

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

Revised – March 2011



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

Revised – December 2010

Chapter 1. -- Name and Incorporation

***S1.01** **The name of this synod 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.”**

S1.02.01. Definitions. In and for the purpose of the bylaws and the continuing resolutions of this synod, these definitions apply:

“the constitution” means the constitution of this synod except when additional designation indicates otherwise (as in the phrase “the ELCA constitution”).

“the bylaws” means the bylaws of this synod except when additional designation indicates otherwise (as in the phrase “the ELCA bylaws”), and “bylaw” means one of the bylaws.

“Congregation” means a congregation of this synod.

“the Assembly” means the Synod Assembly of this synod.

“the Council” means the Synod Council of this synod.

“the voting membership” means collectively all persons entitled to voice and vote at a meeting of the Assembly, and “voting member” means a person of the voting membership.

“the officers” means collectively the officers of this synod; “officer” means any of the officers.

“the bishop” means the bishop of this synod except when additional designation indicates otherwise (as in the phrase “the bishop of this church”).

“position” means a position, other than an officer, voting member, or employee of this synod, filled or to be filled by a person elected or appointed by the Assembly, the Council, or the bishop, as the case may be.

“other Council member” or the abbreviation “OCM” means the position, other than an officer or the youth, filled or to be filled by a person as a member of the Council.

“the committees of this synod” means the committees identified as such in S11.01.01. and “committee of this synod” means any one of such committees.

“the territory” means the territory of this synod.

“public file” means the file established by S8.32.01.

“year” means an annual period of 365 days or, with February 29, 366 days; “calendar year” means an annual period beginning on January 1 and ending on December 31; and “fiscal year” is as defined in *S15.01.

“the current organization” means current organizational arrangements of the synod as from time to time set forth in the constitution, the bylaws and continuing resolutions of the synod.

“the former organization” means organizational arrangements of the synod as in effect immediately prior to the current organization and from which the current organization represents some matter of change.

“inclusivity criteria” means the criteria for inclusiveness as set forth in S6.04 and in terms of definitions pertaining to such criteria in the constitution, bylaws, and continuing resolutions of the ELCA.

“election cycle” means a quadrennial period beginning with the first of the two meetings of the Assembly at which elections for other council member (OCM) positions are held during the period; and, “first election cycle” means the election cycle beginning with the regular meeting of the Assembly in 2001.

“Mission Team” or “Team” means a Mission Team of this synod as described in S11.01.14.

“Conference” means a Conference of this synod.

“electoral meeting” means an electoral meeting of a Conference as described in S12.01.04.

S1.02.02. Rules applying generally to bylaws and continuing resolutions. Reference in a bylaw or a continuing resolution of this synod to the Council or a committee established under this constitution means the Council or committee as normally constituted. A bylaw or continuing resolution which requires action on the part of the Assembly, the Council, an officer, or a committee, includes the requirements that the action be timely and conform with applicable provisions of the constitution, the bylaws and the continuing resolutions of this synod as well as the constitution, bylaws, and continuing resolutions of the ELCA. A bylaw or continuing resolution which requires submission or filing of a report or other document by a committee of this synod includes the requirement that the chairperson of the committee is responsible to make the submission or filing.

S1.02.03 Phase-in of the current organization. The bylaws relating to the current organization are subject to reasonable phase-in arrangements, by the council, in aid of orderly introduction of the current organization with reference to the first election cycle.

S1.02.04 Transitional positions.

(a) Except for the Finance Committee of the former organization, which does not exist in the current organization and for which the current organization provides no position, in each instance where the current organization provides no permanent counterpart of a position of the former organization, the incumbent of the position is nevertheless eligible to continue to serve in a corresponding transitional position in the current organization. Each transitional position has incidents like those of the position of the former organization with which it corresponds, including incidents concerning reelection or reappointment of the incumbent to the transitional position, but it will cease to exist upon becoming vacant for any reason.

(b) Generally, in each instance where the current organization provides no permanent counterpart of a Synod Program Committee or an Advisory Committee under the former organization, the transitional position of each incumbent member of such committee is associated with the Mission Team of the current organization which has succeeded to functions and responsibilities of the committee.

- *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 Assembly 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 power 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 (ELCA or “this church”), which are recognized as having governing force in the life of this synod.
- *S2.02.** 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 10.01.11. and 10.02.02.

Chapter 4. -- Confessions 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 Scriptures 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. 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.

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 for all people, working for peace and reconciliation among the nations, and standing with the poor and powerless, and committing itself to their needs.
- d. 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.**

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

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

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

- q. **Cooperate with other synods and the churchwide organization in creating, using, and supporting regions to carry out those functions of this synod which can best be done cooperatively with other synods and the churchwide organization.**
- r. **Elect members of the Churchwide Assembly in accordance with bylaw 12.41.11. of the constitution and bylaws of the Evangelical Lutheran Church in America and according to procedures specified in the bylaws of this constitution.**

S6.03.01. Related/affiliated organizations. A status of relationship or affiliation between this synod and another organization may arise from action of this church binding upon the synod and such organization, or from mutual actions of the Assembly and the organization's governing body. To the extent this church mandates the status or empowers cognizant regions to establish policies pertinent to the status, actions of the Assembly are to be consistent with the mandate and such policies.

S6.03.02. Characteristics of relationship/affiliation. Typically, an organization related to or affiliated with this synod includes these characteristics:

- a. The organization is of a kind described in provisions 8.31. (seminaries), 8.32. (college and universities), 8.33. (institutions and agencies related to this church that minister to people), and 8.41. (interchurch agencies, institutions, and councils) of the ELCA constitution, and it has accreditation which this church may require or provide.
- b. It is organizationally independent. This synod has no liability for it with reference to any other individual or organization.
- c. It is eligible, on the basis of the status, to receive partnership funding or other support from the synod.
- d. Its governing body has representation of this church or the synod. Normally, the representation is provided by persons who are elected or appointed for that purpose by the Assembly or are otherwise representative of this church or the synod and suitably included in that body by designation, ratification or similar action on the part of this church, the Assembly, or the organization itself.
- e. It furnishes to this synod periodic reports covering its work and activities.

***S6.04.** **Except as otherwise provided in this constitution and bylaws, the Synod Council shall establish processes that will ensure that at least 60% of the members of the synod assemblies, councils, committees, boards, and other organizational units shall be laypersons; that, as nearly as possible, 50% of the lay members of assemblies, councils, committees, boards, or other organizational units shall be female and 50% shall be male; and that, where possible, the representation of ordained ministers shall be both male and female. This synod shall establish processes that will enable it to reach a minimum goal that 10% 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. Application of *S6.04. The inclusivity criteria shall not change the number of members specified in the bylaws or the continuing resolutions of this synod for the Council, a committee of this synod, or other similar organizational unit. If application of an inclusivity criterion results in one or more fractional numbers for any portion of membership of a committee, the smallest of such fractional numbers may be rounded up or down to the next whole number, and such whole number and corresponding adjustment, up or down, from fractional to whole numbers for other portions of the membership properly express such criterion. For purposes of the inclusivity criteria, a transitional position may, but need not, be counted.

- S6.04.02.** *S6.04. and the voting membership. To implement inclusivity with respect to the voting membership, and in conjunction with other voting member selection processes and preparatory to meetings of the Assembly
- a. The Council shall provide the S7.21.01. formula (including related processes), with revisions as from time to time necessary, and, prior to each regular meeting of the Assembly, file a written description of the formula's current version and application in the public file.
 - b. Synod personnel responsible for the arrangement and administration of meetings of the assembly shall publicize the S7.21.01. formula, with notice of its requirements, to each Congregation, and ascertain personal characteristics pertinent to the *S6.04. criteria of persons who are elected or seek to be seated as voting members.
 - c. The Assembly shall not seat as a voting member any person who does not meet an applicable requirement of the S7.21.01. formula.
- For special meetings of the Assembly, the Council may provide the same version of the S7.21.01. formula, and the formula be applied in the same manner, as for the preceding regular meeting.
- *S6.04.A01.** *It is the goal of this synod that 10% of the membership of synod assemblies, councils, committees, boards and/or other organizational units be persons of color and/or persons whose primary language is other than English.*
- S6.04.B87.** *It shall be a goal of this synod that within 10 years of its establishment its membership shall include at least 10% people of color and/or whose primary language is other than English.*
- *S6.04.B09.** 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.C88.** *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 synodical units shall be conclusively presumed to have been properly constituted, and neither the method of selection nor the composition of any such assembly, council, committee, board, commission, task force, or other body may be challenged in a court of law by any person or be used as the basis of a challenge in a court of law to the validity or effect of any action taken or authorized by any such assembly, council, committee, board, commission, task force, or other body.**

Chapter 7. -- Synod Assembly

- *S7.01.** **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. Assembly report. For all regular meetings of the Assembly, the secretary of this synod shall prepare an Assembly report. At least 20 days prior to each such meeting, the secretary shall distribute the Assembly report to all Congregations and voting members elect, and file a copy thereof in the public file. The Assembly report shall include a proposed agenda for the meeting; minutes of the preceding regular meeting of the Assembly and of each special meeting since the preceding regular meeting; reports of the bishop, the Council, related and affiliated organizations, Standing committees, and deans; and, the proposed budget. For meetings at which elections are held, the Assembly report shall also include information concerning such elections.

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

S7.01.03. Other members of Assembly. Unless elected as voting members, members of the Council who are not officers shall serve as advisory members of the Assembly, with voice but not vote. Other categories of non-voting members of the Assembly may be established by the Assembly.

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

- a. The Council shall appoint a Committee on Reference and Counsel consisting of ten members. The functions and responsibilities of the committee are to review and advise the Assembly and the bishop (or other person presiding at a meeting of the Assembly) with respect to proposed changes or additions to the constitution and the bylaws and other items submitted to the Assembly which are not germane to items in the agenda of the meeting.
- b. Officials and committees of the 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 Council, may be appointed by the bishop with the advice of the 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 Assembly the committees and officials may be the same as for the preceding regular meeting.
- d. Committees and officials of the Assembly are accountable to the bishop and the Assembly for due performance of their functions and responsibilities.

S7.01.A92.

a. Definitions. *In this resolution --*

“this Assembly” means the next or current meeting of the Assembly.

“the Committee” means the Committee on Reference and Counsel.

“Council resolution” means a form of resolution which is presented to this Assembly on behalf of the Council and with the Council’s recommendation for adoption.

“reported resolution” means a form of resolution, other than a council resolution, which the Council deems worthy of consideration by this Assembly.

“prospective voting member” means a person who is likely to be a voting member to this Assembly and, as to a lay person, has been selected by her/his Congregation to be but is not yet registered as a voting member.

“additional resolution” means a form of resolution, other than a council resolution or reported resolution, which a voting member intends to propose to this Assembly, and

- 1) seeks to amend the constitution or the bylaws, or*
- 2) seeks to add an item of new business to the agenda of this Assembly, or*
- 3) is not germane to the proposed agenda, the agenda, or the pending question or report before the Assembly.*

“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 Assembly, may be expected to be pertinent thereto.

“prospective movant” means the voting member who proposes an additional resolution or is responsible for presenting a reported resolution to the Assembly.

b. Council resolutions and reported resolutions

Council resolutions and reported resolutions shall be set forth in the Assembly Report. Also, as in the Council’s view circumstances warrant, the Council may present revised and additional council resolutions, and shall furnish each such revised council resolution and additional council resolution, if any, to this Assembly in written form and at the earliest practicable time.

c. Form and initial processing of additional resolutions.

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 his/her phone number.

A prospective voting member may pre-submit an additional resolution prior to this Assembly. If a prospective voting member does not register as a voting member on the first day of this Assembly, an additional resolution which was pre-submitted by her/him will be discarded.

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 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

The Committee will endeavor to consider pre-submitted additional resolutions prior to this 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 Assembly.

e. Form and delivery of pre-amendments.

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, but no pre-amendment shall be delivered to the Committee prior to the first business session of this Assembly.

f. *Processing and status of pre-amendments.*

The Committee 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 Assembly.

g. *Limitations.*

No member of the Committee 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.

The Council may prescribe reasonable limitations with reference to additional resolutions, reported resolutions and pre-amendments, including limitations as to
--

- 1) the number and priority of pre-submitted additional resolutions;*
- 2) the time for pre-submission of an additional resolution;*
- 3) the number of additional resolutions a voting member may submit;*
- 4) the time for submission of an additional resolution;*
- 5) the number and priority of pre-amendments;*
- 6) the latest time for delivery of a pre-amendment;*
- 7) the number of words comprising an additional resolution or pre-amendment.*
The Council shall seek advice from the Committee as to limitations which are to be operative during this 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 Assembly not later than the first business session.

h. *Advice by the Committee.*

The Committee, upon reasonable opportunity to consider the additional resolutions, reported resolutions and pre-amendments, shall advise the bishop and this Assembly concerning disposition of those matters, but shall not advise as to disposition of an 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.

The Committee may advise also as to the order and time for consideration of an 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 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 Assembly.

The Committee shall have the services of the parliamentarian, synod legal counsel or similar resources in aid of the Committee's work.

- *S7.11. A regular meeting of the Synod Assembly shall be held at least biennially.**
- S7.11.01.** Frequency, time-of-year and place of Assembly meetings. Regular meetings of the Assembly shall be held annually, normally during the month of May or the month of June, each at a convenient place selected by the Executive Committee.
- S7.11.02.** Designation of Assembly meetings. Regular meetings of the Assembly, beginning with the first meeting after the constituting convention of this synod, are to be designated numerically in consecutive order. Special meetings are to be designated numerically in consecutive order with reference to the preceding regular meeting.
- 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 presiding bishop of the ELCA in cooperation with the Synod Council.**
- S7.13. Notice of the time and place of all meetings of the Synod Assembly shall be given by the secretary of this synod.**
- 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 sixty percent (60%) of the voting membership shall be composed of lay persons, shall be constituted as follows:**
- a. All ordained ministers under call on the roster of this synod in attendance at the Synod Assembly shall be voting members.**
 - b. All associates in ministry, deaconesses of the Evangelical Lutheran Church in America, and diaconal ministers, under call, on the official lay rosters of this synod shall have both voice and vote as lay voting members in the Synod Assembly, in addition to the voting membership of lay members of congregations provided in item *S7.21.c.**
 - c. A minimum of one lay member elected by each congregation with fewer than 175 baptized members and a minimum of two lay members elected by each congregation with more than 175 baptized members related to the synod, normally one of whom shall be male and one of whom shall be female, shall be voting members. The Synod Council shall establish a formula to provide additional lay representation from congregations on the basis of number of baptized members in the congregation. The Synod Council shall seek to ensure that, as nearly as possible, 50 percent of the lay members of the assembly shall be female and 50 percent shall be male. Additional members from each congregation normally shall be equally divided between male and female.**
 - d. Voting membership shall include the officers of this synod.**

S7.21.01. A number of lay voting members, in addition to members of the voting membership under clauses b. and c. of this *S7.21., as is by reasonable determination necessary for the voting membership of the Assembly to attain the goal of the second sentence of *S6.04. The synod council shall establish a formula, which is consistent with the other provisions of this Chapter 7, for the determination and, where additional members appear to be necessary, provide an equitable process which looks to likely sources throughout the synod for such members and requires that they be voting members of their respective congregations and equally divided between male and female.

Voting membership shall include the officers of the synod.

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

S7.21.B04. *The membership of the Assembly, in addition to the members indicated in *7.21., shall include ordained ministers 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.*

S7.21.02. The *S7.21.c. formula. Preparatory to regular meetings of the Assembly, the Council shall provide the *S7.21.c. formula, with revisions as from time to time necessary. Prior to each such meeting the Council shall file a written description of the formula's current version and application in the public file.

S7.22. **This synod may establish processes that permit retired ordained ministers, retired associates in ministry, retired deaconesses, and retired diaconal ministers on the rosters of the synod to serve as voting members of the Synod Assembly, consistent with S7.21.c. and S7.21.01.**

S7.23. **All retired ordained ministers, all ordained ministers on leave from call, all associates in ministry on leave from call or retired, all deaconesses of the Evangelical Lutheran Church in America on leave from call or retired, and all diaconal ministers of this church on leave from call or retired, all of whose names appear on the rosters of this synod, shall have the privilege of voice but not vote at all meetings of the Synod Assembly. The presiding bishop of the Evangelical Lutheran Church in America and such other official representatives of this church as may be designated from time to time by the Church Council shall also have voice but not vote in the meetings of the Synod Assembly. Like privileges shall be accorded to those members of the Synod Council who are not voting members of the Synod Assembly and to those additional persons whom**

S7.24. **Ordained ministers, associates in ministry, deaconesses of the Evangelical Lutheran Church in America, and diaconal ministers of this church serving 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 Synod Council that permit representatives of authorized worshiping communities of the synod, under Bylaw 10.02.03., to serve as voting members of the Synod Assembly, consistent with *S7.21. Such authorized worshiping communities, acknowledged under criteria and procedures of the ELCA Division for Outreach and 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.

S7.27. This synod may establish processes through the synod council to grant an ordained minister 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 ordained 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 *7.21. shall be granted the privilege of both voice and vote as members of the synod assembly.

S7.29 This synod may establish processes through the synod council that permit interim ministers on the roster of this synod, who are serving congregations of this synod at the time of the synod assembly, to serve as voting members of the synod assembly, consistent with S7.21 and S7.21.01.

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

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

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 Assembly to propose that the Assembly apply already-established positions of the synod in respect of new or additional situations, and so to avoid 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 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 Assembly actions so to apply continuing positions.
4. Procedure. For a voting member who seeks Assembly action so to apply a continuing position, the suggested procedure is to present a motion for that purpose to the Assembly. For example, a suitable form of motion is:

"I move that this 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 Assembly has acted so to apply the continuing position.

Chapter 8. -- Officers

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

S8.10. Bishop

***S8.11. The bishop shall be elected by the Synod Assembly. The bishop shall be a pastor who is an ordained minister of the Evangelical Lutheran Church in America.**

S8.11.01. 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 Council and serve for the period the 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 Council-appointed members will normally include persons who reside in various areas of the territory as defined in S10.01.11., and two of them, when appointed, shall also be members of the Council. 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.

***S8.12. As this synod’s pastor, the bishop shall be an ordained minister of Word and Sacrament who 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 ordained ministers, and its other rostered leaders.**
- c. **Exercise solely this church’s power to ordain (or provide for the ordination of) approved candidates who have received and accepted a properly issued, duly attested letter of call for the office of ordained ministry (and as provided in the bylaws of the Evangelical Lutheran Church in America).**
- d. **Commission (or provide for the commissioning of) approved candidates who have received and accepted a properly issued, duly attested letter of call for service as associates in ministry; consecrate (or provide 12 for the consecration of) approved candidates who have received and accepted a properly issued, duly attested letter of call for service as deaconesses; and consecrate (or provide for the consecration of) approved candidates who**

have received and accepted a properly issued, duly attested letter of call for service as diaconal ministers 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 roster of this synod called by the Church Council.
- f. Install (or provide for the installation of):
 - 1) the pastors of all congregations of this synod;
 - 2) ordained ministers called to extraparish service within this church; and
 - 3) persons serving in the other rostered ministries within this synod.
- 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 ordained ministers, other rostered leaders, and congregations of this synod;
 - 3) Be the chief ecumenical officer of this synod;
 - 4) Consult regularly with other synodical bishops and the Conference of 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 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) Exercise supervision over the work of the other officers;
- 5) Coordinate the work of all synodical 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 synodical rosters containing:
 - a) the names and addresses of all ordained ministers of this synod and a record of the calls under which they are serving or the date on which they become retired or disabled; and
 - b) the names and addresses of all other rostered persons of this synod and a record of the positions to which they have been called or the date on which they become retired or disabled;
- 9) Annually bring to the attention of the Synod Council the names of all rostered persons on leave from call or engaged in approved graduate study in conformity with the constitution and bylaws 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 and the register of congregations;
 - b) the issuance of certificates of transfer for rostered persons 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 register 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 parochial 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.A87. *Office of ecumenical relations.* Upon recommendation of the bishop, the Council may establish a synodic office of ecumenical relations to assist the bishop with her/his 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 him/her 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.

S8.12.B87. *Center for Communication.* This synod shall have a Center for Communication. The Center's functions include the following:

- a. as a clearing house for information about the synod and its resources,;
- b. to develop a synodic periodical, with news and information about the synod's mission and ministry, for the people of the synod and the public;
- c. to produce print, audio and visual materials describing and interpreting the synod's mission and ministry for the people of the synod and the public;

- d. *as the synod's public relations office; and,*
- e. *to assist and advise Congregations, synod staff and committees of the synod in the development, production and distribution of suitable print, visual and audio materials. Subject to approval by the Council, the Center may serve or participate in similar functions on a multi-synodic basis. The Council shall provide for appropriate staffing of the Center. The Center shall relate with the ELCA Department for Communication. The bishop may appoint a board of six persons to advise him/her concerning the work and functions of the Center; 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.*

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

S8.14.01. Assistants to the bishop. After consultation with and upon the recommendation of the bishop, the Council may call or engage one or more persons to serve as assistants to the bishop in the work and conduct of the bishop's office and of this synod. Such assistants may be ordained ministers or lay persons, and shall be employees of the synod and perform such work assignments as may be designated by the bishop. Each assistant who is an ordained minister shall be on the roster of ordained ministers of the synod, and serve an initial term call of not less than one year and not more than four years. Each assistant who is a lay person shall reside on the territory and shall be employed for an initial period of not more than four years. After the Council receives the bishop's recommendations, the term of each ordained assistant's call or period of each lay assistant's employment, and the salary, emoluments and other remuneration to be received by each assistant shall be determined by the Council and incorporated into the provisions of the call or letter of engagement. If the bishop so recommends, any assistant may serve successive calls or periods of employment as determined by the 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 four years.

S8.14.A87. Number of assistants. *The number of assistants to the bishop under S8.14.01., at any one time, shall not exceed five.*

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

***S8.15. The presiding bishop of this church, or the appointee of the presiding bishop, shall install into office 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 synodical bishops:

- a. Whenever a synodical bishop determines that a matter of the kind described in †S8.16.01.b. may require his or her determination or action with respect to a related individual as defined in †S8.16.01.c., the synodical bishop shall withdraw from personal involvement in such matter and shall so notify the presiding bishop. The presiding bishop shall then appoint another synodical bishop from the same region to handle the matter to conclusion. In dealing with such matter, the appointed bishop shall exercise all of the functions and authority to the same extent as if the appointed bishop were the elected bishop of the withdrawing bishop's synod.
- b. Matters include any proceedings under Chapter 20, proceedings under provision 7.46. of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical*

Lutheran Church in America (§S14.13.), candidacy, reinstatement, and similar matters where determinations or actions by the synodical bishop could change, limit, restrict, approve, authorize, or deny the related individual's ministry on one of the official rosters of this church.

- c. A related individual is one who, with respect to the synodical bishop, is a spouse, parent, son, daughter, sibling, uncle, aunt, niece, nephew, grandparent, grandchild, or in-law (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.**

S8.22. The vice-president shall chair the Synod Council.

S8.23. In the event of the death, resignation, or disability of the bishop, the vice-president shall convene the Synod Council to arrange for the conduct of the duties of the bishop until a new bishop shall be elected or, in the case of temporary disability, until the bishop resumes full performance of the duties of the office.

S8.24. 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 an ordained minister.**

***S8.32. The secretary shall:**

- a. **Keep the minutes of all meetings of the Synod Assembly and Synod Council, be responsible for the printing and 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. The secretary of this synod shall have charge of the public file and maintain it at the synod office.

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, she/he shall be responsible to make the filing, or (b) by the 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 secretary 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.

S8.40. **Treasurer**

***S8.41.** **The treasurer shall be elected by the Synod Assembly. The treasurer shall be a voting member of a congregation of this synod. The treasurer may be either a layperson or an ordained minister.**

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 the synod.**
- b. **Investment of funds upon the authorization of the Synod Council.**
- c. **Receipt and acknowledgement 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 the 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.**

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

- f. **Giving of corporate surety in the amount determined by the Synod Council, which shall be in the custody of the secretary, and the premium therefore 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.*

S8.50. General Provisions

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

- a. The bishop of this synod shall be elected to a term of six years and may be reelected.
- b. The vice president, secretary, and treasurer of this synod shall be elected to a term of four years and may be reelected.

S8.52. The terms of the officers shall begin on the first day of the third month following election.

*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 the synod at the time of election.

*S8.54. Should the bishop die, resign, or be unable to serve, the vice-president 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 until the officer is able to serve again. The term of the successor officer, elected by the next Synod Assembly, shall be four years.

*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 ten calendar days prior to the meeting.

***S8.57.** The recall or dismissal of an officer may be effected in accordance with the procedure established by the Committee on Appeals of the Evangelical Lutheran Church in America.

S8.58. If the bishop is to be temporarily absent from the synod office for an extended period, the bishop, with the consent of the Synod Council, may appoint as acting bishop for such period an ordained minister 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.

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

- (a) voting members of the Churchwide Assembly allocated to this synod.
- (b) the other council members (OCMs) and the youth who is a member of the Council.
- (c) the members of the Consultation Committee and the synodical 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 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 Assembly meetings. The elections described in S9.01.01. shall be held at regular meetings of the Assembly.

S9.01.03. Elections for Churchwide Assembly. At least one-third of the ordained ministers 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 Other Council Members (OCMs). Normally, OCMs may be reelected once; however, if an expiration of the term of an incumbent OCM, the incumbent does not meet a specification for the position according to S9.03.04 or otherwise, she/he is ineligible to reelection. If an OCM 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, he/she shall be deemed to have served the full term.
- S9.01.05** Elections by Conferences. The Conferences shall elect members of the elected complement of the team board of each Mission Team as provided in the bylaws.
- 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 Council-appointed position shall be filled by interim appointment by the Council. The 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.A88.** *The Council, having regard to the provisions of *S7.21. and S7.21.A88., shall elect to the membership of the Assembly, with voice and vote, the ones of the retired ordained ministers 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 Assembly, bear his/her 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 Assembly is to be held; each such election shall be only for such Assembly. For purpose of *S7.21., retired ordained ministers elected under this Resolution shall be counted as clergy.*
- 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 at which elections are held and thereafter until the successor Nominating Committee is appointed. 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 the first sentence of 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. Council members, other than those eligible to reelection at the next regular meeting of the Assembly, may be appointed. A member of the Committee may be consecutively reappointed twice.

- (b) The Council is to complete appointments to the Nominating Committee for the meeting of the Assembly for which the Committee is to serve by January 1 of the year of the meeting.

09.03.02

Participation of Conferences in electoral processes.

- (a)
 - (1) Each Conference is to select, for each meeting of the 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 Assembly, one person for nomination to a respective one of those voting member positions.
 - (2) Each of four Conferences, as designated by the Council pursuant to S1.02.03, is to select one person for nomination to a respective one of four of the OCM positions to be elected at the regular meeting of the Assembly in 2001 and at the first regular meeting of the Assembly in each election cycle after the first election cycle.
 - (3) Each of four Conferences, other than those of sentence (2) of this paragraph (a), is to select one person for nomination to a respective one of four of the OCM positions to be elected at the regular meeting of the Assembly in 2003 and at the second regular meeting of the Assembly in each election cycle after the first election cycle.
- (b) A Conference may not select the same person for more than one position of those to be selected for a meeting of the 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)
 - (1) Each of four Conferences, as designated by the Council pursuant to S1.02.03 and at its electoral meeting in 2000, is to elect one person to a respective one of four of positions, each having a term of service of four years, of the elected complement of the team board of each Mission Team.
 - (2) Each of four Conferences, as designated by the Council pursuant to S1.02.03 and other than those of sentence (1) of this paragraph (c), and at its electoral meeting in 2000, is to elect one person to a respective one of four of positions, each having a term of service of two years, of the elected complement of the team board of each Mission Team.
 - (3) With reference to elections for team boards of Mission Teams at electoral meetings after those described in sentences (1) and (2) of this paragraph (c), each Conference of said sentence (1) is quadrennially to elect one person to each of the four positions described in said sentence (1), and each Conference of said sentence (2) is quadrennially to elect, but for a term of service of four years, one person to each of the four positions described in said sentence (2).
- (d) 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.
- (e) 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 her/him, otherwise be eligible for the position for which he/she is selected or to which she/he is elected, have affirmed willingness to serve in the position, and meet each specification under S9.03.04, if any, pertaining to the position.

(f) 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 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 OCM.

S9.03.03 Adoption of selections under S9.03.02. Normally, the 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 OCM, is to adopt the selections of Conferences under paragraph (a) of S9.03.02.

S9.03.04 Specifications for Nominating Committee and OCM positions. So the 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 Council may establish specifications for at least some Nominating Committee and OCM 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 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 ecclesiastical ballot by the Synod Assembly. The election shall proceed without oral nominations. The first ballot, unless resulting in an election, shall be the nominating ballot. On the first ballot, three-fourths of the legal votes shall elect. On the second ballot, only votes for persons who were nominated on the first ballot shall be valid, and two-thirds of the legal votes shall elect. On the third ballot, voting shall be limited to not more than the four persons (plus ties) receiving the highest numbers of legal votes on the second ballot, and a majority of legal votes shall elect. On the fourth ballot, voting shall be limited to not more than the three persons plus ties receiving the highest numbers of legal votes on the third ballot, and a majority of legal votes shall elect. On the fifth and subsequent ballots, voting shall be limited to the two persons (plus ties) receiving the highest numbers of legal votes on the preceding ballot, and a majority of legal votes shall elect. A person may withdraw from the election prior to the voting on the second ballot, and upon such withdrawal, votes for the person on the first ballot shall be deemed invalid as to a subsequent ballot. An invalid vote shall not be counted for any purpose.**

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 Assembly at which an election for the office of bishop is to be held, the 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 Assembly.
- b. The duties of the Committee on Pre-election Canvass shall be

1. to mail directly to each voting member of the Assembly, at least sixty (60) days but not more than seventy (70) days prior to the 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 Assembly;
 3. to obtain, on a uniform basis, and to mail to each voting member of the Assembly at least twenty-one (21) days prior to the 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 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 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 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.A99

1. *In each meeting of the 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 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.*
2. *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 Assembly and (ii) spoken answers by the person to propounded questions, provided that if the person is not in attendance or otherwise so desires, he/she may designate a spokesperson to participate in his/her stead. 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, he/she is expected also to participate in the other aspect. The official presiding at the election shall likewise preside during the introductions.*
3. *Each such person, in any aspect of her/his introduction to the 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 her/his introduction and otherwise in connection with the election.*
4. *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.*
5. *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 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 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. The Vice President shall be elected by the Synod Assembly as provided in the bylaws.

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 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 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 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. The Secretary shall be elected by the Synod Assembly as provided by the bylaws.

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 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 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 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. The Synod Council shall nominate two persons for treasurer; additional nominations may be made from the floor.

- S9.08.** In all elections, except for the bishop, vice-president, and secretary the names of the persons receiving the highest number of 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.A99 *A person who is nominated for election by the Assembly (a) for an OCM position, or (b) to the position of voting member of the Churchwide Assembly, is to provide, prior to the election in which she/he is a nominee, a written statement with regard to his/her candidacy for the position. The Nominating Committee or the Elections Committee of the Assembly, as appropriate, may receive the statement from the person. The statement is for distribution to voting members of the 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 promptly and in detail to the assembly.
- 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 synodical officers prior to their election, if possible, or as soon as practical after their election. The specific procedures and timing of background checks and screening shall be determined by the Synod Council.

Chapter 10. -- Synod Council

- *S10.01.** The Synod Council, consisting of the four officers of the synod, 10–24 other members, and at least one youth and at least one young adult, shall be elected by the Synod Assembly.
- a.** Each person elected to the Synod Council shall be a voting member of a congregation of this synod, with the exception of ordained ministers on the 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.** Number of Other Council Members (OCMs). The Council in addition to the officers and the youth, shall have 16 other members.
- S10.01.02.** Terms of service of Other Council Members (OCMs). The terms of service of OCMs shall be four years and shall begin on the first day of the second month following election except that, for twelve OCM positions elected in 1987, the term of service shall be two years. Such two-year terms shall be deemed full terms.
- S10.01.03.** Youth member. The term of service of the youth shall be two years and shall begin on the first day of the second month following election. The youth shall be at least 16 years of age when her/his term begins and not more than 21 years of age when the term ends, and is not eligible to reelection.

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

S10.01.05. Committee liaison. The 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 Council may attend and have voice at meetings of such committees.

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

S10.01.07. 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 Council assigned to it by the Council, and, subject to other or additional directions from the Council, the committee shall oversee preparation of the agenda for 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 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 Council and Council-appointed committees. Council committees and the Nominating Committee are accountable to the 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 which are not in conflict with actions taken by the Synod Assembly or which 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**

- 1. Definition. In this continuing resolution, "position resolution" means an action of the Assembly which expresses the synod's position as to indicated subject matter, but is not and is not connected with another action of the 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.*
- 2. Applicability. This continuing resolution applies in respect of each position resolution and without regard to the date of the resolution.*

3. *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.*
4. *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 Council considers the subject matter or purpose of an expiring position resolution to be of continuing interest to the synod, the 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 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 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 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 ordained ministers and of other official rosters, 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 ordained ministers and letters of call to associates in ministry, deaconesses, and diaconal 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. **Elect or appoint members of certain committees as may be provided in the bylaws.**

- i. Elect or ratify the election or other designation of the representatives of this synod who serve, in addition to the bishop ex officio, on the governing bodies of church-affiliated health, social service, educational and other agencies and institutions to which the synod is related.
- j. Perform such other functions as are set forth in the bylaws of the 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.
- S10.06.** If a member of the Synod Council ceases to be a member in good standing on a roster of this synod, if an ordained minister, or to be a voting member of a congregation of this synod, if a layperson, 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.

Chapter 11. -- Committees

- *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. The synod has committees as provided by or pursuant to the constitution, the bylaws and continuing resolutions of the synod, and including committees of the Assembly, the Mutual Ministry Committee, the Nominating Committee, the Standing Committees, and any Task Force and Temporary committees.
- S11.01.02.** Eligibility/qualifications for committee service. Other than the bishop ex officio, and subject to the provisions of S11.02.01, and S11.03.01, no person shall concurrently be a member of more than one of the Standing Committees. An OCM is ineligible to be a member of a Standing Committee.
- S11.01.03.** General provisions pertaining to committees. Except as the bylaws may otherwise provide or require with reference to committees of the Assembly, the Nominating Committee, Council committees, the Consultation Committee, the Committee on Discipline, and a Task Force or Temporary committee, the provisions of this bylaw apply to the committees of this synod.
- 1) Normally, a committee has members residing in all areas defined in S10.01.11.
 - 2) 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.

- 3) 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.
- 4) The synod shall fund the work and activities of a committee through the synodic budgetary process, and the committee shall participate in that process.

S11.01.04. 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. Assembly committees. Committees of the Assembly have status, composition, appointment process, and functions and responsibilities as described and provided in S7.01.05.

S11.01.06. Council committees. 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.

S11.01.07. Mutual Ministry Committee. The Mutual Ministry Committee has the status, composition, appointment processes, and functions and responsibilities as described and provided in S8.11.01.

S11.01.08. Nominating Committee. The Nominating Committee has the status, composition, appointment processes, and functions and responsibilities as described and provided in Chapter 9.

S11.01.11 Standing Committees. The Standing Committees are the Consultation Committee, the Committee on Discipline, the team boards of the Mission Teams, and committees relating to the office of the bishop.

S11.01.14 Mission Teams and team boards.

- (a) Mission Teams are organizational units of the synod to carry forward the work and activities of the synod according to the sense and scope of Chapter 6 of the constitution and Mission Statement of the synod. These teams are the Proclamation Team, the Discipleship Team, and the Justice Team. The respective functions and responsibilities of each Team are as from time to time provided in the bylaws and continuing resolutions of the synod.
- (b) (1) Each Mission Team is to have a team board. The team board is to comprise an elected complement of eight elected members and, as necessary for purposes of inclusivity criteria, and as the elected complement deems advisable to fulfill the Team's functions and responsibilities, an additional complement of as many as six appointed members.
- (2) The team board is the leadership element of and for its Mission Team, and except as the bylaws otherwise provide, is subject to rules generally applying to committees of this synod. The team board is responsible for efforts to meet, as a committee and as nearly as practicable, inclusivity criteria; and, for developing/applying suitable participation standards for members of the team board and volunteer associates of its Team.
- (3) The term of service of an elected member of a team board is four years except that, for four positions on each team board for which elections are held in 2000, the term of service is two years. Normally, such term begins at the first meeting of the team board subsequent to the meeting of the

Assembly next following election. An elected member of a team board may be reelected.

- (4) Members of the elected complement are to recruit and appoint the appointed members of a team board. Normally, the term of service of an appointed member begins at appointment and ends at the meeting of the team board next following the fourth anniversary of appointment. An appointed member of a team board may be reappointed.
- (5) Each Mission Team is expected to have, in addition to the team board, a number of volunteer associates. Typically, a volunteer associate is recruited and recognized by the team board, participates in at least one aspect of the Team's functions and responsibilities, such as a committee, task force, or working group, and is to receive notice of Team meetings and Team communications concerning each such aspect. A specific term of service does not apply in respect of a volunteer associate; however, a person's status as a volunteer associate is to conclude when he/she resigns or no longer meets participation standards. Normally, a volunteer associate is deemed not to be a member of a committee of this synod.

S11.01.A99 *Proclamation Team. The Proclamation Team has functions and responsibilities pertaining to the "proclaim the Gospel" aspects of the Mission Statement, and, generally, the Team succeeds to functions and responsibilities of these committees of the former organization: Committee on Evangelism, Committee for Global Mission, Synodical Mission Committee, and Worship Committee.*

S11.01.B99 *Discipleship Team. The Discipleship Team has functions and responsibilities pertaining to the "make disciples" aspects of the Mission Statement, and, generally, the Team succeeds to functions and responsibilities of these committees of the former organization: Education Committee, Stewardship Committee, and Youth and Young Adults Committee.*

S11.01.C99 *Justice Team. The Justice Team has functions and responsibilities pertaining to the "do justice" aspects of the Mission Statement, and, generally, the Team succeeds to functions and responsibilities of these committees of the former organization: Committee on Social Ministry, Advisory Committee on Women, and Advisory Committee on Multicultural Ministries.*

S11.01.D99 *Description of Mission Team organization. In the organization of a Mission Team, the team board may, but need not, describe or identify an aspect of the Team's functions and responsibilities in terms of the name, functions, and/or responsibilities of a committee, task force, or working group of the former organization to which the Team has succeeded.*

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 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.

S11.01.17 Ministry Committee. The Ministry Committee is the permanent counterpart of the Ministry Committee of the former organization. Incumbents of positions on the committee under the former organization succeed to permanent counterpart positions on the committee in the current organization.

- S11.01.D95.** Ministry Committee. *The functions and responsibilities of the Ministry Committee pertain to pastoral care of Congregations and to ordained ministers, associates in ministry, deaconesses, and diaconal ministers. 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 it, may participate in multi-synodic committees for certification of candidates for ordination and in the certification or accreditation processes for other professional leaders. The committee shall have 20 members.*
- S11.01.E99** 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 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 Council with regard to constitutional matters. The committee shall have six members including, normally, the secretary of the synod.*
- S11.01.30.** Reports by Standing committees. The Standing committees shall make annual written reports to the 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.
- S11.01.35.** Task Forces and Temporary committees. The Council shall, as directed by the 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 Council shall describe the assignment in reasonable detail. The 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 the first sentence of S11.01.02. Members of the 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 complete its assignment and submit any required report within a period of not more than 18 months.
- S11.01.45.** Accountability. The Standing committees and Task Forces and Temporary committees of this synod -- together with their members -- are accountable to the Council and the 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 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 ordained ministers and half shall be laypersons, who shall each be elected by the Synod Assembly for a term of six years without consecutive reelection. 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 ordained ministers and six shall be laypersons, who shall each be elected by the Synod Assembly for a term of six years without consecutive reelection.**

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

b. The terms of committee members shall be staggered so that the terms of four committee members (two clergy and two lay) expire every two years.

c. The Synod Council shall fill vacancies on the Committee on Discipline for any unexpired term. (During the 1999-2001 biennium, in order to implement such staggered terms for a 12-member committee, the Synod Council may designate terms and may transfer members from the Consultation Committee to the Committee on Discipline consistent with models prepared by the secretary of this church. This parenthetical implementation sentence shall expire at the conclusion of the 2001 Churchwide Assembly.)

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.**

***S11.05.** The Audit Committee of this synod shall consist of three to six persons, none of whom are members 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 ordained ministers rostered in synods other than synod of residence, 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 or Other Area Subdivisions

***S12.01.** This synod shall establish conferences, clusters, coalitions, or other area subdivisions within its territory as specified in the bylaws. The purpose of such groupings shall be to foster interdependent relationships among congregations, institutions, and synodical and churchwide units for mission purposes.

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

S12.01.A99. 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)

Atonement, Chicago
Bethel, Chicago
Bethel (West), Chicago
Christ, Chicago
Edgebrook, Chicago
Edison Park, Chicago
Esperanza de Santa Maria, Chicago
Faith, Chicago
First Evangelical, Chicago
Good Shepherd, Chicago
Martin Luther, Chicago
North Austin, Chicago
Norwegian Memorial, Chicago
Norwood Park, Chicago
Purna Jiwan, Chicago
St. James, Chicago
St. Luke, Chicago
St. Stephen, Chicago
St. Timothy, Chicago
Trinidad, Chicago
United in Faith, Chicago
Wicker Park, Chicago
Zion Cristo Rey, Chicago

NEAR WEST

Prince of Peace, Addison
Berwyn United, Berwyn
First, Berwyn
Faith, Brookfield
Gethsemane, Cicero
San José, Cicero
Christ, Clarendon Hills
Lord of Life, Darien
Gloria Dei, Downers Grove
Epiphany, Elmhurst

St. Luke, Elmhurst
Grace, Elmwood Park
St. Paul, Forest Park
St. Peter, Forest Park
Thai Community, Forest Park
Resurrection, Franklin Park
San Jose, Franklin Park
Redeemer, Hinsdale
Grace, La Grange
St. Michael, La Grange Park
Holy Trinity, Lombard
Emmanuel, Maywood
Christ, Melrose Park
Acacia Park, Norridge
Northlake, Northlake
Good Shepherd, Oak Park
United, Oak Park
Ascension, Riverside
Grace, Villa Park
St. Paul, Villa Park
Grace Westchester
St. James, Western Springs

NORTH

St. Stephen, Antioch
Atonement, Barrington
Zion, Deerfield
All Saints, Fox Lake
Shepherd of the Lakes, Grayslake
Joy! Gurnee
Trinity, Ingelside
St. James, Lake Forest
Peace, Lake Zurich
Grace, Libertyville
Holy Cross, Libertyville
Holy Spirit, Lincolnshire

Hope, Long Grove
St. Andrew, Mundelein
Christ, Vernon Hills
Messiah, Wauconda
St. Mark, Waukegan
St. Paul, Waukegan
Trinity United, Waukegan
Sagrado Corazon, Waukegan

NORTHEAST

Christ, Chicago
Christ the King, Chicago
Concordia, Chicago
Ebenezer, Chicago
Holy Family, Chicago
Holy Trinity, Chicago
Immanuel, Chicago
Irving Park, Chicago
Lake View, Chicago
Luther Memorial, Chicago
Mayfair, Chicago
Park View, Chicago
Pilgrim, Chicago
Resurrection, Chicago
St. Elias, Chicago
St. Luke, Chicago
Unity, Chicago
Grace, Evanston
Immanuel, Evanston
St. Paul, Evanston
Trinity, Evanston
University, Evanston
Holy Trinity, Glenview
St. Philip, Glenview
St. John Lincolnwood
Resurrection, Niles
Gloria Dei, Northbrook
Ascension, Northfield
Messiah, Park Ridge
Redeemer, Park Ridge
St. Luke, Park Ridge
Chinese Christian, Skokie
St. Timothy, Skokie
St. John, Wilmette
Wilmette, Wilmette

NORTHWEST

Cross, Arlington Heights
Our Saviour, Arlington Heights
San Esteban Martyr, Carpentersville
Trinity, Des Plaines
Bethlehem, Elgin
Christ the Lord, Elgin

Holy Trinity, Elgin
Messiah, Elgin
Zion, Elgin
Christus Victor, Elk Grove Village
Living Christ, Hanover Park
St. Matthew, Itasca
Martha and Mary, Mount Prospect
Grace, Mount Prospect
St. Mark, Mount Prospect
All Saints, Palatine
Bethel, Palatine
Christ, Palatine
New Light Chinese, Palatine
Good Shepherd, Prospect Heights
Trinity, Rolling Meadows
Lord of Life, Schaumburg
Prince of Peace, Schaumburg
True Light, Streamwood

SOUTH (All in the City of Chicago)

Ashburn, Chicago
Augustana, Chicago
Bethany, Chicago
Bethel-Imani, Chicago
Bethlehem Evangelical, Chicago
Calvary (Kenneth), Chicago
Calvary (Spaulding), Chicago
Christ the Mediator, Chicago
First Trinity, Chicago
Holy Spirit, Chicago
Lebanon, Chicago
New Spirit (mission), Chicago
Reformation, Chicago
Salem, Chicago
Santa Cruz (mission), Chicago
St. James, Chicago
St. Mark, Chicago
St. Stephen, Chicago
St. Thomas, Chicago
Trinity, Chicago
Windsor Park, Chicago
Zion (Avalon Park), Chicago

SOUTHWEST

First Evangelical, Blue Island
St. Philip, Blue Island
Our Savior, Burbank
Prince of Peace, Chicago Heights
United by Faith, Evergreen Park
St. Andrew, Glenwood
First, Harvey
Faith, Homewood
Our Saviour, Lansing

Bethany, Lemont
St. Stephen, Midlothian
Redeemer, Oak Forest
Resurrection, Oak Forest
Mount Zion, Oak Lawn
Trinity, Oak Lawn
Faith, Palos Heights
Good Shepherd, Palos Heights
Savior Divine, Palos Hills
Trinity, Park Forest
Our Savior, Riverdale
Good Shepherd, Robbins
Redeemer, South Holland
Zion, Tinley Park
St. Mark, Worth

WEST

Our Savior, Aurora
Redeemer, Aurora
St. Mark, Aurora
Living Lord, Bartlett
Bethany, Batavia

Church of the Master, Carol Stream
Geneva, Geneva
Rejoice, Geneva
Faith, Glen Ellyn
Grace, Glen Ellyn
St. Luke, Glen Ellyn
Good Shepherd, Naperville
Our Saviour, Naperville
Peace, Naperville
St. James, Naperville
St. Timothy, Naperville
Truth, Naperville
New Hope, Aurora
Bethlehem, St. Charles
Grace, St. Charles
Hosanna! St. Charles
Trinity, Warrenville
St. Andrew, West Chicago
Holy Cross, Wheaton
St. Paul, Wheaton
Prince of Peace, Woodridge

- c. *The 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 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 ordained ministers and associates in ministry, deaconesses, and diaconal ministers 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 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 ordained ministers, associates in ministry, deaconesses, and diaconal ministers 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 Assembly, and to elect persons to team boards of Mission Teams.
- (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 Council. The 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 ordained ministers, associates in ministry, deaconesses, and diaconal ministers,
- c. maintain personal contacts with the ordained ministers, associates in ministry, deaconesses, and diaconal ministers of the Conference,
- d. serve as a communications link between the synod office and the ordained ministers, associates in ministry, deaconesses, and diaconal ministers 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 her/his Conference -- to be part of the reports to the Assembly, and
- f. perform such other duties as the bishop may from time to time assign.

The deans may attend meetings of the 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 register of congregations of this synod, shall adopt the Model Constitution for Congregations or one acceptable to this synod, which is not in contradiction to the constitution and bylaws of the Evangelical Lutheran Church in America.

- a. **New congregations.** A congregation newly formed by this church and any congregation seeking recognition and reception by this church shall:
 - 1) **Accept the criteria for recognition and reception as a congregation of this church, fulfill the functions of the congregation, and accept the governance provisions as provided in Chapter 9 of the ELCA constitution and bylaws.**
 - 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 this constitution and the constitution 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, 18, and 19 of the Model Constitution for Congregations.**
 - 3) **Accept the commitments expected of all congregations of the ELCA as stated in *C6.01., *C6.02., and *C6.03. of the Model Constitution for Congregations.**

- b. **Congregations from another church body.** If a congregation is a member of another church body, the leaders of the congregation first should consult with the appropriate authorities of that church body before taking action to leave its current church body. After such consultation, leaders of the congregation should make contact with the ELCA synod bishop or staff where the congregation is located.
- c. **Recognition and reception.** Recognition and reception into this church of transferring or independent congregations by the Evangelical Lutheran Church in America is based on the judgment of the synod and action by the synod through the Synod Council and Synod Assembly. The synod bishop shall provide for prompt reporting of such additions to the secretary of this church for addition to the register of congregations.

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

S13.11. When a pastor, associate in ministry, deaconess or a diaconal 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 pastor, associate in ministry, deaconess, or diaconal minister shall make satisfactory settlement of the obligation before calling a successor.

***S13.19.** A congregation considering a relocation shall confer with the bishop of the synod in which it is territorially located and the appropriate program unit of the churchwide organization before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is effected.

***S13.20.** A congregation considering development of an additional site to be used regularly for worship shall confer with the bishop of the synod in which it is territorially located and the appropriate program unit of the churchwide organization before any steps are taken leading to such action.

S13.21. The alignment of congregations in pastoral charges and all alterations in any alignment shall be subject to approval by the Synod Council.

***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 ELCA constitution 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) 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, the congregation, upon written demand, shall re-convey 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 synodical 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 Council with the Congregation prior to the Council's decision on whether to approve the Congregation's request.

- 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 Council.
- c. After the 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 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 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 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 Council on matters pertaining to the requested termination. The Council need not announce the determination at such Council meeting, but as soon as practicable after the meeting, the 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 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.** If any congregation of this synod has disbanded, or if the membership agree that it is no longer possible for the congregation to function as such, or if the membership of a congregation has become so scattered or so diminished that it is necessary for this synod to protect the congregation's property from waste and deterioration, the Synod Council, itself or through trustees appointed by it, may take charge and control of any or all property of the congregation to hold, manage, and convey such property on behalf of the synod. The congregation shall have the right to appeal the decision to the Synod Assembly.
- S13.25.** This synod may temporarily assume administration of a congregation upon its request or with its concurrence.
- S13.30.** Discipline
- *S13.31.** Congregations and members of congregations are subject to discipline in accordance with the provisions of Chapter 20 of the ELCA constitution and bylaws.

Chapter 14. -- Ordained Ministers and Lay Rostered Ministers

- *S14.01.** The time and place of the ordination of those persons properly called to congregations or extra-parish service of this synod shall be authorized by the bishop of this synod.
- *S14.02.** Consistent with the faith and practice of the Evangelical Lutheran Church in America,
- a. Every ordained minister shall:
 - 1) preach the Word;
 - 2) administer the sacraments;
 - 3) conduct public worship;
 - 4) provide pastoral care; and
 - 5) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.
 - b. Each ordained minister with a congregational call shall, within the congregation:
 - 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
 - 2) supervise all schools and organizations of the congregation;
 - 3) install regularly elected members of the Congregation Council; and
 - 4) with the council, administer discipline.
 - c. Every pastor shall:

- 1) strive to extend the Kingdom of God in the community, in the nation, and abroad;
- 2) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
- 3) impart knowledge of this church and its wider ministry through distribution of its periodicals and other publications; and
- 4) endeavor to increase the support given by the congregation to the work of the ELCA churchwide organization and of this ELCA synod.

S14.03. The pastor shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation, and shall submit a summary of such statistics annually to this synod.

The pastor shall be a member of the congregation that has extended the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.

S14.04. 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 to the pastoral care of a Lutheran congregation nearer to their place of residence.

S14.05. Each ordained minister 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.

***S14.11.** When a congregation of this church desires to call a pastor or a candidate for the pastoral office in the ordained ministry 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 pastoral candidate by a congregation of this synod in accord with ELCA constitutional provision 7.41., a two-thirds majority ballot vote shall be required of 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.

S14.12. No ordained minister shall accept a call without first conferring with the bishop of this synod. An ordained minister shall respond with an answer of acceptance or declination to a letter of call within thirty 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 fifteen days may be granted to respond to a letter of call.

***S14.13.**

- a. **The call of a congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment which, except in the case of the death of the pastor, shall be terminated only following consultation with the synodical bishop and for the following reasons:**
 - 1) **mutual agreement to terminate the call or the completion of a call for a specific term;**
 - 2) **resignation of the pastor, which shall become effective, unless otherwise agreed, 30 days after the date on which it was submitted;**
 - 3) **inability to conduct the pastoral office effectively in that congregation in view of local conditions, without reflection on the competence or the moral and spiritual character of the pastor;**
 - 4) **the physical or mental incapacity of the pastor;**
 - 5) **disqualification of the pastor through discipline on grounds of doctrine, morality, or continued neglect of duty;**
 - 6) **the dissolution of the congregation or the termination of a parish arrangement; or**
 - 7) **suspension of the congregation as a result of discipline proceedings.**
- b. **When allegations of physical or mental incapacity of the pastor or ineffective conduct of the pastoral office have come to the attention of the bishop of this synod, the bishop in his or her sole discretion may, or when such allegations have been brought to this synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of the congregation, the bishop shall, investigate such conditions personally in company with a committee of two ordained ministers and one lay person.**
- c. **In case of alleged physical or mental incapacity competent medical testimony shall be obtained. When such disability is evident, the bishop of this synod with the advice of the committee shall declare the pastorate vacant. Upon the restoration of a disabled pastor to health, the bishop of this synod shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another field of labor.**
- d. **In the case of alleged local difficulties that imperil the effective functioning of the congregation, all concerned persons shall be heard, after which the bishop of this synod together with the committee described in *S14.13.b. shall decide on the course of action to be recommended to the pastor and the congregation. If they agree to carry out such recommendations, no further action shall be taken by the synod. If either party fails to assent, the congregation may dismiss the pastor at a legally called meeting after consultation with the bishop either (a) by a two-thirds majority vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a simple majority vote of the voting members present and voting where the bishop and the committee recommend termination of the call.**
- e. **If, in the course of proceedings described in *S14.13.d., the committee concludes that there may be grounds for disciplinary action, the committee shall make recommendations concerning disciplinary action to the synodical bishop who may bring charges, in accordance with the provisions of the constitution and**

bylaws of the Evangelical Lutheran Church in America and the constitution of this synod.

- f. If, following the appointment of the committee described in *S14.13.b. or d., it should be apparent that the pastoral office cannot be conducted effectively in the congregation(s) being served by the ordained minister due to local conditions, the bishop of this synod may temporarily suspend the pastor from service in the congregation(s) without prejudice and with pay provided through a joint synodical and churchwide fund and with housing provided by the congregation(s).**

S14.13.01. Ordained ministers of this synod are subject to discipline in accordance with the provisions of Chapter 20 of the ELCA constitution and bylaws.

S14.13.10. *S14.13.b. committee. The special committee described in *S14.13.b. shall comprise, in addition to the bishop, persons who, generally, have eligibility qualifications as provided in the first sentence of S11.01.02. Members of the Council may be appointed, and one of the ordained ministers of the special committee may be a pastor of the same Conference as the pastor involved in the case. However, no person who is a member of a Congregation involved in the case, the Consultation Committee, the Committee on Discipline, or any other unit of this church or his synod pertaining to consultation, discipline or appeals is eligible to serve on such a special committee.

S14.13.08. Non-disciplinary termination of call where effective function of Congregation is not imperiled. For purposes of this bylaw, "Congregation" includes an organization to which an ordained minister is under call, and the participation by the Congregation in the consultation described in this bylaw shall be by at least one of its officers other than such ordained minister. If a Congregation seeks to terminate the call of an ordained minister under call to it in circumstances which (a) do not anticipate discipline, (b) do not involve the physical or mental capacity of the ordained minister, and (c) do not amount to local difficulties which imperil the effective functioning of the Congregation, and if the ordained minister declines to agree to the termination or to resign, the matter shall be processed in the same manner as provided in *S14.13.d. The basis for any dismissal of an ordained minister pursuant to this bylaw shall be inability to conduct the pastoral office effectively in the Congregation in view of local conditions without reflection on the competence or the moral and spiritual character of the pastor. Any such dismissal shall include and be conditioned upon settlement and adjustment of outstanding obligations between the Congregation and the ordained minister.

***S14.14.** **Ordained ministers 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.**

***S14.15.** **The parochial records of each congregation shall be kept in a separate book which shall remain its property. The secretary of the congregation shall attest to the bishop of this synod that such records have been placed in his/her hands in good order by a departing pastor before:**

- a. installation in another field of labor, or**
- b. issuance of a certificate of dismissal or transfer.**

- *S14.16.** The pastor shall make satisfactory settlement of all financial obligations to a former congregation before:
- a. installation in another field of labor, or
 - b. issuance of a certificate of dismissal or transfer.
- *S14.17.** During service to a congregation, an interim pastor shall have the rights and duties in the congregation of a regularly called pastor. The interim pastor may delegate the same in part to an interim supply pastor with the consent of the bishop of this synod. The interim pastor and any ordained ministers who may assist shall refrain from exerting influence in the selection of a pastor. Upon completion of service, the interim pastor shall certify to the bishop of this synod that the parochial records, for the period for which the interim pastor was responsible, are in order.
- *S14.18.** With the approval of the synodical bishop expressed in writing which sets forth a clear statement of the purpose to be served by such a departure from the normal rule of permanency of the call as expressed in *S14.13., 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 *S14.13.
- S14.21.** All ordained ministers under a call shall attend meetings of the Synod Assembly, and the pastors of congregations shall also attend the meetings of the conference, cluster, or coalition to which the congregation belongs.
- S14.30.** Official Rosters of Laypersons.
- *S14.31.** The provisions in the churchwide documents and such provisions as may be developed by the Division for Ministry governing associates in ministry, deaconesses, and diaconal ministers of this church shall apply in this synod.
- a. When a congregation of this synod desires to call an associate in ministry, deaconess, or diaconal minister or a candidate for these official rosters of laypersons of this church:
 1. Such a congregation of this synod shall consult the synodical bishop before taking any steps leading to extending such a call.
 2. Issuance of such a letter of call shall be in accord with criteria, policies, and procedures developed by the Division for Ministry, reviewed by the Conference of Bishops, and adopted by the Church Council of the Evangelical Lutheran Church in America.
 3. When the congregation has voted to issue a call to an associate in ministry, deaconess, or diaconal minister, the letter of call shall be submitted to the bishop of this synod for the bishop's signature.
 - b. As associate in ministry, deaconess, or diaconal minister shall confer with the bishop of this synod before accepting a call within this synod.

- c. The call of a congregation, when accepted by an associate in ministry, deaconess, or diaconal minister, shall constitute a continuing mutual relationship and commitment which, except in the case of the death of the individual, shall be terminated only following consultation with the synodical bishop in accordance with policy developed by the Division for Ministry, reviewed by the Conference of Bishops, and adopted by the Church Council of the Evangelical Lutheran Church in America.
- d. Associates in ministry, deaconesses, and diaconal ministers on the roster of this synod who are serving under call shall attend meetings of the Synod Assembly.

S14.31.01. Laypersons on official rosters of this synod are subject to discipline in accordance with the provisions of Chapter 20 of the ELCA constitution and bylaws.

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

- 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 of each congregation's mission support as determined by the Churchwide Assembly to the treasurer of the Evangelical Lutheran Church in America.

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

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% 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 any number of congregations of this or any other synod of the Evangelical Lutheran Church in America for the raising of funds shall be conducted by any number of congregations or organizations related to or affiliated with this synod without the consent of this synod as provided in the bylaws.

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 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 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 Council in its discretion shall have a reasonable opportunity (i) to ask applicant for additional information (allowing a reasonable period for applicant's reply) or (ii) otherwise to develop such additional information.
- d. Within 180 days after the Council deems an application complete, it shall act on the application, with written notice of the action to applicant. Such action, in the Council's discretion, may include any of the following:
 - 1) consent or conditional consent for the appeal.
 - 2) denial of consent which may, but need not, recite a particular reason for the denial.
 - 3) referral of the application, with or without recommendation, to the Assembly.
- e. The Council's disposition of the application is final. An application referred by the Council to the Assembly, may be disposed of in any manner the Assembly deems appropriate.

15.21.03. 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. The financial reports shall be in the format approved from time to time by the churchwide Office of the Treasurer.

***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.** **Except as otherwise provided in this constitution, indemnification of any person who is or was made or threatened to be made a party to any proceeding is prohibited. For purposes of this chapter, the term "proceeding," means a threatened, pending, or completed civil, criminal, administrative, arbitration, or investigative proceeding, including a proceeding in the right of this synod or any other organization. Except as otherwise required by law, (a) the term, "proceeding," does not include a proceeding by this synod and (b) indemnification for expenses incurred in a disciplinary hearing or other proceeding described in Chapter 20 of the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America shall be permitted only as provided in *S16.05. For purposes of this chapter, the term, "indemnification," includes advances of expenses.**

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

- a. *Members of the Consultation Committee, the synodical 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 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.** To the full extent permitted from time to time 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 judgments, penalties, fines, settlements, excise taxes, and reasonable attorney's fees and disbursements 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 section *S16.03.
- *S16.03.** 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 (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 not be entitled to indemnification unless (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.
- *S16.04.** 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 section *S16.02. or section *S16.03.
- *S16.05.** When in proceedings under Chapter 20 of the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America written charges against an ordained minister or a layperson on an official roster of this church are made by the synodical bishop or written charges against a congregation are made by the Synod Council or the synodical bishop, and the discipline hearing committee determines that no discipline shall be imposed, and such determination is not reversed or set aside if an appeal is taken, then indemnification shall be made by the synod to the accused for reasonable attorney's fees and other reasonable expenses related to the defense of the charges. The determination of the reasonableness of such fees and expenses shall be decided by the Synod Council

Chapter 17. -- Adjudication

- *S17.01.** The synodical bishop and the Executive Committee of the Synod Council shall be available to give counsel when disputes arise within this synod.
- *S17.02.** The synodical bishop and the Executive Committee of the Synod Council shall receive expressions of concern from ordained ministers, associates in ministry or other persons on the official lay rosters 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 the matter at issue cannot be resolved

in this manner, the prescribed procedures for investigation, decision, appeal, and adjudication shall be followed. Allegations or charges that could lead to the discipline of an ordained minister or a person on the official lay rosters of this church, shall not be addressed by the Executive Committee but shall be resolved through the disciplinary process set forth in the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America.

- *S17.03. When there is disagreement among units of this synod on a substantive issue that cannot be resolved by the parties, the aggrieved party or parties may appeal to the synodical bishop and the Executive Committee of the Synod Council for a consultation. If this consultation fails to resolve the issue, a petition may be addressed by the parties to the Synod Council requesting it to arbitrate the issue. The decision of the Synod Council shall be final.
- *S17.04. When a component or beneficiary of a synod has a disagreement on a substantive issue that it cannot resolve, it may address an appeal to the synodical bishop and the Executive Committee of the Synod Council. In this case the decision of the Executive Committee shall prevail, except that upon the motion of a member of the Synod Council, the decision shall be referred to the Synod Council for final action.
- *S17.10. Adjudication in a Congregation
- *S17.11. When there is disagreement among factions within a congregation on a substantive issue that cannot be resolved by the parties, members of a congregation shall have access to the synodical bishop for consultation after informing the chair of the Congregation Council of their intent. If the consultation fails to resolve the issue(s), the Consultation Committee of this synod shall consider the matter. If the Consultation Committee of the synod shall fail to resolve the issue(s), the matter shall be referred to the Synod Council, whose 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 this church, 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 simple majority vote at any subsequent meeting of the Synod Assembly without presentation at a prior Synod Assembly. An amendment that is identical to a provision of the Constitution for Synods shall be deemed to have been ratified upon its adoption by the 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. An amendment may be adopted by a two-thirds vote at a regular meeting of the Synod Assembly having been presented in writing at the previous regular meeting of the Synod Assembly over the signatures of at least 100 members and been approved by a two-thirds vote of the voting members present and voting at such a 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 nor with the constitution and bylaws of this church. 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 and bylaws of this church. Such continuing resolutions may be adopted or amended by a majority vote of the Synod Assembly or by a two-thirds vote of the Synod Council. Newly adopted continuing resolutions and amendments to existing continuing resolutions shall be reported to the secretary of this church.**

* Indicates required provision(s) of constitution; *S6.04.A87. is also a required provision
CODIFICATION

Generally, the constitution, the bylaws and the continuing resolutions of the Metropolitan Chicago Synod are arranged so that provisions pertaining to the same subject matter are grouped together. This arrangement requires identification by means other than physical separation. All such provisions have the prefix “S” to signify synod-level materials and to distinguish from churchwide materials (which have no prefix) and provisions of the Model Constitution for Congregations (which use the prefix “C”).

More specifically, the three types of MCS provisions are indicated, as follows:

- a. The constitution is in bold face type.
- b. The bylaws are in light face type.
- c. Continuing resolutions are in italic type.
- d. Numeric codification according to general subject, with constitutional provisions, bylaws and continuing resolutions relating to a subject keyed to the codification.

Major sections are called chapters, and numbered 1 through 18. The chapter number is the first number in the codification sequence and is followed by a period or decimal point (“.”). Thus, provisions in Chapter 8, pertaining to Officers, begin with “S8.”

General subjects are normally titled and designated by a number ending with a zero. Thus, the subdivision of Chapter 8 that contains provisions regarding the bishop is codified and titled “S8.10. Bishop.”

Constitutional provisions are codified with two sets of numbers: the chapter number and a two-digit preceding the second period or decimal point in the codification. Thus, one constitutional provision relating to bishop is codified “S8.14.”

Bylaw provisions are codified with three sets of numbers: chapter number, the related two-digit constitutional provision number, and another two-digit number. Thus, the bylaw provision concerning the bishop’s assistants is codified “S8.14.01.”

Continuing resolutions are also codified with three sets of numbers, but the third set is preceded by a capital letter. Thus, the continuing resolution establishing the maximum number of assistants to the bishop is codified as “S8.14.A87.” designating subject matter within the chapter, with “A” meaning the first continuing resolution regarding the subject and “87” indicating its adoption year 1987.

When a number of related provisions, as parts of a larger unit, are considered inseparable, they are normally designated “a,” “b,” “c,” etc. When related provisions are parts of a unit but considered separable, they are normally numbered in sequence. If related provisions are not clearly separable or inseparable, preference may be given to a number sequence.

Chapter numbers are the major sequence indicator. The two-digit constitution numbers are fractions of the chapter number, the two-digit bylaw numbers are fractions of the constitution numbers, and the codification provides progressive sequence. Thus S9.02. precedes S9.03.01., and S13.23.01. precedes S13.24.