

**Proposed Amendments to the  
Articles of Incorporation of the ELCA  
and to the  
Constitutions, Bylaws, and Continuing Resolutions of the ELCA**

**RESTATED ARTICLES OF INCORPORATION OF EVANGELICAL LUTHERAN CHURCH  
IN AMERICA®**

**ARTICLE VII**

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

**ARTICLE IX**

For purposes of the laws of the State of Minnesota, only the Church's Constitution shall be treated as the bylaws of this corporation, and none of this corporation's governing documents other than these Articles of Incorporation and the Church's Constitution need be subject to the procedures specified by law or otherwise for the amendment of articles of incorporation or bylaws. ~~The power to adopt, amend, or repeal the bylaws is vested in the Churchwide Assembly as set forth in the Church's Constitution.~~

---

**CONSTITUTION, BYLAWS, AND CONTINUING RESOLUTIONS of the EVANGELICAL  
LUTHERAN CHURCH IN AMERICA®**

**Chapter 1.  
NAME, INCORPORATION, SEAL, AND LOCATION**

- 1.11.01. The seal of the churchwide organization is a ~~black globe comprising four stylized quadrants with a cross in the center. The words "Evangelical Lutheran Church in America" encircle the globe with three united flames emanating from the base of the cross and three entwined circles beside the cross. The year of the constituting convention of this church is included at the base of the cross. The name of this church forms the circular outer edge of the seal.~~



**Chapter 5.  
PRINCIPLES OF ORGANIZATION**

- 5.01. The Evangelical Lutheran Church in America shall be one church. This church recognizes that all power and authority in the Church belongs to the Lord Jesus Christ, its head. Therefore, all actions of this church by congregations, synods, and the churchwide organization shall be carried out under his rule and authority in accordance with the following principles:

- ....
- e. Except as otherwise provided in this constitution and bylaws, the appropriate office or unit of the churchwide organization, through the Church Council, shall establish processes that will ensure that at least 60 percent of the members of its assemblies, councils, committees, boards, and other organizational units shall be laypersons; that, as nearly as possible, at least 45 percent of the lay members of these assemblies, councils, committees, boards, or other organizational units shall be women and, as nearly as possible, at least 45 percent shall be men, and that the representation of rostered ministers shall include both men and women. At least 10 percent of the members of these

assemblies, councils, committees, boards, or other organizational units shall be persons of color and/or persons whose primary language is other than English. ~~Processes shall be developed that will assure that in selecting staff there will be a balance of women and men, persons of color and persons whose primary language is other than English, laypersons, and persons on the rosters of this church. This balance is to be evident in the selection of staff consistent with the inclusive policy of this church.~~

## Chapter 6. MEMBERSHIP

- 6.03. The synods of this church and the churchwide organization have no individual members except for those congregation ~~or synod-authorized worshiping community~~ members who serve as voting members of the synod corporations and churchwide corporation.
- 6.04. The voting members of the synods and churchwide organization shall be those congregation ~~or synod-authorized worshiping community~~ members serving as members of the synod assemblies and the Churchwide Assembly respectively. Membership in a congregation ~~or synod-authorized worshiping community~~ does not, in and of itself, confer voting rights in these corporations.

## Chapter 7. MINISTRY

- 7.31.02. **Responsibilities.** Consistent with the faith and practice of the Evangelical Lutheran Church in America,
- a. Every minister of Word and Sacrament shall:
- .....
- 8) speak publicly to the world in solidarity with the poor and oppressed, ~~proclaiming God's love for the world,~~ advocating dignity, justice, and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, and embracing and welcoming racially and ethnically diverse populations.
- 7.31.03. **Preparation and Approval.** Except as provided in 7.31.04., a candidate for the ministry of Word and Sacrament shall have:
- a. ~~either~~
- 1) membership in a congregation of this church and registration, by its ~~pastor and congregation~~ council and the pastoral leadership of the congregation, of the candidate with the candidacy committee; ~~or~~
- 2) active participation in a Word and Sacrament ministry of this church and registration, by its governing body and the pastoral leadership of the ministry, of the candidate with the candidacy committee;
- .....
- c. ~~completed the academic and practical preparation according to the criteria, policies, and procedures developed by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council; satisfactorily completed the requirements for the Master of Divinity degree from an accredited theological school in North America or completed a program of study for those accepted into the TEEM program (Theological Education for Emerging Ministries), including practical preparation, as defined by the appropriate churchwide unit, such as internship and supervised clinical work;~~
- d. ~~completed the expectations and outcomes established for Lutheran learning and formation in a seminary of this church or of the Evangelical Lutheran Church in Canada, except when waived by the appropriate committee in consultation with the faculty of a seminary of this church or of the Evangelical Lutheran Church in Canada;~~
- e. ~~been recommended for approval by the faculty of a seminary of this church or of the Evangelical Lutheran Church in Canada or have received the waiver described in 7.31.03.d.;~~
- fd. been examined and approved by the appropriate committee according to criteria, policies, and procedures ~~recommended-developed~~ by the appropriate churchwide unit, ~~after consultation with~~ reviewed by the Conference of Bishops, and adopted by the Church Council;
- gc. been recommended to a congregation or other entity by the bishop of the synod to which the candidate has been assigned for first call in accordance with the procedures ~~recommended-developed~~ by the

appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council; and

hf. received and accepted a properly issued and attested letter of call.

**7.31.04. Approval under Other Circumstances when Ordained in Another Church Body.** Candidates for the ministry of Word and Sacrament who ~~by reason of (a) age and prior experience, (b) ordination have been ordained~~ in another Lutheran church body; or ~~(eb) ordination have been ordained~~ in another Christian church body, whether in North America or abroad, shall be approved by the candidacy committee for ordination or reception according to criteria, policies, and procedures ~~recommended—developed~~ by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council. In preparing such criteria, policies, and procedures, the appropriate churchwide unit shall consult with the seminaries of this church and, as appropriate, with other churchwide units.

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

**7.31.07. On Leave from Call.** A minister of Word and Sacrament of this church, serving under a regularly issued letter of call, who leaves the work of that ministry without accepting another regularly issued letter of call ~~and who requests a temporary leave from active ministry~~, may be retained on the roster of Ministers of Word and Sacrament of this church, ~~upon endorsement by the synod bishop,~~ by action of the Synod Council ~~of the synod on whose roster the minister is listed in the synod of which the minister of Word and Sacrament is a member,~~ under policy developed by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council. ~~Such leave shall be reviewed annually and may be terminated by the Synod Council if it no longer meets the criteria under which it was granted.~~

a. ~~Regular Leave Normative Pattern: By annual action of the Synod Council in the synod of which a member, upon endorsement by the synod bishop, a~~ minister of Word and Sacrament who is without a current letter of call ~~and who has requested temporary leave from active ministry~~ may be retained on the roster of Ministers of Word and Sacrament of this church for a maximum of ~~three~~ ~~six~~ years, beginning at the completion of an active call.

b. Study Leave: ~~By annual action of the Synod Council in the synod of which a member, with the approval of the synod bishop and in consultation with the appropriate churchwide unit, a~~ minister of Word and Sacrament engaged in graduate study, in a field of study that will enhance service in the ministry of Word and Sacrament, may be retained on the roster of Ministers of Word and Sacrament of this church for a maximum of six years, ~~beginning at the completion of an active call.~~

c. Family Leave: A minister of Word and Sacrament ~~may request leave for family responsibilities. By annual action of the Synod Council in the synod of which a member, upon endorsement by the synod bishop, such a minister of Word and Sacrament who is without a current letter of call and~~ who requests leave for the birth or care of a child or children of the minister of Word and Sacrament or the care of an immediate family member (child, spouse, or parent) with a serious health condition may be retained on the roster of Ministers of Word and Sacrament of this church ~~under policy developed by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council~~ for a maximum of six years, beginning at the completion of an active call.

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

e. ~~Ministers who have been granted on-leave status are expected to maintain membership in a congregation of this church. If a minister of Word and Sacrament who has been granted on-leave status resides at too great a distance from any congregation of this church to be able to sustain an active relationship with that congregation, or if there are no congregations of this church in the vicinity, other~~

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

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

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

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

a. Calls may be extended for stated periods of time and for shared-time ministry by the appropriate calling body under criteria recommended—developed by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council for service in a congregation, synod, or churchwide unit, in an institution or agency of this church, or in another setting in a category of work as provided by continuing resolution 7.44.A24.

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

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

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

~~**7.41.03. Calls to Interim Ministry.** Ministers of Word and Sacrament serving in interim ministry shall normally serve under a letter of call, according to policies developed by the appropriate churchwide unit, reviewed by the Conference of Bishops, and approved by the Church Council. A call to interim ministry shall be a term call extended by the Synod Council upon recommendation of the synod bishop. Ministers of Word and Sacrament who have retired status may be appointed by the synod bishop without a letter of call.~~

~~**7.41.04. Calls to Supply Ministry.** When it is deemed necessary for the mission needs of this church, and upon recommendation of the synod bishop, a letter of call may be issued by the Synod Council—according to criteria, policies, and procedures recommended by the appropriate churchwide unit, reviewed by the~~

Conference of Bishops, and adopted by the Church Council—to a minister of Word and Sacrament for supply ministry. The minister of Word and Sacrament shall include a description of this ministry in the annual report to the synod bishop. A call to supply ministry is to be reviewed at least annually by the Synod Council and continued only as warranted for the ministry needs of this church. Such a call may be terminated by the Synod Council when it no longer fulfills the criteria under which it was issued.

7.41.0305. **Calls to Non-Congregational Service.** . . .

7.41.0406. **Non-Stipendiary Service Under Call.** When it is deemed necessary for the mission needs of this church, a letter of call may be issued by the Synod Council—according to criteria, policies, and procedures recommended-developed by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council—to a minister of Word and Sacrament for non-stipendiary service after the Synod Council has sought and received approval by the Conference of Bishops. Care is to be exercised so that positions in the church and in the world that can be filled adequately and appropriately by the laity not be filled by ministers of Word and Sacrament for their convenience, status, or personal preference. A call to non-stipendiary service is to be reviewed at least annually by the Synod Council and continued only as warranted for the ministry needs of this church. Such a call may be terminated by the Synod Council when it is no longer serving the mission needs of this church.

7.41.0507. **Calls to Serve in Unusual Circumstances.** When it is deemed to be in the interests of this church in the care of the Gospel, ministers of Word and Sacrament may be called for a stated period of time, not to exceed three years, to minister on behalf of this church while employed in an occupation outside the traditional range of the ministry of Word and Sacrament. Such calls may be extended by a Synod Council or the Church Council upon recommendation by the Conference of Bishops according to criteria and procedures recommended-developed by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council. A call to serve in unusual circumstances is to be reviewed at least annually by the Synod Council or Church Council and continued only as warranted for the ministry needs of this church. Such a call may be terminated when it is no longer serving the mission needs of this church.

7.41.0608. **Calls in Predecessor Church Bodies.** . . .

7.41.0709. **Retirement.** . . .

7.41.0810. **Disability.** . . .

7.41.0911. **Retention of Roster Records.** . . .

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

....

d. **on whose roster the minister of Word and Sacrament, if a seminary teacher or administrator, was assigned by the seminary leader in consultation with the board, subject to approval by the synod bishop and in consultation with the Synod Council of each affected synod. This roster assignment to-should promote proportionate representation of faculty and administration in each-the synods of its region;**

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

....

c. **speak publicly to the world in solidarity with the poor and oppressed, proclaiming God's love for the world, advocating dignity, justice, and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, and embracing and welcoming racially and ethnically diverse populations;**

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

a. **either**

1) **membership in a congregation of this church and registration, by its pastor and congregation council and the pastoral leadership of the congregation, of the candidate with the candidacy committee;**  
or

2) **active participation in a Word and Sacrament ministry of this church and registration, by its governing body and the pastoral leadership of the ministry, of the candidate with the candidacy committee;**

....

- c. completed the academic and practical preparation according to criteria and procedures ~~established developed~~ by the appropriate churchwide unit, ~~after consultation with~~ ~~reviewed by~~ the Conference of Bishops, and adopted by the Church Council;
- d. been examined and approved by the appropriate committee according to criteria, policies, and procedures ~~recommended-developed~~ by the appropriate churchwide unit, ~~after consultation with~~ ~~reviewed by~~ the Conference of Bishops, and adopted by the Church Council;
- e. been recommended to a congregation or other entity by the bishop of the synod in which the candidate is being considered for first call in accordance with the procedures ~~recommended-developed~~ by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council; and
- f. received and accepted a properly issued and attested letter of call.

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

~~7.61.0504.~~ No person who belongs to any organization such as a lodge . . . .

~~7.61.0605.~~ Roster status in more than one church body is precluded . . . .

~~7.61.0706.~~ **Reinstatement.** A person seeking reinstatement as a minister of Word and Service shall be registered by the pastor and council of the congregation of which such a person is a member with the candidacy committee of the synod in which the person was last rostered or, upon mutual agreement of the synod bishops involved, after consultation with and approval by the secretary of this church, with the candidacy committee of the synod of current residence. The person then shall be interviewed, examined, and approved for reinstatement by the candidacy committee under criteria, policies, and procedures ~~recommended-developed~~ by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council. In this process, the committee shall review the circumstances related to the termination of earlier service together with subsequent developments. The person is reinstated after receiving and accepting a letter of call to serve as a minister of Word and Service in this church.

~~7.61.0807.~~ **On Leave from Call.** A minister of Word and Service of this church, serving under a regularly issued letter of call, who leaves the work of that ministry without accepting another regularly issued letter of call ~~and who requests a temporary leave from active ministry,~~ may be retained on the roster of Ministers of Word and Service of this church, ~~upon endorsement by the synod bishop,~~ by action of the Synod Council ~~of the synod on whose roster the minister is listed in the synod of which the minister of Word and Service is a member,~~ under policy developed by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council. ~~Such leave shall be reviewed annually and may be terminated by the Synod Council if it no longer meets the criteria under which it was granted.~~

a. ~~Normative Pattern~~ **Regular Leave:** ~~By annual action of the Synod Council in the synod of which a member, upon endorsement by the synod bishop, a~~ minister of Word and Service who is without a current letter of call ~~and who has requested temporary leave from active ministry,~~ may be retained on the roster of Ministers of Word and Service of this church for a maximum of ~~three-six~~ years, beginning at the completion of an active call.

b. **Study Leave:** ~~By annual action of the Synod Council in the synod of which a member, with the approval of the synod bishop and in consultation with the appropriate churchwide unit a~~ minister of Word and Service engaged in graduate study, in a field of study that will enhance service in the ministry of Word and Service in this church, may be retained on the roster of Ministers of Word and Service of this church for a maximum of six years, ~~beginning at the completion of an active call.~~

c. **Family Leave:** A minister of Word and Service ~~may request leave for family responsibilities. By annual action of the Synod Council in the synod of which a member, upon endorsement by the synod bishop, such a minister of Word and Service who is without a current letter of call and~~ who requests leave for the birth or care of a child or children of the minister of Word and Service or the care of an immediate family member (child, spouse, or parent) with a serious health condition may be retained on the roster of Ministers of Word and Service of this church ~~under policy developed by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council~~ for a maximum of six years, beginning at the completion of an active call.

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

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

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

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

a. Calls may be extended for stated periods of time and for shared-time ministry by the appropriate calling body under criteria ~~recommended-developed~~ by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council for service in a congregation, synod, or churchwide unit, in an institution or agency of this church, or in another setting in a category of work as provided by continuing resolution 7.74.A21.

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

## Chapter 8. RELATIONSHIPS

8.20. **RELATIONSHIP WITH INSTITUTIONS, ORGANIZATIONS, AND MINISTRIES/AGENCIES**

8.21.07. The seminaries shall receive churchwide and synod financial support. The amount of such support shall be determined through a consultation process involving seminaries, synods, and the appropriate churchwide unit. To implement financial support by this church, synods shall be assigned to specific seminaries in such manner as to attain equitable distribution of synods. Normally, all synods in a given region will be assigned to one seminary. Churchwide funds shall be distributed according to a formula developed by the appropriate churchwide unit and **approved-adopted** by the Church Council. Seminaries shall provide for their remaining financial requirements through tuition, fees, endowment income, and fundraising programs. Fundraising in the congregations of supporting synods, however, shall be conducted only upon approval of the synods.

8.23. **Institutions, Organizations, and Ministries/Agencies.** This church shall seek to meet human needs through encouragement of its people to individual and corporate action, and through establishing, developing, recognizing, and supporting institutions, **organizations,** and **ministries/agencies** that minister to people in their spiritual and temporal needs.

8.23.01. ~~Related institutions, Social ministry~~ organizations, **and ministries may** affiliate with this church through criteria and policies developed by the appropriate churchwide unit ~~and through membership in Lutheran Services in America.~~

8.41. This church may establish relationships with **independent** Lutheran organizations, institutions, or agencies whose purposes are compatible with its mission and ministry. Policies and procedures to create and implement these relationships shall be adopted by the Church Council.

- 8.62. Policies and procedures to implement church-to-church relationships of full communion established by action of a Churchwide Assembly may be ~~recommended~~ developed by the appropriate officer or churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council.

## Chapter 9. CONGREGATIONS

- 9.21.01. Approval of the synod bishop, as required in 9.21.d., involves the bishop's attesting that a candidate for the roster of Ministers of Word and Sacrament of this church has been approved, in conformity with the governing documents and policies of this church, through the synod candidacy process for first call as a seminary graduate or for call in this church through approval for reception into this church from another Lutheran church body or another Christian church body. Consultation with the synod bishop in accordance with the call procedures and governing documents of this church and the synod is required for the calling of pastoral leadership from among:
- a. persons on the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America; or
  - b. persons who are candidates for the roster of Ministers of Word and Sacrament who have been recommended for a congregation by the synod bishop; persons on the roster of Ministers of Word and Sacrament of this church or persons who are approved as eligible candidates for the roster of Ministers of Word and Sacrament of this church.
- 9.26. Recognition and reception of additional congregations into this church is based upon the judgment of the synod that the congregations satisfy the criteria in 9.21. and 9.25. The synod bishop shall provide for prompt reporting of such additions to the secretary of this church for addition to the roster of congregations. of transferring or independent congregations by the Evangelical Lutheran Church in America
- a. Recognition and reception of congregations newly formed by this church is accomplished by action of the Synod Council.
  - b. Recognition and reception of transferring or independent congregations is accomplished based on the judgment of the synod and action by the synod through action of the Synod Council and the Synod Assembly upon the recommendation of the Synod Council. The synod bishop shall provide for prompt reporting of such additions to the secretary of this church for addition to the roster of congregations.
    - 1)a. If a congregation is a member of another church body, the leadership of the congregation first should consult with the appropriate authorities of that church body before taking action to leave its current church body. After such consultation, leaders of the congregation should contact the synod bishop or synod staff in this church where the congregation is located.
    - 2)b. The synod bishop or synod staff where the transferring or independent congregation is located shall confer with the congregation to assure its understanding and acceptance of commitment to and affiliation with the Evangelical Lutheran Church in America.
- 9.53.03. Each congregation shall provide a copy of its governing documents to the synod. If a congregation wishes to amend any portion of its governing documents, 9.52. and the following provisions shall apply:
- a. The congregation shall follow the process for amending its governing documents set forth in its governing documents;
  - b. The congregation shall submit all proposed changes in ~~to~~ its governing documents, including changes to its constitution, bylaws, and continuing resolutions, constitution or incorporation documents of a congregation shall be referred to the synod with which the congregation is affiliated for review;
  - c. The synod shall notify the congregation of its decision to approve or disapprove the proposed changes to the congregation's constitution which do not conform to the *Model Constitution for Congregations* and notify the congregation of its decisions; such ~~the~~ changes shall go into effect upon notification that the synod has approved them; and



- d. The synod shall recognize that congregations may organize themselves in a manner which they deem most appropriate, consistent with this chapter.

## Chapter 10. SYNODS

- 10.01. **The territory of this church shall be divided into geographic synods, except the Slovak Zion Synod, the names and boundaries of which shall be determined by the Churchwide Assembly ~~and except as provided in the bylaws. The names and boundaries of the synods shall be~~ included in the bylaws.**
- 10.01.01. **Names and Boundaries.** The names and boundaries of the synods shall be:  
.....  
Synod 3.A—Western North Dakota. The counties of Adams, Billings, Bottineau, Bowman, Burke, Burleigh, Divide, Dunn, Emmons, Golden Valley, Grant, Hettinger, Kidder, Logan, McHenry, McIntosh, McKenzie, McLean, Mercer, Morton, Mountrail, Oliver, Pierce, Renville, Sheridan, Sioux, Slope, Stark, Ward, Wells, Williams in the state of NORTH DAKOTA; the congregation Leeds Evangelical, Benson County in the state of NORTH DAKOTA; the congregation Lemmon, Perkins County, and the congregation Ralph, Harding County in the state of SOUTH DAKOTA; the congregation Trinity, Wibaux County, ~~and the congregation Immanuel, Sheridan County,~~ in the state of MONTANA.
- 10.01.03. Any congregation in a border area desiring to change its synod relationship may do so upon approval of the synod assemblies of the synods concerned, ~~The synods concerned shall notify the secretary of this church of any change. Such change shall be introduced into this constitution by the secretary and which shall be reported any such change~~ to the Churchwide Assembly through the Office of the Secretary.
- 10.01.04. Within the territory of each geographic synod, the synod—in keeping with criteria, policies, and procedures proposed by the secretary of this church, after consultation with the appropriate churchwide unit or units, and approved by the Church Council—may acknowledge certain authorized worshiping communities ~~and authorized outreach ministrissueh as developing ministries, preaching points, or chapels~~ as related to the synod and part of the synod’s life and mission. Such ~~worshiping communities and outreach ministries, authorized by the synod, authorized worshiping communities of the synod~~ shall accept and adhere to the Confession of Faith and Statement of Purpose of this church, shall be served by leadership under the criteria of this church, and shall be subject to the discipline of this church.
- 10.12. Each synod shall have a constitution, which shall become effective upon ratification by the Church Council. ~~Each synod constitution shall include all mandatory provisions of the Constitution for Synods. Amendments—Each synod may amend its constitution in accordance with the required provisions in Chapter 18 of the Constitution for Synods. thereto~~ Such amendments shall be subject to like ratification, provided, however, that an amendment which is identical to a provision of the *Constitution for Synods* shall be deemed to have been ratified upon its adoption and the Church Council shall be given prompt notification of its adoption.
- 10.13. ~~The Constitution for Synods contains mandatory provisions that incorporate and record therein provisions of the constitution and bylaws of this church.—A Constitution for Synods shall be provided by this church. Amendments shall be made in accordance with the required provisions in Chapter 18 of the Constitution for Synods.—Amendments to the Constitution for Synods shall be made in the same manner as prescribed in Chapter 22 for amendments of the bylaws of this church. Non-mandatory provisions of the Constitution for Synods shall not may~~ be inconsistent with the constitution and bylaws of this church.
- 10.21.03. In strengthening interdependent relationships among congregations, synods, and the churchwide organization, and in fostering relationships with agencies and institutions affiliated with or related to this church as well as with ecumenical and global companions, the responsibilities of the synod include the following:  
.....  
b. fostering organizations for ~~youth, women, and men,~~ persons of all ages and gender identities and organizations for language or ethnic communities;

- 10.31.07. Each officer shall be a voting member of a congregation or a confirmed member of a synod-authorized worshiping community of the synod, except that the bishop need not be a member of a congregation of the synod at the time of election.
- 10.41. Each synod shall have a Synod Assembly, which shall meet at least triennially. Special meetings may be called as needed. With the exception of ministers on the rosters of synods other than their synod of residence, each member of the Synod Assembly, the Synod Council, a board, committee, or other organizational unit of the synod shall be a voting member of a congregation or a confirmed member of a synod-authorized worshiping community of the synod.
- 10.41.04. Synods may establish processes that permit representatives of worshiping communities and outreach ministries, authorized by the synod~~synod-authorized worshiping communities~~, under bylaw 10.01.04., to serve as voting members of the Synod Assembly, consistent with bylaw 10.41.01.
- 10.52. The Synod Council shall consist of the four officers of the synod and, 10 to 24 other members, at least one young adult, and with a goal of at least one youth, all elected by the Synod Assembly. Each person elected to the Synod Council shall be a voting member of a congregation or a confirmed member of a synod-authorized worshiping community of the synod, with the exception of ministers on a roster of the synod who reside outside the territory of the synod. The process for election and the term of office when not otherwise specified herein shall be determined by each synod. A member of the Church Council of the Evangelical Lutheran Church in America from the synod, 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.

## Chapter 12. CHURCHWIDE ASSEMBLY

- 12.31.01. The time and place of the Churchwide Assembly shall be determined by the Church Council. The date, time, and place for the next regular assembly normally shall be announced at the preceding assembly.
- 12.31.02. The secretary shall give notice of the date, time, and place of each regular assembly by publication thereof at least 60-30 days in advance on this church's website ~~and in this church's periodical~~. The secretary shall give written notice of a special assembly to the bishop of each synod upon the issuance of a call thereof and shall publish the same on this church's website ~~and in this church's periodical~~ at least 30 days in advance of the special assembly. Notice shall be provided to all voting members or voting members-elect not more than 30 days or less than 10 days in advance of any meeting. Notice may be provided electronically for voting members or voting members-elect who have provided email addresses, unless the voting member or voting member-elect has requested that written notice be mailed.
- 12.31.03. At least 20 days prior to an assembly the secretary shall prepare and distribute to each congregation and synod-authorized worshiping community, and to the voting members-elect a bulletin of reports. Distribution to congregations and synod-authorized worshiping communities may be accomplished by posting the report on the website of this church. Distribution to voting members-elect may be accomplished electronically to those who have provided email addresses. A written copy of the bulletin of reports will be mailed to any voting member-elect who does not provide an email address and to any congregation or voting member-elect who requests a written copy.
- 12.41.11. In electing voting members of the Churchwide Assembly, each synod shall comply with the principles of organization, commitment to inclusiveness, and interdependence as specified in Chapter 5 of this constitution, subject to the following requirements:
- a. Each synod shall elect one voting member of the Churchwide Assembly for every 6,000 baptized members in the synod.
  - b. In addition, each synod shall elect one voting member for every 50 congregations and synod-authorized worshiping communities in the synod.
  - c. The synod bishop shall serve as an ex officio member of the Churchwide Assembly and The synod bishop, who is ex officio a member of the Churchwide Assembly, shall be included in the number of the synod's voting members so determined.

d. Unless otherwise determined by the synod, the synod vice president shall serve as an *ex officio* member of the Churchwide Assembly and be included in the number of the synod's voting members.

e. If the synod has elected or identified voting members in accordance with a. through d. of this bylaw, then:

1. The synod may elect one additional voting member who is a youth or young adult at the time of the election.

2. The synod may elect one additional voting member who is a person of color and/or a person whose primary language is other than English.

3. The synod may elect one additional voting member who is a member of a historically underrepresented group.

~~In addition, each synod shall elect one additional voting member who is a youth or young adult at the time of the election and one additional voting member who is a person of color or a person whose primary language is other than English.~~ The Church Council may allocate up to 10 additional voting members among synods, but no single synod may be allocated more than two additional voting members. The secretary shall notify each synod of the number of assembly members it is to elect.

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

12.41.13. Each voting member of the Churchwide Assembly shall be a voting member of a congregation ~~or a confirmed member of a synod-authorized worshiping community~~ of this church. Any such voting member (except a rostered minister described in 7.42. or 7.72.) shall cease to be a member of the assembly if no longer a voting member of a congregation ~~or a confirmed member of a synod-authorized worshiping community~~ of this church within the synod from which elected.

### Chapter 13. OFFICERS

#### 13.10. OFFICERS

13.11. The officers shall be the presiding bishop, vice president, secretary, and treasurer. Each officer shall be a voting member of a congregation ~~or a confirmed member of a synod-authorized worshiping community~~ of this church.

### Chapter 14. CHURCH COUNCIL

14.15. The Church Council of the Evangelical Lutheran Church in America may remove for cause a voting member of the Church Council, other than ~~an officer~~ ~~the presiding bishop, secretary, vice president,~~ or ~~the~~ chair of the Conference of Bishops, at a duly held regular meeting by the affirmative vote of two-thirds of the voting members of the Church Council, provided that at least 30 days written notice shall be given to each voting member of the Church Council that removal of a specific member of the Church Council will be on the agenda for such a meeting. The Church Council may remove an advisory member for cause, provided notice has been given as specified in this provision, by a majority vote of the voting members of the council.

14.32. With the exception of ~~the officers, the chair of the Conference of Bishops, and~~ youth members, Church Council members shall be elected by the Churchwide Assembly to one six-year term and shall not be eligible for consecutive re-election. Youth members of the Church Council shall be elected by the Churchwide Assembly to one three-year term.

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

## Chapter 15. CHURCHWIDE ADMINISTRATION AND OFFICES

15.21. The churchwide organization shall employ staff according to churchwide policies. ~~Processes shall be developed that will assure that in selecting staff there will be a balance of women and men, persons of color and/or persons whose primary language is other than English, members of historically underrepresented groups, laypersons, and persons on the rosters of this church. This balance is to be evident in the selection of staff consistent with the inclusive policy of this church.~~

## Chapter 16. UNITS OF THE CHURCHWIDE ORGANIZATION

16.11. A unit of the churchwide organization is assigned leadership responsibility for major, identified portions of the mission and ministry of this church.

~~16.11.01. In conformity with this church's commitment to inclusive practice, churchwide units and offices will assure that staff include a balance of women and men, persons of color and persons whose primary language is other than English, laypersons, and rostered ministers.~~

## Chapter 17. SEPARATELY INCORPORATED MINISTRIES

17.11. Each member of the board of directors of a separately incorporated ministry described in this chapter shall be a voting member of a congregation ~~or a confirmed member of a synod-authorized worshiping community~~ of this church, unless otherwise specified in the constitution, bylaws, and continuing resolutions of this church.

17.50.04. This organization shall have a board of 15 members elected by the assembly of this organization for one three-year term with eligibility for one consecutive re-election. At least 10 percent of the members of this board shall be persons of color ~~and~~ or persons whose primary language is other than English. No more than one elected board member shall be from any one synod. Board members are to serve with the perspective of the interdependence of all units of this church. In the event of a vacancy, the board shall elect a member to serve the balance of the term. The Conference of Bishops shall select one bishop to serve as an advisory member of the board of this organization with voice but not vote.

## Chapter 19. NOMINATIONS AND ELECTION PROCESS

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

~~19.01.03. The vice president shall be elected by the Churchwide Assembly by ecclesiastical ballot. The election shall proceed without oral nominations. If the first ballot for vice president does not result in an election, it shall be~~

considered a nominating ballot. On the first ballot, three fourths of the votes cast shall be required for election. Thereafter only such votes as are cast for persons who received votes on the first or nominating ballot shall be valid. On the second ballot, three fourths of the votes cast shall be required for election. On the third ballot, the voting shall be limited to the seven persons (plus ties) receiving the greatest number of votes on the second ballot, and two thirds of the votes cast shall be required for election. On the fourth ballot, voting shall be limited to the three persons (plus ties) receiving the greatest number of votes on the previous ballot, and 60 percent of the votes cast shall elect. On subsequent ballots, voting shall be limited to the two persons (plus ties) receiving the greatest number of votes on the previous ballot, and a majority of the votes cast shall elect.

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

**19.03.01** Persons appointed to fill vacancies of less than half of a term may be subsequently elected to full terms provided that they are otherwise eligible for the positions to which they are elected.

**19.03.02** The terms of office of persons elected to regular terms . . . .

**19.04.** Each nominee for an elected position in the churchwide organization and each nominee for a position on the board of a separately incorporated ministry elected by the Churchwide Assembly shall be a voting member of a congregation or a confirmed member of a synod-authorized worshipping community of this church, unless otherwise specified in the constitution, bylaws, and continuing resolutions of this church.

**19.04.01.** Each voting member of the Church Council, board, or committee of the churchwide organization shall cease to be a member of the Church Council, board, or committee if no longer a voting member of a congregation or a confirmed member of a synod-authorized worshipping community of this church.

**19.05.04.** Except for the full-time salaried officers, no employee of the churchwide organization of this church or its regions, or its separately incorporated ministries, nor any individual under contract to any unit of the churchwide organization or a region, or a separately incorporated ministry shall be eligible for nomination or election to or membership voting or advisory membership on the Church Council, an advisory committee, a board of a separately incorporated ministry, the Committee on Appeals, the Committee on Discipline, the Committee of Hearing Officers, or the churchwide Nominating Committee during the period of employment or service under contract, except the full-time salaried officers as specified in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. (For purposes of this provision only, "employee of the churchwide organization" includes employees of synods whose compensation is provided, in whole or in part, and who are supervised, in whole or in part, by the churchwide organization pursuant to a purchase of services agreement specific to that employee. It does not include employees of congregations, synods, or other ministries merely because their compensation may be paid, in whole or in part, from funds received as grants from synods or the churchwide organization. The phrase "under contract" shall not mean short-term contracts for specific, limited purposes, usually not to exceed six months.)

**19.05.06.** A member of a committee, a board of a separately incorporated ministry, or an at-large member of the Church Council who has served less than half a term is not deemed to have served a regular term and is eligible for election to a full term if the member otherwise satisfies the criteria for election.

## Chapter 20. CONSULTATION, DISCIPLINE, APPEALS, AND ADJUDICATION

**20.22.04.** When there are indications that a cause for discipline may exist the bishop of the synod may request, and the general counsel of this church shall make available, resources for investigation into the facts surrounding the alleged misconduct that gives rise to the potential cause for discipline. Such resources may include, but are not limited to, contracting for investigatory expertise in matters of alleged sexual abuse, forensic accounting in matters of alleged fiscal misconduct, or other specialized professional services. The cost of such investigation shall generally be borne one-half by the churchwide organization and one-half by the synod of the bishop requesting such investigation. Procedural details relating to such investigations shall be set forth in the Rules Governing Disciplinary Proceedings. ~~and b~~ Before charges are made, efforts shall be made by the bishop of the synod to resolve the situation by consultation; for assistance in these efforts, the bishop may utilize either a consultation panel or an advisory panel as herein provided:

.....

b. When requested by the synod bishop, an advisory panel consisting of five persons (three rostered ministers and two laypersons) appointed by the synod bishop shall assist the synod bishop in efforts to resolve a situation by consultation. Up to two members of the advisory panel appointed by the synod bishop may be members of church bodies with which this church is in a relationship of full communion.

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

.....

b. for such physical or mental disability or incapacity as renders the officer incapable of performing the duties of office; or

## Chapter 22.

### AMENDMENTS, BYLAWS, AND CONTINUING RESOLUTIONS

**22.11.** This constitution may be amended only through either of the following procedures:

- a. The Church Council may propose an amendment, with an official notice to be sent to the synods at least six months prior to the next regular meeting of the Churchwide Assembly. The adoption of such an amendment shall require a two-thirds vote of the members of the next regular meeting of the Churchwide Assembly present and voting.
- b. An amendment may be proposed by 25 or more members of the Churchwide Assembly. The proposed amendment shall be referred to the Committee of Reference and Counsel for its recommendation, following which it shall come before the assembly. If such an amendment is approved by a two-thirds vote of members present and voting, such an amendment shall become effective only if adopted-ratified unchanged by a two-thirds vote of the members present and voting at the next regular Churchwide Assembly or a subsequent two-thirds vote of the members of the Church Council taken within 12 months of adoption by the Churchwide Assembly.

**22.21.** Bylaws not in conflict with this constitution may be adopted or amended at any regular meeting of the Churchwide Assembly when presented in writing by the Church Council or by at least 15 members of the assembly. An amendment proposed by at least 15 members of the assembly shall immediately be submitted to the Committee of Reference and Counsel for its recommendation. An amendment may not be placed before the assembly for action sooner than the day following its presentation to the assembly unless it has been presented in writing by the Church Council and sent with an official notice to the synods at least six months prior to the next regular meeting of the Churchwide Assembly. A two-thirds vote of the members present and voting shall be necessary for adoption.

# CONSTITUTION FOR SYNODS

## Chapter 1.

### NAME AND INCORPORATION

§1.21. The seal of this synod is *(describe)*.

## Chapter 6.

### STATEMENT OF PURPOSE

†S6.04.02. It is the goal of this synod that at least 10 percent of the voting members of the Synod Assembly, Synod Council, committees, and organizational units of this synod be members of historically underrepresented groups, in addition to the 10 percent representation of persons of color and/or persons whose primary language is other than English in †S6.04. The Synod Council shall establish a plan for implementing this goal.

## Chapter 7.

### SYNOD ASSEMBLY

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

- .....
- b. Lay voting members shall be elected by each congregation or its council as follows: A minimum of one lay member elected ~~by~~ from each congregation with fewer than 175 baptized members and a minimum of two lay members elected ~~by~~ from each congregation with 175 or more baptized members ~~related to this synod~~, typically one of whom shall be a man and one of whom shall be a woman, ~~shall be voting members~~. The Synod Council shall establish a formula to provide additional lay representation from congregations on the basis of the number of baptized members in the congregation. The Synod Council shall seek to ensure that, as nearly as possible, at least 45 percent of the lay members of the assembly shall be women and, as nearly as possible, at least 45 percent shall be men.

†S7.21.02. If a special Synod Assembly is called and voting members at the previous assembly are unable to serve as voting members, where permitted by state law, the congregation ~~through the Congregation Council or its council~~ may elect new members who shall continue to serve until the next regular 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 ~~or a confirmed member of a synod-authorized worshiping community~~ of this synod.

S7.26. This synod may establish processes through the Synod Council that permit ~~persons currently serving as synod-authorized ministers and/or~~ lay representatives of authorized worshiping communities ~~and/or outreach ministries~~ of the synod, which have been authorized under ELCA bylaw 10.01.04., to serve as voting members of the Synod Assembly, consistent with †S7.21.

## Chapter 8.

### OFFICERS

†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 ~~or a confirmed member of a synod-authorized worshiping community~~ of this synod. The vice president shall not receive a salary for the performance of the duties of the office.

†S8.31. The secretary shall be elected by the Synod Assembly. The secretary shall be a voting member of a congregation ~~or a confirmed member of a synod-authorized worshiping community~~ of this synod. The secretary may be either a layperson or a rostered minister.

- †S8.41. The treasurer may be elected by the Synod Assembly or may be appointed by the Synod Council. The treasurer shall be a voting member of a congregation or a confirmed member of a synod-authorized worshiping community of this synod. The treasurer may be either a layperson or a rostered minister.
- †S8.51. The terms of office of the officers of this synod shall be as follows:  
 . . . .  
 c. The treasurer of this synod shall be [elected] [appointed] [elected or appointed] to a term of \_\_\_\_\_ years and may be [re-elected] [reappointed] [re-elected or reappointed]. The treasurer shall serve until a successor takes office.
- †S8.52. The terms of the officers shall begin on the first day of [ (name of month) ][the (ordinal number) month] following election or, in special circumstances, at a time designated by the Synod Council.
- †S8.53. Each officer shall be a voting member in a congregation or a confirmed member of a synod-authorized worshiping community of this synod, except that the bishop need not be a member of a congregation of this synod at the time of election.

**Chapter 9.**  
**NOMINATIONS AND ELECTIONS**

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

**Chapter 10.**  
**SYNOD COUNCIL**

- †S10.01. The Synod Council, consisting of the four officers of the synod, and 10 to 24 other members, and at least one young adult/youth and with a goal of at least one young adult/youth, shall be elected by the Synod Assembly.
- a. Each person elected to the Synod Council shall be a voting member of a congregation or a confirmed member of a synod-authorized worshiping community of this synod, with the exception of ministers on a roster of this synod who reside outside the territory of this synod. The process for election and the term of office when not otherwise provided shall be specified in the bylaws. A member of the Church Council of the Evangelical Lutheran Church in America, unless otherwise elected as a voting member of the Synod Council, may serve as an advisory member of the Synod Council with voice but not vote.
- S10.05. No eElected members of the Synod Council shall not receive compensation solely for such their service as council members.
- S10.06. No person related to a synod staff member shall be eligible for nomination to or membership on the Synod Council [or the following synod committees: \_\_\_\_\_]. For this purpose, a related individual is one who, with respect to the synod employee, is a spouse, parent, son, daughter, sibling, uncle, aunt, niece, nephew, grandparent, grandchild, including corresponding members of blended families and in-laws (parent, son, daughter, or sibling of a spouse, spouse of a sibling, or the parent or sibling of the spouse of a sibling).
- S10.0607. If a member of the Synod Council ceases to meet . . . .



**S10.0708.** The composition of the Synod Council . . . .

**S10.0809.** *Robert's Rules of Order*, latest edition, shall govern . . . .

**†S10.0809.01.** To the extent permitted by state law, meetings of the Synod Council and its committees may be held through electronic means such as the Internet or by telephone, as long as there is an opportunity for simultaneous aural communication or its equivalent, electronically or by telephone conference, and To the extent permitted by state law, Notice of all meetings may be provided electronically.

## Chapter 11.

### COMMITTEES

(names of other organizational units)

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

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

## Chapter 13.

### CONGREGATIONS

**†S13.01.** Each congregation, except those certified as congregations of the Evangelical Lutheran Church in America by the uniting churches, prior to being listed in the roster of congregations of this synod, shall adopt the *Model Constitution for Congregations* or one acceptable to this synod that is not in contradiction to the constitution and bylaws of the Evangelical Lutheran Church in America.

- . . . . .
- c. **Recognition and reception.** Recognition and reception of additional congregations into this church of transferring or independent congregations by the Evangelical Lutheran Church in America is based upon the judgment of the synod that the congregations satisfy the criteria of 9.21. and 9.25. ~~is based on the judgment of the synod and action by the synod through the Synod Council and Synod Assembly.~~ The synod bishop shall provide for prompt reporting of such additions to the secretary of this church for addition to the roster of congregations.
- 1) Recognition and reception of congregations newly formed by this church is accomplished by action of the Synod Council.
  - 2) Recognition and reception of transferring or independent congregations is accomplished by the action of the Synod Assembly upon the recommendation of the Synod Council.
    - a. If a congregation is a member of another church body, the leadership of the congregation first should consult with the appropriate authorities of that church body before taking action to leave its current church body. After such consultation, leaders of the congregation should contact the synod bishop or synod staff in this church where the congregation is located.
    - b. The synod bishop or synod staff where the transferring or independent congregation is located shall confer with the congregation to assure its understanding and acceptance of commitment to and affiliation with the Evangelical Lutheran Church in America.

**S13.40.** Synod-authorized Worshiping Communities and Outreach Ministries

**S13.41.** Authorized worshiping Worshiping communities and outreach ministries, authorized by the synod and acknowledged under criteria, policies, and procedures approved by the Church Council of the Evangelical Lutheran Church in America, shall accept and adhere to the Confession of Faith and Statement of Purpose of this church, shall be served by leadership under the criteria of this church, and shall be subject to the discipline of this church.

**Chapter 14.**  
**ROSTERED MINISTERS**

- †S14.12. Consistent with the faith and practice of the Evangelical Lutheran Church in America,
- a. Every minister of Word and Sacrament shall:  
.....
    - 8) speak publicly to the world in solidarity with the poor and oppressed, **proclaiming God's love for the world**, advocating dignity, justice, and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, and embracing and welcoming racially and ethnically diverse populations.
- †S14.18. The provisions for termination of the mutual relationship between a minister of Word and Sacrament and a congregation shall be as follows:  
.....
  - d. In the case of alleged local difficulties that imperil the effective functioning of the congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the pastor and then to the congregation. **In the bishop's sole discretion, the bishop's committee may also present, as may be appropriate, either a report or report summary to the pastor and to the congregation together with the recommendations.** The recommendations of the bishop's committee must address whether the pastor's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by the congregation and by the pastor, if appropriate. If the pastor and congregation agree to carry out such recommendations, no further action need be taken by the synod.
- †S14.32. Consistent with the faith and practice of the Evangelical Lutheran Church in America, every minister of Word and Service shall:  
.....
  - c. Speak publicly to the world in solidarity with the poor and oppressed, **proclaiming God's love for the world**, advocating dignity, justice, and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, and embracing and welcoming racially and ethnically diverse populations;

**Chapter 17.**  
**CONSULTATION AND ADJUDICATION**

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

**Chapter 18.**  
**AMENDMENTS, BYLAWS, AND CONTINUING RESOLUTIONS**

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

- †S18.13. Other amendments to this constitution may be adopted by this synod through either of the following procedures:
- a. Introduced with the support of at least \_\_\_\_\_ voting members and having been approved by a two-thirds vote of the voting members present and voting at a regular meeting of the Synod Assembly, an amendment may be ~~adopted-ratified~~ unchanged by a two-thirds vote at the next regular meeting of the Synod Assembly.

---

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

### Chapter 1. NAME AND INCORPORATION

- C1.02. For the purpose of this constitution and the accompanying bylaws ~~and continuing resolutions~~, the congregation of (insert full legal name) is hereinafter designated as “this congregation.”

### Chapter 5. POWERS OF THE CONGREGATION

- \*C5.04. This congregation ~~or the Congregation Council~~ shall elect from among ~~its-the~~ voting members ~~of the congregation~~ laypersons to serve as voting members of the Synod Assembly as well as persons to represent it at meetings of any conference, cluster, coalition, or other area subdivision of which it is a member. The number of persons to be elected ~~by this congregation~~ and other qualifications shall be as prescribed in guidelines established by the (insert name of synod) of the Evangelical Lutheran Church in America.

### Chapter 7. PROPERTY OWNERSHIP

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

### Chapter 9. ROSTERED MINISTER

- \*C9.02. ~~This congregation may call as a pastor only~~Only:  
a. a member of the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America; or  
b. a candidate for the roster of Ministers of Word and Sacrament who has been recommended for this congregation by the synod bishop;  
~~may be called as a pastor of this congregation.~~
- \*C9.03. Consistent with the faith and practice of the Evangelical Lutheran Church in America,  
a. Every minister of Word and Sacrament shall:  
.....  
8) speak publicly to the world in solidarity with the poor and oppressed, ~~proclaiming God's love for the world~~, advocating dignity, justice, and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, and embracing and welcoming racially and ethnically diverse populations.
- \*C9.06. At a time of pastoral vacancy, an interim pastor ~~shall-may~~ be appointed by the bishop of the synod with the consent of this congregation or the Congregation Council.

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

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

.....

c. Speak publicly to the world in solidarity with the poor and oppressed, **proclaiming God's love for the world**, advocating dignity, justice, and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, and embracing and welcoming racially and ethnically diverse populations;

## **Chapter 10. CONGREGATION MEETING**

**C10.02.** A special Congregation Meeting may be called by the [senior] pastor, the Congregation Council, or the president<sup>1</sup> of this congregation, and shall be called by the president of this congregation upon the written request of **number** \_\_\_\_\_ percent of the voting members. The president of the Congregation Council shall call a special meeting upon request of the synod bishop. The call for each special meeting shall specify the purpose for which it is to be held, and no other business shall be transacted.

## **Chapter 15. DISCIPLINE OF MEMBERS AND ADJUDICATION**

**\*C15.01.** Persistent and public denial of the Christian faith, willful or criminal conduct grossly unbecoming a member of the Church of Christ, continual and intentional interference with the ministry of this congregation, or willful and repeated harassment or defamation of member(s) of this congregation is sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation and repentance will be attempted following Matthew 18:15–17, proceeding through these successive steps, as necessary:

a) private counsel and admonition by the pastor,

b) censure and admonition by the pastor in the presence of two or three witnesses,

c) written referral of the matter by the Congregation Council to the vice president of the synod, who will refer it to a consultation panel drawn from the Consultation Committee of the synod, and

d) written referral of the matter by the consultation panel to the Committee on Discipline of the synod.

If, for any reason, the pastor is unable to administer the admonitions required by ~~paragraphs~~ a. and b. hereof, those steps may be performed by another pastor chosen by the Executive Committee of the Congregation Council.

**\*C15.11.** When there is disagreement between or among factions within this congregation on a substantive issue which cannot be resolved by the parties, members of this congregation may petition the synod bishop for consultation after informing the president [vice president] of this congregation of their intent to do so. The synod bishop shall seek a timely resolution of the dispute. If the issue relates directly to the pastor, the bishop may begin the process in **§S14.18\*C9.05**.d. In all other matters, if the bishop's consultation fails to resolve the issue, the bishop shall refer the matter to the Consultation Committee of the synod, which shall undertake efforts to find an appropriate solution. If the Consultation Committee's efforts fail to resolve the dispute, the entire matter shall be referred to the Synod Council for adjudication by whatever process the Council deems necessary. The Synod Council's decision shall be final.

## **Chapter 16. AMENDMENTS**

**\*C16.02.** An amendment to this constitution, proposed under \*C16.01., shall:

---

<sup>1</sup> *If the pastor is the president of the congregation, the congregation may consider giving the vice president the authority to call a special meeting.*

- a. be approved at any legally called meeting of this congregation by a majority vote of those voting members present and voting; and
- b. be ratified ~~without change~~unchanged at the next regular meeting of this congregation by a two-thirds vote of those voting members present and voting.

## Chapter 20.

### PARISH AUTHORIZATION

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

- \*C20.04. Any one of the congregations of the parish may terminate their relationship with the pastor as provided in ~~†S14.18~~\*C9.05.d. ~~of the synod constitution of the synod named in \*C6.01.~~ In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.
- \*C20.05. Any one of the congregations of the parish may terminate their relationship with a minister of Word and Service as provided in ~~†S14.43~~\*C9.25.d. ~~of the synod constitution of the synod named in \*C6.01.~~ In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.