



## Recommendation: General Amendments to the Constitutions of the ELCA

### Background

Rationale for the proposed amendments has been provided in a memorandum from Secretary Wm Chris Boerger. (See Section VI of the *Pre-Assembly Report*.)

### Recommended for Assembly Action

### Two-Thirds Vote Required

To adopt, *en bloc*, with the exception of such amendments as may be considered separately, the following amendments to the *Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.

- 3.02. **This church confesses the one, holy, catholic, and apostolic Church and is resolved to serve Christian unity throughout the world.**
- 3.03. 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.
- 3.04. **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.**
- 5.01. The Evangelical Lutheran Church in America shall be one church. This church recognizes that all power and authority in the Church belongs to the Lord Jesus Christ, its head. Therefore, all actions of this church by congregations, synods, and the churchwide organization shall be carried out under his rule and authority in accordance with the following principles:  
...
  - f. Except as otherwise provided in this constitution and bylaws, the churchwide organization, through the Church Council, shall establish processes that will ensure that at least 60 percent of the members of its assemblies, councils, committees, boards, and other organizational units shall be laypersons; that as nearly as possible, 50 percent of the lay members of these assemblies, councils, committees, boards, or other organizational units shall be female and 50 percent shall be male, and that, where possible, the representation of ordained ministers shall be both female and male. At least 10 percent of the members of these assemblies, councils, committees, boards, or other organizational units shall be persons of color and/or persons whose primary language is other than English. Processes shall be developed that will assure that in selecting staff there will be a balance of women and men, persons of color and persons whose primary language is other than English, laypersons, and persons on the roster

of ordained ministers. This balance is to be evident in **terms of both executive staff and support the selection of** staff consistent with the inclusive policy of this church.

...

**8.10. RELATIONSHIP ~~BETWEEN OF~~ CONGREGATIONS, SYNODS, ~~AND~~ THE CHURCHWIDE ORGANIZATION, ~~AND THE LUTHERAN WORLD FEDERATION~~**

**8.13. The synod shall provide for pastoral care of the congregations, ~~ordained ministers, associates in ministry, deaconesses, and diaconal ministers of Word and Sacrament, and ministers of Word and Service~~ within its boundaries. It shall plan for, facilitate, and nurture the life and mission of its people and shall enlarge the ministries and extend the outreach into society on behalf of and in connection with the congregations and the churchwide organization. ~~Conferences, clusters, coalitions, other area subdivisions, or networks shall serve to assist the congregations and synods in exercising their mutual responsibilities.~~**

**8.18. ~~This church affirms the relationship established through the Lutheran World Federation as a communion of churches that confess the triune God, agree in the proclamation of the Word of God, and are united in pulpit and altar fellowship.~~**

**8.18.01. The bylaws on ecumenical availability of ministers of Word and Sacrament under relationships of full communion shall apply to such service within this church of such ministers of other member churches of the Lutheran World Federation.**

**8.20. ~~RELATIONSHIP THROUGH OTHER ORGANIZATIONAL UNITS~~**

**8.21. ~~Conferences, clusters, coalitions, other area subdivisions, or networks shall serve to assist the congregations and synods in exercising their mutual responsibilities.~~**

*[Update numbering of subsequent provisions and bylaws in Chapter 8.]*

**8.322.02.** Colleges and universities of the Evangelical Lutheran Church in America may relate to this church in various ways, including relationship with the Churchwide Assembly, the Church Council, a synodical assembly, or a corporation whose voting members are, or have been elected by, synodical assemblies, other organizational units (conferences, clusters, etc.), or congregations. Subject to approval by the appropriate synods, a college or university may be owned by a not-for-profit corporation (1) that has voting members, at least 90 percent a majority of whom shall consist of members of the Churchwide Assembly or the Church Council, and (2) that shall hold the meeting of such a corporation in conjunction with the Churchwide Assembly for the purpose of electing or ratifying members of the governing board and approving amendments to the articles of incorporation, and approving amendments to other governing documents which affect the relationship between the college or university and this church. At least 60 percent majority of the members of the governing boards of the a corporations that meets in conjunction with the Churchwide Assembly or Church Council shall be members of this church or of a church body with which this church is in a relationship of full communion, but under no circumstances shall fewer than forty (40) percent of the members of such board be members of this church.

**8.322.03.** Primary responsibility for recruiting members for its board belongs to each college or university of this church. This responsibility is best exercised when appropriate structures of this church are substantially involved. The college or university and the appropriate synods shall determine

- how many of the college or university board members are to be elected or ratified by the approved form of relationship as provided in 8.322.02.
- 8.322.04.** The responsibility for initiating changes in constitutional documents rests with each college or university of this church. Each college or university will reach agreement with the appropriate structures of this church as identified in 8.322.02, regarding changes in constitutional documents. This church's participation may range from prior consultation to final approval.
- 8.322.06.** In addition to and consistent with the above provision 8.322, and bylaws 8.322.01, through 8.322.05, colleges and universities of this church where a school, department, or unit of that institution is a seminary of this church must comply with all requirements, policies, procedures, and standards specified in provision 8.321, and bylaws 8.321.01, through 8.321.02.
- 8.762.11.** An ordained minister of this church, serving temporarily in a church body with which a relationship of full communion has been declared and established by a Churchwide Assembly of the Evangelical Lutheran Church in America, may be retained on the roster of ordained ministers—upon endorsement by the synodical bishop and by action of the Synod Council in the synod in which the ordained minister is listed on the roster—under policies developed at the direction of the presiding bishop and secretary, reviewed by the Conference of Bishops, and adopted by the Church Council. An associate in ministry, deaconess, or diaconal minister of this church serving temporarily in a church body with which a relationship of full communion has been declared and established by a Churchwide Assembly of the Evangelical Lutheran Church in America, may be retained on the appropriate roster—upon endorsement by the synodical bishops and by action of the Synod Council in the synod in which the associate in ministry, deaconess, or diaconal minister is listed on the roster—under policies developed at the direction of the presiding bishop and secretary, reviewed by the Conference of Bishops, and adopted by the Church Council.
- ...
- ~~d. A letter of call to an ordained minister of this church or to an associate in ministry, deaconess, or diaconal minister who serves in a congregation of another church body, under a relationship of full communion, or an institution of such a church body on the territory of the synod, may be issued by the Synod Council. A letter of call to an ordained minister of this church or to an associate in ministry, deaconess, or diaconal minister who serves in a national or international agency or institution of another church body, under a relationship of full communion, may be issued by the Church Council.~~
- ~~c. A first call may not be served in a congregation or other entity of a full-communication partner church.~~
- 8.73.** ~~This church acknowledges the relationship established through the Lutheran World Federation as a communion of member churches which confess the triune God, agree in the proclamation of the Word of God, and are united in pulpit and altar fellowship. The bylaws on ecumenical availability of ordained ministers under relationships of full communion shall apply to such service within this church of ordained ministers from other member churches of the Lutheran World Federation.~~
- 9.25.** A congregation newly formed by this church and any congregation seeking recognition and reception by this church shall:
- ...

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

...

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

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

**9.80.** ~~DISCIPLINE OF CONGREGATIONS~~  
~~See Chapter 20.~~

[Update numbering of subsequent provisions and bylaws in Chapter 9.]

~~10.01.10. Names and Boundaries~~

**10.01.101. Names and Boundaries.** The names and boundaries of the synods shall be:

...

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

...

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

...

Synod 3.C—South Dakota. The state of SOUTH DAKOTA; the congregation Union Creek, Plymouth County, in the state of IOWA.

...

Synod 3.H—Saint Paul Area. The counties of Chisago, Dakota, Ramsey, Washington in the state of MINNESOTA; the congregations St. Mark, Our Savior's, and Living Waters in Anoka County, the congregation Spring Lake, Isanti County, and the congregation Christiania, Scott County, in the state of MINNESOTA.

...

Synod 5.E—Western Iowa. The counties of Adair, Adams, Audubon, Buena Vista, Calhoun, Carroll, Cass, Cherokee, Clay, Crawford, Dallas (west), Dickinson, Emmet, Fremont, Greene, Guthrie, Hamilton (west), Hancock, Harrison, Humboldt, Ida, Kossuth, Lyon, Mills, Monona, Montgomery, O'Brien, Osceola, Page, Palo Alto, Plymouth, Pocahontas, Pottawattamie, Ringgold, Sac, Shelby, Sioux, Taylor, Union, Webster, Winnebago, Woodbury, and Wright (west) in the state of IOWA.

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

...

Synod 5.K—South-Central Synod of Wisconsin. The counties of Columbia, Dane, Dodge, Grant, Green, Iowa, Jefferson, Lafayette, Richland, Rock, Sauk, Walworth in the state of WISCONSIN; the congregation Trinity, Adams County, in the state of WISCONSIN, and the congregation Jefferson Prairie, Boone County, in the state of ILLINOIS.

...

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

...

Synod 8.D—Lower Susquehanna. The counties of Adams, Cumberland, Dauphin, Franklin, Fulton, Lancaster, Lebanon, Perry, York in the state of PENNSYLVANIA; the congregations St. Michael and Zion in Schuylkill County in the state of PENNSYLVANIA.

Synod 8.E—Upper Susquehanna. The counties of Clinton, Columbia, Juniata, Lycoming, Mifflin, Montour, Northumberland, Snyder, Tioga, Union in the state of PENNSYLVANIA; the congregation Trinity, Luzerne County, and the congregation Zion, Dauphin County, in the state of PENNSYLVANIA.

...

Synod 8.H—West Virginia-Western Maryland. The county of Garrett in the state of MARYLAND; the state of WEST VIRGINIA; the congregation Calvary, Allegany County, the congregations Holy Trinity Memorial and Salem in Washington County in the state of MARYLAND; the congregation Fairview, Frederick County, in the state of VIRGINIA.

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

territory of these counties in the state of VIRGINIA; the congregation of Immanuel in Mercer County in the state of WEST VIRGINIA; the congregation Lakeside in Halifax County in the state of NORTH CAROLINA.

...

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

**10.31.02.** The presiding bishop of this church, or a bishop appointed by the presiding bishop of this church, shall preside for the installation into office, in accord with the policy and approved rite of this church, of each newly elected synod bishop.

*[Update numbering of subsequent bylaws under provision 10.31.]*

**10.32.** ~~CONFLICTS OF INTEREST~~ The procedures governing matters of potential conflicts of interest for synodical bishops shall be set forth in the bylaws.

**10.32.01.** The following procedures shall govern matters of potential conflicts of interest for synodical bishops:

a. Whenever a synodical bishop determines that a matter of the kind described in 10.32.01**b**2. may require his or her determination or action with respect to a related individual as defined in 10.32.01**c**3., the synodical bishop shall withdraw from personal involvement in such matter and shall so notify the presiding bishop. The presiding bishop shall then appoint another synodical bishop from the same region to handle the matter to conclusion. In dealing with such matter, the appointed bishop shall exercise all of the functions and authority to the same extent as if the appointed bishop were the elected bishop of the withdrawing bishop's synod.

b-10.32.02. Matters include any proceedings under Chapter 20, proceedings under provision 7.46. (†S14.4318.), candidacy, reinstatement, and similar matters where determinations or actions by the synodical bishop could change, limit, restrict, approve, authorize, or deny the related individual's ministry on one of the official rosters of this church.

c-10.32.03. A related individual is one who, with respect to the synodical bishop, is a spouse, parent, son, daughter, sibling, uncle, aunt, niece, nephew, grandparent, grandchild, including corresponding members of blended families, and in-laws (parent, son, daughter, or sibling of a spouse, spouse of a sibling, or the parent or sibling of the spouse of a sibling).

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

**10.71.** Each synod shall remit to the churchwide organization a percentage or amount of all donor-unrestricted receipts contributed to it by the congregations of the synod, such percentage to be determined by the Churchwide Assembly. Individual exceptions may be made by the Church Council upon request of a synod. The actual percentage or amount shall be determined through individual consultations with each synod. Consultations may



**recognize and include receipts other than unrestricted receipts in establishing and reporting the synod's remittance to the churchwide organization.**

**10.71.01.** The percentage or amount determined by consultation shall be acted upon by the synod assembly as part of the adoption of the synod's budget. Should the synod assembly not approve the agreed upon percentage or amount, the synod and the churchwide organization should engage in a new consultation process to reach a mutually agreed upon percentage or amount of donor-unrestricted receipts or other receipts.

**10.71.02.** The percentage or amount determined by consultation shall come to the Church Council for approval or a request to reopen consultation.

**10.80. — INSTALLATION**

**10.81.01.** The presiding bishop of this church, or a bishop appointed by the presiding bishop of this church, shall preside for the installation into office, in accord with the policy and approved rite of this church, of each newly elected synodical bishop.

*[Update numbering of subsequent provisions, bylaws and continuing resolutions in Chapter 10.]*

**12.31.** The assembly shall meet **biennially in regular session through 2013, and triennially thereafter.** Special meetings may be called by a two-thirds vote of the Church Council. The purpose for a special meeting shall be stated in the notice.

**12.31.02.** The secretary shall give notice of the time and place of each regular assembly by publication thereof at least 60 days in advance **on this church's website and** in this church's periodical. The secretary shall give written notice of a special assembly to the bishop of each synod upon the issuance of a call thereof and shall publish the same **on this church's website and** in this church's periodical at least 30 days in advance of the special assembly. Notice shall be provided to all voting members or voting members-elect not more than 30 days or less than 10 days in advance of any meeting. Notice may be provided electronically for voting members or voting members-elect who have provided email addresses, unless the voting member or voting member-elect has requested that written notice be mailed.

**12.41.11.** Each synod shall elect one voting member of the Churchwide Assembly for every 6,000 baptized members in the synod. In addition, each synod shall elect one voting member for every 50 congregations in the synod. The synodical bishop, who is *ex officio* a member of the Churchwide Assembly, shall be included in the number of voting members so determined. **Unless otherwise determined by the synod, the synodical vice president shall serve as an *ex officio* member of the Churchwide Assembly and be included in the number of the synod's voting members.** These voting members elected by each synod shall comply with the principles of organization, commitment to inclusiveness, and interdependence as specified in Chapter 5 of this constitution. In addition, each synod shall elect one additional voting member who is a youth or young adult at the time of the election and one additional voting member who is a person of color or a person whose primary language is other than English. **There shall be at least two voting members from each synod.** The Church Council may allocate up to 10 additional voting members among synods, but no single synod may be allocated more than two additional voting members. The secretary shall notify each synod of the number of assembly members it is to elect.

~~12.41.20.~~ **Ex Officio Members**

~~12.41.2+15.~~ **Ex Officio Members.** The officers of the churchwide organization and the bishops of the synods shall serve as *ex officio* members of the Churchwide Assembly. Unless otherwise determined by a synod, the synodical vice presidents shall also serve as *ex officio* members of the Churchwide Assembly. *Ex officio* members ~~They~~ shall have voice and vote.

~~12.41.22.~~ Unless otherwise determined by the synod, the synodical vice president shall serve as a voting member of the Churchwide Assembly.

~~12.41.30.~~ **Advisory Members**

~~12.41.3+16.~~ **Advisory Members.** Members of the Church Council, unless otherwise elected as voting members, shall serve as advisory members of the Churchwide Assembly. In addition, executive directors of units of the churchwide organization, the executive for administration, and other persons from the churchwide organization designated by the presiding bishop shall serve as advisory members of the Churchwide Assembly. The Church Council also may designate other persons as advisory members of the Churchwide Assembly. ~~12.41.32.~~ Advisory members shall have voice but not vote.

~~12.41.40.~~ **Other Non-Voting Members**

~~12.41.4+17.~~ **Other Non-Voting Members.** Other categories of non-voting members may be established by the Churchwide Assembly.

~~12.51.10.~~ **Reference and Counsel Committee**

~~12.51.1+01.~~ **Reference and Counsel Committee.** A Reference and Counsel Committee, appointed by the Church Council, shall review all proposed changes or additions to the constitution and bylaws and other items submitted that are not germane to items contained in the stated agenda of the assembly.

~~12.51.20.~~ **Memorials Committee**

~~12.51.2+02.~~ **Memorials Committee.** A Memorials Committee, appointed by the Church Council, shall review memorials from synodical assemblies and make appropriate recommendations for assembly action.

~~12.51.30.~~ **Nominating Committee**

~~12.51.3+03.~~ **Nominating Committee.** A Nominating Committee, elected by the Churchwide Assembly, shall nominate at least one person present nominations for each position for which an election will be held by the Churchwide Assembly and for which a nominating procedure has not otherwise been designated in the constitution, bylaws, and continuing resolutions of this church in accordance with Chapter 19 of this constitution.

13.21. The presiding bishop shall be an ordained minister of this church who, as its pastor, shall be a teacher of the faith of this church and shall provide leadership for the life and witness of this church. The presiding bishop shall:

...

k. ~~Recommend legal counsel to the Church Council.~~

~~l.~~ **l.** Serve as an advisory member, with voice but not vote, on all committees of this church and all boards or committees of churchwide units, or designate a person to serve as the presiding bishop's representative.



13.41.02. The secretary shall:

...

- e. ~~Coordinate~~ Oversee the general counsel and coordinate the use of legal services by the churchwide organization.

...

14.21.12. The Church Council shall provide for the installation of the churchwide officers. At the installation of a newly elected presiding bishop of this church, the presiding minister shall be the ~~retiring previous~~ presiding bishop of this church or, where that is not possible, a synodical bishop designated by the Church Council.

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

**14.32.03. Any Church Council member appointed to fill a vacancy of less than three years in a Church Council position not restricted to a specific synod shall not be deemed to have served a term and is eligible for election to a full term if she or he otherwise satisfies the criteria for election.**

~~14.41.10. Executive Committee~~

**14.41.H01. Executive Committee.** The Church Council shall have an Executive Committee composed of the churchwide officers, the chair of the Conference of Bishops, and seven members of the Church Council elected by the council. The vice president of this church shall chair this committee. The Executive Committee shall:

...

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

17.50.05. The board of this organization shall meet at least two times per year and shall be responsible to the assembly that elected it. The assembly of this organization shall be representative of local and other groupings of women who are members of the women's organization. Upon two successive absences that have not been excused by the board, a board member's position shall be declared vacant and the board shall arrange for election to fill the vacancy under Article ~~4~~ XIII, Section ~~4.5~~, Item 9, of the constitution and bylaws of the women's organization.

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

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

- 18.01.03.** Additional programs or services may be developed in each region upon the request of two or more synods, or upon the request of the churchwide organization and one or more synods, providing that each requesting synod and the churchwide organization supply the necessary financial support for the services requested.
- 18.01.04.** The funding of the region shall be shared by the participating synods and the churchwide organization according to a cost allocation as decided jointly by the synods and the churchwide organization.
- 18.10.10.** **Functions**
- 18.11.11.** The regions shall be a means for coordinated responses by synods and the churchwide organization to mission and program opportunities within the region.
- 18.11.12.** The region shall be a forum where the synods and the churchwide organization may study, plan, and share together in developing common programs unique to the region. Responsibilities carried out together will vary from region to region depending on the decision of the synods and churchwide units.
- 18.11.13.** Additional programs or services may be developed in each region upon the request of two or more synods, or upon the request of the churchwide organization and one or more synods, providing that each requesting synod and the churchwide organization supply the necessary financial support for the services requested.
- 18.11.14.** The funding of the region shall be shared by the participating synods and the churchwide organization according to a cost allocation as decided jointly by the synods and the churchwide organization.

*[Update the numbering of subsequent continuing resolutions in Chapter 18.]*

- 19.01.01.** The treasurer shall be elected by a two-thirds vote of the Church Council.
- 19.01.02.** The presiding bishop shall be elected by the Churchwide Assembly by ecclesiastical ballot. Three-fourths of the votes cast shall be necessary for election on the first ballot. If no one is elected, the first ballot shall be considered the nominating ballot. Three-fourths of the votes cast on the second ballot shall be necessary for election. The third ballot shall be limited to the seven persons (plus ties) who received the greatest number of votes on the second ballot, and two-thirds of the votes cast shall be necessary for election. The fourth ballot shall be limited to the three persons (plus ties) who receive the greatest number of votes on the third ballot, and 60 percent of the votes cast shall be necessary for election. On subsequent ballots, a majority of the votes cast shall be necessary for election. These ballots shall be limited to the two persons (plus ties) who receive the greatest number of votes on the previous ballot.
- 19.01.03.** The vice president shall be elected by the Churchwide Assembly by ecclesiastical ballot. The election shall proceed without oral nominations. If the first ballot for vice president does not result in an election, it shall be considered a nominating ballot. On the first ballot, three-fourths of the votes cast shall be required for election. Thereafter only such votes as are cast for persons who received votes on the first or nominating ballot shall be valid. On the second ballot, three-fourths of the votes cast shall be required for election. On the third ballot, the voting shall be limited to the seven persons (plus ties) receiving the greatest number of votes on the second ballot and two-thirds of the votes cast shall be necessary for election. On the fourth ballot, voting shall be limited to the three persons (plus ties) receiving the greatest number of votes on the previous ballot and 60 percent of the votes cast shall elect. On subsequent ballots, voting

shall be limited to the two persons (plus ties) receiving the greatest number of votes on the previous ballot and a majority of votes cast shall elect.

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

**19.01.B09.** Background checks and screening shall be required and completed for persons nominated as churchwide 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 Church Council.

**19.01.C94.** ***Ecclesiastical Ballot.** An “ecclesiastical ballot” for the election of officers (other than treasurer) of the churchwide organization of the Evangelical Lutheran Church in America is an election process:*

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

**19.01.D07.** ***Election Procedures Utilizing the Ecclesiastical Ballot***

- a. For each election by ecclesiastical or nominating ballot, the exact number of appropriate ballot sets equal to the number of voting members from each synod will be given to the bishop of that synod. The bishop of the synod, or his or her designee, will be responsible for distributing the ballot sets to each of the voting members from the synod.*
- b. Unless otherwise ordered by the chair, one of the numbered ballots from the appropriate ballot set is to be used on each ballot for elections determined by ecclesiastical or*

*nominating ballot. The chair will announce the number of the ballot from the appropriate ballot set that is to be used for each ballot. Failure to use the correct numbered ballot will result in an illegal ballot.*

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

- 19.02. **The members of the Church Council, except the chair of the Conference of Bishops and the treasurer of this church,** shall be elected by the Churchwide Assembly. In preparation for the Churchwide Assembly, the Church Council shall determine how this church's commitment to inclusive representation will affect the next election to the Church Council. For **33 32** of the council members, the Nominating Committee shall invite each eligible synod to submit suggested nominees and shall then nominate persons who fulfill the categories assigned by the Church Council. With respect to the other nominees, the Church Council shall review its size and composition and take into consideration the experience and expertise of existing members and synodical nominees as well as the needs of the council in seeking to fulfill its duties and responsibilities. Based upon this analysis, the Church Council shall instruct the Nominating Committee to provide nominations in specific categories for the remaining positions up to **12 13**. Excluding the churchwide officers and the chair of the Conference of Bishops, there shall not be more than two members of the Church Council from a synod. The Church Council shall have at least two members from each region. The terms of office of persons elected to regular terms on the Church Council by the Churchwide Assembly shall begin at the conclusion of the Churchwide Assembly at which such persons were elected. If there is no Churchwide Assembly in the year when terms are scheduled to conclude, they end on August 31.

- 19.02.A13.** The Nominating Committee shall strive to ensure that at least 10 percent of the voting membership of the Church Council shall be youth or young adults. Youth members shall be younger than 18 at the time of their election, and young adults shall be older than 18 and younger than 30 years of age at the time of their election.
- 19.02.B11.** On behalf of the Nominating Committee, the secretary of the Evangelical Lutheran Church in America—in the year preceding each regular meeting of the Churchwide Assembly—shall solicit from eligible synods on a rotating basis the names of two persons in specified categories, in keeping with the representation principles of this church, for possible election to the Church Council. Upon their selection by the assemblies of the respective synods, the names of the two persons shall be presented to the Nominating Committee for submission to the Churchwide Assembly. In the event that any nominee withdraws or is disqualified from possible service, the Nominating Committee shall submit a replacement name from the same synod as the original nominee. In the event that the vacancy occurs subsequent to the preparation of the report of the Nominating Committee to the Churchwide Assembly, a floor nomination shall be provided from the same synod as the original nominee. Except as provided herein, no floor nominations for positions on the Church Council shall be permitted at the Churchwide Assembly.
- 19.02.C05.** For purposes of nominations for the Church Council on a rotating basis, the following pairing of synods shall be observed insofar as possible: Alaska Synod and Northwest Washington Synod; Eastern Washington-Idaho Synod and Montana Synod; Southwestern Washington Synod and Oregon Synod; Sierra Pacific Synod and Southwest California Synod; Pacifica Synod and Grand Canyon Synod; Rocky Mountain Synod and South Dakota Synod; Western North Dakota Synod and Eastern North Dakota Synod; Northwestern Minnesota Synod and Northeastern Minnesota Synod; Southwestern Minnesota Synod and Southeastern Minnesota Synod; Minneapolis Area Synod and Saint Paul Area Synod; Nebraska Synod and Central States Synod; Arkansas-Oklahoma and Northern Texas-Northern Louisiana Synod; Southwestern Texas Synod and Texas-Louisiana Gulf Coast Synod; Northwest Synod of Wisconsin and Northern Great Lakes Synod; East-Central Synod of Wisconsin and South-Central Synod of Wisconsin; La Crosse Area Synod and Northeastern Iowa Synod; Western Iowa Synod and Southeastern Iowa Synod; Northern Illinois Synod and Central/Southern Illinois Synod; Metropolitan Chicago Synod and Greater Milwaukee Synod; North/West Lower Michigan Synod and Southeast Michigan Synod; Indiana-Kentucky Synod and Northwestern Ohio Synod; Northeastern Ohio Synod and Southern Ohio Synod; New Jersey Synod and New England Synod and Slovak Zion Synod; Metropolitan New York Synod and Upstate New York Synod; Northeastern Pennsylvania Synod and Southeastern Pennsylvania Synod; Northwestern Pennsylvania Synod and Allegheny Synod; Southwestern Pennsylvania Synod and West Virginia-Western Maryland Synod; Upper Susquehanna Synod and Lower Susquehanna Synod; Delaware-Maryland Synod and Metropolitan Washington, D.C., Synod; Virginia Synod and North Carolina Synod; South Carolina Synod and Southeastern Synod; Florida-Bahamas Synod and Caribbean Synod.
- 19.03.01.** Before electing a member to fill a vacancy on a board or committee, the Church Council shall consult with the board or committee.
- 19.04.01.** The terms of office of persons elected to regular terms on the Nominating Committee of the Churchwide Assembly, the Committee on Discipline, and the Committee on Appeals shall begin at the conclusion of the Churchwide Assembly at which such persons were elected, except as may be specified in continuing resolutions with respect to particular pending discipline matters.

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

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

**19.06.** **Further procedures for elections and qualifications for office may be set forth in the bylaws and continuing resolutions, provided that such provisions do not conflict with any other provisions in this constitution.**

**19.10.** **NOMINATION AND ELECTION CONSIDERATIONS**

**19.1106.01.** ~~In the nomination and election process the following general considerations shall be observed:~~

- ~~a.~~ It shall be the responsibility of the Church Council to assure that this church maintains its commitment to inclusive representation.

**19.06.02.** ~~b.~~ In all elections by the Churchwide Assembly, other than for the presiding bishop, vice president, and secretary, a majority of the votes cast on the first ballot shall be necessary for election. If an election does not occur on the first ballot, the names of the two persons receiving the highest number of votes cast shall be placed on the second ballot. On the second ballot, a majority of the legal votes cast shall be necessary for election.

- ~~c.~~ Before electing a member to a vacancy on a board or committee, the Church Council shall consult with the board or committee.

- ~~d.~~ On the final ballot for the election of the presiding bishop, vice president, and secretary of this church, when only two names appear on the ballot, a majority of the legal votes cast shall be necessary for election.

**19.06.03.** ~~e.~~ Each triennium the Conference of Bishops shall select a bishop to serve as an advisory member of each board of a separately incorporated ministry and advisory committee of the churchwide organization. No synodical bishop, with the exception of the chair of the Conference of Bishops, shall serve as a voting member of the Church Council.

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

**19.06.05.** No member of the Church Council, a committee of the Church Council, a board of a separately incorporated ministry, or committee of the churchwide organization shall receive emolument for such service, nor shall any member be simultaneously an officer of this church, an elected member of the Church Council, or a voting member of a committee of the churchwide organization or board of a separately incorporated ministry. Nothing in this section shall be construed to prohibit the payment of the costs of insurance on behalf of a person who is or was a member of the Church Council, a committee of the Church Council, or committee against any liability asserted against and incurred by such person in or arising from that capacity, whether



or not the churchwide organization would have been required to indemnify such person against the liability under provisions of law or otherwise.

**19.06.06.** No employee of the churchwide organization of this church or its regions, nor any individual under contract to any unit of the churchwide organization or a region shall be eligible for nomination to or membership on the Church Council, an advisory committee, a board of a separately incorporated ministry, the Committee on Appeals, the Committee on Discipline, or the churchwide Nominating Committee during the period of employment or service under contract, except the full-time salaried officers as specified in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. (The phrase “under contract” shall not mean short-term contracts for specific, limited purposes, usually not to exceed six months.)

**19.06.07.** No person related to a staff member of the churchwide organization shall be eligible for nomination to or membership on the Church Council or a committee that advises the unit in which the person’s relative is employed. For this purpose, a related individual is one who, with respect to the churchwide employee, is a spouse, parent, son, daughter, sibling, uncle, aunt, niece, nephew, grandparent, grandchild, including corresponding members of blended families and in-laws (parent, son, daughter, or sibling of a spouse, spouse of a sibling, or the parent or sibling of the spouse of a sibling).

**19.06.A02. *Election Procedures Utilizing the Common Ballot***

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

- n. Unless the second ballot is conducted by electronic device, polls for the second common ballot close at the time designated in the assembly's Rules of Organization and Procedure or as otherwise ordered by the assembly.*
- o. On the second ballot, whether by common ballot or by electronic device, the first position on each ticket shall be given to the nominee who received the greatest number of votes on the first ballot. If two nominees are tied for the highest vote, the first position on the ticket shall be determined by draw by the chair of the Elections Committee.*

**19.06.B98. Breaking Ties in Elections**

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

**19.06.C13. A former full-time or part-time employee shall not be eligible for a minimum of six years subsequent to such employment, for nomination or election to the board of the separately incorporated ministry or committee related to the churchwide unit in which the employee served.**

**19.2011. There shall be a Nominating Committee.**

**19.211.01. There shall be a Nominating Committee shall consisting** of 12–18 members elected by the Churchwide Assembly. Each member shall be elected to one six-year term and shall serve until a successor is elected. Members of the Nominating Committee shall not be eligible for consecutive re-election. The Church Council shall place in nomination the names of two persons for each position. The committee shall consist of at least one member but no more than three members from any region. Nominations from the floor shall also be permitted, but each floor nomination shall be presented as an alternative to a specific category named by the Church Council and shall therefore meet the same criteria as the persons against whom the nominee is nominated. In the materials provided in advance to each member of the assembly, the Church Council shall set forth the criteria applicable to each category that must be met by persons nominated from the floor.

**19.211.02. The Except as otherwise provided, the** Nominating Committee shall nominate two persons for each council, board, or committee position, according to the process described in continuing resolutions, for which an election will be held by the Churchwide Assembly. In the case of re-election, if authorized, or for nominees from church bodies with which this church is in a relationship of full communion, only one person need be nominated. Nominations from the floor, where permitted in the nomination process, shall be presented as an alternative to a specific category named by the Nominating Committee and shall therefore meet the same criteria as the persons against whom the nominee is nominated. In the materials provided in advance to each member of the assembly, the Nominating Committee shall set forth the criteria applicable to each category that must be met by persons nominated from the floor.

**19.21.03.** The Nominating Committee shall nominate at least one person for the board of trustees of each of the separately incorporated ministries identified in Chapter 17 of this constitution, according to the process described in continuing resolutions, for which an election will be held by the Churchwide Assembly. Nominations from the floor, where permitted in the nomination process, shall be presented as an alternative to a specific category named by the Nominating Committee and shall therefore meet the same criteria as the persons against whom the nominee is nominated. In the materials provided in advance to each member of the assembly, the Nominating Committee shall set forth the criteria applicable to each category that must be met by persons nominated from the floor.

*[Update numbering of subsequent bylaws in Chapter 19.]*

**19.21.05.**

**19.11.06.** The Nominating Committee shall strive to ensure that all persons nominated for any position, including the boards of separately incorporated ministries, possess the necessary competence and experience for the position. All persons elected to any position, whether nominated by the Nominating Committee or not, shall strive to represent this church and not just a particular geographic area.

**19.11.A15. Nominations Desk and Nominations Form**

- a. Nominations from the floor at the Churchwide Assembly shall be made at the Nominations Desk, which shall be maintained under the supervision of the secretary of this church.
- b. A nomination from the floor shall be made by using the form provided by the secretary of this church. Nomination forms may be obtained from the Nominations Desk at times prescribed in the assembly's Rules of Organization and Procedure.
- c. The required form to be used in making nominations from the floor shall include the nominee's name, address, phone number, gender, lay or clergy status, white or person of color or primary language other than English status, congregational membership, synodical membership, and affirmation of willingness to serve, if elected; the name, address, and synodical membership of the voting member who is making the nomination; and such other information as the secretary of this church shall require.
- d. For purposes of nomination procedures, "synodical membership" means:
  - 1) In the case of a layperson who is not on the roster of this church, the synod that includes the congregation in which such person holds membership; and
  - 2) In the case of a rostered minister, the synod on whose roster such minister's name is maintained.

**19.11.B05. Floor Nominations**

- a. Floor nominations for positions on a board or committee of a churchwide unit require, in addition to the nominator, the written support of at least 10 other voting members. Floor nominations for the Church Council, the Nominating Committee, or other churchwide committee to be elected by the Churchwide Assembly require, in addition to the nominator, the written support of at least 20 other voting members.
- b. A nomination from the floor for any position (other than presiding bishop, vice president, and secretary) shall be made by filing the completed nomination form with the Nominations Desk at times prescribed in the assembly's Rules of Organization and Procedure.
- c. Nominations will be considered made in the order in which filed at the Nominations Desk.

**19.11.C05. Restrictions on Floor Nominations for Boards**

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

**19.11.D16. Restriction on Floor Nominations for Church Council**

*Nominations for positions on the Church Council shall comply with criteria and restrictions established by the Church Council and Nominating Committee and set forth in materials provided to each voting member of the assembly.*

**19.11.E98. Restriction on Floor Nominations for Nominating Committee**

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

**19.21.A13.** *The Nominating Committee shall strive to ensure that at least 10 percent of the voting membership of the Church Council shall be youth or young adults. Youth members shall be younger than 18 at the time of their election, and young adults shall be older than 18 and younger than 30 years of age at the time of their election.*

**19.21.B11.** *On behalf of the Nominating Committee, the secretary of the Evangelical Lutheran Church in America—in the year preceding each regular meeting of the Churchwide Assembly—shall solicit from eligible synods on a rotating basis the names of two persons in specified categories, in keeping with the representation principles of this church, for possible election to the Church Council. Upon their selection by the assemblies of the respective synods, the names of the two persons shall be presented to the Nominating Committee for submission to the Churchwide Assembly. In the event that any nominee withdraws or is disqualified from possible service, the Nominating Committee shall submit a replacement name from the same synod as the original nominee. In the event that the vacancy occurs subsequent to the preparation of the report of the Nominating Committee to the Churchwide Assembly, a floor nomination shall be provided from the same synod as the original nominee. Except as provided herein, no floor nominations for positions on the Church Council shall be permitted at the Churchwide Assembly.*

**19.21.C05.** ~~For purposes of nominations for the Church Council on a rotating basis, the following pairing of synods shall be observed insofar as possible: Alaska Synod and Northwest Washington Synod; Eastern Washington-Idaho Synod and Montana Synod; Southwestern Washington Synod and Oregon Synod; Sierra Pacific Synod and Southwest California Synod; Pacifica Synod and Grand Canyon Synod; Rocky Mountain Synod and South Dakota Synod; Western North Dakota Synod and Eastern North Dakota Synod; Northwestern Minnesota Synod and Northeastern Minnesota Synod; Southwestern Minnesota Synod and Southeastern Minnesota Synod; Minneapolis Area Synod and Saint Paul Area Synod; Nebraska Synod and Central States Synod; Arkansas-Oklahoma and Northern Texas-Northern Louisiana Synod; Southwestern Texas Synod and Texas-Louisiana Gulf Coast Synod; Northwest Synod of Wisconsin and Northern Great Lakes Synod; East-Central Synod of Wisconsin and South-Central Synod of Wisconsin; La Crosse Area Synod and Northeastern Iowa Synod; Western Iowa Synod and Southeastern Iowa Synod; Northern Illinois Synod and Central/Southern Illinois Synod; Metropolitan Chicago Synod and Greater Milwaukee Synod; North/West Lower Michigan Synod and Southeast Michigan Synod; Indiana-Kentucky Synod and Northwestern Ohio Synod; Northeastern Ohio Synod and Southern Ohio Synod; New Jersey Synod and New England Synod and Slovak Zion Synod; Metropolitan New York Synod and Upstate New York Synod; Northeastern Pennsylvania Synod and Southeastern Pennsylvania Synod; Northwestern Pennsylvania Synod and Allegheny Synod; Southwestern Pennsylvania Synod and West Virginia-Western Maryland Synod; Upper Susquehanna Synod and Lower Susquehanna Synod; Delaware-Maryland Synod and Metropolitan Washington, D.C., Synod; Virginia Synod and North Carolina Synod; South Carolina Synod and Southeastern Synod; Florida-Bahamas Synod and Caribbean Synod.~~

**19.30. ELECTION OF OFFICERS**

**19.31.01.** ~~The churchwide officers shall be elected as follows:~~

- ~~a. The presiding bishop shall be elected by the Churchwide Assembly by ecclesiastical ballot. Three-fourths of the votes cast shall be necessary for election on the first ballot. If no one is elected, the first ballot shall be considered the nominating ballot. Three-fourths of the votes cast on the second ballot shall be necessary for election. The third ballot shall be limited to the seven persons (plus ties) who received the greatest number of votes on the second ballot, and two-thirds of the votes cast shall be necessary for election. The fourth ballot shall be limited to the three persons (plus ties) who receive the greatest number of votes on the third ballot, and 60 percent of the votes cast shall be necessary for election. On subsequent ballots, a majority of the votes cast shall be necessary for election. These ballots shall be limited to the two persons (plus ties) who receive the greatest number of votes on the previous ballot.~~
- ~~b. The vice president shall be elected by the Churchwide Assembly by ecclesiastical ballot. The election shall proceed without oral nominations. If the first ballot for vice president does not result in an election, it shall be considered a nominating ballot. On the first ballot, three-fourths of the votes cast shall be required for election. Thereafter only such votes as are cast for persons who received votes on the first or nominating ballot shall be valid. On the second ballot, three-fourths of the votes cast shall be required for election. On the third ballot, the voting shall be limited to the seven persons (plus ties) receiving the greatest number of votes on the second ballot and two-thirds of the votes cast shall be necessary for election. On the fourth ballot, voting shall be limited to the three persons (plus ties) receiving the greatest number of votes on the previous ballot and 60 percent of the votes cast shall elect. On subsequent ballots, voting shall be limited to the two persons (plus ties)~~

receiving the greatest number of votes on the previous ballot and a majority of votes cast shall elect.

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

- d. The treasurer shall be elected by a two-thirds vote of the Church Council.

**19.31.A09.** *Background checks and screening shall be required and completed for persons nominated as churchwide 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 Church Council.*

**19.40. TERMS OF OFFICE**

**19.41.01.** The terms of office of persons elected to regular terms on a committee or board by the Churchwide Assembly shall begin at the conclusion of the assembly at which such persons were elected.

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

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

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

**19.50. EXPERIENCE AND EXPERTISE**

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



**19.60. OTHER MATTERS RELATED TO NOMINATIONS AND ELECTIONS**

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

**19.61.02.** No member of the Church Council, a committee of the Church Council, a board of a separately incorporated ministry, or committee of the churchwide organization shall receive emolument for such service, nor shall any member be simultaneously an officer of this church, an elected member of the Church Council, or a voting member of a committee of the churchwide organization or board of a separately incorporated ministry. Nothing in this section shall be construed to prohibit the payment of the costs of insurance on behalf of a person who is or was a member of the Church Council, a committee of the Church Council, or committee against any liability asserted against and incurred by such person in or arising from that capacity, whether or not the churchwide organization would have been required to indemnify such person against the liability under provisions of law or otherwise.

**19.61.03.** No employee of the churchwide organization of this church or its regions, nor any individual under contract to any unit of the churchwide organization or a region shall be eligible for nomination to or membership on the Church Council, an advisory committee, a board of a separately incorporated ministry, the Committee on Appeals, the Committee on Discipline, or the churchwide Nominating Committee during the period of employment or service under contract, except the full-time salaried officers as specified in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. (The phrase “under contract” shall not mean short-term contracts for specific, limited purposes, usually not to exceed six months.)

**19.61.04.** No person related to an executive director or an executive staff member of the churchwide organization shall be eligible for nomination to or membership on the Church Council or a committee that advises the unit in which the person’s relative is employed. For this purpose, a related individual is one who, with respect to the churchwide employee, is a spouse, parent, son, daughter, sibling, uncle, aunt, niece, nephew, grandparent, grandchild, including corresponding members of blended families and in-laws (parent, son, daughter, or sibling of a spouse, spouse of a sibling, or the parent or sibling of the spouse of a sibling).

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

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

their representatives and/or a question-and-answer forum in which the nominees or their representatives participate; and

- i. in which the number of names that appear on any ballot subsequent to the second ballot shall be determined in accordance with provisions of the governing documents.

#### **19.61.B15. Nominations Desk and Nominations Form**

- a. Nominations from the floor at the Churchwide Assembly shall be made at the Nominations Desk, which shall be maintained under the supervision of the secretary of this church.
- b. A nomination from the floor shall be made by using the form provided by the secretary of this church. Nomination forms may be obtained from the Nominations Desk at times prescribed in the assembly's Rules of Organization and Procedure.
- c. The required form to be used in making nominations from the floor shall include the nominee's name, address, phone number, gender, lay or clergy status, white or person of color or primary language other than English status, congregational membership, synodical membership, and affirmation of willingness to serve, if elected; the name, address, and synodical membership of the voting member who is making the nomination; and such other information as the secretary of this church shall require.
- d. For purposes of nomination procedures, "synodical membership" means:
  - 1) In the case of a layperson who is not on the official rosters of this church, the synod that includes the congregation in which such person holds membership; and
  - 2) In the case of an ordained minister, the synod on whose roster such ordained minister's name is maintained;
  - 3) In the case of an associate in ministry, a deaconess, or a diaconal minister, the synod on whose roster such person's name is maintained.

#### **19.61.C05. Floor Nominations**

- a. Floor nominations for positions on a board or committee of a churchwide unit require, in addition to the nominator, the written support of at least 10 other voting members. Floor nominations for the Church Council, the Nominating Committee, or other churchwide committee to be elected by the Churchwide Assembly require, in addition to the nominator, the written support of at least 20 other voting members.
- b. A nomination from the floor for any position (other than presiding bishop, vice president, and secretary) shall be made by filing the completed nomination form with the Nominations Desk at times prescribed in the assembly's Rules of Organization and Procedure.
- c. Nominations will be considered made in the order in which filed at the Nominations Desk.

#### **19.61.D05. Restrictions on Floor Nominations for Boards**

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

**19.61.E05. Restriction on Nominations for Church Council**

Nominations for positions on the Church Council shall comply with criteria and restrictions established by the Church Council and Nominating Committee and set forth in materials provided to each voting member of the assembly.

**19.61.F98. Restriction on Floor Nominations for Nominating Committee**

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

**19.61.G02. Election Procedures Utilizing the Common Ballot**

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

- n. Unless the second ballot is conducted by electronic device, polls for the second common ballot close at the time designated in the assembly's Rules of Organization and Procedure or as otherwise ordered by the assembly.
  - o. On the second ballot, whether by common ballot or by electronic device, the first position on each ticket shall be given to the nominee who received the greatest number of votes on the first ballot. If two nominees are tied for the highest vote, the first position on the ticket shall be determined by draw by the chair of the Elections Committee.
- 19.61.H07. Election Procedures Utilizing the Ecclesiastical Ballot**
- a. For each election by ecclesiastical or nominating ballot, the exact number of appropriate ballot sets equal to the number of voting members from each synod will be given to the bishop of that synod. The bishop of the synod, or his or her designee, will be responsible for distributing the ballot sets to each of the voting members from the synod.
  - b. Unless otherwise ordered by the chair, one of the numbered ballots from the appropriate ballot set is to be used on each ballot for elections determined by ecclesiastical or nominating ballot. The chair will announce the number of the ballot from the appropriate ballot set that is to be used for each ballot. Failure to use the correct numbered ballot will result in an illegal ballot.
  - c. On the first two ballots for each office being selected by ecclesiastical or nominating ballot, both the first and last names of a nominee should be used. Members should endeavor to use correct spelling and should provide, on the first ballot, any additional accurate information identifying the nominee, such as title, synod, or residence.
  - d. On the third and subsequent ballots conducted by written ballot, only the last name of the nominee need be used, provided there is no other nominee with the same or similar name.
  - e. A member may vote for only one nominee on each ballot.
  - f. Ballots should not be marked prior to the time the chair advises the voting members to do so.
  - g. Written ballots should not be folded.
  - h. Written ballots will be collected from the voting members in accordance with instructions from the Elections Committee or from the chair.
  - i. When the results of the first ballot are presented, the chair will announce when and how persons nominated may withdraw their names prior to the casting of the second ballot.
  - j. Whenever the number of names of nominees that will appear on a ballot is nine or less, on recommendation of the chair and with the consent of the assembly, voting may be by means of electronic device.
  - k. When voting by electronic device, the first position on each ballot shall be given to the nominee who received the greatest number of votes on the immediately preceding ballot, with the remaining positions assigned to the other nominees in descending order of the number of votes received on the immediately preceding ballot. If two or more nominees were tied with the same vote on the immediately preceding ballot, their respective positions shall be determined by draw by the chair of the Elections Committee.
  - l. On each ticket for which balloting is conducted by electronic device, the polls will remain open for a reasonable time, as determined by the chair, to permit voting members to record their votes.

**19.61.I98. Breaking Ties in Elections**

- a. On the ballot for the election of the presiding bishop, vice president, and secretary, when only two names appear, the marked ballot of the treasurer shall be held by the chair of the

*Elections Committee and shall be counted only where necessary to break a tie that would otherwise exist.*

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

**19.61.J13.** *A former full-time or part-time employee shall not be eligible for a minimum of six years subsequent to such employment, for nomination or election to the board of the separately incorporated ministry or committee related to the churchwide unit in which the employee served.*

## CONSTITUTION FOR SYNODS

- †S3.02. “Determined by the Churchwide Assembly,” as stipulated by †S3.01., is understood to include the reported changes in synod relationship made by any congregation in a border area agreed under ELCA bylaws 10.01.†01. and 10.02.02.
- †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.
- †S6.04.A01. *[continuing resolution becomes bylaw]*
- †S6.04.01. It is the goal of this synod that 10 percent of the membership of synod assemblies, councils, committees, boards and/or other organizational units be persons of color and/or persons whose primary language is other than English.
- †S6.04.B09. *[continuing resolution becomes bylaw]*
- †S6.04.02. It is the goal of this synod that at least 10 percent of the voting members of the Synod Assembly, Synod Council, committees, and organizational units of this synod be 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.
- †S7.11. A regular meeting of the Synod Assembly shall be held at least ~~biennially~~ triennially.
- S7.11.01. The time and place of the \_\_\_\_\_ Synod Assembly shall be determined by the Synod Council. The time and place for the next regular assembly normally shall be announced \_\_\_\_\_ months prior to the assembly.
- S8.55. Should the vice president, secretary, or treasurer die, resign, or be unable to serve, the bishop, with the approval of the Executive Committee of the Synod Council, shall arrange for the appropriate care of the responsibilities of the officer until an election of a new officer can be held or, in the case of temporary disability, until the officer is able to serve again. The term of the successor officer, elected by the next Synod Assembly, shall be \_\_\_\_\_ years. If the treasurer is appointed by the Synod Council, the Synod Council shall appoint a new treasurer to a \_\_\_\_\_ year term.



- †S8.57. The recall or dismissal of an officer may be effected in accordance with the procedure established by the Committee on Appeals of the Evangelical Lutheran Church in America and the vacating of office may be effected for willful disregard or violation of the constitutions, bylaws, and continuing resolutions of this church; for such physical or mental disability as renders the officer incapable of performing the duties of office; or for such conduct as would subject the officer to disciplinary action as a rostered minister or as a member of a congregation of this church.
- a. Proceedings for the recall or dismissal of a synodical bishop shall be instituted by written petition by:
    - 1) the Synod Council on an affirmative vote of at least two-thirds of its elected members present and voting;
    - 2) the Synod Assembly on an affirmative vote of at least two-thirds of its members present and voting;
    - 3) at least 10 synodical bishops; or
    - 4) the presiding bishop of this church.
  - b. Proceedings for the recall or dismissal of an officer of a synod, other than the synodical bishop, shall be instituted by written petition by:
    - 1) the Synod Council on an affirmative vote of at least two-thirds of its elected members present and voting;
    - 2) the Synod Assembly on an affirmative vote of at least two-thirds of its members present and voting; or
    - 3) the synodical bishop.
  - c. The petition shall be filed with the chair of the Committee on Appeals (in care of the secretary of the Evangelical Lutheran Church in America, 8765 West Higgins Road, Chicago, Illinois 60631) and shall set forth the specific charge or charges.
  - d. Upon the filing of a written petition, the Executive Committee of the Synod Council may temporarily suspend the officer from service in the synod without prejudice, but with continuation of compensation, including benefits, if the officer is a salaried employee of the synod.
  - e. In the case of alleged physical or mental incapacity of an officer of the synod, the procedures outlined in †S8.56. shall be followed, and such officer shall comply with the decision of the Synod Council. If such officer fails or refuses to comply, the Synod Council may proceed to petition for recall or dismissal as follows:
    - 1) the Synod Council will submit a written report of their findings and the basis of their decision to the Committee on Appeals.
    - 2) the Committee on Appeals, other than those who are disqualified, shall review the findings and decision of the Synod Council and by an affirmative vote of at least two-thirds of those present and voting may adopt the findings and grant the petition.
  - f. If the synod officer is a minister of Word and Sacrament, grounds for recall or dismissal include those set forth in ELCA bylaw 20.21.01. and as defined under the process described in ELCA constitutional provisions 20.20. and 20.21. as grounds for discipline. If the officer is a minister of Word and Service, grounds for recall or dismissal include those set forth in ELCA bylaw 20.22.01. and as defined under the process described in ELCA constitutional provisions 20.20. and 20.21. as grounds for discipline.
  - g. If the officer is a layperson, grounds for recall or dismissal include those set forth in ELCA bylaw 20.41.01. as grounds for discipline.

- h. If the case of alleged willful disregard or violation of the constitutions, bylaws, and continuing resolutions or of alleged conduct as would subject the officer to disciplinary action, the following procedures shall apply:
  - 1) the petition shall be referred to the Committee on Appeals, which shall function as the discipline hearing committee that shall conduct a hearing in accordance with the rules provided for in ELCA bylaw 20.21.16, except to the extent that those rules are in conflict with the provisions of this bylaw; and
  - 2) the members of the Committee on Appeals, other than those who are disqualified, may grant the petition by an affirmative vote of at least two-thirds of those present and voting.
- i. Written notice of a decision by the Committee on Appeals that the charges have been sustained shall be given to the affected officer and to the Synod Council, and the office shall be vacated.

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

†S9.10. 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.

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

- a. The functions of the Committee on Discipline of this synod are set forth in Chapter 20 of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.
- b. The terms of committee members shall be staggered so that the terms of four committee members (two clergy and two lay) expire every two years.

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

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

...

- b. This synod shall receive the proportionate share of the mission support from its congregations, and shall transmit that percentage or amount of each congregation's mission support as determined by the Churchwide Assembly to the treasurer of the Evangelical Lutheran Church in America in consultation with the churchwide organization and approved by the Synod Assembly as part of its budget consideration.
- c. Should the Synod Assembly not approve the proportionate share of mission support determined in consultation with the churchwide organization, a new consultation with the

churchwide organization shall take place. The Synod Council is authorized to amend the budget adopted by the Synod Assembly to reflect the results of this consultation.

- †S15.12. The annual budget of this synod shall reflect the entire range of its own activities and its commitment to partnership funding with other synods and the churchwide organization. Unless an exception is granted upon the request of this synod by the Church Council, each budget shall include the percentage of congregational mission support assigned to it by the Churchwide Assembly.
- †S18.12. Whenever the secretary of the Evangelical Lutheran Church in America officially informs this synod that the Churchwide Assembly has amended the *Constitution for Synods*, this constitution may be amended to reflect any such amendment by a simple majority vote at any subsequent meeting of the Synod Assembly without presentation at a prior Synod Assembly. An amendment that is identical to a provision of the *Constitution for Synods* shall be deemed to have been ratified upon its adoption by this synod. The Church Council, through the secretary of this church, shall be given prompt notification of its adoption.

## MODEL CONSTITUTION FOR CONGREGATIONS

- \*C3.02.** This church confesses the one, holy, catholic, and apostolic Church and is resolved to serve Christian Unity throughout the world.
- \*C3.03.** 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. The Evangelical Lutheran Church in America, 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.
- \*C3.04.** 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.
- \*C3.0305.** 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.
- \*C5.03.** Only such authority as is delegated to the Congregation Council or other organizational units in this congregation's governing documents is recognized. All remaining authority is retained by the congregation. The congregation is authorized to:
- ...
- d. adopt amendments to the constitution, as provided in Chapter ~~17~~ 16, amendments to the bylaws, as specified in Chapter ~~16~~ 17, and continuing resolutions, as provided in Chapter 18;
- ...
- \*C6.05.** ~~A This~~ congregation may terminate its relationship with ~~this church the~~ Evangelical Lutheran Church in America by the following procedure:
- ...
- f. Notice of termination shall be forwarded by the bishop to the secretary of ~~this church the~~ ELCA, who shall report the termination to the Churchwide Assembly.
- g. This congregation shall abide by these covenants by and among the three expressions of this church:
- 1) Congregations seeking to terminate their relationship with this church which fail or refuse to comply with each of the foregoing provisions in \*C6.05. shall be required to receive Synod Council approval before terminating their membership in this church.
  - ~~h.~~ 2) Congregations which had been members of the Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in \*C6.05., to receive synodical approval before terminating their membership in this church.
  - ~~i.~~ 3) Congregations established by the Evangelical Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in \*C6.05., to satisfy all financial obligations to this church and receive Synod Council approval before terminating their membership in this church.

jh. If ~~a~~ **this** congregation fails to achieve the required two-thirds vote of voting members present at the congregation's first meeting as specified in paragraph a. above, another special meeting to consider termination of relationship with this church may be called no sooner than six months after that first meeting. If ~~a~~ **this** congregation fails to achieve the required two-thirds vote of voting members present at the congregation's second meeting as specified in paragraph d. above, another attempt to consider termination of relationship with this church must follow all requirements of \*C6.05. and may begin no sooner than six months after that second meeting.

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

\*C7.04. If ~~a~~ two-thirds **majority** of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to become independent or relate to a non-Lutheran church body and have followed the process for termination of relationship in \*C6.05., title to property of this congregation shall continue to reside in this congregation only with the consent of the Synod Council. The Synod Council, after consultation with this congregation by the established synodical process, may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of this congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America.

\*C8.02. Members shall be classified as follows:

...

c. **Voting** members are confirmed members. Such confirmed members, during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of the congregation **as well as the other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.**

d. **Associate** members are persons holding membership in other **[ELCA]** [Lutheran] [Christian] congregations who wish to retain such membership but desire to participate in the life and mission of this congregation, ~~or persons who wish to retain a relationship with this congregation while being members of other congregations.~~ **They** These individuals have all the privileges and duties of membership except voting rights ~~and eligibility for elected offices or membership on the Congregation Council of this congregation or other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.~~

e. **Seasonal** members are voting members of other ELCA congregations who wish to retain such membership but desire to participate in the life and mission of this congregation, including exercising limited voting rights in this congregation. The Congregation Council may grant seasonal membership to such persons provided that this congregation is a member of a synod where the Synod Council has approved seasonal member voting on its territory. Such seasonal members shall have all the privileges and duties of voting members except that:

- 1) they shall not be eligible for elected office in, or for membership on the Congregation Council or on a call committee of, this congregation;
- 2) they shall not have the right to vote on any matter concerning or affecting the call or termination of call of any minister of this congregation;
- 3) they shall not have the right to vote on any matter concerning or affecting the affiliation of this congregation with the ELCA;
- 4) they shall not be eligible to serve as voting members from this congregation of the Synod Assembly or the Churchwide Assembly;
- 5) they shall not, even if otherwise permitted by this congregation, vote by proxy or by absentee ballot; and
- 6) they shall not, within any two calendar month period, exercise voting rights in this congregation and in the congregation where they remain voting members.

**\*C8.05.** Membership in this congregation shall be terminated by any of the following:

- a. death;
- b. resignation;
- c. transfer or release;
- d. disciplinary action in accordance with ELCA constitutional provision 20.4041. and the accompanying bylaws; or
- e. removal from the roll due to inactivity as defined in the bylaws in accordance with the provisions of this constitution and its bylaws.

Such persons who have been removed from the roll of members shall remain persons for whom the Church has a continuing pastoral concern.

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

**C10.04.** \_\_\_\_\_ percent of the voting members shall constitute a quorum.

**C12.12.** A quorum for the transaction of business shall consist of a majority of the members of the Congregation Council, including the [senior] pastor or interim pastor, except when the [senior] pastor or interim pastor requests or consents to be absent and has given prior approval to the agenda for a particular regular or special meeting, which shall be the only business considered at that meeting. Chronic or repeated absence of the [senior] pastor or interim pastor who has refused approval of the agenda of a subsequent regular or special meeting shall not preclude action by the Congregation Council, following consultation with the synodical bishop.

## **Chapter 16:**

### **BYLAWS**

**\*C16.01.** This congregation may adopt bylaws. No bylaw may conflict with this constitution.

**\*C16.02.** Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a majority vote of those voting members present and voting.



~~\*C16.03.~~ Changes to the bylaws may be proposed by any voting member, provided that such additions or amendments be submitted in writing to the Congregation Council at least 60 days before a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the congregation's members of the proposal with the council's recommendations at least 30 days in advance of the Congregation Meeting. Notification may take place by mail or electronic means, as permitted by state law.

~~\*C16.04.~~ Approved changes to the bylaws shall be sent by the secretary of this congregation to the synod.

## **Chapter 176.**

### **AMENDMENTS**

\*C176.01. Unless provision \*C176.04. is applicable, those sections of this constitution that are not required, in accord with the *Model Constitution for Congregations of the Evangelical Lutheran Church in America*, may be amended in the following manner. Amendments may be proposed by at least \_\_\_\_\_ voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the congregation's members of the proposal together with the council's recommendations at least 30 days in advance of the meeting. Notification may take place by mail or electronic means, as permitted by state law.

\*C176.02. An amendment to this constitution, proposed under \*C176.01., shall:

- be approved at a legally called Congregation Meeting according to this constitution by a majority vote of those voting members present and voting;
- be ratified without change at the next annual meeting by a two-thirds majority vote of those voting members present and voting; and
- have the effective date included in the resolution<sup>1</sup> and noted in the constitution.

\*C176.03. Any amendments to this constitution that result from the processes provided in \*C176.01. and \*C176.02. shall be sent by the secretary of this congregation to the synod. The synod shall notify the congregation of its decision to approve or disapprove the proposed changes; the changes shall go into effect upon notification that the synod has approved them.

\*C176.04. This constitution may be amended to bring any section into conformity with a section or sections, either required or not required, of the *Model Constitution for Congregations of the Evangelical Lutheran Church in America* as most recently amended by the Churchwide Assembly. Such amendments may be approved by a simple majority vote of those voting members present and voting at any legally called meeting of the congregation without presentation at a prior meeting of the congregation, provided that the Congregation Council has submitted by mail or electronic means, as permitted by state law, notice to the congregation of such an amendment or amendments, together with the council's recommendations, at least 30 days prior to the meeting. Upon the request of \_\_\_\_\_ at least two (2) voting members of the congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of the congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following a vote of approval.

## **Chapter 17.**

### **BYLAWS**

\*C17.01. This congregation may adopt bylaws. No bylaw may conflict with this constitution.

---

<sup>12</sup> Such an effective date must be stated in relation to the requirements of \*C17.03. to allow time for synodical review of the amendment.

- \*C17.02.** Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a majority two-thirds vote of those voting members present and voting.
- \*C17.03.** Changes to the bylaws may be proposed by any voting member, provided that such additions or amendments be submitted in writing to the Congregation Council at least 60 days before a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify this congregation's members of the proposal with the council's recommendations at least 30 days in advance of the Congregation Meeting. Notification may take place by mail or electronic means, as permitted by state law.
- \*C17.04.** Approved changes to the bylaws shall be sent by the secretary of this congregation to the synod.

## Chapter 20.

### PARISH AUTHORIZATION

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

- \*C20.01.** This congregation may unite in partnership with one or more other congregations recognized by the synod named in \*C6.01. to form a parish. Except as provided in \*C20.02. and \*C20.03., a written agreement, developed in consultation with the synod and approved by the voting members of each congregation participating in the parish, shall specify the powers and responsibilities that have been delegated to a Parish Council.
- \*C20.02.** Whenever a letter of call is being recommended for extension to an ordained minister of the Evangelical Lutheran Church in America or a candidate for the roster of ordained ministers who has been recommended to the congregation by the synodical bishop to serve the congregations of a parish, such letter of call shall be first approved by a two-thirds vote at congregational meetings of each of the congregations forming the parish. If any congregation of the parish should fail to approve extending this call, the other congregation(s) in the same parish shall have the right to terminate the parish arrangement.
- \*C20.03.** Any one of the congregations of a parish may terminate the call of a pastor as provided in †S14.13.d. of the synodical constitution of the synod named in \*C6.01. In such case, the other congregation(s) in the same parish shall have the right to terminate the parish arrangement.
- \*C20.04.** Whenever a parish arrangement is terminated, the call of any rostered person serving that parish is terminated. Should any congregation that formerly was part of the parish arrangement desire to issue a new call to that rostered person, it may do so in accordance with the call process of this church.
- \*C20.01.** This congregation may unite in partnership with one or more other congregations recognized by the synod named in \*C6.01. to form a parish. Except as provided in \*C20.02. and \*C20.03., a written agreement, developed in consultation with the synod and approved by the voting members of each congregation participating in the parish, shall specify the powers and responsibilities that have been delegated to the Parish Council. The Parish Agreement shall identify which congregation of the parish issues calls on behalf of the member congregations or shall establish a process for identifying which congregation issues calls on behalf of the member congregations.
- \*C20.02.** One congregation of a parish shall issue a call on behalf of the member congregations to a minister of Word and Sacrament or a candidate for the roster of ministers of Word and Sacrament who has been recommended by the synodical bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregational meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.

- \*C20.03.** One congregation of a parish may issue a call on behalf of the member congregations to a minister of Word and Service or a candidate for the roster of ministers of Word and Service who has been recommended by the synodical bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregational meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.
- \*C20.04.** Any one of the congregations of the parish may terminate their relationship with the pastor as provided in †S14.18.d. of the synodical constitution of the synod named in \*C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.
- \*C20.05.** Any one of the congregations of the parish may terminate their relationship with a minister of Word and Service as provided in †S14.43.d. of the synodical constitution of the synod named in \*C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.
- \*C20.06.** Whenever a parish agreement is terminated, the call of any rostered minister serving that parish is terminated. Should any congregation that was formerly part of the parish agreement desire to issue a new call to that rostered minister, it may do so in accordance with the call process of this church.