

**Evangelical Lutheran Church
in America**

**CONSTITUTIONS,
BYLAWS, AND
CONTINUING RESOLUTIONS**

as adopted by the Constituting Convention
of the Evangelical Lutheran Church in America
(April 30, 1987)

and

as amended by the
First (1989), Second (1991), Third (1993), Fourth (1995),
Fifth (1997), Sixth (1999), Seventh (2001),
and Eighth (2003) Churchwide Assemblies
of the Evangelical Lutheran Church in America

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INTRODUCTION

The basic commitments of the Evangelical Lutheran Church in America (ELCA) as well as its organizational outline, structural patterns, and rubrics or governance are reflected by this church’s constitutions, bylaws, and continuing resolutions. These documents govern our life together as congregations, synods, and churchwide organization.

We find ourselves consulting these documents again and again to guide, direct, and assist us. They express for us, as a church body, our understanding of the nature of the Church. They contain our statement of purpose and our principles of organization. They define our membership, our relationship, and our operating patterns.

While we recognize that the Evangelical Lutheran Church in America officially began operation as a church body on January 1, 1988, through the uniting of three predecessor bodies, we realize that our roots reach deep into the soil of the Lutheran Confessions and we draw constant nourishment from our biblical foundations. So we really are an old church with a different name and structure from those of our three predecessor church bodies. We are a particular gathering of people known as the Evangelical Lutheran Church in America. As part of the whole Church of Christ, we announce and declare the teachings of the prophets and apostles and seek to confess in our time the faith once delivered to the saints.

THE REV. LOWELL G. ALMEN
Secretary

Day of commemoration
for Henry Melchior Muhlenberg
October 7, 2003

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

ARTICLE I

The name of this corporation shall be:
EVANGELICAL LUTHERAN CHURCH IN AMERICA

ARTICLE II

This corporation (sometimes referred to herein as the “Church”) is organized and shall be operated exclusively for religious purposes and, specifically, this corporation shall constitute a Lutheran church the purpose and functions of which shall be as specified from time to time in the Constitution of this corporation.

Within the framework and limitations of these purposes, the Church is organized and shall be operated exclusively for religious purposes and shall have such powers as are consistent with the foregoing purposes, including the power to acquire and receive funds and property of every kind and nature whatsoever, whether by purchase, conveyance, lease, gift, grant, bequest, legacy, devise, or otherwise, and to own, hold, expend, make gifts, grants, and contributions of, and to convey, transfer, and dispose of any funds and property and the income therefrom for the furtherance of the purposes of the Church hereinabove set forth, or any of them, and to lease, mortgage, encumber, and use the same, and such other powers which are consistent with the foregoing purposes and which are afforded to the Church by the Minnesota Nonprofit Corporation Act, and by any future laws amendatory thereof and supplementary thereto.

ARTICLE III

This corporation shall not afford pecuniary gain, incidentally or otherwise, to its members, and no part of the net income or net earnings of this corporation shall inure to the benefit of any member, private shareholder, or individual, and no substantial part of its activities shall consist of carrying on propaganda, or otherwise attempting to influence legislation. This corporation shall not participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of any candidate for public office.

This corporation shall not lend any of its assets to any officer, director, or member of this corporation or guarantee to any other person the payment of a loan made to an officer, director, or member of this corporation.

All references in these Articles of Incorporation to sections of the Internal Revenue Code of 1954 include any provisions thereof adopted by future amendments thereto and any cognate provisions in future Internal Revenue codes to the extent such provisions are applicable to this corporation.

ARTICLE IV

The period of duration of corporate existence of this corporation shall be perpetual.

ARTICLE V

The registered office of this corporation shall be located at 405 Second Avenue South, Minneapolis, Minnesota 55401.

ARTICLE VI

The management and direction of the business of the Church shall be vested in a board of directors which shall be known and designated as the Church Council. The terms of office, method of election, powers, authorities, and duties of the members of the Church Council, the time and place of their meetings, and such other regulations with respect to them as are not inconsistent with the express provisions of these Articles of Incorporation shall be as specified from time to time in the bylaws of the Church, which shall be known to the Church as its Constitution.

ARTICLE VII

The Church Council shall consist of thirty-seven (37) persons. The names and addresses of the members of the Church Council and the expiration date of their respective terms of office, are as follows:

<u>Name</u>	<u>Post Office Address</u>	<u>Expiration Date of Term— Close of the Church's Convention in the Year:</u>
<i>Names of the members of the Church Council elected at the Constituting Convention of the Evangelical Lutheran Church in America and, in the case of the treasurer, at the first meeting of the Church Council, were filed in the Restated Articles of Incorporation and appear in the minutes of the convention and council meeting.</i>		

ARTICLE VIII

Except as otherwise provided in the Church's Constitution, the Church shall have no members with voting rights.

Whenever, and to the extent that, the Church's Constitution provides that voting rights shall be exercised by individuals elected, appointed, or otherwise designated to serve as voting members of an assembly of the Church, then the voting members

of this Church for purposes of the laws of the State of Minnesota shall be the persons who were most recently seated as the voting members of an assembly of the Church.

Members of congregations of the Church shall not, as such, have any voting rights with respect to this corporation.

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.

ARTICLE X

Members of this corporation shall not be personally liable for the payment of any debts or obligations of this corporation of any nature whatsoever, nor shall any of the property of the members be subject to the payments of the debts or obligations of this corporation to any extent whatsoever.

ARTICLE XI

This corporation shall have no capital stock.

ARTICLE XII

These Articles of Incorporation may be amended from time to time in the manner prescribed by law.

ARTICLE XIII

In the event of the dissolution of this corporation any surplus property remaining after the payment of its debts shall be disposed of by transfer to one or more corporations, associations, institutions, trusts, community chests, or foundations organized and operated exclusively for one or more of the purposes of this corporation, and described in section 501(c)(3) of the Internal Revenue Code of 1954, in such proportions as the Church Council of this corporation shall determine. Notwithstanding any provision herein to the contrary, nothing herein shall be construed to affect the disposition of property and assets held by this corporation upon trust or other condition, or subject to any executory or special limitation, and such property, upon dissolution of this corporation, shall be transferred in accordance with the trust, condition, or limitation imposed with respect to it.

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

CODIFICATION EXPLANATION

The provisions of the Constitution, the Bylaws, and the Continuing Resolutions that pertain to the same matter have been placed together. This arrangement requires that the three types of material be identified by means other than physical separation.

The three types of provisions are identified by the following devices:

- a. All constitutional provisions are printed in **bold** face type.
- b. All bylaw provisions are printed in light face type.
- c. All continuing resolutions are printed in *italic* type.
- d. A numerical codification indicates general subject, constitutional provisions, bylaw provisions, and continuing resolutions.

Major sections are designated as chapters. The chapters are numbered 1 through 22. The chapter designation becomes the first number in the codification sequence and is followed by a period. Thus provisions in “Chapter 14. Church Council” are preceded by “14.”.

General subjects normally are titled and designated by a number ending in zero. Thus, a subdivision of Chapter 16 that contains provisions regarding the divisions and commissions is codified and titled “16.10. Divisions.” When subjects that are bylaw provisions only are titled, the same principles would apply within the third number sequence, e.g., 16.11.10. Division Boards.

Constitutional provisions are codified with two sets of numbers, the chapter number and a two-digit number preceding the second period in the codification. Thus, one constitutional provision related to the presiding bishop of this church is 13.21.

Bylaw provisions are codified with three sets of numbers, the chapter number, the related constitutional provision number, and a two-digit number. Thus, one bylaw provision related to the secretary of this church is codified as 13.41.01.

Continuing resolutions also are codified with three sets of numbers except that the third set is preceded by a capital letter. Thus, a continuing resolution might be numbered 16. to designate the chapter; 16.11. to designate the subject matter within the chapter; and the third set might be numbered A01. in the codification 16.11.A01. to indicate by the “A” that it is the first continuing resolution regarding that subject and by the “01” that it was adopted in 2001.

When many related provisions are parts of a unit that are considered inseparable, they are normally lettered “a,” “b,” “c,” etc. When related provisions are part of a unit but considered separable, such as a list of duties, they are normally numbered in sequence. If the related provisions cannot be clearly judged to be separable or inseparable, preference will be given to a number sequence.

If chapter numbers are considered the major sequence number, constitution numbers as a fraction of the chapter number, and bylaw numbers as a fraction of the constitution number, then the codification can be said to provide a progressive sequence. Thus, 8.31. will precede 8.33.01., and 9.21.01. will precede 9.22.

Provisions in the *Constitution for Synods* are prefaced with “S,” and those in the *Model Constitution for Congregations* with “C.”

In these governing documents, with the exception of the “Restated Articles of Incorporation,” “Church” with a capital letter is used in references to the one, holy, catholic, and apostolic Church. In references to the Evangelical Lutheran Church in America, the words “church” and “this church” in lower case letters are employed.

PREAMBLE

Convinced that the Holy Spirit is leading us toward unity in the household of God, we of The American Lutheran Church, The Association of Evangelical Lutheran Churches, and the Lutheran Church in America give thanks to God for the faith we share together in Christ and, by adopting this constitution, form a new church, in the name of the Father, the Son, and the Holy Spirit.

Chapter 1.

NAME, INCORPORATION, SEAL, AND LOCATION

- 1.01. The name of this church shall be Evangelical Lutheran Church in America.**
- 1.01.01.** The name, Evangelical Lutheran Church in America, as used herein, refers, in general references, to this whole church, including its three primary expressions—congregations, synods, and the churchwide organization. The name, Evangelical Lutheran Church in America, is also the name of the corporation of the churchwide organization to which specific references are made herein.
- 1.02. For the purposes of this constitution and the accompanying bylaws, the Evangelical Lutheran Church in America is hereafter designated as “this church.”**
- 1.11. This church shall be incorporated.**

- 1.21.01.** The seal of this church is a cross 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.



- 1.31.01.** The principal office of this church shall be located in Chicago, Illinois.
- 1.31.02.** This church may maintain offices in such other locations as the Churchwide Assembly or the Church Council shall determine.

Chapter 2.

CONFESSION OF FAITH

- 2.01.** This church confesses the Triune God, Father, Son, and Holy Spirit.
- 2.02.** This church 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.
- 2.03.** This church 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.
- 2.04.** This church accepts the Apostles', Nicene, and Athanasian Creeds as true declarations of the faith of this church.

- 2.05. This church 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.
- 2.06. This church 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.
- 2.07. This church confesses the Gospel, recorded in the Holy Scripture and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God's mission in the world.

Chapter 3.

NATURE OF THE CHURCH

- 3.01. All power in the Church belongs to our Lord Jesus Christ, its head. All actions of this church are to be carried out under his rule and authority.
- 3.02. 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 4.

STATEMENT OF PURPOSE

- 4.01. 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.
- 4.02. To participate in God's mission, this 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.

4.03. To fulfill these purposes, this church shall:

- a. Receive, establish, and support those congregations, ministries, organizations, institutions, and agencies necessary to carry out God's mission through this church.
- b. Encourage and equip all members to worship, learn, serve, and witness; to fulfill their calling to serve God in the world; and to be stewards of the earth, their lives, and the Gospel.
- c. Call forth, equip, certify, set apart, and oversee an ordained ministry of Word and sacrament and such other forms of ministry that will enable this church to fulfill its mission.
- d. Seek unity in faith and life with all Lutherans within its boundaries and be ready to enter union negotiations whenever such unity is manifest.
- e. Foster Christian unity by participating in ecumenical activities, contributing its witness and work and cooperating with other churches which confess God the Father, Son, and Holy Spirit.
- f. Develop relationships with communities of other faiths for dialogue and common action.
- g. Lift its voice in concord and work in concert with forces for good, to serve humanity, cooperating with church and other groups participating in activities that promote justice, relieve misery, and reconcile the estranged.
- h. Produce and publish worship materials for corporate, family, and personal use and resources for education, witness, service, and stewardship.
- i. Establish and maintain theological seminaries, schools, colleges, universities, and other educational institutions to equip people for

- leadership and service in church and society.
- j. Assure faithfulness to this church's confessional position and purpose and provide for resolution of disputes.
 - k. Publish a periodical and make use of the arts and public communication media to proclaim the Gospel and to inform, interpret, and edify.
 - l. Study social issues and trends, work to discover the causes of oppression and injustice, and develop programs of ministry and advocacy to further human dignity, freedom, justice, and peace in the world.
 - m. Establish, support, and recognize institutions and agencies that minister to people in spiritual and temporal needs.
 - n. Work with civil authorities in areas of mutual endeavor, maintaining institutional separation of church and state in a relation of functional interaction.
 - o. Provide structures and decision-making processes for this church that foster mutuality and interdependence and that involve people in making decisions that affect them.
 - p. Support the mission of this church by arranging for and encouraging financial contributions for its work, management of its resources, and processes of planning and evaluation.
 - q. Provide fair personnel practices and adequate compensation, benefits, and pensions for those employed by this church.

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:
- a. The congregations, synods, and churchwide organization shall act in accordance with the Confession of Faith set forth in Chapter 2 of this constitution and with the Statement of Purpose set forth in Chapter 4.
 - b. This church, in faithfulness to the Gospel, is committed to be an inclusive church in the midst of division in society. Therefore, in their organization and outreach, the congregations, synods, and churchwide units of this church shall seek to exhibit the inclusive unity that is God's will for the Church.
 - c. The congregations, synods, and churchwide organization of this church are interdependent partners sharing responsibly in God's

mission. In an interdependent relationship primary responsibility for particular functions will vary between the partners. Whenever possible, the entity most directly affected by a decision shall be the principal party responsible for decision and implementation, with the other entities facilitating and assisting. Each congregation, synod, and separately incorporated unit of the churchwide organization, as well as the churchwide organization itself, is a separate legal entity and is responsible for exercising its powers and authorities.

- d. Each congregation and synod in its governing documents shall include the Confession of Faith and Statement of Purpose and such structural components as are required in this constitution. Beyond these common elements, congregations and synods shall be free to organize in such manner as each deems appropriate for its jurisdiction.
- e. The Church Council shall establish an ongoing process to review the function of the structural organization of this church and to develop recommendations for changes.
- f. Except as otherwise provided in this constitution and bylaws, the churchwide organization, through the Church Council, shall establish processes that will ensure that at least 60 percent of the members of its assemblies, councils, committees, boards, and other organizational units shall be laypersons; that as nearly as possible, 50 percent of the lay members of these assemblies, councils, committees, boards, or other organizational units shall be female and 50 percent shall be male, and that, where possible, the representation of ordained ministers shall be both female and male. 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 roster of ordained ministers. This balance is to be evident in terms of both executive staff and support staff consistent with the inclusive policy of this church.
- g. Except as otherwise provided in this constitution and bylaws, synods, through synodical councils, shall establish processes that will ensure that at least 60 percent of the members of their assemblies, councils, committees, boards, and other organizational units shall be laypersons; that, as nearly as possible, 50 percent of the lay members of their assemblies, councils, committees, boards, or other organizational units shall be female and 50 percent shall be male, and that, where possible,

the representation of ordained ministers shall be both female and male. Each synod shall establish processes that will enable it to reach a minimum goal that 10 percent of the membership of its assemblies, councils, committees, boards, or other organizational units be persons of color and/or persons whose primary language is other than English.

- h. Leaders in this church should demonstrate that they are servants by their words, life-style, and manner of leadership. Leaders in this church will recognize their accountability to the Triune God, to the whole Church, to each other, and to the organization of this church in which they have been asked to serve.**
- i. As a steward of the resources that God has provided, this church shall organize itself to make the most effective use of its resources to accomplish its mission.**
- j. Each assembly, council, committee, board, commission, task force, or other body of the churchwide organization or any churchwide 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.**

5.01.A87. *It shall be a goal of this church that within 10 years of its establishment its membership shall include at least 10 percent people of color and/or primary language other than English.*

5.01.B87. *With regard to the minimum goal that 10 percent 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, it is understood that initially there may be exceptions to the attainment of this goal based on the makeup of the membership within a particular synod. By the time of its second assembly, each synod shall establish a plan to attain this goal within 10 years.*

5.01.C00. *The term, “persons of color and/or persons whose primary language is other than English,” shall be understood to mean African American, Black, Arab and Middle Eastern, Asian and Pacific Islander, Latino, American Indian, and Alaska Native people. This definition, however, shall not be understood as limiting this church’s commitment to inclusive participation in its life and work.*

Chapter 6.

MEMBERSHIP

- 6.01.** The members of this church shall be the baptized members of its congregations.
- 6.02.** The voting members of this church shall be those persons elected to serve as members of the Churchwide Assembly. Membership in a congregation does not, in itself, confer voting rights in this corporation.

Chapter 7.

MINISTRY

7.10. MINISTRY OF THE BAPTIZED PEOPLE OF GOD

- 7.11.** This church affirms the universal priesthood of all its baptized members. In its function and its structure this church commits itself to the equipping and supporting of all its members for their ministries in the world and in this church. It is within this context of ministry that this church calls some of its baptized members for specific ministries in this church.

7.20. ORDAINED MINISTRY

- 7.21.** Within the people of God and for the sake of the Gospel ministry entrusted to all believers, God has instituted the office of ministry of Word and sacrament. To carry out this ministry, this church calls and ordains qualified persons.
- 7.22.** An ordained minister of this church shall be a person whose commitment to Christ, soundness in the faith, aptness to preach, teach, and witness, and educational qualifications have been examined and approved in the manner prescribed in the documents of this church; who has been properly called and ordained; who accepts and adheres to the Confession of Faith of this church; who is diligent and faithful in the exercise of the ministry; and whose life and conduct are above reproach. An ordained minister shall comply with the constitution of this church.
- 7.23.** The standards for acceptance and continuance of pastors in the ordained ministry of this church shall be set forth in the bylaws.
- 7.24.** The secretary of this church shall maintain a roster containing the names of ordained ministers who qualify on the basis of constitutional provisions 7.22., 7.23., 7.30., and 7.31., and related bylaws.
- 7.30. STANDARDS FOR ORDAINED MINISTERS**
- 7.31.** In accordance with the description of an ordained minister stated in 7.22., pastors as ordained ministers shall be governed by the following standards, policies, and procedures.
 - 7.31.10. Basic Standards**
 - 7.31.11.** Persons admitted to and continued in the ordained ministry of this church shall satisfactorily meet and maintain the following, as defined by this

church in its governing documents and in policies developed by the Division for Ministry, reviewed by the Conference of Bishops, and adopted by the Church Council:

- a. commitment to Christ;
- b. acceptance of and adherence to the Confession of Faith of this church;
- c. willingness and ability to serve in response to the needs of this church;
- d. academic and practical qualifications for ministry, including leadership abilities and competence in interpersonal relationships;
- e. commitment to lead a life worthy of the Gospel of Christ and in so doing to be an example in faithful service and holy living;
- f. receipt and acceptance of a letter of call; and
- g. membership in a congregation of this church.

7.31.12. 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;
 - 5) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
 - 6) witness to the Kingdom of God in the community, in the nation, and abroad; and
 - 7) 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) impart knowledge of this church and its wider ministry through distribution of its periodicals and other publications;
 - 4) endeavor to increase the support given by the congregation to the work of the churchwide organization and synod of the Evangelical Lutheran Church in America;
 - 5) install regularly elected members of the Congregation Council; and
 - 6) with the council, administer discipline.

7.31.13. Preparation and Approval. Except as provided below, a candidate for ordination as a pastor shall have:

- a. membership in a congregation of this church and registration, by its pastor and council, of the candidate with the candidacy committee;
- b. been endorsed by and under the guidance and supervision of the appropriate committee for at least a year before being approved for ordination;
- c. satisfactorily completed the requirements for the Master of Divinity degree from an accredited theological school in North America, including practical preparation as defined by the Division for Ministry such as internship and supervised clinical work;
- d. completed at least one year of residency in a seminary of this church, except when waived by the appropriate committee in consultation with the faculty of a seminary of this church;
- e. been recommended for approval by the faculty of a seminary of this church;
- f. been examined and approved by the appropriate committee according to criteria, policies, and procedures established by the Division for Ministry after consultation with the Conference of Bishops and adoption by the Church Council;
- g. 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 by the Division for Ministry, reviewed by the Conference of Bishops, and adopted by the Church Council; and
- h. received and accepted a properly issued and attested letter of call.

7.31.14. Admission under Other Circumstances. Candidates for ordination as pastors or for reception who by reason of (a) age and prior experience, (b) ordination in another Lutheran church body, or (c) ordination in another Christian church body, whether in North America or abroad, shall be approved by the appropriate committee for ordination or reception according to criteria, policies, and procedures recommended by the Division for Ministry, reviewed by the Conference of Bishops, and adopted by the Church Council. In preparing such criteria, policies, and procedures, the Division for Ministry shall consult with the seminaries of this church and, as appropriate, with the Division for Outreach, the Division for Global Mission, and the Commission for Multicultural Ministries.

7.31.15. Reinstatement. A person seeking reinstatement to the ordained ministry as a pastor, whether having served previously in this church or in one of its predecessor bodies, shall be registered by the pastor and council of the congregation of which such a person is a member with the candidacy committee of the synod in which the person was last rostered or, upon mutual agreement of the synodical bishops involved, after consultation with and approval by the secretary of this church, with the candidacy committee of the synod of current residence. The person then shall be interviewed, examined, and approved by the appropriate committee under

criteria, policies, and procedures recommended by the Division for Ministry, 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 pastor in this church.

- 7.31.16. On Leave from Call.** An ordained minister of this church, serving under a regularly issued letter of call, who leaves the work of that ministry without accepting another regularly issued letter of call, may be retained on the roster of ordained ministers of this church, upon endorsement by the synodical bishop, by action of the Synod Council in the synod of which the ordained minister is a member, under policy developed by the Division for Ministry, reviewed by the Conference of Bishops, and adopted by the Church Council. Thereafter, by annual action of the Synod Council in the synod of which a member, upon endorsement by the synodical bishop, an ordained minister who is without a current letter of call may be retained on the roster of ordained ministers of this church for a maximum of three years beginning at the completion of an active call. Exception to this limit for the purpose of serving the needs of this church may be granted by the Synod Council in the synod of current roster after having received approval by the Conference of Bishops.

By annual action of the Synod Council in the synod of which a member, with the approval of the synodical bishop and in consultation with the Division for Ministry, an ordained minister engaged in graduate study, in a field of study that will enhance service in the ordained ministry, may be retained on the roster of ordained ministers of this church for a maximum of six years. Exception to this limit for the purpose of serving the needs of this church may be granted by the Synod Council in the synod of current roster after having received approval by the Conference of Bishops.

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

7.40. CALLS FOR ORDAINED MINISTERS

- 7.41. Letters of Call.** Letters of call to ordained ministers of this church or properly approved candidates for this church's roster of ordained ministers shall be issued in keeping with this church's constitutions,

bylaws, and continuing resolutions as well as policies regarding such calls developed by the Division for Ministry, reviewed by the Conference of Bishops, and approved by the Church Council.

7.41.10. General Categories

7.41.11. Service under Call. An ordained minister of this church shall serve under a letter of call properly extended by a congregation, a synodical council or assembly, the Church Council, or the Churchwide Assembly.

- a. Calls may be extended for stated periods of time and for shared-time ministry by the appropriate calling body under criteria recommended by the Division for Ministry, reviewed by the Conference of Bishops, and adopted by the Church Council.
- b. Ordained ministers serving as interim pastors appointed by the synodical bishop may serve under a letter of call, according to policies developed by the Division for Ministry, reviewed by the Conference of Bishops, and approved by the Church Council. A call to interim ministry shall be a term call extended by the Synod Council upon recommendation of the synodical bishop.

7.41.12. Initial Call to Congregational Service. Because the responsibilities of the office of the ordained ministry are most clearly focused in the congregational pastorate, experience in which is deemed by this church to be invaluable for all other ordained service, initial service of at least three years shall be in the parish ministry in this church. Exceptions may be granted under criteria and procedures recommended by the Division for Ministry, reviewed by the Conference of Bishops, and adopted by the Church Council.

7.41.13. Calls to Non-Congregational Service. Calls to serve in institutions, agencies, and other entities inside and outside this church may be extended where there is an identifiable relationship of the work to the purpose of the ordained ministry. Such calls involve, for example, the care of the Word, the administration of the sacraments, pastoral care, and activities closely associated with those tasks including oversight in the church and in inter-Lutheran and inter-church agencies and institutions. Care is to be exercised so that positions which can be filled adequately and appropriately by the laity in the church and in the world not be filled by ordained ministers for their convenience or status. Synodical councils and the Church Council may seek the advice of the Conference of Bishops in specific situations.

7.41.14. Non-Stipendiary Service Under Call. When it is deemed necessary for the mission needs of this church, a letter of call may be issued by the Synod Council—according to criteria, policies, and procedures recommended by the Division for Ministry, reviewed by the Conference of Bishops, and adopted by the Church Council—to an ordained minister 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 that can be filled adequately and appropriately by the

laity in the church and in the world not be filled by ordained ministers for their convenience, status, or personal preference. A call to non-stipendiary service is to be reviewed at least annually by the Synod Council and continued only as warranted for the ministry needs of this church. Such a call may be terminated by the Synod Council when it is deemed to be fulfilling no longer the mission needs of this church.

- 7.41.15. Calls to Serve in Unusual Circumstances.** When it is deemed to be in the interests of this church in the care of the Gospel, ordained ministers 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 ordained ministry. Such calls may be extended by a Synod Council or the Church Council upon recommendation by the Conference of Bishops according to criteria and procedures recommended by the Division for Ministry, reviewed by the Conference of Bishops, and adopted by the Church Council. Such calls shall be reviewed annually.
- 7.41.16. Calls in Predecessor Church Bodies.** Accountability for specific calls to service extended in predecessor church bodies shall be exercised according to the policies and procedures of this church.
- 7.41.17. Retirement.** Ordained ministers may retire upon attainment of age 60, or after 30 years on the roster of ordained ministers of this church or one of its predecessor bodies, or may be designated as disabled, and continue to be listed on the roster of ordained ministers of this church, upon endorsement by the synodical bishop, by action of the Synod Council in the synod in which the ordained minister is listed on the roster. The policies and procedures for granting retired status or for designation of disability on the roster of ordained ministers shall be developed by the Division for Ministry, reviewed by the Conference of Bishops, and adopted by the Church Council.
- 7.41.18. Retention of Roster Records.** When an ordained minister is removed from that roster of this church, the roster record shall be retained by the secretary of this church and the synodical bishop shall invite the person at the time of removal to provide, annually, appropriate current information for the roster record.
- 7.42. Each pastor on the roster of ordained ministers of this church shall be related to that synod:**
- a. to which the congregation issuing the call to the ordained minister is related;**
 - b. which issues a letter of call to the ordained minister;**
 - c. on whose roster the ordained minister was listed at the time of the issuance of a letter of call from the Church Council;**
 - d. on whose roster the ordained minister, if a seminary teacher or administrator, was assigned by the seminary board, subject to approval by the synodical bishop and Synod Council of each affected synod, to promote proportionate representation of**

faculty and administration in each synod of its region;

- e. on whose roster the ordained minister was listed at the time of the issuance of a call to federal chaplaincy or on the roster of the synod of current address, if approved by the synodical bishop and received by the Synod Council;**
- f. in which the ordained minister, upon receiving a call from this church, serves as a deployed staff person or on the roster of one of the synods to which the ordained minister is deployed;**
- g. on whose roster the ordained minister was listed when placed on leave from call;**
- h. on whose roster the ordained minister, if designated as disabled, was listed when last called or the synod of current address, upon application by the ordained minister for transfer and the mutual agreement of the synodical bishops involved after consultation with and approval by the secretary of this church; or**
- i. on whose roster the ordained minister, if granted retired status, was listed when last called or the synod of current address, upon application by the ordained minister for transfer and the mutual agreement of the synodical bishops involved after consultation with and approval by the secretary of this church.**

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

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

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

7.43. **A letter of call issued by a Synod Council or the Church Council to an ordained minister of this church shall be either co-terminus with, or not longer than, the duration of the service or employment for which the call was issued. With the exception of persons designated as employees of a synod or the churchwide organization, such a call does not imply any employment relationship or contractual obligation in regard to employment on the part of the Synod Council or Church Council issuing the call. The recipient of such a call**

remains subject to this church's standards and discipline for ordained ministry, as contained in this church's constitution, bylaws, and continuing resolutions and in the policy and procedure documents of this church.

7.43.01. When the Synod Council or the Church Council, as the calling source, determines that the service or employment no longer fulfills the criteria under which a call was issued, the Synod Council or the Church Council shall vacate the call and direct that the individual be placed on leave from call or, if such leave status is not granted, the individual shall be removed from the roster of ordained ministers.

7.44. **Each synod shall maintain a roster containing the names of those ordained ministers who are related to it on the basis of 7.42. of this constitution.**

7.44.A96. Sources of Calls for Ordained Ministers

a. Principles for Sources of Calls

- 1) *A "call" is an action by expressions of this church, as specified in the "Table of Sources of Calls for Ordained Ministers," through which a person is asked to serve in a specified ministry. Such an action is attested in a "letter of call."*
- 2) *Interdependence within the body of this church suggests that any action of one of its entities affects other entities. Therefore, interdependence is expressed in all calls extended within this church.*
- 3) *A call expresses a relationship between this church and the person called involving mutual service, support, accountability, supervision, and discipline.*
- 4) *A letter of call is issued by that expression of this church authorized to do so which is most directly involved in accountability for the specified ministry.*
- 5) *Decisions on calls for ministries in unusual circumstances not otherwise provided for but deemed to be in the interests of this church's care of the Gospel are referred to the Conference of Bishops for recommendation to the appropriate calling body.*

b. Table of Sources of Calls for Ordained Ministers

<i>Setting</i>	<i>Calling Body</i>
<i>1.0 Congregational ministry</i>	
<i>1.1 Single congregation</i>	<i>Congregation meeting</i>
<i>1.11 Pastor</i>	
<i>1.12 Senior Pastor</i>	
<i>1.13 Associate/assistant pastor</i>	
<i>1.14 Co-pastor</i>	
<i>1.15 Shared-time pastor</i>	
<i>1.2 Multiple-congrega-</i>	<i>Congregation meetings, act-</i>

	<i>tion parish</i>	<i>ing on a common proposal</i>
1.21	<i>Pastor</i>	
1.22	<i>Other pastoral arrangements</i>	
1.3	<i>Coalition and cluster ministry</i>	<i>Synod Council</i>
1.4	<i>Congregations beyond ELCA</i>	
1.41	<i>Independent Lutheran congregation</i>	<i>Synod Council</i>
1.42	<i>Overseas independent Lutheran congregation</i>	<i>Church Council upon request of board of Division for Global Mission</i>
1.43	<i>Other</i>	<i>Synod Council or Church Council</i>
1.5	<i>Interim pastor</i>	<i>Synod Council</i>
1.6	<i>Pastor in a congregation under development</i>	<i>Synod Council</i>
2.0	<i>Synodical ministry</i>	
2.1	<i>Bishop</i>	<i>Synod Assembly</i>
2.2	<i>Assistant to bishop</i>	<i>Synod Council</i>
2.3	<i>Shared staff by two or more synods</i>	<i>One of the participating synods</i>
2.4	<i>Synod staff partially supported by grants from churchwide units</i>	<i>Synod Council</i>
3.0	<i>Regional ministry</i>	
3.1	<i>Staff</i>	<i>Church Council</i>
3.2	<i>Shared synodical-churchwide staff</i>	<i>Church Council</i>
4.0	<i>Churchwide ministry</i>	
4.1	<i>Presiding bishop and secretary</i>	<i>Churchwide Assembly</i>
4.2	<i>Editor of the church periodical</i>	<i>Churchwide Assembly</i>
4.3	<i>Treasurer</i>	<i>Church Council</i>
4.4	<i>Presiding bishop's staff</i>	<i>Church Council</i>
4.5	<i>Office staff</i>	<i>Church Council</i>
4.6	<i>Division and commission staff</i>	<i>Church Council upon request of appropriate board or committee</i>
4.7	<i>Other churchwide</i>	<i>Church Council</i>

	<i>unit staff</i>	
5.0	<i>Chaplaincy and institutional ministry</i>	
5.1	<i>Institution/agency related or unrelated to a synod</i>	<i>Synod Council</i>
5.2	<i>Institution/agency related to more than one synod</i>	<i>Synod Council of one of the synods</i>
5.3	<i>ELCA-related institution/agency</i>	<i>Church Council upon request of board of Division for Church in Society</i>
5.4	<i>Federal agency/institution</i>	<i>Church Council</i>
5.5	<i>Military</i>	<i>Church Council</i>
6.0	<i>Campus ministry</i>	
6.1	<i>Staff</i>	<i>Synod Council</i>
7.0	<i>Church camp ministry</i>	
7.1	<i>Staff</i>	<i>Synod Council</i>
8.0	<i>Ecumenical ministry</i>	
8.1	<i>Related to a synod</i>	<i>Synod Council</i>
8.2	<i>Related to more than one synod</i>	<i>Synod Council of one of the synods</i>
8.3	<i>National/international organization</i>	<i>Church Council</i>
9.0	<i>Inter-Lutheran ministry</i>	
9.1	<i>Related to a synod</i>	<i>Synod Council</i>
9.2	<i>Related to more than one synod</i>	<i>Synod Council of one of the synods</i>
9.3	<i>National/International</i>	<i>Church Council</i>
10.0	<i>Educational ministry</i>	
10.1	<i>ELCA-related seminary chaplain/faculty/administrator</i>	<i>Church Council upon request of board of Division for Ministry</i>
10.2	<i>Chaplain/faculty/administrator of a seminary unrelated to ELCA</i>	<i>Church Council upon request of board of Division for Ministry</i>
10.3	<i>ELCA-related college chaplain/faculty/administrator</i>	<i>Synod Council of the synod in which college is located</i>
10.4	<i>Chaplain/faculty/administrator of a college unrelated to ELCA</i>	<i>Synod Council of the synod in which college is located</i>

10.5 <i>ELCA-related school chaplain/faculty/administrator</i>	<i>Congregation of which the school is a part or, if related to several congregations, Synod Council of the synod in which the school is located</i>
10.6 <i>Chaplain/faculty of a school unrelated to ELCA</i>	<i>Synod Council of the synod in which college is located</i>
10.7 <i>Director/staff of a continuing education center related to Division for Ministry</i>	<i>Synod Council in which the main office of center is located upon the request of the board of Division for Ministry</i>
11.0 <i>Missionary ministry</i>	
11.1 <i>Outside United States</i>	<i>Church Council upon request of board of Division for Global Mission</i>
11.2 <i>Within United States</i>	<i>Church Council upon request of board of Division for Outreach</i>
12.0 <i>Other</i>	
12.1 <i>Non-stipendiary service under call</i>	<i>Synod Council upon approval by the Conference of Bishops</i>
12.2 <i>Unusual ministries (as in conjunction with occupations and in approved situations not otherwise specified)</i>	<i>Synod Council or Church Council upon recommendation by Conference of Bishops</i>

7.45. In keeping with the historic discipline and practice of the Lutheran church and to be true to a sacred trust inherent in the nature of the pastoral office, no ordained minister of this church shall divulge any confidential disclosure received in the course of the care of souls or otherwise in a professional capacity, nor testify concerning conduct observed by the ordained minister while working in a pastoral capacity, except with the express permission of the person who has given confidential information to the ordained minister or who was observed by the ordained minister, or if the person intends great harm to self or others.

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

a. The call of a congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment which, except in the case of the death of the pastor, shall be terminated only 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
 - 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 the synod, the bishop in his or her sole discretion may investigate—or when such allegations have been brought to the synod’s attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of the congregation, the bishop shall investigate—such conditions personally in company with a committee of two ordained ministers and one layperson.
- c. In case of alleged physical or mental incapacity competent medical testimony shall be obtained. When such disability is evident, the synodical bishop with the advice of the committee shall declare the pastorate vacant. Upon the restoration of a disabled pastor to health, the bishop of the synod shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another 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 synodical bishop together with the committee described in 7.46.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 synodical bishop, either (a) by a two-thirds majority vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a simple majority vote of the

voting members present and voting where the bishop and the committee recommended termination of the call.

- e. **If, in the course of proceedings described in 7.46.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.**
- f. **If, following the appointment of the committee described in 7.46.b. or d., it should become apparent that the pastoral office cannot be conducted effectively in the congregation(s) being served by the ordained minister due to local conditions, the synodical bishop may temporarily suspend the pastor from service in the congregation(s) without prejudice and with pay provided through a joint synodical and churchwide fund and with housing provided by the congregation(s).**

7.47. Ordained ministers shall be subject to discipline as set forth in Chapter 20 of this constitution and bylaws.

7.47.01. After the organization of this church, no person who belongs to any organization other than the Church which claims to possess in its teachings and ceremonies that which the Lord has given solely to the Church shall be ordained or otherwise received into the ministry of this church, nor shall any person so ordained or otherwise received by this church be retained in its ministry who subsequently joins such an organization. Violation of this rule shall make such minister subject to discipline.

7.50. OFFICIAL ROSTERS OF LAYPERSONS

7.51. This church may establish rosters of laypersons on which the names may be listed of those who qualify for such according to the bylaws and continuing resolutions of the Evangelical Lutheran Church in America.

7.51.01. The standards of acceptance and continuance on the lay rosters of this church as defined herein shall be included in the bylaws.

7.51.02. Under constitutional provision 7.51., those persons previously rostered as commissioned church staff (The American Lutheran Church), deaconesses (The Association of Evangelical Lutheran Churches), deaconesses (The American Lutheran Church), deacons (The Association of Evangelical Lutheran Churches), lay professional leaders (the Lutheran Church in America), and commissioned teachers (The Association of Evangelical Lutheran Churches) shall be retained as associates in ministry of this church (except for removals in accord with the governing documents, criteria, policies, and procedures of this church) in the recognized category of ministry of their previous church body for as long as they are in good standing according to the standards, criteria, policies, and procedures of this church. Accountability for

specific calls shall be exercised according to the policies and procedures of this church. Such persons may resign from the roster or may elect to be rostered in another ELCA category by meeting the appropriate criteria established by the Evangelical Lutheran Church in America and by relinquishing their previous roster category.

7.51.03. Associates in Ministry. The lay roster of associates in ministry, in addition to those listed in bylaw 7.51.02., shall be composed of:

- a. those certified during the period of January 1, 1988, through September 1, 1993, as associates in ministry of the Evangelical Lutheran Church in America; and
- b. those who are approved, subsequent to September 1, 1993, as associates in ministry in this church according to the standards, criteria, and requirements of this church, as defined herein and in policies and procedures developed by the Division for Ministry, reviewed by the Conference of Bishops, and adopted by the Church Council. Upon receipt and acceptance of a valid, regularly issued letter of call, a newly approved candidate shall be commissioned, according to the proper service orders of this church, as an associate in ministry.

Accountability for specific calls shall be exercised according to the policies and procedures of this church. Such persons may resign from the roster or may elect to be rostered in another ELCA category by meeting the appropriate criteria established by the Evangelical Lutheran Church in America and by relinquishing their previous roster category.

7.51.04. Deaconesses of the Evangelical Lutheran Church in America. This church shall maintain a lay roster of the deaconesses of the Evangelical Lutheran Church in America of those consecrated— according to the standards, criteria, policies, and procedures of this church—for such service within the life of this church.

- a. A newly approved candidate for this roster shall be consecrated, according to the proper service orders of this church, as a deaconess of the Evangelical Lutheran Church in America.
- b. As used herein, references to deaconesses of the Evangelical Lutheran Church in America mean members of the Deaconess Community of the Evangelical Lutheran Church in America listed on this church's official rosters of laypersons as deaconesses of the Evangelical Lutheran Church in America.
- c. Unless otherwise specified, all constitutional provisions, bylaws, and continuing resolutions regarding associates in ministry of the Evangelical Lutheran Church in America, except for the service order of consecration as a deaconess of the Evangelical Lutheran Church in America, shall apply to those on the lay roster of this church as deaconesses of the Evangelical Lutheran Church in America.

7.51.05. Diaconal Ministers. This church shall establish and maintain a lay roster of diaconal ministers who shall be called by this church to

positions that exemplify the servant life and that seek to equip and motivate others to live it. Such diaconal ministers shall seek in a great variety of ways to empower, equip, and support all the baptized people of God in the ministry of Jesus Christ and the mission of God in the world.

- a. Upon approval as a candidate for the lay roster of diaconal ministers, and upon receipt and acceptance of a valid, regularly issued letter of call, the candidate shall be consecrated, according to the service orders of this church, as a lay diaconal minister.
- b. All constitutional provisions, bylaws, and continuing resolutions regarding associates in ministry of the Evangelical Lutheran Church in America shall apply to those on the lay roster of diaconal ministers of the Evangelical Lutheran Church in America.

7.52. The standards of acceptance and continuance as associates in ministry, deaconesses, and diaconal ministers of this church shall be included in the bylaws.

7.52.10. Standards for the Official Rosters of Laypersons

7.52.11. Associates in ministry, deaconesses, and diaconal ministers shall be governed by the following:

a. Basic Standards. Persons approved and continued as associates in ministry, deaconesses, and diaconal ministers of this church shall satisfactorily meet and maintain the following:

- 1) commitment to Christ;
- 2) acceptance of and adherence to the Confession of Faith of this church;
- 3) willingness and ability to serve in response to the needs of this church;
- 4) academic and practical qualifications for the position, including leadership abilities and competence in interpersonal relationships;
- 5) commitment to lead a life worthy of the Gospel of Christ and in so doing to be an example in faithful service and holy living;
- 6) receipt and acceptance of a letter of call; and
- 7) membership in a congregation of this church.

b. Preparation and Approval of an Associate in Ministry. A candidate for approval and commissioning as an associate in ministry of this church shall have:

- 1) membership in a congregation of this church and registration by its pastor and council of the candidate with the synodical candidacy committee;
- 2) been under the guidance and supervision of the appropriate synodical candidacy committee for at least a year before being approved by the committee;
- 3) completed the academic and practical preparation for the work

for which approved according to criteria and procedures established by the Division for Ministry;

- 4) been examined and approved by the appropriate synodical candidacy committee according to procedures established by the Division for Ministry after consultation with the seminaries and colleges of this church which offer programs designed to prepare persons for rostered service as associates in ministry;
- 5) received and accepted a properly issued and attested letter of call; and
- 6) been commissioned, according to the rite of this church, as an associate in ministry.

c. Preparation and Approval of a Deaconess of the Evangelical Lutheran Church in America. A candidate for approval and consecration as a deaconess of this church shall have:

- 1) membership in a congregation of this church and registration by its pastor and council of the candidate with the appropriate synodical candidacy committee;
- 2) been under the guidance and supervision of the synodical candidacy committee for at least a year before being approved by the synodical candidacy committee for call and consecration;
- 3) completed the academic and practical preparation for the work for which approved according to criteria and procedures established by the Division for Ministry;
- 4) been examined and approved by the synodical candidacy committee according to procedures established by the Division for Ministry after consultation with the Deaconess Community of the ELCA and the seminaries and colleges of this church that offer programs designed to prepare persons for rostered service as deaconesses of the Evangelical Lutheran Church in America;
- 5) completed the required formation component, as defined by the Division for Ministry, in the preparation program for service as a deaconess of this church;
- 6) been recommended for call by the bishop of the synod to which the candidate has been assigned in accordance with procedures recommended by the Division for Ministry, reviewed by the Conference of Bishops, and adopted by the Church Council;
- 7) received and accepted a properly issued and attested letter of call; and
- 8) been consecrated, according to the rite of this church, as a deaconess.

d. Preparation and Approval of a Diaconal Minister. A candidate for approval and consecration as a diaconal minister of this church shall have:

- 1) membership in a congregation of this church and registration by

its pastor and council of the candidate with the appropriate synodical candidacy committee;

- 2) been granted entrance to candidacy by and under the guidance and supervision of the synodical candidacy committee for at least a year before being approved by the synodical candidacy committee for consecration;
- 3) demonstrated competence in at least one area of specialization or expertise according to guidelines established by the Division for Ministry;
- 4) completed a first theological degree from an accredited theological school in North America;
- 5) completed approved work in Lutheran studies as defined by the Division for Ministry;
- 6) completed the required formation component in the preparation program for Lutheran diaconal ministry as defined by the Division for Ministry;
- 7) completed an approved internship or practical preparation as defined by the Division for Ministry;
- 8) been examined and approved by the appropriate synodical candidacy committee according to criteria, policies, and procedures established by the Division for Ministry for such candidacy;
- 9) been recommended for call by the bishop of the synod to which the candidate has been assigned in accordance with procedures recommended by the Division for Ministry, reviewed by the Conference of Bishops, and adopted by the Church Council;
- 10) received and accepted a properly issued and attested letter of call; and
- 11) been consecrated, according to the rite of this church, as a diaconal minister.

7.52.12. 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 Division for Ministry.

7.52.13. Reinstatement. A person seeking reinstatement as an associate in ministry, whether having previously served in this church or in one of its predecessor bodies, a deaconess of the Evangelical Lutheran Church in America, or a diaconal minister of the Evangelical Lutheran Church in America shall be endorsed by the pastor and council of the congregation of this church of which such a person is a member and interviewed, examined, and approved for reinstatement by the appropriate committee under criteria and procedures recommended by the Division for Ministry, 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 in this church.

- a. Any person removed from a lay roster that existed on December 31, 1987, as cited herein, who seeks to return to active lay roster status must apply for acceptance to a roster of this church under the standards, criteria, policies, and procedures that apply to the official rosters of laypersons, as identified in 7.51.03.b. This same requirement shall apply to those certified during the period of January 1, 1988, through September 1, 1993, as associates in ministry of this church.
- b. A person on the roster of a previous church body or a person on the roster of associates in ministry of this church, who was so certified during the period between January 1, 1988, and September 1, 1993, shall relinquish such a roster category upon being received and accepted on another roster of this church.

7.52.14. Maintenance of Lay Rosters. Each synod shall maintain a lay roster or rosters containing the names of those related to the synod as members of its congregations who have been approved as associates in ministry, deaconesses of the Evangelical Lutheran Church in America, and diaconal ministers— according to the bylaws and continuing resolutions of this church—for inclusion on such a roster or rosters.

- a. To promote proportionate representation of the rostered faculty and administration in each synod related directly to a seminary of this church, an associate in ministry, a deaconess, or a diaconal minister, if a seminary teacher or administrator, shall be assigned to the roster of a synod by the seminary board, subject to approval by the synodical bishop and Synod Council of the affected synod.
- b. For the sake of the ministry and mission needs of this church, an associate in ministry, a deaconess, or a diaconal minister, serving under call in the churchwide organization, may be assigned to a synod, at the initiative of the presiding bishop of this church, upon mutual agreement of the synodical bishops involved after consultation with and approval by the secretary of this church.

7.52.15. The secretary of this church shall maintain the lay rosters of associates in ministry, deaconesses of the Evangelical Lutheran Church in America, and diaconal ministers on which shall be listed the names of those who qualify according to the constitution, bylaws, and continuing resolutions of this church.

7.52.20. Service as Rostered Laypersons

7.52.21. Service under Call. An associate in ministry, deaconess, or diaconal minister of this church shall serve under a letter of call properly extended by a congregation, synod, or the churchwide organization.

- a. A call may be extended either for indefinite or stated periods of time by the appropriate calling body 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 7.52.A95.

- b. Regular, valid calls in this church shall be in accord with criteria, policies, and procedures recommended by the Division for Ministry, reviewed by the Conference of Bishops, and adopted by the Church Council.
- c. An associate in ministry, deaconess, or diaconal minister serving under call to a congregation shall be a member of that congregation. In a parish of multiple congregations, an associate in ministry, deaconess, or diaconal minister shall be a member of one of the congregations being served.

7.52.22. On Leave from Call. An associate in ministry, deaconess, or diaconal minister of this church, serving under a regularly issued letter of call, who leaves the work of that call without accepting another regularly issued letter of call, may be retained on the roster of associates in ministry, deaconesses, or diaconal ministers of this church, upon endorsement by the synodical bishop, by action of the Synod Council in the synod of which a member, under policy developed by the Division for Ministry, reviewed by the Conference of Bishops, and adopted by the Church Council. Thereafter, by annual action of the Synod Council in the synod of which a member, upon endorsement by the synodical bishop, an associate in ministry, deaconess, or diaconal minister who is without a current letter of call may be retained on the roster of associates in ministry, deaconesses, or diaconal ministers of this church for a maximum of three years beginning at the completion of an active call. Exception to this limit for the purpose of serving the needs of this church may be granted by the Synod Council of current roster after having received approval by the Conference of Bishops.

By annual action by the Synod Council in the synod of which a member, with the approval of the synodical bishop and in consultation with the Division for Ministry, an associate in ministry, deaconess, or diaconal minister engaged in graduate study appropriate for service in this church may be retained on the roster of associates in ministry, deaconesses, or diaconal ministers of this church for a maximum of six years. Exception to this limit for the purpose of serving the needs of this church may be granted by the Synod Council in the synod of current roster after having received approval by the Conference of Bishops.

7.52.23. Issuance and Termination of the Call of an Associate in Ministry, Deaconess, or Diaconal Minister.

- a. A letter of call to an associate in ministry, deaconess, or diaconal minister of this church shall be issued in keeping with this church's constitutions, bylaws, and continuing resolutions as well as policies regarding such calls developed by the Division for Ministry, reviewed by the Conference of Bishops, and approved by the Church Council.

In the case of alleged local difficulties that imperil the effective functioning of the congregation, the synodical bishop, following appropriate consultation, will recommend a course of action to the pastor, lay rostered person, and the congregation. If they agree to carry out such recommendations, no further action shall be taken by the synod. If any party fails to assent, the congregation may dismiss the associate in ministry, deaconess, or diaconal minister under criteria, policies, and procedures recommended by the Division for Ministry, reviewed by the Conference of Bishops, and adopted by the Church Council.

- b. A letter of call issued by a Synod Council or the Church Council to an associate in ministry, deaconess, or diaconal minister of this church shall be either co-terminus with, or not longer than the duration of, the service or employment for which the call was issued. With the exception of persons designated as employees of a synod or the churchwide organization, such a call does not imply any employment relationship or contractual obligation in regard to employment on the part of the Synod Council or Church Council issuing the call. The recipient of such a call remains subject to this church's standards and discipline for associates in ministry, deaconesses, and diaconal ministers, as contained in this church's constitution, bylaws, and continuing resolutions and in the policy and procedure documents of this church.
- c. When the Synod Council or the Church Council, as the calling source, determines that the service or employment no longer fulfills the criteria under which a call was issued, the Synod Council or the Church Council shall vacate the call and direct that the individual be placed on leave from call or, if such leave status is not granted, the individual shall be removed from the roster of associates in ministry, deaconesses, or diaconal ministers.

7.52.24. Retirement. Associates in ministry, deaconesses, and diaconal ministers may retire upon attainment of age 60, or after 30 years on a roster of this church or one of its predecessor bodies, or may be designated as disabled, and continue to be listed on the roster of associates in ministry, deaconesses, or diaconal ministers of this church, upon endorsement by the synodical bishop, by action of the Synod Council in the synod in which the associate in ministry, deaconess, or diaconal minister is listed on the roster. The policies and procedures for granting retired status or for designation of disability on the official rosters of laypersons shall be developed by the Division for Ministry, reviewed by the Conference of Bishops, and adopted by the Church Council.

7.52.25. Retention of Roster Records. When an associate in ministry, deaconess, or diaconal minister is removed from the roster of this church, the roster record shall be retained by the secretary of this church and the synodical bishop shall invite the person at the time of removal to provide, annually, appropriate current information for the roster record.

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

7.52.A95. Sources of Calls for Associates in Ministry, Deaconesses, and Diaconal Ministers

- a. *The principles governing sources of calls for ordained ministers shall, as appropriate, also govern sources of letters of call for associates in ministry, deaconesses, and diaconal ministers of the Evangelical Lutheran Church in America.*
- b. *Table of Sources of Call for Associates in Ministry, Deaconesses, and Diaconal Ministers*

Setting	Calling Body
1.0 Congregational ministry	
1.1 Single congregation	Congregation meeting
1.2 Multiple-congregation parish	Congregation meetings, acting on a common proposal
1.3 Coalition and clusters	Synod Council
1.4 Other congregations	
1.41 Independent Lutheran	Synod Council
1.42 Other	Synod Council
2.0 Synodical ministry	
3.0 Regional ministry	Church Council
4.0 Churchwide ministry	
4.1 Presiding bishop's/office's staff	Church Council
4.2 Division and commission staff	Church Council upon request of appropriate division board or commission committee of the churchwide organization
4.3 Other churchwide organization's staff	Church Council
5.0 Social ministry institutions	
5.1 Institution/agency related or unrelated to a synod	Synod Council
5.2 Institution/agency	Synod Council of one of the

	<i>related to more than one synod</i>	<i>synods</i>
5.3	<i>ELCA-related institution/agency</i>	<i>Church Council upon request of board of Division for Church in Society Church Council</i>
5.4	<i>Other</i>	
6.0	<i>Campus ministry</i>	
6.1	<i>Staff</i>	<i>Synod Council</i>
7.0	<i>Church camp ministry</i>	
7.1	<i>Staff</i>	<i>Synod Council</i>
8.0	<i>Ecumenical ministry</i>	
8.1	<i>Related to a synod</i>	<i>Synod Council</i>
8.2	<i>Related to more than one synod</i>	<i>Synod Council of one of the synods</i>
8.3	<i>National/international organization</i>	<i>Church Council</i>
9.0	<i>Inter-Lutheran ministry</i>	
9.1	<i>Related to a synod</i>	<i>Synod Council</i>
9.2	<i>Related to more than one synod</i>	<i>Synod Council of one of the synods</i>
9.3	<i>National/international organization</i>	<i>Church Council</i>
10.0	<i>Educational ministry</i>	
10.1	<i>ELCA-related seminary</i>	<i>Church Council upon request of board of Division for Ministry</i>
10.2	<i>Seminary unrelated to ELCA</i>	<i>Church Council upon request of board of Division for Ministry</i>
10.3	<i>ELCA-related college</i>	<i>Synod Council of the synod in which college is located</i>
10.4	<i>College unrelated to ELCA</i>	<i>Synod Council of the synod in which college is located</i>
10.5	<i>ELCA-related school</i>	<i>Congregation of which the school is a part or, if related to several congregations, Synod Council of the synod in which the school is located</i>
10.6	<i>School unrelated to ELCA</i>	<i>Synod Council of the synod in which school is located</i>
10.7	<i>Director/staff of a continuing education center related to Division for Ministry</i>	<i>Synod Council of the synod in which the main office of center is located upon the request of the board of Division for Ministry</i>
11.0	<i>Missionary ministry</i>	

11.1 <i>Outside United States</i>	<i>Church Council upon request of board of Division for Global Mission</i>
11.2 <i>Within United States</i>	<i>Church Council upon request of board of Division for Outreach</i>
12.0 <i>Other</i>	
12.1 <i>Non-stipendiary service under call</i>	<i>Synod Council upon approval by the Conference of Bishops (as in conjunction with occupations and in approved situations not otherwise specified)</i>
12.2 <i>Unusual ministries</i>	<i>Synod Council or Church Council upon recommendation by Conference of Bishops</i>

7.53. Persons on the lay rosters of this church as defined herein shall be subject to discipline as set forth in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America.*

7.60. LICENSURE AND SYNODICALLY AUTHORIZED MINISTRY

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

7.61.02. When needed to provide for diaconal ministry as part of a congregation or ministry of this church where it is not possible for such ministry to be provided by appropriately rostered lay ministry, the synodical

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 Division for Ministry, reviewed by the Conference of Bishops, and approved by the Church Council—may authorize a non-rostered person who is a member of a congregation of the Evangelical Lutheran Church in America to offer such non-sacramental ministry. Such an individual shall be supervised by an ordained minister appointed by the synodical bishop and shall be trained and authorized to fulfill a particular ministry for a specific period of time in a given location only. Authorization, remuneration, direct supervision, and accountability are to be determined by the appropriate synodical leadership according to churchwide standards and qualifications for this type of ministry. Authorization for such service shall be renewed annually and renewed only when a demonstrated need remains for its continuation.

Chapter 8.

RELATIONSHIPS

- 8.10. RELATIONSHIP BETWEEN CONGREGATIONS, SYNODS, AND THE CHURCHWIDE ORGANIZATION**
- 8.11. This church shall seek to function as people of God through congregations, synods, and the churchwide organization, all of which shall be interdependent. Each part, while fully the church, recognizes that it is not the whole church and therefore lives in a partnership relationship with the others.**
- 8.12. The congregation shall include in its mission a life of worship and nurture for its members, and outreach in witness and service to its community.**
- 8.13. The synod shall provide for pastoral care of the congregations, ordained ministers, associates in ministry, deaconesses, and diaconal ministers within its boundaries. It shall develop resources for the life and mission of its people and shall enlarge the ministries and extend the outreach into society on behalf of and in connection with the congregations and the churchwide organization.**
- 8.14. The churchwide organization shall implement the extended mission of the Church, developing churchwide policies in consultation with the synods and congregations, entering into relationship with governmental, ecumenical, and societal agencies in accordance with accepted resolutions and/or in response to specific agreed- upon areas of responsibility.**
- 8.15. Since congregations, synods, and the churchwide organization are partners that share in God’s mission, all share in the responsibility to develop, implement, and strengthen the financial support program of this church.**

- 8.16.** In faithful participation in the mission of God in and through this church, congregations, synods, and the churchwide organization—as interdependent expressions of this church—shall be guided by the biblical and confessional commitments of this church. Each shall recognize that mission efforts must be shaped by both local needs and global awareness, by both individual witness and corporate endeavor, and by both distinctly Lutheran emphases and growing ecumenical cooperation.
- 8.17.** References herein to the nature of the relationship between the three primary expressions of this church—congregations, synods, and the churchwide organization—as being interdependent or as being in a partnership relationship describe the mutual responsibility of these expressions in God’s mission, and the fulfillment of the purposes of this church as described in Chapter 4, and do not imply or describe the creation of partnerships, co-ventures, agencies, or other legal relationships recognized in civil law.
- 8.20.** **RELATIONSHIP THROUGH OTHER ORGANIZATIONAL UNITS**
- 8.21.** The regions shall serve to foster interdependent relationships among the churchwide organization, the synods, and the congregations and to assist them in exercising their mutual responsibilities.
- 8.22.** Conferences, clusters, coalitions, or other area subdivisions shall serve to assist the congregations and synods in exercising their mutual responsibilities.
- 8.30.** **RELATIONSHIP WITH INSTITUTIONS AND AGENCIES**
- 8.31.** **Seminaries.** This church shall own, govern, and support seminaries for the preparation of persons for the ordained and other ministries and for continuing study on the part of ordained ministers and laypersons.
- 8.31.01.** Each seminary shall be a seminary of this church, shall be incorporated, and shall be governed by its board of directors consistent with policies established by the Division for Ministry.
- 8.31.02.** The board of directors of each seminary shall be nominated and elected in cooperation with the seminary involved, and consist of approximately 20-24 members, elected as follows:
- a. At least one-fifth by the Division for Ministry.
 - b. Two members by the bishops of the supporting synods from among their number.
 - c. The remaining members by the supporting synods. The number to be elected by each synod and the length of the term shall be set forth in the governing documents of the seminary.
- Elections shall be so arranged that the terms of all directors of any given seminary elected in any year shall commence simultaneously.
- 8.31.03.** In accordance with the governing documents of each seminary, the board

of directors shall elect the president of the seminary in consultation with the presiding bishop of this church and the board of the Division for Ministry, elect and retain faculty and administrative officers, and approve educational policies and programs for persons preparing for public ministry.

The board shall exercise all other normal governance functions, including the granting of degrees, holding title to and managing all seminary property and assets, receiving gifts and bequests, establishing salaries for faculty and administrative officers, providing for the financial resources and fiscal contracts required to operate the seminary, and shall have authority to recruit students throughout this church.

- 8.31.04.** The seminaries shall receive churchwide and synodical financial support. The amount of such support shall be determined annually through a consultation process involving seminaries, synods, and the Division for Ministry.
- 8.31.05.** 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 by the Division for Ministry, in order to ensure equitable financial support.
- 8.31.06.** Seminaries shall provide their remaining financial requirements through tuition, fees, endowment income, and fund-raising programs. Fund-raising in the congregations of supporting synods, however, shall be conducted only upon approval of the synods. Funds for special churchwide tasks assigned to a seminary by the Division for Ministry shall be raised through the cooperative effort of the seminary and the Division for Ministry.
- 8.31.07.** Aid to students preparing for the ministries of this church shall be administered by the seminaries under guidelines established by the Division for Ministry.
- 8.32.** **Colleges and Universities. This church shall express its responsibility for higher education through its colleges and universities, its Division for Higher Education and Schools, and its synods. While variation is possible in college relationships across this church, this church recognizes the desirability of some degree of uniformity of relationship for colleges within the same region. Therefore, synods shall determine initial policies and thereafter review periodically such policies consistent with recommendations from the board of the Division for Higher Education and Schools and in consultation with that board and the colleges and universities within the region with respect to and consistent with the bylaws, as set forth herein.**
- 8.32.01.** A variety of relationship patterns is possible including relationship with the Churchwide Assembly, the Division for Higher Education and Schools, a synod assembly, or a corporation whose voting members are, or have been elected by, synodical assemblies, other organizational units

- (conferences, clusters, etc.), or congregations.
- 8.32.02. Primary responsibility for recruiting members for its board belongs to each college. This responsibility is best exercised when appropriate structures of this church are substantially involved.
 - 8.32.03. The college and the appropriate synods shall determine how many of the college board members are to be elected or ratified by the approved form of relationship as provided in 8.32.01.
 - 8.32.04. The responsibility for initiating changes in constitutional documents rests with each college. Each college will reach agreement with the appropriate structures of this church as identified in 8.32.01. regarding changes in constitutional documents. This church's participation may range from prior consultation to final approval.
 - 8.32.05. Representation of members of this church on college boards, limitation of terms for board members, whether or not college presidents shall be members of this church, and representation of bishops of synods on college boards shall be determined by each college and the appropriate synods.
 - 8.32.06. Subject to approval by the appropriate synods, a college or university may be owned by a not-for-profit corporation that has voting members at least 90 percent of whom shall consist of members of the biennial Churchwide Assembly. Meetings of such corporations shall be held in conjunction with the Churchwide Assembly for the purpose of electing or ratifying members of the governing board and approving amendments to the governing documents. At least 60 percent of the members of the governing boards of such corporations shall be members of this church.
 - 8.32.A97. *The relationship of this church to its colleges and universities shall be guided by policies fostering educational institutions dedicated to the Lutheran tradition wherein such institutions are an essential part of God's mission in the world; faithful to the will of God as institutions providing quality instruction in religion and a lively ministry of worship, outreach, and service; diligent in their preparation of leaders committed to truth, excellence, and ethical values; and pledged to the well-being of students in the development of mind, body, and spirit.*
 - 8.33. **Institutions and 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 and agencies that minister to people in their spiritual and temporal needs.**
 - 8.33.01. Through its Division for Church in Society and its membership in Lutheran Services in America, this church shall, with affiliated social ministry organizations, develop criteria for their ministries, establish affiliations and alliances within this church and within society, and carry out a comprehensive social ministry witness.
 - 8.40. **RELATIONSHIP WITH INTERCHURCH AGENCIES, INSTITUTIONS, AND COUNCILS**

- 8.41. The congregations, synods, social ministry institutions and agencies, and churchwide organization may establish or affiliate with inter-church agencies and councils in relationships that will reflect this church's objectives of sharing with other faith communities in study, dialogue, and common action, in accordance with adopted policies governing such associations.**
- 8.41.01.** Policies governing ecumenical, inter-Lutheran, and interfaith activities shall be recommended by the presiding bishop of this church to the Churchwide Assembly for its adoption.
- 8.41.02.** Formal membership in interchurch agencies and/or councils shall be by action of the Churchwide Assembly in all relationships involving national or international involvement, by the Synod Assembly in its geographic area, and by congregations in community settings, with each affiliation by any congregation, synod, or churchwide organization to be in accordance with the policies of this church.
- 8.50. RELATIONSHIP WITH INDEPENDENT LUTHERAN ORGANIZATIONS**
- 8.51. This church may relate to independent Lutheran organizations.**
- 8.51.01.** This church, through the secretary of this church and action of the Church Council, shall establish the general policies to govern official relationships with independent Lutheran organizations that seek to relate with this church while maintaining their independence and autonomy.
- 8.51.A95.** *This church shall not, in any manner, be responsible for nor liable for the actions of any independent Lutheran organization.*
- 8.60. SPECIAL INTEREST CONFERENCES**
- 8.61. This church cherishes the diversity of cultural and linguistic groups as they are brought together in the geographic synods, recognizing, however, that certain groups, for historical reasons, may be able to meet needs and share resources through special interest conferences, which for the present cannot occur in the regular life within the geographic synods.**
- 8.61.01.** Because of both official and informal international contacts with other churches, the Batak Special Interest Conference of North America, Danish Special Interest Conference, Finnish (Suomi) Special Interest Conference, German Lutheran Conference in North America, and Hungarian Special Interest Conference shall relate to this church through the Department for Ecumenical Affairs under the authority of the presiding bishop of this church. Official contacts and relationships of the special interest conferences with leaders and representatives of other churches shall be coordinated through the Department for Ecumenical Affairs.
- 8.70. OFFICIAL CHURCH-TO-CHURCH RELATIONSHIPS**
- 8.71. This church may establish official church-to-church relationships and agreements. Establishment of such official relationships and**

agreements shall require a two-thirds vote of the voting members present and voting in a Churchwide Assembly.

8.72. Policies and procedures to implement church-to-church relationships of full communion established by action of a Churchwide Assembly may be recommended by the appropriate officer or the board of an appropriate division, reviewed by the Conference of Bishops, and adopted by the Church Council.

8.72.10. Ecumenical Availability of Ordained Ministers

8.72.11. An ordained minister of this church, serving temporarily in a church body with which a relationship of full communion has been declared and established by a Churchwide Assembly of the Evangelical Lutheran Church in America, may be retained on the roster of ordained ministers—upon endorsement by the synodical bishop and by action of the Synod Council in the synod in which the ordained minister is listed on the roster—under policy developed by the Division for Ministry, reviewed by the Conference of Bishops, and adopted by the Church Council.

- a. A Letter of Call may be issued to an ordained minister of this church, serving temporarily in such a church body, by the Church Council of the Evangelical Lutheran Church in America or a Synod Council, in accord with the Table of Sources of Calls (ELCA churchwide continuing resolution 7.44.A96.b.).
- b. A Letter of Call may be issued to an associate in ministry, deaconess, or diaconal minister of this church, serving temporarily in such a church body, by the Church Council of the Evangelical Lutheran Church in America or a Synod Council, in accord with the Table of Sources of Calls (ELCA churchwide continuing resolution 7.52.A95.b.).
- c. A Letter of Call issued by the Church Council or a Synod Council for service in a church body with which a relationship of full communion has been established by the Churchwide Assembly shall be governed by churchwide constitutional provision 7.43. and churchwide bylaw 7.43.01.
- d. A Letter of Call to an ordained minister of this church or to an associate in ministry, deaconess, or diaconal minister who serves in a congregation of another church body, under a relationship of full communion, or an institution of such a church body on the territory of the synod, may be issued by the Synod Council. A Letter of Call to an ordained minister of this church or to an associate in ministry, deaconess, or diaconal minister who serves in a national or international agency or institution of another church body, under a relationship of full communion, may be issued by the Church Council.

8.72.12. An ordained minister of a church body with which a relationship of full communion has been declared and established by a Churchwide

Assembly of the Evangelical Lutheran Church in America may be authorized by the synodical bishop to serve in a congregation or employing entity of this church. Such service shall be rendered under a contract between the congregation or employing entity and the ordained minister in a form proposed by the synodical bishop and approved by the congregation or employing entity. Any such service shall be in accord with churchwide policies developed by the Division for Ministry, reviewed by the Conference of Bishops, and adopted by the Church Council of the Evangelical Lutheran Church in America.

- 8.72.13.** Whenever an ordained minister of the Evangelical Lutheran Church in America is to serve or is serving in a church body with which a relationship of full communion has been declared and established by the Churchwide Assembly, or whenever an ordained minister of a church body with which a relationship of full communion has been so declared and established is to serve or is serving in this church, a full sharing of relevant information concerning such ordained minister's experience and fitness for ministry is expected between the synodical bishop (or other appropriate office or entity) of this church and the appropriate person, office, or entity in the other church. Relevant information related to fitness for ministry shall include, but is not limited to, any information concerning disciplinary proceedings or allegations that could result, or could have resulted, in disciplinary proceedings.
- 8.72.14.** An ordained minister from a church body with which a relationship of full communion has been declared and established by a Churchwide Assembly of the Evangelical Lutheran Church in America may be granted 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, in accord with ELCA churchwide bylaw 8.72.12.
- 8.72.15.** The availability of ordained ministers from a church body with which a relationship of full communion has been declared and established by a Churchwide Assembly of the Evangelical Lutheran Church in America shall be understood normally in three categories: availability to serve in an occasional situation; availability to meet an extended need, including service in "yoked parish" settings; and availability for a transfer of roster status.
- a. *Occasional service:* An occasional situation is defined as one in which an ordained minister of a church body with which a relationship of full communion exists may be asked to preach or administer the sacraments in an ELCA congregation on an occasional basis with the authorization of the synodical bishop.
 - b. *Extended service:* An ordained minister of a church body with which a relationship of full communion exists may be invited to serve as the pastor of an ELCA congregation for an extended period of time, yet remain an ordained minister of his or her present church body. Such a person would be expected to preach, teach, and administer the

sacraments in an ELCA congregation in a manner that is consistent with the “Confession of Faith” of the Evangelical Lutheran Church in America and to live in a manner consistent with the ministerial policy of this church. Such service shall be rendered only as authorized by the synodical bishop in order to serve the ministry and mission needs of the ELCA in a given situation.

- c. *Transfer*: An ordained minister of a church body with which a relationship of full communion exists who seeks to serve indefinitely within the ordained ministry of the Evangelical Lutheran Church in America may apply for admission to the roster of ordained ministers of the Evangelical Lutheran Church in America and be approved through the candidacy process for admission to the roster. Such an ordained minister would then become an ELCA pastor upon receipt and acceptance of a regular call and installation in an ELCA congregation or other setting.
- d. Roster status in more than one church body is precluded in the Evangelical Lutheran Church in America. As required by ELCA churchwide constitutional provision 7.22. and bylaw 7.31.11., ordained ministers on the roster of the Evangelical Lutheran Church in America must accept and adhere to this church’s “Confession of Faith,” as well as abide by this church’s standards and policies for ordained ministers.

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

8.73. **This church acknowledges the relationship established through the Lutheran World Federation as a communion of member churches which confess the triune God, agree in the proclamation of the Word of God, and are united in pulpit and altar fellowship. The bylaws on ecumenical availability of ordained ministers under relationships of full communion shall apply to such service within this church of ordained ministers from other member churches of the Lutheran World Federation.**

8.74. **This church, in accord with constitutional provision 2.05., acknowledges as one with it in faith and doctrine all churches that accept the teaching of the Unaltered Augsburg Confession and understands that altar and pulpit fellowship with congregations and other entities of such churches may be locally practiced. Local**

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

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

Chapter 9.

CONGREGATIONS

9.10. DEFINITION

- 9.11. A congregation is a community of baptized persons whose existence depends on the proclamation of the Gospel and the administration of the sacraments and whose purpose is to worship God, to nurture its members, and to reach out in witness and service to the world. To this end it assembles regularly for worship and nurture, organizes and carries out ministry to its people and neighborhood, and cooperates with and supports the wider church to strive for the fulfillment of God's mission in the world.**

9.20. CRITERIA FOR RECOGNITION AND RECEPTION

- 9.21. This church shall recognize, receive, and maintain on the roster those congregations which by their practice as well as their governing documents:**
- a. preach the Word, administer the sacraments, and carry out God's mission;**
 - b. accept this church's Confession of Faith;**
 - c. agree to the Statement of Purpose of this church;**
 - d. agree to call pastoral leadership from the clergy roster of this church in accordance with the call procedures of this church except in special circumstances and with the approval of the synodical bishop;**
 - e. agree to be responsible for their life as a Christian community; and**
 - f. agree to support the life and work of this church.**

- 9.21.01. Approval of the synodical bishop, as required in 9.21.d., involves the bishop's attesting that a candidate for the roster of ordained ministers of this church has been approved, in conformity with the governing documents and policies of this church, through the synodical candidacy process for first call as a seminary graduate or for call in this church through approval for reception into this church from another Lutheran**

church body or another Christian church body. Consultation with the synodical bishop in accordance with the call procedures and governing documents of this church and the synod is required for the calling of pastoral leadership from among persons on the roster of ordained ministers of this church or persons who are approved as eligible candidates for the roster of ordained ministers of this church.

- 9.21.02.** Under special circumstances, subject to the approval of the synodical bishop and the concurrence of the congregation, an ordained minister of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion by action of a Churchwide Assembly may serve temporarily under contract as pastor of a congregation of this church.
- 9.22.** **All congregations of this church shall abide by the provisions of 9.21., 9.62., and 7.46. The judgment on whether a congregation meets the criteria listed in 9.21. shall be made by this church through the synod of this church in whose territory the congregation is located.**
- 9.23.** **In accord with constitutional provision 9.21.d. and bylaw 9.21.01. and without invoking the provisions of Chapter 20, a congregation that maintains as its pastor an ordained minister who has resigned or been removed from this church's roster of ordained ministers or that calls as its pastor one who has not been approved for the roster of ordained ministers may be removed from the roster of congregations of this church by the Synod Council upon recommendation of the synodical bishop.**
- 9.24.** **A recognized and received congregation that is part of this church shall, when legally possible, be incorporated and may:**
- a. own property and be responsible for its care; and**
 - b. call or employ staff.**
- 9.25.** **A congregation newly formed by this church and any congregation seeking recognition and reception by this church shall:**
- a. Accept the criteria for recognition and reception as a congregation of this church, fulfill the functions of the congregation, and accept the governance provisions as provided in Chapter 9 of the ELCA constitution and bylaws.**
 - b. 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 for Synods* 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 the synod, or the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran***

Church in America, may be adopted as described in Chapters 16 and 18 of the *Model Constitution for Congregations*.

- c. 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*.

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.

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.

9.30. **RESERVATION OF AUTHORITY**

- 9.31. Congregations of this church shall have authority in all matters that are not assigned by the constitution and bylaws of this church to synods and the churchwide organization.

9.40. **FUNCTIONS**

9.41. **The congregation shall:**

- a. Provide services of worship at which the Word of God is preached and the sacraments are administered.
- b. Provide pastoral care and assist all members to participate in this ministry.
- c. Challenge, equip, and support all members in carrying out their calling in their daily life and in their congregation.
- d. Teach the Word of God.
- e. Witness to the reconciling Word of God in Christ, reaching out to all people.
- f. Respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.
- g. Motivate its members to provide financial support for the congregation's ministry and the ministry of the synod and the churchwide organization.
- h. Foster and participate in interdependent relationships with other congregations, the synod, and the churchwide organization.
- i. Foster and participate in ecumenical relationships consistent with churchwide policy.

9.50. **GOVERNANCE**

- 9.51. Each congregation shall structure itself in such a way as to involve

its members in fulfilling the definition, purpose, and functions of a congregation.

9.52. The governing documents of congregations recognized at the establishment of this church shall continue to govern such congregations. When such a congregation wishes to amend any provision of its governing documents, the governing documents of that congregation shall be so amended to conform to 9.25.b. The synod responsible for the review of such amendments may permit, for good cause, a congregation to retain particular unamended provisions in the congregation's governing documents that were in force at the establishment of this church.

9.52.A93. *The Church Council, in cooperation with the synods, shall provide an ongoing process for congregations whose governing documents have been accepted into this church under 9.52. to review those documents and compare them with the required elements of the Model Constitution for Congregations listed in 9.25.b., applicable to the extent provided in 9.52. to congregations recognized and received by this church as of January 1, 1988. Congregations are encouraged to resolve significant conflicts between their governing documents and the Model Constitution for Congregations.*

9.53. Each congregation shall have governing documents, no terms of which shall conflict with provision 9.21. Subject to the provisions of 9.52., these documents shall contain the elements listed in the bylaws.

9.53.01. The governing documents of congregations shall include:

- a. the Confession of Faith;
- b. the Statement of Purpose;
- c. provisions describing the congregation's relationship to this church;
- d. a process for calling a pastor;
- e. a listing of the duties of a pastor;
- f. provisions describing the role of the pastor in the governance of the congregation;
- g. a process for removal of a pastor;
- h. provisions regulating the disposition of property;
- i. a legislative process;
- j. an enumeration of officers with definition of authority and functions of each;
- k. a definition of each structural component (e.g., committees, boards); and
- l. a process for the discipline of members.

9.53.02. *A Model Constitution for Congregations shall be provided by this church. Amendments to the Model Constitution for Congregations shall be made in the same manner as prescribed in Chapter 22 for amendments of the bylaws of this church.*

9.53.03. Each congregation shall provide a copy of its governing documents to the synod. All proposed changes in the constitution or incorporation documents of a congregation shall be referred to the synod with which the congregation is affiliated. The synod shall approve or disapprove the proposed changes within 120 days of receipt thereof, and shall notify the congregation of its decision; in the absence of a decision, the changes shall go into effect.

The synod shall recognize that congregations may organize themselves in a manner which they deem most appropriate.

9.53.04. Each congregation shall take the necessary steps to protect its members and this church from liability.

9.53.05. Congregations shall normally maintain a fiscal year of January 1 through December 31.

9.53.06. A congregation considering a relocation shall confer with the bishop of the synod in which it is territorially located before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is effected.

9.53.07. Congregations shall have the right to petition this church. Petitions shall be addressed to the synod to which the congregation relates for response by the synod, or, at the discretion of the synod, for forwarding to the Churchwide Assembly.

9.60. TERMINATION OF RELATIONSHIP

9.61. The relationship between a congregation and this church may be terminated in one of the following ways:

- a. The congregation takes action to dissolve.**
- b. The congregation ceases to exist.**
- c. The congregation is no longer recognized by this church under the disciplinary provisions of Chapter 20.**
- d. The congregation terminates its relationship according to the procedure outlined in 9.62.**
- e. The membership of the congregation becomes so scattered or diminished in numbers as to make it impracticable for such congregation to fulfill the purposes for which it was organized. In such case, the synod, in order to protect the property from waste and deterioration, through the Synod Council or trustees appointed by it, may take charge and control of the property of the congregation to hold, manage, and convey the same on behalf of the synod. The congregation shall have the right to appeal the decision to the Synod Assembly.**

9.62. A congregation may terminate its relationship with this church by the following procedure:

- a. A resolution indicating desire to terminate its relationship must be adopted at a legally called and conducted special meeting of the congregation by a two-thirds majority of the voting members**

present.

- b. The secretary of the congregation shall submit a copy of the resolution to the synodical bishop and shall mail a copy of the resolution to voting members of the congregation. This notice shall be submitted within 10 days after the resolution has been adopted.
- c. The bishop of the synod shall consult with the congregation during a period of at least 90 days.
- d. If the congregation, after consultation, still desires to terminate its relationship, such action may be taken at a legally called and conducted special meeting by a two-thirds majority of the voting members present, at which meeting the synodical bishop or an authorized representative shall be present. Notice of the meeting shall be mailed to all voting members at least 10 days in advance of the meeting.
- e. A certified copy of the resolution to terminate its relationship shall be sent to the synodical bishop, at which time the relationship between the congregation and this church shall be terminated.
- f. Notice of termination shall be forwarded by the synodical bishop to the secretary of this church and published in the periodical of this church.
- g. Congregations which had been members of the Lutheran Church in America shall be required, in addition to the foregoing provisions in 9.62., to receive synodical approval before terminating their membership in this church.
- h. Congregations that are established by the Evangelical Lutheran Church in America shall be required, in addition to the foregoing provisions in 9.62., to receive synodical approval before terminating their membership in this church.

9.70. OWNERSHIP OF PROPERTY

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

- a. Title to property shall reside in the congregation. The congregation may dispose of its property as it determines, subject to any self-accepted indebtedness or other self-accepted restrictions.
- b. Title to the undisposed property of a congregation that ceases to exist shall pass to the synod of this church to which the congregation is related.
- c. Title to the property of a congregation that is no longer recognized by this church as a result of discipline shall continue to reside in the congregation.
- d. Title to the property of a congregation that has acted to terminate

its relationship with this church by the provisions of 9.62. to relate to another Lutheran church body shall continue to reside in the congregation.

- e. Title to the property of a congregation that has acted to terminate its relationship with this church by the provisions of 9.62. to become independent or to relate to a non-Lutheran church body shall continue to reside in the congregation only with the consent of the Synod Council. The Synod Council, after consultation with the congregation by an established synodical process, may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of the congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of this church.

9.80. DISCIPLINE OF CONGREGATIONS

See Chapter 20.

9.90. FEDERATED OR UNION CONGREGATIONS

- 9.91. A synod of the Evangelical Lutheran Church in America may authorize a particular congregation or recognized ministry related to the synod to form a federated congregation or union congregation with a congregation or recognized ministry of a church body with which a relationship of full communion has been established by a Churchwide Assembly of the Evangelical Lutheran Church in America, or a synod may organize a federated congregation or union congregation, with the synod acting in concert with a comparable ecclesiastical entity of another church body or church bodies with which a relationship of full communion has been established by a Churchwide Assembly of the Evangelical Lutheran Church in America.**

- 9.91.01. A federated congregation is one congregation that is formed and maintained with the approval of both the synod in which the congregation is located and the comparable ecclesiastical entity of one or more church bodies with which a relationship of full communion has been established. A federated congregation shall conduct its life and work under a plan of agreement adopted by the federated congregation in accord with policy of the synod in which the federated congregation is located and the comparable entity or entities of a church body or church bodies with which a relationship of full communion has been declared by the Evangelical Lutheran Church in America, in accord with 8.71. and 9.91.**

- a. The plan of agreement shall follow, as clearly as is practicable, the model provisions developed by the secretary of this church, in consultation with the Division for Outreach and Conference of Bishops, and approved by the Church Council, and such a plan of agreement shall be subject to the constitutions of each church body

involved.

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

9.91.02. A union congregation may be formed by two separate congregations that shall continue to exist as separate but cooperating entities. The separate congregations in a union congregation shall be related to their respective church bodies that have established a relationship of full communion in accord with 8.71. and 9.91. A union congregation shall conduct its life and work under a plan of agreement approved by the two separate congregations upon recommendation of the synod in which the congregation is located, with the synod acting in concert with the comparable ecclesiastical entity of a church body with which a relationship of full communion exists.

- a. The plan of agreement of a union congregation shall follow, as clearly as is practicable, the model provisions of such a plan of agreement developed by the secretary of this church, in consultation with the Division for Outreach and Conference of Bishops, and approved by the Church Council, and such a plan of agreement for a union congregation shall be subject to the constitutions of each church body involved.
- b. The plan of agreement of a union congregation shall be consistent with the commitments made by the Evangelical Lutheran Church in America in church-to-church resolutions and documents for the

- continuing relationship of full communion.
- c. The plan of agreement of a union congregation shall be subject to review and ratification by the Synod Council of the synod in which the union congregation is located.
 - d. Implementation of the plan of agreement of a union congregation shall be guided by policies and procedures developed by the Division for Outreach, reviewed by the Conference of Bishops, and approved by the Church Council of the Evangelical Lutheran Church in America.
 - e. Each congregation in a union congregation shall take the necessary steps to protect its members and the related church body from liability.

Chapter 10.

SYNODS

10.01. This church shall be divided into synods, the names and boundaries of which shall be determined by the Churchwide Assembly and included in the bylaws.

10.01.10. Names and Boundaries

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

Synod 1.A—Alaska. The state of ALASKA.

Synod 1.B—Northwest Washington. The counties of Island, King (north), San Juan, Skagit, Snohomish, Whatcom in the state of WASHINGTON.

Synod 1.C—Southwestern Washington. The counties of Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, King (south), Kitsap, Lewis, Mason, Pacific, Pierce, Skamania, Thurston, Wahkiakum in the state of WASHINGTON.

Synod 1.D—Eastern Washington-Idaho. The state of IDAHO; the counties of Adams, Asotin, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Klickitat, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman, Yakima in the state of WASHINGTON.

Synod 1.E—Oregon. The state of OREGON; and the city of Tulelake in the state of CALIFORNIA.

Synod 1.F—Montana. The state of MONTANA; and the counties of Park and Washakie in the state of WYOMING.

Synod 2.A—Sierra Pacific. The counties of Alameda, Alpine, Amador, Butte, Calaveras, Colusa, Contra Costa, Del Norte, El Dorado, Fresno, Glenn, Humboldt, Inyo, Kings, Lake, Lassen, Madera, Marin, Mariposa, Mendocino, Merced, Modoc, Mono, Monterey, Napa, Nevada, Placer, Plumas, Sacramento, San Benito, San Francisco, San Joaquin, San Mateo, Santa Clara, Santa Cruz, Shasta, Sierra, Siskiyou, Solano,

Sonoma, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Yolo, Yuba in the state of CALIFORNIA; the counties of Churchill, Douglas, Elko, Eureka, Humboldt, Lander, Lyon, Mineral, Pershing, Storey, Washoe, White Pine and the consolidated municipality of Carson City in the state of NEVADA.

Synod 2.B—Southwest California. The counties of Kern, Los Angeles, San Luis Obispo, Santa Barbara, Ventura in the state of CALIFORNIA.

Synod 2.C—Pacifica. The counties of Imperial, Orange, Riverside, San Bernardino, San Diego in the state of CALIFORNIA; the state of HAWAII.

Synod 2.D—Grand Canyon. The state of ARIZONA; the counties of Clark, Esmeralda, Lincoln, Nye in the state of NEVADA.

Synod 2.E—Rocky Mountain. The states of COLORADO; NEW MEXICO; UTAH; and WYOMING, excluding the counties of Park and Washakie; the counties of Brewster, Culberson, El Paso, Hudspeth, Jeff Davis, Loving, Presidio, Reeves, Ward, Winkler in the state of TEXAS.

Synod 3.A—Western North Dakota. The counties of Adams, Benson (the town/parishes of Esmond), Billings, Bottineau, Bowman, Burke, Burleigh, Divide, Dunn, Emmons, Golden Valley, Grant, Hettinger, Kidder (excluding the Woodworth Parish of Pettibone), Logan (excluding the towns/ parishes of Fredonia and Gackle), McHenry, McIntosh, McKenzie, McLean, Mercer, Morton, Mountrail, Oliver, Pierce, Renville, Rolette, Sheridan, Sioux, Slope, Stark, Towner, Ward, Wells, Williams in the state of NORTH DAKOTA; and the parishes of Lemmon, Lodgepole, Ralph, and Shadehill in the state of SOUTH DAKOTA.

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

Synod 3.C—South Dakota. The state of SOUTH DAKOTA.

Synod 3.D—Northwestern Minnesota. The counties of Becker, Beltrami, Clay, Clearwater, Douglas, Grant, Hubbard, Kittson, Lake of the Woods, Mahnomen, Marshall, Norman, Otter Tail, Pennington, Polk, Red Lake, Roseau, Todd, Traverse, Wadena, Wilkin in the state of MINNESOTA.

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

Synod 3.F—Southwestern Minnesota. The counties of Benton, Big Stone, Brown, Chippewa, Cottonwood, Jackson, Kandiyohi, Lac qui Parle, Lincoln, Lyon, McLeod, Martin, Meeker, Murray, Nicollet, Nobles, Pipestone, Pope, Redwood, Renville, Rock, Sherburne (part),

Sibley, Stearns, Stevens, Swift, Watonwan, Wright (part), Yellow Medicine in the state of MINNESOTA.

Synod 3.G—Minneapolis Area. The counties of Anoka, Carver, Hennepin, Isanti, Scott, Sherburne (part), Wright (part) in the state of MINNESOTA.

Synod 3.H—Saint Paul Area. The counties of Chisago, Dakota, Ramsey, Washington in the state of MINNESOTA.

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

Synod 4.A—Nebraska. The state of NEBRASKA.

Synod 4.B—Central States. The states of MISSOURI and KANSAS.

Synod 4.C—Arkansas-Oklahoma. The states of ARKANSAS and OKLAHOMA.

Synod 4.D—Northern Texas-Northern Louisiana. The counties of Andrews, Archer, Armstrong, Bailey, Baylor, Bell, Borden, Bosque, Bowie, Briscoe, Brown, Callahan, Camp, Carson, Cass, Castro, Childress, Clay, Cochran, Coke, Coleman, Collin, Collingsworth, Comanche, Concho, Cooke, Coryell, Cottle, Crosby, Dallam, Dallas, Dawson, Deaf Smith, Delta, Denton, Dickens, Donley, Eastland, Ector, Ellis, Erath, Falls, Fannin, Fisher, Floyd, Foard, Franklin, Gaines, Garza, Glasscock, Gray, Grayson, Gregg, Hale, Hall, Hamilton, Hansford, Hardeman, Harrison, Hartley, Haskell, Hemphill, Henderson, Hill, Hockley, Hood, Hopkins, Howard, Hunt, Hutchinson, Irion, Jack, Johnson, Jones, Kaufman, Kent, King, Knox, Lamar, Lamb, Lampasas, Limestone, Lipscomb, Lubbock, Lynn, McCulloch, McLennan, Marion, Martin, Midland, Mills, Mitchell, Montague, Moore, Morris, Motley, Navarro, Nolan, Ochiltree, Oldham, Palo Pinto, Panola, Parker, Parmer, Potter, Rains, Randall, Reagan, Red River, Roberts, Rockwall, Runnels, Rusk, San Saba, Scurry, Shackelford, Sherman, Smith, Somervell, Stephens, Sterling, Stonewall, Swisher, Tarrant, Taylor, Terry, Throckmorton, Titus, Tom Green, Upshur, Van Zandt, Wheeler, Wichita, Wilbarger, Wise, Wood, Yoakum, Young in the state of TEXAS; the parishes of Bienville, Bossier, Caddo, Caldwell, Catahoula, Claiborne, Concordia, DeSoto, East Carroll, Franklin, Grant, Jackson, LaSalle, Lincoln, Madison, Morehouse, Natchitoches, Ouachita, Red River, Richland, Sabine, Tensas, Union, Webster, West Carroll, Winn in the state of LOUISIANA.

Synod 4.E—Southwestern Texas. The counties of Aransas, Atascosa, Bandera, Bastrop, Bee, Bexar, Blanco, Brooks, Burnet, Caldwell, Calhoun, Cameron, Comal, Crane, Crockett, De Witt, Dimmit, Duval, Edwards, Frio, Gillespie, Goliad, Gonzales, Guadalupe, Hays, Hidalgo, Jackson, Jim Hogg, Jim Wells, Karnes, Kendall, Kenedy, Kerr, Kimble, Kinney, Kleberg, La Salle, Lavaca, Lee, Live Oak, Llano, McMullen,

Mason, Maverick, Medina, Menard, Milam, Nueces, Pecos, Real, Refugio, San Patricio, Schleicher, Starr, Sutton, Terrell, Travis, Upton, Uvalde, Val Verde, Victoria, Webb, Willacy, Williamson, Wilson, Zapata, Zavala in the state of TEXAS.

Synod 4.F—Texas-Louisiana Gulf Coast. The counties of Anderson, Angelina, Austin, Brazoria, Brazos, Burleson, Chambers, Cherokee, Colorado, Fayette, Fort Bend, Freestone, Galveston, Grimes, Hardin, Harris, Houston, Jasper, Jefferson, Leon, Liberty, Madison, Matagorda, Montgomery, Nacogdoches, Newton, Orange, Polk, Robertson, Sabine, San Augustine, San Jacinto, Shelby, Trinity, Tyler, Walker, Waller, Washington, Wharton in the state of TEXAS; the parishes of Acadia, Allen, Ascension, Assumption, Avoyelles, Beauregard, Calcasieu, Cameron, East Baton Rouge, East Feliciana, Evangeline, Iberia, Iberville, Jefferson, Jefferson Davis, Lafayette, LaFourche, Livingston, Orleans, Plaquemines, Pointe Coupee, Rapides, St. Bernard, St. Charles, St. Helena, St. James, St. John the Baptist, St. Landry, St. Martin, St. Mary, St. Tammany, Tangipahoa, Terrebonne, Vermilion, Vernon, Washington, West Baton Rouge, West Feliciana in the state of LOUISIANA.

Synod 5.A—Metropolitan Chicago. The counties of Cook, DuPage, Kane, Lake in the state of ILLINOIS.

Synod 5.B—Northern Illinois. The counties of Boone, Bureau, Carroll, De Kalb, Grundy, Henderson, Henry, Jo Daviess, Kendall, Knox, La Salle, Lee, McHenry, Mercer, Ogle, Putnam, Rock Island, Stephenson, Warren, Whiteside, Will, Winnebago in the state of ILLINOIS.

Synod 5.C—Central/Southern Illinois. The counties of Adams, Alexander, Bond, Brown, Calhoun, Cass, Champaign, Christian, Clark, Clay, Clinton, Coles, Crawford, Cumberland, De Witt, Douglas, Edgar, Edwards, Effingham, Fayette, Ford, Franklin, Fulton, Gallatin, Greene, Hamilton, Hancock, Hardin, Iroquois, Jackson, Jasper, Jefferson, Jersey, Johnson, Kankakee, Lawrence, Livingston, Logan, McDonough, McLean, Macon, Macoupin, Madison, Marion, Marshall, Mason, Massac, Menard, Monroe, Montgomery, Morgan, Moultrie, Peoria, Perry, Piatt, Pike, Pope, Pulaski, Randolph, Richland, St. Clair, Saline, Sangamon, Schuyler, Scott, Shelby, Stark, Tazewell, Union, Vermilion, Wabash, Washington, Wayne, White, Williamson, Woodford in the state of ILLINOIS.

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

Synod 5.E—Western Iowa. The counties of Adair, Adams, Audubon, Buena Vista, Calhoun, Carroll, Cass, Cherokee, Clay, Crawford, Dallas

(west), Dickinson, Emmet, Fremont, Greene, Guthrie, Hamilton (west), Hancock, Harrison, Humboldt, Ida, Kossuth, Lyon, Mills, Monona, Montgomery, O'Brien, Osceola, Page, Palo Alto, Plymouth, Pocahontas, Pottawattamie, Ringgold, Sac, Shelby, Sioux, Taylor, Union, Webster, Winnebago, Woodbury, and Wright (west) in the state of IOWA.

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

Synod 5.G—Northern Great Lakes. The counties of Florence, Forest, Iron, Marinette, Oneida, Vilas in the state of WISCONSIN; the counties in the Upper Peninsula in the state of MICHIGAN.

Synod 5.H—Northwest Synod of Wisconsin. The counties of Ashland, Barron, Bayfield, Buffalo (north), Burnett, Chippewa, Clark, Douglas, Dunn, Eau Claire, Jackson (north), Marathon (west), Pepin, Pierce, Polk, Price, Rusk, St. Croix, Sawyer, Taylor, Trempealeau (north), Washburn, Wood (northwest corner) in the state of WISCONSIN.

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

Synod 5.J—Greater Milwaukee. The counties of Kenosha, Milwaukee, Ozaukee, Racine, Sheboygan, Washington, Waukesha in the state of WISCONSIN.

Synod 5.K—South-Central Synod of Wisconsin. The counties of Columbia, Dane, Dodge, Grant, Green, Iowa, Jefferson, Lafayette, Richland, Rock, Sauk, Walworth in the state of WISCONSIN.

Synod 5.L—La Crosse Area. The counties of Adams, Buffalo (south), Crawford, Jackson (south), Juneau, La Crosse, Monroe, Trempealeau (south), Vernon in the state of WISCONSIN; and parishes in or near the towns of La Crescent, Caledonia, and Spring Grove in the state of MINNESOTA.

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

Synod 6.B—North/West Lower Michigan. The counties of Alcona, Allegan, Alpena, Antrim, Arenac, Barry, Bay, Benzie, Berrien, Branch, Calhoun, Cass, Charlevoix, Cheboygan, Clare, Clinton, Crawford, Eaton, Emmet, Gladwin, Grand Traverse, Gratiot, Hillsdale, Huron, Ingham, Ionia, Iosco, Isabella, Jackson, Kalamazoo, Kalkaska, Kent, Lake, Leelanau, Manistee, Mason, Mecosta, Midland, Missaukee, Montcalm, Montmorency, Muskegon, Newaygo, Oceana, Ogemaw, Osceola, Oscoda, Otsego, Ottawa, Presque Isle, Roscommon, St. Joseph, Saginaw,

Sanilac, Shiawassee, Tuscola, Van Buren, Wexford in the state of MICHIGAN.

Synod 6.C—Indiana-Kentucky. The states of INDIANA and KENTUCKY.

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

Synod 6.E—Northeastern Ohio. The counties of Ashland, Ashtabula, Carroll, Columbiana, Cuyahoga, Geauga, Harrison, Holmes, Jefferson, Lake, Lorain, Mahoning, Medina, Portage, Richland, Stark, Summit, Trumbull, Tuscarawas, Wayne in the state of OHIO.

Synod 6.F—Southern Ohio. The counties of Adams, Athens, Belmont, Brown, Butler, Champaign, Clark, Clermont, Clinton, Coshocton, Darke, Delaware, Fairfield, Fayette, Franklin, Gallia, Greene, Guernsey, Hamilton, Highland, Hocking, Jackson, Knox, Lawrence, Licking, Logan, Madison, Meigs, Miami, Monroe, Montgomery, Morgan, Muskingum, Noble, Perry, Pickaway, Pike, Preble, Ross, Scioto, Shelby, Union, Vinton, Warren, Washington in the state of OHIO.

Synod 7.A—New Jersey. The state of NEW JERSEY.

Synod 7.B—New England. The states of CONNECTICUT; MAINE; MASSACHUSETTS; NEW HAMPSHIRE; RHODE ISLAND; and VERMONT; and the counties of Clinton, Essex, and Franklin in the state of NEW YORK.

Synod 7.C—Metropolitan New York. The counties of Bronx, Dutchess, Kings, Nassau, New York, Orange, Putnam, Queens, Richmond, Rockland, Suffolk, Sullivan, Ulster, Westchester in the state of NEW YORK.

Synod 7.D—Upstate New York. The counties of Albany, Allegany, Broome, Cattaraugus, Cayuga, Chautauqua, Chemung, Chenango, Columbia, Cortland, Delaware, Erie, Fulton, Genesee, Greene, Hamilton, Herkimer, Jefferson, Lewis, Livingston, Madison, Monroe, Montgomery, Niagara, Oneida, Onondaga, Ontario, Orleans, Oswego, Otsego, Rensselaer, St. Lawrence, Saratoga, Schenectady, Schoharie, Schuyler, Seneca, Steuben, Tioga, Tompkins, Warren, Washington, Wayne, Wyoming, Yates in the state of NEW YORK.

Synod 7.E—Northeastern Pennsylvania. The counties of Berks, Bradford, Carbon, Lackawanna, Lehigh, Luzerne, Monroe, Northampton, Pike, Schuylkill, Sullivan, Susquehanna, Wayne, Wyoming in the state of PENNSYLVANIA.

Synod 7.F—Southeastern Pennsylvania. The counties of Bucks, Chester, Delaware, Montgomery, Philadelphia in the state of PENNSYLVANIA.

Synod 7.G—Slovak Zion. A non-geographic synod consisting of congregations distinctively Slovak in language or antecedents.

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

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

Synod 8.C—Allegheny. The counties of Bedford, Blair, Cambria, Centre, Clearfield, Huntingdon, Somerset in the state of PENNSYLVANIA.

Synod 8.D—Lower Susquehanna. The counties of Adams, Cumberland, Dauphin, Franklin, Fulton, Lancaster, Lebanon, Perry, York in the state of PENNSYLVANIA.

Synod 8.E—Upper Susquehanna. The counties of Clinton, Columbia, Juniata, Lycoming, Mifflin, Montour, Northumberland, Snyder, Tioga, Union in the state of PENNSYLVANIA.

Synod 8.F—Delaware-Maryland. The state of DELAWARE; the city of Baltimore and the counties of Allegany, Anne Arundel, Baltimore, Caroline, Carroll, Cecil, Dorchester, Frederick, Harford, Howard, Kent, Queen Anne's, Somerset, Talbot, Washington, Wicomico, Worcester in the state of MARYLAND; the counties of Accomack, Northampton in the state of VIRGINIA.

Synod 8.G—Metropolitan Washington, D.C. The District of Columbia; the counties of Calvert, Charles, Montgomery, Prince Georges, St. Mary's in the state of MARYLAND; the counties of Arlington, Fairfax, Loudoun, Prince William, and the independent cities within the territory of these counties in the state of VIRGINIA; BERMUDA.

Synod 8.H—West Virginia-Western Maryland. The county of Garrett in the state of MARYLAND; the state of WEST VIRGINIA.

Synod 9.A—Virginia. The counties of Albemarle, Alleghany, Amelia, Amherst, Appomattox, Augusta, Bath, Bedford, Bland, Botetourt, Brunswick, Buchanan, Buckingham, Campbell, Caroline, Carroll, Charles City, Charlotte, Chesterfield, Clarke, Craig, Culpeper, Cumberland, Dickenson, Dinwiddie, Essex, Fauquier, Floyd, Fluvanna, Franklin, Frederick, Giles, Gloucester, Goochland, Grayson, Greene, Greensville, Halifax, Hanover, Henrico, Henry, Highland, Isle of Wight, James City, King and Queen, King George, King William, Lancaster, Lee, Louisa, Lunenburg, Madison, Mathews, Mecklenburg, Middlesex, Montgomery, Nelson, New Kent, Northumberland, Nottoway, Orange, Page, Patrick, Pittsylvania, Powhatan, Prince Edward, Prince George, Pulaski, Rappahannock, Richmond, Roanoke, Rockbridge, Rockingham, Russell, Scott, Shenandoah, Smyth, Southampton, Spotsylvania, Stafford, Surry, Sussex, Tazewell, Warren, Washington, Westmoreland, Wise, Wythe, York, and the independent cities within the territory of these counties in the state of VIRGINIA.

Synod 9.B—North Carolina. The state of NORTH CAROLINA.

Synod 9.C—South Carolina. The state of SOUTH CAROLINA.

Synod 9.D—Southeastern. The states of ALABAMA; GEORGIA; MISSISSIPPI; and TENNESSEE.

Synod 9.E—Florida-Bahamas. The state of FLORIDA; the BAHAMAS.

Synod 9.F—Caribbean. The commonwealth of PUERTO RICO; the territory of the VIRGIN ISLANDS.

- 10.02. Each congregation, except those which are in partnership with the Slovak Zion Synod, shall establish a relationship with the synod in whose territory it is located.**
- 10.02.01.** The Slovak Zion Synod shall continue as a nongeographic synod of this church. In all other respects it shall be bound by the provisions of the constitution and bylaws of this church. In addition, it shall enter into relationships with geographic synods in order to provide opportunities for congregations, ordained ministers, and other leaders to share in the programmatic services of such synods, workshops, and conferences. It shall also periodically review and evaluate its ministries to ascertain their continuing effectiveness.
- 10.02.02.** Any congregation in a border area desiring to change its synod relationship may do so upon approval of the synod assemblies of the synods concerned, which shall report any such change to the Churchwide Assembly.
- 10.02.03.** Within the territory of each geographic synod, the synod, in keeping with criteria and procedures proposed by the Division for Outreach and approved by the Church Council, may acknowledge certain authorized worshipping communities such as developing ministries, preaching points, or chapels as related to the synod and part of the synod's life and mission. Such authorized worshipping 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.
- 10.10. INCORPORATION AND CONSTITUTION**
- 10.11. Each synod shall be incorporated. The articles of incorporation of each synod in existence on January 1, 1988, shall continue to govern such synods. The articles of incorporation of each synod organized after December 31, 1987, shall be submitted to the Church Council for ratification before filing. Amendments to the articles of incorporation of all synods shall be submitted to the Church Council for ratification before filing.**
- 10.12. Each synod shall have a constitution, which shall become effective upon ratification by the Church Council. Amendments thereto 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. Amendments to mandatory provisions incorporating constitutional provisions of this church shall be made in the same manner as prescribed in Chapter 22 for amendments to the constitution of this church. Amendments to mandatory provisions incorporating bylaw provisions of this church and amendments to non-mandatory provisions shall be made in the same manner as prescribed in Chapter 22 for amendments to the bylaws of this church. Non-mandatory provisions shall not be inconsistent with the constitution and bylaws of this church.

10.20. PURPOSE

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

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

universities, seminaries, and social ministry organizations.

- c. Provide for discipline of congregations, ordained ministers, and persons on the official lay rosters; as well as for termination of call, appointment, adjudication, and appeals consistent with 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 the synod, initiating and developing policy, and implementing programs, consistent with churchwide policy, including:
 - 1) ecumenical guidance and encouragement;
 - 2) development of new ministries, redevelopment of existing ministries, and support and assistance in the conclusion, if necessary, of a particular ministry;
 - 3) leadership and encouragement of congregations in their evangelism efforts;
 - 4) development of relationships to and participation in planning for the mission of social ministry organizations and ministries;
 - 5) encouragement of financial support for the work of this church by individuals and congregations;
 - 6) provision for resources for congregational life;
 - 7) assistance to the members of its congregations in carrying out their ministries in the world; and
 - 8) interpretation of social statements in a manner consistent with the interpretation given by the churchwide unit which assisted in the development of the statement, and suggestion of social study issues through (a) Synod Assembly memorials to the Churchwide Assembly or (b) resolutions for referral from the Synod Assembly through the Synod Council to the Church Council and (c) Synod Council resolutions addressed to the Church Council or for referral to a unit of the churchwide organization through the Church Council's Executive Committee.
- f. Promote interdependent relationships among congregations, synods, and the churchwide organization, and enter into partnership with other synods in the region.
- g. Participate in churchwide programs and develop support for the ministry of the churchwide organization.
- h. Foster the grouping of congregations in conferences, clusters, coalitions, or other area subdivisions for mission purposes.
- i. Support relationships with and provide partnership funding on

behalf of colleges, universities, and campus ministries.

- j. Foster relationships with and provide partnership funding on behalf of social ministry organizations.
- k. Maintain relationships with and provide partnership funding on behalf of seminaries and continuing education centers.
- l. Foster supporting relationships with camps and other outdoor ministries.
- m. Foster supporting relationships with preschools, elementary schools, and secondary schools operated by congregations of the synod.
- n. Interpret the work of this church to congregations and to the public.
- o. Respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.
- p. Provide for archives in conjunction with other synods.
- q. Cooperate with other synods and the churchwide organization in creating, using, and supporting regions to carry out those functions of the synod which can best be done cooperatively with other synods and the churchwide organization.

10.22. In the event that this church or any synod of this church is charged with liability for any contingent debt, liability, or obligation arising or resulting from acts or omissions of any synod of the Lutheran Church in America, or The Association of Evangelical Lutheran Churches, or district of The American Lutheran Church, occurring prior to January 1, 1988, the Church Council is authorized and empowered to determine whether and to what extent this church or such synod of this church shall be indemnified or reimbursed for any such debt, liability, or obligation by one or more synods of this church. In making its determination with respect to indemnification or reimbursement, the Church Council shall consider the nature of the activity which gave rise to the debt, liability, or obligation, the situs of that activity, and such other factors as the Church Council deems appropriate under the circumstances in order that such debt, liability, or obligation may be discharged in a manner that is fair and equitable to this church's congregations, synods, and churchwide organization. For purposes of this provision, a "contingent" debt, liability, or obligation means a debt, liability, or obligation (a) the amount of which had not been ascertained by the Evangelical Lutheran Church in America on December 31, 1987, or (b) the existence of which was unknown to the Evangelical Lutheran Church in America on December 31, 1987.

10.30. OFFICERS

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

- a. As the synod's pastor, the bishop shall:
- 1) **Oversee and administer the work of the synod.**
 - 2) **Preach, teach, and administer the sacraments in accord with the faith of this church.**
 - 3) **Provide pastoral care and leadership for the synod, its congregations, its ordained ministers, its associates in ministry, its deaconesses, and its diaconal ministers.**
 - 4) **Advise and counsel its related institutions and organizations.**
 - 5) **Be its chief ecumenical officer.**
 - 6) **Exercise supervision over the work of the other officers.**
 - 7) **Preside at all meetings of the Synod Assembly and be the chief executive officer of the synod; provide for the preparation of the agenda of the Synod Assembly, Synod Council, and the Executive Committee; see to it that the constitution and bylaws of the synod are duly observed, and that the actions of the synod in conformity therewith are carried into effect; coordinate the work of all synodical staff members; and appoint all committees for which provision is not otherwise made.**
 - 8) **Coordinate the use of the resources available to the synod as it seeks to promote the health of this church's life and witness in the areas served by the synod.**
 - 9) **Exercise solely this church's power to ordain (or provide for the ordination by another synodical bishop of) approved candidates who have received and accepted a properly issued, duly attested letter of call for the office of ordained ministry (and as provided in the bylaws of this church); to commission approved candidates who have received and accepted a properly issued, duly attested letter of call for service as an associate in ministry; to consecrate approved candidates who have received and accepted a properly issued, duly attested letter of call for service as a deaconess; and to consecrate approved candidates who have received and accepted a properly issued, duly attested letter of call for service as a diaconal minister; and shall install (or provide for the installation of):**
 - a) **the pastors of all congregations of the synod;**
 - b) **ordained ministers called to extraparish service within this church;**
 - c) **associates in ministry rostered in the synod;**
 - d) **deaconesses of the Evangelical Lutheran Church in America rostered in the synod; and**
 - e) **diaconal ministers of the Evangelical Lutheran Church in America rostered in the synod.**

- 10) **Be *ex officio* a member of the Churchwide Assembly and a member of all committees and any other organizational units of the synod.**
 - 11) **Submit a report to each regular meeting of the Synod Assembly concerning the synod's life and work.**
 - 12) **Interpret and advocate the mission and theology of the whole church.**
- b. The vice president shall chair the Synod Council. 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.**
- 10.31.01.** The bishop shall be elected by the Synod Assembly. The bishop shall be a pastor who is an ordained minister of this church. The bishop may have as many assistants as the synod shall authorize.
 - 10.31.02.** The vice president shall be elected by the Synod Assembly. The vice president shall be a layperson. The vice president shall not receive a salary for the performance of the duties of the office.
 - 10.31.03.** The secretary shall be elected by the Synod Assembly. The secretary may be either a layperson or an ordained minister.
 - 10.31.04.** The treasurer shall be elected by the Synod Assembly. The treasurer may be either a layperson or an ordained minister.
 - 10.31.05.** The bishop of the synod shall be elected to a term of six years and may be reelected. The other officers shall be elected to a term as defined by each synod, but not to exceed six years, and may be reelected.
 - 10.31.06.** Each officer shall be a voting member of a congregation of the synod, except that the bishop need not be a member of a congregation of the synod at the time of election.
- 10.32. CONFLICTS OF INTEREST**
- 10.32.01.** 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 10.32.01.b. may require his or her determination or action with respect to a related individual as defined in 10.32.01.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 disciplinary action under Chapter 20, proceedings under S14.13., candidacy, reinstatement, and similar matters where

determinations or actions by the synodical bishop could limit, restrict, 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).

10.40. SYNOD ASSEMBLY

10.41. Each synod shall have a Synod Assembly, which shall be its highest legislative authority, and which shall meet at least biennially. Special meetings may be called as needed. With the exception of ordained ministers on the roster of synods other than their synod of residence, each member of the Synod Assembly, the Synod Council, a board, committee, or other organizational unit of the synod shall be a voting member of a congregation of the synod.

10.41.01. Membership of the Synod Assembly, of which at least 60 percent of the voting membership shall be composed of lay persons, shall be constituted as follows:

- a. All ordained ministers under call on the roster of the 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 lay roster or rosters of the 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 10.41.01.c.
- c. A minimum of one lay member elected by each congregation with fewer than 175 baptized members and a minimum of two lay members elected by each congregation with 175 or more baptized members related to the synod, normally one of whom shall be male and one of whom shall be female, shall be voting members. The Synod Council shall establish a formula to provide additional lay representation from congregations on the basis of the number of baptized members in the congregation. The Synod Council shall seek to ensure that, as nearly as possible, 50 percent of the lay members of the assembly shall be female and 50 percent shall be male. Additional members from each congregation normally shall be equally divided between male and female.
- d. Voting membership shall include the officers of the synod.

10.41.02. Synods may establish processes that permit retired ordained ministers on the roster of the synod to serve as voting members of the Synod Assembly, consistent with bylaw 10.41.01. above.

10.41.03. Synods may establish processes that permit ordained ministers on the roster of the synod who are on leave from call to serve as voting

- members of the Synod Assembly, consistent with bylaw 10.41.01. above.
- 10.41.04.** Synods may establish processes that permit representatives of authorized worshipping communities of the synod, under bylaw 10.02.03., to serve as voting members of the Synod Assembly, consistent with bylaw 10.41.01.
- 10.41.05.** Synods may establish processes that permit Synod Council voting members who are not otherwise serving as voting members of the Synod Assembly the privilege of both voice and vote as members of the Synod Assembly.
- 10.50.** **SYNOD COUNCIL**
- 10.51.** Each synod shall have a Synod Council, which shall be its board of directors, and which shall serve as the interim legislative authority between meetings of the Synod Assembly, except that it may not take any action which is reserved exclusively for the Synod Assembly or which is in conflict with action taken by the Synod Assembly.
- 10.52.** The Synod Council shall consist of the four officers of the synod, 10 to 24 other members, and 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 of the synod, with the exception of ordained ministers on the 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.
- 10.60.** **CONFERENCES, CLUSTERS, COALITIONS, OR OTHER AREA SUBDIVISIONS, AND COMMITTEES**
- 10.61.** Opportunities for groupings of congregations and institutions in specified geographic areas of the synod shall be provided by the synod to foster interdependent relationships among congregations, institutions, the synod, and churchwide units for mission purposes. These groupings may be formed as conferences, clusters, coalitions, or other area subdivisions.
- 10.62.** Each synod may establish such boards, committees, task forces, and other organizational forms as it deems necessary to carry out effectively the functions assigned to the synod.
- 10.63.** Each synod shall have an executive committee, a consultation committee, and a committee on discipline. Each synod also shall establish a mutual ministry committee to provide support and counsel to the bishop.
- 10.64.** Each synod shall elect or appoint representatives to the steering committee of the region.
- 10.70.** **FISCAL POLICY**

- 10.71. Each synod shall remit to the churchwide organization a percentage of all donor-unrestricted receipts contributed to it by the congregations of the synod, such percentage to be determined by the Churchwide Assembly. Individual exceptions may be made by the Church Council upon request of a synod.
- 10.72. Each synod shall arrange to have an annual audit of its financial records conducted by a certified public accountant firm selected by the Synod Council. The audited annual financial report shall be submitted by the synod to the churchwide Office of the Treasurer and to the congregations of the synod. Synodical financial reports shall be in a format approved by the churchwide Office of the Treasurer in order to attain uniformity in reporting.
- 10.73. Each synod shall have the fiscal year of February 1 through January 31.
- 10.74. Each 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.
- 10.80. **INSTALLATION**
- 10.81.01. The presiding bishop of this church, or a bishop appointed by the presiding bishop of this church, shall preside for the installation into office, in accord with the policy and approved rite of this church, of each newly elected synodical bishop.

Chapter 11.

CHURCHWIDE ORGANIZATION—DEFINITION AND PURPOSES

- 11.10. **DEFINITION OF THE CHURCHWIDE ORGANIZATION**
- 11.11. The Evangelical Lutheran Church in America shall have a churchwide organization that shall function interdependently with the congregations and synods of this church. The churchwide organization shall serve on behalf of and in support of this church's members, congregations, and synods in proclaiming the Gospel, reaching out in witness and service both globally and throughout the territory of this church, nurturing the members of this church in the daily life of faith, and manifesting the unity of this church with the whole Church of Jesus Christ.
- 11.12. The churchwide organization shall be an instrument for accomplishing the purposes of this church, as defined by Chapter 4 of this constitution, that are shared with and supported by the members, congregations, and synods of this church. In keeping with this church's purposes, it shall develop churchwide policy, set standards for leadership, establish criteria for this church's endeavors, and coordinate the work of this church. It shall be a

means for the sharing of resources throughout this church, and shall provide programs and services as determined by this church.

11.20. PURPOSES OF THE CHURCHWIDE ORGANIZATION

11.21. In fulfillment of the purposes of this church, the churchwide organization shall:

- a. Undergird the worship life of this church as the Word of God is preached and the sacraments are administered.
- b. Provide resources to equip members to worship, learn, serve, and witness in their ministry in daily life.
- c. Support and establish policy for this church's mission and coordinate planning and evaluation for that mission throughout the world, including participation with other churches.
- d. Witness to the Word of God in Christ by united efforts in proclaiming the Gospel, responding to human need, caring for the sick and suffering, working for justice and peace, and providing guidance to members on social matters.
- e. Foster interdependent relationships among congregations, synods, and the churchwide organization to implement the mission of this whole church.
- f. Provide for the ordained ministry and other rostered ministries of this church.
- g. Oversee and establish policy for this church's relationship to seminaries, colleges, universities, schools, and other education endeavors, and provide support as appropriate.
- h. Establish and reflect this church's ecumenical stance and its relationship to other churches, and direct this church's policy for relationship with persons of other faiths.
- i. Develop and administer policies for this church's relationship to social ministry organizations and cooperate with public and private agencies that enhance human dignity and justice.
- j. Determine and implement policy for this church's relationship to governments.
- k. Provide for a comprehensive financial support system for this church's mission and for the administration of financial resources necessary for fulfillment of the particular responsibilities of the churchwide organization.
- l. Provide planned giving opportunities for the financial support of this church, its congregations, synods, agencies, and institutions through the establishment of a foundation.
- m. Provide pension and other benefits plans for this church.
- n. Provide a church publishing house.
- o. Provide archives for the retention of its valuable records, and coordinate archival activity in the synods, regions, institutions,

and agencies of this church.

- p. Provide and monitor a system of discipline, appeals, and adjudication.
- q. Establish and operate other programs and activities, as determined by this church, on behalf of and in support of the congregations and synods of this church.

- 11.30. DESCRIPTION OF THE CHURCHWIDE ORGANIZATION**
- 11.31. The legislative function of the churchwide organization shall be fulfilled by the Churchwide Assembly as described in Chapter 12 of this church's constitution, bylaws, and continuing resolutions.**
- 11.32. The Church Council shall exercise interim legislative authority and shall serve as the board of directors of the corporation.**
- 11.33. Leadership of this church shall be vested in the officers, the Churchwide Assembly, the Church Council, boards, and executive directors of churchwide administrative units. The full-time officers shall be the presiding bishop of this church, secretary of this church, and treasurer of this church. The vice president shall be non-salaried and shall serve as chair of the Church Council.**
- 11.34. The churchwide organization shall carry out its duties through units known as offices, divisions, commissions, and other churchwide units. Departments shall be sub-units within offices, divisions, and other units that shall accomplish particular responsibilities as part of the respective unit's overall functions on behalf of this church.**
- 11.35. Each unit shall be governed by a board, an advisory committee, a steering committee, or a committee of the Church Council. Units shall be responsible to the Churchwide Assembly and the Church Council in the interim between regular meetings of the assembly.**
- 11.36. The churchwide organization shall provide a disciplinary process and an appeal process.**
- 11.40. GENERAL FISCAL POLICIES**
- 11.41. Within the limits established by the Churchwide Assembly in the constitution and bylaws, the Church Council, as the board of directors of the churchwide organization, shall establish the fiscal policies of this church.**
- 11.41.01. A single treasury shall be maintained for the receipt and disbursement of funds for the churchwide organization and its units receiving budgetary support, except as otherwise provided in the constitution and bylaws or as approved by the Church Council.**
- 11.41.02. Within the policies established by the Churchwide Assembly and the Church Council, the management and investment of the funds of the churchwide organization and its units receiving budgetary support shall be the responsibility of the Office of the Treasurer.**
- 11.41.03. On the basis of estimated income, and upon advice of the Office of the Presiding Bishop and the Office of the Treasurer, in consultation with the**

units receiving support from the churchwide budget, the Church Council shall authorize expenditures within the budget for the fiscal year and the units may incur financial obligations up to the specified amounts. Expenditure authorizations shall be subject to revision, in light of changing conditions, by the Church Council, upon the advice of the Office of the Presiding Bishop and the Office of the Treasurer.

- 11.41.04.** The Church Council shall establish a working capital fund to be administered by the Office of the Treasurer within the policies established by the Church Council.
- 11.41.05.** The fiscal year for the churchwide organization shall be February 1 through January 31.
- 11.41.06.** No churchwide appeal to congregations or individuals of this church for the raising of funds shall be conducted by this church or churchwide units without the consent of the Churchwide Assembly, following consultation with the Conference of Bishops. No appeal to selected congregations and individuals of this church for the raising of funds shall be conducted by this church or churchwide units without the consent of the Church Council, following consultation with either the Conference of Bishops or specific synods as appropriate. Proposals for such special appeals shall be presented to the Church Council through the appropriate council committee with recommendations by the Office of the Presiding Bishop.

Chapter 12.

CHURCHWIDE ASSEMBLY

- 12.10. DESCRIPTION AND AUTHORITY OF THE CHURCHWIDE ASSEMBLY**
- 12.11. The Churchwide Assembly shall be the highest legislative authority of the churchwide organization and shall deal with all matters which are necessary in pursuit of the purposes and functions of this church. The powers of the Churchwide Assembly are limited only by the provisions of the Articles of Incorporation, this constitution and bylaws, and the assembly's own resolutions.**
- 12.12. Any matter for which adoption by a vote of two-thirds of those voting in a prior Churchwide Assembly was required by the constitution or bylaws of the Evangelical Lutheran Church in America shall require a two-thirds vote to be amended or repealed by a subsequent Churchwide Assembly.**
- 12.20. DUTIES OF THE CHURCHWIDE ASSEMBLY**
- 12.21. The Churchwide Assembly shall:**
 - a. Review the work of the churchwide officers, and for this purpose require and receive reports from them and act on business proposed by them.**
 - b. Review the work of the churchwide units, and for this purpose**

require and receive reports from them and act on business proposed by them.

- c. Receive and consider proposals from synod assemblies.
- d. Establish churchwide policy.
- e. Adopt a budget for the churchwide organization.
- f. Elect officers, board members, and other persons as provided in the constitution or bylaws.
- g. Establish churchwide units to carry out the functions of the churchwide organization.
- h. Have the sole authority to amend the constitution and bylaws.
- i. Fulfill other functions as required in the constitution and bylaws.
- j. Conduct such other business as necessary to further the purposes and functions of the churchwide organization.

12.30. MEETINGS OF THE CHURCHWIDE ASSEMBLY

12.31. The assembly shall meet biennially in regular session. Special meetings may be called by a two-thirds vote of the Church Council. The purpose for a special meeting shall be stated in the notice.

12.31.01. The time and place of the Churchwide Assembly shall be determined by the Church Council. The 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 time and place of each regular assembly by publication thereof at least 60 days in advance 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 in this church's periodical at least 30 days in advance of the special assembly. Written notice shall be mailed to all voting members not more than 30 days nor less than 10 days in advance of any meeting.

12.31.03. At least 20 days prior to an assembly the secretary shall prepare and distribute to each congregation and to the voting members-elect a pre-assembly report.

12.31.04. The arrangements for agenda, program, and worship shall be under the supervision of the presiding bishop.

12.31.05. Physical arrangements for churchwide assemblies shall be made by the secretary or by an assembly manager working under the secretary's supervision. Such committees as may be necessary to facilitate the planning for and operation of the assembly may be established by the secretary in consultation with the presiding bishop.

12.31.06. The churchwide organization shall be responsible for the costs of the Churchwide Assembly, including reasonable costs for travel, housing, and board for voting and advisory members.

12.31.07. At least one-half of all persons elected as voting members must be present at a meeting to constitute a quorum for the legal conduct of

business. If such a quorum is not present, those voting members present may adjourn the meeting to another time and place, provided that only those persons eligible to vote at the original meeting may vote at the adjourned meeting.

12.31.08. Proxy and absentee voting shall not be permitted at a Churchwide Assembly.

12.31.09. The Churchwide Assembly shall use parliamentary procedures in accordance with *Robert's Rules of Order*, latest edition, unless otherwise ordered by the assembly.

12.40. MEMBERS OF THE CHURCHWIDE ASSEMBLY

12.41. The voting members of the Churchwide Assembly shall be the voting members of this church. The requirements for voting members of the assembly and other members shall be specified in the bylaws.

12.41.10. Voting Members

12.41.11. Each synod shall elect one voting member of the Churchwide Assembly for every 6,500 baptized members in the synod. In addition, each synod shall elect one voting member for every 50 congregations in the synod. The synodical bishop, who is *ex officio* a member of the Churchwide Assembly, shall be included in the number of voting members so determined. There shall be at least two voting members from each synod. The secretary shall notify each synod of the number of assembly members it is to elect.

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

12.41.13. Each voting member of the Churchwide Assembly shall be a voting member of a congregation of this church. Any such voting member (except a rostered person described in in 7.42.b., c., d., or e., or 7.52.14.) shall cease to be a member of the assembly if no longer a voting member of a congregation of this church within the synod from which elected. The criterion for voting membership in the congregation from which the voting member is elected shall be in effect regarding minimum age for that voting member.

12.41.14. Voting members elected through the process of 12.41.11. through 12.41.13. shall begin serving with the opening of a regular Churchwide Assembly and shall continue serving until voting members are seated at

the next regular Churchwide Assembly.

12.41.15. Except as defined in 12.41.21., employees of the churchwide organization, including those serving under call, appointment, employment agreement, or contract, shall not be eligible for election and service as voting members of the Churchwide Assembly.

12.41.20. Ex Officio Members

12.41.21. The officers of this church and the bishops of the synods shall serve as *ex officio* members of the Churchwide Assembly. They shall have voice and vote.

12.41.30. Advisory Members

12.41.31. Members of the Church Council and board chairpersons or their designees, unless elected as voting members, shall serve as advisory members of the Churchwide Assembly. Executive directors of churchwide units, the executive for administration, and executive assistants to the presiding bishop shall serve as advisory members of the Churchwide Assembly.

12.41.32. Advisory members shall have voice but not vote.

12.41.40. Other Non-Voting Members

12.41.41. Other categories of non-voting members may be established by the Churchwide Assembly.

12.41.A89. *Presidents of the colleges, universities, and seminaries of this church, unless elected as voting members of the assembly, shall have voice but not vote.*

12.50. COMMITTEES OF THE CHURCHWIDE ASSEMBLY

12.51. The Churchwide Assembly shall have a Reference and Counsel Committee, a Memorials Committee, and a Nominating Committee. The description of these committees shall be in the bylaws. The Churchwide Assembly may authorize such other committees as it deems necessary.

12.51.10. Reference and Counsel Committee

12.51.11. A Reference and Counsel Committee, appointed by the Church Council, shall review all proposed changes or additions to the constitution and bylaws and other items submitted that are not germane to items contained in the stated agenda of the assembly.

12.51.20. Memorials Committee

12.51.21. A Memorials Committee, appointed by the Church Council, shall review memorials from synodical assemblies and make appropriate recommendations for assembly action.

12.51.30. Nominating Committee

12.51.31. A Nominating Committee, elected by the Churchwide Assembly, shall nominate two persons for each position for which an election will be held by the Churchwide Assembly and for which a nominating procedure has not otherwise been designated in the constitution and bylaws of this

church.

Chapter 13.

OFFICERS OF THIS CHURCH

13.10. OFFICERS

13.11. This church shall have as its officers the presiding bishop, vice president, secretary, and treasurer.

13.20. PRESIDING BISHOP

13.21. This church shall have a presiding bishop who, as its pastor, shall be a teacher of the faith of this church and shall provide leadership for the life and witness of this church. The presiding bishop shall be an ordained minister of this church. The presiding bishop may be male or female, as may all other officers of this church. The presiding bishop shall:

- a. Be the president and chief executive officer of the corporation, overseeing the work of the churchwide organization.**
- b. Be the chief ecumenical officer of this church and its primary representative in the national and international interchurch agencies in which this church holds membership.**
- c. Provide for the preparation of the agenda for the Churchwide Assembly, Church Council, Executive Committee, Conference of Bishops, and Cabinet of Executives, and preside at the Churchwide Assembly.**
- d. Provide leadership and care for the bishops of the synods.**
- e. Supervise the work of the other officers.**
- f. Provide for the preparation of the budget for the churchwide organization.**
- g. Nominate and direct the work of the executive for administration.**
- h. Convene a Cabinet of Executives for common counsel and coordination. The cabinet shall meet at least quarterly at the call of the presiding bishop. The cabinet shall be composed of the officers, the executive for administration, the assistants to the presiding bishop, the executive directors of the churchwide units, directors of the departments related to the presiding bishop, and the editor of the church periodical.**
- i. Appoint members of all churchwide committees for which election procedures are not provided.**
- j. Be responsible for the chaplaincies of this church in federal agencies, institutions, and armed forces and provide for the pastoral care of those called to these ministries.**
- k. Recommend legal counsel to the Church Council.**
- l. Serve as an advisory member, with voice but not vote, on all committees of this church and all boards or committees of**

divisions, commissions, and other units, or designate a person to serve as the presiding bishop's representative.

13.22. The presiding bishop shall be elected by the Churchwide Assembly to a six-year term.

13.22.01. The presiding bishop shall be elected as provided in Chapter 19 and shall take office on the first day of the third month after election.

13.22.02. The presiding bishop shall be a full-time, salaried position.

13.22.A96. *Ecumenical Representatives*

Ecumenical representatives shall be chosen by the presiding bishop of the Evangelical Lutheran Church in America according to the following pattern:

a. The presiding bishop, in consultation with the advisory committee of the Department for Ecumenical Affairs and the Executive Committee of the Church Council, shall appoint members of delegations to national and international inter-church entities in which this church holds membership.

b. The presiding bishop, in consultation with the advisory committee of the Department for Ecumenical Affairs and the Executive Committee of the Church Council, shall appoint members of inter-Lutheran, inter-faith, and ecumenical discussions, including bilateral dialogues and conversations, in which this church participates.

c. All such appointments shall be reported to the Church Council as information.

13.30. VICE PRESIDENT

13.31. The vice president of this church shall be a layperson who shall serve as chair of the Church Council and, in the event the presiding bishop is unable to do so, as chair of the Churchwide Assembly. The vice president shall serve under the presiding bishop of this church, providing leadership as specified in provision 11.33. of this church's constitution, bylaws, and continuing resolutions.

13.32. The vice president shall be elected by the Churchwide Assembly to a six-year term and shall be a voting member of a congregation of this church.

13.32.01. The vice president shall be elected as provided in Chapter 19 and shall take office on the first day of the third month after election.

13.32.02. The vice president shall serve without salary.

13.40. SECRETARY

13.41. The secretary of this church shall serve under the presiding bishop of this church, providing leadership, as specified in Chapter 11 of this church's constitution, bylaws, and continuing resolutions, and shall fulfill the normal functions of the secretary of a corporation.

13.41.01. The secretary, as the recording officer of this church, shall keep the minutes, have responsibility for rosters, records, and reporting of

parochial statistics, oversee the archives, attest to all documents that require such signature, be the custodian of the seal, and perform other duties as prescribed by the *Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.

- 13.41.02.** The secretary shall:
- a. Be responsible for the minutes and records of the Churchwide Assembly, Church Council, Executive Committee, Conference of Bishops, and Cabinet of Executives, and shall receive complete minutes for permanent record of all boards and advisory and steering committees of the churchwide organization.
 - b. Maintain the rosters of ordained ministers, all other rostered persons, congregations, and synods.
 - c. Provide for the publication of official documents and policies of this church, pre-assembly reports, assembly minutes, a directory of congregations, rostered persons, and entities of this church, and other informational and statistical material.
 - d. Receive the annual report of the congregations in a form devised by the secretary, summarize the information, and make the summary available to this church.
 - e. Coordinate the use of legal services by the churchwide organization.
 - f. Be responsible for the archives of this church, including provision for an Archives Advisory Committee.
 - g. Implement and operate a records management system for the churchwide organization.
 - h. Arrange for and manage meetings of the Churchwide Assembly and Church Council.
 - i. Have custody of the seal, maintain a necrology, and attest documents.
- 13.41.03.** The secretary, in consultation with the presiding bishop, shall be responsible for preparation and research of amendments to the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*, as well as the *Constitution for Synods* and the *Model Constitution for Congregations*, to be proposed by the Church Council for action by the Churchwide Assembly in accordance with provisions of Chapter 22.
- 13.41.04.** The secretary shall prepare interpretations, as necessary, of the *Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. If a board, steering committee, advisory committee, or synod disagrees with the interpretations, as rendered, the objecting entity may appeal the secretary's interpretation to the Church Council.
- 13.41.05.** The secretary shall provide staff services to the Nominating Committee of the Churchwide Assembly and the nomination process of the Church Council; shall be responsible for declaring an interim vacancy resulting from the resignation, death, or disability of a member of a board,

committee, or council; and shall arrange for an election by the Church Council to fill the vacancy consistent with Chapter 19.

13.41.A03. Responsibilities of the Office of the Secretary

The Office of the Secretary of the Evangelical Lutheran Church in America, in collaboration with the treasurer of this church, shall provide and manage insurance (exclusive of life and health) programs for the churchwide organization and shall make available insurance programs to congregations, synods, regions, and related institutions, agencies, and organizations. Recommendations on standards for adequate, continuous insurance coverage to be maintained by synods, as required in constitutional provision 10.74., shall be provided.

13.42. The secretary shall be elected by the Churchwide Assembly to a six-year term and shall be a voting member of a congregation of this church.

13.42.01. The secretary shall be elected as provided in Chapter 19 and shall take office on the first day of the third month after election.13.42.02. The secretary shall be a full-time, salaried position.

13.50. TREASURER

13.51. The treasurer of this church shall serve under the presiding bishop of this church, providing leadership as specified in Chapter 11 of this church's constitution, bylaws, and continuing resolutions, and shall fulfill the normal functions of the treasurer of a corporation.

13.51.01. The treasurer shall propose policy for review and action by the Church Council and provide for the implementation, within such policies, of the financial, accounting, insurance, property management, investment, and money management systems, and related services for the units of the churchwide organization.

13.52. The treasurer shall be elected by the Church Council to a six-year term and shall be a voting member of a congregation of this church.

13.52.01. The treasurer shall be elected as provided in Chapter 19 and shall take office on the first day of the third month after election.

13.52.02. The treasurer shall be a full-time, salaried position.

13.52.03. The Church Council, by a two-thirds vote, may dismiss the treasurer for cause.

13.52.A03. Responsibilities of the Office of the Treasurer

a. This office shall be related to the treasurer, who shall be its full-time executive officer.

b. This office shall have the sole authority and responsibility to establish and maintain banking relationships.

c. This office shall have the authority to borrow; issue bonds, notes, certificates, or other evidence of obligation; or increase contingent liabilities within the overall limits determined by the Churchwide Assembly and the more restrictive limits established by the Church Council. No churchwide board shall make a commitment that binds

- the churchwide organization to an outside lending or other similar institution or which creates a liability of this church to such an institution without prior approval of the Office of the Treasurer.*
- d. This office, through the Budget and Finance Committee of the Church Council, shall recommend to the Church Council a certified public accounting firm to audit the financial records of the churchwide organization. Synodical financial reports shall be submitted to this office for compilation.*
 - e. This office shall provide for internal audit procedures of the churchwide organization.*
 - f. This office shall provide legal documents pertaining to the financial and property management matters of the churchwide organization. These legal documents shall be signed by the officers authorized by the Church Council.*
 - g. This office shall be authorized, within policies established by this church, to purchase or otherwise acquire title to real property; to mortgage, lease, sell, or otherwise dispose of the same; and to act on behalf of the units of the churchwide organization after receiving their direction regarding the purchase or disposition of real property.*
 - h. This office shall provide for a common system of financial reporting from synods and regions.*
 - i. This office shall provide, upon request, a financial management system for synods.*
 - j. This office shall provide, upon request, counsel in financial matters to the women's organization, congregations, synods, regions, and institutions.*
 - k. This office, within the policies established by the Church Council, shall assure the implementation of a donor gift acknowledgment process in consultation with the ELCA Foundation.*
 - l. This office, in consultation with the ELCA Foundation, shall recommend:
 - 1) approved policy for the valuation process for noncash gifts;*
 - 2) the management of assets of life-income agreements;*
 - 3) the establishment and management of memorial funds received by the foundation; and*
 - 4) the distribution of earned-income payments to remainder beneficiaries as regulated by the life-income, trust, and other fiduciary donor agreements.**
 - m. This office shall provide for the management of capital funds.*
 - n. This office shall manage capital loan funds established by the Church Council. The management shall be within policies established jointly by the Office of the Treasurer and other affected churchwide units.*
 - o. This office, in collaboration with the Office of the Secretary, shall examine the risk management and insurance needs of the churchwide*

organization and synods.

13.52.B03. Responsibility for Operational Support

The treasurer shall make provision for facilities management in support of the operation of the Lutheran Center and the function of Chicago-based churchwide units and, in so doing, shall maintain management services with an assistant to the treasurer for management services appointed by the treasurer who shall be responsible for building management for the churchwide organization and the coordination of central services for Chicago-based churchwide units.

13.52.C03. Information Technology

The treasurer shall provide for information technology that shall include the following:

- a. Information services, including data processing for the churchwide units, except as otherwise determined.*
- b. Data processing links among congregations, synods, and the churchwide organization for communication of information and data base.*
- c. Guidelines and policies for computer standards, security, application development, data storage, and data retrieval for all congregations, synods, and the churchwide organization of this church.*

13.60. DEATH, RESIGNATION, OR DISABILITY OF AN OFFICER

13.61. Should the presiding bishop die, resign, or be unable to serve, the vice president shall convene the Church Council to arrange for the appropriate care of the responsibilities of the presiding bishop until an election of a new presiding bishop can be held or until the presiding bishop is able to serve again. The term of the successor presiding bishop, elected by the next Churchwide Assembly, or a special meeting of the Churchwide Assembly called for the purpose of election, shall be six years, with the subsequent election to take place at the assembly closest to the expiration of such a term.

13.62. Should the vice president, secretary, or treasurer die, resign, or be unable to serve, the presiding bishop, with the approval of the Executive Committee of the Church 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 vice president or secretary, elected by the next Churchwide Assembly, shall be six years. The Church Council shall elect the successor treasurer for a term of six years.

13.63. The Executive Committee of the Church 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 Church 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 notice of the meeting shall be

given to the officer in question.

13.70. OFFICERS OF PREDECESSOR CONTINUING CORPORATIONS

13.71. Whenever an existing but inactive corporate entity that previously functioned as a predecessor or more remote predecessor of this church or as an incorporated board, agency, or synod related to such predecessors, and such entity is otherwise without officers or directors, the officers of this church shall constitute the directors of such entity and shall hold the same office as they hold in this church.

Chapter 14.

CHURCH COUNCIL

14.10. PURPOSE AND MEETINGS

14.11. This church shall have a Church Council which shall be the board of directors of this church and shall serve as the interim legislative authority between meetings of the Churchwide Assembly.

14.12. The Church Council shall meet at least two times each year.

14.13. “Interim legislative authority” is defined to mean that between meetings of the Churchwide Assemblies, the Church Council may exercise the authority of the Churchwide Assembly so long as:

- a. the actions of the Church Council do not conflict with the actions of and policies established by the Churchwide Assembly; and**
- b. the Church Council is not precluded by constitutional or bylaw provisions from taking action on the matter.**

14.14. The Church Council shall elect the treasurer of this church.

14.15. The Church Council shall elect advisory committee and steering committee members and, in the event that a vacancy on the council or on a board or committee is declared by the secretary of this church, the Church Council shall elect a member to serve the balance of the term.

14.20. RESPONSIBILITIES OF THE CHURCH COUNCIL

14.21. The specific duties of the Church Council shall be listed in the bylaws.

14.21.01. The Church Council shall act on the policies proposed by churchwide unit boards subject to review by the Churchwide Assembly.

14.21.02. The Church Council shall review the procedures and programs of the churchwide units to assure that churchwide purposes, policies, and objectives are being fulfilled.

14.21.03. The Church Council shall review all recommendations from churchwide units for consideration by the Churchwide Assembly.

14.21.04. The Church Council, upon recommendation of the presiding bishop, shall submit budget proposals for approval by the Churchwide Assembly and authorize expenditures within the parameters of approved budgets.

- 14.21.05.** The Church Council shall establish the criteria and policies for the relationship between this church and independent, cooperative, and related Lutheran organizations. The policies adopted by the Church Council shall be administered by the appropriate unit of the churchwide organization. The fiscal determination of which organization shall relate to a specific unit of the churchwide organization shall be made by the Church Council.
- 14.21.06.** The Church Council shall establish ranges for the salaries for the churchwide bishop, secretary, and treasurer.
- 14.21.07.** The Church Council shall adopt personnel policies for this church.
- 14.21.08.** The Church Council shall arrange the process for all elections to boards of churchwide units to assure conformity with established criteria.
- 14.21.09.** The Church Council may adopt policies in accord with this church's constitutions, bylaws, and continuing resolutions.
- 14.21.11.** The Church Council shall act on resolutions from synod councils.
- 14.21.12.** The Church Council shall provide for the installation of the churchwide officers. At the installation of a newly elected presiding bishop of this church, the presiding minister shall be the retiring presiding bishop of this church or, where that is not possible, a synodical bishop designated by the Church Council.
- 14.21.13.** The Church Council, acting through the Division for Church in Society, shall have responsibility for the corporate social responsibility of this church and shall have the authority to file shareholder resolutions and cast proxy ballots thereon on stocks held by the churchwide units that are not separately incorporated. In addition, the Church Council may make recommendations to the churchwide units that are separately incorporated concerning the filing of shareholder resolutions and the casting of ballots on stocks held by those units.
- 14.21.14.** The Church Council shall report its actions to the Churchwide Assembly.
- 14.21.15.** Proxy and absentee voting shall not be permitted at meetings of the Church Council.
- 14.30. COMPOSITION OF THE CHURCH COUNCIL**
- 14.31. The voting members of the Church Council shall consist of the four churchwide officers and 33 other persons, elected by the Churchwide Assembly.**
- 14.32. Church Council members shall be elected to one six-year term and shall not be eligible for consecutive reelection.**
- 14.32.01.** The Church Council shall have as advisory members nine synodical bishops, each elected by the Conference of Bishops to one four-year term. One bishop shall be elected from each region.
- 14.32.02.** The Church Council shall have two youth advisory members, each elected by the board of the youth organization of this church to a two-year term beginning at the first meeting of the Church Council following each regular meeting of the Churchwide Assembly.

14.32.03. Advisory members of the Church Council shall have voice but not vote.

14.40. CHURCH COUNCIL COMMITTEES

14.41. The Church Council shall establish committees and nominate or elect such persons as necessary to carry out the functions assigned to it. The description of such committees shall be set forth in the bylaws and continuing resolutions.

14.41.10. Executive Committee

14.41.11. The Church Council shall have an Executive Committee composed of the churchwide officers and seven members of the Church Council elected by the council. The vice president of this church shall chair this committee. The Executive Committee shall counsel with the churchwide officers and shall perform those functions of the Church Council assigned to it by the Church Council. This committee, with the exception of the officers of this church, shall review the work of the officers and set salaries of the churchwide bishop, secretary, and treasurer within the ranges established by the Church Council. This committee shall demonstrate concern for the spiritual, emotional, and physical well-being of the full-time salaried officers of this church. This committee shall transmit resolutions from synods to the appropriate unit or units of the churchwide organization and shall carry out the responsibilities of the council related to nominations, with staff services provided for the nomination and election processes of the Church Council by the Office of the Secretary.

14.41.12. Except as provided in bylaw 14.41.11. regarding the Executive Committee, the officers of this church shall have voice but not vote in all Church Council committees.

14.41.A91. Budget and Finance Committee

A Budget and Finance Committee shall be composed of members of the Church Council elected by the council and the treasurer of this church as an ex officio member with voice but not vote in the committee. This committee shall have staff services provided by the Office of the Presiding Bishop and the Office of the Treasurer. The committee shall prepare and present a comprehensive budget to the Church Council for its consideration and presentation to the Churchwide Assembly. In addition, the committee shall relate to the work of the Office of the Treasurer and the Mission Investment Fund of the ELCA. The executive director of the ELCA Foundation shall relate to the council through this committee. The committee also shall carry out the functions of the Financial Information Committee regarding pension and benefits plans, as specified by bylaw 17.61.02.e.

14.41.B91. Legal and Constitutional Review Committee

A Legal and Constitutional Review Committee shall be composed of members of the Church Council elected by the council, shall include the secretary of this church as an ex officio member with voice but not vote in the committee, and shall have staff services provided by the Office of

the Secretary. This committee shall provide ongoing review of legal and constitutional matters. It shall review all proposed amendments to the constitutions, bylaws, and continuing resolutions.

14.41.C99. *Planning and Evaluation Committee*

A Planning and Evaluation Committee shall be composed of members of the Church Council elected by the council and shall have staff services provided by the Office of the Presiding Bishop. This committee shall assist the presiding bishop in coordinated, strategic planning for the work of the churchwide organization. This committee also shall be responsible for the ongoing evaluation of churchwide units and the structure of the churchwide organization, making recommendations to the Churchwide Assembly through the Church Council. This committee shall establish a process for a periodic review of all churchwide units.

14.41.D99. *Program and Services Committee*

A Program and Services Committee shall be composed of members of the Church Council elected by the council and shall have staff services provided by the Office of the Presiding Bishop. This committee shall assist the council in assuring that churchwide purposes, policies, and objectives are being fulfilled through the programs and services of the divisions, commissions, other units, and departments. All churchwide policies and strategies recommended by units that have implications for congregations, synods, other churchwide units, or institutions and agencies of this church shall be considered by this committee for recommendation to the Church Council. Commissions established by this church shall relate to the Church Council through this committee.

14.41.E02. *Audit Committee*

An Audit Committee—composed of six members appointed by the Budget and Finance Committee and approved by the Church Council for two-year, renewable terms—shall assist the Budget and Finance Committee and the Church Council in fulfilling oversight of the churchwide organization’s accounting and financial reporting, internal control systems, and audit functions, consistent with its responsibilities as specified in the charter recommended by the Audit Committee, reviewed by the Budget and Finance Committee, and approved by the Church Council. A minimum of two members of the Audit Committee shall be members of the Budget and Finance Committee. The chair of the Audit Committee shall be a member of the Budget and Finance Committee and shall be appointed by the chair of the Budget and Finance Committee. In consultation with the Executive for Administration, the Audit Committee approves the appointment and dismissal of the director for internal auditing.

Chapter 15.

CHURCHWIDE OFFICES AND ADMINISTRATION

15.10. OFFICES

15.11. An office is a unit of the churchwide organization directly related to and under the authority of a full-time officer of this church. Each office is related to the Church Council through the officer, who reports to the Church Council in the interim between regular meetings of the Churchwide Assembly. Each office may have departments to assist the officer in the performance of specified functions that are the responsibility of that officer.

15.11.01. There shall be the following offices:

- a. Office of the Presiding Bishop;
- b. Office of the Secretary; and
- c. Office of the Treasurer.

15.11.02. *Administrative Team.* The presiding bishop, secretary, treasurer, and executive for administration shall function as an administrative team, directed by the presiding bishop. This administrative team shall assist the presiding bishop in the fulfillment of the presiding bishop's responsibilities for oversight, management, supervision, and coordination in the operation of the churchwide organization.

15.11.A03. *Duties of the Executive for Administration*

The executive for administration, who shall be an executive assistant to the presiding bishop, shall be accountable to the presiding bishop and shall serve as chief administrator of the churchwide organization. The executive for administration shall be elected by the Church Council upon nomination of the presiding bishop and shall have an appointment coterminous with the term of the presiding bishop. At the direction of the presiding bishop, the executive for administration shall:

- a. Supervise the day-to-day functioning of the churchwide organization and coordinate the work of churchwide units;*
- b. Coordinate the strategic planning and day-to-day staff activities within the Office of the Presiding Bishop and the functioning of the administrative team;*
- c. Facilitate the interdependent functioning of churchwide units in the fulfillment of the responsibilities assigned to them;*
- d. Develop the budget for the churchwide organization and report to the Church Council and the Churchwide Assembly through the Budget and Finance Committee of the Church Council with regard to the preparation of the budget;*
- e. Provide staff services and documentation to the Planning and Evaluation Committee of the Church Council; and*
- f. Oversee the management of the facilities for the churchwide organization and the coordination of central services for Chicago-based churchwide units.*

15.11.B03. *Responsibility for Federal Chaplaincy Ministries*

To assist in the fulfillment of constitutional provision 13.21.j., the

presiding bishop shall have a staff member appointed by the presiding bishop who shall be an assistant to the presiding bishop of this church to carry out duties related to the chaplaincies of this church in the U.S. armed forces, the Veterans Affairs Administration, and other federal agencies and institutions. The assistant to the presiding bishop for federal chaplaincies shall:

- a. Supervise the operation of the Bureau for Federal Chaplaincy Ministries of the Evangelical Lutheran Church in America;*
- b. Fulfill the requirements for endorsement of candidates for services in federal chaplaincies; and*
- c. Seek periodically the advice and counsel of the inter-Lutheran committee for federal chaplaincies whose members of this church shall be appointed by the presiding bishop.*

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

15.20.10. Departments

15.21.11. Departments related to the officers of this church shall develop and implement churchwide standards and provide for coordination of services requiring technical and specific expertise, in support of divisions and other units.

15.21.12. Advisory committees for departments may be established by the Church Council. Members of such committees shall be selected for particular experience and expertise related to the responsibilities of the department.

15.21.13. Names and descriptions of responsibilities of the departments related to officers shall be provided in continuing resolutions.

15.21.A91. *Such departments shall function under the administrative team, as defined in continuing resolution 15.11.A91., and as assigned by the presiding bishop of this church with the concurrence of the Church Council.*

15.21.B01. Department for Communication

a. This department shall interpret the work of this church, provide for this church's presence in public media, and coordinate the communication activities of this church's divisions, commissions, and, as appropriate, other units. To fulfill these responsibilities, this department shall:

- 1) develop an overall communication strategy for this church and recommend communication policies, procedures, and standards to the Church Council. Upon approval by the Church Council, this department shall be responsible for implementation of such policies, procedures, and standards.*
- 2) maintain a news and information service to gather and*

disseminate news about this church and its members, and respond to inquiries about this church, its policies, and its programs.

- 3) interpret, in cooperation with the divisions, commissions, and other churchwide units, the work of the churchwide organization to the members of this church and the public.*
 - 4) develop and carry out in coordination with other churchwide units a communication system for sharing information and resources among congregations, synods, regions, and the churchwide organization.*
 - 5) coordinate multimedia production for the churchwide organization.*
 - 6) develop, promote, and distribute public media-ministry programs of this church.*
 - 7) make appropriate provisions for translation, as determined by policy established by the Church Council, of church communication into languages other than English and into non-visual and non-verbal versions.*
 - 8) gather, under the coordination of the Department for Research and Evaluation, information to guide and direct the communication policies and strategies of this church, its programs, and its officers.*
 - 9) provide public relations counsel and support to the officers and units of this church.*
 - 10) facilitate programs for communication training and media education.*
 - 11) maintain relationships with communication offices of other church bodies and ecumenical agencies and engage in cooperative efforts as appropriate.*
 - 12) monitor national and international communication policies and issues, recommending under the coordination of the Division for Church in Society action to this church where appropriate.*
- b. The director for this department shall be nominated by the presiding bishop and elected by the Church Council to a four-year term. The director shall be eligible for reelection. Service of the director may be terminated by the presiding bishop, consistent with the personnel policies of the churchwide organization and in consultation with the Executive Committee of the Church Council.*
- c. This department shall be related to the presiding bishop of this church through the executive for administration.*
- d. The advisory committee of the Department for Communication shall be composed of up to 10 persons elected to six-year terms by the Church Council for particular experience and expertise.*

15.21.C95. Department for Ecumenical Affairs

- a. *This department shall be related to the presiding bishop of this church, shall coordinate the ecumenical, inter-Lutheran, and interfaith activities of this church, and shall recommend, through the presiding bishop, policies relating thereto to the Churchwide Assembly and Church Council. To fulfill these responsibilities, this department shall:*
- 1) *assist the presiding bishop of this church in carrying out the presiding bishop's role as the chief ecumenical officer of this church.*
 - 2) *administer the ecumenical, inter-Lutheran, and interfaith discussions (including bilateral dialogues) in which this church is involved.*
 - 3) *administer (including personnel and financial support) the membership of this church in ecumenical organizations, such as World Council of Churches, National Council of the Churches of Christ in the U.S.A., and Lutheran World Federation.*
 - 4) *study and advise this church in matters of fellowship and unity with other Lutheran churches.*
 - 5) *guide the process of reception of theological agreements.*
 - 6) *encourage the study of theological topics of common concern.*
 - 7) *assist the synods, congregations, and churchwide units of this church in carrying out their ecumenical, inter-Lutheran, and interfaith responsibilities by giving guidance and by preparing guidelines for action.*
- b. *The director for this department, who shall report to the presiding bishop of this church and shall be an assistant to the presiding bishop, shall be nominated by the presiding bishop and elected by the Church Council to a four-year term. The director shall be eligible for reelection. Service of the director may be terminated by the presiding bishop, consistent with the personnel policies of the churchwide organization and in consultation with the Executive Committee of the Church Council.*
- c. *The advisory committee of the Department for Ecumenical Affairs, which shall report to the Church Council through the presiding bishop of this church, shall be composed of 11 members, including the presiding bishop of this church, three members of the Church Council elected by the council, and seven persons elected to six-year terms by the Church Council from outside its membership for particular experience and expertise. A synodical bishop chosen by the Conference of Bishops shall serve as an advisory member of the committee with voice but not vote.*
- d. *The advisory committee for this department shall serve as the U.S.A. National Committee of the Lutheran World Federation. In serving in such capacity, the committee of this department shall be augmented by the members of this church who serve as voting members of the*

LWF council. One staff member of the Division for Global Mission and one staff member of the Division for Church in Society shall serve as consultants to the U.S.A. National Committee of the Lutheran World Federation.

15.21.D99. Department for Human Resources

- a. *This department shall recommend to the Church Council personnel policies for the churchwide organization except as otherwise determined, including equal-employment opportunity and affirmative action, recruitment, interview, and selection, compensation and benefits, fair-employment practices, staff position description, performance evaluation, and training. To fulfill these responsibilities, this department shall:*
 - 1) *recommend personnel policies, procedures, and standards, and, upon approval by the Church Council, be responsible for the implementation, administration, and evaluation of personnel policies, procedures, and standards for divisions, commissions, offices, and other units, as applicable, of the churchwide organization.*
 - 2) *guide the recruitment, personnel interviews, and process of selection of staff.*
 - 3) *authorize necessary research to update compensation packages and make recommendations to the Church Council for upgrading pension and other benefits plans.*
 - 4) *make employee assistance programs, such as family-crisis counseling and retirement- planning services, available to the employees of this church.*
 - 5) *recommend policy and procedures to the Church Council for ongoing performance evaluation.*
 - 6) *provide for just and equitable employee-relations practices, including grievance procedures, and provide employee services appropriate to the churchwide office, such as child-care services.*
 - 7) *maintain personnel records for all employees, including employee-performance evaluations.*
- b. *This department shall offer such policies to the synods and congregations as guidelines and be available to counsel and advise the synods as requested.*
- c. *The director for this department shall be nominated by the presiding bishop and elected by the Church Council to a four-year term. The director shall be eligible for reelection. Service of the director may be terminated by the presiding bishop, consistent with the personnel policies of the churchwide organization and in consultation with the Executive Committee of the Church Council.*
- d. *This department shall be related to the presiding bishop of this*

church through the executive for administration.

- e. The advisory committee of the Department for Human Resources shall be composed of five persons appointed to six-year terms for their particular experience and expertise by the presiding bishop and reported to the Church Council.*

15.21.E99. Department for Research and Evaluation

- a. This department shall assist the presiding bishop, other leaders, and staff of the churchwide organization to accomplish their responsibilities by providing reliable and valid research, relevant information, and appropriate evaluation related to the purposes of this church. To fulfill these responsibilities, this department shall:
 - 1) recommend research and evaluation policies, processes, procedures, and standards to the Church Council and implement them upon approval by the Church Council.*
 - 2) serve as the center for this church in the area of research and evaluation by:
 - a) conducting systematic, ongoing research on issues, attitudes, and contextual developments;*
 - b) conducting individual research projects on behalf of the churchwide organization and its units;*
 - c) overseeing the development and execution of research plans for each unit; and*
 - d) providing consultation to all churchwide units on matters related to research and evaluation.**
 - 3) provide interpretation of the results of research conducted or reviewed in support of the work of churchwide units.*
 - 4) provide the churchwide organization, its units, and other expressions of the church with demographic data and analysis.*
 - 5) offer upon request counsel and advice about research and evaluation to congregations, synods, regions, agencies, and institutions of this church.**
- b. This department shall provide at the direction of the secretary for the collection and tabulation of the parochial statistics for this church.*
- c. This department shall provide at the direction of the presiding bishop for coordinated comprehensive research and evaluation of the work of the churchwide organization.*
- d. The director for this department shall be nominated by the presiding bishop and elected by the Church Council to a four-year term. The director shall be eligible for reelection. Service of the director may be terminated by the presiding bishop, consistent with the personnel policies of the churchwide organization and in consultation with the Executive Committee of the Church Council.*
- e. This office shall be related to the presiding bishop of this church through the executive for administration.*

- f. *The advisory committee of the Department for Research and Evaluation shall be composed of five persons appointed to six-year terms for their particular experience and expertise by the presiding bishop and reported to the Church Council.*

15.21.F91. Department for Synodical Relations

- a. *This department shall coordinate the relationships between the churchwide organization and synods, including regions, develop and implement synodical-churchwide consultations and services, render support for synodical bishops and synodical staff, and provide staff services for the Conference of Bishops. To fulfill these responsibilities, this department shall:*
- 1) *relate to the Conference of Bishops in fulfillment of the conference's assigned responsibilities and provide staff services for development of programs and other needs.*
 - 2) *plan and coordinate synodical-churchwide consultations and provide for services, including assistance to synods for organizational concerns, long-range planning, and ongoing evaluation.*
 - 3) *coordinate the interaction of churchwide units with synodical responsibilities and programs.*
 - 4) *implement and monitor churchwide participation in regional steering committees.*
- b. *The director for this department, who shall report to the presiding bishop of this church and shall be an assistant to the presiding bishop, shall be nominated jointly by the presiding bishop of this church and the executive committee of the Conference of Bishops, ratified by the Conference of Bishops, and elected by the Church Council to a four-year term. The director shall be eligible for reelection. Service of the director may be terminated by the presiding bishop, consistent with the personnel policies of the churchwide organization and in consultation with the Executive Committee of the Church Council.*

15.30. CONFERENCE OF BISHOPS

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

15.31.01. The Conference of Bishops shall report to the Church Council, and may make recommendations to the presiding bishop of this church and to the Church Council. Members of the conference shall assemble at least two times each year.

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

15.31.03. The responsibilities of the Conference of Bishops shall be enumerated in a continuing resolution. The resolution may be amended by majority vote

of the Churchwide Assembly or by a two-thirds vote of the Church Council. Should the conference disagree with the action of the Church Council, it may appeal the decision to the Churchwide Assembly.

15.31.A03. Responsibilities of the Conference of Bishops

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

- a. be a forum in which goals, objectives, and strategies may be developed and shared concerning pastoral leadership, care, and counsel for the synods;*
- b. review recommendations from the Division for Ministry pertaining to standards for the admission to the rosters of ordained ministers, associates in ministry, deaconesses, and diaconal ministers, and for their retention on those rosters;*
- c. review recommendations and foster programs, in consultation with the Division for Ministry, pertaining to policies related to ordained ministers, associates in ministry, deaconesses, and diaconal ministers, and their families for pastoral care in such areas as call review, guidance, mobility, intervention, discipline, rehabilitation, and spiritual growth;*
- d. work with the Division for Ministry in the processes for first call for candidates for the ordained ministry of this church, first call for persons certified as associates in ministry, deaconesses, and diaconal ministers, mobility of rostered persons, and pastoral care;*
- e. carry out programs, under the leadership of the Division for Ministry, related to ordained ministers, associates in ministry, deaconesses, and diaconal ministers, and their families for pastoral care, including call review, guidance, mobility, intervention, discipline, rehabilitation, and spiritual growth;*
- f. offer programs for orientation and continuing education for bishops, officers, and their spouses;*
- g. assist the bishops in their role as teachers by being a forum for serious reflections on the theological and ethical implications of issues that affect the life of this church; and*
- h. participate in the development and study of ecumenical documents and assist the bishops to promote the unity of this church through leadership and ecumenical worship, fellowship, and interaction.*

15.31.B03. Organization of the Conference of Bishops

The Conference of Bishops may establish committees as the members, from time to time, may determine to assist in fulfillment of assigned responsibilities. Quadrennially, the Conference of Bishops shall elect a chair and vice chair to preside at meetings and serve as ex officio

members of the executive committee of the conference with the presiding bishop and secretary. Three synodical bishops also shall be elected by the conference as members of the executive committee.

15.31.C03. Staff Services for the Conference of Bishops

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

15.40. STAFF

15.41. The churchwide units shall employ staff according to churchwide policy.

15.41.01. The Department for Human Resources shall recommend to the Church Council the personnel policies of this church. Such policies shall be binding on all churchwide units unless exceptions are granted by the Church Council or specified in the constitution and bylaws of this church.

15.41.02. The salary structures of all churchwide units shall be within the personnel policies of this church, unless exceptions are granted by the Church Council.

15.41.03. Consistent with applicable personnel policies, churchwide units will have staff persons, some of whom shall be executive staff and others of whom shall be support staff. In conformity with this church's commitment to inclusive practice, churchwide units will assure that staff include a balance of women and men, persons of color and persons whose primary language is other than English, laypersons, and persons on the roster of ordained ministers. This balance is to be evident in terms of both executive staff and support staff consistent with the inclusive policy of this church.

15.41.04. Approval by the presiding bishop, upon recommendation of the executive for administration, shall be required to authorize staff positions in churchwide units.

15.41.A91. Staffing Assumptions

a. Wherever practical, staff should be shared between churchwide units and synods, either as deployed staff or shared-time staff. When staff are "deployed" or are "shared synodical-churchwide" staff, this shall occur only after all affected organizations of this church in use of such staff have agreed to the purposes and details of such an arrangement.

1) Deployed staff shall be understood to mean fully funded by the deploying churchwide unit(s).

2) Shared synodical-churchwide staff shall be understood to mean shared funding by the deploying churchwide unit(s) and the synod(s).

b. Where purchase of service is warranted, rather than full-time

- employment, such options should be encouraged.*
- c. *Before new executive staff positions can be added to any unit of the churchwide organization, such unit must present its proposal to the Church Council through the council's Program and Services Committee.*
 - d. *Categories of staff allocations are as follows:*
 - 1) *Executive director: the director of the unit.*
 - 2) *Executive staff: all other executives of a unit.*
 - 3) *Full-time equivalents under churchwide personnel policies: contract staff whose services are purchased out of budget allocations within the unit or shared staff the cost of whom are shared with synods or other units.*
 - 4) *Support staff: staff with the responsibility of assisting the executive director, executive staff, and full-time equivalents.*

Chapter 16.

DIVISIONS AND COMMISSIONS OF THE CHURCHWIDE ORGANIZATION

16.10. DIVISIONS

16.11. **A division is a unit of the churchwide organization to which is assigned responsibility for a major, identified portion of the program of this church.**

16.11.10. Division Boards

16.11.11. Each board shall be responsible to the Churchwide Assembly and will report to the Church Council in the interim. The policies, procedures, and program of each division shall be reviewed by the Church Council in order to assure conformity with the governing documents of this church and with Churchwide Assembly actions.

16.11.12. Each board, which shall meet at least two times each year, shall function as specified in this church's constitution, bylaws, and continuing resolutions regarding its responsibilities in relation to a particular unit of the churchwide organization.

16.11.13. Each division board shall be composed of 21 persons elected to one six-year term, with no consecutive reelection, and with one-third of the board members being elected every biennium, as provided in Chapter 19. The presiding bishop of this church, or the presiding bishop's designee, shall serve as an advisory member of each board. The Conference of Bishops shall select one bishop to serve as an advisory member of each board.

16.11.14. Proxy and absentee voting shall not be permitted at meetings of any board or any committee of the board.

16.11.20. Staff of Divisions

16.11.21. Each board shall elect its executive director to a four-year term in

consultation with and with the approval of the presiding bishop of this church. Nomination of a candidate for election by the board shall be made jointly by the presiding bishop and the search committee of the board. Each board, together with the presiding bishop, shall arrange within the policy of this church for an annual review of the executive director. Executive directors shall be eligible for reelection. The employment of the executive director may be terminated jointly by the presiding bishop of this church and the executive committee of the board. With the prior consent of the presiding bishop of this church and the Church Council, the board of a division may elect two executive directors in the manner provided in this bylaw.

16.11.30. Responsibilities Common to Boards

16.11.31. Each board shall request budget support for programs of the division through the budget-development process. In its review of the division's work, the board shall seek to ensure that the division operates within the expenditure authorization established by the Church Council.

16.11.32. Each board shall recommend policy and develop strategies in its particular areas of responsibility after consultation with other units of the churchwide organization and affected synods, congregations, agencies, and institutions.

- a. Policies related to the day-to-day functioning of the unit or to the specific responsibilities of the unit that have no implications for other units, congregations, synods, agencies, or institutions may be adopted by the board, subject to ratification by the Church Council.
- b. All other policies shall be submitted to the Church Council for approval.

16.11.33. Each board shall approve and review major program directions for its areas of responsibility in cooperation with the appropriate committee of the Church Council, for presentation to the Church Council.

16.11.40. Establishment of Divisions

16.11.41. The responsibilities of the divisions shall be enumerated in continuing resolutions. Such continuing resolutions may be amended by a majority vote of the Churchwide Assembly or by a two-thirds vote of the Church Council. Should the board disagree with the action of the Church Council, it may appeal the decision to the Churchwide Assembly.

16.11.42. This church shall have the following divisions:

- a. Division for Congregational Ministries
- b. Division for Ministry
- c. Division for Outreach
- d. Division for Higher Education and Schools
- e. Division for Church in Society
- f. Division for Global Mission

16.11.A00. *Division for Congregational Ministries*

This division, working in partnership with congregations, synods,

regions, and other units of the churchwide organization, shall provide support for congregations as they carry out their ministry; it also shall provide a financial-support program for this church. To fulfill these responsibilities, this division shall:

- a. develop integrated programs and provide services, in cooperation with other churchwide units, in support of congregations in such major areas as worship, education, evangelism, stewardship, congregational social ministry, congregational planning, service and justice, and lay leadership.*
- b. develop and deliver programs to enable members and congregations to respond financially in support of this church's ministry in congregations, synods, agencies, institutions, and the churchwide organization. To do so, this division will:*
 - 1) direct the financial-support program to undergird this church's whole ministry.*
 - 2) direct the churchwide program of designated giving developed in cooperation with other appropriate units of the churchwide organization.*
 - 3) direct, in cooperation with the Division for Church in Society, the ingathering of funds for this church's hunger and disaster appeals.*
 - 4) plan for and implement approved churchwide special appeals in accordance with policies of this church and decisions of the Churchwide Assembly and the Church Council.*
 - 5) provide, upon request, counsel and assistance to congregations, synods, agencies, and institutions of this church to develop and strengthen financial stewardship through contractual or special services.*
- c. develop resources for congregational use in partnership with the Publishing House of the ELCA and other appropriate churchwide units. To do so, this division will:*
 - 1) participate in resource planning groups with other churchwide units to plan and develop materials to assist members and congregations.*
 - 2) work in coordination with the Women of the ELCA, the Commission for Women, and the Publishing House of the ELCA in development of resources for women.*
 - 3) develop multilingual and culture-specific resources, in cooperation with the Commission for Multicultural Ministries and the Publishing House of the ELCA.*
 - 4) develop hunger education resources and activities in cooperation with other churchwide units, especially the Division for Church in Society, the Division for Global Mission, the Women of the ELCA, and the Publishing House of the ELCA.*

- d. *develop programs and resources, under the coordination of the Division for Ministry and in cooperation with the Publishing House of the ELCA, to assist congregations to equip people individually and collectively for ministry in daily life.*
- e. *develop programs to meet specific needs for congregational ministries among families, singles, older adults, children, youth, men, and women.*
- f. *relate to organizations that provide support for congregational ministry. To do so, this division will:*
 - 1) *oversee and support the Lutheran Youth Organization, which shall operate with youth leadership elected by its members and with a constitution established by its members. The constitution of the Lutheran Youth Organization shall be approved by the Church Council. Policies and actions of the youth organization shall be subject to review by the board of the Division for Congregational Ministries, and all budget requests shall be submitted through the Division for Congregational Ministries.*
 - 2) *oversee and support Lutheran Men in Mission, which shall operate with leadership elected by its members and with a constitution established by its members, which shall become effective upon approval by the Church Council. Policies and actions of Lutheran Men in Mission shall be subject to review by the board of the Division for Congregational Ministries, and all budget requests shall be submitted through the Division for Congregational Ministries.*
 - 3) *relate to ELCA outdoor ministries and provide support through programs and services.*
 - 4) *relate to the Lutheran Laity Movement for Stewardship, which shall be recognized as being an association within this church, which shall be self-supporting financially, and which shall provide specialized stewardship services to this church in consultation with and through cooperation with this division. This association shall administer its affairs in conformity with the applicable policies of this church and shall coordinate its operations with the Division for Congregational Ministries. The specific functions of this association shall be enumerated in its constitution and bylaws. The constitution and bylaws of the Lutheran Laity Movement for Stewardship, and amendments thereto, after review by this division, may be amended by a two-thirds vote of the Church Council.*
- g. *assist congregations, in cooperation with the Commission for Multicultural Ministries, in ministry with African American, Black, Arab and Middle Eastern, Asian or Pacific Islander, Latino, American Indian, and Alaska Native people.*
- h. *cooperate and consult with synods with regard to congregational*

concerns and engage in research, under the guidance and coordination of the Department for Research and Evaluation and in accord with standards established by the Church Council, to identify and assess the needs of congregations and evaluate churchwide support for such ministry.

- i. cooperate with other churchwide units and with the synods to develop strategies for service to congregations, synods, and other ministries. To do so, this division will:
 - 1) provide for delivery systems for congregational programs and resources, working with other appropriate units.*
 - 2) seek to inform congregations, working with the Department for Communication, about the availability of programs and resources.*
 - 3) inform synodical leadership and work through synodical structures under the coordination of the Department for Synodical Relations.*
 - 4) assist the Publishing House of the ELCA in the promotion, introduction, and distribution of published resources.**
- j. provide for development of congregational social ministry in cooperation with synods, social ministry organizations, the Division for Church in Society, and the Division for Outreach.*

16.11.B03. Division for Ministry

The Division for Ministry shall be responsible for the policies, programs, organizations, and seminaries of this church that affirm, develop, and support the ministries of the whole people of God. To fulfill these responsibilities, this division shall:

- a. collaborate with other churchwide units in undergirding and supporting the vocation of all the baptized in the church and in the world, and, in so doing, will:
 - 1) provide appropriate counsel and encouragement to synods and other entities and institutions in support of the vocations of the laity in daily life; and*
 - 2) sustain in cooperation with other churchwide units relationships with movements and organization for witness and service in daily life.**
- b. oversee the system of theological education of this church, and, in so doing, will:
 - 1) recommend churchwide policies for the seminaries of this church to the Church Council or Churchwide Assembly, or where appropriate, establish such policies related to the system of theological education in this church;*
 - 2) encourage and support—in consultation with appropriate leaders throughout this church—the seminaries and seminary clusters in their development of programs to foster multicultural**

leadership for this church;

- 3) *recommend to the Church Council, after consultation with the seminaries, approval of amendments to the governing documents of the seminaries and the seminary clusters;*
 - 4) *nominate, in consultation with the seminaries, candidates for each vacant churchwide position on seminary boards for election by the Church Council;*
 - 5) *convene regular meetings of seminary presidents, deans, and faculty representatives to promote inter-seminary communication and cooperation; and consult regularly with the presidents and boards of the seminaries and the governing bodies of the clusters to coordinate this church's program and planning for theological education;*
 - 6) *advocate on behalf of the seminaries to this church and advocate for this church to the seminaries;*
 - 7) *encourage and facilitate a theological education network of cooperation, coordination, and collaboration among the seminaries of this church and with its colleges and universities, continuing education programs, and other education providers;*
 - 8) *develop and monitor, in consultation with the business officers of the seminaries of this church, comparative financial and statistical data to facilitate system-wide evaluation and planning; and*
 - 9) *relate to the Fund for Leaders in Mission and other scholarship programs of churchwide units in support of theological education.*
- c. *provide leadership to this church in the development of standards, procedures, and policies related to and in the support of the rostered ministries of this church. In so doing, this division will:*
- 1) *recommend, in consultation with the Conference of Bishops, ecclesiastical standards for the admission of persons to and the continuation of persons on the rosters of ordained ministers and associates in ministry, deaconesses, and diaconal ministers;*
 - 2) *develop and encourage—in consultation with the Conference of Bishops, other churchwide units, and related institutions—programs for the recruitment of candidates for the rostered ministries of this church;*
 - 3) *oversee and support a candidacy system for this church, in cooperation with the synods and seminaries, for the recruitment, preparation, evaluation, and support of candidates for service as ordained ministers, associates in ministry, deaconesses, and diaconal ministers;*
 - 4) *cooperate with other churchwide units, synods, and institutions of this church in the identification, recruitment, development,*

and support of African American, Black, Arab and Middle Eastern, Asian and Pacific Islander, Latino, American Indian, and Alaska Native leadership, particularly for discerning calls to rostered or authorized ministry;

- 5) *develop, in consultation with the Conference of Bishops, ecclesiastical standards and qualifications for persons serving in various forms of synodically authorized ministry;*
 - 6) *develop and monitor, in consultation with the Office of the Secretary, policies for the orderly exchange of ordained ministers with full communion partner churches;*
 - 7) *develop and recommend—in consultation with synods, seminaries, and churchwide units—standards for education and formation programs that prepare rostered persons for ministry;*
 - 8) *recommend and encourage—in consultation with the Conference of Bishops, other churchwide units, synods, seminaries, and colleges and universities of this church— programs of continuing theological education and other education and support for ministry for ordained ministers, associates in ministry, deaconesses, diaconal ministers, and laypersons;*
 - 9) *develop and manage—in cooperation with the Conference of Bishops, other churchwide units, and synods—policies and programs in specialized pastoral care, counseling and clinical education ministries, including development of standards and maintenance of relationships with professional certification entities and other organizations related to ministries of specialized pastoral care, and development of programs in such areas as educational preparation, support, advocacy, resources, ministry development, and supervised clinical ministry.*
 - 10) *relate to and advise the Deaconess Community of the Evangelical Lutheran Church in America.*
- d. *implement processes, in consultation with the Conference of Bishops, for properly approved first-call candidates for the ordained ministry of this church and properly approved first-call candidates for the official lay rosters as associates in ministry, diaconal ministers, or deaconesses. In so doing, this division will:*
- 1) *coordinate the assignment of synodically approved candidates for the rostered ministries of this church; and*
 - 2) *foster synodical programs for first-call theological education.*
- e. *work in consultation with the Conference of Bishops in maintaining a system for mobility of rostered persons.*
- f. *initiate, encourage, and promote theological reflection in cooperation with the Association of Teaching Theologians of the ELCA, seminaries and colleges and universities of this church, the Conference of Bishops, and other churchwide units. In so doing, this division will:*

- 1) *foster commitment to theological reflection among all the people of this church;*
 - 2) *provide for a regular and representative convocation of theologians involved in the teaching ministry of this church, working with the Association of Teaching Theologians of the ELCA, and inviting participation by representatives of this division, seminary faculties including ELCA members teaching at non-Lutheran seminaries and schools of theology, members of this church who teach on college and university religion faculties, and synodical bishops; and*
 - 3) *develop and edit Lutheran Partners magazine for publication by the Publishing House of the ELCA.*
- g. *distribute financial resources provided by this church to seminaries, seminary clusters, continuing education programs, associated agencies, and other diverse ministries, providing funds for such items as scholarships and faculty development (especially among women, persons of color, and persons with a primary language other than English), internship support, theological conferences, and educational programs for specialized ministries.*

16.11.C95. Division for Outreach

This division shall provide leadership and support for this church as it reaches out in witness to the Gospel in the areas served by the synods of this church by developing new ministries and congregations; supporting existing ministries and congregations in transition or with special needs; and working with synods in developing area strategies for outreach. To fulfill these responsibilities, this division shall:

- a. *develop and recommend policy for, and then assist in the development of new ministries and congregations, the support of existing ministries and congregations in transition or with special needs, and of urban and rural coalitions. To do so, this division will:*
 - 1) *function in cooperation with synods and congregations.*
 - 2) *have primary responsibility in working with synods to determine where and when new congregations of this church shall be developed and to recommend ministries for recognition and reception as congregations of this church.*
 - 3) *be responsible for the churchwide Mission Partners program and Mission Builders program, in coordination with synods and appropriate churchwide units.*
 - 4) *relate to the Mission Investment Fund in accord with the applicable continuing resolutions and policies that govern the operation of the Mission Investment Fund.*
- b. *develop and carry out programs of evangelism in the development of new ministries, working in coordination with the Division for Congregational Ministries as the Division for Congregational Ministries develops programs and resources to nurture evangelism*

- efforts of existing congregations.*
- c. establish, support, and plan, in consultation with the Commission for Multicultural Ministries and the Division for Congregational Ministries, for the outreach of this church among persons of color and those whose primary language is other than English.*
 - d. provide staff services and financial grants to assist synods or groups of synods in the development of area strategies for outreach, in coordination with the Division for Church in Society and the Division for Congregational Ministries.*
 - e. provide for appropriate training and support, in cooperation with synods, for persons in outreach ministries of development and re-development, and those in urban, rural, and area ministries.*
 - f. develop, in consultation with the Mission Investment Fund, an annual capital budget for loans, real-property acquisition, and building programs in support of the development of new ministries and congregations. It also shall support investment in the Mission Investment Fund of the ELCA. Criteria for real-estate acquisition for new or existing ministries within the limits of capital funds available shall be established jointly by the Division for Outreach and the Mission Investment Fund. Within jointly established guidelines, the Mission Investment Fund shall determine which congregations shall receive loans, the amount of each loan, and the repayment schedule.*
 - g. be responsible for representing this church in churchwide cooperative planning for outreach together with other church bodies and ecumenical organizations serving in the geographic territory of this church's synods.*
 - h. cooperate, under the coordination of the Division for Global Mission, with Lutheran church bodies based in other nations that desire to carry out ministry in the U.S.A., and consult with synods of this church in planning and implementing such ministry.*
 - i. cooperate with the Division for Global Mission, the Division for Congregational Ministries, the Division for Higher Education and Schools, and the synods of this church in providing programs of education for mission and for witness to persons of other faiths.*
 - j. relate to congregationally based community organizations that are associated with outreach ministries supported by this division and assist in the development of such organizations, under the coordination of the Division for Church in Society and synods.*

16.11.D91. Division for Higher Education and Schools

This division shall be responsible for the educational activities of this church through its colleges and universities, its campus ministries, its early childhood education centers, and elementary and secondary schools. It shall advocate to this church for these educational enterprises and for this church to these educational efforts. This division also shall develop programs and recommend policies in response to this church's

commitment to mission in education and, thereby, shall help to prepare leaders for church and society. To fulfill these responsibilities, this division shall:

a. encourage, assist, and sustain the colleges and universities of this church, both individually and as a community of institutions. To do so, this division will:

- 1) render services in policy, planning, and oversight for this church's colleges and universities; distribute churchwide funding in consultation with synodical partners; encourage and provide funding for colleges and universities to use the services of a common auditor; assist colleges and universities in providing health-insurance programs through voluntary employees' beneficiary associations; and provide risk management services for the colleges and universities and, in cooperation with the Division for Ministry, for the seminaries of this church.*
- 2) cooperate with congregations, synods, and the colleges and universities in student recruitment; and work in partnership with congregations, the ELCA Foundation, other funding sources, and colleges and universities to encourage and develop scholarship opportunities.*
- 3) assist the colleges and universities in the recruitment and development of faculty and administrators.*
- 4) promote relationships between groups of colleges and universities and synods; provide for the creation and support of a council of college and university presidents; be represented on each college and university board by an advisory member; and participate in the search for and election of college and university presidents.*
- 5) make recommendations to the Church Council on long-term educational policy, including the establishment and location of colleges and universities.*
- 6) assist colleges and universities to develop international education opportunities in consultation with the Division for Global Mission.*

b. foster campus ministry programs at state and independent colleges and universities. To do so, this division will:

- 1) initiate planning for fulfilling this ministry and coordinate and distribute churchwide funding in consultation with synods and campus ministry agencies;*
- 2) provide for the recruitment and development of campus ministry professional staff; conduct regular evaluations of campus ministry agencies; provide consultation and resources to campus ministry agencies; and develop policies and other resources to support and strengthen the work of campus ministry;*

- 3) *coordinate a system of cooperating congregations in campus ministry to provide ministry at colleges and universities where professional campus ministry staff are not employed;*
 - 4) *provide for the purchase and maintenance of campus ministry facilities;*
 - 5) *foster relationships with Lutheran student movements, ecumenical student movements, and other denominational campus ministries; and*
 - 6) *develop strategies for assisting this church to educate and evangelize publicly in higher education settings.*
- c. *undergird Lutheran early childhood education centers, elementary schools, and secondary schools, and recommend policies for their relationship to this church. To do so, this division in consultation with and with support from appropriate ministry areas of the churchwide organization will:*
- 1) *assist the schools and early childhood education centers of this church to develop appropriate educational and administrative policies and practices;*
 - 2) *provide for the recruitment, development, and ongoing affirmation of administrators, teachers and other leaders in schools and early childhood education centers of this church;*
 - 3) *work with and encourage the synods of this church to support congregations that operate early childhood education centers and schools, with a special focus on the role of schools and early childhood education centers in faith formation, service, learning, and evangelical outreach;*
 - 4) *articulate to all synods, congregations, agencies, institutions and the churchwide organization the role and purpose of the schools and early childhood education centers of this church as an integral part of this church's mission; encourage all members of this church to express their faith by supporting and nurturing public and private schools;*
 - 5) *ensure representation of the schools and early childhood education centers of this church in public policy matters; provide for liaison with educational associations, especially the Evangelical Lutheran Education Association (ELEA); and nurture collaboration with ecumenical partners;*
 - 6) *provide consultation and resources to assist and support congregations of this church in the development of new schools and early childhood educational programs and the strengthening of existing schools and early childhood educational programs; and*
 - 7) *assist schools and early childhood education centers to develop deeper understanding of the global community; encourage partnerships with Lutheran schools in other countries.*

- d. *recruit – in consultation and cooperation with the Division for Ministry, the Commission for Multicultural Ministries, and the Commission for Women, the colleges and universities of this church, and this church’s campus ministry programs—candidates for ordained and lay ministries of this church and other leaders for congregations, and seek to develop methods for helping students and academic personnel to discover and strengthen their Christian vocation in the church and in the world.*
- e. *represent the colleges, universities, and schools of this church in public policy matters under the coordination of the Division for Church in Society; and encourage, support, and promote relationships with associations and entities related to higher education and to schools.*

16.11.E97. Division for Church in Society

This division shall assist this church to discern, understand, and respond to the needs of human beings, communities, society, and the whole creation through direct human services and through addressing systems, structures, and policies of society, seeking to promote justice, peace, and the care of the earth. To fulfill these responsibilities, this division shall:

- a. *develop and coordinate this church’s theological and ethical study and analysis of social issues as part of its social witness.*
- b. *develop this church’s social statements for action by the Church Council and Churchwide Assembly; and prepare, in consultation with the Office of the Presiding Bishop and appropriate churchwide units, messages and resolutions on social issues for action by the Church Council.*
- c. *work in cooperation with the Division for Congregational Ministries and the Division for Ministry to relate this church’s social witness to the life of congregations and to the ministry of members in daily life; and assist, when appropriate, the Division for Congregational Ministries and the Publishing House of the ELCA in the development of educational resources and strategies.*
- d. *support, encourage, and facilitate communication among formal and informal networks of people throughout this church committed to study, service, and advocacy concerning social issues.*
- e. *provide, in cooperation with other units, leadership, consultation, educational resources, and programmatic activities in the areas of peace and the environment.*
- f. *develop—through this church’s membership in Lutheran Services in America and in cooperation with synods, congregations, churchwide units, community and social ministry organizations, other churches, and institutions—a comprehensive system for human services to carry out this church’s ministry with persons in poverty and other persons with limited options and special needs. To do so, this division will:*
 - 1) *recommend overall policy for the social ministry activity of this*

church.

- 2) *establish criteria to grant and maintain affiliation with social ministry organizations, and administer the granting of affiliation to such organizations.*
 - 3) *provide, through Lutheran Services in America, a comprehensive range of technical and programmatic support services for social ministry organizations.*
 - 4) *administer this church's participation in Lutheran Services in America and elect this church's members to the board of Lutheran Services in America.*
 - 5) *maintain standards, in cooperation with the Division for Ministry, for chaplains serving in affiliated social ministry organizations.*
 - 6) *work with the Mission Investment Fund in the administration of loans to affiliated social ministry organizations.*
 - 7) *support the Office of the Secretary in maintaining the list of affiliated social ministry organizations that seek and qualify for participation in this church's group tax exemption.*
- g. coordinate this church's relationship with community organizations and community-economic development activities in cooperation with synods, congregations, the Division for Outreach, the Commission for Multicultural Ministries, and the Commission for Women.*
- h. assist this church in inclusive ministry with and among persons with disabilities.*
- i. direct and implement this church's public-policy advocacy to national and international governmental bodies in consultation with other churchwide units, and coordinate its public-policy advocacy to state governmental bodies. To do so, this division will:*
- 1) *maintain an office in Washington, D.C., on behalf of this church, for advocacy to the U.S. and foreign governments.*
 - 2) *maintain an office in New York, on behalf of this church, for advocacy to the United Nations and other international and national governmental bodies; and shall represent, at the request of the Lutheran World Federation and in consultation with the U.S.A. National Committee of the Lutheran World Federation, the concerns of the Lutheran World Federation in the United Nations.*
 - 3) *establish and maintain, in partnership with synods and social ministry organizations, state public-policy offices for advocacy to state governments on behalf of this church.*
- j. give expression to this church's concern for corporate social responsibility, both in its internal affairs and its interaction in the broader society. To do so, this division will:*
- 1) *exercise, at the direction of the Church Council, the rights of this*

church as a corporate shareholder on issues of social concern on stocks held by the churchwide units that are not separately incorporated. In addition, the Church Council may make recommendations to the churchwide units that are separately incorporated concerning the filing of shareholder resolutions and the casting of proxy ballots on stocks held by those units.

- 2) *facilitate the formation of an Advisory Committee on the Church's Corporate Social Responsibility that will include representatives from the Board of Pensions, the Church Council, and other units of this church and that will give counsel and advice to all appropriate units of this church on corporate social responsibility.*
- 3) *work with national ecumenical groups on issues of corporate responsibility.*
- k. *be responsible for this church's program to combat world hunger; administer, in cooperation with the Division for Outreach and other appropriate units, a hunger grants program to combat hunger and poverty in the United States through relief and development; administer hunger education and hunger advocacy grants; and direct this church's hunger education in cooperation with appropriate churchwide units.*
- l. *relate on behalf of this church to Lutheran Immigration and Refugee Service and the Inter-Lutheran Domestic Disaster Response.*
- m. *coordinate this church's domestic disaster response.*

16.11.F91. Division for Global Mission

This division shall be responsible for this church's mission in other countries and shall be the channel through which churches in other countries engage in mission to this church and society. To fulfill these responsibilities, this division shall:

- a. *engage the members and resources of this church in mission outside the territory of this church through involvement in evangelism, witness, education, promotion of justice, service, relief, and development. To do so, the division will:*
 - 1) *establish relationships and cooperate in mission with Lutheran and other Christian churches, agencies, institutions, mission societies, and movements in other countries.*
 - 2) *develop and recommend policies and programs for this church's mission in other countries.*
 - 3) *facilitate contacts and the exchange of human and material resources among churches, institutions, and agencies outside the U.S.A. with which this division cooperates.*
 - 4) *recruit, call, prepare, and send missionary personnel, including volunteers.*
 - 5) *develop and administer personnel policies for long-term*

missionaries and, in consultation with the Department for Human Resources, recommend these policies to the Church Council.

- 6) participate in development and relief with Lutheran World Relief, the Lutheran World Federation, and other ecumenical organizations and agencies.*
 - 7) administer the allocation of funds to combat hunger outside the U.S.A. in cooperation with the Division for Church in Society.*
 - 8) cooperate with the global community in promoting justice and the equitable sharing of resources.*
- b. be responsible for this church's relationship to mission societies, organizations, and movements in North America that focus on mission in other countries.*
 - c. develop and administer international scholarship programs on behalf of this church, the Lutheran World Federation, and churches in other countries.*
 - d. encourage and enable churches in other countries in mission to this church and society and, in cooperation with the Division for Outreach and the Division for Church in Society, be their contact as those churches carry out mission in this country.*
 - e. cooperate with the Division for Outreach and other units of this church in programs of education about and witness to persons of other faiths within the territory of this church.*
 - f. share with this church insights and expertise gained from Christian relationships around the globe and intercultural experiences.*
 - g. provide programs of global mission education for this church in cooperation with the synods of this church, the Division for Outreach, the Division for Congregational Ministries, the Commission for Multicultural Ministries, and other units of this church.*

16.20. COMMISSIONS

16.21. This church may establish commissions to accomplish specific tasks. Action of the Churchwide Assembly is required to establish a commission or to determine that a commission's mandate has been fulfilled. At the expiration of a commission's mandate, continuing responsibilities related to the particular commission shall be undertaken by the appropriate division of the churchwide organization.

16.22. A commission is a unit to which is assigned the responsibility to assist this church in addressing specific tasks of particular urgency by providing advice, counsel, and services in the area of the commission's specific function to the divisions, other churchwide units, Church Council, congregations, and synods of this church.

16.22.10. Commission Steering Committees

16.22.11. Each commission shall be governed by a steering committee, whose

members shall be selected for their experience and expertise related to the commission's responsibilities. The size of the steering committee and the procedure for election by the Church Council shall be described in the continuing resolutions of each commission. The presiding bishop of this church, or the presiding bishop's designee, shall serve as an advisory member of each steering committee. The Conference of Bishops shall select one bishop to serve as an advisory member of each steering committee.

Steering committee members shall be elected to one six-year term, with no consecutive reelection and with one-third to be elected every biennium.

- 16.22.12.** To assist the commission in carrying out its service to the divisions, one member of the commission executive staff may attend meetings of the board of each division in an advisory capacity with voice but not vote.
- 16.22.13.** Each division of this church may be represented at meetings of the steering committee of each commission by one member of the division executive staff in an advisory capacity with voice but not vote.
- 16.22.14.** Each commission shall have an executive director who shall be elected by the Church Council to a four-year term in consultation with and with the approval of the presiding bishop of this church. Nomination of a candidate for election by the council shall be made jointly by the presiding bishop and the steering committee. The presiding bishop, or the presiding bishop's designee, shall arrange within the policy of this church for an annual review of the executive director in consultation with the chair of the steering committee. Executive directors of commissions shall be eligible for reelection. The employment of the executive director may be terminated jointly by the presiding bishop and the Executive Committee of the Church Council in consultation with the chair of the steering committee, consistent with the personnel policies. In keeping with personnel policies, the salary of the executive director shall be established by the presiding bishop of this church, and the salaries of staff members proposed by the executive director shall be ratified by the presiding bishop's representative.
- 16.22.15.** The provisions of 14.21.01. through 14.21.04., 14.21.07., 15.41.02., 15.41.03., 16.11.31., 16.11.32., and 16.11.33. shall apply to each commission.
- 16.22.16.** Each commission steering committee, which shall meet at least two times each year, shall function as specified in this church's constitution, bylaws, and continuing resolutions.
- 16.22.17.** The responsibilities of the commissions shall be enumerated in continuing resolutions. Such continuing resolutions may be amended by a majority vote of the Churchwide Assembly or by a two-thirds vote of the Church Council. Should the steering committee in question disagree with the action of the Church Council, it may appeal the decision to the Churchwide Assembly.

16.22.18. This church shall have the following commissions:

- a. Commission for Multicultural Ministries; and
- b. Commission for Women.

16.22.A00. *Commission for Multicultural Ministries*

a. *This commission shall assist this church in working toward the goal of full partnership and participation of African American, Black, Arab and Middle Eastern, Asian and Pacific Islander, Latino, American Indian, and Alaska Native people in the life of this church and society. To fulfill these responsibilities, this commission shall:*

- 1) *assist this church in developing its policies and practices related to this commission's responsibilities. To do so, this commission will:*
 - a) *review and monitor program directions and plans of this church.*
 - b) *develop and recommend to the Church Council churchwide strategies, plans, policies, and procedures to facilitate realization of goals related to this commission's responsibilities.*
 - c) *assist in developing and implementing such strategies.*
 - d) *assist in the development and support of African American, Black, Arab and Middle Eastern, Asian and Pacific Islander, Latino, American Indian, and Alaska Native leadership.*
- 2) *assist the churchwide organization and other expressions of this church to deal with racism and to minister in a multicultural context.*
- 3) *assist this church in developing and implementing a public-policy advocacy program on racial justice issues under the coordination of the Division for Church in Society.*
- 4) *assist this church in assessing and responding to African American, Black, Arab and Middle Eastern, Asian and Pacific Islander, Latino, American Indian, and Alaska Native needs and opportunities for specific ministry. To do so, this commission will:*
 - a) *assist this church in the proclamation of the Gospel among and in the development of partnerships with people of African American, Black, Arab and Middle Eastern, Asian and Pacific Islander, Latino, American Indian, and Alaska Native ethnic heritage in cooperation with the Division for Outreach.*
 - b) *provide advice, counsel, and recommendations to other churchwide units concerning the development of multicultural and community-specific programs and resources.*

- c) *work cooperatively with the Commission for Women in developing and implementing programs for the full participation and partnership of African American, Black, Arab and Middle Eastern, Asian and Pacific Islander, Latino, American Indian, and Alaska Native women in the life of this church and society.*
- 5) *facilitate dialogue among and between African American, Black, Arab and Middle Eastern, Asian and Pacific Islander, Latino, American Indian, Alaska Native, and White communities.*
- 6) *assist this church in developing and implementing cooperative efforts with the African American, Black, Arab and Middle Eastern, Asian and Pacific Islander, Latino, American Indian, and Alaska Native communities in society, in other Christian communions, and in other religious traditions.*
- b. *This commission shall develop and convene advisory groups of African American, Black, Arab and Middle Eastern, Asian and Pacific Islander, Latino, American Indian, and Alaska Native people to gather advice and information, and to identify subjects and issues for study in these communities. This commission shall interpret such information for use by this church and shall engage in research with these communities under the guidance and coordination of the Department for Research and Evaluation and in accord with standards established by the Church Council.*
- c. *This commission shall assist and support the African American Lutheran Association in the ELCA, the Association of Lutherans of Arab and Middle Eastern Heritage, the Association of Asians and Pacific Islanders in the ELCA, the Association of Latino Ministries in the ELCA, and the American Indian and Alaska Native Association in the ELCA.*
- d. *This commission shall report to the Church Council through the council's Program and Services Committee.*
- e. *The executive director of this commission shall serve as an advisory member of the steering committee of the Commission for Women with voice but not vote.*
- f. *The steering committee of the Commission for Multicultural Ministries shall have 24 members elected in accord with the representation principles stipulated in 5.01.f., except that four shall be African American or Black, four shall be Arab or Middle Eastern, four shall be Asian or Pacific Islander, four shall be Latino, four shall be American Indian or Alaska Native, and four shall be White. In addition to advisory members provided in 16.22.11., the executive director of the Commission for Women shall serve as an advisory member of this steering committee with voice but not vote.*
- g. *Members of the steering committee shall be nominated and elected for their experience and expertise in relation to the commission's*

responsibilities. Each community shall nominate two of its members to serve on the commission's steering committee. In addition, the board of each division shall nominate one African American, or one Asian or Pacific Islander, or one Latino, or one American Indian or Alaska Native member for the steering committee. The board of the Division for Outreach and the board of the Division for Global Mission shall nominate one member each from the Arab and Middle Eastern community. The Church Council shall nominate the remaining members. The Church Council shall elect the members of the steering committee.

16.22.B00. Commission for Women

- a. This commission shall enable this church to realize the full participation of women; to create equal opportunity for women of all cultures; to foster partnership between men and women; to assist this church to address sexism; and to advocate justice for women in this church and society. To fulfill these responsibilities, this commission shall:*
 - 1) assist this church in developing, understanding, and forming its policies and practices with regard to the full involvement of women in this church. To do so, this commission will:*
 - a) promote and facilitate study and dialogue.*
 - b) develop and maintain relationships with other units of this church and with similar units of other church organizations.*
 - c) develop and recommend to the Church Council strategies, plans, policies, procedures, and goals related to the commission's responsibility.*
 - d) assist this church in coordinating the programs related to women.*
 - 2) assist this church to create a safe environment for women in this church and society.*
 - 3) propose to the Church Council a plan to review, monitor, and report on implementation and progress toward meeting this church's goals in this area.*
 - 4) identify subjects and issues for study and action, assist this church to listen to the concerns of women, gather information, and cooperate in research under the guidance and coordination of the Department for Research and Evaluation and in accord with standards established by the Church Council.*
 - 5) provide, in cooperation with divisions and other churchwide units, for materials and other resources to carry out the functions of this commission.*
 - 6) cooperate with the appropriate agencies and institutions to address issues common to sexism and racism and other attitudes*

and practices that divide, discriminate, and oppress.

- b. The executive director of this commission shall serve as an advisory member to the board of this church's women's organization and of the steering committee of the Commission for Multicultural Ministries with voice but not vote.*
- c. This commission shall report to the Church Council through the council's Program and Services Committee.*
- d. The steering committee of the Commission for Women shall be composed of 12 members, eight of whom shall be lay people and four of whom shall be ordained ministers, elected by the Church Council for their experience and expertise in relation to the commission's responsibilities. Membership of the committee shall include African American, Asian or Pacific Islander, Latino, and American Indian or Alaska Native persons. In addition to advisory members provided in 16.22.11., the executive director of the Women of the ELCA and the executive director of the Commission for Multicultural Ministries shall serve as advisory members of this steering committee with voice but not vote.*

Chapter 17.

OTHER UNITS OF THE CHURCHWIDE ORGANIZATION

17.10. OTHER CHURCHWIDE UNITS

17.11. This church may establish other churchwide units and organizations to carry out the purpose and functions of this church.

17.12. Other churchwide units include:

- a. the church periodical;**
- b. the ELCA Foundation, operating under the Endowment Fund;**
- c. the Women of the ELCA;**
- d. the Publishing House of the ELCA;**
- e. the Board of Pensions; and**
- f. the Mission Investment Fund.**

The Endowment Fund of the Evangelical Lutheran Church in America, the Mission Investment Fund of the Evangelical Lutheran Church in America, the Board of Pensions of the ELCA, the Publishing House of the ELCA, and the Women of the ELCA may be separately incorporated units of this church.

17.20. CHURCH PERIODICAL

17.21. The church periodical, *The Lutheran*, shall be published by this church through the Publishing House of the ELCA and shall be identified as a magazine of this church.

17.21.01. An advisory committee for *The Lutheran* shall have the responsibility for the church periodical. The advisory committee, in consultation with the presiding bishop of this church and the Church Council, shall nominate

- the editor for the church periodical.
- 17.21.02.** The Churchwide Assembly shall elect the editor of the church periodical. If the first nominee nominated by the advisory committee is not elected, the advisory committee shall nominate another person. The editor shall be elected to a four-year term.
- 17.21.03.** Should the editor be unable to serve to the completion of the editor's term, the Church Council shall elect an acting editor, upon nomination of the periodical advisory committee, to serve until the next Churchwide Assembly. Dismissal of an editor shall follow the procedure for an officer.
- 17.21.04.** The editor shall be responsible to the Churchwide Assembly through the Church Council and shall report to the Church Council in the interim, in keeping with 14.21.01. through 14.21.04., 14.21.07., 15.41.02., and 15.41.03. The editor shall select the editorial staff of the church periodical. The salary of the editor shall be established by the presiding bishop of this church and salaries of staff members proposed by the editor shall be ratified by the presiding bishop or the presiding bishop's designee.
- 17.21.05.** The publishing house, in consultation with the editor, shall produce and distribute the church periodical, provide staff for circulation, promotion, subscription fulfillment, advertising solicitation, billing and collection of accounts, and other services.
- 17.21.06.** The budget for the church periodical shall be prepared by the editor of *The Lutheran* magazine and the executive director of the publishing house.
- 17.21.07.** Official notices of this church shall be published in the periodical.
- 17.21.20. Advisory Committee for the Church Periodical**
- 17.21.21.** The specific responsibilities of the advisory committee shall be specified in a continuing resolution. The continuing resolution may be amended by a majority of the members of the Churchwide Assembly or by a two-thirds vote of the Church Council. Should the committee disagree with the action of the Church Council, it may appeal the decision to the Churchwide Assembly.
- 17.21.A87.** *The advisory committee of the church periodical shall:*
- a. develop editorial and advertising guidelines;*
 - b. receive periodic reports from the editor;*
 - c. consult with the editor from the perspective of the expertise of committee members;*
 - d. receive the periodical's annual budget for transmission of the subsidy request to the Church Council in this church's budget process; and*
 - e. be responsible, together with the presiding bishop of this church, for the annual performance review of the editor.*
- 17.30. ELCA FOUNDATION**
- 17.31. This church shall have a foundation to provide major gift and**

planned giving programs for individual donors, pooled investment services for endowment funds of this church and its congregations, synods, agencies, and institutions, and educational and support services in major gift and deferred giving programs to congregations, synods, agencies, and institutions of this church. Upon authorization of the Church Council, portions or all of one or more of these activities may be conducted through a separate corporation known as the Endowment Fund of the Evangelical Lutheran Church in America. The foundation executive director shall be president of the corporation and shall serve as its chief executive officer, unless the Church Council determines that the treasurer of this church shall be the president of this corporation.

- 17.31.01.** The Endowment Fund of the Evangelical Lutheran Church in America, operating as the ELCA Foundation, shall have a board of trustees of at least nine and not more than 13 members, selected by the Church Council's Budget and Finance Committee and ratified by the Church Council.
- a. Board members shall be elected for one six-year term with no consecutive reelection and with approximately one-third elected every two years. The presiding bishop of this church or the presiding bishop's designated representative, a representative with stewardship responsibilities in the Division for Congregational Ministries, the treasurer of this church, and a synodical bishop elected by the Conference of Bishops shall serve as advisory members of the board with voice but not vote.
 - b. The board shall function as an advisory committee of the ELCA Foundation with respect to those activities of the ELCA Foundation not conducted through the Endowment Fund.
- 17.31.02.** The president shall be elected by the board of trustees of the Endowment Fund of the Evangelical Lutheran Church in America to a four-year term in consultation with and with the approval of the presiding bishop of this church. Nomination of a candidate for president shall be made jointly by the presiding bishop and the search committee of the board. The board, together with the presiding bishop, shall arrange for an annual review of the president. The president shall be eligible for reelection. The employment of the president may be terminated jointly by the board of trustees of the Endowment Fund of the Evangelical Lutheran Church in America and the presiding bishop of this church, following recommendation by the executive committee of the board of trustees.
- 17.31.03.** This foundation's executive director shall serve as an advisory member of the board of the Division for Congregational Ministries.
- 17.31.04.** The following constitutional provisions shall apply to the operation of the board: 14.21.01. through 14.21.04., 14.21.07., 15.411.02., 15.41.03., 6.11.11., and 16.11.12.,
- 17.31.05.** The board of trustees shall consult with the Office of the Treasurer with

regard to the assessment of management fees or provision of other assets available for the budget of the foundation.

17.31.06. The specific responsibilities of the foundation shall be enumerated in a continuing resolution. The continuing resolution may be amended by a majority vote of the Churchwide Assembly or a two-thirds vote of the Church Council. Should the board disagree with the action of the Church Council, it may appeal the decision to the Churchwide Assembly.

17.31.A98. *Responsibilities of the ELCA Foundation*

a. This foundation shall conduct—on behalf of this church, its congregations, synods, churchwide units, and institutions—a program of major gifts and planned giving.

b. This foundation shall provide consultation, support, and guidance to members of this church in the area of planned giving.

c. This foundation shall provide coordination and support in major gifts and planned giving to this church, including congregations, synods, churchwide organization, and agencies and institutions.

d. This foundation shall provide educational materials, seminars, and workshops in the area of planned giving.

e. This foundation shall coordinate its programs and ministries with the objectives and programs of other stewardship and financial-resource development activities of this church.

f. This foundation shall consult with the Office of the Treasurer in the recommendation and establishment within that office of policies and procedures for processes governing valuation of noncash gifts, the management of assets of life-income agreements and endowment funds, and the distribution of earned-income payments to donors and to remainder beneficiaries as regulated by life-income, trust, and other fiduciary donor agreements.

g. This foundation, in cooperation with congregations, synods, and agencies and institutions of this church, shall:

1) identify and cultivate prospective major and deferred-gift donors;

2) seek gifts, bequests, and investments for the Mission Investment Fund of the Evangelical Lutheran Church in America; and

3) coordinate the programs of this foundation with the ministry objectives of the synods of this church.

h. This foundation shall provide pooled investment services for endowment funds of this church and its congregations, synods, agencies, and institutions.

17.40. WOMEN'S ORGANIZATION

17.41. This church shall have a women's organization to assist its women to commit themselves to full discipleship, affirm their gifts, and support each other in their particular callings.

17.41.01. Membership of this organization shall be women of this church who wish

to participate through local and other groupings that affirm the purposes of this organization. This organization shall function in local, synodical, and churchwide settings.

- 17.41.02.** This organization shall be incorporated, self-supporting financially, and shall manage its own assets within the policies of this church. The personnel policies and salary structures of the churchwide organization shall be followed.
- 17.41.03.** The provisions of bylaws 16.11.11., 16.11.12., 16.11.32., and 16.11.33. shall apply to this organization. Bylaw 15.41.03. shall apply to the women's organization with the exception of the balance provisions for women and men and for laypersons and persons on the roster of ordained ministers.
- 17.41.04.** This organization shall have a board of 21 members elected by the assembly of this organization for one three-year term with eligibility for one consecutive reelection. At least 10 percent of the members of this board shall be persons of color or primary language 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.
- 17.41.05.** The board of this organization shall meet at least two times per year and shall be responsible to the assembly that elected it. The assembly of this organization shall be representative of local and other groupings of women who are members of the women's organization. Upon two successive absences that have not been excused by the board, a board member's position shall be declared vacant and the board shall arrange for election to fill the vacancy under Article I, Section 4, Item 9, of the constitution and bylaws of the women's organization.
- 17.41.06.** This organization's board shall elect its executive director to a four-year term in consultation with and with the approval of the presiding bishop of this church. This board, together with the presiding bishop, shall arrange for an annual review of the executive director. The executive director shall be eligible for reelection. Consistent with applicable personnel policies, the board shall establish the salary of the executive director with the concurrence of the presiding bishop. The board may terminate the employment of the executive director in consultation with and with the approval of the presiding bishop of this church.
- 17.41.07.** This organization's executive director shall serve as an advisory member to the steering committee of the Commission for Women, with voice but not vote.
- 17.41.08.** The specific responsibilities of the women's organization shall be enumerated in a continuing resolution. The continuing resolution may be amended by a majority of the Churchwide Assembly or two-thirds of the

Church Council. Should the board disagree with the action of the Church Council, it may appeal the decision to the Churchwide Assembly.

17.41.A91. Responsibilities of the Women's Organization

- a. *This organization shall enable its members to grow through biblical study, theological reflection, and prayer.*
- b. *This organization shall cooperate with other units of this church in advocating for the oppressed and voiceless, urging change in systems and structures that exclude and alienate, and working for peace and justice as messengers of hope.*
- c. *This organization shall provide for development and distribution of resources for and to its members, including a magazine.*
- d. *This organization shall facilitate local initiative in creating programs and identifying alternative structural models that encourage and support flexibility.*
- e. *This organization shall design and implement a leadership development program for its members, assisting its members to identify, develop, and express their gifts for ministry.*
- f. *This organization, in cooperation with the Commission for Women, shall develop networks for communication among women locally, ecumenically, and globally.*
- g. *This organization shall relate to other women's organizations ecumenically and globally.*
- h. *This organization shall work interdependently with all units of this church. It shall cooperate and coordinate with the Commission for Women and the Division for Congregational Ministries in program development, research, and planning in order to enhance the ministries and participation of women in church and in society.*
- i. *This organization shall develop working arrangements in areas of mutual responsibility with the Publishing House of the Evangelical Lutheran Church in America.*

17.50. PUBLISHING HOUSE OF THE ELCA

17.51. This church shall have a publishing house. The Publishing House of the Evangelical Lutheran Church in America shall be incorporated. Its executive director shall be president of the corporation and shall serve as its chief executive officer. Upon authorization of the Church Council, portions of the activities of this church's publishing house may be conducted through separate corporations.

17.51.01. This publishing house shall have a board of trustees of 21 members, elected for one six-year term with no consecutive reelection and with one-third elected every two years as provided in Chapter 19. The Conference of Bishops shall elect one bishop to serve as an advisory member of the board of the publishing house with voice but not vote. The board of trustees of the publishing house shall serve as the board of any separate corporation of this church's publishing house and the

executive director of the publishing house shall be the chief executive officer of any such corporation.

17.51.02. The provisions of 15.41.03., 16.11.11., 16.11.12., 16.11.32., and 16.11.33. shall apply to this publishing house.

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

17.51.04. The specific responsibilities of this publishing house shall be enumerated in a continuing resolution. The continuing resolution may be amended by a majority vote of the Churchwide Assembly or a two-thirds vote of the Church Council. Should the board disagree with the action of the Church Council, it may appeal the decision to the Churchwide Assembly.

17.51.A00. *Responsibilities of the Publishing House of the ELCA*

a. This publishing house shall be responsible for the publishing, production, and distribution of publications to be sold to accomplish the mission of this church.

b. This publishing house shall work in close cooperation with congregations, synods, and the churchwide organization to provide a diversity of published resources.

c. This publishing house shall relate to other churchwide units through resource planning groups. Materials published to assist congregations in fulfilling their life in mission shall be developed in coordination with other appropriate churchwide units. Development costs will be paid by the unit developing the publication.

d. This publishing house shall develop, produce, and distribute materials required to carry out its functions.

e. This publishing house shall be financed from the distribution of materials, not from the budget of this church.

f. This publishing house shall create, develop, and publish a diversity of resources in various media; make available other publications, materials, and church supplies; produce the official documents and publications of this church; and produce materials in a manner that assures their ready availability.

g. This publishing house shall establish a distribution center, as well as utilize other means for the wide distribution of resources within and

beyond this church.

- h. This publishing house shall manage its finances and other resources in a manner that assures the continuity and extension of its activities. This publishing house shall maintain its own accounting, data processing, personnel, pension, and other functions essential to a cohesive, efficient, and effective operation.*
- i. This publishing house shall identify and nurture talented authors, composers, artists, and others involved in creating various media.*
- j. This publishing house shall produce and distribute the church periodical in accord with provisions of this church's constitution, bylaws, and continuing resolutions.*
- k. This publishing house shall determine its necessary financial reserves, appropriations, and publishing subsidies.*
- l. This publishing house, in cooperation with the Commission for Multicultural Ministries and the Division for Congregational Ministries, shall make available resources to meet unique language and cultural needs.*
- m. This publishing house shall provide for production and distribution services for materials that originate in churchwide units, including the option of providing for competitive printing costs and delivery from independent printers, with costs for these services paid by the originating unit.*

17.60. BOARD OF PENSIONS

17.61. This church shall have a church pension and other benefits plans unit. This Board of Pensions shall be incorporated. Its executive director shall be president of the corporation and shall serve as its chief executive officer.

17.61.01. The Churchwide Assembly shall:

- a. authorize the creation of the governance structure for this program;
- b. approve the documents establishing and governing the program;
- c. refer any amendments to the program initiated by the Churchwide Assembly to the Board of Pensions for recommendation before final action by the Church Council, assuring that no amendment shall abridge the rights of members with respect to their pension accumulations; and
- d. direct the establishment of an appeal process within the Board of Pensions to enable participants in the plans to appeal decisions.

17.61.02. The Church Council shall:

- a. review policy established by the board and take action on any policy that would change the documents establishing and governing this program;
- b. approve any changes in the approved program when there is to be:
 - 1) a significant increase in cost to the employer; or

- 2) a significant decrease in benefits to the participant;
- c. refer any amendments to the program initiated by the Church Council to the board for recommendation before final action by the Church Council, assuring that no amendment shall abridge the rights of members with respect to their pension accumulations;
- d. refer, as it deems appropriate, proposed amendments to the Churchwide Assembly for final action; and
- e. appoint a Financial Information Committee, composed of persons not responsible for pension and benefits plans, to evaluate proposed benefit and contribution changes in terms of their economic impact on:
 - 1) individual congregations;
 - 2) synods and the churchwide organization; and
 - 3) long-term cost to contributors.

17.61.03. This board shall have a board of trustees composed of 21 persons elected for one six-year term with no consecutive reelection and with one-third elected each biennium as provided in Chapter 19. In addition, the trustees of this board shall include persons with expertise in investments, insurance, and pensions, and six persons who are participants in the plans, at least one of whom shall be a lay plan participant or lay recipient of plan benefits and at least one of whom shall be an ordained minister who is a plan participant. The Conference of Bishops shall elect one bishop to serve as an advisory member of the Board of Pensions with voice but not vote.

17.61.04. The board shall organize itself as it deems necessary.

17.61.05. The provisions of 15.41.03., 16.11.11., 16.11.12., 16.11.32., and 16.11.33. shall apply to this board.

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

17.61.07. The specific responsibilities of the Board of Pensions shall be enumerated in continuing resolutions. Such continuing resolutions may be amended by a majority vote of the Churchwide Assembly or by a two-thirds vote of the Church Council. Should the board disagree with the action of the Church Council, it may appeal the decision to the Churchwide Assembly.

17.61.A91. Responsibilities of the Board of Pensions

- a. *This board shall manage and operate the pension and other benefits plans for this church with the design and policy adopted by the Churchwide Assembly and shall invest the assets according to its best judgment.*
- b. *The Investment Committee of the Board of Pensions shall receive advice and counsel from the Advisory Committee on the Church's Corporate Social Responsibility formed by the Division for Church in Society and within the context of fiduciary responsibility make appropriate recommendations to the board.*
- c. *This board shall manage and operate those portions of The American Lutheran Church, The Association of Evangelical Lutheran Churches, and Lutheran Church in America plans requiring continuation in this church.*
- d. *This board shall provide pension, health, and other benefits exclusively for the benefit of eligible members working within the structure of this church and those benefits shall be on the same basis for all the participants.*
- e. *This board shall provide an outline of all benefits to be provided as a part of the fund document.*
- f. *This board shall prepare a statement assessing the financial impact of proposed benefit program changes on individuals, congregations, synods, and the churchwide organization.*
- g. *This board shall report to the Churchwide Assembly through the Church Council, with the Church Council making comments on all board actions needing approval of the Churchwide Assembly.*
- h. *This board shall establish appropriate linkages with other units of this church.*
- i. *This board shall be self-supporting, except for minimum pensions and post-retirement health benefits of certain retirees, with all costs being paid from the administrative and management charges to the employers utilizing the plans and from investment income.*
- j. *This board shall manage its finances in a manner that assures an efficient and effective administration of the plans for pension and other benefits. The board shall maintain its own accounting, data processing, personnel, and other administrative functions essential to the ongoing work of this organization.*
- k. *This board shall not be responsible, nor assume any liability for, health-insurance programs provided by colleges and universities of this church through voluntary employees' beneficiary associations or similar arrangements.*

17.70. MISSION INVESTMENT FUND

OF THE EVANGELICAL LUTHERAN CHURCH IN AMERICA

17.71. This church shall have a fund, known as the Mission Investment

Fund of the Evangelical Lutheran Church in America, to provide loans to congregations and units of this church and to organizations and institutions that are affiliated with this church. The Mission Investment Fund of the Evangelical Lutheran Church in America shall be incorporated. Its executive director shall be president of the corporation, unless the Church Council determines that the treasurer of this church shall be president and executive director of this corporation.

- 17.71.01.** The Mission Investment Fund of the Evangelical Lutheran Church in America shall have a board of trustees of 11 members, who shall be elected by the Church Council for six-year terms and shall not be eligible for reelection, with six members nominated by the Church Council's Budget and Finance Committee, four members nominated by the board of the Division for Outreach, and one member nominated by the board of the Division for Church in Society.
- 17.71.02.** Unless otherwise determined by the Church Council under provision 17.71., the president, who shall also serve as the executive director, shall be elected by the board of trustees of the Mission Investment Fund of the Evangelical Lutheran Church in America to a four-year term in consultation with and with the approval of the presiding bishop of this church. Nomination of a candidate for executive director shall be made jointly by the presiding bishop and the search committee of the board. The board, together with the presiding bishop, shall arrange for an annual review of the executive director. The executive director shall be eligible for reelection. The employment of the executive director may be terminated jointly by the board of trustees of the Mission Investment Fund of the Evangelical Lutheran Church in America and the presiding bishop of this church, following recommendation by the executive committee of the board of trustees.
- 17.71.03.** The following bylaws shall apply to the operation of the board: 14.21.01. through 14.21.04., 14.21.07., 15.41.02., 15.41.03., 16.11.11., and 16.11.12.
- 17.71.04.** The specific responsibilities of the Mission Investment Fund of the Evangelical Lutheran Church in America shall be enumerated in a continuing resolution.
- 17.71.A01. *Operation of the Mission Investment Fund of the ELCA***
- a. The Mission Investment Fund of the Evangelical Lutheran Church in America shall have primary responsibility for promotion of Mission Investments.*
 - b. Relationship to Division for Outreach: The Mission Investment Fund of the ELCA shall relate to the Division for Outreach. The Division for Outreach shall request real estate acquisition for new and existing ministries within the limits of the capital funds available and within criteria established jointly by the Division for Outreach and the Mission Investment Fund of the ELCA. The Mission Investment*

Fund of the ELCA shall provide expertise for management of real property and execute all necessary documents for the acquisition and disposition of such property.

- c. *Capital Budget Development: An annual capital budget for ministry development shall be established. The budget shall be prepared by a joint staff committee composed of staff from the Division for Outreach and the Mission Investment Fund. This budget is to be based on projected availability of capital funds and projected requirements for loans and real property acquisition for ministry development, church building programs, or other approved capital needs. This capital budget, upon recommendation of the joint staff committee, will be submitted to the board of the Division for Outreach and the board of the Mission Investment Fund of the ELCA for approval and recommendation to the Church Council. Following approval, the capital budget shall be monitored by the joint staff committee.*
- d. *Within guidelines established jointly by the Division for Outreach and the Mission Investment Fund of the ELCA, the Mission Investment Fund shall have the responsibility for determining which congregations shall receive loans, the amount of each loan, and the repayment schedule. The Mission Investment Fund of the ELCA shall execute the loan, ensure safekeeping for the legal documents, provide accounting services for the repayment, supervise collection, and confer with the Division for Outreach on any exceptions to established loan policies.*
- e. *The Mission Investment Fund shall offer building and architectural consultative services to new congregations entering first-unit construction, to congregations relocating with synodical approval, to other congregations, and to campus ministry programs of the Division for Higher Education and Schools.*

Chapter 18.

REGIONS

18.01. **This church shall have regions as a partnership between groups of synods and the churchwide organization for the purpose of exercising mutual responsibilities.**

18.10.10. Functions

18.11.11. The regions shall be a means for coordinated responses by synods and the churchwide organization to mission and program opportunities within the region.

18.11.A91. *In fulfilling the region's function and the purposes of this church, each region may assist in:*

- a. *planning for this church's participation in God's mission in the region, with special attention to the opportunities for outreach with*

the Gospel;

- b. providing for ongoing dialogue between the synods of the region and churchwide units for the purpose of identifying functions that may be done together;*
- c. forming resource planning groups to recommend resources and services needed for congregations;*
- d. facilitating, when requested, relationships with colleges, universities, and campus ministries and partnership funding responsibilities of the synods and churchwide organization on behalf of colleges, universities, and campus ministries;*
- e. facilitating gatherings of synodical bishops, synodical staff, and regional staff; and*
- f. coordinating the work of the churchwide staff within the territory of the region.*

18.11.12. The region shall be a forum where the synods and the churchwide organization may study, plan, and share together in developing common programs unique to the region. Responsibilities carried out together will vary from region to region depending on the decision of the synods and churchwide units.

18.11.13. In partnership, the synods and the churchwide organization shall explore the feasibility of carrying out additional functions between and among synods and churchwide units within the region.

18.11.B91. *Additional functions may include:*

- a. relating to seminaries;*
- b. relating to camps and other outdoor ministries;*
- c. developing communication plans and projects;*
- d. planning for and coordinating continuing education programs;*
- e. providing for various services to congregations;*
- f. facilitating global mission education and interpretation;*
- g. providing for stewardship and evangelism events;*
- h. providing for events for the growth and equipping of God's people for their ministries in the world;*
- i. compiling lists of personnel that may be used by synods for interim ministries;*
- j. providing a financial service bureau for the cooperating synods for banking, payroll, accounts payable, and accounts receivable;*
- k. providing for regional archives, associated with institutions of this church wherever possible;*
- l. coordinating resources for youth ministry;*
- m. assisting synods in facilitating the mobility of ordained ministers and associates in ministry and providing such resources as crisis-intervention services and psychodiagnostic-treatment programs;*

- n. facilitating, when requested, relationships with social ministry organizations and assisting in advocacy work; and*
- o. addressing other functions, as deemed appropriate by synods and the churchwide organization.*

- 18.11.14.** Additional programs or services may be developed in each region upon the request of two or more synods, or upon the request of the churchwide organization and one or more synods, providing that each requesting synod and the churchwide organization supply the necessary financial support for the services requested.
- 18.11.15.** A process for reviewing the ongoing programs of the region every four years shall be established by each regional steering committee.
- 18.11.20. Governance**
- 18.11.21.** Each region shall have a steering committee. The membership of the committee shall be determined jointly by synodical-churchwide consultation, subject to ratification by the Church Council.
- 18.11.22.** The churchwide organization shall have such representation on the regional steering committee as will provide adequate opportunity for a partnership relationship in shaping and sharing in the programs where responsibility is shared.
- 18.11.30. Staff**
- 18.11.31.** Staffing patterns developed by regions to carry out the basic functions of regional coordination shall be ratified by the Church Council. A full-time salaried coordinator may be appointed by the regional steering committee who will:
 - a. facilitate processes to accomplish the functions of the region; and
 - b. receive and carry out tasks assigned by the regional steering committee.
- 18.11.32.** The region may have such additional staff as the regional steering committee may determine.
- 18.11.40. Funding**
- 18.11.41.** The funding of the region shall be shared by the participating synods and the churchwide organization according to a cost allocation as decided by the synods and the churchwide organization.
- 18.11.50. Geography**
- 18.11.51.** The synods and the churchwide organization may evaluate, from time to time, the regional geography and the appropriateness of synodical assignments to the region.

Chapter 19.

NOMINATIONS AND ELECTION PROCESS

- 19.01.** **The Churchwide Assembly shall elect the presiding bishop, vice president, and secretary of this church and such other persons as the constitution and bylaws may require, according to procedures set**

forth in the constitution and bylaws of this church.

- 19.02.** The members of the Church Council shall be elected by the Churchwide Assembly. Each biennium the Church Council shall determine how this church's commitment to inclusive representation will affect the next election to the Church Council. The Nominating Committee shall invite each eligible synod to submit suggested nominees and shall then nominate persons who fulfill the categories assigned by the Church Council. Excluding the churchwide officers, there shall not be more than one member of the Church Council from a synod nor shall more than two-thirds of the synods in a region have members on the Church Council at the same time. The Church Council shall have at least one member from each region. The terms of office of persons elected to regular terms on the Church Council by the Churchwide Assembly shall begin at the conclusion of the Churchwide Assembly at which such persons were elected.
- 19.03.** In the event an interim vacancy on a board, committee, or council is declared by the secretary of this church, the Church Council shall elect a member to serve the balance of the term.
- 19.04.** Other than elections of officers and executive directors of units, elections shall be for one six-year term, without consecutive re-election, and with one-third of the members of the Church Council and of each board elected each biennium.
- 19.05.** Each nominee for an elected or appointed position in this church shall be a voting member of a congregation of this church.
- 19.05.01.** Each voting member of the Church Council, board, steering committee, or advisory committee of this church shall cease to be a member of the Church Council, board, steering committee, or advisory committee if no longer a voting member of a congregation of this church. Upon two successive absences that have not been excused by the Church Council, board, steering committee, or advisory committee, a member's position shall be declared vacant by the secretary of this church, who shall arrange for election by the Church Council to fill the unexpired term.
- 19.10.** **NOMINATION AND ELECTION CONSIDERATIONS**
- 19.11.01.** In the nomination and election process the following general considerations shall be observed:
- a. It shall be the responsibility of the Church Council to assure that this church maintain its commitment to inclusive representation.
 - b. In all elections by the Churchwide Assembly, other than for the presiding bishop, vice president, and secretary, a majority of the votes cast on the first ballot shall be necessary for election. If an election does not occur on the first ballot, the names of the two persons receiving the highest number of votes cast shall be placed on the second ballot. On the second ballot, a majority of the legal votes cast

shall be necessary for election. For the position of editor of *The Lutheran*, a majority of the legal votes cast shall be necessary for election.

- c. Members of the Church Council, committees, and the boards of churchwide units who have served less than one-half of a term shall be eligible for election to one full term to be served consecutively upon the conclusion of the partial term.
- d. Before electing a member to a vacancy on a board, the Church Council shall consult with the board.
- e. On the final ballot for the election of the presiding bishop, vice president, and secretary of this church, when only two names appear on the ballot, a majority of the legal votes cast shall be necessary for election.
- f. The Conference of Bishops shall select one bishop from each region to serve a four-year term as an advisory member of the Church Council. Each biennium the Conference of Bishops shall select a bishop to serve as an advisory member of each board, steering committee, and advisory committee of the churchwide organization. No synodical bishop shall serve as a voting member of the Church Council or of a board or committee of any churchwide unit.
- g. The youth organization of this church shall elect for terms of two years two persons to serve as advisory members of the Church Council.
- h. An advisory member of a board, committee, or of the Church Council shall have voice but not vote.

19.20. NOMINATING COMMITTEE

19.21.01. There shall be a Nominating Committee consisting of 18 members elected by the Churchwide Assembly. Each member shall be elected to one six-year term and shall not be eligible for consecutive reelection. Six members of the committee shall be elected each biennium. The Church Council shall place in nomination the names of two persons for each position. The committee shall consist of at least one member but no more than three members from any region. Nominations from the floor shall also be permitted, but each floor nomination shall be presented as an alternative to a specific category named by the Church Council and shall therefore meet the same criteria as the persons against whom the nominee is nominated. In the materials provided in advance to each member of the assembly, the Church Council shall set forth the criteria applicable to each category that must be met by persons nominated from the floor.

19.21.02. The Nominating Committee shall nominate two persons for each council, board, or committee position for which an election will be held by the Churchwide Assembly. Nominations from the floor also shall be permitted, but each floor nomination shall be presented as an alternative to a specific category named by the Nominating Committee and shall therefore meet the same criteria as the persons against whom the nominee

is nominated. In the materials provided in advance to each member of the assembly, the Nominating Committee shall set forth the criteria applicable to each category that must be met by persons nominated from the floor.

- 19.21.03.** In each case in which there are floor nominations, there shall be a preliminary ballot that shall include the names of the nominees presented by the Nominating Committee or the Church Council, and the person or persons nominated from the floor. The names of the two persons receiving the highest number of votes cast shall be placed on the final ballot.
- 19.21.04.** It shall be the responsibility of the Church Council to make certain that every synod has at least one person serving on the churchwide boards. Among those persons elected by the assembly, no more than two persons from any one synod shall serve on any one board.
- 19.21.05.** The Nominating Committee shall strive to ensure that all persons nominated for any position possess the necessary competence and experience for the position. All persons elected to any position, whether nominated by the Nominating Committee or not, shall strive to represent this church and not just a particular geographic area.
- 19.21.A98.** The Nominating Committee shall strive to ensure that at least two of the voting membership of the Church Council shall have been younger than 30 years of age at the time of their election.

19.30. ELECTION OF OFFICERS

- 19.31.01.** The churchwide officers shall be elected as follows:
 - a. The presiding bishop shall be elected by the Churchwide Assembly by ecclesiastical ballot. Three-fourths of the 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 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 votes on the second ballot, and two-thirds of the 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 votes on the third ballot, and 60 percent of the votes cast shall be necessary for election. On subsequent ballots, a majority of the votes cast shall be necessary for election. These ballots shall be limited to the two persons (plus ties) who receive the greatest number of votes on the previous ballot.
 - b. The vice president shall be elected by the Churchwide Assembly. 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 necessary 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 votes cast shall elect.

- c. The secretary shall be elected by the Churchwide Assembly. 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 necessary 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.
- d. The treasurer shall be elected by a two-thirds vote of the Church Council.

19.40. TERMS OF OFFICE

19.41.01. The terms of office of persons elected to regular terms on a division board by the Churchwide Assembly shall begin at the conclusion of the assembly at which such persons were elected. The commencement of terms of office of persons elected to regular terms by the Churchwide Assembly on the board of trustees of the Publishing House of the ELCA and the board of trustees of the Board of Pensions shall be specified in the bylaws of these separately incorporated entities.

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

19.41.A91. *With respect to committees that consider disciplinary cases or appeals:*

- a. *Any member of the churchwide Committee on Discipline who has been appointed to serve on a discipline hearing committee for a particular pending case shall continue to serve to discharge that*

appointment notwithstanding that his or her successor has been subsequently elected at a Churchwide Assembly.

- b. Any member of the synodical Committee on Discipline who is serving at the time that the Executive Committee of the Church Council appoints members from the churchwide Committee on Discipline to a discipline hearing committee shall continue as a member of that discipline hearing committee for the particular pending case, notwithstanding that his or her successor has been subsequently elected at a Synod Assembly.*
- c. Any member of the Committee on Appeals who is serving at the time that an appeal is made shall continue to serve to decide that appeal, notwithstanding that his or her successor has been subsequently elected at a Churchwide Assembly.*

19.50. EXPERIENCE AND EXPERTISE

19.51.01. The Churchwide Assembly shall elect all members of each division board, the board of the Publishing House of the ELCA, and the board of trustees of the Board of Pensions. The Nominating Committee shall seek to ensure that these boards have within their membership persons with the expertise and experience essential to the fulfillment of the work of the board.

19.51.02. The members of the steering committees for each commission shall be elected by the Church Council and shall have particular experience and expertise that will assist the committee in its work. The terms of office of persons elected by the Church Council to regular terms on a steering committee shall begin at the conclusion of each regular meeting of the Churchwide Assembly.

19.51.03. The advisory committee of the church periodical shall be composed of eleven members elected by the Church Council.

- a. The members of the advisory committee of the church periodical shall be nominated by the Church Council's nomination process. Not more than one person shall be a member of the Church Council and not more than one person shall be a member of the board of the publishing house. The members of the advisory committee shall include persons chosen for their understanding of periodical publishing.
- b. The terms of office of persons so elected to regular terms on the advisory committee of the church periodical shall begin on the first day of the month following each regular meeting of the Churchwide Assembly.
- c. With the exception of a member of the Church Council selected to serve on the advisory committee and with the exception of a member of the board of this church's publishing house selected to serve on the advisory committee, each member of the advisory committee for *The Lutheran* shall be elected for one six-year term, with no consecutive reelection and with one-third of the members elected every two years.

A member of the Church Council and a member of the board of the publishing house shall serve two-year terms on the advisory committee, with the possibility of biennial reelection to a maximum of six years.

- d. The advisory committee shall elect the chair of the committee from those members who are not members of the Church Council or the board of the publishing house.
- e. The Conference of Bishops shall elect one bishop to serve as an advisory member of this committee.

19.51.04. The editor of the church periodical shall be elected to a four-year term by the Churchwide Assembly upon nomination as provided in Chapter 17 and shall take office on the first day of the third month after election.

19.51.05. The Church Council shall elect the members of the board of the ELCA Foundation as provided in Chapter 17.

19.60. OTHER MATTERS RELATED TO NOMINATIONS AND ELECTIONS

19.61.01. The Church Council shall from time to time, by continuing resolution, establish committees and procedures for the conduct of elections at the Churchwide Assembly.

19.61.02. No member of the Church Council, a committee of the Church Council, a board, a steering committee, an advisory committee, or other committee shall receive emolument for such service, nor shall any member be simultaneously an officer of this church, an elected member of the Church Council, or a member of a committee or board of the churchwide organization.

Nothing in this section shall be construed to prohibit the payment by this church of the costs of insurance on behalf of a person who is or was a member of the Church Council, a committee of the Church Council, a board, a steering committee, the board of the ELCA Foundation, or the advisory committee of the church periodical against any liability asserted against and incurred by such person in or arising from that capacity, whether or not this church would have been required to indemnify such person against the liability under provisions of law or otherwise.

19.61.03. No employee of the churchwide organization of this church, of its regions, or individual under contract to any unit of the churchwide organization or a region shall be eligible for nomination to or membership on the Church Council, a steering committee, a board, committees related to the Commission for Multicultural Ministries, church periodical, or archives, the Committee on Appeals, the Committee on Discipline, or the churchwide Nominating Committee during the period of employment or service under contract. (The phrase “under contract” shall not mean short-term contracts for specific, limited purposes, usually not to exceed six months.)

19.61.04. No spouse, parent, son, daughter, sibling, uncle, aunt, niece, nephew, grandparent, grandchild, or in-law (parent, son, or daughter of a spouse,

or spouse of a sibling) of an executive director or of an executive staff member of the churchwide organization shall be eligible for nomination to or membership on the Church Council, board, or committee that oversees the unit in which the person's relative is employed.

19.61.05. No voting member of a board shall be simultaneously an officer of this church, a voting member of the Church Council, or a voting member of another board, steering committee, or advisory committee of this church, except the advisory committee of the church periodical that has representation from the Church Council and the board of the Publishing House of the ELCA. Further, no person employed by an entity, agency, or institution supervised by that board shall be a member of that supervising board.

19.61.A94. *Ecclesiastical Ballot.* *An "ecclesiastical ballot" for the election of officers (other than treasurer) of the churchwide organization of the Evangelical Lutheran Church in America is an election process:*

- a. In which on the first ballot the name of any eligible individual may be submitted for nomination by a voting member of the assembly;*
- b. Through which the possibility of election to office exists on any ballot by achievement of the required number of votes cast by voting members of the assembly applicable to a particular ballot;*
- c. That precludes spoken floor nominations;*
- d. In which the first ballot is the nominating ballot if no election occurs on the first ballot;*
- e. In which the first ballot defines the total slates of nominees for possible election on a subsequent ballot, with no additional nominations;*
- f. That does not preclude, after the reporting of the first ballot, the right of persons nominated to withdraw their names prior to the casting of the second ballot;*
- g. In which any name appearing on the second ballot may not be subsequently withdrawn;*
- h. That does not preclude an assembly's adoption of rules that permit, at a defined point in the election process and for a defined period of time, speeches to the assembly by nominees or their representatives and/or a question-and-answer forum in which the nominees or their representatives participate; and*
- i. In which the number of names that appear on any ballot subsequent to the second ballot shall be determined in accordance with provisions of the governing documents.*

19.61.B98. *Nominations Desk and Nominations Form*

- a. Nominations from the floor at the Churchwide Assembly shall be made at the Nominations Desk, which shall be maintained under the supervision of the secretary of this church.*
- b. A nomination from the floor shall be made by using the form provided*

by the secretary of this church. Nomination forms may be obtained from the Nominations Desk at times prescribed in the Assembly's Rules of Organization and Procedure. This form is also included in each voting member's registration materials.

- c. The required form to be used in making nominations from the floor shall include the nominee's name, address, phone number, gender, lay or clergy status, white or person of color or primary language other than English status, congregational membership, synodical membership, and affirmation of willingness to serve, if elected; the name, address, and synodical membership of the voting member who is making the nomination; and such other information as the secretary of this church shall require.*
- d. For purposes of nomination procedures, "synodical membership" means:
 - 1) In the case of a lay person, the synod that includes the congregation in which such person holds membership, and*
 - 2) In the case of an ordained minister, the synod on whose roster such ordained minister's name is maintained.**

19.61.C98. Floor Nominations

- a. Floor nominations for positions on a board of a churchwide unit require, in addition to the nominator, the written support of at least ten other voting members. Floor nominations for the Church Council, the Nominating Committee, or other churchwide committee to be elected by the Churchwide Assembly require, in addition to the nominator, the written support of at least twenty other voting members.*
- b. A nomination from the floor for any position (other than presiding bishop, vice president, and secretary) shall be made by filing the completed nomination form with the Nominations Desk at times prescribed in the Assembly's Rules of Organization and Procedure.*
- c. Nominations will be considered made in the order in which filed at the Nominations Desk.*

19.61.D98. Restrictions on Floor Nominations for Boards

- a. Nominations from the floor for positions on the churchwide boards shall comply with criteria and restrictions established by the Nominating Committee and set forth in materials provided to each voting member of the assembly.*
- b. So long as the number of incumbent members from a given synod serving on a board with terms not expiring plus the number of positions on the same board to which individuals from the same synod already have been nominated (whether by the Nominating Committee or from the floor) total less than the maximum number of two individuals from the same synod who may serve on that board, an individual from the same synod may be nominated for another position on that board, provided other criteria and restrictions are*

met. Individuals from the same synod may be nominated for a position on a board to which individuals from the same synod already have been nominated, provided other criteria and restrictions are met.

19.61.E03. Restriction on Floor Nominations for Church Council

- a. *Nominations from the floor for positions on the Church Council shall comply with criteria and restrictions established by the Church Council and Nominating Committee and set forth in materials provided to each voting member of the assembly.*
- b. *So long as other criteria and restrictions are met, an individual may be nominated at a Churchwide Assembly for a Church Council position, unless someone from the same synod is serving on the Church Council with a term not expiring at the same assembly. In addition to meeting other criteria and restrictions, individuals from one synod can be nominated only for one position on the Church Council.*
- c. *So long as the number of incumbent members from a given region serving on the Church Council with terms not expiring at a Churchwide Assembly plus the number of Church Council positions to which individuals from the same region have already been nominated (whether by the Nominating Committee or from the floor) at the same assembly total less than the maximum number of individuals from the same region who may serve on the Church Council, an individual from the same region may be nominated for another Church Council position, provided other criteria and restrictions are met. Provided other criteria and restrictions are met, individuals may be nominated for a Church Council position for which someone from the same region already has been nominated.*

19.61.F98. Restriction on Floor Nominations for Nominating Committee

- a. *Nominations from the floor for positions on the Nominating Committee shall comply with criteria and restrictions established by the Church Council and set forth in materials provided to each voting member of the assembly.*
- b. *So long as the number of incumbent members from a given region serving on the Nominating Committee with terms not expiring plus the number of Nominating Committee positions to which individuals from the same region have already been nominated (whether by the Church Council or from the floor) total less than the maximum number of three individuals from the same region who may serve on the Nominating Committee, an individual from the same region may be nominated for another Nominating Committee position, provided other criteria and restrictions are met. Provided other criteria and restrictions are met, individuals may be nominated for a Nominating Committee position for which someone from the same region has already been nominated.*

19.61.G02. Election Procedures Utilizing the Common Ballot

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

shall be determined by draw by the chair of the Elections Committee.

19.61.H98. Election Procedures Utilizing the Ecclesiastical Ballot

- a. *For each election by ecclesiastical or nominating ballot, the exact number of appropriate ballot sets equal to the number of voting members from each synod will be given to the bishop of that synod. The bishop of the synod, or his or her designee, will be responsible for distributing the ballot sets to each of the voting members from the synod.*
- b. *Unless otherwise ordered by the chair, one of the numbered ballots from the appropriate ballot set is to be used on each ballot for elections determined by ecclesiastical or nominating ballot. The chair will announce the number of the ballot from the appropriate ballot set that is to be used for each ballot. Failure to use the correct numbered ballot will result in an illegal ballot.*
- c. *On the first two ballots for each office being selected by ecclesiastical or nominating ballot, both the first and last names of a nominee should be used. Members should endeavor to use correct spelling and should provide any additional accurate information identifying the nominee, such as title, synod, residence, etc.*
- d. *On the third and subsequent ballots conducted by written ballot, only the last name of the nominee need be used, provided there is no other nominee with the same or similar name.*
- e. *A member may vote for only one nominee on each ballot.*
- f. *Ballots should not be marked prior to the time the chair advises the voting members to do so.*
- g. *Written ballots should not be folded.*
- h. *Written ballots will be collected from the voting members in accordance with instructions from the Elections Committee or from the chair.*
- i. *When the results of the first ballot are presented, the chair will announce when and how persons nominated may withdraw their names prior to the casting of the second ballot.*
- j. *Whenever the number of names of nominees that will appear on a ballot is nine or less, on recommendation of the chair and with the consent of the assembly, voting may be by means of electronic device.*
- k. *When voting by electronic device, the first position on each ballot shall be given to the nominee who received the greatest number of votes on the immediately preceding ballot, with the remaining positions assigned to the other nominees in descending order of the number of votes received on the immediately preceding ballot. If two or more nominees were tied with the same vote on the immediately preceding ballot, their respective positions shall be determined by draw by the chair of the Elections Committee.*
- l. *On each ticket for which balloting is conducted by electronic device,*

the polls will remain open for a reasonable time, as determined by the chair, to permit voting members to record their votes.

19.61.I98. *Breaking Ties in Elections*

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

19.61.J00. *A former full-time or part-time employee of the churchwide organization shall not be eligible, for a minimum of six years subsequent to such employment, for nomination or election to the board or committee related to the churchwide unit in which the employee served.*

Chapter 20.

CONSULTATION, DISCIPLINE, APPEALS, AND ADJUDICATION

20.10. CONSULTATION AND DISCIPLINE

20.11. **There shall be set forth in the bylaws a process of discipline governing ordained ministers, officers, the editor of the church periodical, associates in ministry, persons on other official rosters, congregations, and members of congregations. Except as provided in 20.18. or 20.19., such process shall assure due process and due protection for the accused, other parties, and this church. Since synods have responsibility for admittance of persons into the ordained ministry of this church or onto other rosters of this church and have oversight of pastoral/ congregational relationships, the disciplinary process shall be a responsibility of the synod on behalf of this church and jointly with it.**

20.12. **As used in this constitution and bylaws, due process means the right to be given specific written notice of the charges against any person or entity of this church, the right to testify in person or remain silent (at the election of the accused), the right to call witnesses and introduce documentary evidence concerning the pending charges, the right to confront and cross-examine all witnesses in support of**

such charges, the right to a hearing before a discipline hearing committee as provided in 20.13., the right to a written decision of the discipline hearing committee as provided in the bylaws, and the right to be treated with fundamental procedural fairness. Any violation of these rights shall be grounds for reversal of an unfavorable finding and the right to a new hearing.

- 20.12.01.** “Fundamental procedural fairness” means and includes: avoidance by committee members of written communications to or from either the accused or accuser(s) without copy to the other; avoidance by committee members of oral communications with either the accused or accuser(s) outside the presence of the other; maintaining decorum during the hearing; allowing both the accuser(s) and the accused to present their cases without unnecessary interruptions; keeping a verbatim record of the hearing, either made by a stenographer or court reporter or by tape recording; allowing both the accuser(s) and the accused to be accompanied at the hearing by a representative (who may, but need not, be an attorney) who also may participate in the proceedings; impartiality of the committees that consider the charges; and the right to be treated in conformity with the governing documents of the Evangelical Lutheran Church in America.
- 20.13.** **The accused shall be entitled to a hearing before a discipline hearing committee as described in the bylaws. If the accused is a congregation, the hearing shall be open to the public unless both the accuser and the accused agree to a hearing not open to the public. If the accused is an individual, the hearing shall not be open to the public unless both the accusers and the accused agree to a public hearing. At a hearing not open to the public, a limited number of concerned persons may attend as provided in the bylaws.**
- 20.13.01.** In a hearing not open to the public,
- a. the accuser and the accused may each be represented by not more than two representatives who may present or assist in the presentation of the evidence, and
 - b. the discipline hearing committee may permit attendance by a limited number of persons, with the consent of both the accused and the accuser.
- 20.13.02.** Irrespective of whether a hearing is or is not open to the public, the discipline hearing committee may decide that witnesses (other than the accused and the accuser) shall be permitted in the hearing only when testifying. A witness may be accompanied by a friend or advocate.
- 20.14.** **Once a charge against a person or entity has been considered by a discipline hearing committee, that person or entity shall not be required to answer that charge again except under the circumstances set forth in the bylaws.**
- 20.14.01.** The circumstances in which a person or entity shall be required to answer again charges before a discipline hearing committee shall be limited to

the following:

- a. The Committee on Appeals has ordered a rehearing as its disposition of a timely appeal to it.
 - b. The Committee on Appeals has ordered a further hearing after either an accuser or an accused has petitioned for a further hearing on the basis of newly discovered evidence or testimony that was not available at the time of the original hearing.
- 20.14.02.** After a charge against a person or entity has been considered by a discipline hearing committee, evidence related to that charge may be introduced at a subsequent hearing before another discipline hearing committee on a different but related charge. Charges are “related” if they involve similar alleged conduct on the part of the accused.
- 20.15.** **The procedures for consultation and discipline set forth in the bylaws shall be the exclusive means of resolving all matters pertaining to the discipline of congregations of this church. Neither this church nor a synod of this church shall institute legal proceedings in which conduct described in provision 20.31.01. is the basis of a request for relief consisting of suspension of that congregation from this church or removal of that congregation from the roll of congregations of this church. A congregation of this church shall not institute legal proceedings against this church or a synod of this church seeking injunctive or other relief against the imposition or enforcement of any disciplinary action against that congregation.**
- 20.16.** **It is the intent of this church that all matters of discipline should be resolved internally to the greatest extent possible. It is the policy of this church not to resort to the civil courts of this land until all internal procedures and appeals have been exhausted, except for emergency situations involving a significant imminent risk of physical injury or severe loss or damage to property.**
- 20.17.** **None of the provisions of this chapter is intended nor shall be construed to limit the authority of a Synod Council to remove, under the bylaws of this church, from the rosters of this church an ordained minister or other person who is without regular call and not retired, for any reason, even though such reason might also be the basis for disciplinary proceedings under this chapter.**
- 20.18.** **The authority to administer private censure and admonition upon an individual or public censure and admonition upon a congregation is inherent in the office of bishop. Proceedings under this chapter or any other provision of the constitutions and bylaws of this church or of its synods are not required for the exercise of such authority.**
- 20.19.** **Where the written notice of charges specifically requests that the discipline to be imposed shall consist of suspension for not more than three months (during which time requirements for evaluation, therapy, continuing education, or similar experience may be**

imposed), the due process and due protection provisions of this constitution shall apply only as specified in the bylaws.

- 20.20. ORDAINED MINISTERS AND LAY ROSTERED MINISTERS**
- 20.21.01.** Ordained ministers shall be subject to discipline for:
- a. preaching and teaching in conflict with the faith confessed by this church;
 - b. conduct incompatible with the character of the ministerial office;
 - c. willfully disregarding or violating the functions and standards established by this church for the office of Word and sacrament;
 - d. willfully disregarding the provisions of the constitution or bylaws of this church; or
 - e. willfully failing to comply with the requirements ordered by a discipline hearing committee under 20.23.08.
- 20.21.02.** The disciplinary actions which may be imposed are:
- a. private censure and admonition by the bishop of the synod;
 - b. suspension from the office and functions of the ordained ministry in this church for a designated period or until there is satisfactory evidence of repentance and amendment; or
 - c. removal from the ordained ministry of this church.
- 20.21.03.** Charges against an ordained minister which could lead to discipline must be specific and in writing, subscribed to by the accuser(s), and be made by one or more of the following:
- a. at least two-thirds of the members of the congregation's council, submitted to the synodical bishop;
 - b. at least one-third of the voting members of the congregation, submitted to the synodical bishop;
 - c. at least two-thirds of the members of the governing body to which the ordained minister, if not a parish pastor, is accountable, submitted to the synodical bishop;
 - d. at least 10 ordained ministers of the synod on whose roster the accused ordained minister is listed, submitted to the synodical bishop;
 - e. the synodical bishop; or
 - f. the presiding bishop of this church, but only with respect to an accused who is a synodical bishop (or who was a synodical bishop at any time during the 12 months preceding the filing of written charges), submitted to the secretary of this church.
- 20.21.04.** When there are indications that a cause for discipline may exist and before charges are made, efforts shall be made by the bishop of the synod to resolve the situation by consultation; for assistance in these efforts, the bishop may utilize either a consultation panel or an advisory panel as herein provided:
- a. When requested by the synodical bishop, a consultation panel consisting of five persons (three ordained ministers and two lay

persons) appointed from the members of the Consultation Committee of the synod by the synodical bishop, or, at the request of the synodical bishop, by the Synod Council's Executive Committee or other committee authorized to do so by the Synod Council, shall assist the synodical bishop in efforts to resolve a situation by consultation.

- b. When requested by the synodical bishop, an advisory panel consisting of five persons (three ordained ministers and two lay persons) appointed by the synodical bishop shall assist the synodical bishop in efforts to resolve a situation by consultation.

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

20.21.06. When charges are brought other than by the synodical bishop or the presiding bishop of this church, the synodical bishop may refer such charges to a consultation panel as provided in 20.21.04.a.

- a. If as a result of meeting with a consultation panel the charges are withdrawn by the accuser(s), no further proceedings shall be required.
- b. Upon recommendation of the consultation panel that the charges be dismissed, the synodical bishop may dismiss the charges, in which case no further proceedings shall be required.
- c. Upon recommendation of the consultation panel that some of the allegations supporting the charges be stricken, the synodical bishop may strike some or all of such allegations, and further proceedings shall be required on the remaining allegations.
- d. In the case of charges that do not anticipate disciplinary action, the consultation panel shall submit a report in writing to the synodical bishop that sets forth the action or actions recommended by the consultation panel, and the synodical bishop shall convey the recommendations to the parties. If either party does not accept the recommendations, that party may appeal to the Synod Council, whose decision shall be final.
- e. In the case of charges that anticipate disciplinary action that have not been withdrawn or dismissed as a result of 20.21.06.a. or b. above, the charges shall be referred to a discipline hearing committee for a hearing.
- f. The work of a consultation panel under this section shall be completed within 30 days from the time the panel was constituted.

20.21.07. When charges are brought by a synodical bishop or the presiding bishop

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

- 20.21.08.** A discipline hearing committee shall be convened to conduct a hearing. The voting members of this committee shall be composed of 12 persons of whom six shall be selected by the Synod Council's Executive Committee from the Committee on Discipline of the synod and six shall be selected from the churchwide Committee on Discipline under the process described in 20.21.12. The rules authorized in 20.21.16. shall establish the method, based upon the remainder of the term, for determining which members of the synodical committee shall serve as the voting members and which shall serve as alternates. A hearing officer selected from the churchwide Committee of Hearing Officers under the process described in 20.21.14. shall preside as the non-voting chair of the discipline hearing committee.
- 20.21.11.** The churchwide Committee on Discipline shall consist of 36 persons, 19 of whom shall be laypersons and 17 of whom shall be ordained ministers, elected by the Churchwide Assembly for a term of six years, each without consecutive reelection, to serve as needed on a discipline hearing committee in any of the synods in this church.
- 20.21.12.** The accused shall have the privilege of selecting two persons (one clergy and one lay) and their alternates of the six persons from the churchwide Committee on Discipline to serve on a discipline hearing committee. The remaining four persons (two clergy and two lay) and their alternates, or six, if the accused does not exercise the privilege, and their alternates shall be selected by the Executive Committee of the Church Council.
- 20.21.13.** The churchwide Committee of Hearing Officers shall consist of nine persons elected by the Church Council for a term of six years, each without consecutive reelection, to serve as needed on a discipline hearing committee in any of the synods of this church.
- 20.21.14.** The presiding bishop of this church shall select one member of the churchwide Committee of Hearing Officers to serve as the non-voting chair of a discipline hearing committee.
- 20.21.15.** The presiding bishop of this church may appoint one or more persons as facilitators to make arrangements for, and to provide technical assistance to, a discipline hearing committee.
- 20.21.16.** The Church Council shall appoint three members from the Committee on Appeals who shall recommend rules of procedure for the performance of the duties of hearing officers and discipline hearing committees. The rules shall become effective when ratified by the Church Council.
- 20.21.17.** In each specific case for which a discipline hearing committee has been constituted, the committee shall, within 60 days after the secretary of this church has given notice of the selection by the Executive Committee of

the Church Council of the members of the churchwide Committee on Discipline to serve on a discipline hearing committee, meet with the accused and the accuser(s) to hold a hearing. The committee shall render its written decision within 15 days after the committee concludes the hearing. The 60-day period may be extended one or more times to a specified date by a written stipulation signed by the accuser(s), the accused, and the hearing officer prior to the expiration of the original 60-day period or prior to the extended specified date.

- 20.21.18.** Written notice of the date, time, and place of the hearing and a copy of the charges shall be delivered to the accused and to the accuser(s) at least 20 days prior to the date of the hearing.
- 20.21.19.** At the hearing, the accuser(s) may present evidence in support of the charges and thereafter the accused shall be entitled to present evidence. The accused and the accuser(s), or other person acting on behalf of either of them, shall be entitled to question the other party or any of the witnesses appearing on behalf of the other party. A verbatim record shall be made by a stenographer or by tape recording of the hearing.
- 20.21.21.** The discipline hearing committee shall render its decision in writing. The written decision shall be in two parts:
- a. Findings of Fact. In this part, the committee shall set forth what it has found to be the relevant facts, that is, what it believes to be the truth of the matter.
 - b. Determination. In this part, the committee shall state whether, based upon the facts that it has found, it believes discipline should be imposed and, if so, what discipline it has chosen to impose.
- 20.21.22.** The decision of the discipline hearing committee shall be made by a majority vote of its members who were present at the hearing. The decision of the discipline hearing committee shall be final on the date it is issued by the committee. Within 30 days, one of the parties may appeal to the Committee on Appeals and may request the Committee on Appeals to stay the effective date of the decision. A stay may be granted in whole or in part and subject to such conditions, if any, as the Committee on Appeals may require. The decisions of the Committee on Appeals shall be final.
- 20.21.23.** If there are indications that a cause for discipline exists or if in the course of the proceedings it should become apparent to the bishop of the synod that the pastoral office cannot be conducted effectively in the congregation(s) being served by the ordained minister due to local conditions or that local conditions may be adversely affected by the continued service by the ordained minister, the bishop of the synod may temporarily suspend the pastor from service in the congregation(s) without prejudice and with pay provided through a joint synodical and churchwide fund and with housing provided by the congregation(s).
- 20.21.24.** If there are indications that a cause for discipline exists or if in the course of proceedings it becomes apparent to the bishop of the synod that the

circumstances require, the bishop of the synod may temporarily suspend an ordained minister serving under letter of call issued other than by a congregation from the office and functions of ordained ministry without prejudice and without affecting compensation and housing.

- 20.22.01.** Lay persons on official rosters shall be subject to discipline for:
- a. confessing and teaching in conflict with the faith confessed by this church;
 - b. conduct incompatible with the standards for the rostered ministries of this church;
 - c. willfully disregarding or violating the functions and standards established by this church for the lay roster or rosters;
 - d. willfully disregarding the provisions of the constitution or bylaws of this church; or
 - e. willfully failing to comply with the requirements ordered by a discipline hearing committee under 20.23.08.
- 20.22.02.** The disciplinary actions that may be imposed are:
- a. private censure and admonition by the bishop of the synod;
 - b. suspension from the role and functions of an associate in ministry, a deaconess, or a diaconal minister for a designated period or until there is satisfactory evidence of repentance and amendment; or
 - c. removal from the official roster for lay persons of this church.
- 20.22.03.** Charges against a layperson on an official roster of this church that could lead to discipline must be specific and in writing, subscribed to by the accuser(s), and be made by one or more of the following:
- a. at least two-thirds of the members of the Congregation Council of the congregation in which the layperson is serving, submitted to the synodical bishop;
 - b. at least one-third of the voting members of the congregation in which the layperson is serving, submitted to the synodical bishop;
 - c. at least two-thirds of the members of the governing body to which the layperson is accountable, submitted to the synodical bishop;
 - d. at least 10 ordained ministers or laypersons on official rosters of the synod on whose roster the accused layperson is listed, submitted to the synodical bishop; or
 - e. the synodical bishop.
- 20.22.04.** When there are indications that a cause for discipline exists, efforts shall be made by the bishop of the synod to resolve the situation by consultation in the same manner as set forth above for ordained ministers in 20.21.04. through 20.21.06.
- 20.22.05.** If those efforts fail, the procedures for discipline shall be the same as that set forth above for ordained ministers in 20.21.07. through 20.21.22.
- 20.22.06.** If there are indications that a cause for discipline exists or if in the course of the proceedings it should become apparent to the bishop of the synod

that the role and function of the associate in ministry, deaconess, or diaconal minister cannot be conducted effectively in the congregation(s) being served by a rostered layperson due to local conditions or that local conditions may be adversely affected by the continued service by a rostered layperson, the bishop of the synod may temporarily suspend a rostered layperson from service in the congregation(s) without prejudice and with pay provided through a joint churchwide-synodical-congregation fund.

- 20.22.07.** If there are indications that a cause for discipline exists or if in the course of proceedings it becomes apparent to the bishop of the synod that the circumstances require, the bishop of the synod may temporarily suspend a rostered layperson serving under letter of call issued other than by a congregation from the office and functions of a rostered layperson without prejudice and without affecting compensation.
- 20.23.01.** Where the written charges specify that the accuser will not seek, in the case of an ordained minister, removal from the ordained ministry of this church or suspension from the office and functions of the ordained ministry in this church for a period exceeding three months, or, in the case of a layperson on one of the rosters of this church, removal from such roster or suspension from the role and functions of a person on such roster for a period not exceeding three months, 20.23.01. through 20.23.09. shall apply to the exclusion of 20.21.08. through 20.21.24. and 20.22.05. through 20.22.07.
- 20.23.02.** The voting members of a discipline hearing committee convened to conduct a hearing on charges described in 20.23.01. shall be six members of the synod's Committee on Discipline selected by the Executive Committee of the Synod Council. A hearing officer selected from the churchwide Committee of Hearing Officers by the secretary of this church shall preside as the nonvoting chair of the discipline hearing committee described in this 20.23.02.
- 20.23.03.** The secretary of this church may appoint one or more persons as facilitators to make arrangements for, and to provide technical assistance to, a discipline hearing committee considering charges described in 20.23.01.
- 20.23.04.** Three members of the Committee on Appeals, appointed by the Church Council, shall develop rules of procedure for the performance of the duties of hearing officers and discipline hearing committees considering charges described in 20.23.01. The rules become effective when adopted by the Church Council.
- 20.23.05.** In each case for which a discipline hearing committee has been constituted, the committee shall, within 60 days after the secretary of this church has given notice of the selection of the hearing officer to serve on a discipline hearing committee, commence a meeting or series of meetings with the accused and the accuser(s) to receive testimony or other evidence offered by the accused or the accuser(s). The 60-day

period may be extended one or more times to a specified date by a written stipulation signed by the accuser(s), the accused, and the hearing officer prior to the expiration of the original 60-day period or prior to the extended specified date.

- 20.23.06.** Written notice of the date, time, and place of the first meeting of the discipline hearing committee at which testimony will be received, and a copy of the charges, shall be delivered to the accused and to the accuser(s) at least 20 days prior to the date of the meeting.
- 20.23.07.** The discipline hearing committee shall decide, consistent with rules adopted under 20.23.04., to what extent the accused shall be able to confront or cross-examine witnesses testifying on behalf of the accuser and to what extent the accuser shall be able to confront or cross-examine witnesses testifying on behalf of the accused. A verbatim record shall be made by tape recording of all meetings of the committee at which testimony is presented. The accused and the accuser may be accompanied at the meeting(s) by a friend or advisor. Such friend or advisor shall not participate in the proceedings before the committee.
- 20.23.08.** The discipline hearing committee shall conclude its meeting(s) and render its decision in writing within 45 days of the commencement of the meeting for which written notice was given under 20.23.06. The written decision shall be in two parts:
- a. Findings of Fact. In this part, the committee shall set forth what it has found to be the relevant facts, that is, what it believes to be the truth of the matter.
 - b. Determination. In this part, the committee shall state whether, based upon the facts that it has found, it believes discipline should be imposed and if so, which one or more of the following should be imposed:
 - 1) private censure and admonition by the synodical bishop.
 - 2) suspension for a period not exceeding three months from the office and functions of the ordained ministry in the case of an ordained minister or from the role and functions of a rostered layperson in the case of a layperson on a roster of this church.
 - 3) participation in such programs of evaluation, therapy, continuing education, or similar experience as the committee may direct.
 - 4) referral of written charges (amended to reflect additional evidence presented to the committee) to a discipline hearing committee convened under 20.21.08. through 20.21.24. or 20.22.05. through 20.22.07.
- 20.23.09.** The decision of the discipline hearing committee shall be made by a majority vote of its members who were present at the hearing. The decision of the discipline hearing committee shall be final on the date it is issued by the committee. Within 30 days of that date, one of the parties may appeal to the Committee on Appeals and may request the Committee on Appeals to stay the effective date of the decision. A stay may be

granted in whole or in part and subject to such conditions, if any, as the Committee on Appeals may require. The decisions of the Committee on Appeals shall be final.

20.30. CONGREGATIONS

20.31.01. Congregations shall be subject to discipline for:

- a. departing from the faith confessed by this church;
- b. willfully disregarding or violating the criteria for recognition as congregations of this church; or
- c. willfully disregarding or violating the provisions of the constitution or bylaws of this church.

20.31.02. The disciplinary actions which may be imposed are:

- a. censure and admonition by the bishop of the synod;
- b. suspension from this church for a designated period, the consequences of such suspension being the loss of voting rights of any member (including ordained ministers) of the congregation at synod or churchwide assemblies, the loss of the right to petition, and the forfeiture of eligibility by any member of the congregation to serve on any council, board, committee, or other group of this church, any of its synods, or any other subdivision thereof;
- c. suspension of the congregation from this church for a designated period (with the same consequences as in b.) during which the congregation shall be under the administration of the synod, provided that a congregation may refuse to accept such administration in which case it shall be removed from the roster of congregations of this church; or
- d. removal from the roster of congregations of this church.

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

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

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

20.31.05. If those efforts fail, the procedures for discipline shall be the same as that set forth above for ordained ministers in 20.21.07. through 20.21.22.

20.40. MEMBERS OF CONGREGATIONS

20.41.01. The offenses for which a member of a congregation shall be subject to

discipline are:

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

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

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

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

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

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

- a. the right to be given a specific written statement of the charges;
- b. the right to a hearing by the Congregation Council;
- c. the right of the accused to testify in person or remain silent;
- d. the right to call witnesses;
- e. the right to introduce documentary evidence;
- f. the right to confront and cross-examine witnesses;
- g. the right to a hearing closed to the public unless both the accuser(s) and the accused agree to a public hearing;
- h. the right to a written decision as required by these bylaws;
- i. the right to be treated with fundamental procedural fairness, which means:

- 1) avoidance by council members of written communications to or from either accused or accuser(s) without copy to the other;
- 2) avoidance by council members of other communications with either the accused or the accuser(s) outside of the presence of the other;
- 3) maintaining proper decorum during the hearing;
- 4) allowing both the accuser(s) and the accused to present their cases without unnecessary interruptions;
- 5) keeping a verbatim record of the hearing, either made by a stenographer or court reporter or by audio or video recording;
- 6) allowing both the accuser(s) and the accused to be accompanied at the hearing by a representative (who may, but need not, be an attorney) who may also participate in the proceedings.

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

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

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

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

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

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

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

20.41.A01. *Rules for Appeals to a Synod Council*

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

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

- c. *The chair of the Congregation Council must furnish the record on appeal to the Synod Council (in care of the synodical vice president), certifying to the completeness and accuracy of the record on appeal, within 30 days of the receipt of the written notice, unless the vice president allows additional time for compelling reasons. The record on appeal will consist of the following:*
 - 1) *the citation and specific written charges as served upon the accused member(s) prior to the hearing before the Congregation Council;*
 - 2) *the congregation's constitution, bylaws, and continuing resolutions and a copy of any rules governing the hearing before the Congregation Council;*
 - 3) *identities of the person(s) who prepared the written charges and of the members of the Congregation Council who heard the case;*
 - 4) *the verbatim record or the audio or video recording of the hearing before the Congregation Council;*
 - 5) *all documents or physical evidence presented at the hearing before the Congregation Council;*
 - 6) *the written decision of the Congregation Council;*
 - 7) *proof that the written decision was delivered to the accused member(s); and*
 - 8) *certification that the successive steps required by Matthew 18:15-17 were followed, as specified in bylaw 20.41.02. in the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America.*
- d. *If the Synod Council has reason to believe or doubt that a required action was taken by the Congregation Council, but the action is not revealed in the record on appeal, the Synod Council may solicit, by written request to the chair of the Congregation Council with copies to the accused member(s), written confirmation of the action. Copies of the confirmation shall be supplied to the accused member(s).*
- e. *The party making an appeal must present a written statement of reasons why the decision of the Congregation Council should be reversed or set aside. The Congregation Council will then submit a written response to the Synod Council. The party taking an appeal*

may present a brief written rebuttal. Appropriate page limitations and due dates for these statements will be established by the vice president of the synod. Parties shall promptly give each other copies of any written statements filed with the Synod Council.

- f. Members of the Congregation Council and the accused members shall refrain from discussing appeals made to the Synod Council, except as required to discharge their duties under these rules. Members of the Synod Council shall refrain from discussing appeals, except as required to discharge their duty to decide the appeal. Members of the Congregation Council and the accused member(s) will not communicate with Synod Council members concerning the appeal unless all parties are included in the communication.*
- g. No member of the Synod Council may participate in any appeal if such a member is related to the accused member(s), to any witness who testified before the Congregation Council, or to a member of the Congregation Council, or where such Synod Council member is a current or recent member of the congregation. For good cause, a member of the Synod Council may voluntarily disqualify himself or herself from participation.*
- h. The Synod Council will meet in executive session and consider the appeal solely on the basis of the record and written statements. Normally, the Synod Council will meet and render its written decision within 60 days from the due date for the last written statement to be submitted by the parties.*
- i. The Synod Council will affirm the decision of the Congregation Council unless it finds that:
 - 1) the requirements of due process or fundamental procedural fairness were not met;*
 - 2) the Congregation Council's decision was not supported by any evidence in the record; or*
 - 3) the record on appeal is insufficient to make a determination.**
- j. Final decisions of the Synod Council require an affirmative vote by at least two-thirds of those present and voting. The decision of the Synod Council shall be delivered in writing to the accused member(s), the chair of the Congregation Council, the congregation's pastor, the synodical bishop, and the secretary of this church.*

20.50. RECALL OR DISMISSAL

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

- a. for willful disregard or violation of the constitution and bylaws of this church;**
- b. for such physical or mental disability as renders the officer**

incapable of performing the duties of office; or

- c. for such conduct as would subject the officer to disciplinary action as an ordained minister or as a member of a congregation of this church.

20.52. Proceedings for the recall or dismissal of such an officer shall be instituted by petition by:

- a. the Church Council on a vote of at least two-thirds of its elected members; or
- b. the Churchwide Assembly on a vote of at least two-thirds of its members.

The petition shall be filed with the chair of the Committee on Appeals and shall set forth the specific charge or charges.

20.52.A92. Recall or Dismissal of a Churchwide Officer or Editor

- a. *The petition for recall or dismissal described in 20.52. shall be filed with the chair of the Committee on Appeals (in care of the secretary of the Evangelical Lutheran Church in America, 8765 West Higgins Road, Chicago, Illinois 60631, except if the subject of the petition is the secretary, the petition shall be in care of the presiding bishop of this church at the same address).*
- b. *In the case of alleged physical or mental incapacity of the officer or the editor,*
 - 1) *with respect to the officer or editor the procedures outlined in 13.63. shall first be followed, and if such officer or editor does not accept the decision of the Church Council, the Church Council may proceed to petition for proceedings for recall or dismissal.*
 - 2) *in the event of such petition, four members of the Committee on Appeals, designated by the committee chair and consisting of two ordained ministers and two lay persons, shall*
 - a) *investigate such conditions in person;*
 - b) *seek competent medical testimony;*
 - c) *seek the counsel and advice of the other officers of this church; and*
 - d) *submit a written report of their findings to the other members of the Committee on Appeals.*
 - 3) *the members of the Committee on Appeals, other than those who investigated the conditions and other than those who are disqualified, shall review the findings of the investigation committee and by an affirmative vote of at least two-thirds of those present and voting may adopt the findings and grant the petition.*
- c. *If the officer or editor is an ordained minister, grounds for recall or dismissal include those set forth in 20.21.01. and as defined under the process described in 20.71.11. and 20.71.12. for discipline of*

ordained ministers. If the officer or editor is a layperson, grounds for recall or dismissal include those set forth in 20.41.01.

- d. *In the case of alleged willful disregard or violation of the constitution and bylaws of this church or of alleged conduct as would subject the officer or editor to disciplinary action, the following procedures shall apply:*
 - 1) *The petition shall be referred to the Committee on Appeals which shall function as the discipline hearing committee that shall conduct a hearing in accordance with the rules provided for in 20.21.16., except to the extent that those rules are in conflict with 20.51., 20.52., 20.53., or with the provisions of this continuing resolution; and*
 - 2) *the members of the Committee on Appeals, other than those who are disqualified, may grant the petition by an affirmative vote of at least two-thirds of those present and voting.*
- e. *Upon the filing of a written petition, the Executive Committee of the Church Council may temporarily suspend the officer or editor from service without prejudice, but with continuation of compensation, including benefits, if the officer or editor is a salaried employee. Appeals from such temporary suspension shall be provided in 13.63.*

20.53. Notice of a decision by the Committee on Appeals that the charges have been sustained shall be given to the accused person, the Church Council shall be notified of the entry of such judgment, and the office shall be vacated.

20.53.11. The Church Council shall appoint three members from the Committee on Appeals who shall recommend a similar process for the recall or dismissal of an officer of a synod, which process shall become operative when ratified by the Church Council.

20.53.A92. Recall or Dismissal of a Synod Officer

- a. *The recall or dismissal of the bishop, vice president, secretary, or treasurer of a synod of this church and the vacating of office may be effected:*
 - 1) *for willful disregard or violation of the constitution and bylaws of this church or the constitution and bylaws of the synod;*
 - 2) *for such physical or mental disability as renders the officer incapable of performing the duties of office; or*
 - 3) *for such conduct as would subject the officer to disciplinary action as an ordained minister or as a member of a congregation of this church.*
- b. *Proceedings for the recall or dismissal of a synodical bishop shall be instituted by written petition by:*
 - 1) *the Synod Council on an affirmative vote of at least two-thirds of its elected members present and voting;*
 - 2) *the Synod Assembly on an affirmative vote of at least two-thirds*

of its members present and voting;

- 3) at least 10 synodical bishops; or*
- 4) the presiding bishop of this church.*

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

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

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

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

d. In the case of alleged physical or mental incapacity of an officer of a synod,

- 1) the procedures outlined in S8.56. shall first be followed, and if such officer does not accept the decision of the Synod Council, the Synod Council may proceed to petition for proceedings for recall or dismissal.*
- 2) four members of the Committee on Appeals, designated by the committee chair and consisting of two ordained ministers and two lay persons, shall*
 - a) investigate such conditions in person;*
 - b) seek competent medical testimony;*
 - c) seek the counsel and advice of the presiding bishop of this church if such officer is the synodical bishop;*
 - d) seek the counsel and advice of the synodical bishop if such officer is the vice president, secretary, or treasurer of the synod; and*
 - e) submit a written report of their findings to the other members of the Committee on Appeals.*

- 3) the members of the Committee on Appeals, other than those who investigated the conditions and other than those who are disqualified, shall review the findings of the investigation committee and by an affirmative vote of at least two-thirds of those present and voting shall adopt the findings and grant the petition.*

e. If the synod officer is an ordained minister, grounds for recall or dismissal include those set forth in 20.21.01. and as defined under the

process described in 20.71.11. and 20.71.12. for discipline of ordained ministers.

- f. If the synod officer is a layperson, grounds for recall or dismissal include those set forth in 20.41.01.*
- g. If the case of alleged willful disregard or violation of the constitution and bylaws of this church or the constitution and bylaws of the synod or of alleged conduct as would subject the officer to disciplinary action, the following procedures shall apply:*
 - 1) If the proceedings were instituted by the presiding bishop of this church, the synodical bishop, or at least 10 other synodical bishops, the petitioner shall first meet with the Executive Committee of the Synod Council in which the officer serves. The Executive Committee shall function as a consultation panel to give advice to the petitioner;*
 - 2) If as a result of the consultation the petition is not filed, no further proceedings shall be required;*
 - 3) If as a result of the consultation the petition is filed or if the proceedings were instituted by the Synod Assembly or the Synod Council, the petition shall be referred to the Committee on Appeals which shall function as the discipline hearing committee that shall conduct a hearing in accordance with the rules provided for in 20.21.16. except to the extent that those rules are in conflict with the provisions of this continuing resolution; and*
 - 4) the members of the Committee on Appeals, other than those who are disqualified, may grant the petition by an affirmative vote of at least two-thirds of those present and voting.*
- h. Upon the filing of a written petition, the Executive Committee of the Synod Council may temporarily suspend the officer from service in the synod without prejudice, but with continuation of compensation, including benefits, if the officer is a salaried employee of the synod. Appeals from such temporary suspension shall be provided in S8.56.*
- i. Written notice of a decision by the Committee on Appeals that the charges have been sustained shall be given to the affected officer. The Synod Council shall be notified of such decision and the office shall be vacated if the charges have been sustained.*

20.60. COMMITTEE ON APPEALS

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

20.61.A92. Rules of the Committee on Appeals

- a. *Any appeal to the Committee on Appeals shall be made in writing within 30 days after the decision of the discipline hearing committee has been delivered to the accused and the accuser(s). Appeals may be made only by the accused or the accuser(s) or their respective designated representative. Notice of the appeal shall be given by certified or registered letter addressed to the Committee on Appeals (in care of the secretary of this church, 8765 West Higgins Road, Chicago, Illinois 60631), with a copy to the other party.*
- b. *The Committee on Appeals shall normally render its written decision within 60 days from the due date for the last written statement to be submitted under item h. below.*
- c. *The material that shall be reviewed by the Committee on Appeals (herein referred to as the record on appeal) shall consist of the following:*
 - 1) *a copy of the specific charges referred to the discipline hearing committee;*
 - 2) *copy of any rules governing the hearing before the discipline hearing committee;*
 - 3) *information concerning the composition of the discipline hearing committee that heard the case;*
 - 4) *the verbatim record or the tape recording of the hearing before the discipline hearing committee;*
 - 5) *all documents or physical evidence presented at the hearing before the discipline hearing committee;*
 - 6) *the written decision of the discipline hearing committee; and*
 - 7) *proof that the written decision was delivered to the accused and the accuser(s).*
- d. *It shall be the responsibility of the chair of the discipline hearing committee to furnish the record on appeal to the Committee on Appeals (in care of the secretary of this church, 8765 West Higgins Road, Chicago, Illinois 60631), certifying to the completeness and accuracy of the record on appeal, within 30 days of the receipt of the appeal, unless the chair of the Committee on Appeals grants additional time for compelling reasons.*
- e. *If the Committee on Appeals has reason to believe that a required action was taken by a discipline hearing committee, but such action is not revealed in the record on appeal, the Committee on Appeals may, by written request to the chair of the discipline hearing committee, with copies to the accused and the accuser(s), solicit written confirmation of such action. Copies of such confirmation shall be supplied to the accused and the accuser(s).*
- f. *The persons or entities who may appeal to the Committee on Appeals are set forth in 20.63.*
- g. *The circumstances for which the Committee on Appeals may reverse*

or set aside the decision of a discipline hearing committee are set forth in 20.62.01., and consequences of such circumstances are set forth in 20.62.02.

- h. The party taking an appeal may present a written statement of reasons why the decision of a discipline hearing committee should be reversed or set aside. The other party shall have an opportunity to make a written response to the Committee on Appeals. The party taking an appeal then may present a written rebuttal. Appropriate limitations and due dates for these statements may be established by the committee chair. In the event of cross appeals, the committee chair may permit the filing of additional statements so that both parties have adequate opportunity to present their respective appeals and respond to the statement of each other. Parties shall promptly give to each other copies of any written statement filed with the Committee on Appeals.*
- i. Final decisions of the Committee on Appeals require an affirmative vote by at least two-thirds of those present and voting.*
- j. Notice of decisions of the Committee on Appeals shall be given in writing to the accused, the accuser(s), the chair of the discipline hearing committee, the synodical bishop, and the secretary of this church.*
- k. The Committee on Appeals also shall prepare a brief summary of each appeal, which shall be presented to the Churchwide Assembly. Such summary shall not disclose the names of the accused, the accuser(s), or any witness. If the decision of the discipline hearing committee was reversed or remanded, the summary shall indicate the reasons for such reversal or remand.*
- l. The Committee on Appeals shall elect the following officers: chair, vice-chair, secretary, and assistant secretary. In addition to the duties prescribed in Chapter 20, the chair shall schedule and preside at committee meetings. In the absence of the chair, the vice-chair shall act as chair. The secretary, or assistant secretary, shall keep such record of proceedings of the committee as is necessary.*
- m. Meetings of the Committee on Appeals may be held in person or by conference telephone call.*
- n. A majority of the members of the Committee on Appeals who are not disqualified shall constitute a quorum for the conduct of its business at a scheduled meeting, and three-fourths of the members of the Committee on Appeals who are not disqualified shall constitute a quorum for the conduct of its business by conference telephone call.*
- o. Members of the Committee on Appeals shall refrain from discussing appeals made to the committee, except as required to discharge the duties of the committee membership.*
- p. No member of the Committee on Appeals shall serve on any case if such a member is related (as defined in 19.61.04.) to the accused, the*

accuser(s), any witness who testified before the discipline hearing committee, or a member of the consultation or discipline hearing committee that considered the case, or where such member is a member or former member of a congregation that was an accuser or an accused. A member of the Committee on Appeals also may voluntarily disqualify himself or herself.

- q. See 20.52.A92. and 20.53.A92. for additional rules of procedure applicable in proceedings for recall or dismissal.*
- r. See 20.61.B95. for additional rules of procedure applicable to stays.*

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

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

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

- a. The discipline hearing committee abused its discretion. The discipline hearing committee may not be found to have abused its discretion unless at least one of the following is true:
 - 1) The discipline hearing committee's Determination was not supported by any evidence in the record.
 - 2) One or more of the discipline hearing committee's Findings of Fact is clearly erroneous. A Finding of Fact is clearly erroneous when, although there is evidence to support it, the Committee on Appeals on the entire evidence is left with the definite and firm conviction that a mistake has been committed. The Committee on Appeals may not reverse a finding of the discipline hearing committee simply because the Committee on Appeals concludes that it would have found differently had it been the discipline hearing committee. The Committee on Appeals must give due regard to the opportunity of the discipline hearing committee to judge the credibility of the witnesses.
 - 3) Although the Findings of Fact are not clearly erroneous, the

discipline hearing committee's Determination is nevertheless one with which no reasonable person, acting objectively, could agree. The committee's Determination may not be reversed simply because the Committee on Appeals, had it been the discipline hearing committee, would have reached a different conclusion. The discipline hearing committee's Determination must be sustained if reasonable people can disagree as to its propriety.

- b. Due process has not been followed.
 - c. New evidence has been submitted by one of the parties, which evidence, in the judgment of the Committee on Appeals, should be considered.
 - d. The record of the proceedings before the discipline hearing committee is insufficient to permit the Committee on Appeals to determine whether the committee abused its discretion or followed due process.
- 20.62.02.** When the Committee on Appeals has decided to reverse or set aside the decision of the discipline hearing committee, the Committee on Appeals shall proceed as follows:
- a. If the Committee on Appeals has determined that one of the conditions listed in 20.62.01.a.1) or 20.62.01.a.2) exists, the Committee on Appeals may return the matter to the discipline hearing committee for further proceedings or render its own decision, which shall be final and unappealable.
 - b. If the Committee on Appeals has determined that the condition listed in 20.62.01.a.3) exists, it shall render its own decision, which shall be final and unappealable.
 - c. If the Committee on Appeals has determined that one of the conditions listed in 20.62.01.b., 20.62.01.c., or 20.62.01.d. exists, it shall return the matter to the discipline hearing committee for further proceedings.
- 20.63.** **The decision of a discipline hearing committee may be appealed to the Committee on Appeals by:**
- a. the accuser(s) who brought charges upon which a discipline hearing committee has acted;**
 - b. an ordained minister upon whom discipline has been imposed by a discipline hearing committee;**
 - c. a congregation upon whom discipline has been imposed by a discipline hearing committee; or**
 - d. other persons on the official rosters of this church upon whom discipline has been imposed by a discipline hearing committee.**
- 20.64.** **The Committee on Appeals shall be comprised of six ordained ministers and six laypersons, elected by the Churchwide Assembly for a term of six years, without consecutive reelection.**
- 20.65.** **The Committee on Appeals shall elect its own officers.**
- 20.66.** **Decisions of the Committee on Appeals shall be final; an affirmative**

vote by at least two-thirds of those present and voting shall be necessary to render a decision or opinion. Each decision or opinion shall be reported as soon as practical in writing to the parties concerned, and a summary of action taken shall be reported to the Churchwide Assembly.

20.70. DEFINITIONS AND GUIDELINES

20.71.11. The Committee on Appeals shall establish definitions and guidelines, subject to approval by the Church Council, to enable clear and uniform application of the grounds for discipline in each of the above categories.

20.71.12. The Committee on Appeals shall present to the Church Council for consideration and recommendation a process and definitions, as required in bylaw 20.71.11.

20.80. ADJUDICATION

20.81. The presiding bishop and the Executive Committee of the Church Council shall be available to give counsel when disputes arise within this church.

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

20.83. When a component or beneficiary of a churchwide unit has a disagreement on a substantive issue which it cannot resolve with the board of its unit, it may address an appeal to the presiding bishop and the Executive Committee of the Church Council. In this case, the decision of the Executive Committee shall prevail, except that upon the motion of a member of the Church Council, the decision shall be referred to the Church Council for final action.

20.84. When there is disagreement on a substantive issue between a synod or synods and the churchwide organization that cannot be resolved by the parties, the aggrieved party or parties may appeal to the Committee on Appeals for consultation and adjudication. If this appeal fails to resolve the issue, a petition may be addressed by the parties to the Churchwide Assembly, whose decision shall be final.

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

shall be final.

Chapter 21.

INDEMNIFICATION

- 21.01. 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 church, any other churchwide unit, or any other organization, but excluding (a) a proceeding by this church and (b) a disciplinary hearing or other proceeding described in Chapter 20. For purposes of this chapter, the term, "indemnification," includes advances of expenses.
- 21.02. 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 Church Council member, officer, employee, division board member, or committee member of this church shall be indemnified against judgments, penalties, fines, settlements, excise taxes, and reasonable attorneys fees and disbursements incurred by that person in connection with the proceeding. While indemnification of any person by reason of that person's capacity as a director, officer, employee, or committee member of a separately incorporated churchwide unit, including the Mission Investment Fund of the Evangelical Lutheran Church in America, may be made by such separately incorporated unit, indemnification of such person by this church is prohibited. Indemnification of any person by reason of that person's capacity as a director, officer, employee, or committee member of any other organization is subject to the provisions of section 21.03.
- 21.03. Where a person who, while a member of the Church Council, officer, employee of the churchwide organization, member of the Conference of Bishops, division board member, trustee, or committee member of this church, is or was serving at the request of this church as (or whose duties in that position involve or involved service in the capacity of) a director, officer, partner, trustee, employee, or agent of another organization, is or was made or threatened to be made a party to a proceeding by reason of such capacity, then such person shall not be entitled to indemnification unless (a) the Church 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.

- 21.04.** This church 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 church or by such other person in or arising from a capacity described in section 21.02. or section 21.03.

Chapter 22.

AMENDMENTS, BYLAWS, AND CONTINUING RESOLUTIONS

22.10. AMENDMENTS TO CONSTITUTION

- 22.11.** The constitution of this church 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 by a two-thirds vote of the members present and voting at the next regular Churchwide Assembly.

22.20. BYLAWS

- 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 members of the assembly shall immediately be submitted to the Committee of Reference and Counsel for its recommendation. In no event shall an amendment be placed before the assembly for action sooner than the day following its presentation to the assembly. A two-thirds vote of the members present and voting shall be necessary for adoption.

22.30. CONTINUING RESOLUTIONS

- 22.31.** Continuing resolutions not in conflict with the constitution or bylaws of the Evangelical Lutheran Church in America may be adopted or amended by a majority vote of the Churchwide Assembly or by a two-thirds vote of the Church Council. Such continuing resolutions become effective immediately upon adoption. Matters related to the administrative functions of this church shall be set forth in the continuing resolutions.