

**AMENDMENTS TO THE CONSTITUTION FOR SYNODS
AS APPROVED BY THE 2022 CHURCHWIDE ASSEMBLY**

**Official Notice of Certification of Required Provisions
and
Notice of Recommended Provisions**

Prepared by the Office of the Secretary
Evangelical Lutheran Church in America
August 2022

Following is official notification of amendments to the *Constitution for Synods* that were approved by the 2022 Churchwide Assembly. Additions are underlined. Deletions are ~~struck through~~ in the text.

Provisions within the *Constitution for Synods* are of two types:

- **Required Provisions:** Sections of the *Constitution for Synods* marked by a dagger [†] are required provisions. These sections, including constitutional provisions and bylaws, must be used without alteration or amendment of the text in any manner (i.e., neither additions nor deletions are permissible). In accordance with provision †S18.11, amendments to required provisions in the *Constitution for Synods* passed by the Churchwide Assembly are automatically incorporated into the constitutions of individual synods upon formal certification by the secretary of this church.
- **Non-Required Provisions:** Sections of the *Constitution for Synods* not marked by a dagger are non-required provisions. These provisions represent wording recommended by the Churchwide Assembly. In accordance with provision †S18.12, whenever the secretary of the Evangelical Lutheran Church in America officially informs synods that the Churchwide Assembly has amended non-required provisions within the *Constitution for Synods*, the synod constitution may be amended to reflect any such amendment by a majority vote at any subsequent meeting of the Synod Assembly without presentation at a prior Synod Assembly. An amendment that is identical to a provision of the *Constitution for Synods* shall be deemed to have been ratified upon its adoption by the synod. The Church Council, through the secretary of this church, shall be given prompt notification of its adoption.

For convenience, in this document the amendments to the *Constitution for Synods* approved by the 2022 Churchwide Assembly are organized into four sections:

1. ***Amendments to Required Provisions.*** These provisions are presented in Section 1.
2. The 2022 Churchwide Assembly approved the redesignation of two provisions from non-required to required. These provisions are presented in Section 2. They must now be entered into each synod's constitution. If they already are part of a synod's constitution, they must now be marked as "required."
3. The 2022 Churchwide Assembly approved the redesignation of one provision from required to non-required. This provision is presented in Section 3. If a synod desires to eliminate this provision, there must be a majority vote by the synod assembly to amend the synod's constitution. Note also that there is a wording change that was approved by the assembly. If the synod maintains this provision, the wording change may be incorporated, and would require a majority vote.
4. ***Amendments to Non-Required Provisions.*** These provisions are presented in Section 4.

The Office of the Secretary would like to express gratitude for your faithful attention to your synod's constitution!

Section 1: Amendments to Required Provisions

Chapter 6: STATEMENT OF PURPOSE

- †S6.02. To participate in God’s mission, this synod as a part of the Church shall:
- c. Serve in response to God’s love to meet human needs, caring for the sick and the aged, advocating dignity, and justice, and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, embracing and welcoming racially and ethnically diverse populations, and standing in solidarity with the poor and oppressed powerless and committing itself to their needs.
- †S6.03.01. The responsibilities of the synod include the following:
- a. providing for pastoral care of congregations, ministers of Word and Sacrament, and ministers of Word and Service in the synod, including:
 - 1) approving candidates for rostered ministry the ministry of Word and Sacrament in cooperation with the appropriate seminaries of this church, which may be done through multi-synod committees;
 - 2) authorizing ordinations and ordaining rostered ministers of Word and Sacrament on behalf of this church;
 - 3) approving ministers of Word and Service, which may be done through multi-synod committees;
 - 4) authorizing ordinations and ordaining ministers of Word and Service on behalf of this church; and
 - 5) consulting in the call process for rostered ministers.
- †S6.04. Except as otherwise provided in this constitution and bylaws, the Synod Council shall establish processes that will ensure that at least 60 percent of the members of the synod assemblies, councils, committees, boards, and other organizational units shall be laypersons; and that, as nearly as possible, at least 45 percent of the lay members of assemblies, councils, committees, boards, or other organizational units shall be women and, as nearly as possible, at least 45 percent shall be men; and that, where possible, the representation of rostered ministers of Word and Sacrament shall include both men and women. This synod shall establish processes that will enable it to reach a minimum goal that 10 percent of its assemblies, councils, committees, boards, or other organizational units be persons of color and/or persons whose primary language is other than English.
- ~~†S6.04.01. It is the goal of this synod that 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.~~
- †S6.04.0201. 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.

Chapter 7: SYNOD ASSEMBLY

- †S7.21. The membership of the Synod Assembly, of which at least 60 percent of the voting membership shall be composed of laypersons, shall be constituted as follows:
- a. All rostered ministers of Word and Sacrament under call on the roster of this synod in attendance at the Synod Assembly shall be voting members of the Synod Assembly.
 - b. ~~All ministers of Word and Service, under call, on the roster of this synod shall be voting members in the Synod Assembly.~~
 - eb. A minimum of one lay member elected by each congregation with fewer than 175 baptized members and a minimum of two lay members elected by each congregation with 175 or more baptized members related to this synod, typically one of whom shall be a man and one of whom shall be a woman, shall be voting members. The Synod Council shall establish a formula to provide additional lay representation from congregations on the basis of the number of baptized members in the congregation. The Synod Council shall seek to ensure that, as nearly as possible, at least 45 percent

of the lay members of the assembly shall be women and, **as nearly as possible**, at least 45 percent shall be men.

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

†S7.21.02. If a special Synod Assembly is called and voting members at the previous assembly are unable to serve as voting members, where permitted by state law, the congregation through the Congregation Council may elect new members who shall continue to serve until the next **regular** Synod Assembly.

Chapter 8: OFFICERS

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

[...]

i. Oversee and administer the work of this synod and in so doing:

[...]

4) **exercise supervision over direct and guide** the work of the other officers;

5) **coordinate exercise supervision over** the work of all synod staff members;

[...]

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.

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

a. Whenever a synod bishop determines that a matter of the kind described in †S8.16.01.b. may require **his or her the bishop's** determination or action with respect to a related individual as defined in †S8.16.01.c., the synod bishop shall withdraw from personal involvement in such matter and shall so notify the presiding bishop. The presiding bishop shall then appoint another synod 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 provisions **s 7.46. and 7.75.** of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America* (†S14.18. **and †S14.43.**), candidacy, reinstatement, and similar matters where determinations or actions by the synod bishop could change, limit, restrict, approve, authorize, or deny the related individual's ministry on one of the official rosters of this church.

†S8.23. — In the event of the death, resignation, or disability of the bishop, the vice president, after consultation with the presiding bishop of the Evangelical Lutheran Church in America, 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.

†S8.32. 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.

†S8.51. The terms of office of the officers of this synod shall be as follows:

[...]

b. The vice president and secretary of this synod shall be elected to a term of _____ years and may be re-elected. The officer shall serve until **his or her a** successor takes office.

c. The treasurer of this synod shall be [elected] [appointed] to a **term of** _____ years **term** and may be **[re-elected] or [re-appointed].** The treasurer shall serve until **his or her a** successor takes office.

†S8.57. The recall or dismissal of an officer and the vacating of office may be effected for willful disregard or violation of the constitutions, bylaws, and continuing resolutions of this church; for such physical or mental disability as renders the officer incapable of performing the duties of office; or for such conduct as would subject the officer to disciplinary action as a rostered minister or as a member of a congregation of this church.

[...]

e. In the case of alleged physical or mental incapacity of an officer of the synod, the procedures outlined in †S8.56. shall be followed, and such officer shall comply with the decision of the Synod Council. If such officer fails or refuses to comply, the Synod Council may proceed to petition for recall or dismissal as follows:

[...]

- 2) the Committee on Appeals, **exclusive of any members other than those** who are disqualified, shall review the findings and decision of the Synod Council and by an affirmative vote of at least two-thirds of those present and voting may adopt the findings and grant the petition.

†S8.58. If the bishop is to be temporarily absent from the synod for an extended period **not to exceed 90 days**, the bishop, **after consultation with the presiding bishop and** with the consent of the Synod Council, may appoint as acting bishop for such period a minister of Word and Sacrament 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 11: COMMITTEES (names of other organizational units)

†S11.02. The Consultation Committee of this synod shall consist of at least six persons and not more than 12 persons, of whom half shall be **rostered** ministers **of Word and Sacrament** and half shall be laypersons, who shall each be elected by the Synod Assembly for a term of six years without consecutive re-election. 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.

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

Chapter 13: CONGREGATIONS

†S13.02. It shall be the responsibility of each congregation of this synod to **elect 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, coalition, or other area subdivision of which it is a member. **Normatively, congregations should hold elections prior to each regular meeting of the Synod Assembly.** The number of persons to be elected by each congregation and other qualifications shall be as prescribed in guidelines established by this synod.

Chapter 14: ROSTERED MINISTERS

†S14.12. Consistent with the faith and practice of the Evangelical Lutheran Church in America,
a. Every minister of Word and Sacrament shall:

[...]

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

†S14.18. The provisions for termination of the mutual relationship between a minister of Word and Sacrament and a congregation shall be as follows:

- a. The call of a congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment which shall be terminated only by the pastor's death or, following consultation with the synod bishop, for **any of** the following reasons:

[...]

- 4) **inability to conduct the pastoral office effectively in view of physical** disability or **mental** incapacity of the pastor;

[...]

- b. When allegations of **physical** disability or **mental** incapacity of the pastor under paragraph a.4) above, or ineffective conduct of the pastoral office under paragraph a.3) above, have come to the attention of the bishop of this synod,

- 1) the bishop, **in his or her who has** sole discretion, may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or

[...]

- c. In case of alleged **physical** disability or **mental** incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the pastor's condition.

When a disability or incapacity is evident to the committee, the bishop of this synod may declare the pastorate vacant. When the pastorate is declared vacant, the Synod Council shall list the pastor on the roster of Ministers of Word and Sacrament with disability status. Upon ~~removal~~ resumption of the ability to conduct the office effectively ~~disability and restoration of the pastor to health~~, the bishop shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call.

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

†S14.23. 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 rostered minister 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 congregation parochial records, for the period for which the interim pastor was responsible, are in order.

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

[...]

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

[...]

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

a. The call of a congregation, when accepted by a minister of Word and Service, shall constitute a continuing mutual relationship and commitment which shall be terminated only by the deacon's death or, following consultation with the synod bishop, for any of the following reasons:

[...]

4) inability to conduct the office effectively in view of physical disability or mental incapacity of the minister of Word and Service; [...]

b. When allegations of physical disability or mental incapacity of the minister of Word and Service under paragraph a.4) above, or ineffective conduct of the ministry of Word and Service under paragraph a.3) above, have come to the attention of the bishop of this synod,

1) the bishop, in his or her who has sole discretion, may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or

[...]

c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the minister of Word and Service's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the position vacant. When the position is declared vacant, the Synod Council shall list the deacon on the roster of Ministers of Word and Service with disability status. Upon ~~removal~~ resumption of the ability to conduct the office effectively ~~disability and restoration of the minister of Word and Service to health~~, the bishop shall take steps to enable the minister of Word and Service to resume the ministry, either in the congregation last served or in another appropriate call.

Chapter 15: FINANCIAL MATTERS

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

Chapter 16: INDEMNIFICATION

- †S16.01. Subject to the limitations and duties imposed 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 all costs and expenses 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 member of any other organization, regardless of its form or relationship to this synod, is subject to the provisions of section †S16.02.
- †S16.03. 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 †S16.01. or section †S16.02.
- †S16.04. When written charges against a rostered minister of this church are made in disciplinary proceedings under Chapter 20 of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America* by the synod bishop or when written charges against a congregation are made in disciplinary proceedings by the Synod Council or the synod bishop, and the discipline hearing committee determines that no discipline shall be imposed, then if such determination is not reversed or set aside on appeal, 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 made decided by the Synod Council.

Chapter 18: AMENDMENTS, BYLAWS, AND CONTINUING RESOLUTIONS

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

Section 2: Provisions Reclassified from Non-Required to Required

Chapter 8: OFFICERS

[Provision is now required]

- †S8.52. The terms of the officers shall begin on the first day of the _____ month following election or, in special circumstances, at a time designated by the Synod Council.

Chapter 11: COMMITTEES (names of other organizational units)

[Provision is now required]

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

Section 3: Provision Reclassified from Required to Non-Required

Chapter 7: SYNOD ASSEMBLY

[Provision is no longer required]

~~†S7.21.01.~~ Voting members shall begin serving with the opening of a regular Synod Assembly and shall continue serving until ~~voting members are seated at the opening of~~ the next regular Synod Assembly.

Section 4: Amendments to Recommended Provisions

Chapter 7: SYNOD ASSEMBLY

S7.14. ~~One-half~~ ~~One-third~~ of the members of the Synod Assembly shall constitute a quorum.

S7.22. This synod may establish processes that permit retired rostered ministers, or those granted disability status, or on leave from call, on the roster of the synod to serve as voting members of the Synod Assembly, ~~provided that such processes not result in fewer than 60% of the voting members of the Synod Assembly being laypersons in contravention of~~ consistent with †S7.21.e. If the synod does not establish processes to permit the rostered ministers specified above to serve as voting members, they shall have voice but not vote in the meetings of the Synod Assembly.

S7.24. Ministers under call on the rosters 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 rosters of this synod. Lay members of the Synod Assembly representing congregations shall continue as such until ~~the opening of the next regular synod assembly, or unless~~ replaced by the election of new members ~~for a special synod assembly, or until they have been disqualified by termination of~~ congregation membership. ~~Normally, congregations will hold elections prior to each regular meeting of the Synod Assembly.~~

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

S7.27. This synod may establish processes through the Synod Council to grant a minister of Word and Sacrament 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 minister's service in a congregation of this church.

Chapter 8: OFFICERS

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

[...]

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 ~~as well as any funds to support restricted programs of~~ this church.

[...]

~~f. Obtaining a fidelity bond in the amount determined by the Synod Council for persons handling synod funds, which bond shall be in the custody of the secretary. The premium for the bond shall be paid by this synod. Fidelity coverage provided by the Evangelical Lutheran Church in America shall be deemed a fulfillment of this requirement.~~

Chapter 11: COMMITTEES (names of other organizational units)

~~S11.10. — General Provisions~~

Chapter 14: ROSTERED MINISTERS

- S14.13.** The pastor (a) shall keep accurate ~~parochial~~ records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation, (b) shall submit a summary of such statistics annually to this synod, and (c) shall become a member of the congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.
- S14.15.** Each minister of Word and Sacrament on the roster 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.
- S14.34.** Each minister of Word and Service on the roster 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.