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CONSTITUTION & BYLAWS FOR THE NORTHWEST INTERMOUNTAIN SYNOD OF THE ELCA

Adopted by the 1987 Constituting Convention of the Northwest Intermountain Synod (formerly Eastern Washington-Idaho Synod) as Amended through 2022 by the Churchwide Assembly

Chapter 1.

NAME AND INCORPORATION

- †S1.01. The name of this synod, as determined by the Churchwide Assembly, shall be the Northwest Intermountain Synod of the Evangelical Lutheran Church in America.
- †S1.02. For the purposes of this constitution and the accompanying bylaws, the Northwest Intermountain Synod of the Evangelical Lutheran Church in America is hereafter designated as “this synod” or “the synod.”
- †S1.11. This synod shall be incorporated. Amendments to the articles of incorporation of this synod shall be submitted to the Church Council for ratification before filing.
- †S1.21. The seal of this synod is a cross flanked by triangular shapes that represent mountains or as rooftops that reference community. The base of the cross – shown as negative white space symbolizes that the Northwest Intermountain Synod is firmly planted and has a solid foundation. The foreground tapered negative white triangles help draw focus to the cross. They also define the intermountain region as well as implying the road to salvation. The circular pattern of rays emitting from the cross draws your eye to the cross and beckons one to join and participate.

Chapter 2.

STATUS

- †S2.01. This synod possesses the powers conferred upon it, and accepts the duties and responsibilities assigned to it, in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*, which are recognized as having governing force in the life of this synod.
- †S2.02. The name Evangelical Lutheran Church in America (ELCA or “this church”) as used herein refers in general references to this whole church, including its three expressions: congregations, synods, and the churchwide organization. The name Evangelical Lutheran Church in America is also the name of the corporation of the churchwide organization to which specific references may be made herein.
- †S2.03. No provision of this constitution shall be inconsistent with the constitution and bylaws of this church.

Chapter 3.

TERRITORY

- †S3.01. The territory of this synod, as determined by the Churchwide Assembly, shall be: The 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, and Yakima in the state of WASHINGTON; Malheur County in the state of OREGON; and Teton and Lincoln counties in the state of WYOMING.
- †S3.02. “Determined by the Churchwide Assembly,” as stipulated by †S3.01., is understood to include the reported changes in synod relationship made by any congregation in a border area agreed under ELCA bylaws 10.01.01. and 10.01.03.

Chapter 4.

CONFESSION OF FAITH

- †S4.01. This synod confesses the Triune God, Father, Son, and Holy Spirit.
- †S4.02. This synod confesses Jesus Christ as Lord and Savior and the Gospel as the power of God for the salvation of all who believe.

- a. Jesus Christ is the Word of God incarnate, through whom everything was made and through whose life, death, and resurrection God fashions a new creation.
 - b. The proclamation of God's message to us as both Law and Gospel is the Word of God, revealing judgment and mercy through word and deed, beginning with the Word in creation, continuing in the history of Israel, and centering in all its fullness in the person and work of Jesus Christ.
 - c. The canonical Scriptures of the Old and New Testaments are the written Word of God. Inspired by God's Spirit speaking through their authors, they record and announce God's revelation centering in Jesus Christ. Through them God's Spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.
- †S4.03. This synod accepts the canonical Scriptures of the Old and New Testaments as the inspired Word of God and the authoritative source and norm of its proclamation, faith, and life.
- †S4.04. This synod accepts the Apostles', Nicene, and Athanasian Creeds as true declarations of the faith of this synod.
- †S4.05. This synod accepts the Unaltered Augsburg Confession as a true witness to the Gospel, acknowledging as one with it in faith and doctrine all churches that likewise accept the teachings of the Unaltered Augsburg Confession.
- †S4.06. This synod accepts the other confessional writings in the Book of Concord, namely, the Apology of the Augsburg Confession, the Smalcald Articles and the Treatise, the Small Catechism, the Large Catechism, and the Formula of Concord, as further valid interpretations of the faith of the Church.
- †S4.07. This synod confesses the Gospel, recorded in the Holy Scripture and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God's mission in the world.

Chapter 5.

NATURE OF THE CHURCH

- †S5.01. All power in the Church belongs to our Lord Jesus Christ, its head. All actions of this synod are to be carried out under his rule and authority.
- †S5.02. This church confesses the one, holy, catholic, and apostolic Church and is resolved to serve Christian unity throughout the world.
- †S5.03. The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the Church, and the universal Church exists in and through congregations. This church, therefore, derives its character and powers both from the sanction and representation of its congregations and from its inherent nature as an expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in the historic continuity of the communion of saints; in breadth, it expresses the fellowship of believers and congregations in our day.
- †S5.04. This church, inspired and led by the Holy Spirit, participates in The Lutheran World Federation as a global communion of churches, engaging in faithful witness to the gospel of Jesus Christ and in service for the sake of God's mission in the world.

Chapter 6.

STATEMENT OF PURPOSE

- †S6.01. The Church is a people created by God in Christ, empowered by the Holy Spirit, called and sent to bear witness to God's creative, redeeming, and sanctifying activity in the world.
- †S6.02. To participate in God's mission, this synod as a part of the Church shall:
- a. Proclaim God's saving Gospel of justification by grace for Christ's sake through faith alone, according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.
 - b. Carry out Christ's Great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministry with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.
 - c. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity, justice, and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, embracing and welcoming racially and ethnically diverse populations, and standing in solidarity with the poor and oppressed and committing itself to their needs.
 - d. Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, and service.

1 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
2 setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for
3 their calling in the world.

4 f. Manifest the unity given to the people of God by living together in the love of Christ and by joining with other
5 Christians in prayer and action to express and preserve the unity which the Spirit gives.

6 †S6.03. This synod, in cooperation with the churchwide organization, shall bear primary responsibility for the oversight of
7 the life and mission of this church in its territory. In fulfillment of this role and consistent with policies and procedures
8 of this church, the synod shall:

9 a. Provide for pastoral care of congregations and rostered ministers in the synod;

10 b. Plan for, facilitate, and nurture the mission of this church through congregations;

11 c. Strengthen interdependent relationships among congregations, synods, and the churchwide organization, and
12 foster relationships with agencies and institutions affiliated with or related to this church as well as ecumenical
13 partners.

14 d. Interpret the work of this church to congregations and to the public on the territory of the synod.

15 †S6.03.01. The responsibilities of the synod include the following:

16 a. providing for pastoral care of congregations, ministers of Word and Sacrament, and ministers of Word and Service
17 in the synod, including:

18 1) approving candidates for rostered ministry in cooperation with the appropriate seminaries of this church, which
19 may be done through multi-synod committees;

20 2) authorizing ordinations and ordaining rostered ministers on behalf of this church;

21 3) consulting in the call process for rostered ministers.

22 b. providing for leadership recruitment, preparation, and support in accordance with churchwide standards and
23 policies, including:

24 1) nurturing and supporting congregations and lay leaders;

25 2) seeking and recruiting qualified candidates for the rostered ministries of this church;

26 3) making provision for pastoral care, call review, and guidance;

27 4) encouraging and supporting persons on the rosters of this church in stewardship of their abilities, care of self,
28 and pursuit of continuing education to undergird their effectiveness of service; and

29 5) supporting recruitment of leaders for this church's colleges, universities, seminaries, and social ministry
30 organizations.

31 c. providing for discipline of congregations, ministers of Word and Sacrament, and ministers of Word and Service;
32 as well as for termination of call, appointment, adjudication, and appeals consistent with Chapter 20 of this
33 church's constitution.

34 d. providing for archives in conjunction with other synods.

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

37 a. developing of new ministries, redevelopment of existing ministries, and support and assistance in the conclusion,
38 if necessary, of a particular ministry;

39 b. leading and encouraging of congregations in their evangelism efforts;

40 c. assisting members of its congregations in carrying out their ministries in the world;

41 d. encouraging congregations to respond to human need, work for justice and peace, care for the sick and the
42 suffering, and participate responsibly in society;

43 e. providing resources for congregational life;

44 f. grouping congregations in conferences, clusters, coalitions, or other area subdivisions for mission purposes.

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

48 a. promoting interdependent relationships among congregations, synods, and the churchwide organization, and
49 entering into relationships with other synods in the region;

50 b. fostering organizations for youth, women, and men, and organizations for language or ethnic communities;

51 c. developing relationships with social ministry organizations and ministries, participating in their mission planning,
52 and providing supportive funding;

53 d. supporting relationships with and providing supportive funding on behalf of colleges, universities, and campus
54 ministries;

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

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

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

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

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

†S6.05. Each assembly, council, committee, board, commission, task force, or other body of this synod or any synod units shall be conclusively presumed to have been properly constituted, and neither the method of selection nor the composition of any such assembly, council, committee, board, commission, task force, or other body may be challenged in a court of law by any person or be used as the basis of a challenge in a court of law to the validity or effect of any action taken or authorized by any such assembly, council, committee, board, commission, task force, or other body.

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

Chapter 7.

SYNOD ASSEMBLY

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

S7.01.01. The Synod Assembly shall:

- a) provide for the overall review of the ministry and work of this synod;
- b) adopt a budget for the ministry and work of this synod;
- c) hold elections for the officers, synod council, and other elected committee positions as defined within the bylaws;
- d) shall elect voting members to the Churchwide Assembly based on criteria provided by the Evangelical Lutheran Church in America;

- e) conduct such other business as necessary to further the purposes and functions of this synod;
- f) adopt such Assembly Rules as are necessary for the orderly accomplishment of its duties;
- g) utilize a Reference and Counsel Committee comprised of three layperson and two rostered ministers appointed by the Executive Committee of the Synod Council to:
 - 1) review any resolution to be included in the pre-assembly report for grammar, consistency with established rules and governing documents, and common sense/understandability by voting members;
 - 2) recommend to the bishop special orders for hearing of representatives (voting members);
 - 3) review and present its recommendations on any matter referred to it by the Assembly of the bishop; and
 - 4) assist voting members and committees with the formulation and/or rewording of resolutions for submission to the Assembly. SC0401.16

- †S7.11. A regular meeting of the Synod Assembly shall be held at least triennially.
- S7.11.01. The time and place of the Northwest Intermountain Synod Assembly shall be determined by the Synod Council. The time and place for the next regular assembly normally shall be announced 3 months prior to the assembly.
- S7.11.02. The Synod Assembly may meet at other times as provided for in S7.12.
- S7.12. Special meetings of the Synod Assembly may be called by the bishop with the consent of the Synod Council, and shall be called by the bishop at the request of one-fifth of the voting members of the Synod Assembly.
 - a. The notice of each special meeting shall define the purpose for which it is to be held. The scope of actions to be taken at such a special meeting shall be limited to the subject matter(s) described in the notice.
 - b. If the special meeting of the Synod Assembly is required for the purpose of electing a successor bishop because of death, resignation, or inability to serve, the special meeting shall be called by the Synod Council after consultation with the presiding bishop of the Evangelical Lutheran Church in America.
 - c. The time and place for a special meeting of the Synod Assembly shall be announced no less than 30 days prior to the special meeting of the assembly.
 - d. A Preassembly Report shall be sent to the congregations of this synod no less than 14 days prior to special meetings of the Synod Assembly.
- S7.13. Notice of the time and place of all meetings of the Synod Assembly shall be given by the secretary of this synod.
- S7.13.01. A Preassembly Report shall be sent to the congregations of this synod no less than 30 days prior to regular meetings of the Synod Assembly, and 14 days prior to special meetings of the Synod Assembly.
- S7.14. One-third of the members of the Synod Assembly shall constitute a quorum.
- †S7.21. The membership of the Synod Assembly, of which at least 60 percent of the voting membership shall be composed of laypersons, shall be constituted as follows:
 - a. All rostered ministers under call on the roster of this synod shall be voting members of the Synod Assembly.
 - b. A minimum of one lay member elected by each congregation with fewer than 175 baptized members and a minimum of two lay members elected by each congregation with 175 or more baptized members related to this synod, typically one of whom shall be a man and one of whom shall be a woman, shall be voting members. The Synod Council shall establish a formula to provide additional lay representation from congregations on the basis of the number of baptized members in the congregation. The Synod Council shall seek to ensure, as nearly as possible, that at least 45 percent of the lay members of the assembly shall be women, as nearly as possible, and at least 45 percent shall be men.
 - c. Voting membership shall include the officers of this synod.
- S7.21.01. Voting members shall begin serving with the opening of a regular Synod Assembly and shall continue serving until the opening of the next regular Synod Assembly.
- †S7.21.02. If a special Synod Assembly is called and voting members at the previous assembly are unable to serve as voting members, where permitted by state law, the congregation through the Congregation Council may elect new members who shall continue to serve until the next regular Synod Assembly.
- S7.22. This synod may establish processes that permit retired rostered ministers, or those granted disability status, or on leave from call, on the roster of the synod to serve as voting members of the Synod Assembly, provided that such processes do not result in fewer than 60% of the voting members of the Synod Assembly being laypersons in contravention of †S7.21. If the synod does not establish processes to permit the rostered ministers specified above to serve as voting members, they shall have voice but not vote in the meetings of the Synod Assembly.
- S7.22.01. Retired rostered ministers on the rosters of this synod in attendance at the Synod Assembly may have voice and vote.
- †S7.23. The presiding bishop of the Evangelical Lutheran Church in America and such other official representatives of the churchwide organization as may be designated by the presiding bishop, shall have voice but not vote in the meetings

1 of the Synod Assembly. Like privileges shall be accorded to those additional persons whom the Synod Assembly or
2 the Synod Council shall from time to time designate.

3 **S7.24.** Ministers under call on the rosters of this synod shall remain as members of the Synod Assembly so long as they
4 remain under call and so long as their names appear on the rosters of this synod. Lay members of the Synod Assembly
5 representing congregations shall continue as such until the opening of the next regular synod assembly, or unless
6 replaced by the election of new members for a special synod assembly, or until they have been disqualified by
7 termination of congregation membership.

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

11 **S7.26.** This synod may establish processes through the Synod Council that permit lay representatives of authorized
12 worshipping communities of the synod, which have been authorized under ELCA bylaw 10.01.04., to serve as voting
13 members of the Synod Assembly, consistent with †S7.21.

14 **S7.26.01.** Authorized worshipping communities' lay voting member representation at the Synod Assembly shall be as follows:
15 1. Baptized members 1-500 – two lay voting members
16 2. Baptized members 501-1000 – allow an additional lay voting member (total three lay voting members)
17 3. Baptized members above 1000 – allow two additional lay voting members (total four lay voting members)

18 **S7.27.** This synod may establish processes through the Synod Council to grant a minister of Word and Sacrament from a
19 church body with which a relationship of full communion has been declared and established by the Churchwide
20 Assembly the privilege of both voice and vote in the Synod Assembly during the period of that minister's service in
21 a congregation of this church.

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

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

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

27 **S7.33.** "Ex officio" as used herein means membership with full rights of voice and vote unless otherwise expressly limited.
28

29 **Chapter 8.** 30 **OFFICERS**

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

32 **S8.10. Bishop**

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

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

39 †**S8.12.** As this synod's pastor, the bishop shall:

- 40 a. Preach, teach, and administer the sacraments in accord with the Confession of Faith of this church.
- 41 b. Have primary responsibility for the ministry of Word and Sacrament in this synod and its congregations, providing
42 pastoral care and leadership for this synod, its congregations, its ministers of Word and Sacrament, and its
43 ministers of Word and Service.
- 44 c. Exercise solely this church's power to ordain (or provide for the ordination by another synod bishop of) approved
45 candidates who have received and accepted a properly issued, duly attested letter of call for the office of ministry
46 of Word and Sacrament (and as provided in the bylaws of the Evangelical Lutheran Church in America).
- 47 d. Ordain (or provide for the ordination of) approved candidates who have received and accepted a properly issued,
48 duly attested letter of call for service as ministers of Word and Service of this church.
- 49 e. Attest letters of call for persons called to serve congregations in the synod, letters of call for persons called by the
50 Synod Council, and letters of call for persons on the rosters of this synod called by the Church Council.
- 51 f. Install (or provide for the installation of) rostered ministers whose calls the bishop has attested.
- 52 g. Exercise leadership in the mission of this church and in so doing:

- 1) Interpret and advocate the mission and theology of the whole church;
 - 2) Lead in fostering support for and commitment to the mission of this church within this synod;
 - 3) Coordinate the use of the resources available to this synod as it seeks to promote the health of this church's life and witness in the areas served by this synod;
 - 4) Submit a report to each regular meeting of the Synod Assembly concerning the synod's life and work; and
 - 5) Advise and counsel this synod's related institutions and organizations.
- h. Practice leadership in strengthening the unity of the Church and in so doing:
- 1) Exercise oversight of the preaching, teaching, and administration of the sacraments within this synod in accord with the Confession of Faith of this church;
 - 2) Be responsible for administering the constitutionally established processes for the resolution of controversies and for the discipline of rostered ministers and congregations of this synod;
 - 3) Be the chief ecumenical officer of this synod;
 - 4) Be a member of the Conference of Bishops and consult regularly with other synod bishops;
 - 5) Foster awareness of other churches throughout the Lutheran world communion and, where appropriate, engage in contact with leaders of those churches;
 - 6) Cultivate communion in faith and mission with appropriate Christian judicatory leaders functioning within the territory of this synod; and
 - 7) Be *ex officio* a member of the Churchwide Assembly.
- i. Oversee and administer the work of this synod and in so doing:
- 1) Serve as the president of the synod corporation and be the chief executive and administrative officer of this synod, who is authorized and empowered, in the name of this synod, to sign deeds or other instruments and to affix the seal of this synod;
 - 2) Preside at all meetings of the Synod Assembly and provide for the preparation of the agenda for the Synod Assembly, Synod Council, and the council's Executive Committee;
 - 3) Ensure that the constitution and bylaws of the synod and of the churchwide organization are duly observed within this synod, and that the actions of the synod in conformity therewith are carried into effect;
 - 4) direct and guide the work of the other officers;
 - 5) exercise supervision over the work of all synod staff members;
 - 6) Appoint all committees for which provision is not otherwise made;
 - 7) Be a member of all committees and any other organizational units of the synod, except as otherwise provided in this constitution;
 - 8) Provide for preparation and maintenance of synod rosters containing the names and addresses of all rostered ministers of this synod and a record of the calls under which they are serving or the date on which their retired or disability status took effect;
 - 9) Annually bring to the attention of the Synod Council the names of all rostered ministers on leave from call or engaged in approved graduate study in conformity with the constitution, bylaws, and continuing resolutions of this church and pursuant to prior action of this synod through the Synod Council;
 - 10) Provide for prompt reporting to the secretary of this church of:
 - a) additions to and subtractions from the rosters of this synod;
 - b) the issuance of certificates of transfer for rostered ministers in good standing who have received and accepted a properly issued, duly attested, regular letter of call under the jurisdiction of another synod; and
 - c) the entrance of the names of such persons for whom proper certificates of transfer have been received;
 - 11) Provide for preparation and maintenance of a roster of the congregations of this synod and the names of the laypersons who have been elected to represent them; and
 - 12) Appoint a statistician of the synod, who shall secure the reports of the congregations and make the reports available to the secretary of this church for collation, analysis, and distribution of the statistical summaries to this synod and the other synods of this church.

†S8.13. The synod bishop may appoint an attorney, admitted to the bar within the territory of the synod or the state where the synod is located, to be Synod Attorney. The appointment must be approved by the Synod Council and reported to the Synod Assembly and to the secretary of this church. The appointment continues until resignation or until a successor is appointed. The Synod Attorney provides legal advice and counsel to the synod officers and the Synod Council. The Synod Attorney is expected to be familiar with the governing documents and policies of the synod and, as necessary, to attend meetings of the Synod Council. The Synod Attorney serves without salary but may be retained and compensated for specific legal services requested by the synod.

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

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

3 †S8.16. **Conflicts of Interest**

- 4 †S8.16.01. The following procedures shall govern matters of potential conflicts of interest for synod bishops:
- 5 a. Whenever a synod bishop determines that a matter of the kind described in †S8.16.01.b. may require the bishop's
6 determination or action with respect to a related individual as defined in †S8.16.01.c., the synod bishop shall
7 withdraw from personal involvement in such matter and shall so notify the presiding bishop. The presiding bishop
8 shall then appoint another synod bishop from the same region to handle the matter to conclusion. In dealing with
9 such matter, the appointed bishop shall exercise all of the functions and authority to the same extent as if the
10 appointed bishop were the elected bishop of the withdrawing bishop's synod.
 - 11 b. Matters include any proceedings under Chapter 20, proceedings under provisions 7.46. and 7.75 of the
12 *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America* (†S14.18. and
13 †S14.43.), candidacy, reinstatement, and similar matters where determinations or actions by the synod bishop
14 could change, limit, restrict, approve, authorize, or deny the related individual's ministry on one of the official
15 rosters of this church.
 - 16 c. A related individual is one who, with respect to the synod bishop, is a spouse, parent, son, daughter, sibling, uncle,
17 aunt, niece, nephew, grandparent, grandchild, including corresponding members of blended families and in-laws
18 (parent, son, daughter, or sibling of a spouse, spouse of a sibling, or the parent or sibling of the spouse of a sibling).

19 **S8.20. Vice President**

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

23 **S8.22.** The vice president shall chair the Synod Council.

24 **S8.23** The synod vice president shall serve as an *ex officio* member with voice and vote of the Churchwide Assembly and
25 be included in the number of the synod's voting members.

26 **S8.30. Secretary**

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

29 †S8.32. The secretary shall:

- 30 a. Keep the minutes of all meetings of the Synod Assembly and Synod Council, be responsible for distribution of
31 such minutes, and perform such other duties as this synod may from time to time direct.
- 32 b. Be authorized and empowered, in the name of this synod, to attest all instruments which require the same, and
33 which are signed and sealed by the bishop.
- 34 c. In consultation with the bishop, classify and arrange all important papers and documents and deposit them in the
35 archives of this synod.
- 36 d. Submit to the secretary of this church at least nine months before each regular Churchwide Assembly a certified
37 list of the voting members elected by the Synod Assembly.

38 **S8.40. Treasurer**

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

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

- 42 a. Management of the monies and accounts of this synod, its deeds, mortgages, contracts, evidence of claims and
43 revenues, and trust funds, holding the same at all times subject to the order of this synod.
- 44 b. Investment of funds upon the authorization of the Synod Council.
- 45 c. Receipt and acknowledgment of offerings, contributions, and bequests made to this synod, collecting interest and
46 income from its invested funds, and paying regular appropriations and orders on the several accounts as approved
47 and directed by the Synod Council. The treasurer shall transmit each month to the treasurer of the Evangelical
48 Lutheran Church in America the funds received by this synod for the general work of this church as well as any
49 funds to support restricted programs of this church.
- 50 d. Maintenance of a regular account with each congregation of this synod and informing the congregation, at least
51 quarterly, of the status of this account.

- 1 e. Rendering at each regular meeting of the Synod Assembly a full, detailed, and duly audited report of receipts and
2 disbursements in the several accounts of this synod for the preceding fiscal year, together with the tabulation, for
3 record and publication in the minutes, of the contributions from the congregations.
4

5 **S8.50. General Provisions**

- 6 †S8.51. The terms of office of the officers of this synod shall be as follows:
7 a. The bishop of this synod shall be elected to a term of six years and may be re-elected.
8 b. The vice president and secretary of this synod shall be elected to a term of four years and may be re-elected. The
9 officer shall serve until a successor takes office.
10 c. The treasurer of this synod shall be appointed to a four-year term and may be reappointed. The treasurer shall
11 serve until a successor takes office.
- 12 †S8.52. The terms of the officers shall begin on the first day of the third month following election or, in special circumstances,
13 at a time designated by the Synod Council.
- 14 †S8.53. Each officer shall be a voting member in a congregation of this synod, except that the bishop need not be a member
15 of a congregation of this synod at the time of election.
- 16 †S8.54. Should the bishop die, resign, or be unable to serve, the vice president, after consultation with the presiding bishop
17 of the Evangelical Lutheran Church in America, shall convene the Synod Council to arrange for the appropriate care
18 of the responsibilities of the bishop until an election of a new bishop can be held or, in the case of temporary disability,
19 until the bishop is able to serve again. Such arrangements may include the appointment by the Synod Council of an
20 interim bishop, who during the vacancy or period of disability shall possess all of the powers and authority of a
21 regularly elected bishop. The term of the successor bishop, elected by the next Synod Assembly or a special meeting
22 of the Synod Assembly called for the purpose of election, shall be six years with the subsequent election to take place
23 at the Synod Assembly closest to the expiration of such a term and with the starting date of a successor term to be
24 governed by constitutional provision S8.52.
- 25 S8.55. Should the vice president, secretary, or treasurer die, resign, or be unable to serve, the bishop, with the approval of
26 the Executive Committee of the Synod Council, shall arrange for the appropriate care of the responsibilities of the
27 officer until an election of a new officer can be held or, in the case of temporary disability, until the officer is able to
28 serve again. The term of the successor officer, elected by the next Synod Assembly, shall be four years. If the treasurer
29 is appointed by the Synod Council, the Synod Council shall appoint a new treasurer to a four-year term.
- 30 †S8.56. The Executive Committee of the Synod Council shall determine whether an officer is unable to serve; the officer may
31 appeal the decision of the Executive Committee by requesting a hearing before the Synod Council. A meeting to
32 determine the ability of an officer to serve shall be called upon the request of at least three members of the Executive
33 Committee and prior written notice of the meeting shall be given to the officer in question at least 10 calendar days
34 prior to the meeting.
- 35 †S8.57. The recall or dismissal of an officer and the vacating of office may be effected for willful disregard or violation of
36 the constitutions, bylaws, and continuing resolutions of this church; for such physical or mental disability as renders
37 the officer incapable of performing the duties of office; or for such conduct as would subject the officer to disciplinary
38 action as a rostered minister or as a member of a congregation of this church.
- 39 a. Proceedings for the recall or dismissal of a synod bishop shall be instituted by written petition by:
40 1) the Synod Council on an affirmative vote of at least two-thirds of its elected members present and voting;
41 2) the Synod Assembly on an affirmative vote of at least two-thirds of its members present and voting;
42 3) at least 10 synod bishops; or
43 4) the presiding bishop of this church.
- 44 b. Proceedings for the recall or dismissal of an officer of a synod, other than the synod bishop, shall be instituted by
45 written petition by:
46 1) the Synod Council on an affirmative vote of at least two-thirds of its elected members present and voting;
47 2) the Synod Assembly on an affirmative vote of at least two-thirds of its members present and voting; or
48 3) the synod bishop.
- 49 c. The petition shall be filed with the chair of the Committee on Appeals (in care of the secretary of the Evangelical
50 Lutheran Church in America, 8765 West Higgins Road, Chicago, Illinois 60631) and shall set forth the specific
51 charge or charges.
- 52 d. Upon the filing of a written petition, the Executive Committee of the Synod Council may temporarily suspend the
53 officer from service in the synod without prejudice, but with continuation of compensation, including benefits, if
54 the officer is a salaried employee of the synod.

- 1 e. In the case of alleged physical or mental incapacity of an officer of the synod, the procedures outlined in †S8.56.
 2 shall be followed, and such officer shall comply with the decision of the Synod Council. If such officer fails or
 3 refuses to comply, the Synod Council may proceed to petition for recall or dismissal as follows:
 4 1) the Synod Council will submit a written report of their findings and the basis of their decision to the Committee
 5 on Appeals.
 6 2) the Committee on Appeals, exclusive of any who are disqualified, shall review the findings and decision of
 7 the Synod Council and by an affirmative vote of at least two-thirds of those present and voting may adopt the
 8 findings and grant the petition.
 9 f. If the synod officer is a minister of Word and Sacrament, grounds for recall or dismissal include those set forth in
 10 ELCA bylaw 20.22.01. and as defined under the process described in ELCA constitutional provisions 20.21. and
 11 20.22. as grounds for discipline. If the officer is a minister of Word and Service, grounds for recall or dismissal
 12 include those set forth in ELCA bylaw 20.23.01. and as defined under the process described in ELCA
 13 constitutional provisions 20.21. and 20.22. as grounds for discipline.
 14 g. If the officer is a layperson, grounds for recall or dismissal include those set forth in ELCA bylaw 20.41.01. as
 15 grounds for discipline.
 16 h. If the case of alleged willful disregard or violation of the constitutions, bylaws, and continuing resolutions or of
 17 alleged conduct as would subject the officer to disciplinary action, the following procedures shall apply:
 18 1) the petition shall be referred to the Committee on Appeals, which shall function as the discipline hearing
 19 committee that shall conduct a hearing in accordance with the rules provided for in ELCA bylaw 20.22.14.
 20 except to the extent that those rules are in conflict with the provisions of this bylaw; and
 21 2) the members of the Committee on Appeals, other than those who are disqualified, may grant the petition by
 22 an affirmative vote of at least two-thirds of those present and voting.
 23 i. Written notice of a decision by the Committee on Appeals that the charges have been sustained shall be given to
 24 the affected officer and to the Synod Council, and the office shall be vacated.
 25 †S8.58. If the bishop is to be temporarily absent from the synod for an extended period not to exceed 90 days, the bishop,
 26 after consultation with the presiding bishop and with the consent of the Synod Council, may appoint as acting bishop
 27 for such period a minister of Word and Sacrament of this church. Except as limited by action of the Synod Council,
 28 an acting bishop shall possess all of the powers and authority of a regularly elected bishop other than authority to
 29 ordain or to authorize the ordination of properly approved candidates for ordination.
 30

31 Chapter 9.

32 NOMINATIONS AND ELECTIONS

- 33 †S9.01. The Synod Assembly shall elect such officers of this synod and such other persons as the constitution and bylaws
 34 may require, according to procedures set forth in the bylaws. The Synod Assembly shall elect members of the
 35 Churchwide Assembly in accordance with bylaw 12.41.11. of the constitution and bylaws of the Evangelical Lutheran
 36 Church in America.
- 37 S9.01.01. When the nominating body is unable to nominate the number of persons designated in these bylaws for any position,
 38 the Synod Assembly shall have authority to suspend the rules for that requirement for that position for the current
 39 election.
- 40 †S9.02. In all elections by the Synod Assembly, other than for the bishop, a majority of the legal votes cast shall be necessary
 41 for election.
- 42 S9.03. The Nominating Committee shall provide nominations for all elected and appointed Synod Council and Committee
 43 positions (see S11.07.). Additional nominations may be made from the floor for all elections for which nominations
 44 are made by the Nominating Committee.
- 45 S9.03.01. The Nominating Committee shall ensure, regarding the Synod Council, that in addition to the provisions of †S6.04.,
 46 all clusters of this synod shall be represented by a least one person.
- 47 S9.03.02. Each congregation and/or cluster shall have the right to submit nominations for any available position. Such
 48 nominations shall be submitted to the Nominating Committee.
- 49 S9.04. The bishop shall be elected by the Synod Assembly from among those nominated in the following manner:
 50 a. Each cluster may submit up to three names of those whom they wish to nominate for the office of bishop and shall
 51 submit written vitae for each nominee, said vitae to adhere to a format established by the elections committee; names
 52 of said nominees and their vitae shall then be published in the voting members' pre-assembly packet.

- b. Three-fourths of the legal votes cast shall be necessary for election on the first ballot.
 - c. The second ballot shall be limited to the seven persons (plus ties) who received the greatest number of votes on the first ballot, and two-thirds of the votes cast shall be necessary for election.
 - d. The third ballot shall be limited to the three persons (plus ties) who received the greatest number of votes on the second ballot, and 60 percent of the votes cast shall be necessary for election.
 - e. Prior to the casting of the third ballot, the three or more persons to appear on the ballot, if they are present, shall be invited to address the Assembly.
 - f. 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.
- S9.05.** The Nominating Committee shall nominate at least one person for vice president; additional nominations may be made from the floor.
- S9.06.** The Synod Council shall nominate at least one person for secretary; additional nominations may be made from the floor.
- S9.08.** In all elections, except for the bishop, the names of the persons receiving the highest number of legal votes, but not elected by a majority of the legal votes cast on a preceding ballot, shall be entered on the next ballot to the number of two for each vacancy unfilled. On any ballot when only two names appear, a majority of the legal votes cast shall be necessary for election.
- S9.09.** The result of each ballot in every election shall be announced in detail to the assembly.
- †**S9.10.** When notified by the secretary of this church, on behalf of the Nominating Committee of the Churchwide Assembly, the Synod Assembly shall nominate two persons in the specified categories for possible election by the Churchwide Assembly to the Church Council.
- S9.10.01.** In order to provide the broadest representation of the synod to Churchwide Assembly, election of voting members shall comply with the provisions of the ELCA Constitution. In addition, no more than one member per congregation may be elected as a voting member to the Churchwide Assembly. If more than one person in a congregation is nominated for the position of voting member to the Churchwide Assembly, the person who receives a majority of votes shall be elected, the name(s) of the person(s) shall be removed from any subsequent ballots.
- †**S9.12.** Background checks and screening shall be required and completed for persons nominated as synod officers prior to their election, if possible, or as soon as practical after their election. The specific procedures and timing of background checks and screening shall be determined by the Synod Council.

Chapter 10.
SYNOD COUNCIL

- †**S10.01.** The Synod Council, consisting of the four officers of the synod, 10 to 24 other members, and at least one youth and at least one young adult, shall be elected by the Synod Assembly.
- a. Each person elected to the Synod Council shall be a voting member of a congregation of this synod, with the exception of ministers on a roster of this synod who reside outside the territory of this synod. The process for election and the term of office when not otherwise provided shall be specified in the bylaws. A member of the Church Council of the Evangelical Lutheran Church in America, unless otherwise elected as a voting member of the Synod Council, may serve as an advisory member of the Synod Council with voice but not vote.
 - b. The term of office of members of the Synod Council, with the exception of the officers and the youth member, shall be **six** years.
- S10.01.01.** In addition to the officers and one youth representative, there shall be up to 24 members of the Synod Council, one representative from each cluster and an equal number of members at large.
- S10.01.02.** The youth representative elected to the Synod Council shall be a voting member of their home congregation and be less than nineteen years of age at the time of election and will serve a two-year term.
- S10.01.03.** Each cluster shall nominate one person for their cluster representative position on the Synod Council, provided the cluster has a synod-approved constitution and the nomination is made during a duly called meeting of the cluster. When such a nomination is made, there shall be no further nominations made for their cluster representative position.
- S10.01.04.** The designation lay man or woman, or Minister of Word and Sacrament will alternate among those cluster representatives as follows: lay man – lay woman – rostered minister.
- †**S10.02.** The Synod Council shall be the board of directors of this synod and shall serve as its interim legislative authority between meetings of the Synod Assembly. It may make decisions that are not in conflict with actions taken by the Synod Assembly or that are not precluded by provisions of this constitution or the constitution and bylaws of the Evangelical Lutheran Church in America.

- 1 **S10.03.** The functions of the Synod Council shall be to:
- 2 a. Exercise trusteeship responsibilities on behalf of this synod.
- 3 b. Recommend program goals and budgets to the regular meetings of the Synod Assembly.
- 4 c. Carry out the resolutions of the Synod Assembly.
- 5 d. Provide for an annual review of the roster of Ministers of Word and Sacrament and the roster of Ministers of
- 6 Word and Service, receive and act upon appropriate recommendations regarding those persons whose status is
- 7 subject to reconsideration and action under the constitution and bylaws of the Evangelical Lutheran Church in
- 8 America, and make a report to the Synod Assembly of the Synod Council's actions in this regard.
- 9 e. Issue letters of call to rostered ministers as authorized by Chapter 7 of the constitution and bylaws of the
- 10 Evangelical Lutheran Church in America.
- 11 f. Fill vacancies until the next regular meeting of the Synod Assembly, except as may otherwise be provided in the
- 12 constitution or bylaws of this synod and determine the fact of the incapacity of an officer of this synod.
- 13 g. Report its actions to the regular meeting of the Synod Assembly.
- 14 h. Perform such other functions as are set forth in the bylaws of this synod, or as may be delegated to it by the Synod
- 15 Assembly.
- 16 i. Visit congregations, councils, or clusters of the synod to acquaint these organizations with the work of the synod.
- 17 Announcements that council members are available for such visits shall appear in synod publications.
- 18 **S10.04.** Any proposal to appropriate funds, whether by amendment to the budget or otherwise, which is presented to a meeting
- 19 of the Synod Assembly without the approval of the Synod Council, shall require a two-thirds vote for adoption.
- 20 **S10.05.** No elected member of the Synod Council shall receive compensation for such service.
- 21 **S10.06.** If a member of the Synod Council ceases to meet the requirements of the position to which she or he was elected, the
- 22 office filled by such member shall at once become vacant.
- 23 **S10.06.01.** Any member who has two consecutive unexcused absences will receive a letter reminding them of the requirements
- 24 of a synod council member. If a member has three unexcused absences within a year, the secretary shall declare the
- 25 member's position to be vacant.
- 26 **S10.06.02.** When such a vacancy occurs for a cluster representative, the Synod Council shall name a replacement from the same
- 27 cluster. When such a vacancy occurs for an at-large representative, the Synod Council may name a replacement from
- 28 any cluster.
- 29 **S10.06.03.** When such a vacancy occurs for the youth representative, the Synod Council shall appoint a replacement to fill the
- 30 position until the next regular meeting of the Synod Assembly.
- 31 **S10.07.** The composition of the Synod Council, the number of its members, and the manner of their selection, as well as the
- 32 organization of the Synod Council, its additional duties and responsibilities, and the number of meetings to be held
- 33 each year shall be as set forth in the bylaws.
- 34 **S10.07.01.** The Synod Council shall meet at least three times per year. To the extent permitted by state law, an action required
- 35 or permitted to be taken at a meeting of the Synod Council and its committees may be taken electronically or by
- 36 telephone conference.
- 37 **S10.08.** *Robert's Rules of Order*, latest edition, shall govern parliamentary procedure of all meetings of the Synod Council.

38

39 **Chapter 11.**

40 **COMMITTEES (names of other organizational units)**

- 41 †**S11.01.** There shall be an Executive Committee, a Consultation Committee, a Committee on Discipline, a Mutual Ministry
- 42 Committee, an Audit Committee, and such other committees as this synod may from time to time determine. The
- 43 duties and functions of such committees, or any other organizational units created by this synod, and the composition
- 44 and organizational structure of such units, shall be as set forth in this constitution or in the bylaws or continuing
- 45 resolutions, and shall be subject to any applicable provisions or requirements of the constitution and bylaws of the
- 46 Evangelical Lutheran Church in America.
- 47 **S11.01.01.** The Executive Committee shall consist of the elected officers of the synod and in addition, there shall be two at-large
- 48 members from the membership of the Synod Council, elected by the Synod Council for a term of two years. There
- 49 shall also be one alternate Executive Committee member elected by the Synod Council.
- 50 **S11.01.02.** Five members of the Executive Committee shall constitute a quorum.
- 51 **S11.01.03.** The Executive Committee is authorized to act on behalf of the Synod between meetings of the Synod Council. All
- 52 actions taken on behalf of the Synod Council by the Executive Committee will be brought to the next Synod meeting
- 53 for review.

- 1 **S11.01.04.** The Executive Committee shall act as the Personnel Committee for the Synod Staff.
- 2 †**S11.02.** The Consultation Committee of this synod shall consist of at least six persons and not more than 12 persons, of whom
3 half shall be rostered ministers and half shall be laypersons, who shall each be elected by the Synod Assembly for a
4 term of six years without consecutive re-election. The functions of the Consultation Committee are set forth in
5 Chapter 20 of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*
6 and in Chapter 17 of this constitution. The size of the Consultation Committee, in accord with this provision, shall
7 be defined in this synod's bylaws.
- 8 **S11.02.01.** There shall be eight members of the Consultation Committee, four of whom should be rostered ministers, two shall
9 be lay women, and two shall be lay men.
- 10 †**S11.03.** The Committee on Discipline of this synod shall consist of 12 persons, of whom six shall be rostered ministers and
11 six shall be laypersons, who shall each be elected by the Synod Assembly for a term of six years without consecutive
12 re-election.
- 13 a. The functions of the Committee on Discipline of this synod are set forth in Chapter 20 of the *Constitution, Bylaws,*
14 *and Continuing Resolutions of the Evangelical Lutheran Church in America.*
- 15 b. The Synod Council shall fill vacancies on the Committee on Discipline for any unexpired term.
- 16 †**S11.04.** The Mutual Ministry Committee shall be appointed by the Executive Committee of the Synod Council to provide
17 support and counsel to the bishop.
- 18 **S11.04.01.** The Mutual Ministry Committee shall seek to give encouragement by its concern for the spiritual, emotional and
19 physical wellbeing of the bishop of this synod.
- 20 **S11.04.02.** There shall be five members on the Mutual Ministry Committee, three of whom shall be selected by the bishop and
21 two of whom shall be selected by the Executive Committee of the Synod Council and appointed by the Synod
22 Council.
- 23 **S11.04.03.** Appointment to the Mutual Ministry Committee shall be for six years and be coterminous with the term of the bishop.
24 Consecutive appointments shall be permitted.
- 25 †**S11.05.** The Audit Committee of this synod shall consist of three to six persons, none of whom is a member of the synod
26 staff. Up to half of the committee members may be Synod Council members. The Audit Committee members shall
27 be elected by the Synod Council for a term of three years and be eligible for re-election to a second consecutive three-
28 year term. The terms of the Audit Committee members shall be staggered. The Audit Committee shall be responsible
29 for assisting the Synod Council in fulfilling its general oversight of the synod's accounting, financial reporting,
30 internal control systems, and external audit processes as provided in †S15.31.
- 31 **S11.06.** This synod shall have a Finance Committee consisting of up to five persons appointed by the Synod Council. Terms
32 and duties will be determined by the Synod Council.
- 33 **S11.07.** This synod shall have a Nominating Committee (see S9.03) consisting of five members who shall be appointed by
34 the Synod Council to serve for each regular meeting of the Synod Assembly.
- 35 **S11.08.** This synod shall have a Constitution Review Committee consisting of two review panels – a Congregation
36 Constitution Review Panel and a Synod Constitution Review Panel.
- 37 **S11.08.01.** The Congregation Constitution Review Panel shall review all congregation constitutions and bylaws with subsequent
38 changes submitted to the synod. The panel shall make a written response to the congregation within 120 days stating
39 its recommendation that the Synod Council approve or disapprove the constitution or change(s) and the reasons for
40 the recommendations. This panel shall consist of five members appointed by the Synod Council.
- 41 **S11.08.02.** The Synod Constitution Review Panel shall review the Synod Constitution and Bylaws for amendment and
42 clarification. At the request of the Synod Council, the panel shall draft constitution and bylaw recommendations for
43 action by the Synod Council and the Synod Assembly. This panel shall consist of five members appointed by the
44 Synod Council, two of whom shall be members of the Synod Council.
- 45 †**S11.11.** This synod shall in its bylaws or by continuing resolution establish a process to ensure that the members of its
46 committees and other organizational units will be persons possessing the necessary knowledge and competence to be
47 effective members of such units, and to meet the requirements of †S6.04. With the exception of ministers on the
48 rosters of this synod who reside outside the territory of this synod, each member of a committee of this synod, or any
49 other organizational unit created by this synod, shall be a voting member of a congregation of this synod.
- 50
51

1 **Chapter 12.**
2 **CONFERENCES, CLUSTERS, COALITIONS**
3 **AREA SUBDIVISIONS, AND NETWORKS**

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

8 S12.01.01. This synod shall have clusters arranged as determined by the Synod Council. A congregation may request a transfer
9 from one cluster to another by submitting a written request to the Synod Council along with a letter from the cluster
10 the congregation is in and a letter from the cluster the congregation wants to join stating the clusters' positions on the
11 transfer.

12 S12.01.02. There shall be a meeting of each cluster of this synod prior to the regular meetings of the Synod Assembly for the
13 purposes of fellowship, fostering interdependent relationships among congregations, identify nominees for open
14 positions within the synod, and for conversation about matters coming before the Synod Assembly.

15 S12.01.03. Meetings of the clusters noted in S12.01.02 shall include, but not limited to, voting members elected to the Synod
16 Assembly by the congregations of the cluster.

17 S12.01.04. A cluster, as defined by the Synod, is an organizational unit and as such, is subject to †S6.04.

18 S12.01.05. Clusters may have a constitution which shall be approved by the Synod Council.

19 S12.01.06. Clusters may have an operating budget which may be reviewed by the Synod Council.

20 S12.01.07. The purpose of a cluster shall include:

- 21 a. fostering interdependent relationships among congregations for mission purposes:
 - 22 1) promoting the proclamation of the gospel;
 - 23 2) providing the opportunities for strengthening the spiritual life of clergy and laity;
 - 24 3) enabling participation in program planning for worship, learning, witness, service, stewardship, and advocacy
25 by implementing conferences, retreats, fellowship, study, and training events;
 - 26 4) deliberating on the faith and life of the church.
- 27 b. developing relationships with other religious and secular organizations dedicated to advocating justice and
28 providing services to meet human needs.
- 29 c. seeking to facilitate communication between the congregations of the cluster and the synod
- 30 d. providing a forum for conversation about matters coming before the Synod Assembly.
- 31 e. submitting nominations for any available synod position to the Synod Nominating Committee.

32 S12.01.08. The Synod Council shall be responsible to review the purposes and functions of clusters and to assist the clusters in
33 the development of their common and interdependent ministry.

34
35 **S12.10. Cluster Deans**

36 S12.10.01. This synod shall have cluster deans who shall be selected by and shall serve according to guidelines established by
37 the bishop in conversation with the Synod Council and the clusters; and whose duties shall be those noted in this
38 constitution and its bylaws.

39 S12.10.02. In addition to the rights and duties assigned elsewhere in this constitution and its bylaws, the dean shall:

- 40 a. Assist the bishop, as requested, with appropriate duties such as ordinations, installations, dedications,
41 anniversaries, and the like;
- 42 b. Serve, when necessary, as one of the persons described in †S14.13.b;
- 43 c. Assist the bishop, where appropriate, with consultations for the Call Process in congregations of the cluster;
- 44 d. Serve the needs of the cluster and synod as, from time to time, may be determined by the bishop;
- 45 e. Serve a term at the pleasure of the bishop

46
47 **Chapter 13.**
48 **CONGREGATIONS**

49
50 †S13.01. Each congregation, except those certified as congregations of the Evangelical Lutheran Church in America by the
51 uniting churches, prior to being listed in the roster of congregations of this synod, shall adopt the *Model Constitution*

1 *for Congregations* or one acceptable to this synod that is not in contradiction to the constitution and bylaws of the
2 Evangelical Lutheran Church in America.

3 a. **New congregations.** A congregation newly formed by this church and any congregation seeking recognition and
4 reception by this church shall:

5 1) Accept the criteria for recognition and reception as a congregation of this church, fulfill the functions of the
6 congregation, and accept the governance provisions as provided in Chapter 9 of the constitution and bylaws
7 of this church.

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

15 3) Accept the commitments expected of all congregations of this church as stated in *C6.01., *C6.02., and
16 *C6.03. of the *Model Constitution for Congregations*.

17 b. **Congregations from another church body.** If a congregation is a member of another church body, the leadership
18 of the congregation first should consult with the appropriate authorities of that church body before taking action
19 to leave its current church body. After such consultation, leaders of the congregation should contact the ELCA
20 synod bishop or staff where the congregation is located. The synod bishop or synod staff where the transferring
21 or independent congregation is located shall confer with the congregation to assure its understanding and
22 acceptance of commitment to and affiliation with this church.

23 c. **Recognition and reception.** Recognition and reception into this church of transferring or independent
24 congregations by the Evangelical Lutheran Church in America is based on the judgment of the synod and action
25 by the synod through the Synod Council and Synod Assembly. The synod bishop shall provide for prompt
26 reporting of such additions to the secretary of this church for addition to the roster of congregations.

27 †S13.02. It shall be the responsibility of each congregation of this synod to elect from among its voting members laypersons
28 to serve as members of the Synod Assembly as well as persons to represent it at meetings of any conference, cluster,
29 coalition, or other area subdivision of which it is a member. Normatively, congregations should hold elections prior
30 to each regular meeting of the Synod Assembly. The number of persons to be elected by each congregation and other
31 qualifications shall be as prescribed in guidelines established by this synod.

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

34 S13.11.01. Recognizing the inherent interdependence of congregations and synod, congregations of this synod shall follow the
35 provisions of the Call Process adopted for this synod.

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

38 †S13.20. A congregation considering a relocation shall confer with the bishop of the synod in which it is territorially located
39 and the appropriate unit of the churchwide organization before any steps are taken leading to such action. The
40 approval of the Synod Council shall be received before any such action is effected.

41 †S13.21. A congregation considering development of an additional site to be used regularly for worship shall confer with the
42 bishop of the synod in which it is territorially located and the appropriate unit of the churchwide organization before
43 any steps are taken leading to such action.

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

46 †S13.23. Provision 9.71. of the constitution of this church shall govern the relationship of this synod and a congregation of this
47 synod regarding the property of the congregation. This synod may transfer or convey property to a congregation of
48 the synod, subject to restrictions accepted by the congregation, including provision that if the Synod Council, in its
49 sole and exclusive discretion, determines (1) that the property is not being used to serve the mission and ministry
50 needs of this church, or (2) that the congregation has transferred, encumbered, mortgaged, or in any way burdened or
51 impaired any right, title, or interest in the property without the prior approval of the Synod Council, then title to the
52 property shall revert to the synod, and the congregation, upon written demand, shall reconvey the property to the
53 synod.

- 1 †S13.24. The Synod Council, itself or through trustees appointed by it, may take charge and control of the property of a
2 congregation of this synod to hold, manage, and convey the same on behalf of this synod, if any of the following
3 apply:
4 a. The congregation has disbanded, ceased to worship, or otherwise ceased to exist as a congregation.
5 b. The congregation has abandoned its property.
6 c. The remaining members of the congregation decide that it is no longer possible to function as a congregation
7 or that they are unable to provide required governance.
8 d. The Synod Council determines that the membership of a congregation has become so scattered or so
9 diminished in numbers that it cannot provide required governance or that it has become impractical for the
10 congregation to fulfill the purposes for which it was organized.
11 e. The Synod Council determines that it is necessary for this synod to protect and preserve the congregation's
12 property from waste and deterioration.

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

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

17 S13.30. **Discipline**

- 18 †S13.31. Congregations and members of congregations are subject to discipline in accordance with the provisions of Chapter
19 20 of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. The
20 synod's involvement in and responsibility for such disciplinary processes shall be as set forth in that chapter.

21 S13.40. **Synod-authorized Worshiping Communities**

- 22 S13.41. Authorized worshiping communities, acknowledged under criteria, policies, and procedures approved by the Church
23 Council of the Evangelical Lutheran Church in America, shall accept and adhere to the Confession of Faith and
24 Statement of Purpose of this church, shall be served by leadership under the criteria of this church, and shall be
25 subject to the discipline of this church.
26

27 **Chapter 14.**

28 **ROSTERED MINISTERS**

29 †S14.10. **Ministers of Word and Sacrament**

- 30 †S14.11. The time and place of the ordination of those persons properly called to ministry in this synod shall be authorized by
31 the bishop of this synod.

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

- 33 a. Every minister of Word and Sacrament shall:
34 1) preach the Word;
35 2) administer the sacraments;
36 3) conduct public worship;
37 4) provide pastoral care;
38 5) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
39 6) impart knowledge of this church and its wider ministry through available channels of effective communication;
40 7) witness to the Kingdom of God in the community, in the nation and abroad; and
41 8) speak publicly to the world in solidarity with the poor and oppressed, advocating dignity, justice, and equity
42 for all people, working for peace and reconciliation among the nations, caring for the marginalized, and
43 embracing and welcoming racially and ethnically diverse populations.
44 b. Each pastor with a congregational call shall, within the congregation:
45 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
46 2) relate to all schools and organizations of the congregation;
47 3) install regularly elected members of the Congregation Council;
48 4) with the council, administer discipline;
49 5) endeavor to increase the support given by the congregation to the work of the churchwide organization and of
50 this synod; and
51 6) encourage adherence to covenantal relationship with this church as expressed in the *Constitutions, Bylaws,*
52 *and Continuing Resolutions of the Evangelical Lutheran Church in America.*

- 1 **S14.13.** The pastor (a) shall keep accurate records of all baptisms, confirmations, marriages, burials, communicants, members
2 received, members dismissed, or members excluded from the congregation, (b) shall submit a summary of such
3 statistics annually to this synod, and (c) shall become a member of the congregation upon receipt and acceptance of
4 the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.
- 5 **S14.14.** Whenever members of a congregation move to such a distance that regular attendance at its services becomes
6 impractical, it shall be the duty of the pastor to commend them, upon their consent, to the pastoral care of a
7 congregation nearer to their place of residence.
- 8 **S14.15.** Each minister of Word and Sacrament on the roster of this synod shall submit a report of ministry to the bishop of
9 the synod at least 90 days prior to each regular meeting of the Synod Assembly.
- 10 †**S14.16.** When a congregation of this church desires to call a pastor or a candidate for the ministry of Word and Sacrament of
11 this church:
12 a. Each congregation of this synod shall consult the bishop of this synod before taking any steps leading to the
13 extending of a call to a prospective pastor.
14 b. For issuance of a letter of call to a pastor or candidate by a congregation of this synod in accord with ELCA
15 constitutional provision 7.41., a two-thirds vote shall be required of voting members of the congregation present
16 and voting at a meeting regularly called for the purpose of issuing such a call.
17 c. When the congregation has voted to issue a call to a prospective pastor, the letter of call shall be submitted to the
18 bishop of this synod for the bishop's signature.
- 19 **S14.17.** No minister of Word and Sacrament shall accept a call without first conferring with the bishop of this synod. A
20 minister of Word and Sacrament shall respond with an answer of acceptance or declination to a letter of call within
21 30 days of receipt of such call. In exceptional circumstances with the approval of the bishop of this synod and the
22 president of the Congregation Council of the congregation issuing the call, an additional 15 days may be granted to
23 respond to a letter of call.
- 24 †**S14.18.** The provisions for termination of the mutual relationship between a minister of Word and Sacrament and a
25 congregation shall be as follows:
26 a. The call of a congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and
27 commitment which shall be terminated only by the pastor's death or, following consultation with the synod bishop,
28 for any of the following reasons:
29 1) mutual agreement to terminate the call or the completion of a call for a specific term;
30 2) resignation of the pastor, which shall become effective, unless otherwise agreed, no later than 30 days after
31 the date on which it was submitted;
32 3) inability to conduct the pastoral office effectively in that congregation in view of local conditions;
33 4) inability to conduct the pastoral office effectively in view of disability or incapacity of the pastor;
34 5) suspension of the pastor through discipline for more than three months;
35 6) resignation or removal of the pastor from the roster of Ministers of Word and Sacrament of this church;
36 7) termination of the relationship between this church and the congregation;
37 8) dissolution of the congregation or the termination of a parish arrangement; or
38 9) suspension of the congregation through discipline for more than six months.
39 b. When allegations of disability or incapacity of the pastor under paragraph a.4) above, or ineffective conduct of
40 the pastoral office under paragraph a.3) above, have come to the attention of the bishop of this synod,
41 1) the bishop, who has sole discretion, may investigate such conditions personally together with a committee of
42 two rostered ministers and one layperson, or
43 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the
44 Congregation Council or by a petition signed by at least one-third of the voting members of the congregation,
45 the bishop personally shall investigate such conditions together with a committee of two rostered ministers
46 and one layperson.
47 c. In case of alleged disability or incapacity under paragraph a.4) above, the bishop's committee shall obtain and
48 document competent medical opinion concerning the pastor's condition. When a disability or incapacity is evident
49 to the committee, the bishop of this synod may declare the pastorate vacant. When the pastorate is declared vacant,
50 the Synod Council shall list the pastor on the roster of Ministers of Word and Sacrament with disability status.
51 Upon resumption of the ability to conduct the office effectively, the bishop shall take steps to enable the pastor
52 to resume the ministry, either in the congregation last served or in another appropriate call.
53 d. In the case of alleged local difficulties that imperil the effective functioning of the congregation under paragraph
54 a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop
55 together with the committee shall present their recommendations first to the pastor and then to the congregation.

1 The recommendations of the bishop's committee must address whether the pastor's call should come to an end
2 and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that
3 should be undertaken by the congregation and by the pastor, if appropriate. If the pastor and congregation agree
4 to carry out such recommendations, no further action need be taken by the synod.

- 5 e. If either party fails to assent to the recommendations of the bishop's committee concerning the pastor's call, the
6 congregation may dismiss the pastor only at a legally called meeting after consultation with the bishop, either (a)
7 by a two-thirds vote of the voting members present and voting where the bishop and the committee did not
8 recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the
9 bishop and the committee recommended termination of the call.
- 10 f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes
11 that there may be grounds for disciplinary action, the committee shall make recommendations concerning
12 disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing
13 resolutions.

14 †S14.19. Ministers of Word and Sacrament shall respect the integrity of the ministry of congregations which they do not serve
15 and shall not exercise ministerial functions therein unless invited to do so by the pastor, or if there is no duly called
16 pastor, then by the interim pastor in consultation with the Congregation Council.

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

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

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

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

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

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

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

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

43 †S14.31. The time and place of the ordination of those persons properly called to ministry in this synod shall be authorized by
44 the bishop of this synod.

45 †S14.32. Consistent with the faith and practice of the Evangelical Lutheran Church in America, every minister of Word and
46 Service shall:

- 47 a. Be rooted in the Word of God, for proclamation and service;
- 48 b. Advocate a prophetic diakonia that commits itself to risk-taking and innovative service on the frontiers of the
49 Church's outreach, giving particular attention to the suffering places in God's world;
- 50 c. Speak publicly to the world in solidarity with the poor and oppressed, advocating dignity, justice, and equity for
51 all people, working for peace and reconciliation among the nations, caring for the marginalized, and embracing
52 and welcoming racially and ethnically diverse populations;
- 53 d. Equip the baptized for ministry in God's world that affirms the gifts of all people;

- e. Encourage mutual relationships that invite participation and accompaniment of others in God's mission;
- f. Practice stewardship that respects God's gift of time, talents, and resources;
- g. Be grounded in a gathered community for ongoing diaconal formation;
- h. Share knowledge of this church and its wider ministry of the gospel, and advocate for the work of all expressions of this church; and
- i. Identify and encourage qualified persons to prepare for ministry of the gospel.

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

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

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

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

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

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

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

1 with disability status. Upon resumption of the ability to conduct the office effectively, the bishop shall take steps
2 to enable the minister of Word and Service to resume the ministry, either in the congregation last served or in
3 another appropriate call.

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

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

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

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

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

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

37 Chapter 15.

38 FINANCIAL MATTERS

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

40 †S15.11. Since the congregations, synods, and churchwide organization are interdependent expressions that share in God's
41 mission, all share in the responsibility to develop, implement, and strengthen the financial support of the whole
42 church. The gifts and offerings of the members of the Evangelical Lutheran Church in America are given to support
43 all parts of this church; thus the unity of this church should be evidenced in determining each part's share of the gifts
44 and offerings. Therefore:

- 45 a. The mission of this church beyond the congregation is to be supported by such a proportionate share of each
46 congregation's annual budget as each congregation determines. This synod shall develop guidelines for
47 determining "proportionate share," and shall consult with congregational leaders to assist each congregation in
48 making its determination.
- 49 b. This synod shall receive the proportionate share of the mission support from its congregations, and shall transmit
50 that percentage or amount of each congregation's mission support as determined in consultation with the
51 churchwide organization and approved by the Synod Assembly as part of its budget consideration.
- 52 c. Should the Synod Assembly not approve the proportionate share of mission support determined in consultation
53 with the churchwide organization, a new consultation with the churchwide organization shall take place. The

1 Synod Council is authorized to amend the budget adopted by the Synod Assembly to reflect the results of this
2 consultation.

3 **S15.11.01** Endowment funds, whose purpose, governance, and operational procedures shall be defined by special resolution
4 adopted by the Synod at its biennial business meetings, may be established

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

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

9 **S15.13.01.** Approval by the Synod Assembly shall be required when total upward adjustments to the adopted budget exceed 10
10 percent of the synod's share of congregational benevolence or when upward adjustments to individual items within
11 the adopted budget exceed 20 percent of that budget item.

12 **S15.13.02.** The Synod Council shall determine means of accountability for organizations, groups and institutions receiving
13 financial support from this synod. The Synod Council may require appropriate presence and vote on governing boards
14 of such organizations, groups and institutions when financial support exceeds 3 percent of the synod's share of
15 congregational benevolence.

16 **S15.14.** Except when such procedure would jeopardize current operations, a reserve amounting to no more than 16 percent
17 of the sum of the amounts scheduled in the next year's budget for regular distribution to synod causes shall be carried
18 forward annually for disbursement in the following year in the interest of making possible a more even flow of income
19 to such causes. The exact number of dollars to be held in reserve shall be determined by the Synod Council.

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

23 **S15.21.01.** Appeals for normal operating budgets of such congregations or organizations shall be approved by the Synod Council,
24 and indication of such approval shall be included when such appeals are made.

25 **S15.21.02.** Appeals noted in S15.21.01 shall be reviewed at least every five years, with renewal of such approval required at the
26 time of such a review.

27 **S15.21.03.** Major fund appeals, or fund appeals for capital improvements, shall require the approval by the Synod Council.

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

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

35 **Chapter 16.**

36 **INDEMNIFICATION**

37
38 †**S16.01.** Subject to the limitations and duties imposed by law, each person who is or was made or threatened to be made a
39 party to any proceeding by reason of the present or former capacity of that person as a Synod Council member,
40 officer, employee, or committee member of this synod shall be indemnified against all costs and expenses incurred
41 by that person in connection with the proceeding. Indemnification of any person by reason of that person's capacity
42 as a director, officer, employee, or committee member of any other organization, regardless of its form or relationship
43 to this synod, is subject to the provisions of †S16.02.

44 a. The term "proceeding" means a threatened, pending, or completed lawsuit, whether civil or criminal, an
45 administrative or investigative matter, arbitration, mediation, alternative dispute resolution, or any other similar
46 legal or governmental action. Except as otherwise required by law, the term "proceeding" does not include (a)
47 any action by this synod against the individual seeking indemnification, or (b) subject to †S16.04., a disciplinary
48 hearing or related process described in Chapter 20 of the *Constitution, Bylaws, and Continuing Resolutions of the*
49 *Evangelical Lutheran Church in America*.

50 b. The term "indemnification" includes reimbursement and advances of costs and expenses for judgments, penalties,
51 fines, settlements, excise taxes, reasonable attorneys' fees, disbursements, and similar required expenditures.

52 †**S16.02.** Whenever a person who, while a Synod Council member, officer, committee member, or employee of this synod, is
53 or was serving at the request of this synod as (or whose duties in that position involve or involved service in the
54 capacity of) a director, officer, partner, trustee, employee, or agent of another organization, is or was made or

1 threatened to be made a party to a proceeding by reason of such capacity, then such person shall be entitled to
2 indemnification only if (a) the Synod Council has established a process for determining whether a person serving in
3 the capacity described in this section shall be entitled to indemnification in any specific case, and (b) that process has
4 been applied in making a specific determination that such person is entitled to indemnification.

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

8 †S16.04. When written charges against a rostered minister of this church are made in disciplinary proceedings under Chapter
9 20 of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America* by the
10 synod bishop or when written charges against a congregation are made in disciplinary proceedings by the Synod
11 Council or the synod bishop, and the discipline hearing committee determines that no discipline shall be imposed,
12 then if such determination is not reversed or set aside on appeal, indemnification shall be made by the synod to the
13 accused for reasonable attorney's fees and other reasonable expenses related to the defense of the charges. The
14 determination of the reasonableness of such fees and expenses shall be made by the Synod Council.
15

16 Chapter 17.

17 CONSULTATION AND ADJUDICATION

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

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

29 †S17.03. When there is disagreement between or among congregations of this synod on a substantive issue that cannot be
30 resolved by the parties, the council of an affected congregation may petition the synod bishop for a consultation after
31 informing the other affected congregation(s) of its intent to do so. If this consultation fails to resolve the issue, the
32 bishop shall refer the matter to the Consultation Committee of the synod, which shall undertake efforts to find an
33 appropriate solution. If the Consultation Committee's efforts fail to resolve the issue(s), the entire matter shall be
34 referred to the Synod Council for adjudication by whatever process the council deems necessary. The decision of the
35 Synod Council shall be final.

36 †S17.04. When conferences, clusters, coalitions, or area subdivisions of this synod have a disagreement on a substantive
37 issue that they cannot resolve, the aggrieved party or parties may petition the synod bishop and the Executive
38 Committee of the Synod Council requesting a consultation after informing the other affected parties of their intent
39 to do so. In this case the decision of the Executive Committee shall prevail, except that, upon the motion of a
40 member of the Synod Council, the decision shall be referred to the Synod Council for final action.
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42 †S17.10. Adjudication in a Congregation

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

2 **AMENDMENTS, BYLAWS, AND CONTINUING RESOLUTIONS**

3 †S18.10. **Amendments to Constitution**

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

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

14 †S18.13. Other amendments to this constitution may be adopted by this synod through either of the following procedures:
15 a. Introduced with the support of at least 50 voting members and having been approved by a two-thirds vote of the
16 voting members present and voting at a regular meeting of the Synod Assembly, an amendment may be adopted
17 unchanged by a two-thirds vote at the next regular meeting of the Synod Assembly.
18 b. The Synod Council may propose an amendment, with notice to be sent to the congregations of this synod at least
19 six months prior to the next regular meeting of the Synod Assembly. Such an amendment shall require for adoption
20 a two-thirds vote of the voting members present and voting at such a regular meeting of the Synod Assembly.
21 All such amendments shall become effective upon ratification by the Churchwide Assembly or by the Church
22 Council.

23 †S18.20. **Amendments to Bylaws**

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

28
29 †S18.30. **Amendments to Continuing Resolutions**

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