Assembly, normally no less than 60 days before the Synod Assembly is seated. Such persons may be elected to membership of the Synod Assembly by vote of the Synod Council where possible consistent with †S7.21.*

S7.22. This synod may establish processes that permit retired rostered ministers, or those 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.

S7.22.A22 *The membership of the Synod Assembly, in addition to the members indicated in †S7.21., shall include those Ministers of Word and Sacrament and Ministers of Word and Service who have been granted disability status, or on leave from call status, on the roster of the synod may be elected by the Synod Council to such membership.*

S7.22.B22 *Retired rostered ministers, or those designated as disabled, or on leave from call, on the roster of the synod must indicate to the bishop's office their desire and intention to serve as voting members of the Synod Assembly, normally no less than 60 days before the Synod Assembly is seated. Such persons may be elected to membership of the Synod Assembly by vote of the Synod Council where possible consistent with †S7.21.*

†S7.23. The presiding bishop of the Evangelical Lutheran Church in America and such other official representatives of the churchwide organization as may be designated by the 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.

S7.24. Ministers under call on the rosters of this synod shall remain as members of the Synod Assembly so long as they remain under call and so long as their names appear on the rosters of this synod. Lay members of the Synod Assembly representing congregations shall continue as such until replaced by the election of new members or until they have been disqualified by termination of membership. Normally, congregations will hold elections prior to each regular meeting of the Synod Assembly.

†S7.25. Except as otherwise provided in this constitution or in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*, each voting member of the Synod Assembly shall be a voting member of a congregation of this synod.

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

S7.27. This synod may establish processes through the Synod Council to grant a minister of Word and Sacrament from a church body with which a relationship of full communion has been declared and established by the Churchwide Assembly of the Evangelical Lutheran Church in America 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.

S7.28. Duly elected voting members of the Synod Council who are not otherwise voting members of the Synod Assembly under †S7.21. shall be granted the privilege of both voice and vote as members of the Synod Assembly.

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

S7.32. *Robert's Rules of Order*, latest edition, shall govern parliamentary procedure of the Synod Assembly, unless otherwise ordered by the assembly.

S7.33. "Ex officio" as used herein means membership with full rights of voice and vote unless otherwise expressly limited.

S7.32A98 Applying Continuing Positions

1. *Definition. In this continuing resolution, "continuing position" means the position of this synod with reference to particular subject matter, as set forth in a position resolution during the resolution's period of effectiveness, or as derived from such a resolution; see continuing resolution S10.02.A98.*
2. *Purpose. The purpose of this continuing resolution is to enable voting members of the Synod Assembly to propose that the Synod Assembly apply already-established positions of the synod in respect of new or additional situations, and so to avoid Synod Assembly action that would be merely duplicative of an established position.*
3. *Provisions in aid of applying a continuing position. Each regular meeting of the Synod Assembly, by an appropriate official or committee, shall provide to its voting members (a) a list or catalogue of continuing positions of the synod, including specific identification of each continuing position; and, (b) a reasonable period of time, but not more than thirty minutes, for voting members to propose and to deliberate Synod Assembly actions so to apply continuing positions.*
4. *Procedure. For a voting member who seeks Synod Assembly action so to apply a continuing position, the suggested procedure is to present a motion for that purpose to the Synod Assembly. For example, a suitable form of motion is:*
"I move that this Synod Assembly apply the continuing position of this synod, as set forth in (-identify the continuing position-) in respect of (-indicate the new or additional situation-) by (-describe the specific course of action, if any, that movant proposes so to apply the continuing position-)."
Each such motion (a) is to be presented during the period of time provided and when the member presenting it is entitled to the floor; (b) may not change the substance of a continuing position, and (c) otherwise, is to be governed by all pertinent rules of parliamentary procedure.
5. *Records. Synod records of a continuing position shall reflect and include each instance in which the Synod Assembly has acted so to apply the continuing position.*

S7.33. “*Ex officio*” as used herein means membership with full rights of voice and vote unless otherwise expressly limited.

Chapter 8.

OFFICERS

†S8.01. The officers of this synod shall be a bishop, a vice president, a secretary, and a treasurer.

Bishop

†S8.11. The bishop shall be elected by the Synod Assembly. The bishop shall be a minister of Word and Sacrament of the Evangelical Lutheran Church in America.

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.

†S8.12. As this synod’s pastor, the bishop shall:

a. Preach, teach, and administer the sacraments in accord with the Confession of Faith of this church.

b. Have primary responsibility for the ministry of Word and Sacrament in this synod and its congregations, providing pastoral care and leadership for this synod, its congregations, its ministers of Word and Sacrament, and its ministers of Word and Service.

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. 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.

e. Attest letters of call for persons called to serve congregations in the synod, letters of call for persons called by the Synod Council, and letters of call for persons on the rosters of this synod called by the Church Council.

f. Install (or provide for the installation of) rostered ministers whose calls the bishop has attested.

g. Exercise leadership in the mission of this church and in so doing:

1) Interpret and advocate the mission and theology of the whole church;

2) Lead in fostering support for and commitment to the mission of this church within this synod;

3) Coordinate the use of the resources available to this synod as it seeks to promote the health of this church’s life and witness in the areas served by this synod;

4) Submit a report to each regular meeting of the Synod Assembly concerning the synod’s life and work; and

5) Advise and counsel this synod’s related institutions and organizations.

h. Practice leadership in strengthening the unity of the Church and in so doing:

1) Exercise oversight of the preaching, teaching, and administration of the sacraments within this synod in accord with the Confession of Faith of this church;

2) Be responsible for administering the constitutionally established processes for the resolution of controversies and for the discipline of rostered ministers and congregations of this synod;

3) Be the chief ecumenical officer of this synod;

4) Be a member of the Conference of Bishops and consult regularly with other synod bishops;

5) Foster awareness of other churches throughout the Lutheran world communion and, where appropriate, engage in contact with leaders of those churches;

6) Cultivate communion in faith and mission with appropriate Christian judicatory leaders

functioning within the territory of this synod; and

7) Be *ex officio* a member of the Churchwide Assembly.

i. Oversee and administer the work of this synod and in so doing:

1) Serve as the president of the synod corporation and be the chief executive and administrative officer of this synod, who is authorized and empowered, in the name of this synod, to sign deeds or other instruments and to affix the seal of this synod;

2) Preside at all meetings of the Synod Assembly and provide for the preparation of the agenda for the Synod Assembly, Synod Council, and the Synod Council's Executive Committee;

3) Ensure that the constitution and bylaws of the synod and of the churchwide organization are duly observed within this synod, and that the actions of the synod in conformity therewith are carried into effect;

4) direct and guide the work of the other officers;

5) exercise supervision over the work of all synod staff members;

6) Appoint all committees for which provision is not otherwise made;

7) Be a member of all committees and any other organizational units of the synod, except as otherwise provided in this constitution;

8) Provide for preparation and maintenance of synod 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 their retired or disability status took effect;

9) Annually bring to the attention of the Synod Council the names of all rostered ministers on leave from call or engaged in approved graduate study in conformity with the constitution, bylaws, and continuing resolutions of this church and pursuant to prior action of this synod through the Synod Council;

10) Provide for prompt reporting to the secretary of this church of:

a) additions to and subtractions from the rosters of this synod;

b) the issuance of certificates of transfer for rostered ministers in good standing who have received and accepted a properly issued, duly attested, regular letter of call under the jurisdiction of another synod; and

c) the entrance of the names of such persons for whom proper certificates of transfer have been received;

11) Provide for preparation and maintenance of a roster of the congregations of this synod and the names of the laypersons who have been elected to represent them; and

12) Appoint a statistician of the synod, who shall secure the reports of the congregations and make the reports available to the secretary of this church for collation, analysis, and distribution of the statistical summaries to this synod and the other synods of this church.

S8.12.A22. *Office of ecumenical relations.* Upon recommendation of the bishop, the Synod Council may establish a synodic office of ecumenical relations to assist the bishop with the responsibilities under †S8.12.h.3. and provide for the staffing of such office by employees of this synod. The bishop may appoint a board of six persons to advise the bishop concerning the office; generally, terms and other incidents of service on the board are the same as for members named by the bishop to the Mutual Ministry Committee.

†S8.13. The synod 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 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 synod 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.

S8.14.01. *Associates to the bishop.* After consultation with and upon the recommendation of the bishop, the Synod Council may call or engage one or more persons to serve as associates to the bishop in the work and conduct of the bishop's office and of this synod. Such associates may be ministers of Word and

Sacrament, ministers of Word and Service, or lay persons, and shall be employees of the synod and perform such work assignments as may be designated by the bishop. Each associate is a minister of Word and Sacrament shall be on the roster of ministers of Word and Sacrament of the synod, and serve an initial term call of not less than one year and not more than six years. Each associate who is a minister of Word and Service shall be on the roster of ministers of Word and Service of the synod, and serve an initial term call of not less than one year and not more than six years. Each associate who is a lay person shall reside on the territory and shall be employed for an initial period of not more than six years. After the Synod Council receives the bishop's recommendations, the term of each minister of Word and Sacrament, each minister of Word and Service associate's call, or period of each lay associate's employment, and the salary, emoluments and other remuneration to be received by each associate shall be determined by the bishop and approved by the Executive Committee of the Synod Council and incorporated into the provisions of the call or letter of engagement. If the bishop so recommends, any associate may serve successive calls or periods of employment as determined by the Synod Council, but the term of any successive call or length of any successive period of employment shall be not less than one year and not more than six years.

S8.14.02. Support staff. Upon recommendation of the bishop, the Synod Council may authorize employment by this synod of support staff, in an appropriate number, for the bishop and the bishop's in the work of the synod.

S8.14.A22. Number of associates. *The number of associates to the bishop under S8.14.01., at any one time, shall not exceed five.*

†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 synod bishop.

†S8.16. Conflicts of Interest

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

a. Whenever a synod bishop determines that a matter of the kind described in †S8.16.01.b. may require the bishop's determination or action with respect to a related individual as defined in †S8.16.01.c., the synod bishop shall withdraw from personal involvement in such matter and shall so notify the presiding bishop. The presiding bishop shall then appoint another synod 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 provisions 7.46. and 7.75 of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America* (†S14.18. and †S14.43), candidacy, reinstatement, and similar matters where determinations or actions by the synod 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 synod 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).

S8.20. Vice President

†S8.21. The vice president shall be elected by the Synod Assembly. The vice president shall be a layperson. The vice president shall be a voting member of a congregation of this synod. The vice president shall not receive a salary for the performance of the duties of the office.

The vice president shall chair the Synod Council.

S8.24. The vice president shall be ex-officio a member of the Churchwide Assembly.

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.

†S8.32. The secretary shall:

- a. Keep the minutes of all meetings of the Synod Assembly and Synod Council, be responsible for distribution of such minutes, and perform such other duties as this synod may from time to time direct.
- b. Be authorized and empowered, in the name of this synod, to attest all instruments which require the same, and which are signed and sealed by the bishop.
- c. In consultation with the bishop, classify and arrange all important papers and documents and deposit them in the archives of this synod.
- d. 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.

S8.32.01. The public file. This synod shall have a public file as the place of filing, as required by the bylaws, and reference for certain documentary materials, including, but not limited to, the Constitution, Book of Reports, Synod Assembly actions/minutes, Synod Council actions/minutes.

S8.32.02. Responsibilities for filing. Where a bylaw or a continuing resolution of this synod requires material to be filed in the public file (a) by an officer of the synod, the individual shall be responsible to make the filing, or (b) by the Synod Council or a committee of the synod, the vice-president of this synod or the committee chairperson, as the case may be, shall be responsible to make the filing.

S8.32.03. Access to public file. The public file is open to the people of the synod. The bishop may make regulations for orderly access such as the requirement for prior appointments and reasonable limitations on time allowed. No document currently required to be in the file may be removed, but, upon request and subject to a reasonable charge, the synod office will provide a copy of any such document to any interested person.

S8.33 The secretary shall be ex-officio a member of the Churchwide Assembly.

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.

S8.41.01 The Synod Council shall appoint a treasurer following a process guided by the nominating committee, in consultation with the bishop, to provide for a treasurer who can best fulfill the duties as outlined in

S8.42.

S8.42. The treasurer shall provide and be accountable for:

- a. Management of the monies and accounts of this synod, its deeds, mortgages, contracts, evidences of claims and revenues, and trust funds, holding the same at all times subject to the order of this synod.
- b. Investment of funds upon the authorization of the Synod Council.
- c. Receipt and acknowledgment of offerings, contributions, and bequests made to this synod, collecting interest and income from its invested funds, and paying regular appropriations and orders on the several accounts as approved and directed by the Synod Council. The treasurer shall transmit each month to the treasurer of the Evangelical Lutheran Church in America the funds received by this synod for the general work of this church.
- d. Maintenance of a regular account with each congregation of this synod and informing the congregation, at least quarterly, of the status of this account.
- e. Rendering at each regular meeting of the Synod Assembly a full, detailed, and duly audited report of receipts and disbursements in the several accounts of this synod for the preceding fiscal year, together with the tabulation, for record and publication in the minutes, of the contributions from the congregations.
- f. Obtaining a fidelity bond in the amount determined by the Synod Council for persons handling synod funds, which bond shall be in the custody of the secretary. The premium for the bond shall be paid by this synod. Fidelity coverage provided by the Evangelical Lutheran Church in America shall be deemed a fulfillment of this requirement.

S8.42.A91. Funds-keeping and Investment Policy

1. *This resolution sets forth the funds-keeping and investment policy of this synod. In this resolution—*

- “*its purposes*” means a purpose indicated in the Statement of Purpose of this synod (Chapter 6 of the constitution).
- “*current funds*” means, at any time, the funds held by this synod for its purposes in an amount appropriate for a period of up to the next forty-five days, but not petty cash
- “*other financial resources*” means the funds and other assets of money-equivalent or ready market value, including reserves, held by this synod for its purposes which would, if invested, yield a return in aid of its purposes, but not current funds.

2. *This synod shall keep current funds, until disbursement, in one or several accounts of one or several banking institutions or in other financial obligor in accordance with this policy. Each account in a banking institution shall be covered by FDIC insurance to the extent consistent with sound financial practices. Such an account may be, for example, a checking account or a certificate of deposit, and may but need not be interest-earning.*
3. *Normally, this synod shall hold at least the greater portion of other financial resources in deposit or debt obligations that afford the highest safety in preservation of value, suitable liquidity and reasonable return. Such obligations may be, for example, interest-earning accounts, including certificates of deposit, of one or several banking institutions, with each account covered in full by FDIC insurance, and shorter-term U. S. Treasury obligations.*
4. *This synod may have a portion of current funds and other financial resources in obligations of worthy obligor related to this church. Such obligations may be, for example, Mission Investments as described in the current ELCA Mission Investment Fund’s Offering Circular.*
5. *Normally, this synod shall have other financial resources only in a form described in paragraphs 3 or 4 of this resolution; however, seeking prudently to minimize or avoid loss in the value of an asset of other financial resources, this synod may hold the asset for a reasonable time in some other form. Such an asset might be, for example, a gift or bequest received in kind.*

S8.43

The treasurer shall be ex-officio a member of the Churchwide Assembly.

S8.50.

General Provisions

†S8.51.

The terms of office of the officers of this synod shall be as follows:

- a. The bishop of this synod shall be elected to a term of six years and may be re-elected.
- b. The vice president and secretary of this synod shall be elected to a term of four years and may be re-elected. The officer shall serve until a successor takes office.
- c. The treasurer of this synod shall be appointed to a term of four years and may be re-appointed. The treasurer shall serve until his or her successor takes office.

†S8.52.

The terms of the officers shall begin on the first day of the third month following election or, in special circumstances, at a time designated by the Synod Council.

†S8.53.

Each officer shall be a voting member in a congregation of this synod, except that the bishop need not be a member of a congregation of this synod at the time of election.

†S8.54.

Should the bishop die, resign, or be unable to serve, 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 appropriate care of the responsibilities of the bishop until an election of a new bishop can be held or, in the case of temporary disability, until the bishop is able to serve again. Such arrangements may include the appointment by the Synod Council of an interim bishop, who during the vacancy or period of disability shall possess all of the powers and authority of a regularly elected bishop. The term of the successor bishop, elected by the next Synod Assembly or a special meeting of the Synod Assembly called for the purpose of election, shall be six years with the subsequent election to take place at the Synod Assembly closest to the expiration of such a term and with the starting date of a successor term to be governed by constitutional provision S8.52.

S8.55.

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

treasurer is appointed by the Synod Council, the Synod Council shall appoint a new treasurer to a the remainder of the unfulfilled term of that officer.

†S8.56. The Executive Committee of the Synod Council shall determine whether an officer is unable to serve; the officer may appeal the decision of the Executive Committee by requesting a hearing before the Synod Council. A meeting to determine the ability of an officer to serve shall be called upon the request of at least three members of the Executive Committee and prior written notice of the meeting shall be given to the officer in question at least 10 calendar days prior to the meeting.

†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 synod bishop shall be instituted by written petition by:

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

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

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

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

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

e. In the case of alleged physical or mental incapacity of an officer of the synod, the procedures outlined in †S8.56. shall be followed, and such officer shall comply with the decision of the Synod Council. If such officer fails or refuses to comply, the Synod Council may proceed to petition for recall or dismissal as follows:

1) the Synod Council will submit a written report of their findings and the basis of their decision to the Committee on Appeals.

2) the Committee on Appeals, exclusive of any members other than those who are disqualified, shall review the findings and decision of the Synod Council and by an affirmative vote of at least two-thirds of those present and voting may adopt the findings and grant the petition.

f. If the synod officer is a minister of Word and Sacrament, grounds for recall or dismissal include those set forth in ELCA bylaw 20.22.01. and as defined under the process described in ELCA constitutional provisions 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 20.23.01. and as defined under the process described in ELCA constitutional provisions 20.21. and 20.22. as grounds for discipline.

g. If the officer is a layperson, grounds for recall or dismissal include those set forth in ELCA bylaw 20.41.01. as grounds for discipline.

h. If the case of alleged willful disregard or violation of the constitutions, bylaws, and continuing resolutions or of alleged conduct as would subject the officer to disciplinary action, the following procedures shall apply:

1) the petition shall be referred to the Committee on Appeals, which shall function as the

discipline hearing committee that shall conduct a hearing in accordance with the rules provided for in ELCA bylaw 20.22.14. except to the extent that those rules are in conflict with the provisions of this bylaw; and

2) the members of the Committee on Appeals, other than those who are disqualified, may grant the petition by an affirmative vote of at least two-thirds of those present and voting.

- i. Written notice of a decision by the Committee on Appeals that the charges have been sustained shall be given to the affected officer and to the Synod Council, and the office shall be vacated.

†S8.58. If the bishop is to be temporarily absent from the synod for an extended period not to exceed 90 days, the bishop, after consultation with the presiding bishop and with the consent of the Synod Council, may appoint as acting bishop for such period a minister of Word and Sacrament of this church. Except as limited by action of the Synod Council, an acting bishop shall possess all of the powers and authority of a regularly elected bishop other than authority to ordain or to authorize the ordination of properly approved candidates for ordination.

Chapter 9.

NOMINATIONS AND ELECTIONS

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

S9.01.01 Elections by the Synod Assembly. In addition to elections prescribed in the constitution to be made by the Synod Assembly, the Synod Assembly shall elect

- a) voting members of the Churchwide Assembly allocated to this synod.
- b) the Synod Council Members-at-large and the youth who is a member of the Synod Council.
- c) the members of the Consultation Committee and the synod's component of the Committee on Discipline.

In each election for a position described in this bylaw, the Nominating Committee shall slate one nominee for the position. With the exception of the situations noted below, the Synod Assembly shall permit nominations from the floor for the position provided that any person nominated from the floor must be eligible for election, have affirmed willingness to serve if elected, and meet each specification pertaining to the position, including that, for an elective position within the purview of paragraph (a) of S9.03.02. Nominations from the floor for positions in which nominees have been chosen by conferences must be of people who are voting members of a congregation of the same conference as the conference of the slated nominee. If there are slots that are not filled by a nominee from a conference, or through other constitutional provisions, nominees from the floor may come from any conference, provided the provisions of †S6.04 and S6.04.C88 are fulfilled. Such positions having a term of service of four years or longer shall be arranged so equal or approximately equal numbers of the positions are elected biennially.

S9.01.02. Elections at regular Synod Assembly meetings. The elections described in S9.01.01. shall be held at regular meetings of the Synod Assembly.

S9.01.03. Elections for Churchwide Assembly. At least one-third of the ministers of Word and Sacrament or ministers of Word and Service and at least one-third of the lay persons elected by this synod as voting members of each Churchwide Assembly shall be persons who have not been elected by this synod to be voting members of a previous Churchwide Assembly.

S9.01.04. Reelection of Council Members-at-large. Normally, Synod Council Members-at-large may be reelected once; however, if an expiration of the term of an incumbent Synod Council Member-at-large the incumbent does not meet a specification for the position according to S9.03.04. or otherwise, the individual is ineligible to reelection. If an Synod Council Member-at-large was first appointed to fill an interim vacancy and serves for more than half of the current term of the position reckoned from date of appointment, then, for the purpose of determining eligibility for reelection, the individual shall be deemed to have served the full term.

S9.01.06. Interim elections and appointments. In the context of this bylaw “interim vacancy” means a position that is vacant because the incumbent died, resigned, or became unable to serve. Should an interim vacancy occur, the vacancy is to be promptly filled in accordance with these provisions:

- a. An interim vacancy in a position appointed by the bishop shall be filled by a successor appointment by the bishop, under the same conditions, if any, as applied to the original appointment.
- b. An interim vacancy in an elective position or a Synod Council-appointed position shall be filled by interim appointment by the Synod Council. The Synod Council may have the Nominating Committee’s recommendation, but need not consider more than one candidate for an appointment. Current specifications for the position under S9.03.04. apply and the term of service shall be for the remainder of the term during which the interim vacancy occurred.

S9.01.A22. *The Synod Council, having regard to the provisions of †S7.21. and S7.21.A88., shall elect to the membership of the Synod Assembly, with voice and vote, the ones of the retired ministers of Word and Sacrament and ministers of Word and Service whose names appear on the rosters of this synod and who make timely written application for such election. Each such application shall indicate the applicant’s intention to attend the Synod Assembly, bear the applicant’s signature, and be deemed timely if received in the synod office during the month of November or the month of December of the year next preceding the year during which the Synod Assembly is to be held; each such election shall be only for such Synod Assembly. For purpose of †S7.21., retired ministers of Word and Sacrament and ministers of Word and Service elected under this Resolution shall be counted as ministers of Word and Sacrament or ministers of Word and Service.*

†S9.02. In all elections by the Synod Assembly, other than for the bishop, a majority of the legal votes cast shall be necessary for election.

S9.03. There shall be a Nominating Committee consisting of eleven members who shall be appointed by the Synod Council to serve for each regular meeting of the Synod Assembly. Additional nominations may be made from the floor for all elections for which nominations are made by the Nominating Committee.

S9.03.01 Nominating Committee

- a. Generally, eligibility for appointment to the Nominating Committee is as provided in S11.01.02., and positions on the Committee may be subject to a specification under S9.03.04. Members of the Consultation Committee, the Committee on Discipline, or a committee convened under S14.13.b would be ineligible for appointment. Synod Council members, other than those eligible to reelection at the next regular meeting of the Synod Assembly, may be appointed. A member of the Committee may be consecutively reappointed twice.
- b. The Synod Council is to complete appointments to the Nominating Committee for the meeting of the Synod Assembly for which the Committee is to serve by January 1 of the year of the meeting.

S9.03.02 Participation of Conferences in electoral processes.

- a) Each Conference is to select, for each meeting of the Synod Assembly at which the Nominating Committee is to slate nominees, one person for appointment to a respective one of positions on the Nominating Committee; and, for each such meeting which is to elect voting members of the Churchwide Synod Assembly, one person for nomination to a respective one of those voting member positions.
- b) A Conference may not select the same person for more than one position of those to be selected for a meeting of the Synod Assembly described in paragraph (a) of this bylaw, and should endeavor to avoid concentration of the selections with reference to a limited number of Congregations.
- c) A Conference may not elect the same person to more than one position of those to be elected at an electoral meeting described in paragraph (c) of this bylaw, and should endeavor to avoid undue concentration of the elections with reference to a limited number of Congregations.
- d) Each person selected pursuant to paragraph (a) or elected pursuant to paragraph (c) of this bylaw shall be a voting member of a Congregation of the Conference which selects or elects the individual, otherwise be eligible for the position for which the individual is selected or elected,

have affirmed willingness to serve in the position, and meet each specification under S9.03.04, if any, pertaining to the position.

e) If a selection under paragraph (a) or an election under paragraph (c) of this bylaw fails for any reason -- for example, if a person becomes unable to accept appointment, nomination, or election -- or is in default, then, as the case may be, the Synod Council shall appoint an affected position on the Nominating Committee and shall elect an affected position on a team board; and, the Nominating Committee shall slate a nomination for an affected position of voting member of the Churchwide Assembly or of Synod Council Members-at-large.

S9.03.03 Adoption of selections under S9.03.02. Normally, the Synod Council, in making appointments to the Nominating Committee, is to adopt the selections of Conferences under sentence (1) of paragraph (a) of S9.03.02; and, the Nominating Committee, in slating nominees for positions of voting member of the Churchwide Assembly and of Synod Council Members-at-large, is to adopt the selections of Conferences under paragraph (a) of S9.03.02.

S9.03.04 Specifications for Nominating Committee and Synod Council Members-at-large positions. So the Synod Council and the Nominating Committee, as nearly as practicable and in terms of their full complements, meet inclusivity criteria and/or have members residing in areas throughout the territory, the Synod Council may establish specifications for at least some Nominating Committee and Synod Council Members-at-large positions, and, for that purpose may have the advice of the Nominating Committee. If such a specification applies to any position for which a Conference is to select a person under paragraph (a) of S9.03.02, the Synod Council shall notify the Conference well in advance of the affected electoral meeting.

S9.03.05 Previously-selected or-elected incumbents. A Conference may, but need not, select for reappointment or nomination for reelection, or reelect, an incumbent of a position who was previously selected for or elected to the position by the Conference under S9.03.02 and, otherwise, is eligible to reappointment or reelection, and meets each specification, if any, pertaining to the position.

S9.04. The bishop shall be elected by the Synod Assembly by ecclesiastical ballot. Three-fourths of the legal votes cast shall be necessary for election on the first ballot. If no one is elected, the first ballot shall be considered the nominating ballot. Three-fourths of the legal votes cast on the second ballot shall be necessary for election. The third ballot shall be limited to the seven persons (plus ties) who received the greatest number of legal votes on the second ballot, and two-thirds of the legal votes cast shall be necessary for election. The fourth ballot shall be limited to the three persons (plus ties) who receive the greatest number of legal votes on the third ballot, and 60 percent of the legal votes cast shall be necessary for election. On subsequent ballots a majority of the legal votes cast shall be necessary for election. These ballots shall be limited to the two persons (plus ties) who receive the greatest number of legal votes on the previous ballot.

S9.04.01. Election of the Bishop. In addition to the provision of S9.04., procedures for election of the bishop include—

- a. Prior to a meeting of the Synod Assembly at which an election for the office of bishop is to be held, the Synod Council shall appoint a Committee on Pre-election Canvass consisting of five members. Each member of the committee shall meet the same general qualifications as in S11.01.02., shall not be eligible for nomination or election to the office of bishop, and may, but need not be a voting member of the Synod Assembly.
- b. The duties of the Committee on Pre-election Canvass shall be
 - 1) to mail directly to each voting member of the Synod Assembly, at least sixty (60) days but not more than seventy (70) days prior to the Synod Assembly, a canvass instrument and instructions for identification, by means of the instrument, of one person for the office of bishop;
 - 2) to receive those of such instruments bearing postmarks no later than forty-five (45) days prior to the Synod Assembly;
 - 3) to obtain, on a uniform basis, and to mail to each voting member of the Synod Assembly at least twenty-one (21) days prior to the Synod Assembly, biographical information about the

six (6) persons (plus ties) who receive the highest numbers of identifications, and are willing to be nominated for the office of bishop, together with a full report concerning the canvass.

- c. The Committee on Pre-election Canvass, on behalf of the Synod Council, may arrange and conduct a pre-assembly forum where those of the six (6) persons identified in clause 3, paragraph b, of this bylaw, who desire so to participate, may -- all on a uniform basis -- be introduced to, address, and respond to questions from voting members of the Synod Assembly and others in attendance. The forum, if and when arranged and conducted, is to be suitably publicized and held at a convenient place on the territory approximately two (2) weeks prior to the Synod Assembly.
- d. The report concerning the canvass and the forum are to be information resources about the election, and shall have no other purpose, status and effect.

S9.04.A22. *In each meeting of the Synod Assembly at which an election for the office of bishop is held, and the election is to include a fourth ballot, and as an order of business following the report of the results of the third ballot, the Synod Assembly shall conduct Assembly-wide introductions of persons who are to be on the fourth ballot, in accordance with the provisions of this continuing resolution.*

- a. *Generally, introductions of persons who are to be on the fourth ballot shall be on a uniform and impartial basis, and the introduction of each such person is to include aspects of (i) an address by the person to the Synod Assembly and (ii) spoken answers by the person to propounded questions, provided that if the person is not in attendance or otherwise so desires, the person may designate a spokesperson to participate instead. During introduction of one such person, the other such persons shall not be present. If such a person opts not to participate in an introduction, that circumstance shall not affect the person's position or status on the fourth or any later ballot. When such a person participates in one aspect of an introduction, the person is expected also to participate in the other aspect. The official presiding at the election shall likewise preside during the introductions.*
- b. *Each such person, in any aspect of the introduction to the Synod Assembly, shall not utilize or authorize any kind of ancillary material or special effects. The assembly, including members and all others in attendance, shall refrain from any kind of demonstration of support or opposition with reference to such a person during the introduction and otherwise in connection with the election.*
- c. *The address of each introduction is expected to deal with the person's candidacy for the office of bishop; otherwise, content of the address is wholly a matter for the person's discretion. The time provided for an address shall be an undivided period of ten minutes, but the address need not consume the full period.*
- d. *The propounded questions of the introductions shall normally comprise a series of five questions pertaining to the work the Synod and the office of bishop, and shall be prepared by the Elections Committee of the Synod Assembly. The Elections Committee shall consult with the official presiding and other appropriate resources, and shall endeavor to formulate questions that are succinct, suitable for answer in the time provided, and widely representative of interests and responsibilities of voting members of the Synod Assembly, as, for example, by soliciting exemplary questions or topics from voting members and otherwise. The official presiding shall propound the questions to each such person in the same manner and order. An answer to a propounded question is expected to be responsive. The time provided for answering a question shall be an undivided period of two minutes, but an answer need not consume the full period.*

S9.05.01. Election of the Vice President shall proceed without oral nominations. The first ballot of the election, unless resulting in election, shall be the nominating ballot. On the first ballot, two-thirds of votes shall elect. On the second ballot, only votes for persons who received votes on the first ballot shall be valid, and a majority of votes shall elect. On the third ballot, voting shall be limited to the two persons (plus ties) who received the highest number of votes on the second ballot, and a majority of votes shall elect. A person may withdraw from the election prior to the voting on any ballot, and upon such withdrawal, votes for the person on a preceding ballot shall be deemed invalid as to a subsequent ballot. An invalid vote shall not be counted for any purpose.

S9.05.A99 *In each meeting of the Synod Assembly at which an election for the office of vice president is held and the election is to include a third ballot, and as an order of business following the report of the results of*

the second ballot, the Synod Assembly shall conduct introductions of persons who are to be on the third ballot. These introductions shall be on a uniform and impartial basis, and the introduction of each such person is to include an address by the person to the Synod Assembly. Such an address is expected to deal with person's candidacy for the office of vice president; otherwise, the content of the address is wholly a matter for the person's discretion. The time for an address is an undivided period of three minutes, but the address need not consume the full period.

S9.06.01. Election of the Secretary shall proceed without oral nominations. The first ballot of the election, unless resulting in election, shall be the nominating ballot. On the first ballot, two-thirds of votes shall elect. On the second ballot, only votes for persons who received votes on the first ballot shall be valid, and a majority of votes shall elect. On the third ballot, voting shall be limited to the two persons (plus ties) who received the highest number of votes on the second ballot, and a majority of votes shall elect. A person may withdraw from the election prior to the voting on any ballot, and upon such withdrawal, votes for the person on a preceding ballot shall be deemed invalid as to a subsequent ballot. An invalid vote shall not be counted for any purpose.

S9.06.A99 *In each meeting of the Synod Assembly at which an election for the office of secretary is held and the election is to include a third ballot, and as an order of business following the report of the results of the second ballot, the Synod Assembly shall conduct introductions of persons who are to be on the third ballot. These introductions shall be on a uniform and impartial basis, and the introduction of each such person is to include an address by the person to the Synod Assembly. Such an address is expected to deal with person's candidacy for the office of secretary; otherwise, the content of the address is wholly a matter for the person's discretion. The time for an address is an undivided period of three minutes, but the address need not consume the full period.*

S9.07. If the treasurer is elected, the Synod Council shall nominate at least one person for treasurer; additional nominations may be made from the floor.

S9.08. In all elections, except for the bishop, the names of the persons receiving the highest number of legal votes, but not elected by a majority of the legal votes cast on a preceding ballot, shall be entered on the next ballot to the number of two for each vacancy unfilled. On any ballot when only two names appear, a majority of the legal votes cast shall be necessary for election.

S9.08.A22 *A person who is nominated for election by the Synod Assembly (a) for Synod Council Members-at-large position, or (b) to the position of voting member of the Churchwide Assembly, is to provide, prior to the election in which the individual is a nominee, a written statement with regard to the individual's candidacy for the position. The Nominating Committee or the Elections Committee of the Synod Assembly, as appropriate, may receive the statement from the person. The statement is for distribution to voting members of the Synod Assembly as an information resource; it is not to exceed forty (40) words in length; and, otherwise, its content is wholly a matter for the person's discretion.*

S9.09. The result of each ballot in every election shall be announced in detail to the assembly.

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

S9.11. The Synod Council shall elect or appoint representatives to the steering committee of its region.

†S9.12. Background checks and screening shall be required and completed for persons nominated as synod 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

†S10.01. The Synod Council, consisting of the four officers of the synod, 10 to 24 other members, and at least one youth and at least one young adult, shall be elected by the Synod Assembly.

- Each person elected to the Synod Council shall be a voting member of a congregation of this synod, with the exception of ministers on a roster of this synod who reside outside the territory of this synod. The process for election and the term of office when not otherwise provided shall be specified in the bylaws. A member of the Church Council of the Evangelical Lutheran Church in

America, unless otherwise elected as a voting member of the Synod Council, may serve as an advisory member of the Synod Council with voice but not vote.

- b. The term of office of members of the Synod Council, with the exception of the officers and the youth member, shall be four years.

S10.01.01. The terms of service of members of the Synod Council shall begin on the first day of the third month following their election.

S10.01.02. Youth member. The term of service of the youth shall be two years and shall begin on the first day of the third month following election. The youth shall be at least 16 years of age when the youth's term begins and not more than 21 years of age when the term ends, and is not eligible to reelection.

S10.01.03. Young adult member. The term of service of the young adult member shall be two years and shall begin on the first day of the third month following election. The young adult shall be at least 21 years of age when the young adult's term begins and not more than 30 years of age when the term ends, and is not eligible to reelection.

S10.01.04. Synod Council meetings. The Synod Council shall hold regular meetings at least four times a year and, normally, once in each calendar quarter. The place of meetings of the Synod Council shall be determined by the Executive Committee. Special meetings of the Synod Council may be called by the Executive Committee as provided in S10.01.07., and shall be called by the bishop upon the written request of ten Synod Council members. The secretary of this synod shall give written notice of each meeting of the Synod Council to Synod Council members.

S10.01.05. Committee liaison. The Synod Council shall maintain liaison with Synod Program committees, Advisory committees, and any Task Forces and Temporary committees of this synod. For this purpose (apart from the bishop *ex officio*) members of the Synod Council may attend and have voice at meetings of such committees.

S10.01.06. Synod Council committees--generally. The Synod council shall have an Executive Committee and such other committees as it may from time to time determine. The Synod Council shall appoint the members of its committees. No one other than a member of the Synod Council may serve on a Council committee. Subject to the Synod Council's directions concerning purpose, procedure, and record-keeping, a Synod Council committee develops its own agenda and sets its own procedure. Unless the Synod Council so requires, a Synod Council committee need not make a report to the Synod Assembly covering its activities.

S10.01.07. Executive Committee. The Executive Committee shall comprise the officers and five Synod Council Members-at-large; at least one of the Synod Council Members-at-large shall be serving a term with an expiration date different than the expiration date of the terms of the other Synod Council Members-at-large. Normally, the period of appointment for Synod Council Members-at-large on the committee is two years, with no limitation on reappointment to an available position. The committee shall perform those functions of the Synod Council assigned to it by the Council, and, subject to other or additional directions from the Synod Council, the committee shall oversee preparation of the agenda for Synod Council meetings, and shall set the salary of the bishop. The committee -- by the action or with the common approval of a majority of its members, and, normally, with at least five days' notice -- may call special meetings of the Synod Council. In appropriate circumstances, so recognized by a majority of its members, and provided that all committee members have a reasonable opportunity to participate, the committee may deliberate and do committee work by telephone conferences.

S10.01.09. Accountability of Synod Council and Synod Council-appointed committees. Synod Council committees and the Nominating Committee are accountable to the Synod Council for due performance of their functions and responsibilities.

†S10.02. The Synod Council shall be the board of directors of this synod and shall serve as its interim legislative authority between meetings of the Synod Assembly. It may make decisions that are not in conflict with actions taken by the Synod Assembly or that are not precluded by provisions of this constitution or the constitution and bylaws of the Evangelical Lutheran Church in America.

S10.02.A98 Positions Process

Definition. In this continuing resolution, "position resolution" means an action of the Synod Assembly which expresses the synod's position as to indicated subject matter, but is not and is not connected with

another action of the Synod Assembly such as an amendment of the constitution, adoption or amendment of a bylaw, a continuing resolution or an annual budget of the synod, an election conducted pursuant to the constitution or the bylaws, or, approval of a report.

- a. Applicability. This continuing resolution applies in respect of each position resolution and without regard to the date of the resolution.*
- b. Period of effectiveness. The period during which a position resolution may be deemed effective, having regard for the purpose and subject matter of the resolution, and for other pertinent circumstances, should be of reasonable length and not continue after the purpose has been accomplished or the subject matter has substantially changed. In any case, but subject to Paragraph 4 of this continuing resolution, the period of effectiveness of a position resolution is to expire at the end of a specific period set forth in the resolution, or, absent such specific period, three years from the date of the resolution.*
- c. Subsequent status.*

(a) *Normally, after the period of effectiveness of a position resolution has expired, as provided in Paragraph 3 of this continuing resolution, the status of the resolution is as an historical record. Nevertheless, if the Synod Council considers the subject matter or purpose of an expiring position resolution to be of continuing interest to the synod, the Synod Council may adopt the substance of the resolution as a continuing position or an operational policy of the synod.*

(b) *The period of effectiveness of a position resolution with a date prior to this continuing resolution shall not be deemed to have expired until the Synod Council has taken action concerning subsequent status of the resolution or unless the resolution provides for its own expiration.*

5. *Resolutions and Positions Review Committee. The Executive Committee in consultation with the bishop may appoint a Resolutions and Positions Review Committee of not more than five members, including Synod Council members and others. The duties and responsibilities of the committee are to include annual review of (a) expiring position resolutions and (b) continuing positions and operational policies which derive from position resolutions, and making recommendations to the Synod Council concerning subsequent status of such position resolutions, continuing positions and operational policies. The committee is to accord priority to review of any recommendations as to position resolutions with dates prior to this continuing resolution.*

S10.03. The functions of the Synod Council shall be to:

- a. Exercise trusteeship responsibilities on behalf of this synod.
- b. Recommend program goals and budgets to the regular meetings of the Synod Assembly.
- c. Carry out the resolutions of the Synod Assembly.
- d. Provide for an annual review of the roster of Ministers of Word and Sacrament and the roster of Ministers of Word and Service, receive and act upon appropriate recommendations regarding those persons whose status is subject to reconsideration and action under the constitution and bylaws of the Evangelical Lutheran Church in America, and make a report to the Synod Assembly of the Synod Council's actions in this regard.
- e. Issue letters of call to rostered ministers as authorized by Chapter 7 of the constitution and bylaws of the Evangelical Lutheran Church in America.
- f. Fill vacancies until the next regular meeting of the Synod Assembly, except as may otherwise be provided in the constitution or bylaws of this synod, and determine the fact of the incapacity of an officer of this synod.
- g. Report its actions to the regular meeting of the Synod Assembly.
- h. Perform such other functions as are set forth in the bylaws of this synod, or as may be delegated to it by the Synod Assembly.

S10.04. Any proposal to appropriate funds, whether by amendment to the budget or otherwise, which is presented to a meeting of the Synod Assembly without the approval of the Synod Council, shall require a two-thirds vote for adoption.

S10.05. No elected member of the Synod Council shall receive compensation for such service.

S10.05.01 A member of the Synod Council may receive mileage compensation consistent with IRS mileage guidelines currently in force for participation in Synod Council business, as approved by the bishop of

this synod.

S10.06. If a member of the Synod Council ceases to meet the requirements of the position to which she or he was elected, the office filled by such member shall at once become vacant.

S10.07. The composition of the Synod Council, the number of its members, and the manner of their selection, as well as the organization of the Synod Council, its additional duties and responsibilities, and the number of meetings to be held each year shall be as set forth in the bylaws.

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

S10.08.01. 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

(Task Forces, Working Groups)

†S11.01. There shall be an Executive Committee, a Consultation Committee, a Committee on Discipline, a Mutual Ministry Committee, an Audit Committee, and such other committees as this synod may from time to time determine. The duties and functions of such committees, or any other organizational units created by this synod, and the composition and organizational structure of such units, shall be as set forth in this constitution or in the bylaws or continuing resolutions, and shall be subject to any applicable provisions or requirements of the constitution and bylaws of the Evangelical Lutheran Church in America.

S11.01.01. Committees of this synod. Committees of this synod are:

1. The Executive Committee, the Consultation Committee, the Committee on Discipline, the Mutual Ministry Committee as provided for in **†S11.01.**;
2. Committees relating to the office of bishop, as provided for in **S11.01.16**
3. Synod Assembly committees, as provided for in **S11.01.05**.
4. The Nominating Committee, as provided for in **S11.01.06**.

Synod Council committees, as provided for in **S11.01.07** **S11.01.02. Eligibility/qualifications for committee service.** Other than the bishop ex officio, no person shall concurrently be a member of more than one of the Standing Committees as defined in **S11.01.10**. The standing committees are the Consultation Committee, the Committee on Discipline, and committees relating to the office of the bishop: the Ministry Committee and the Constitution Review Committee. This provision is also subject to the provisions of S11.02.01 (Consultation Committee), and S11.03.01 (Committee on Discipline). Unless otherwise designated by the bishop, persons who are members in good standing in a congregation of this synod are eligible for committee service.

S11.01.03. General provisions pertaining to committees. Except as the bylaws may otherwise provide or require with reference to committees of the Synod Assembly, the Nominating Committee, Synod Council committees, the Consultation Committee, the Committee on Discipline, and any Task Force or other Temporary Committee, the provisions of this bylaw apply to the committees of this synod.

- 1) A committee develops its own agenda with reference to its function and responsibilities, determines its own procedures, and establishes appropriate sub-committees and working groups.
- 2) A committee shall elect and have a chairperson and a secretary. The chairperson presides at committee meetings. The committee secretary is responsible to keep minutes and give notice of meetings. The committee secretary is also responsible to provide such minutes to the synod office, through a process defined in the continuing resolutions.
- 3) The synod shall fund the work and activities of a committee through the synodic budgetary process and the committee shall participate in that process.

S11.01.A22 *Committee secretaries shall provide electronic copies of all committee minutes to the bishop's executive assistant within one week following their approval by the committee.*

S11.01.04. Expenses. Members serving on the committees of this synod or of any other committee or similar body established pursuant to the constitution or the bylaws of this synod shall not receive compensation for such service, but the synod may reimburse them for necessary travel and out-of-pocket expenses while

serving.

S11.01.05. Synod Assembly committees. Committees of the Synod Assembly include: a Committee on Reference and Council and other Synod Assembly committees (such as Planning Committee, Credentials Committee, Memorials Committee, Resolutions Committee, convention manager, sergeant-at-arms, tellers, parliamentarian), as deemed necessary by the bishop or the Synod Council. Synod Assembly committees have status, composition, appointment process, and functions and responsibilities as described and provided in S7.01.05.

S11.01.06. Nominating Committee. The Nominating Committee has the status, composition, appointment processes, and functions and responsibilities as described and provided in Chapter 9.

S11.01.07. Synod Council committees. Synod Council committees include the Executive Committee, and any other committee established pursuant to S10.01.06. Such committees have status, composition, appointment process, functions and responsibilities as provided in the constitution and the bylaws and continuing resolutions pertaining to them.

S11.01.08. Executive Committee. The Executive Committee shall comprise the officers and five other council members (OCMs); at least one of the OCMs shall be serving a term with an expiration date different than the expiration date of the terms of the other OCMs. Normally, the period of appointment for OCMs on the committee is two years, with no limitation on reappointment to an available position. The committee shall perform those functions of the Synod Council assigned to it by the Synod Council, and, subject to other or additional directions from the Synod Council, the committee shall oversee preparation of the agenda for Synod Council meetings, and shall set the salary of the bishop. The committee -- by the action or with the common approval of a majority of its members, and, normally, with at least five days' notice -- may call special meetings of the Synod Council. In appropriate circumstances, so recognized by a majority of its members, and provided that all committee members have a reasonable opportunity to participate, the committee may deliberate and do committee work by telephone conferences or by other electronic means.

S11.01.09. Mutual Ministry Committee. The Mutual Ministry Committee has the status, composition, appointment processes, and functions and responsibilities as described and provided in S11.04.01.

S11.01.10. Standing Committees. The Standing Committees are the Consultation Committee, the Committee on Discipline, and committees relating to the office of the bishop: the Ministry Committee and the Constitution Review Committee, as stipulated in **S11.01.16.**

S11.01.11. Reports by Standing committees. The Standing committees shall make annual written reports to the Synod Assembly. Each report shall cover the committee's activities since the preceding report. Such reports by the Consultation Committee and the Committee on Discipline shall not provide indemnificatory particulars with respect to any matter or case pending on the date of any such report.

S11.01.16 Committees relating to the office of the bishop. Committees relating to the office of the bishop are the Ministry Committee and the Constitution Review Committee and their functions and responsibilities are as from time to time provided in the bylaws and continuing resolutions of the synod. The bishop appoints members of these committees, with the approval of the Synod Council, and, generally, for terms of service of four years arranged, with reference to an election cycle, in the same manner as terms of OCM positions. Members of these committees are eligible to reappointment.

S11.01.B22. Ministry Committee. *The functions and responsibilities of the Ministry Committee pertain to pastoral care of Congregations and to ministers of Word and Sacrament and ministers of Word and Service. The committee, as appropriate for this synod, develops, guides, supports and oversees programs of ministry in daily life; programs and activities for development of professional leaders (including recruitment, encouragement and evaluation, and subsequent certification of candidates); policies and standards for compensation and benefits for professional leaders; and, programs for the care of and the continuing education for professional leaders. Members of the committee, selected by the candidacy committee, may participate in multi-synodic committees for certification of candidates for ordination and in the certification or accreditation processes for other professional leaders.*

· ft. **S11.01.F99. Constitution Review Committee.** *The functions and responsibilities of the Constitution Review Committee are to review the constitutions of Congregations and organizational documents of Conferences of this synod to determine whether the documents conform with apposite provisions of the*

constitution, the bylaws and the continuing resolutions of the ELCA (including the Constitution for Congregations); to report to the bishop and the Synod Council concerning such determinations; and, where a document appears deficient, to indicate necessary revision to the Congregation or the Conference. The committee may also advise the bishop and the Synod Council with regard to constitutional matters. The committee shall have six members including, normally, the secretary of the synod.

S11.01.18. Task Forces and Temporary committees. The Synod Council shall, as directed by the Synod Assembly, and may, by its own action as it from time to time finds necessary, establish task forces and temporary committees of this synod. Normally, a task force or temporary committee shall have a specific assignment not duplicative of a function or responsibility of another committee established pursuant to the constitution, and the Synod Council shall describe the assignment in reasonable detail. The Synod Council shall appoint the members of a task force or temporary committee and may appoint the chairperson or convener. Generally, eligibility for appointment is as provided in S11.01.02. Members of the Synod Council may be appointed, but no member of the Consultation Committee, the Committee on Discipline or a committee convened under †S14.13.b. or pursuant to S14.13.08. is eligible to serve on a task force or temporary committee. A task force or temporary committee may have up to twenty members, and shall normally complete its assignment and submit any required report within a period of not more than 18 months.

S11.01.19. Accountability. The Standing committees and Task Forces and Temporary committees of this synod -- together with their members -- are accountable to the Synod Council and the Synod Assembly for due performance of their respective functions and responsibilities. Normally, the oversight of such performance -- which may encompass a committee's policies, programs, activities and work-product--shall be by the Synod Council.

†S11.02. The Consultation Committee of this synod shall consist of at least six persons and not more than 12 persons, of whom half shall be rostered ministers and half shall be laypersons, who shall each be elected by the Synod Assembly for a term of six years without consecutive re-election. The functions of the Consultation Committee are set forth in Chapter 20 of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America* and in Chapter 17 of this constitution. The size of the Consultation Committee, in accord with this provision, shall be defined in this synod's bylaws.

S11.02.01. The Bishop shall be a member of the Consultation Committee ex officio except in instances when the Bishop brings charges against an ordained minister.

S11.02.02. The terms of service of members of the Consultation Committee begin on the first day of the third calendar month following election.

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

a. The functions of the Committee on Discipline of this synod are set forth in Chapter 20 of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.

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

S11.03.01. The Bishop shall not be a member of the Committee on Discipline.

S11.03.02. The terms of service of members of the Committee on Discipline begin on the first day of the third calendar month following election.

†S11.04. The Mutual Ministry Committee shall be appointed by the Executive Committee of the Synod Council to provide support and counsel to the bishop.

S11.04.01. Mutual Ministry Committee. The Mutual Ministry Committee consists of seven members, and its function is to provide support and counsel to the bishop. Two members are named by the bishop and serve for the period the bishop may determine, and five members are appointed by the Synod Council and serve for the period the Synod Council may determine; in any case, the period of service of each member shall expire not later than the expiration of the bishop's current term of office. The bishop may seek the counsel and support of any member of the committee at the bishop's pleasure, and may convene meetings of the committee, or of any of its members, to seek their counsel and support on any

matter which she/he deems necessary or desirable. Meetings of the committee or consultation between the bishop and any member shall be informal, and votes, minutes or other written memorials or reports not required unless requested by the bishop.

†S11.05. The Audit Committee of this synod shall consist of three to six persons, none of whom is a member of the synod staff. Up to half of the committee members may be Synod Council members. The Audit Committee members shall be elected by the Synod Council for a term of three years and be eligible for re-election to a second consecutive three-year term. The terms of the Audit Committee members shall be staggered. The Audit Committee shall be responsible for assisting the Synod Council in fulfilling its general oversight of the synod's accounting, financial reporting, internal control systems, and external audit processes as provided in †S15.31.

S11.10. **General Provisions**

†S11.11. This synod shall in its bylaws or by continuing resolution establish a process to ensure that the members of its committees and other organizational units will be persons possessing the necessary knowledge and competence to be effective members of such units, and to meet the requirements of †S6.04. With the exception of ministers on the rosters of this synod who reside outside the territory of this synod, each member of a committee of this synod, or any other organizational unit created by this synod, shall be a voting member of a congregation of this synod.

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 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 affiliates.

S12.01.01. Conferences. Groupings of Congregations of this synod, under Chapter 12 of the constitution, are “Conferences.”

S12.01.A21 Number/names/description of Conferences.

- a. *This synod and its Congregations shall comprise eight Conferences, to be known as the “Central,” “Near West,” “North,” “Northeast,” “Northwest,” “South,” “Southwest,” and “West” Conferences. Normally, a Congregation belongs to the Conference within whose boundaries its place of worship is located. The Council may change or adjust such boundaries.*
- b. *The current rosters of Congregations in each Conference are as follows:*

CENTRAL (All in the City of Chicago) (checked)

Bethel (West), Chicago

Edgebrook, Chicago

Edison Park, Chicago

First Evangelical, Chicago

Iglesia Luterana De La Trinidad, Chicago

Martin Luther, Chicago

Mission of Christ, Chicago

Mosaic, Chicago

Purna Jiwan, Chicago

St. James on Foster, Chicago

St. Luke's Lutheran Church of Logan Square, Chicago

St. Timothy, Chicago

United in Faith, Chicago

Wicker Park, Chicago

NEAR WEST (checked)

*Acacia Park, Norridge
Ascension, Riverside
Christ, Clarendon Hills
Community United, Berwyn
Epiphany, Elmhurst
Faith, Brookfield
Gethsemane, Cicero
Gloria Dei, Downers Grove
Good Shepherd, Oak Park
Grace, La Grange
Grace, Westchester
Holy Trinity, Lombard
Lord of Life, Darien
Mision Luterana Unidad, Berwyn
Prince of Peace, Addison
Redeemer, Hinsdale
Resurrection, Franklin Park
St. James, Western Springs
St. Luke's, Elmhurst
St. Michael's, La Grange Park
St. Paul, Villa Park
St. Paul Thai, Forest Park
United, Oak Park
Unity, Berwyn*

NORTH (checked)

*Christ, Vernon Hills
Evangelical Lutheran Church of All Saints, Fox Lake
Grace, Libertyville
Holy Cross, Libertyville
Holy Spirit, Lincolnshire
Hope, Long Grove
Joy!, Gurnee
Lutheran Church of the Atonement, Barrington
Messiah, Wauconda
Parroquia Luterana Sagrado Corazon, Waukegan
Peace, Lake Zurich
Shepherd of the Lakes, Grayslake
St. Andrew, Mundelein
St. James, Lake Forest
St. Mark's, Waukegan
St. Paul, Waukegan
St. Stephen, Antioch
Trinity Evangelical, Ingleside
Trinity United, Waukegan
Zion, Deerfield*

NORTHEAST (checked)

*Christ, Chicago
Concordia, Chicago
Ebenezer, Chicago
Evangelical Church of St. Luke, Chicago
First Immanuel, Chicago*

*Gloria Dei, Northbrook
Grace, Evanston
Holy Family, Chicago
Holy Trinity, Chicago
Holy Trinity, Glenview
Immanuel, Chicago
Immanuel, Evanston
Irving Park, Chicago
Lake View, Chicago
Luther Memorial, Chicago
Lutheran Church of the Ascension, Northfield
Lutheran Church of the Resurrection, Niles
Messiah, Park Ridge
Pilgrim, Chicago
Redeemer, Park Ridge
Resurrection, Chicago
St. John's, Wilmette
St. Luke's, Park Ridge
St. Paul's, Evanston
St. Philip, Glenview
St. Timothy's, Skokie
Trinity, Evanston
Unity, Chicago
University, Evanston*

NORTHWEST (good)

*All Saints, Palatine
Bethlehem, Elgin
Christ, Palatine
Christ the Lord, Elgin
Christus Victor, Elk Grove Village
Grace, Mount Prospect
Holy Trinity, Elgin
Lord of Life, Schaumburg
Lutheran Church of Martha & Mary, Mount Prospect
Lutheran Church of the Cross, Arlington Heights
Lutheran Church of Good Shepherd, Prospect Heights
New Light Chinese, Palatine
Our Saviour, Arlington Heights
Prince of Peace, Schaumburg
St. Mark, Mount Prospect
St. Matthew, Itasca
Trinity, Rolling Meadows
Trinity, Des Plaines
True Light, Streamwood
Zion, Elgin*

SOUTH (checked)

*Ashburn, Chicago
Augustana, Chicago
Bethany, Chicago
Bethel-Imani, Chicago
Bethlehem Evangelical, Chicago*

*Calvary (Kenneth), Chicago
Christ the Mediator, Chicago
Come Alive Ministry of Faith, Chicago
First of the Trinity, Chicago
Iglesia de la Santa Cruz, Chicago
Lebanon, Chicago
Love, Faith, and Hope SAWC, Chicago
Lutheran Church of the Holy Spirit, Chicago
Reformation, Chicago
Salem, Chicago
St. James (on Michigan), Chicago
St. James Evangelical, Chicago
St. Mark, Chicago
St. Stephen, Chicago
St. Thomas, Chicago
Tumaini Swahili Chapel, Elk Grove Village
Windsor Park, Chicago
Zion Lutheran Church of Avalon Park, Chicago*

SOUTHWEST (checked)

*Bethany, Lemont
Evangelical LC of the Good Shepherd, Palos Heights
Faith Evangelical Lutheran Church, Palos Heights
Faith, Homewood
First Evangelical Lutheran Church, Blue Island
Good Shepherd, Robbins
Jubilee Faith Community, Country Club Hills
Lutheran Church of the Resurrection, Oak Forest
Mount Zion, Oak Lawn
Our Savior, Burbank
Our Saviour Evangelical, Lansing
Redeemer, South Holland
Redeemer's, Oak Forest
Savior Divine, Palos Hills
Shekinah Chapel, Riverdale
St. Andrew's, Glenwood
St. Mark, Worth
St. Philip, Blue Island
St. Stephen, Midlothian
Trinity Evangelical, Oak Lawn
Trinity, Park Forest
Zion, Tinley Park*

WEST (good)

*Bethany, Batavia
Bethlehem, St. Charles
Faith, Glen Ellyn
Faith, Aurora
Geneva, Geneva
Good Shepherd, Naperville
Grace Lutheran Church of Lily Lake, St. Charles*

*Grace, Glen Ellyn
Holy Cross, Wheaton
Living Lord, Bartlett
Lutheran Church of the Master, Carol Stream
Naperville Yuhllin, Aurora
New Hope, Aurora
Our Savior, Aurora
Our Saviour's, Naperville
Prince of Peace, Woodridge
Rejoice, Geneva
St. Andrew, West Chicago
St. Luke, Glen Ellyn
St. Mark's, Aurora
St. Paul, Wheaton
St. Timothy, Naperville
Trinity, Warrenville
Truth, Naperville*

c. The Synod Council may transfer a congregation from one Conference to another. Normally, such a transfer shall be based upon an application by a congregation proposing to be transferred. The application shall be in writing, addressed to the Synod Council, and include rationale in support of the proposed transfer.

12.01.02 Purposes of the Conferences. The purposes of the Conferences are --

- a. to foster clustering of Congregations within one Conference and with those of other Conferences; to encourage gatherings among Congregations for worship; programming, nurture and support; and, to provide monthly meetings of ministers of Word and Sacrament and ministers of Word and Service of a conference for education, nurturing and fellowship.
- b. to participate in this synod's electoral processes -- that is, processes for nominations and elections -- in accordance with the bylaws and continuing resolutions of the synod.

12.01.03. Organizational principles. Various organizational forms are available to Conferences. A Conference shall define its own organization by means of an appropriate organizational document. The initial organization and any re-organization of a Conference shall reflect principles in this bylaw and be subject to approval by the Synod Council. Individual leadership of a Conference shall be the dean. The dean shall be elected according to a Conference's process for such election and for a term of service of not more than four years; there may, but need not, be a limitation on reelection of the dean. After the organizational meeting, and apart from the process for electing the dean, the voting constituency of a Conference shall include the ministers of Word and Sacrament and ministers of Word and Service of the Congregations of the Conference and at least one lay person from each Congregation. A Conference shall hold an annual meeting including its voting constituency, and have a planning council elected by the voting constituency. The planning council shall have at least five members, including the dean, who are voting members of different Congregations of the Conference. The terms of service of planning council members shall not exceed four years, and should be staggered to different expiration dates; there may, but need not, be limitations on reelection of planning council members. A Conference may have funds in reasonable amount for which its planning council shall be accountable.

12.01.04 Electoral meetings.

- a) Each Conference shall hold electoral meetings of its voting constituency in order, pursuant to S9.03.02, to select persons for appointment or nomination for meetings of the Synod Assembly.
- b) Each electoral meeting is subject to these requirements: An electoral meeting shall be at the meeting of the conference at the synod Assembly or at a meeting held before December, upon due notice to members of the voting constituency, for the purpose of selecting persons for appointment or nomination. Each selection and election of a person shall be by majority vote of the voting

constituency and with a quorum of at least one member of the voting constituency from each of Congregations comprising 30% of Congregations of the Conference, and shall be the subject of a written record. Proxy or absentee voting shall not be permitted.

- c) A Conference, by its Dean, is promptly to report each selection and election by an electoral meeting to the Synod Council. The Synod Council is promptly to advise the Nominating Committee of each such selection and election.

S12.01.05. Dean The dean of a Conference shall --

- a) aid the Conference and its planning council in setting and achieving Conference objectives,
- b) arrange the monthly meetings of ministers of Word and Sacrament and ministers of Word and Service,
- c) maintain personal contacts with the ministers of Word and Sacrament and ministers of Word and Service of the Conference,
- d) serve as a communications link between the synod office and the ministers of Word and Sacrament and ministers of Word and Service of the Conference,
- e) make an annual written report to the bishop -- including a summary of Conference activities and advising with respect to the conditions and needs of this church within the Conference -- to be part of the reports to the Synod Assembly, and
- f) perform such other duties as the bishop may from time to time assign.

The deans may attend meetings of the Synod Council as spokespersons and observers for their Conferences, with voice but not vote at such meetings.

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 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 constitution and bylaws of this church.

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

3) Accept the commitments expected of all congregations of 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 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 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 roster of congregations.

†S13.02. It shall be the responsibility of each congregation of this synod to elect 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. Normatively, congregations should hold elections prior to each regular meeting of the Synod Assembly. The number of persons to be elected by each congregation and other qualifications shall be as prescribed in guidelines established by this synod..

S13.11. When a rostered minister resigns, the Congregation Council shall receive the letter of resignation, report it to the congregation, and at once notify the bishop of this synod.

S13.12. A congregation under financial obligation to its former rostered minister shall make satisfactory settlement of the obligation before calling a successor.

†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. 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. 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.

†S13.22. Each congregation of the Evangelical Lutheran Church in America within the territory of this synod, except those which are in partnership with the Slovak Zion Synod, shall establish and maintain a relationship with this synod.

†S13.23. Provision 9.71. of the 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.

S13.23.01. Property of congregation terminating relationship with this church. This bylaw is subject to provision 9.52. of the ELCA constitution concerning the governing documents of Congregations recognized at the establishment of this church, and does not provide for action inconsistent with the said provision 9.52. Whenever a Congregation has initiated action to terminate its relationship with this church under provision 9.62. of the ELCA constitution and requested to become independent or to relate to a non-Lutheran church body, the synod's process set forth in steps a. through e. of this bylaw is established for the consultation concerning title to property of the Congregation, under provision 9.71.e. of the ELCA constitution, by the Synod Council with the Congregation prior to the Synod Council's decision on whether to approve the Congregation's request to retain their property.

- a. The Congregation shall, after having submitted the certified copy of the resolution to terminate to the bishop and, in the case of congregations which had been members of the Lutheran Church in America (as constituted prior to January 1, 1988), after the termination is approved by this synod (as required for such congregations by provision 9.62. of the ELCA constitution), deliver to the bishop a written request stating whether the Congregation desires to become independent or to relate to a non-Lutheran church body and, if the latter, such request shall identify the non-Lutheran church body and describe any and all action the Congregation has taken or which it intends to take in order to accomplish such relationship.
- b. Within 30 days from receipt of such written request from a Congregation, the bishop shall present the request to the Synod Council.

- c. After the Synod Council receives the request, the bishop shall be afforded opportunity by the Congregation for a meeting with it, at a mutually-agreed time and place, for the purpose of discussing the request. Such meeting shall be informal, and any member of the Congregation and any member of the Synod Council may attend and be given voice. However, no such meeting shall be held unless the pastor or pastors of the Congregation and at least a majority of members of the Congregation Council (or, if such body is identified by a different designation, to the equivalent congregational authority) are also present.
- d. Within 10 days after the said informal meeting, the Congregation shall deliver to the bishop true, complete and correct copies of all documents, papers, letters and records in the possession of the Congregation, as may be requested by the bishop or by any member of the Synod Council who attended the meeting, which pertain to the requested termination.
- e. Within 45 days after the informal meeting, the bishop shall convene a meeting of the Synod Council for the purpose of making the final determination concerning the Congregation's request. Any member of the Congregation may attend such meeting and be afforded reasonable time and opportunity to address the Synod Council on matters pertaining to the requested termination. The Synod Council need not announce the determination at such Synod Council meeting, but as soon as practicable after the meeting, the Synod Council will give written notification to the Congregation by sending copies of the determination to the pastor or pastors, to each member of the Congregation Council (or equivalent authority), and to the secretary of the Congregation. The Synod Council in its sole discretion, may decide whether it would be appropriate or desirable for the notification to set forth the basis or reason for the determination.

†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.

S13.30. Discipline

†S13.31. Congregations and members of congregations are subject to discipline in accordance with the provisions of Chapter 20 of the *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. Synod Authorized Worshiping Communities

S13.41. Authorized worshiping communities, acknowledged under criteria, policies, and procedures approved by the Church Council of the Evangelical Lutheran Church in America, 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.

Chapter 14.

ROSTERED MINISTERS

†S14.10. Ministers of Word and Sacrament

†S14.11. The time and place of the ordination of those persons properly called to 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:

- 1) preach the Word;
- 2) administer the sacraments;
- 3) conduct public worship;
- 4) provide pastoral care;
- 5) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
- 6) impart knowledge of this church and its wider ministry through available channels of effective communication;
- 7) witness to the Kingdom of God in the community, in the nation and abroad; and
- 8) speak publicly to the world in solidarity with the poor and oppressed, advocating dignity, justice, and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, and embracing and welcoming racially and ethnically diverse populations.

b. Each pastor with a congregational call shall, within the congregation:

- 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
- 2) relate to all schools and organizations of the congregation;
- 3) install regularly elected members of the Congregation Council;
- 4) with the council, administer discipline;
- 5) endeavor to increase the support given by the congregation to the work of the 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*.

S14.13. The pastor (a) shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation, (b) shall submit a summary of such statistics annually to this synod, and (c) shall become a member of the congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.

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.

S14.15. Each minister of Word and Sacrament on the roster of this synod shall submit a ministry report to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.

†S14.16. When a congregation of this church desires to call a pastor or a candidate for the ministry of Word and Sacrament of this church:

- a. Each congregation of this synod shall consult the bishop of this synod before taking any steps leading to the extending of a call to a prospective pastor.
- b. For issuance of a letter of call to a pastor or candidate by a congregation of this synod in accord with ELCA constitutional provision 7.41., a two-thirds vote shall be required of voting members of the congregation present and voting at a meeting regularly called for the purpose of issuing such a call.
- c. When the congregation has voted to issue a call to a prospective pastor, the letter of call shall be submitted to the bishop of this synod for the bishop's signature.

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 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 synod bishop, for any of the following reasons:
 - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the pastor, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
 - 3) inability to conduct the pastoral office effectively in that congregation in view of local conditions;
 - 4) inability to conduct the pastoral office effectively in view of disability or incapacity of the pastor;
 - 5) suspension of the pastor through discipline for more than three months;
 - 6) resignation or removal of the pastor from the roster of Ministers of Word and Sacrament of this church;
 - 7) termination of the relationship between this church and the congregation;
 - 8) dissolution of the congregation or the termination of a parish arrangement; or
 - 9) suspension of the congregation through discipline for more than six months.
- b. When allegations of disability or incapacity of the pastor under paragraph a.4) above, or ineffective conduct of the pastoral office under paragraph a.3) above, have come to the attention of the bishop of this synod,
 - 1) the bishop, who has sole discretion, may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
 - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of the congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
- c. In case of alleged disability or 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 with disability status. Upon resumption of the ability to conduct the office effectively, 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 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 congregation. The recommendations of the bishop's committee must address whether the pastor's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by the congregation and by the pastor, if appropriate. If the pastor and congregation 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 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.
- f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for disciplinary action, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.

†S14.19. Ministers of Word and Sacrament shall respect the integrity of the ministry of congregations which they do not serve and shall not exercise ministerial functions therein unless invited to do so by the

pastor, or if there is no duly called pastor, then by the interim pastor in consultation with the Congregation Council.

†S14.21. The records of all baptisms, confirmations, marriages, burials, communicants, members received, members transferred or dismissed, members who have become inactive, or members excluded from the congregation shall be kept accurately and permanently. They shall remain the property of each congregation. At the time of the closure of a congregation, such records shall be sent to the regional archives. The secretary of the congregation shall attest to the bishop of this synod that such records have been placed in the secretary's hands in good order by a departing pastor before:

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

†S14.22. The pastor shall make satisfactory settlement of all financial obligations to a former congregation before:

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

†S14.23. During service to a congregation, an interim pastor shall have the rights and duties in the congregation of a regularly called pastor. The interim pastor may delegate the same in part to an interim supply pastor with the consent of the bishop of this synod. The interim pastor and any rostered minister who may assist shall refrain from exerting influence in the selection of a pastor. Upon completion of service, the interim pastor shall certify to the bishop of this synod that the congregation records, for the period for which the interim pastor was responsible, are in order.

†S14.24. With the approval of the synod 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.

S14.25. All ministers of Word and Sacrament under a call shall attend meetings of the Synod Assembly, and the pastors of congregations shall also attend the meetings of the conference, cluster, coalition, or other area subdivision to which the congregation belongs.

†S14.30. **Ministers of Word and Service**

†S14.31. The time and place of the ordination of those persons properly called to 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:

- a. Be rooted in the Word of God, for proclamation and service;
- b. Advocate a prophetic diaconia that commits itself to risk-taking and innovative service on the frontiers of the Church's outreach, giving particular attention to the suffering places in God's world;
- c. Speak publicly to the world in solidarity with the poor and oppressed, advocating dignity, justice, and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, and embracing and welcoming racially and ethnically diverse populations;
- d. Equip the baptized for ministry in God's world that affirms the gifts of all people;
- e. Encourage mutual relationships that invite participation and accompaniment of others in God's mission;
- f. Practice stewardship that respects God's gift of time, talents, and resources;
- g. Be grounded in a gathered community for ongoing diaconal formation;
- h. Share knowledge of this church and its wider ministry of the gospel, and advocate for the work of all expressions of this church; and
- i. Identify and encourage qualified persons to prepare for ministry of the gospel.

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

S14.34. Each minister of Word and Service on the roster of this synod shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.

†S14.41. When a congregation of this church desires to call a minister of Word and Service or a candidate for the ministry of Word and Service of this church:

- a. Each congregation of this synod shall consult the bishop of this synod before taking any steps leading to the extending of a call to a prospective minister of Word and Service.
- b. For issuance of a letter of call to a minister of Word and Service or candidate by a congregation of this synod in accord with ELCA constitutional provision 7.71., a two-thirds vote shall be required of members of the congregation present and voting at a meeting regularly called for the purpose of issuing such a call.
- c. When the congregation has voted to issue a call to a prospective minister of Word and Service, the letter of call shall be submitted to the bishop of this synod for the bishop's signature.

S14.42. No minister of Word and Service shall accept a call without first conferring with the bishop of this synod. A minister of Word and Service shall respond with an answer of acceptance or declination to a letter of call within 30 days of receipt of such call. In exceptional circumstances with the approval of the bishop of this synod and the chair of the Congregation Council of the congregation issuing the call, an additional 15 days may be granted to respond to a letter of call.

†S14.43. The provisions for termination of the mutual relationship between a minister of Word and Service and a congregation shall be as follows:

- a. The call of a congregation, when accepted by a minister of Word and Service, shall constitute a continuing mutual relationship and commitment which shall be terminated only by death or, following consultation with the synod bishop, for any of the following reasons:
 - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the minister of Word and Service, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
 - 3) inability to conduct the office effectively in that congregation in view of local conditions;
 - 4) inability to conduct the office effectively in view of disability or incapacity of the minister of Word and Service;
 - 5) suspension of the minister of Word and Service through discipline for more than three months;
 - 6) resignation or removal of the minister of Word and Service from the roster of Ministers of Word and Service of this church;
 - 7) termination of the relationship between this church and the congregation;
 - 8) dissolution of the congregation or the termination of a parish arrangement; or
 - 9) suspension of the congregation through discipline for more than six months.
- b. When allegations of physical disability or mental incapacity of the minister of Word and Service under paragraph a.4) above, or ineffective conduct of the ministry of Word and Service under paragraph a.3) above, have come to the attention of the bishop of this synod,
 - 1) the bishop, who has sole discretion, may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
 - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of the congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
- c. In case of alleged disability or 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 with disability status. Upon resumption of the ability to conduct the office effectively, the bishop shall take steps to enable the minister of Word and Service to resume the ministry, either in the congregation last served or in another appropriate call.

- d. In the case of alleged local difficulties that imperil the effective functioning of the congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the minister of Word and Service and then to the congregation. The recommendations of the bishop's committee address whether the minister of Word and Service's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by the congregation and by the minister of Word and Service, if appropriate. If the minister of Word and Service and congregation agree to carry out such recommendations, no further action need be taken by the synod.
- e. If either party fails to assent to the recommendations of the bishop's committee concerning the minister of Word and Service's call, the congregation may dismiss the minister of Word and Service only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
- f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for disciplinary action, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.

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

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

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

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

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

Chapter 15.

FINANCIAL MATTERS

†S15.01. The fiscal year of this synod shall be February 1 through January 31.

†S15.11. Since the congregations, synods, and churchwide organization are interdependent expressions that share in God's mission, all share in the responsibility to develop, implement, and strengthen the financial support 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; thus the unity of this church should be evidenced in determining each part's share of the gifts and offerings. Therefore:

- a. The mission of this church beyond the congregation is to be supported by such a proportionate share of each congregation's annual budget as each congregation determines. This synod shall develop guidelines for determining "proportionate share," and shall consult with congregational leaders to assist each congregation in making its determination.
- b. This synod shall receive the proportionate share of the mission support from its congregations, and shall transmit that percentage or amount of each congregation's mission support as determined in consultation with the churchwide organization and approved by the Synod Assembly as part of its

budget consideration.

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

†S15.12. The annual budget of this synod shall reflect the entire range of its own activities and its commitment to supportive funding with other synods and the churchwide organization.

S15.13. On the basis of estimated income, the Synod Council shall authorize expenditures within the budget for the fiscal year. Expenditure authorizations shall be subject to revision, in light of changing conditions, by the Synod Council.

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.

S15.21. No appeal to congregations of this or any other synod of the Evangelical Lutheran Church in America for the raising of funds shall be conducted by congregations or organizations related to or affiliated with this synod without the consent of the Synod Assembly or the Synod Council.

S15.21.01. Intermediaries. A Congregation or organization related to or affiliated with this synod may not utilize an intermediary to avoid the consent required in **S15.21**.

S15.21.02. Fund-raising. Generally, for purposes of **S15.21.**, consent by this synod for an appeal for raising funds shall be based upon an application for such consent. The process set forth in steps a. through e. of this bylaw is established for such applications and their disposition.

- a) The application shall be in writing and addressed to the Synod Council. The application shall identify, as applicant, all Congregations or organizations seeking the consent, describe the purpose and scope of the proposed appeal, and include all supporting information applicant believes pertinent.
- b) The Synod Council may summarily deny an application whereof applicant includes a Congregation which is not current in providing proportionate share support according to Chapter 15 of the constitution or an organization which is not fulfilling requirements of its affiliation or relationship.
- c) Before deeming an application complete, the Synod Council in its discretion shall have a reasonable opportunity to ask applicant for additional information (allowing a reasonable period for applicant's reply) or otherwise to develop such additional information.
- d) Within 180 days after the Synod Council deems an application complete, it shall act on the application, with written notice of the action to applicant. Such action, in the Synod Council's discretion, may include any of the following:
 - i. consent or conditional consent for the appeal.
 - ii. denial of consent which may, but need not, recite a particular reason for the denial.
 - iii. referral of the application, with or without recommendation, to the Synod Assembly.
- e) The Synod Council's disposition of the application is final. An application referred by the Synod Council to the Assembly, may be disposed of in any manner the Synod Assembly deems appropriate.

S15.21.03. Consent not required in certain circumstances. Consent by this synod under S15.21. is not applicable to and is not required for—

- a. reasonable funding of activities of a Conference by Congregations of the Conference.
- b. reasonable funding for a period of not more than one year of specific educational, charitable or benevolence projects within the Statement of Purpose of this church by a Congregation provided
 - i. such funding may not supplant the Congregation's proportionate share support for this church beyond the congregation under Chapter 15 of the constitution,
 - ii. during the period of funding the Congregation is current in providing such support, and
 - iii. the Congregation has invited a proposal for such funding.

- c. reasonable funding for a period of not more than one year of specific joint educational, charitable or benevolence projects within the Statement of Purpose of this church by or on the part of several Congregations provided
 - i. such funding shall not supplant the Congregations' proportionate share support for this church beyond the congregation under Chapter 15 of the constitution,
 - ii. during the period of funding each such Congregation is current in providing such support, and
 - iii. the funding is provided by all or some of such Congregations.

†S15.31. This synod shall arrange to have an annual audit of its financial records conducted by a certified public accountant firm recommended by the synod Audit Committee and approved by the Synod Council. The audited annual financial report shall be submitted by this synod to the churchwide Office of the Treasurer and to the congregations of this synod.

†S15.32. This synod shall maintain adequate, continuous insurance coverage in accordance with standards recommended by the churchwide organization. Insurance programs offered or endorsed by the churchwide organization shall be deemed to fulfill this obligation.

Chapter 16.

INDEMNIFICATION

†S16.01. Subject to the limitations and duties imposed by law, each person who is or was made or threatened to be made a party to any proceeding by reason of the present or former capacity of that person as a Synod Council member, officer, employee, or committee member of this synod shall be indemnified against all costs and expenses incurred by that person in connection with the proceeding. Indemnification of any person by reason of that person's capacity as a director, officer, employee, or committee member of any other organization, regardless of its form or relationship to this synod, is subject to the provisions of †S16.02.

- a. The term "proceeding" means a threatened, pending, or completed lawsuit, whether civil or criminal, an administrative or investigative matter, arbitration, mediation, alternative dispute resolution, or any other similar legal or governmental action. Except as otherwise required by law, the term "proceeding" does not include (a) any action by this synod against the individual seeking indemnification, or (b) subject to †S16.04., a disciplinary hearing or related process described in Chapter 20 of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.
- b. The term "indemnification" includes reimbursement and advances of costs and expenses for judgments, penalties, fines, settlements, excise taxes, reasonable attorneys' fees, disbursements, and similar required expenditures.

S16.01.A87. *Indemnification for members of certain committees.*

- a. *Members of the Consultation Committee, the synod component of the Committee on Discipline, the Ministry Committee of this synod, and of each committee convened under †S14.13.b. or S14.13.08., within the scope and proper conduct of the functions and responsibilities of such committees and with reference to certain third persons, are agents of the synod and eligible to be indemnified under †S16.01. of the constitution. "Certain third persons" means only persons who are members of this church and with whom such a committee deals on behalf of this church or this synod, but not persons who are indemnified under †S16.01.*
- b. *As from time to time appropriate for purposes of indemnification according to †S16.01., the Synod Council may designate members of committees of the synod, other than the committees identified in provision a. of this resolution, as agents of the synod.*

†S16.02. Whenever a person who, while a Synod Council member, officer, committee member, or employee of this synod, is or was serving at the request of this synod as (or whose duties in that position involve or involved service in the capacity of) a director, officer, partner, trustee, employee, or agent of another organization, is or was made or threatened to be made a party to a proceeding by reason of such capacity, then such person shall be entitled to indemnification only if (a) the Synod Council has established a process for determining whether a person serving in the capacity described in this section

shall be entitled to indemnification in any specific case, and (b) that process has been applied in making a specific determination that such person is entitled to indemnification.

†S16.03. This synod may purchase and maintain insurance on behalf of itself or any person entitled to indemnification pursuant to this chapter against any liability asserted against and incurred by this synod or by such other person in or arising from a capacity described in †S16.01. or †S16.02.

†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 synod bishop or when written charges against a congregation are made in disciplinary proceedings by the Synod Council or the synod 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 made by the Synod Council.

Chapter 17.

CONSULTATION AND ADJUDICATION

†S17.01. The synod bishop and the Executive Committee of the Synod Council shall be available to give counsel when disputes arise within this synod.

†S17.02. The synod 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, 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 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 conferences, clusters, coalitions, or area subdivisions of this synod have a disagreement on a substantive issue that they cannot resolve, the aggrieved party or parities 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.

†S17.10. **Adjudication in a Congregation**

†S17.11. 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

†S18.10. Amendments to Constitution

†S18.11. Certain sections of this constitution incorporate and record therein required provisions of the constitution and bylaws of this church. If such provisions are amended by the Churchwide Assembly, corresponding amendments shall be introduced at once into this constitution by the secretary of this synod upon receipt of formal certification thereof from the secretary of the Evangelical Lutheran Church in America.

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

†S18.13. Other amendments to this constitution may be adopted by this synod through either of the following procedures:

- a. Introduced with the support of at least 100 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.
- b. The Synod Council may propose an amendment, with notice to be sent to the congregations of this synod at least six months prior to the next regular meeting of the Synod Assembly. Such an amendment shall require for adoption a two-thirds vote of the voting members present and voting at such a regular meeting of the Synod Assembly.

All such amendments shall become effective upon ratification by the Churchwide Assembly or by the Church Council.

†S18.20. Amendments to Bylaws

†S18.21. This synod may adopt bylaws not in conflict with this constitution or with the constitution and bylaws of the churchwide organization. This synod may amend its bylaws at any meeting of the Synod Assembly by a two-thirds vote of voting members of the assembly present and voting. Newly adopted bylaws and amendments to existing bylaws shall be reported to the secretary of this church.

†S18.30. Amendments to Continuing Resolutions

†S18.31. This synod may adopt continuing resolutions not in conflict with this constitution or its bylaws or the constitution, bylaws, and continuing resolutions of the churchwide organization. Such continuing resolutions may be adopted or amended by a majority vote of the Synod Assembly or by a two-thirds vote of Synod Council. Newly adopted continuing resolutions and amendments to existing continuing resolutions shall be reported to the secretary of this church.