

CONSTITUTION AND BYLAWS
Central States Synod
Evangelical Lutheran Church in America
as amended by the 2010 Synod Assembly of the Central States Synod, ELCA

**Chapter 1
NAME AND INCORPORATION**

- †S1.01. The name of this synod shall be Central States Synod of the Evangelical Lutheran Church in America.
- †S1.02. For the purposes of this constitution and the accompanying by-laws, the Central States Synod of the Evangelical Lutheran Church in America is hereafter designated as “this synod” or “the synod.”
- †S1.11. This synod shall be incorporated. Amendments to the articles of incorporation of this synod shall be submitted to the Church Council for ratification before filing.
- †S1.21. The seal of this synod is a cross with three united flames emanating from the base of the cross and three entwined circles beside the cross. The name of this synod and the year of its constituting convention form the circular outer edge of the seal.

**Chapter 2
STATUS**

- †S2.01. This synod possesses the powers conferred upon it, and accepts the duties and responsibilities assigned to it, in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America* (ELCA or “this church”), which are recognized as having governing force in the life of this synod.
- †2.02. No provision of this constitution shall be inconsistent with the constitution and bylaws of this church.

**Chapter 3
TERRITORY**

- †S3.01. The territory of this synod, as determined by the Churchwide Assembly, shall be the States of Missouri and Kansas.
- S3.01.01. The exceptions shall be those congregations which are assigned to an adjacent synod and including those congregations from an adjacent state which are assigned to this synod, all in accordance with the constitution and bylaws and continuing resolutions of the Evangelical Lutheran Church in America.
- †3.02. “Determined by the Churchwide Assembly” as stipulated by †S3.01., is understood to include the reported changes in synod relationship made by any congregation in a border area agreed under ELCA bylaws 10.01.11 and 10.02.02.

**Chapter 4
CONFESSION OF FAITH**

- †S4.01. This synod confesses the Triune God, Father, Son, and Holy Spirit.
- †S4.02. This synod confesses Jesus Christ as Lord and Savior and the Gospel as the power of God for the salvation of all who believe.
- a. Jesus Christ is the Word of God incarnate, through whom everything was made and through whose life, death, and resurrection God fashions a new creation.
 - b. The proclamation of God's message to us as both Law and Gospel is the Word of God, revealing judgment and mercy through word and deed, beginning with the Word in creation, continuing in the history of Israel, and centering in all its fullness in the person and work of Jesus Christ.
 - c. The canonical Scriptures of the Old and New Testaments are the written Word of God. Inspired by God's Spirit speaking through their authors, they record and announce God's revelation centering in Jesus Christ. Through them God's Spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.
- †S4.03. This synod accepts the canonical Scriptures of the Old and New Testaments as the inspired Word of God and the authoritative source and norm of its proclamation, faith, and life.

- †S4.04. This synod accepts the Apostles', Nicene, and Athanasian Creeds as true declarations of the faith of this synod.
- †S4.05. This synod accepts the Unaltered Augsburg Confession as a true witness to the Gospel, acknowledging as one with it in faith and doctrine all churches that likewise accept the teachings of the Unaltered Augsburg Confession.
- †S4.06. This synod accepts the other confessional writings in the Book of Concord, namely, the Apology of the Augsburg Confession, the Smalcald Articles and the Treatise, the Small Catechism, the Large Catechism, and the Formula of Concord, as further valid interpretations of the faith of the Church.
- †S4.07. This synod confesses the Gospel, recorded in the Holy Scriptures and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God's mission in the world.

**Chapter 5
NATURE OF THE CHURCH**

- †S5.01 All power in the Church belongs to our Lord Jesus Christ, its head. All actions of this synod are to be carried out under his rule and authority.
- †S5.02. The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the Church, and the universal Church exists in and through congregations. This church, therefore, derives its character and powers both from the sanction and representation of its congregations and from its inherent nature as an expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in the historic continuity of the communion of saints; in breadth, it expresses the fellowship of believers and congregations in our day.

**Chapter 6
STATEMENT OF PURPOSE**

- †S6.01. The Church is a people created by God in Christ, empowered by the Holy Spirit, called and sent to bear witness to God's creative, redeeming, and sanctifying activity in the world.
- †S6.02. To participate in God's mission, this synod as a part of the Church shall:
 - a. Proclaim God's saving Gospel of justification by grace for Christ's sake through faith alone, according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.
 - b. Carry out Christ's Great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministry with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.
 - c. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity and justice for all people, working for peace and reconciliation among the nations, and standing with the poor and powerless, and committing itself to their needs.
 - d. Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, and service.
 - e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.
 - f. Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity which the Spirit gives.
- †S6.03. To fulfill these purposes, this synod, in partnership with the churchwide organization, shall bear primary responsibility for the oversight of the life and mission of this church in the territory of this synod. In fulfillment of this role, this synod shall:
 - a. Provide for the pastoral care of congregations, ordained ministers, associates in ministry, deaconesses, and diaconal ministers of this church in this synod, including:

- 1) approving candidates for the ordained ministry in cooperation with the appropriate seminaries of this church, which may be done through multi-synodical committees;
 - 2) authorizing ordinations and ordaining on behalf of this church;
 - 3) approving associates in ministry, deaconesses, and diaconal ministers of this church, which may be done through multi-synodical committees;
 - 4) authorizing the commissioning of associates in ministry, the consecration of deaconesses, and the consecration of diaconal ministers of this church; and
 - 5) consulting in the calling process for ordained ministers, associates in ministry, deaconesses, and diaconal ministers.
- b. Provide for leadership recruitment, preparation, and support in accordance with churchwide standards and policies, including:
- 1) nurturing and supporting congregations and lay leaders;
 - 2) seeking and recruiting qualified candidates for the rostered ministries of this church;
 - 3) making provision for pastoral care, call or appointment review, and guidance;
 - 4) encouraging and supporting persons on the rosters of this church in stewardship of their abilities, care of self, and pursuit of continuing education to under gird their effectiveness of service; and
 - 5) supporting recruitment of leaders for this church's colleges, universities, seminaries, and social ministry organizations.
- c. Provide for discipline of congregations, ordained ministers, and persons on the official lay rosters; as well as for termination of call, appointment, adjudication, and appeals consistent with the procedures established by this church in ELCA constitution Chapter 20.
- d. Foster organizations for youth, women, men, and organizations for language or ethnic communities.
- e. Plan for the mission of this church in this synod, initiating and developing policy, and implementing programs, consistent with churchwide policy, including:
- 1) ecumenical guidance and encouragement;
 - 2) development of new ministries, redevelopment of existing ministries, and support and assistance in the conclusion, if necessary, of a particular ministry;
 - 3) leadership and encouragement of congregations in their evangelism efforts;
 - 4) development of relationships to and participation in planning for the mission of social ministry organizations and ministries,
 - 5) encouragement of financial support for the work of this church by individuals and congregations.
 - 6) provision for resources for congregational life;
 - 7) assistance to the members of its congregations in carrying out their ministries in the world; and
 - 8) interpretation of social statements in a manner consistent with the interpretation given by the churchwide unit which assisted in the development of the statement, and suggestion of social study issues through (a) Synod Assembly memorials to the Churchwide Assembly or (b) resolutions for referral from the Synod Assembly through the Synod Council to the Church Council and © Synod Council resolutions addressed to the Church Council or for referral to a unit of the churchwide organization through the Church Council's Executive Committee.

- f. Promote interdependent relationships among congregations, synods, and the churchwide organization, and enter into partnership with other synods in the region.
- g. Participate in churchwide programs and develop support for the ministry of the churchwide organization.
- h. Foster the grouping of congregations in conferences, clusters, coalitions or other area subdivisions for mission purposes.
- i. Support relationships with and provide partnership funding on behalf of colleges, universities and campus ministries.
- j. Foster relationships with and provide partnership funding on behalf of social ministry organizations.
- k. Maintain relationships with and provide partnership funding on behalf of seminaries and continuing education centers.
- l. Foster supporting relationships with camps and other outdoor ministries.
- m. Foster supporting relationships with preschools, elementary schools, and secondary schools operated by congregations of this synod.
- n. Interpret the work of this church to congregations and to the public.
- o. Respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.
- p. Provide for archives in conjunction with other synods.
- q. Cooperate with other synods and the churchwide organization in creating, using, and supporting regions to carry out those functions of this synod which can best be done cooperatively with other synods and the churchwide organization.
- r. Elect members of the Churchwide Assembly in accordance with bylaw 12.41.11. of the constitution and bylaws of Evangelical Lutheran Church in America and according to procedures specified in the bylaws of this constitution.

S6.03.A04 CAMPUS MINISTRY SUNDAY

That the Central States Synod Council request congregations to participate in a Lutheran Campus Ministry Sunday during September each year in which:

- a. prayerful support is offered during worship that Sunday;
- b. students involved in higher education are honored;
- c. a special offering for Central States Synod Campus Ministry is received; and,
- d. educational information is shared about Lutheran Campus Ministry in the Central States Synod.

†S6.04. Except as otherwise provided in this constitution and bylaws, the Synod Council shall establish processes that will ensure that at least 60 percent of the members of the synod assemblies, councils, committees, boards, and other organizational units shall be lay persons; and that, as nearly as possible, 50 percent of the lay members of 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 male and female. This synod shall establish processes that will enable it to reach a minimum goal that 10 percent of its assemblies, councils, committees, boards, or other organizational units be persons of color and/or persons whose primary language is other than English.

†S6.04.A01. 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. It is the goal of this synod that at least 10 percent of the voting members of the Synod Assembly, Synod Council, committees, and organizational units of this synod be youth and young adults. The Synod Council

shall establish a plan for implementing this goal. For purposes of the constitution, bylaws, and continuing resolutions of this synod, the term "youth" means a voting member of a congregation who has not reached the age of 18 at the time of election or appointment for service. The term "young adult" means a voting member of a congregation between the ages of 18 and 30 at the time of election or appointment for service.

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

Chapter 7 Synod Assembly

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

- †S7.11. A regular meeting of the Synod Assembly shall be held at least biennially.

- S7.11.01. A regular meeting of the Synod Assembly shall be held annually.

S7.11.A04. ASSEMBLY PARTNERSHIP LINKAGES

That the Central States Synod Assembly direct the Bishop's Office to develop a list of those congregations which would be able and willing to assist with Assembly expenses and such a list of those congregations which would benefit from such assistance; that these congregations be linked together in partnership for the 1990 and succeeding Assemblies.

S7.11.B04. TRAVEL EQUALIZATION

That the Central States Synod at its 1991 Synod Assembly approves the following plan for travel equalization among Congregations who send official voting members to Synod Assemblies beginning in 1992.

- a. All congregations shall be treated the same; any congregation further than 100 miles (one way) from the Assembly site is eligible to submit a voucher for travel equalization.
- b. An Equalization Fund be established for each Assembly by adding a specified amount to each congregational voting member's registration fee. This fee will vary, depending upon Assembly site.
- c. Each eligible congregation may submit a mileage voucher by 6:00 PM of the first day of Assembly business.
- d. Reimbursement will be at the Synod Rate or (if the Fund does not permit) at a rate calculated by the total Fund divided by the total miles submitted.
- e. Reimbursement will be for travel by one car per congregation or by other public conveyance at the same rate as a car.
- f. Checks must be signed for at the end of the Assembly's closing worship, and will then be processed on the Monday following the Assembly.

S7.11.C04. ASSEMBLY BED & BREAKFAST

That the Synod Assembly Steering Committee encourage members of congregations in the area of the synod Assemblies to offer bed and breakfast for voting members to the assembly, beginning in 1993.

S7.11.D04. Synod Assembly LOCATION

That beginning next year, 1994, and every even year after that, the Synod Assembly will be at Bethany College, in Lindsborg, KS. On the odd years, the Synod Assembly will be located in Missouri or in Kansas City.

S7.11.E04. (AMENDS S.7.11.E93.)

That beginning next year, 2000, and every third year after that, beginning in 2003, the Synod Assembly will be at Bethany College in Lindsborg, KS. On the other years, the Synod Assembly will be located in Missouri or elsewhere in Kansas.

S7.11.F04. AGRICULTURAL CONCERNS REGARDING ASSEMBLY DATES

That the Central States Synod Assembly direct the Synod Council to plan different Assembly dates frequently, taking into account the agricultural concerns of our Synod territory.

S7.11.G04. TOPICS FOR SYNOD ASSEMBLES

That the Synod Assembly agenda provide opportunity for discussion in small groups of clergy, aims, laity, etc, and that the topics for discussion be topics that will give opportunity to share the counsel of God's Word, confessions, and congregational wisdom.

S7.11.H04. RESOLUTIONS COMMITTEE

That the Synod Council shall appoint a Resolutions Committee.

- a. The Committee shall consist of 11 persons.
 - 1) Members of the Committee need not be voting members of the corresponding Synod Assembly.
 - 2) One person will be appointed from each Area Ministry, in consultation with that Area Ministry's leadership.
 - 3) One person, to serve as Committee Chair, shall be an at-large appointment.
 - 4) Appointments shall be for a term of three years, with one-third of the membership being appointed at the fall Synod Council meeting. Terms shall be limited to no more than two consecutive terms on the Committee.
 - 5) Members of the Committee who are not voting members of the Assembly shall have voice, but not vote.
- b. The functions of the Resolutions Committee are to:
 - 1) Ensure that resolutions submitted for consideration to the Synod Assembly are in the proper form;
 - 2) Eliminate duplication when similar resolutions are offered;
 - 3) Present resolutions in a logical sequence to allow adequate consideration of each; and
 - 4) Except as the rules may provide otherwise, report all resolutions referred to the Committee with a recommendation.
- c. Resolutions for consideration by the Synod Assembly will be regarded as properly received when:
 - 1) The resolution is submitted by a synodical committee, team, or area ministry of the Central States Synod; by an individual who is a voting member of a congregation of this Synod; or by an agency or institution recognized by the Synod; and
 - 2) The resolution is received in the Synod office:
 - a) No less than 45 days prior to the opening of the Assembly; or
 - b) No less than seven days prior to the opening of the Assembly if it directly relates to an item of business on the published proposed Assembly agenda; or
 - c) No less than seven days prior to the opening of the Assembly if it is of such an urgent nature that it clearly cannot be postponed until the next Assembly.

- d. Properly received resolutions will be considered by the Committee.
- 1) The Resolutions Committee will convene after the 45 day deadline (see c.2.i.) to consider and propose action on all properly received resolutions. The meeting will be scheduled to ensure that the resolutions and proposed actions will be sent to Assembly voting members as part of the pre-Assembly mailing by the Synod office. The Resolutions Committee shall ensure that all resolutions and proposed actions are posted on the Synod's web site as soon as possible.
 - 2) The Resolutions Committee will meet no later than the Thursday prior to the beginning of the Assembly to consider and propose action on resolutions that were properly received according to c.2).b) and c.2).c). If at all possible, all properly received resolutions should be considered, action(s) proposed, and distributions made to the Assembly by the end of business of the first day of the Assembly. If this is not possible, the Committee should complete its work with a goal of providing Assembly members as much time as possible for consideration of resolutions prior to their being placed before the Assembly.
 - 3) The Resolutions Committee will meet during the Assembly to serve the Assembly as directed by the Assembly or the officers of the Synod.
 - 4) All those submitting resolutions will be provided notification of the dates, times, and locations of the Committee meetings in order that they can request time before the Committee; or they may provide additional information to the Committee by telephone. Notification of Committee meeting dates, times, and locations will also be provided through appropriate Synod publications and web site.
 - 5) Each resolution shall include designation of an Assembly voting member or a synodical committee or team that can speak and act on behalf of the party submitting a resolution regarding the content of the resolution, if that party is not a voting member. The Committee will attempt to contact the party submitting the resolution or the designee regarding any questions they may have or requests for additional information. If the Committee anticipates any substantial changes to a properly received resolution, the Committee will attempt to contact the party submitting the resolution or the designee before making changes. Contact may be in person, by telephone, or in writing. The Committee may then act in a manner consistent with the provisions of this section, and any direction provided by the Assembly or officers of the Synod.
- e. The Resolutions Committee will take action on every properly received resolution. The Committee may take the following actions:
- 1) The Committee may report the resolution to the Assembly with a recommendation for adoption, defeat, or no recommendation.
 - 2) By a three-quarters majority vote of the Committee, the Committee may act to not report the resolution (withholding it from consideration by the Assembly). The properly received resolution will be made available to the Assembly members, and the Committee chair will announce that the resolution is not reported. The Assembly may direct the Committee to report the resolution according to the provisions of *Robert's Rules of Order*.
 - 3) Where more than one properly received resolution deals with the same concern, the Committee may consolidate the substance of the resolutions in one resolution. In doing so, the original resolutions will be included as background. By a majority vote, the Assembly may direct the Committee to present the originally submitted resolutions rather than considering the consolidated resolution.
 - 4) The Committee may submit an alternative resolution or may choose to make substantive changes to the submitted resolution. In doing so, the original resolution(s) will be included as background. By a majority vote, the Assembly may direct the Committee to present the originally submitted resolution(s) rather than considering the alternative resolution.
 - 5) The Committee Chair may present the resolution to the Assembly and move that the matter be referred by the Bishop to an appropriate synodical committee, team, or task force, or that it be referred to legal counsel.

- 6) In fulfilling its role, the Committee may deem it necessary to present a resolution drafted by the Committee. The Assembly, Committees of the Assembly, or the Presiding Officer of the Assembly may direct the Committee to present a resolution drafted by the Committee.
- 7) Together with one of the other allowed actions, by a three-quarters majority vote of the Committee, the Committee chair may move to limit debate on a specific resolution.

S7.11.I08 Planning for Synod Assemblies will provide opportunities for the youth voting members that will include, but not necessarily be limited to:

- a. times during the assembly for the youth voting members to get together for fellowship;
- b. time during the assembly to nominate one or more youth for synod council positions;
- c. time prior to the beginning of the assembly for the youth voting members to be oriented to the purpose and procedures of the synod assembly;
- d. time during the assembly which will be planned and implemented by the Leadership Development Team to engage the youth voting members in conversation about the church and their role as leaders;
- e. time during the assembly which will be planned and implemented by the Youth Ministry Team, or its successor, to integrate the youth voting members' experience into the Synod's overall youth strategy and programming and, especially, to encourage their participation in the annual Central States Synod Youth Gathering.; and,
- f. provide arrangements for meals and shared housing, as needed, to enable participation and minimize cost.

S7.12. Special meetings of the Synod Assembly may be called by the bishop with the consent of the Synod Council, and shall be called by the bishop at the request of one-fifth of the voting members of the Synod Assembly.

- a. The notice of each special meeting shall define the purpose for which it is to be held. The scope of actions to be taken at such a special meeting shall be limited to the subject matter(s) described in the notice.
- b. If the special meeting of the Synod Assembly is for the purpose of electing a successor bishop because of death, resignation, or inability to serve, the special meeting shall be called by the presiding bishop of the ELCA in cooperation with the Synod Council.

S7.13. Notice of the time and place of all meetings of the Synod Assembly shall be given by the secretary of this synod.

S7.14. One-half of the voting members of the Synod Assembly, as defined by †S7.21.,S7.24., S7.27., shall constitute a quorum.

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

- a. All ordained ministers under call on the roster of this synod in attendance at this Synod Assembly shall be voting members.
- b. All associates in ministry, deaconesses of the Evangelical Lutheran Church in America, and diaconal ministers, under call, on the official lay rosters of this synod shall have both voice and vote as lay voting members in the Synod Assembly, in addition to the voting membership of lay members of congregations provided in item †S7.21.c.
- c. A minimum of one lay member elected by each congregation with fewer than 175 baptized members and a minimum of two lay members elected by each congregation with 175 or more baptized members related to this synod, normally one of whom shall be male and one of whom shall be female, shall be voting members. The Synod Council shall establish a formula to provide additional lay representation from congregations on the basis of the number of baptized members in the congregation. The Synod Council shall seek to ensure that, as nearly as possible, 50 percent of the lay members of the assembly shall be female and 50 percent shall be male. Additional members from each congregation normally shall be equally divided between male and female.

d. Voting membership shall include the officers of this synod.

S7.21.01.

- a. A minimum of two lay members elected by each congregation related to this synod, one of whom shall be male and one of whom shall be female, shall be voting members. Additional lay representation from congregations shall be on the basis of the number of baptized members as reported in the most recently published ELCA Yearbook. Congregations having 500-1500 baptized members shall have 4 voting members (2 male, 2 female); 1501-2500 baptized members shall have 6 voting members (3 male, 3 female); and over 2500 baptized members shall have 8 voting members (4 male, 4 female). Additional members from each congregation shall be divided between male and female except that the odd-numbered member, if any, may be either male or female.
- b. In the event that a congregation is unable to adhere to S.7.21.01.a. at their annual meeting, the congregation may request a waiver to be filed with the Synod Office by March 1. Such a request for waiver must state in detail the process followed to elect the voting members and the reasons for requesting a waiver. The Synod Council shall rule upon the request at their spring meeting. The Synod Council in acting on these waiver requests shall seek to ensure that, as nearly as possible, 50 percent of the lay members of the assembly shall be female and 50 percent shall be male. The Synod Council will report their decision back to the congregation in a timely manner.
- c. Any congregation may elect an additional lay voting member from its membership to the Synod Assembly provided that the person is a person of color or whose primary language is other than English.
- d. Any congregation may elect a youth from its voting membership as an additional lay voting member to the Synod Assembly provided that the person has not yet reached his or her 18th birthday at the time of election and otherwise meets the requirements to be a voting member.

S7.22.

The synod may establish processes that permit retired ordained ministers, retired associates in ministry, retired deaconesses, and retired diaconal ministers on the rosters of this synod to serve as voting members of the Synod Assembly, consistent with †S7.21.c. above. The synod may establish processes that permit ordained ministers, associates in ministry, deaconesses, and diaconal ministers who are on leave from call, or those designated as disabled, on the roster of the synod to serve as voting members of the Synod Assembly, consistent with †S7.21.c. above. If the synod does not establish processes to permit the rostered leaders specified above to serve as voting members, they shall have voice but not vote in the meetings of the Synod Assembly.

S7.22.01.

All retired ordained ministers, retired associates in ministry, retired deaconesses, retired diaconal ministers, and those designated as disabled on the rosters of this synod shall serve as voting members of the Synod Assembly. All registration fees (not including housing and meals) will be waived for all retired person on the rosters of this synod. In the event at least 60 percent of the assembly membership is not lay, the retired ordained ministers together with the ordained ministers on leave from call will caucus and elect the appropriate representation.

S7.22.02.

All ordained ministers, associates in ministry, deaconesses, and diaconal ministers on the rosters of the synod who are on leave from call, may serve as voting members of the Synod Assembly, consistent with †S7.21.c. above. In the event at least 60 percent of the assembly membership is not lay, the retired ordained ministers together with the ordained ministers on leave from call will caucus and elect the appropriate representation.

S7.23.

The presiding bishop of the Evangelical Lutheran Church in America and such other official representatives of this church as may be designated from time to time by the Church Council shall also have voice but not vote in the meetings of the Synod Assembly. Like privileges shall be accorded to those additional persons whom the Synod Assembly or the Synod Council shall from time to time designate.

S7.23.A06.

A pastor of the Evangelical Lutheran Church who is rostered in a synod other than the Central States Synod who is serving as interim pastor in a congregation of the Central States Synod, shall have the privilege of voice, but not vote, at the Central States Synod Assembly. This pastor shall also have the privilege of sitting on the floor with the voting members of the congregation the pastor is serving.

S7.24.

Ordained ministers under call on the roster of this synod shall remain as members of the Synod Assembly so long as they remain under call and so long as their names appear on the roster of ordained ministers of this synod. Associates in ministry, deaconesses of the Evangelical Lutheran Church in America, and diaconal ministers of this church serving under call on the roster of this synod shall remain as members of the Synod

Assembly so long as they remain under call and so long as their names appear on the official lay roster of this synod. Lay members of the Synod Assembly representing congregations shall continue as such until replaced by the election of new members or until they have been disqualified by termination of membership. Normally, congregations will hold elections prior to each regular meeting of the Synod Assembly.

- S7.24.A05.** A Parish Ministry Associate of the Central States Synod serving as interim pastoral support by authority of the Bishop of the Central States Synod shall have the privilege of voice and vote at assemblies of the Central States Synod effective with the 2005 Synod Assembly.
- †**S7.25.** Except as otherwise provided in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America* each voting member of the Synod Assembly shall be a voting member of a congregation of this synod.
- S7.26.** This synod may establish processes through the Synod Council that permit representatives of authorized worshipping communities of the synod, under ELCA bylaw 10.02.03., to serve as voting members of the Synod Assembly, consistent with †S7.21. Such authorized worshipping communities, acknowledged under criteria and procedures of the ELCA Division for Outreach and the Church Council of the Evangelical Lutheran Church in America, shall accept and adhere to the Confession of Faith and Statement of Purpose of this church, shall be served by leadership under the criteria of this church, and shall be subject to the discipline of this church.
- S7.26.01.** Authorized Worshipping Communities of the Synod, as reported in the most recently published ELCA Yearbook, “acknowledged under the criteria and procedures of the ELCA Division for Outreach and the Church Council of the ELCA, shall accept and adhere to the Confession of Faith and Statement of Purpose of this church, shall be served by leadership under the criteria of this church, and shall be subject to the discipline of this church.” Such Communities shall have one lay member as their representative and voting member at the Synod Assembly.
- S7.27.** This synod may establish processes through the Synod Council to grant an ordained minister from a church body with which a relationship of full communion has been declared and established by the Churchwide Assembly of the Evangelical Lutheran Church in America the privilege of both voice and vote in the Synod Assembly during the period of that ordained minister’s service in a congregation of this church.
- S7.27.01.** Consistent with the language of 8.72.14 of the Constitution and Bylaws of the Evangelical Lutheran Church in America, an ordained minister from a church body with which a relationship of full communion has been declared and established by a Churchwide Assembly of the Evangelical Lutheran Church in America will be granted the privilege of both voice and vote in the Synod Assembly during the period of that ordained minister’s service in a congregation of this synod, in accord with ELCA churchwide by-law 8.72.12.
- S7.28.** Duly elected voting members of the Synod Council who are not otherwise voting members of the Synod Assembly under †S7.21 shall be granted the privilege of both voice and vote as members of the Synod Assembly.
- †**S7.31.** Proxy and absentee voting shall not be permitted in the transaction of any business of this synod.
- S7.32.** Robert’s Rules of Order, latest edition, shall govern parliamentary procedure of the Synod Assembly, unless otherwise ordered by the assembly.
- S7.33.** “*Ex officio*” as used herein means membership with full rights of voice and vote unless otherwise expressly limited.

Chapter 8 OFFICERS

- †**S8.01.** The officers of this synod shall be a bishop, a vice-president, a secretary, and a treasurer.
- S8.10. Bishop**
- †**S8.11.** The bishop shall be elected by the Synod Assembly. The bishop shall be a pastor who is an ordained minister of the Evangelical Lutheran Church in America.
- †**S8.12.** As this synod’s pastor, the bishop shall be an ordained minister of Word and Sacrament who shall:
- a. Preach, teach, and administer the sacraments in accord with the Confession of Faith of this church.

- b. Have primary responsibility for the ministry of Word and Sacrament in this synod and its congregations, providing pastoral care and leadership for this synod, its congregations, its ordained ministers, and its other rostered leaders.
- c. Exercise solely this church's power to ordain (or provide for the ordination by another synodical bishop of) approved candidates who have received and accepted a properly issued, duly attested letter of call for the office of ordained ministry (and as provided in the bylaws of the Evangelical Lutheran Church in America).
- d. Commission (or provide for the commissioning of) approved candidates who have received and accepted a properly issued, duly attested letter of call for service as associates in ministry; consecrate (or provide for the consecration of approved candidates who have received and accepted a properly issued, duly attested letter of call for service as deaconesses, and consecrate (or provide for the consecration of) approved candidates who have received and accepted a properly issued, duly attested letter of call for service as diaconal ministers of this church.
- e. Attest letters of call for persons called to serve congregations in this synod, letters of call for persons called by the Synod Council, and letters of call for persons on the rosters of this synod called by the Church Council.
- f. Install (or provide for the installation of):
 - 1) the pastors of all congregations of this synod;
 - 2) ordained ministers called to extra parish service within this church; and,
 - 3) persons serving in the other rostered ministries within this synod.
- g. Exercise leadership in the mission of this church and in doing:
 - 1) Interpret and advocate the mission and theology of the whole church;
 - 2) Lead in fostering support for and commitment to the mission of this church within this synod;
 - 3) Coordinate the use of the resources available to this synod as it seeks to promote the health of this church's life and witness in the areas served by this synod;
 - 4) Submit a report to each regular meeting of the Synod Assembly concerning the synod's life and work; and
 - 5) Advise and counsel this synod's related institutions and organizations.
- h. Practice leadership in strengthening the unity of the Church and in so doing:
 - 1) Exercise oversight of the preaching, teaching, and administration of the sacraments within this synod in accord with the Confession of Faith of this church;
 - 2) Be responsible for administering the constitutionally established processes for the resolution of controversies and for the discipline of ordained ministers, other rostered leaders, and congregations of this synod;
 - 3) Be the chief ecumenical officer of this synod;
 - 4) Consult regularly with other synodical bishops and the Conference of Bishops;
 - 5) Foster awareness of other churches throughout the Lutheran world communion and, where appropriate, engage in contact with leaders of those churches;
 - 6) Cultivate communion in faith and mission with appropriate Christian judicatory leaders functioning within the territory of this synod, and
 - 7) Be *ex officio* a member of the Churchwide Assembly.

- I. Oversee and administer the work of this synod and in so doing:
 - 1) Serve as the president of the synod corporation and be the chief executive and administrative officer of this synod, who is authorized and empowered, in the name of this synod, to sign deeds or other instruments and to affix the seal of this synod;
 - 2) Preside at all meetings of the Synod Assembly and provide for the preparation of the agenda for the Synod Assembly, Synod Council and the council's Executive Committee;
 - 3) Ensure that the constitution and bylaws of this synod and the churchwide organization are duly observed within the synod, and that the actions of this synod in conformity therewith are carried into effect;
 - 4) Exercise supervision over the work of the other officers;
 - 5) Coordinate the work of all synodical staff members;
 - 6) Appoint all committees for which provision is not otherwise made;
 - 7) Be a member of all committees and any other organizational units of this synod, except as otherwise provided in the constitution;
 - 8) Provide for preparation and maintenance of synodical rosters containing:
 - a) the names and addresses of all ordained ministers of this synod and a record of the calls under which they are serving or the date on which they become retired or disabled; and
 - b) the names and addresses of all other rostered persons of this synod and a record of the positions to which they have been called or the date on which they become retired or disabled;
 - 9) Annually bring to the attention of the Synod Council the names of all rostered persons on leave from call or engaged in approved graduate study in conformity with the constitution and bylaws of this church and pursuant to prior action of this synod through the Synod Council;
 - 10) Provide for prompt reporting to the secretary of this church:
 - a) additions to and subtractions from the rosters of this synod and the register of congregations;
 - b) the issuance of certificate of transfer for rostered persons in good standing who have received and accepted a properly issued, duly attested, regular letter of call under the jurisdiction of another synod; and
 - c) the entrance of the names of such persons for whom proper certificates of transfer have been received;
 - 11) Provide for preparation and maintenance of a register of the congregations of this synod and the names of the laypersons who have been elected to represent them; and
 - 12) Appoint a statistician of the synod, who shall secure the parochial reports of the congregations, and make the reports available to the secretary of this church for collation, analysis, and distribution of the statistical summaries to this synod and the other synods of this church.

S8.12.01. The bishop shall provide for the preparation and maintenance of a synod roster of persons of color and persons whose primary language is other than English who express an interest in serving on any synodical board, committee, council, or any other leadership position of this synod. The roster shall contain their names, addresses, ethnic background, and positions or areas of interest in which they are willing to serve. At least once each year, the bishop shall actively solicit the submission of names to this roster from every congregation related to this synod.

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

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

†S8.16. **Conflicts of Interest**

†S8.16.01. The following procedures shall govern matters of potential conflicts of interest for synodical bishops:

- a. Whenever a synodical bishop determines that a matter of the kind described in †S8.16.01.b. may require his or her determination or action with respect to a related individual as defined in †S8.16.01.c., the synodical bishop shall withdraw from personal involvement in such matter and shall so notify the presiding bishop. The presiding bishop shall then appoint another synodical bishop from the same region to handle the matter to conclusion. In dealing with such matter, the appointed bishop shall exercise all of the functions and authority to the same extent as if the appointed bishop were the elected bishop of the withdrawing bishop's synod.
- b. Matters include any proceedings under Chapter 20, proceedings under provision 7.46. of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America* (†S14.13.), candidacy, reinstatement, and similar matters where determinations or actions by the synodical bishop could change, limit, restrict, approve, authorize, or deny the related individual's ministry on one of the official rosters of this church.
- c. A related individual is one who, with respect to the synodical bishop, is a spouse, parent, son, daughter, sibling, uncle, aunt, niece, nephew, grandparent, grandchild, or in-law (parent, son, daughter, or sibling of a spouse, spouse of a sibling, or the parent or sibling of the spouse of a sibling).

S8.20. **Vice President**

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

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

S8.22.01. The vice president shall chair the Executive Committee.

S8.22.02. The vice president is an ex officio member of synod teams, committees, and task forces. "Ex officio" as used herein means membership with full rights of voice and vote unless otherwise expressly limited.

S8.22.A04. The vice president shall be a voting member of the Churchwide Assembly.

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

S8.30. **Secretary**

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

†S8.32. The secretary shall:

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

S8.32.01. The secretary shall provide information to the Synod Council and the Nominations Committee regarding positions to be elected and goals for ensuring diversity in filling elected positions (cf. S9.03.02. and S10.07.05.).

S8.40. Treasurer

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

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

- a. Management of the monies and accounts of this synod, its deeds, mortgages, contracts, evidences of claims and revenues, and trust funds, holding the same at all times subject to the order of this synod.
- b. Investment of funds upon the authorization of the Synod Council.
- c. Receipt and acknowledgment of offerings, contributions, and bequests made to this synod, collecting interest and income from its invested funds, and paying regular appropriations and orders on the several accounts as approved and directed by the Synod Council. The treasurer shall transmit each month to the treasurer of the Evangelical Lutheran Church in America the funds received by this synod for the general work of this church.
- d. Maintenance of a regular account with each congregation of this synod and informing the congregation, at least quarterly, of the status of this account.
- e. Rendering at each regular meeting of the Synod Assembly a full, detailed, and duly audited report of receipts and disbursements in the several accounts of this synod for the preceding fiscal year, together with the tabulation, for record and publication in the minutes, of the contributions from the congregations.
- f. Giving of corporate surety in the amount determined by the Synod Council, which shall be in the custody of the secretary, and the premium therefore shall be paid by this synod. Fidelity coverage provided by the Evangelical Lutheran Church in America shall be deemed a fulfillment of this requirement.

S8.50. General Provisions

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

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

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

†**S8.53.** Each officer shall be a voting member in a congregation of this synod, except that the bishop need not be a member of a congregation of this synod at the time of election.

†**S8.54.** Should the bishop die, resign, or be unable to serve, the vice president shall convene the Synod Council to arrange for the appropriate care of the responsibilities of the bishop until an election of a new bishop can be held, or, in the case of temporary disability, until the bishop is able to serve again. Such arrangements may include the appointment by the Synod Council of an interim bishop, who during the vacancy or period of disability shall possess all of the powers and authority of a regularly elected bishop. The term of the successor bishop, elected by the next Synod Assembly or a special meeting of the Synod Assembly called for the purpose of election, shall be six years, with the subsequent election to take place at the Synod Assembly closest to the expiration of such a term and with the starting date of a successor term to be governed by constitutional provision S8.52.

S8.55. Should the vice president, secretary, or treasurer die, resign, or be unable to serve, the bishop, with the approval of the Executive Committee, 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 four years.

- †S8.56. The Executive Committee of the Synod Council shall determine whether an officer is unable to serve; the officer may appeal the decision of the Executive Committee by requesting a hearing before the Synod Council. A meeting to determine the ability of an officer to serve shall be called upon the request of at least three members of the Executive Committee and prior written notice of the meeting shall be given to the officer in question at least ten calendar days prior to the meeting.
- †S8.57. The recall or dismissal of an officer may be effected in accordance with the procedure established by the Committee on Appeals of the Evangelical Lutheran Church in America.
- †S8.58. If the bishop is to be temporarily absent from the synod for an extended period, the bishop, with the consent of the Synod Council, may appoint as acting bishop for such period an ordained minister of this church. Except as limited by action of the Synod Council, an acting bishop shall possess all of the powers and authority of a regularly elected bishop other than authority to ordain or to authorize the ordination of properly approved candidates for ordination.

Chapter 9 NOMINATIONS AND ELECTIONS

- †S9.01. The Synod Assembly shall elect such officers of this synod and such other persons as the constitution and bylaws may require, according to procedures set forth in the bylaws.
- †S9.02. In all elections by the Synod Assembly, other than for the bishop, a majority of the legal votes cast shall be necessary for election.
- S9.03. There shall be a Nominating Committee consisting of not less than five or more than fifteen members who shall be appointed by the Synod Council to serve for each regular meeting of the Synod Assembly. Additional nominations may be made from the floor for all elections for which nominations are made by the Nominating Committee.
- S9.03.01. The Nominating Committee shall consist of six members with one member from the odd numbered area ministries alternating their terms with one member from the even numbered area ministries and one member at large. At least one member of the Nominating Committee shall be a person of color or a person of language other than English.
- S9.03.02. At the time of the appointment and acceptance of the members of the Nominating Committee, the Secretary of this Synod shall cause the following information to be published in the publication(s) of this Synod:
- a. The names, telephone numbers, and area ministry of each member of the Nominating Committee;
 - b. The positions open for nomination/election with the specific characteristics and term of office of each.
- S9.03.03. At the first meeting of the Nominating Committee, the Secretary of this Synod shall provide the chairperson of the Nominating Committee with a list of all positions open for nomination/election and the specific category, area ministry, and characteristics for each position.
- S9.03.04. Every attempt shall be made by the Nominating Committee to obtain at least one nominee for each open position on the Synod Council and other elective positions. In no case where the plan for inclusive representation lists specific characteristics shall nominees with differing characteristics be placed in nomination for the same position in order to fill this requirement.
- S9.03.05. Persons may be nominated from the floor of the Assembly for all positions on the ballot providing:
- a. The person nominated fulfills the specific characteristics for that position;
 - b. The nominee has consented to nomination in writing and that written consent is submitted at the time of nomination.
- S9.03.06. Should the Nominating Committee be unable to find a candidate for a position that meets all of the requirements for that position:
- a. having contacted individual parishes;
 - b. having contacted the Area Ministry Dean;

- c. having consulted the Bishop's file of persons willing to serve;

The Nominating Committee shall:

- a. search for a person of the other gender to fill the position,
- b. search for a person of the same gender but with a differing racial characteristic.

Having found a nominee, the Nominating Committee shall assign to such a person to a single term only; and shall report its activities to the Assembly both in a written report to be included in the Assembly workbook prior to the Assembly and shall verbally draw attention to the same at the time such persons appear on the voting ballot(s) of the Assembly.

- S9.04.** The bishop shall be elected by the Synod Assembly by ecclesiastical ballot. Three-fourths of the legal votes cast shall be necessary for election on the first ballot. If no one is elected, the first ballot shall be considered the nominating ballot. Three-fourths of the legal votes cast on the second ballot shall be necessary for election. The third ballot shall be limited to the seven persons (plus ties) who received the greatest number of legal votes on the second ballot, and two-thirds of the legal votes cast shall be necessary for election. The fourth ballot shall be limited to the three persons (plus ties) who receive the greatest number of legal votes on the third ballot, and 60 percent of the legal votes cast shall be necessary for election. On subsequent ballots a majority of the legal votes cast shall be necessary for election. These ballots shall be limited to the two persons (plus ties) who receive the greatest number of legal votes on the previous ballot.
- S9.05.** The Nominating Committee shall nominate at least one person for vice president; additional nominations may be made from the floor.
- S9.06.** The Synod Council shall nominate at least one person for secretary; additional nominations may be made from the floor.
- S9.07.** The Synod Council shall nominate at least one person for treasurer; additional nominations may be made from the floor.
- S9.08.** In all elections, except for the bishop, the names of the persons receiving the highest number of legal votes, but not elected by a majority of the legal votes cast on a preceding ballot, shall be entered on the next ballot to the number of two for each vacancy unfilled. On any ballot when only two names appear, a majority of the legal votes cast shall be necessary for election.
- S9.09.** The result of each ballot in every election shall be announced in detail to the assembly.
- S9.11.** The Synod Council shall elect or appoint representatives to the steering committee of its region.
- †S9.12.** Background checks and screening shall be required and completed for persons nominated as synodical officers prior to their election, if possible, or as soon as practical after their election. The specific procedures and timing of background checks and screening shall be determined by the Synod Council.
- S9.12.A08.** The Synod Council Executive Committee shall provide for background checks for persons nominated, including nominations for an additional term, for positions as synodical officers and current officers beginning in 2008 and for synodical officers and Synod Council members, with the exception of youth members or nominees who are still regarded as minors or juveniles according to prevailing law, beginning in 2009 prior to the Synod Assembly at which the election will take place or as soon as possible after the Synod Assembly for newly elected synod officers and Synod Councils members nominated from the floor. The process shall be as follows:
 - a. Prior to the Synod Assembly appropriate notice of the background check requirement and protocol will be provided to voting members, potential nominees, and others as directed by the Synod Council.
 - b. Nominees and newly elected synod officers and Synod Council members are required to provide written consent to a background check and all information necessary to complete a background check, which should be completed prior to the Synod Assembly with respect to nominees identified before the assembly and prior to installation for newly elected synod officers and Synod Council members and officers nominated from the floor, if possible.
 - c. The Synod Council's Executive Committee shall designate one member of the Synod Council's Executive Committee to obtain the background checks and to ensure proper records maintenance.

All records regarding elected officers and Synod Council members shall be maintained for at least five years following the person's leaving office or no longer serving on the Synod Council. Records may be retained longer as determined by the Synod Council Executive Committee on an individual basis. One synod staff person may be designated to assist in obtaining and maintaining records as directed by the designated Synod Council Executive Committee member.

- d. All background checks for nominees and newly elected synod officer and Synod Council members will entail a criminal background check. A financial background check will be completed for nominees for treasurer and newly elected bishops. The Executive Committee shall decide whether additional types of background checks are appropriate for each synod officer and Synod Council member position.
- e. The background check results shall be provided to that nominee or elected synod officer or Synod Council member and to the Synod Council's Executive Committee. Further disclosure of the results may be determined by the Executive Committee but should ordinarily be restricted to matters of public record.
- f. The Synod Council Executive Committee may adopt other procedures or protocols as are necessary to provide for background checks for nominees and newly elected synod officers and newly elected Synod Council members and shall report such actions to the Synod Council.

Chapter 10

Synod Council

- †**S10.01.** The Synod Council consisting of the four officers of the synod, 10 to 24 other members, and at least one youth and at least one young adult, shall be elected by the Synod Assembly.
- a. Each person elected to the Synod Council shall be a voting member of a congregation of this synod, with the exception of ordained ministers on the roster of this synod who reside outside the territory of this synod. The process for election and the term of office when not otherwise provided shall be specified in the bylaws. A member of the Church Council of the Evangelical Lutheran Church in America, unless otherwise elected as a voting member of the Synod Council, may serve as an advisory member of the Synod Council with voice but not vote.
 - b. The term of office of members of the Synod Council, with the exception of the officers and the youth members, shall be three years.
- S10.01.01.** Two youth, one male and one female, shall be elected as members of the Synod Council.
- S10.01.02.** The youth voting members at each Synod Assembly shall nominate at least one youth to stand for election to the Synod Council. In the election of the youth position on the Synod Council one shall be by the youth of this synod. In the election of the youth position on the Synod Council one shall be by the youth of this synod. This election shall be scheduled at the youth meeting closest in time preceding the Synod Assembly meeting, and one shall be elected at large at the Synod Assembly by all voting members. One of the youths elected shall be a person of color or a person with a primary language other than English. The two youth representatives on the Synod Council shall be elected by alternating one male and one female every two terms, where possible.
- †**S10.02.** The Synod Council shall be the board of directors of the synod and shall serve as its interim legislative authority between meetings of the Synod Assembly. It may make decisions which are not in conflict with actions taken by the Synod Assembly or which are not precluded by provisions of this constitution or the constitution and bylaws of the Evangelical Lutheran Church in America.
- S10.03.** The functions of the Synod Council shall be to:
- a. Exercise trusteeship responsibilities on behalf of this synod.
 - b. Recommend program goals and budgets to the regular meetings of the Synod Assembly.
 - c. Carry out the resolutions of the Synod Assembly.
 - d. Provide for an annual review of the roster of ordained ministers and of other official rosters receive and act upon appropriate recommendations regarding those persons whose status is subject to

reconsideration and action under the constitution and bylaws of ELCA, and make a report to the Synod Assembly of the Synod Council's actions in this regard.

- e. Issue letters of call to ordained ministers and letters of call to associates in ministry, members of the Deaconess Community of the Evangelical Lutheran Church in America, and diaconal ministers as authorized by Chapter 7 of the constitution and bylaws of ELCA.
- f. Fill vacancies until the next regular meeting of the Synod Assembly except as may otherwise be provided in the constitution or bylaws of this synod, and determine the fact of the incapacity of an officer of the synod.
- g. Report its action to the regular meeting of the Synod Assembly.
- h. Perform such other functions as are set forth in the bylaws of this synod, or as may be delegated to it by the Synod Assembly.

S10.03.01. The Synod Council shall provide for review of constitutions and bylaws of congregations in accord with †C17.03 and †C17.04 of the *Model Constitution for Congregations* and for review of area ministry constitutions. Similar review of constitutions shall be made available to auxiliary organizations.

S10.04. Any proposal to appropriate funds, whether by amendment to the budget or otherwise, which is presented to a meeting of the Synod Assembly without the approval of the Synod Council, shall require a two-thirds vote for adoption.

S10.05. No elected member of the Synod Council shall receive compensation for such service.

S10.06. If a member of the Synod Council ceases to be a member in good standing on a roster of this synod, if an ordained minister, or to be a voting member of a congregation of the synod, if a layperson, the office filled by such member shall at once become vacant.

S10.06.01. When a Synod Council member has been absent without valid reason from two consecutive meetings of the Synod Council, a member of the Executive Committee shall contact that member. If it is determined that the Synod Council member is unable to carry out the term of office, a letter of resignation shall be requested. If a resignation is not submitted, the Executive Committee can, through vote, take action to dismiss the member. The Executive Committee shall, in writing, inform the individual of the formal action.

S10.07. The composition of the Synod Council, the number of its members, and the manner of their selection, as well as the organization of the Synod Council, its additional duties and responsibilities, and the number of meetings to be held each year shall be set forth in the bylaws.

S10.07.01. Members of the Synod Council (other than the officers and youth) shall be elected for a term of three years and may be re-elected for one consecutive term.

S10.07.02. Terms of two years or more shall be considered as a full term.

S10.07.03. One of the 10-24 members shall be an associate in ministry, deaconess, or diaconal minister. The persons elected to the associate in ministry, deaconess, or diaconal minister positions shall be elected to a three-year term; persons elected to the youth shall be elected to a two-year term. The process for election and the terms of office, when not otherwise provided, shall be specified in the bylaws.

S10.07.04. The 10 to 24 members of the Synod Council who are not elected officers of the Synod shall be:

- a. One rostered clergy person or one layperson from each Area Ministry nominated at the Area Ministry Assembly and elected by the Synod Assembly. At any given time, at least 60 percent of the members so elected shall be laity with an equal number of males and females. Area Ministry Assemblies shall report their nominees to the Synod Council at least five months before the Synod Assembly at which Synod Council elections occur.
- b. An additional 7 to 10 members elected at large by the Synod Assembly. At large members will be nominated so that elections will result in Council membership which fulfills this church's goals for inclusive representation of men and women, rostered clergy persons and laity, and persons of color or persons whose primary language is other than English. Specifically, Synod Council membership shall include either Area Ministry members or at large members at least:

3 Persons of Color/Persons whose primary language is other than English

- 1 Associate in Ministry, Deaconess, or Diaconal Minister
- 1 Person rostered in Specialized Ministry
- 1 Youth

- S10.07.05.** The Secretary of this Synod, in consultation with the Synod Council, shall maintain a chart of the individual characteristics of each position on the Synod Council and shall instruct the Nominating Committee of the characteristics of each position open for nomination and election.
- S10.07.06.** The Synod Council shall meet at least twice a year.
- S10.07.07.** In the situation of a vacancy on the Synod Council, the Executive Committee is empowered to appoint a person to fill that vacancy using the guidelines set forth in S6.04 and S11.04. At the Synod Council meeting following such an appointment, the Council shall vote to ratify the appointee to fill the unexpired term.
- S10.07.08.** The following procedures shall apply to appointment to vacated positions on the Synod Council:
- a. Where the person elected fits all of the characteristics of that position as detailed by the plan for inclusive representation:
 - 1) the person(s) on the original ballot shall be approached first;
 - 2) should a. 1) be ineffective, the appointed personnel shall have the same characteristics as the person vacating the position;
 - 3) should a. 1) and 2) prove impossible, any person may be appointed within the restrictions of clergy or layperson as they apply to the position.
 - b. Where the person occupying the position does not fit the characteristics for that position as detailed by the plan for inclusive representation;
 - 1) the original characteristics for that position shall be in force;
 - 2) should b. 1) be ineffective, the procedure outlined in a. shall apply.
 - c. When a person occupying a position as a geographical representative moves to another area ministry, he/she shall remain in office to fulfill the elected term and the plan of representation shall be reviewed and adjusted to reflect this new representation.
 - d. Following appointment and completion of a single term, a position shall revert to the original characteristics for that position in the nomination/election process.

**Chapter 11
COMMITTEES**

- †S11.01.** There shall be an Executive Committee, a Consultation Committee, a Committee on Discipline, a Mutual Ministry Committee, an Audit Committee, and such other committees as this synod may from time to time determine. The duties and functions of such committees or any other organizational units created by this synod, and the composition and organizational structure of such units, shall be as set forth in this constitution or in the bylaws or continuing resolutions and shall be subject to any applicable provisions or requirements of the constitution and bylaws of the Evangelical Lutheran Church in America.
- S.11.01.01.** The Executive Committee shall be composed of the four elected officers plus five others elected by the Synod Council from its body.
- a. The Executive Committee shall serve as the interim authority for the Synod Council between meetings of the Synod Council. It may make decisions which are not in conflict with the actions taken by the Synod Council or by the Synod Assembly or which are not precluded by provisions of this constitution or the constitution and bylaws of the Evangelical Lutheran Church in America.
 - b. The Executive Committee may act on other specific issues when given authority to do so by the Synod Council.
 - c. The Executive Committee shall execute its responsibilities as found elsewhere in this constitution, which are required by the ELCA Model Constitution. These are specified in the following

paragraphs; †S6.03.e (8), S.8.22.02., S8.55, †S8.56, S10.06.01, S10.07.04, †S11.01, †S11.04, †S17.01, †S17.02, †S17.03, and †S17.04.

S11.01.02.

This synod shall establish as a Church in Society Team of the Synod Council which shall provide services, advice and counsel to the Synod Council, Synod Assembly, congregations, and other committees, boards, and agencies of the Synod pertaining to:

- a. Interaction with society, using the congregations and those agencies which relate directly with the poor and powerless.
- b. Research, study and analysis of societal issues, and the study and discussion within the congregations of the ELCA's social statements.
- c. Encouragement and support of advocacy to local, state, and national governmental bodies, private sector institutions and individuals, and the establishment of state advocacy offices or networks.
- d. Cooperation with other churches and ecumenical groups on justice and peace issues.
- e. Monitoring of the synod's faithfulness to the church's social statements.
- f. Dissemination of information on justice and peace issues in cooperation with those committees and staff with educational responsibility.
- g. Coordination of hunger relief with the local and national hunger agencies, the development of hunger programs and staff support for local hunger effort, and the encouragement and support of congregational hunger relief efforts.
- h. Researching of issues and development of effective programs and ministries to those involved in our criminal justice systems and their families.
- i. Improvement of our understanding of economic and systemic issues which relate to poverty, and developing ministries, programs and advocacies dealing with those issues.
- j. Understanding of the dynamics of the rural crisis and developing ministries, programs, and advocacies dealing with those affected, and to exploring relationships between rural and urban poverty.
- k. Cooperation with the Commission for Church in Society of the Evangelical Lutheran Church in America, regional boards and staff with related responsibilities.

S11.01.A04.

The Synod Council shall establish such teams and committees as deemed necessary to carry out the mission and ministry of this synod.

- a. As much as possible, the composition of all teams or committees shall conform to †S6.04 of this constitution.
- b. Unless otherwise directed by provisions of this constitution, recommendations and appointments shall be made in accord with the following provisions.
 - 1) The membership of each team or committee shall be determined by the Synod Council.
 - 2) The Synod Council shall make the appointments to these teams and committees.
 - 3) The Synod Council may seek recommendations for membership from the Area Ministries and congregations of the synod as well as from the current team or committee members.
 - 4) The terms of office, normally 2 to 5 years, shall be determined by the Synod Council. Members of teams and committees may be re-appointed unless otherwise directed by this constitution.
- c. The Bishop shall assign staff responsibility for each team or committee to provide advice, support and counsel.

- d. Meetings of the teams and committees shall be public and ordinarily notice of each meeting shall be published in advance of the meeting date.
- e. Each team and committee shall be reviewed annually by the Synod Council to reaffirm the necessity of its existence.

†S11.02. The Consultation Committee of this synod shall consist of at least 6 persons and not more than 12 persons, of whom half shall be ordained ministers and half shall be laypersons, who shall each be elected by the Synod Assembly for a term of six years without consecutive reelection. The functions of the Consultation Committee are set forth in Chapter 20 of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America* and in Chapter 17 of this constitution. The size of the Consultation Committee, in accord with this provision, shall be defined in this synod's bylaws.

S11.02.01. The Consultation Committee shall consist of six persons.

†S11.03. The Committee on Discipline of this synod shall consist of 12 persons of whom 6 shall be ordained ministers and 6 shall be laypersons, who shall each be elected by the Synod Assembly for a term of six years without consecutive reelection.

- a. The functions of the Committee on Discipline of this synod are set forth in Chapter 20 of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.
- b. The terms of committee members shall be staggered so that the terms of four committee members (2 clergy and 2 lay) expire every two years.
- c. The Synod Council shall fill vacancies on the Committee on Discipline for any unexpired term.

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

†S11.05. The Audit Committee of this synod shall consist of three to six persons, none of whom are members of the synod staff. Up to half of the committee members may be Synod Council members. The Audit Committee members shall be elected by the Synod Council for a term of three years and be eligible for re-election to a second consecutive three-year term. The terms of the Audit Committee members shall be staggered. The Audit Committee shall be responsible for assisting the Synod Council in fulfilling its general oversight of the synod's accounting, financial reporting, internal control systems, and external audit processes as provided in †S15.31.

S11.10. General Provisions

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

**Chapter 12
CONFERENCES, CLUSTERS, COALITIONS, OR OTHER AREA SUBDIVISIONS**

†S.12.01. This synod shall establish conferences, clusters, coalitions or other area subdivisions within its territory as specified in the bylaws. The purpose of such groupings shall be to foster interdependent relationships among congregations, institutions, and synodical and churchwide units for mission purposes.

S12.01.A04. Beginning September 1, 1995, the synod shall be divided into ten Area Ministries to replace the five electoral areas and to include existing clusters.

- a. The purposes of the Area Ministries are to:
 - 1) Strengthen each congregation's mission in its setting.
 - 2) Encourage cooperation among congregations within each Area, especially in witness and service to persons who have no church connection.
 - 3) Strengthen the care and nurture of rostered persons and their families.

- 4) Connect congregations, synod ministries, and churchwide resources to one another in order to equip laity and rostered persons for ministry.
 - 5) Encourage each congregation to elect a youth voting member to the Synod Assembly according to the provisions of S7.21.01. In order that at least two youth from each area ministry are present at each Synod Assembly as voting members.
- b. The function of each Area Ministry is to develop its own way of work to fulfill its purpose. In doing so, existing working relationships should be considered and incorporated whenever possible. At a minimum, each Area Ministry shall:
- 1) Gather for worship, learning, inspiration, and equipping laity and rostered persons for ministry.
 - 2) Gather yearly for an Area Ministry Assembly to conduct nominations, elections and other business. Voting membership of Area Ministry Assemblies will be in accord with †S7.21.
 - 3) Consult with the Bishop, synod staff, appropriate synod committees and churchwide organization resources in fulfilling Area Ministry purposes.
- c. All congregations in each of the following territories will be part of the corresponding Area Ministry. Congregations bordering a neighboring Area may request transfer from the Synod Council to associate with that Area Ministry.

Synod agencies and institutional ministries are encouraged to relate to any or all Area Ministries as best serves this church's mission. Rostered persons serving a specialized ministry will associate with the Area Ministry of the congregation where they hold membership.

The names and territories of the Area Ministries are:

- 1) Northwest (and Southwest) Kansas: The counties of Cheyenne, Rawlins, Decatur, Sherman, Thomas, Sheridan, Wallace, Logan, Gove, Greeley, Wichita, Scott, and Lane.
- 2) West (and Southwest) Kansas: The counties of Norton, Phillips, Smith, Graham, Rooks, Osborne, Trego, Ellis, Russell, Lincoln, Ellsworth, Ness, Rush, Barton, Hamilton, Kearney, Finney, Hodgeman, Pawnee, Edwards, Stafford, Stanton, Grant, Haskell, Gray, Ford, Kiowa, Pratt, Morton, Stevens, Seward, Meade, Clark, Comanche, and Barber.
- 3) North Central Kansas--Salina: The counties of Jewell, Republic, Mitchell, Cloud, Ottawa, Saline, Dickinson, Morris, Rice, and McPherson.
- 4) North Central Kansas--Manhattan: The counties of Washington, Marshall, Nemaha, Clay, Riley, Pottawatomie, Geary, and Wabaunsee.
- 5) South Central Kansas: The counties of Marion, Chase, Reno, Harvey, Butler, Greenwood, Kingman, Sedgwick, Harper, Sumner, Cowley, Elk, and Chautauqua.
- 6) Northeast Kansas and Northwest Missouri: The Kansas counties of Brown, Doniphan, Jackson, Atchison, Jefferson, Shawnee, Lyon, Osage and Coffey. The Missouri counties of Atchison, Nodaway, Worth, Gentry, Harrison, Mercer, Holt, Andrew, DeKalb, Daviess, Grundy, Buchanan, Clinton, Caldwell, and Livingston.
- 7) Greater Kansas City: The Kansas counties of Leavenworth, Wyandotte, Douglas, Johnson, Franklin, and Miami. The Missouri counties of Platte, Clay, Ray, Carroll, Jackson, Lafayette, Cass, and Johnson.
- 8) Southeast Kansas and Southwest/South Central Missouri: The Kansas counties Anderson, Linn, Woodson, Allen, Bourbon, Wilson, Neosho, Crawford, Montgomery, Labette and Cherokee. The Missouri counties of Bates, Henry, St. Claire, Hickory, Vernon, Cedar, Polk, Dallas, LaCiede, Pulaski, Dent, Barton, Dade, Greene, Webster, Wright, Texas, Shannon, Jasper, Lawrence, Christian, Douglas, Newton, McDonald, Barry, Stone, Taney, Ozark, Howell and, Oregon.
- 9) Central and Northeast Missouri: The counties of Putman, Schuyler, Scotland, Clark, Sullivan, Adair, Knox, Lewis, Linn, Macon, Shelby, Marion, Chariton, Randolph, Monroe,

Ralls, Saline, Howard, Boone, Audrain, Callaway, Pettis, Cooper, Moniteau, Cole, Osage, Benton, Morgan, Camden, Miller, and Maries.

- 10) Greater St. Louis and Southeast Missouri: The counties of Pike, Montgomery, Lincoln, Warren, St. Charles, St. Louis, City of St. Louis, Gasconade, Franklin, Jefferson, Crawford, Washington, St. Francois, Ste. Genevieve, Perry, Iron, Madison, Bollinger, Cape Girardeau, Reynolds, Wayne, Scott, Carter, Ripley, Butler, Stoddard, New Madrid, Mississippi, Dunklin, Pemiscot, and Phelps.

- d. Each Area Ministry shall have an executive committee to lead the Area Ministry in developing a way of work, to plan and implement Area Ministry Assemblies and elections, to develop a budget, to keep the Area Ministry focused on its mission purposes, and in consultation with the Bishop's office to develop a plan to strengthen pastoral care for rostered persons and their families.

The executive committee shall be composed of at least four persons, with additional persons elected by the Area Ministry Assembly as needed:

- 1) Area Ministry Dean shall be a rostered person appointed by the Bishop and serves up to three consecutive two-year terms. Terms will begin in years alternating with Synod Council elections.

The Area Ministry Dean shall:

- a) Communicate with the Bishop and/or synod staff regarding pastoral care needs and emergencies among rostered persons and their families.
- b) Meet with the Bishop and other Deans at least once per year.
- c) Communicate with Area Ministry congregations, agency and institutional ministries and rostered persons regarding synod and Area Ministry events and programs.
- d) With the rest of the executive committee, lead in developing the Area Ministry's way of work.

- 2) Area Ministry Chair shall be a layperson elected by the Area Ministry Assembly and serves up to three consecutive two-year terms. (Before the first Area Ministry Assembly, the Dean will appoint a lay convener pro-tem to help plan and organize the first Assembly.)

The Area Ministry Chair shall:

- a) Convene and preside at Area Ministry executive committee meetings and Assemblies.
- b) With the rest of the executive committee, lead in developing the Area Ministry's way of work.

- 3) Area Ministry Synod Council Member shall be a lay or rostered person Nominated by the Area Ministry Assembly and elected by the Synod Assembly and serves terms as specified in the Synod Constitution.

The Area Ministry Synod Council Member shall:

- a) Fulfill the responsibilities of a Synod Council member.
- b) Communicate between the Synod Council and the Area Ministry their respective mission needs and challenges.
- c) With the rest of the executive committee, lead in developing the Area Ministry's way of work.

- 4) At large Area Ministry executive committee member who will be a layperson when the Area Ministry Synod Council member is a rostered person and vice versa. Elected by the Area Ministry Assembly, this person serves terms concurrent with the Synod Council member.

- 5) In electing the Area Ministry Chair and at-large executive committee member, and in nominating the Area Ministry Synod Council Member, each Area Ministry Assembly shall so act that the executive committee will as much as possible include an even number of rostered persons and laity, men and women, and at least 10 percent persons of color or persons whose primary language is other than English.
- e. The Synod Council executive committee shall provide a plan for Area Ministries to nominate Area Ministry Synod Council Members and communicate that plan to Area Ministry Deans, along with other guidelines for planning the first and subsequent Area Ministry Assemblies. This plan and guidance shall be provided by October 1, 1995.

Chapter 13 CONGREGATIONS

- †S13.01. Each congregation, except those certified as congregations of the Evangelical Lutheran Church in America by the uniting churches, prior to being listed in the register of congregations of this synod, shall adopt the *Model Constitution for Congregations* or one acceptable to this synod, which is not in contradiction to the constitution and bylaws of the ELCA.
- a. **New Congregations.** A congregation newly formed by this church and any congregation seeking recognition and reception by this church shall:
 - 1) Accept the criteria for recognition and reception as a congregation of this church, fulfill the functions of the congregation, and accept the governance provisions as provided in Chapter 9 of the ELCA constitution and bylaws.
 - 2) Adopt governing documents that include fully and without alterations the Preamble, Chapter 1, where applicable, and all required provisions of Chapters 2, 3, 4, 5, 6, 7, 8, 9, 15, 16, 17, 18 and 19 in the *Model Constitution for Congregations* consistent with requirements of this constitution and the constitution of this church. Bylaws, appropriate for inclusion in these chapters and not in conflict with these required provisions in the *Model Constitution for Congregations*, the constitution of this synod, or the *Constitution, Bylaws and Continuing Resolutions of the Evangelical Lutheran Church in America*, may be adopted as described in Chapter 16 and 18 of the *Model Constitution for Congregations*.
 - 3) Accept the commitments expected of all congregations of the ELCA as stated in *C6.01., *C6.02., and *C6.03. of the *Model Constitution for Congregations*.
 - b. **Congregations from another church body.** If a congregation is a member of another church body, the leaders of the congregation first should consult with the appropriate authorities of that church body before taking action to leave its current church body. After such consultation, leaders of the congregation should make contact with the ELCA synod bishop or staff where the congregation is located.
 - c. **Recognition and reception.** Recognition and reception into this church of transferring or independent congregations by the Evangelical Lutheran Church in America is based on the judgment of the synod and action by the synod through the Synod Council and Synod Assembly. The synod bishop shall provide for prompt reporting of such additions to the secretary of this church for addition to the register of congregations.
- †S13.02. It shall be the responsibility of each congregation of this synod annually to choose from among its voting members laypersons to serve as members of the Synod Assembly as well as persons to represent it at meetings of any conference, cluster, or coalition of which it is a member. The number of persons to be elected by each congregation and other qualifications shall be as prescribed in guidelines established by this synod.
- S13.11. When a pastor or when an associate in ministry, deaconess, or diaconal minister resigns, the Congregation Council shall receive the letter of resignation, report it to the congregation, and at once notify the bishop of this synod.
- S13.12. A congregation under financial obligation to its former pastor or associate in ministry, deaconess, or diaconal minister shall make satisfactory settlement of the obligation before calling a successor.

- †S13.19. A congregation considering a relocation shall confer with the bishop of the synod in which it is territorially located and the appropriate program unit of the churchwide organization before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is effected.
- †S13.20. A congregation considering development of an additional site to be used regularly for worship shall confer with the bishop of the synod in which it is territorially located and the appropriate program unit of the churchwide organization before any steps are taken leading to such action.
- S13.21. The alignment of congregations in pastoral charges, and all alterations in any alignment, shall be subject to approval by the Synod Assembly or by the Synod Council.
- †S13.22. Each congregation of the Evangelical Lutheran Church in America within the territory of this synod, except those which are in partnership with the Slovak Zion Synod, shall establish and maintain a relationship with this synod.
- †S13.23. Provision 9.71. of the ELCA constitution shall govern the relationship of this synod and a congregation of this synod regarding the property of the congregation. This synod may transfer or convey property to a congregation of the synod, subject to restrictions accepted by the congregation, including provision that if the Synod Council, in its sole and exclusive discretion, determines (1) that the property is not being used to serve the missions and ministry needs of this church, or (2) that the congregation has transferred, encumbered, mortgaged, or in any way burdened or impaired any right, title, or interest in the property without prior approval of the Synod Council, then title to the property shall revert to the synod, and the congregation, upon written demand, shall reconvey the property to the synod.
- S13.24. If any congregation of this synod has disbanded, or if the members of a congregation agree that it is no longer possible for it to function as such, or if it is the opinion of the Synod Council that the membership of a congregation has become so scattered or so diminished in numbers as to make it impractical for such a congregation to fulfill the purposes for which it was organized or that it is necessary for this synod to protect the congregation's property from waste and deterioration, the Synod Council, itself or through trustees appointed by it, may take charge and control of the property of the congregation to hold, manage, and convey the same on behalf of this synod. The congregation shall have the right to appeal the decision to the Synod Assembly.
- S13.25. This synod may temporarily assume administration of a congregation upon its request or with its concurrence.
- S13.30. **Discipline**
- †S13.31. Congregations and members of congregations are subject to discipline in accordance with the provisions of Chapter 20 of the ELCA constitution.

Chapter 14
ORDAINED MINISTERS AND LAY ROSTERED MINISTERS

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

- 2) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
- 3) supervise all schools and organizations within the congregation;
- 4) install regularly elected members of the Congregation Council; and
- 5) with the council, administer discipline.

c. Every pastor shall:

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

S14.03. The pastor shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation, and shall submit a summary of such statistics annually to this synod. The pastor shall be a member of the congregation that has extended the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.

S14.04. Whenever members of a congregation move to such a distance that regular attendance at its services becomes impractical, it shall be the duty of the pastor to commend them, upon their consent, to the pastoral care of a Lutheran congregation nearer to their place of residence.

S14.05. Each ordained minister on the roll of this synod shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.

†**S14.11 .** When a congregation of this church desires to call a pastor or a candidate for the pastoral office in the ordained ministry of this church:

- a. Each congregation of this synod shall consult the bishop of this synod before taking any steps leading to the extending of a call to a prospective pastor.
- b. For issuance of a letter of call to a pastor or pastoral candidate by a congregation of this synod in accord with ELCA constitutional provision 7.41., a two-thirds majority ballot vote shall be required of members of the congregation present and voting at a meeting regularly called for the purpose of issuing such a call.
- c. When the congregation has voted to issue a call to a prospective pastor, the letter of call shall be submitted to the bishop of the synod for this bishop's signature.

S14.12. No ordained minister shall accept a call without first conferring with the bishop of this synod. An ordained minister shall respond with an answer to acceptance or declination to a letter of call within thirty days of receipt of such call. In exceptional circumstances with the approval of the bishop of this synod and the chair of the Congregation Council of the congregation issuing the call, an additional fifteen days may be granted to respond to a letter of call.

†**S14.13.**

- a. The call of a congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment which, except in the case of the death of the pastor, shall be terminated only following consultation with the synodical bishop and for the following reasons:
 - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the pastor, which shall become effective, unless otherwise agreed, 30 days after the date on which it was submitted;
 - 3) inability to conduct the pastoral office effectively in that congregation in view of local conditions, without reflection on the competence or the moral and spiritual character of the pastor;
 - 4) the physical or mental incapacity of the pastor;

- 5) disqualification of the pastor through discipline on grounds of doctrine, morality, or continued neglect of duty;
 - 6) the dissolution of the congregation or the termination of a parish arrangement; or
 - 7) suspension of the congregation as a result of discipline proceedings.
- b. When allegations of physical or mental incapacity of the pastor or ineffective conduct of the pastoral office have come to the attention of the bishop of this synod, the bishop in his or her sole discretion may, or when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council, or by a petition signed by at least one-third of the voting members of the congregation, the bishop shall investigate such conditions personally in company with a committee of two ordained ministers and one layperson.
 - c. In case of alleged physical or mental incapacity, competent medical testimony shall be obtained. When such disability is evident, the bishop of this synod with the advice of the committee shall declare the pastorate vacant. Upon the restoration of a disabled pastor to health, the bishop of this synod shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another field of labor.
 - d. In the case of alleged difficulties that imperil the effective functioning of the congregation, all concerned persons shall be heard, after which the bishop of this synod, together with the committee described S14.13.b, shall decide on the course of action to be recommended to the pastor and the congregation. If they agree to carry out such recommendations, no further action shall be taken by this synod. If either party fails to assent, the congregation may dismiss the pastor at a legally called meeting after consultation with the bishop, either (a) by a two-thirds majority vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a simple majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
 - e. If, in the course of proceedings described in †S14.13.d., the committee concludes that there may be grounds for disciplinary action, the committee shall make recommendations concerning disciplinary action to the synodical bishop who may bring charges, in accordance with the provisions of the constitution and bylaws of the Evangelical Lutheran Church in America and the constitution of this synod.
 - f. If, following the appointment of the committee described in †S14.13.b. or d., it should become apparent that the pastoral office cannot be conducted effectively in the congregation(s) being served by the ordained minister due to local conditions, the bishop of this synod may temporarily suspend the pastor from service in the congregation(s) without prejudice and with pay provided through a joint synodical and churchwide fund and with housing provided by the congregation(s).

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

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

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

S14.16. The pastor shall make satisfactory settlement of all financial obligations to a former congregation before:

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

S14.17. During service to a congregation, an interim pastor shall have the rights and duties in the congregation of a regularly called pastor. The interim pastor may delegate the same in part to an interim supply pastor with the consent of the bishop of this synod. The interim pastor and any ordained ministers who may assist shall refrain from exerting influence in the selection of a pastor. Upon completion of service, the interim pastor

shall certify to the bishop of this synod that the parochial records, for the period for which the interim pastor was responsible, are in order.

S14.18. With the approval of the synodical bishop expressed in writing which sets forth a clear statement of the purpose to be served by such a departure from the normal rule of permanency of the call as expressed in †S14.13., a congregation may call a pastor for a specific term of years. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop of this synod or a representative of the bishop shall meet with the pastor and representatives of the congregation for a review of the call. Such call may also be terminated before its expiration in accordance with the provisions of †S14.13.

S14.21. All ordained ministers under a call shall attend meetings of the Synod Assembly, and the pastors of congregations shall also attend the meetings of the conference, cluster, or coalition, to which the congregation belongs.

S14.30. Official Rosters of Laypersons

†S14.31. The provisions in the churchwide documents and such provisions as may be developed by the Division for Ministry governing associates in ministry, deaconesses, and diaconal ministers of this church shall apply in this synod.

- a. When a Congregation of this synod desires to call an associate in ministry, deaconess, or diaconal minister or a candidate for these official rosters of this church:
 - 1) Such a congregation of this synod shall consult the synodical bishop before taking any steps leading to extending such a call.
 - 2) Issuance of such a letter of call shall be in accord with criteria, policies, and procedures developed by the Division for Ministry, reviewed by the Conference of Bishops, and adopted by the Church Council of the Evangelical Lutheran Church in America.
 - 3) When the congregation has voted to issue a call to an associate in ministry, deaconess, or diaconal minister, the letter of call shall be submitted to the bishop of this synod for the bishop's signature.
- b. An associate in ministry, deaconess, or diaconal minister shall confer with the bishop of this synod before accepting a call within this synod.
- c. The call of a congregation, when accepted by an associate in ministry, deaconess, or diaconal minister, shall constitute a continuing mutual relationship and commitment which, except in the case of the death of the individual, shall be terminated only following consultation with the synodical bishop in accordance with policy developed by the Division for Ministry, reviewed by the Conference of Bishops, and adopted by the Church Council of the Evangelical Lutheran Church in America.
- d. Associates in ministry, deaconess, and diaconal ministers on the roster of this synod who are serving under call shall attend meetings of the Synod Assembly.

Chapter 15 FINANCIAL MATTERS

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

†S15.11. Since the congregations, synods, and churchwide organizations 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 ELCA are given to support all parts of this church and thus partnership in this church should be evidenced in determining each part's share of the gifts and offerings. Therefore:

- a. The mission of this church beyond the congregation is to be supported by such a proportionate share of each congregation's annual budget as each congregation determines. This synod shall develop guidelines for determining "proportionate share," and shall consult with congregational leaders to assist each congregation in making its determination.

- b. This synod shall receive the proportionate share of the mission support from its congregations, and shall transmit that percentage of each congregation's mission support as determined by the Churchwide Assembly to the treasurer of the Evangelical Lutheran Church in America.

- †S15.12. The annual budget of this synod shall reflect the entire range of its own activities and its commitment to partnership funding with other synods and the churchwide organization. Unless an exception is granted upon the request of this synod by the Church Council, each budget shall include the percentage of congregational mission support assigned to it by the Churchwide Assembly.
- S15.13. On the basis of estimated income, the Synod Council shall authorize expenditures within the budget for the fiscal year. Expenditure authorizations shall be subject to revision, in light of changing conditions, by the Synod Council.
- S15.14. Except when such procedure would jeopardize current operations, a reserve amounting to no more than 16 percent of the sum of the amounts scheduled in the next year's budget for regular distribution to synodical causes shall be carried forward annually for disbursement in the following year in the interest of making possible a more even flow of income to such causes. The exact number of dollars to be held in reserve shall be determined by the Synod Council.
- †S15.31. This synod shall arrange to have an annual audit of its financial records conducted by a certified public accountant firm recommended by the synod Audit Committee and approved by the Synod Council. The audited annual financial report shall be submitted by this synod to the churchwide Office of the Treasurer and to the congregations of this synod. The financial reports shall be in the format approved from time to time by the Office of the Treasurer.
- †S15.32. This synod shall maintain adequate, continuous insurance coverage in accordance with standards recommended by the churchwide organization. Insurance programs offered or endorsed by the churchwide organization shall be deemed to fulfill this obligation.

Chapter 16 INDEMNIFICATION

- †S16.01. Except as otherwise provided in this constitution, indemnification of any person who is or was made or threatened to be made a party to any proceeding is prohibited. For purposes of this chapter, the term, "proceeding," means a threatened, pending, or completed civil, criminal, administrative, arbitration, or investigative proceeding, including a proceeding in the right of this synod or any other organization. Except as otherwise required by law, (a) the term, "proceeding," does not include a proceeding by this synod and (b) indemnification for expenses incurred in a disciplinary hearing or other proceeding described in Chapter 20 of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America* shall be permitted only as provided in †S16.05. For purposes of this chapter, the term, "indemnification," includes advances of expenses.
- †S 16.02. To the full extent permitted from time to time by law, each person who is or was made or threatened to be made a party to any proceeding by reason of the present or former capacity of that person as a Synod Council member, officer, employee, or committee member of this synod shall be indemnified against judgments, penalties, finds, settlements, excise taxes, and reasonable attorney's fees and disbursements incurred by that person in connection with the proceeding. Indemnification of any person by reason of that person's capacity as a director, officer, employee, or committee members of any other organization, regardless of its form or relationship to this synod, is subject to the provisions of section.
- †S16.03. Whenever a person who, while a Synod Council member, officer, committee member, or employee of this synod, is or was serving at the request of this synod as (or whose duties in that position involve or involved service in the capacity of a director, officer, partner, trustee, employee, or agent of another organization, is or was made or threatened to be made a party to a proceeding by reason of such capacity, then such person shall not be entitled to indemnification unless (a) the Synod Council has established a process for determining whether a person serving in the capacity described in this section shall be entitled to indemnification in any specific case, and (b) that process has been applied in making a specific determination that such person is entitled to indemnification.
- S16.04. This synod may purchase and maintain insurance on behalf of itself or any person entitled to indemnification pursuant to this chapter against any liability asserted against and incurred by this synod or by such other person in or arising from a capacity described in section †S16.02. or section †S16.03.
- †S16.05. When in proceedings under Chapter 20 of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America* written charges against an ordained minister or a lay person on an

official roster of this church are made by the synodical bishop or written charges against a congregation are made by the Synod Council or the synodical bishop, and the discipline hearing committee determines that no discipline shall be imposed, and such determination is not reversed or set aside if an appeal is taken, then indemnification shall be made by the synod to the accused for reasonable attorney's fees and other reasonable expenses related to the defense of the charges. The determination of the reasonableness of such fees and expenses shall be determined by the Synod Council.

Chapter 17 ADJUDICATION

- †S17.01. The synodical bishop and the Executive Committee of the Synod Council shall be available to give counsel when disputes arise within this synod.
- S17.02. The synodical bishop and the Executive Committee of the Synod Council shall receive expressions of concern from ordained ministers, associates in ministry, or other persons on the official lay roster of this church, congregations, and organizations within this synod; provide a forum in which the parties concerned can seek to work out matters causing distress or conflict; and make appropriate recommendations for their resolution. When the matter at issue cannot be resolved in this manner, the prescribed procedures for investigation, decision, appeal, and adjudication shall be followed. Allegations or charges that could lead to the discipline of an ordained minister or a person on the official roster of this church shall not be addressed by the Executive Committee but shall be resolved through the disciplinary process set forth in the *Constitution and Bylaws of the Evangelical Lutheran Church in America*.
- †S17.03. When there is disagreement among units of this synod on a substantive issue that cannot be resolved by the parties, the aggrieved party or parties may appeal to the synodical bishop and the Executive Committee of the Synod Council for a consultation. If this consultation fails to resolve the issue, a petition may be addressed by the parties to the Synod Council requesting it to arbitrate the issue. The decision of the Synod Council shall be final.
- †S17.04. When a component or beneficiary of the synod has a disagreement on a substantive issue that it cannot resolve, it may address an appeal to the synodical bishop and the Executive Committee of the Synod Council. In this case the decision of the Executive Committee shall prevail, except that upon the motion of a member of the Synod Council, the decision shall be referred to the Synod Council for final action.
- S17.10. **Adjudication in a Congregation**
- †S17.11. When there is disagreement among factions within a congregation on a substantive issue that cannot be resolved by the parties, members of a congregation shall have access to the synodical bishop for consultation after informing the chair of the Congregation Council of their intent. If the consultation fails to resolve the issue(s), the Consultation Committee of this synod shall consider the matter. If the Consultation Committee of this synod shall fail to resolve the issue(s), the matter shall be referred to the Synod Council, whose decision shall be final.

Chapter 18 AMENDMENTS, BYLAWS, AND CONTINUING RESOLUTION

- †S18.10. Amendments to Constitution
- †S18.11. Certain sections of this constitution incorporate and record therein provisions of the constitution and bylaws of this church. If such provisions are amended by this church, corresponding amendments shall be introduced at once into this constitution by the secretary of this synod upon receipt of formal certification thereof from the secretary of the Evangelical Lutheran Church in America.
- †S18.12. Whenever the secretary of the Evangelical Lutheran Church in America officially informs this synod that the Churchwide Assembly has amended the *Constitution for Synods*, this constitution may be amended to reflect any such amendment by a simple majority vote at any subsequent meeting of the Synod Assembly without presentation at a prior Synod Assembly. An amendment that is identical to a provision of the *Constitution for Synods* shall be deemed to have been ratified upon its adoption by this synod. The Church Council, through the secretary of this church, shall be given prompt notification of its adoption.
- †S18.13. Other amendments to this constitution may be adopted by this synod through either of the following procedures:
- a. An amendment may be adopted by a two-thirds vote at a regular meeting of the Synod Assembly after having been presented in writing at the previous regular meeting of the Synod Assembly over

the signatures of at least fifteen (15) members and having been approved by a two-thirds vote of the voting members present and voting at such a regular meeting of the Synod Assembly.

- b. The Synod Council may propose an amendment, with notice to be sent to the congregations of this synod at least six months prior to the next regular meeting of the Synod Assembly. Such an amendment shall require for adoption a two-thirds vote of the voting members present and voting at such a regular meeting of the Synod Assembly.

All such amendments shall become effective upon ratification by the Churchwide Assembly or by the Church Council.

†S18.20. Amendments to Bylaws

†S18.21. This synod may adopt bylaws not in conflict with this constitution nor with the constitution and bylaws of this church. This synod may amend its bylaws at any meeting of the Synod Assembly by a two-thirds vote of voting members of the assembly present and voting. Newly adopted bylaws and amendments to existing bylaws shall be reported to the secretary of this church.

†S18.30. Amendments to Continuing Resolutions

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