

CONSTITUTION and BYLAWS
Northern Great Lakes Synod
Evangelical Lutheran Church in America

Adopted by the 1987 Constituting Synod Convention
and amended by Synod Assemblies through 2009 and
Churchwide Assemblies through 2009

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Constitutional provisions are in larger plain type and codified with two sets of numbers [e.g., S7.11.], bylaw material is printed in smaller plain type and codified with three sets of numbers [e.g., S7.11.10.], and continuing resolutions are printed in italic type and codified with three sets of numbers except that the third set is preceded by a capital letter [e.g., S6.04.A87].

Chapter 1.

NAME AND INCORPORATION

- †S1.01. The name of this synod shall be the Northern Great Lakes Synod of the Evangelical Lutheran Church in America.
- †S1.02. For the purposes of this constitution and the accompanying bylaws, the Northern Great Lakes 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 shall be circular in form and shall have inscribed thereon the name of this synod across the bottom half of the circle and around the circumference the name of this church. The top half of the seal shall contain drawings of a cross, three trees and a lake shore.

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.
- †S2.02. No provision of this constitution shall be inconsistent with the constitution and bylaws of this church.

†Required provisions

Chapter 3. TERRITORY

- †S3.01. The territory of this synod, as determined by the Churchwide Assembly, shall be the counties of Florence, Forest, Iron, Marinette, Oneida, Vilas in the state of WISCONSIN; the counties in the Upper Peninsula in the state of MICHIGAN.
- †S3.02. "Determined by the Churchwide Assembly," as stipulated by †S3.01., is understood to include the reported changes in synod relationship made by any congregation in a border area agreed under ELCA bylaws 10.01.11. 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) seeing and recruiting qualified candidates for the rostered ministries of this church;
 - 3) making provision for pastoral care, call or appointment review, and guidance;
 - 4) encouraging and supporting persons on the rosters of this church in stewardship of their abilities, care of self, and pursuit of continuing education to undergird their effectiveness of service; and
 - 5) supporting recruitment of leaders for this church's colleges, universities, seminaries, and social ministry organizations.
 - c. Provide for discipline of congregations, ordained ministers, and persons on the official lay rosters; as well as for termination of call, appointment, adjudication, and appeals consistent with the procedures established by this church in Chapter 20 of the ELCA constitution and bylaws.
 - d. Foster organizations for youth, women, and men, and organizations for language or ethnic communities.
 - e. Plan for the mission of this church in 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 c) Synod Council resolutions addressed to the Church Council or for referral to a unit of the churchwide organization through the Church Council's Executive Committee.
- f. Promote interdependent relationships among congregations, synods, and the churchwide organization, and enter into partnership with other synods in the region.
 - g. Participate in churchwide programs and develop support for the ministry of the churchwide organization.
 - h. Foster the grouping of congregations in conferences, clusters, coalitions, or other area subdivisions for mission purposes.
 - i. Support relationships with and provide partnership funding on behalf of colleges, universities, and campus ministries.
 - j. Foster relationships with and provide partnership funding on behalf of social ministry organizations.
 - k. Maintain relationships with and provide partnership funding on behalf of seminaries and continuing education centers.
 - l. Foster supporting relationships with camps and other outdoor ministries.
 - m. Foster supporting relationships with preschools, elementary schools, and

secondary schools operated by congregations of 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 the Evangelical Lutheran Church in America and according to procedures specified in the bylaws of this constitution.

†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, 50 percent of the lay members of the 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.
- S7.11.10.** The time and place of the Synod Assembly shall be determined by the Synod Council in consultation with the bishop and the secretary of the ELCA.
- S7.11.20.** The bishop shall appoint a committee to plan each meeting of the Synod Assembly.
- a. Each Synod Assembly shall include a service of Holy Communion, at which the bishop shall normally preach and preside.
 - b. Plans for the Synod Assembly shall be subject to the approval of the Executive Committee.
- S7.11.30.** The bishop shall appoint a credentials committee consisting of three members, one of whom shall be the registrar for the Synod Assembly.
- a. Members of the committee shall serve three-year terms, with one-third of the terms expiring each year. No member of the committee shall be eligible to serve more than two consecutive terms.
 - b. The committee shall examine the credentials of all members of the Synod Assembly and shall prepare a list of voting members, which shall be reported at the opening and closing of the Synod Assembly.
- S7.11.40.** The bishop shall appoint an election committee consisting of five members.
- a. Members of the committee shall serve for one year and may not be reappointed for a second consecutive year.
 - b. The committee shall supervise elections, keep a correct list of voters, and announce the results to the Synod Assembly.
- S7.11.50.** The Synod Council shall appoint a resolutions committee consisting of five members.
- a. Members of the committee shall serve for two years, with approximately one-half of the terms expiring each year. No member of the committee shall be eligible to serve more than two consecutive terms.
 - b. The committee shall review all resolutions submitted later than thirty days prior to the opening of the Synod Assembly to determine, under the provision of bylaw S7.11.60., whether they shall be considered by the Synod Assembly, and to recommend action by the Synod Assembly on those which are to be considered.

The resolutions committee shall report a brief description to the Synod Assembly of all resolutions received by them and of the disposition made of each resolution.

- S7.11.60.** Resolutions must be submitted to the bishop not later than thirty days prior to the opening of the Synod Assembly. All resolutions received by the bishop must be submitted to the Synod Assembly after review by and recommendation of the Synod Council. No resolution received subsequent to that date shall be accepted for consideration by the Synod Assembly unless the resolutions committee judges it to be a matter of sufficient importance and urgency which is not adequately covered by documents already before the Synod Assembly, except that resolutions relevant to matters under consideration by the Synod Assembly may be accepted at the time that the matter is being considered.
- S7.11.61.** Resolutions may be submitted to the Synod Assembly only by member congregations and conferences of the synod, by the Synod Council, by the Executive Committee, by committees and auxiliaries of the synod, by schools or agencies of the ELCA located in and related to the synod, by officers of the synod, and by conference pastoral associations. Individual voting members to Synod Assembly may submit resolutions at the Synod Assembly subject to the provisions of bylaw S7.11.60.
- S7.11.70.** The Secretary shall send a pre-assembly report to all members of the Synod Assembly at least thirty days prior to the beginning of the Synod Assembly.
- S7.11.71.** The Synod Council, the Executive Committee, all committees and organizations of the synod, affiliated institutions and agencies of the synod, and conferences shall submit written reports of their work in the previous year to the Secretary at least ninety days prior to the beginning of the Synod Assembly for inclusion in the pre-assembly report. The report of the Nominating Committee shall include brief biographical information on all nominees.
- S7.11.72.** All reports published in the pre-assembly report shall be received by the Synod Assembly by virtue of that fact without vote.
- S7.12.** Special meetings of the Synod Assembly may be called by the bishop with the consent of the Synod Council, and shall be called by the bishop at the request of one-fifth of the voting members of the Synod Assembly.
- a. The notice of each special meeting shall define the purpose for which it is to be held. The scope of actions to be taken at such a special meeting shall be limited to the subject matter(s) described in the notice.
 - b. If the special meeting of the Synod Assembly is required for the purpose of electing a successor bishop because of death, resignation, or inability to serve, the special meeting shall be called by the 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 members of the Synod Assembly shall constitute a quorum.
- †S7.21.** The membership of the Synod Assembly, of which at least 60 percent of the voting membership shall be composed of laypersons, shall be constituted as follows:
- a. All ordained ministers under call on the roster of this synod in attendance at the Synod Assembly shall be voting members.
 - b. All associates in ministry, deaconesses of the Evangelical Lutheran Church in America, and diaconal ministers, under call, on the 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.A04** Congregations served by a Licensed Lay Minister at the time of the Synod Assembly, where no rostered leader is currently under call to the congregation, shall be accorded one additional voting member to the assembly for each Licensed Lay Minister serving the congregation, provided that the additional voting member is the Licensed Lay Minister.
- S7.22.** All retired ordained ministers and all retired associates in ministry on the roster of this synod in attendance at the Synod Assembly shall be voting members. The synod may establish processes that permit 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.
- S7.23.** All ordained ministers on leave from call, all associates in ministry on leave from call, all deaconesses on the Evangelical Lutheran Church in America on leave from call or retired, and all diaconal ministers of this church on leave from call or retired, all of whose names appear on the rosters of this synod, shall have the privilege of voice but not vote at all meetings of the Synod Assembly. 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.

- S7.24.** 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 the 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.
- †**S7.25.** Except as otherwise provided in this constitution or 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.
- S7.27.** 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.
- 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

†S8.12.

who is an ordained minister of the Evangelical Lutheran Church in America.

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 the 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 so doing:
 - 1) Interpret and advocate the mission and theology of the whole church;
 - 2) Lead in fostering support for and commitment to the mission of this church within this synod;
 - 3) Coordinate the use of the resources available to this synod as it seeks to promote the health of this church's life and witness in the areas served by this synod;
 - 4) Submit a report to each regular meeting of the Synod Assembly concerning this 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 constitution and bylaws of the synod and of the churchwide organization are duly observed within this synod, and that the actions of the synod in conformity therewith are carried into effect;
 - 4) Exercise supervision over the work of the other officers;
 - 5) Coordinate the work of all synod staff members;
 - 6) Appoint all committees for which provision is not otherwise made;
 - 7) Be a member of all committees and any other organizational units of the synod, except as otherwise provided in this constitution.
 - 8) Provide for preparation and maintenance of 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) issuance of a certificates 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) 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. As this Synod's pastor the bishop shall visit each congregation of the synod at least once during each term, such visit to include participation in worship and meeting with lay leadership.

S8.12.02. As this Synod's pastor the bishop shall at the invitation of the pastor or at the discretion of the bishop visit each pastor of the synod at least once during each term, such visit to include a confidential appraisal of the pastor's ministry, the congregation's mission, and the hopes and dreams each has for the future.

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 synod 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 do 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.

S8.23. 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 lay person or an ordained minister.

†S8.32. The secretary shall:

- a. Keep the minutes of all meetings of the Synod Assembly, 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.

S8.40. 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 lay person 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 the 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 synod 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 reelected.

- S8.51.01.** The synod vice president, secretary, and treasurer shall not be eligible to serve more than three consecutive terms in the same office.
- S8.52.** The term of the bishop shall begin on September 1 of the year of election, and the terms of the vice president, the secretary, the treasurer, and members of committees elected by the Synod Assembly shall begin immediately following the adjournment of the Synod Assembly at which they were elected.
- †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 of the Synod Council, shall arrange for the appropriate care of the responsibilities of the officer until an election of a new officer can be held or, in the case of temporary disability, until the officer is able to serve again. The term of the successor officer, elected by the next Synod Assembly, shall be 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.
- S9.01.10** In cases where a person is appointed or elected to complete an unexpired term of less than one year, such term shall not be considered as a term of office.
- S9.01.30.** The Synod Assembly shall elect voting members to the Churchwide Assembly of ELCA in accord with notification received from the secretary of ELCA.
- S9.01.31.** Exclusive of the bishop of the synod, voting members to the Churchwide Assembly of ELCA shall be limited to no more than one voting member from a congregation.
- S9.01.32.** Exclusive of the bishop of the synod, no voting member may be elected to the Churchwide Assembly who has been a voting member to any of the three most recent biennial Churchwide Assemblies of ELCA.
- 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 one member from each conference 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.
- S9.04.** 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 two persons for vice president; additional nominations may be made from the floor.
- S9.06.** The Nominating Committee shall nominate at least two persons 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 votes, but not elected by a majority of the votes cast on a preceding ballot, shall be entered on the next ballot to the number of two for each vacancy unfilled.
- S9.09.** The result of each ballot in every election shall be announced in detail to the assembly.
- †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.

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.
- S10.01.10.** The Synod Council shall consist of the four officers of the synod, two members from each conference who shall represent the entire synod, to be elected by the Synod Assembly to three year terms with approximately one-third of the terms expiring annually, and one youth who has not attained the age of twenty-two years, to be elected by the Synod Assembly to serve a two year term. No elected member of the Synod Council shall be eligible to serve more than two consecutive terms.
- S10.01.11.** Members of the Synod Council shall be elected as follows:
- a. The Synod Secretary shall notify the conference of the position requiring election in order to comply with +S6.04.
 - b. The conference shall submit to the Synod Assembly the name of one nominee who shall be a member of a congregation of that conference for each position requiring election.

- c. The Synod Council shall submit the name of one youth to the Synod Assembly for election to the youth position.
 - d. Nominations from the floor shall not be permitted.
- S10.01.12.** The terms of office of persons elected to regular terms on the Synod Council by the Synod Assembly shall begin at the conclusion of the Synod Assembly at which such persons were elected.
- S10.01.13.** In the event of a vacancy on the Synod Council, the Synod Council shall elect a member from the same conference in which the vacancy occurred to serve the balance of the term.
- S10.01.14.** Members of the Synod Council who have served less than one-half of a term shall be eligible for election to two full terms to be served consecutively upon the conclusion of the partial term.
- S10.01.15.** A representative of the Synodical Women's Organization and of the Lutheran Youth Organization may serve as an advisory member of the Synod Council with voice but not vote.
- †S10.02.** The Synod Council shall be the board of directors of this synod and shall serve as its interim legislative authority between meetings of the Synod Assembly. It may make decisions 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.
- S10.02.10.** The Synod Council shall meet semi-annually and at other such times as the bishop or 25% of the members may request.
- 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 the Evangelical Lutheran Church in America, 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, deaconesses, and diaconal ministers as authorized by Chapter 7 of the constitution and bylaws of the Evangelical Lutheran Church in America.
 - 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 this synod.

- g. Report its actions 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.

S10.04. 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 this synod, if a lay person, the office filled by such member shall at once become vacant.

S10.06.A09 If a member of the Synod Council ceases to be a voting member of a congregation in the conference from which the member was elected, that position on the Synod Council shall be deemed vacant.

S10.06.B09 If a member of the Synod Council becomes an employee of the Synod, the position held by that member on the Synod Council shall be deemed vacant.

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 as set forth in the bylaws.

Chapter 11.

COMMITTEES AND OTHER ORGANIZATIONAL UNITS

†**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.

S11.01.10. The Executive Committee shall consist of the officers of the synod and two other members of the Synod Council, elected by the Synod Council to one-year terms.

S11.01.11. The Executive Committee shall:

- a. assist the bishop in planning, coordinating, and promoting the activities of the synod.

- b. determine the time and place for the Synod Assembly after consultation with the bishop and the secretary of this church.
- c. advise and assist the bishop in carrying out the responsibilities as assigned in S8.12. of this constitution.
- d. consider and act on matters referred to it by the Synod Council.
- e. serve as the Mutual Ministry Committee to provide support and counsel to the bishop.
- f. approve the minutes of the Synod Assembly.

S11.01.20. There shall be committees to develop the work of rostered persons. The purpose, responsibilities and composition of these committees shall be described in the continuing resolutions.

S11.01.A06. There shall be a Synod Campus Ministry Committee. The committee shall consist of eight persons, seven elected by the Synod Council. Length of office terms will be determined by the Synod Council. The synod bishop, or the bishop's designee, shall be a member.

The Synod Campus Ministry Committee shall:

- a. Provide general oversight of Lutheran Campus Ministry on public universities in the synod;
- b. Work in cooperation with the Vocation and Education Unit of the Evangelical Lutheran Church in America, and function consistent with the campus ministry policies of the ELCA;
- c. Annually recommend financial support from the synod to the synod campus ministry sites as a part of the synodical budgeting process;
- d. Encourage the synod, its congregations and members to support the work of Lutheran Campus Ministry in the Northern Great Lakes Synod;
- e. Annually report to the Synod Council and to the Synod Assembly on its work with campus ministry.

S11.01.B06. There shall be a Candidacy Committee. The committee shall consist of the bishop, or his or her appointee, and other members appointed by the Synod Council. Members shall be appointed to six-year terms with no more than one-third of its members' terms expiring in a given year. The chair shall be elected annually by the committee.

The Candidacy Committee shall:

- a. Assist the congregations of this synod to seek out and encourage qualified persons to prepare for the ministry of the Gospel;
- b. Provide discernment and other resources for candidates for rostered leadership;
- c. Serve as a liaison between the candidates for rostered ministry, the synod, and the candidacy process of the ELCA;
- d. Enter, Endorse, and Approve candidates for rostered ministry in the ELCA;
- e. Participate in candidacy training and skill-building opportunities.

S11.01.C06. There shall be a Leadership Support Committee. The committee shall consist of the bishop and members appointed by the Synod Council. Members shall be appointed to three-year terms. The chair shall be elected annually by the committee. The committee may create subcommittees as needed to carry out its functions.

The Leadership Support Committee shall:

- a. Provide opportunities for learning and growth for rostered persons;
- b. Recommend compensation guidelines for ordained ministers;
- c. Be attentive to changing needs of rostered leaders and provide resources to enhance the ministry of rostered leaders.

S11.01.D06. There shall be a Lay School for Mission Board. The board shall consist of the bishop and members appointed by the Synod Council. Members shall be appointed to three-year terms. The chair shall be elected annually by the committee.

The Lay School for Mission Board shall:

- a. Establish policies for the synod's Lay School for Mission;
- b. Appoint the Dean of the Lay School with the approval of the bishop.

S11.01.E06. There shall be a Licensed Lay Ministry Advisory Committee. The committee shall consist of the bishop and members appointed by the Synod Council. Members shall be appointed three-year terms. The chair shall be elected annually by the committee.

The Licensed Lay Ministry Advisory Committee shall:

- a. Advise the bishop on all matters concerning Licensed Lay Ministry;
- b. Make recommendations to the Synod Council on policies regarding Licensed Lay Ministry.

S11.01.30. There shall be committees to assist the congregations in the areas of evangelism, learning ministries, stewardship, worship and youth. The purpose, responsibilities and composition of these committees shall be described in the continuing resolutions.

S11.01.F06. There shall be an Evangelism Committee. The committee shall consist of members appointed by the Synod Council. Members shall be appointed to three-year terms. The chair shall be elected annually by the committee.

The Evangelism Committee shall:

- a. Encourage evangelism and outreach ministries throughout the synod, especially ministries related to prayer;
- b. Advocate for evangelism as a component of all synod ministries;
- c. Serve as a resource to congregations seeking to enhance their own evangelism efforts.
- d. Develop opportunities to gather members of the synod for evangelism education, sharing ideas, and development of ministries related to evangelism;
- e. Work with the Mission Director to ensure cooperation with the Mission Outreach Committee of the synod.

S11.01.G06. There shall be a Stewardship committee. The committee shall consist of members appointed by the Synod Council. Members shall be appointed to three-year terms. The chair shall be elected annually by the committee.

The Stewardship Committee shall:

- a. Work with the ELCA deployed staff in stewardship to strengthen, develop, and initiate stewardship ministries in congregations;
- b. Encourage the use of a wide range of resources in stewardship throughout the synod;
- c. Provide opportunities for education of pastors and lay leaders in stewardship ministries.

S11.01.H06. There shall be a Worship Committee. The committee shall consist of members appointed by the Synod Council. Members shall be appointed to three-year terms. The chair shall be elected annually by the committee.

The Worship Committee shall:

- a. Encourage creative worship in congregations by providing opportunities for exposure to new worship materials and styles;

- b. Develop workshops and other opportunities for the development of worship and music leadership;
- c. In cooperation with the Synod Assembly Planning Committee, plan worship experiences for Synod Assembly.

S11.01.I06. There shall be a Youth Ministry Team. The committee shall consist of members appointed by the Synod Council. Members shall be appointed to three-year terms. The chair shall be elected annually by the committee.

The Youth Ministry Team shall:

- a. Work with the Youth Ministry coordinator and the Lutheran Youth Organization leadership to plan youth ministry activities on a synod level;
- b. Seek to share resources in youth and family ministry with congregations;
- c. Develop training opportunities to develop leaders among young people and adults in youth and family ministry.

S11.01.40. There shall be a Mission Outreach Committee. The committee shall consist of seven members appointed by the Synod Council to three-year terms. The chair shall be elected annually by the committee. The mission and responsibilities of this committee shall be described in the continuing resolutions. The committee may create subcommittees as needed to carry out its functions.

S11.01.J06. The Mission Outreach Committee shall:

- a. Coordinate development of new ministries and redevelopment of existing ministries, including ministries with minorities within this synod;
- b. Encourage the synod to develop and maintain a global view of mission;
- c. Extend and support the mission of this synod in and through:
 - 1) colleges, universities and campus ministries
 - 2) prison ministries
 - 3) ecumenical and multicultural relationships
 - 4) campground and recreational ministries
- d. Where appropriate work with the Evangelism Committee is enhancing the mission outreach of congregations.

S11.01.50. There shall be a Justice Advocacy Committee. The committee shall consist of five members appointed by the Synod Council. Members shall be appointed to three-year terms. The chair shall be elected annually by the committee. The mission and responsibilities of this committee shall be described in the continuing resolutions. The committee may create subcommittees as needed to carry out its functions.

S11.01.K06. The Justice Advocacy Committee shall:

- a. In cooperation with the ELCA, make available resources to assist both congregational and synod-wide advocacy in areas such as ecology, health care, hunger, and other justice issues;
- b. Speak theologically and prophetically on issues where the Gospel of Jesus Christ intersects with the world;
- c. Extend and support the mission of this synod through social ministry organizations and agencies.

S11.01.60. There shall be an Endowment Fund Board which shall administer the Northern Great Lakes Synod Endowment Funds. These funds shall consist of a Perpetual Fund and Special Gifts Funds. The Perpetual Fund shall distribute a minimum of five percent (5%) of the market value of its invested assets each year. Special Gifts Funds shall be used in accordance with specific directions associated with the gift. The purpose of these funds shall be to enable the further growth of our church, its ministries, and stewardship opportunities apart from the general operation of the synod. The Endowment Fund Board shall consist of the bishop, the synod treasurer, and the 11 – 17 other members appointed by the Synod Council for three year terms, one-third to expire each year. The number of persons on the board shall be determined by the Synod Council. The board shall elect from its membership a chair, a vice-chair, and a secretary. The synod treasurer shall serve as treasurer of the board. The Endowment Fund Board may appoint such advisory committees as it deems advisable.

S11.01.61. The Endowment Fund Board shall:

- a. Directly or through the synod receive funds from gifts, memorials, bequests, wills, estates, etc., of any individual, corporation, or organization or from any other source in cash or in other property acceptable to it. All trust funds shall be kept and maintained separate, distinct, and independent from the funds and property otherwise belonging to the synod.
- b. Be responsible for the prudent investment of the endowment fund.
- c. Investigate specific projects and purposes to be funded by the endowment fund. The board shall seek recommendations for use of the endowment fund from the Synod Council, the bishop, and others as appropriate.
- d. Contribute, donate, support or distribute, from time to time, for its purposes such

payments or amounts as the Endowment Fund Board in its discretion shall determine.

- e. Working with the treasurer, annually render a full and complete account of the administration of the endowment fund to the Synod Council. Auditing and accounting procedures for disbursement of funds shall be the responsibility of the synod treasurer.
- f. Develop and pursue fund-raising activities including encouragement and enlistment of resources and cultivation of "Perpetual Stewardship" through bequests, annuities, deferred giving, and other sources.
- g. Develop policies appropriate to its purpose and function.
- h. Working with the bishop, supervise any employee of the synod engaged to work with the Synod Endowment Fund.
- i. Bring to a Synod Assembly for its consideration a resolution which would disburse any perpetual fund principal other than the minimum distribution as described in S11.01.60. The favorable recommendation of the Endowment Fund Board, the Synod Council, and adoption by at least two-thirds of those present and voting at a Synod Assembly shall be required before any perpetual fund principal or corpus shall be disbursed except as described in S11.01.60.

S11.01.A02. There shall be a Synod Finance Committee. This committee shall consist of four persons, one of whom shall be the Synod Treasurer. In addition, the bishop and/or his designee shall be a member. The synod staff person directly responsible for the financial accounting of the synod shall serve as an adviser to the committee. The Synod Finance Committee shall:

- a. Meet quarterly to review the finances and budgeting of the synod. Make recommendations to the Treasurer, Synod Executive Committee and Synod Council concerning financial issues.
- b. Prepare a proposed budget to be considered by the Executive Committee at its February meeting.
- c. Bring names of possible candidates for Synod Treasurer to the Synod Council in those years when there is an election for Treasurer.
- d. In years when appropriate, work with the current Treasurer to affect a transition to a newly elected Treasurer.
- e. Carry out other responsibilities as assigned to it by the Synod Executive Committee or Synod Council.

f. Be appointed by the Synod Council to one year renewable terms.

†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 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.

S11.02.10 The Consultation Committee shall consist of eight persons, of whom four shall be ordained ministers and four shall be laypersons.

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

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

†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 minister

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 AND COALITIONS

†**S12.01.** 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.

S12.01.10. This synod shall be grouped into eight conferences comprised of congregations that are related to one another by geographic proximity and by common identification with area subdivisions of the synod.

S12.01.11. The names and boundaries of the conferences shall be:

Iron-Gogebic-Ontonagon Conference (Conference 1): The county of Gogebic and the southern half of Ontonagon County in the state of Michigan; the county of Iron in the state of Wisconsin.

Copper Country Conference (Conference 2): The counties of Baraga, Houghton, Keweenaw, and the northern half of Ontonagon County in the state of Michigan.

Headwaters Conference (Conference 3): The counties of Forest, Oneida, and Vilas, in the state of Wisconsin.

Four Rivers Conference (Conference 4): The counties of Dickinson and Iron in the state of Michigan; the county of Florence, and that portion of the county of Marinette north of a line running west to east along County Highways C, V, and K in the state of Wisconsin.

Menominee Valley Conference (Conference 5): The county of Menominee in the state of Michigan; that portion of the county of Marinette south of a line running west to east along County Highways C, V, and K in the state of Wisconsin.

Delta Conference (Conference 6): That portion of the county of Delta west of County Highway H13 and Mathias Township in the County of Alger in the state of Michigan.

Three Lakes Conference (Conference 7): That portion of the county of Delta east of County Highway H13, Burt Township in Alger County, and the counties of Chippewa, Luce, Mackinac, and Schoolcraft in the state of Michigan.

Superior Central Conference (Conference 8): The county of Marquette and all of Alger

County excluding Burt Township and Mathias Township in the state of Michigan.

S12.01.20.Function

It shall be the function of each conference to:

- a. Provide opportunities for study and discussion so as to encourage growth in Christian faith and life.
- b. Organize events that draw on the resources of the synod, the region, and the ELCA in support of the life and mission of the congregations of the conference.
- c. Encourage fellowship among the congregations of the conference.
- d. Inform the Synod Council and/or the officers of the synod of concerns and needs within the conference.
- e. Receive information from the Synod Council and/or the officers of the synod concerning the life of the church within the conference.
- f. Discuss the life and mission of the church and submit appropriate resolutions to the Synod Assembly for its consideration.
- g. Serve as a working unit of the synod for the purpose of planning, promoting, and implementing the mission of the ELCA.
- h. Promote inter-Lutheran and ecumenical relationships.
- i. Encourage and assist the ordained ministers of the conference to form an association for the purposes of study and mutual encouragement and support.
- j. Transact business matters relating to the work of the conference.

S12.01.30.Organization

- a. There shall be a conference convention convened at least annually at a time and place determined by the conference officers in consultation with the bishop.
- b. The conference convention shall elect a president, vice president, secretary, and treasurer.
 - 1) The conference officers may be laypersons or ordained ministers and are to be elected in accordance with Chapter S6.04. of the synod constitution.
 - 2) Each conference officer shall be elected to a term of two years. No elected officer shall be eligible to serve more than two consecutive terms in the same office.

- 3) The terms of office shall be arranged so that the president and secretary are chosen one year, and the vice-president and treasurer in the alternate year.
 - 4) Terms of office begin at the close of the conference convention at which the officers were elected.
- c. The conference convention shall elect a Nominating Committee of three persons to serve for the next convention.
 - 1) The Nominating Committee shall present a slate of one or more nominees for each elective position.
 - 2) Nominations for any elective position may be made from the floor.
 - d. The conference convention shall elect persons to other positions as designated by this constitution.
 - e. The conference convention shall accomplish the business necessary to fulfill conference objectives and shall provide opportunity for worship and education.
 - f. Plans for the conference convention shall be the responsibility of the conference officers.
 - g. Delegates to each conference convention shall be:
 - 1) All ordained ministers under call within the boundaries of the conference and retired ordained ministers on the roster of this synod in attendance at the conference convention and living within the boundaries of the conference.
 - 2) Lay members from each congregation of the conference. The number of lay members from each congregation, half of whom shall be male and half of whom shall be female, shall be twice the number of lay members that represent the congregation at the Synod Assembly.
 - h. Each conference may have its own treasury and receive and disburse funds for purposes consistent with the functions of the conference.
 - i. The operation of the conference shall be subject to the approval of the Synod Council.

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 Evangelical Lutheran Church in America.

- 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 and continuing resolutions, appropriate for inclusion in these chapters and not in conflict with these required provisions in the Model Constitution for Congregations, the constitution of this synod, or the Constitution, Bylaws and Continuing Resolutions of the Evangelical Lutheran Church in America, may be adopted as described in Chapters 16 and 18 of the Model Constitution for Congregations.
 - 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, coalition, or other area subdivision 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 mission 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 the 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 and bylaws.

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) supervise all schools and organizations of the congregation;
- 3) install regularly elected members of the Congregation Council; and
- 4) 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) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
- 3) impart knowledge of this church and its wider ministry through distribution of its periodicals and other publications; and
- 4) endeavor to increase the support given by the congregation to the work of the ELCA churchwide organization and of this ELCA synod.

S14.03. The pastor shall keep accurate parochial records of all baptisms, first communions, 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 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.
- †S14.11.** 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 this synod for the 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 of acceptance or declination to the 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, thirty 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 this 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 lay person.
 - 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 local 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 in †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
 - 1) 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
 - 2) 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 proceeding 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
- d. 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, coalition, or other area subdivision 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 laypersons 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, deaconesses 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 through January 31.

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

- 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.
- S15.21. No appeal to congregations of this or any other synod of the Evangelical Lutheran Church in America for the raising of funds shall be conducted by congregations or organizations related to or affiliated with this synod without the consent of the Synod Assembly or the Synod Council.
- S15.21.10. When consent is given by the Synod Assembly or the Synod Council for the raising of funds by congregations or organizations related to or affiliated with this synod, such funding appeals shall be reviewed by the Synod Council at least every three years.
- †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.
- †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.

†S16.02. To the full extent permitted from time to time by law, each person who is or was made or threatened to be made 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, fines, 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 member of any other organization, regardless of its form or relationship to this synod, is subject to the provisions of section †S16.03.

†S16.03. Whenever a person, 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 †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 layperson 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 decided 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 rosters 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 solved 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 lay 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, Bylaws and Continuing Resolutions of the Evangelical Lutheran Church in America.
- †S17.03. When there is a 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 a 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 the 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 RESOLUTIONS

†S18.10 Amendments to Constitution

†S18.11. Certain sections of this constitution incorporate and record therein required 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 Evangelical Lutheran Church in America.

†S18.12. Whenever the secretary of 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 twenty 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 the 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 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.