
Constitution

and

Bylaws

of the

Southwest California Synod,

ELCA

THE EVANGELICAL LUTHERAN CHURCH IN AMERICA

REGION 2

SOUTHWEST CALIFORNIA SYNOD

CONSTITUTION, BYLAWS, CONTINUING RESOLUTIONS

Revised and adopted by the Constituting Convention, June, 1987

KEY: † = Required provision of the constitution

Regular Face Type = Constitution

Bold Face Type = Bylaws

Italic Face Type = Continuing Resolutions

Reviewed by the Church Council, Evangelical Lutheran Church in America, March, 1988.

Amended by the First Synod Assembly to comply with ELCA review and submitted for ratification, May, 1988.

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CONSTITUTION, BYLAWS AND CONTINUING RESOLUTIONS

PREAMBLE**CONVINCED THAT THE HOLY SPIRIT IS****CALLING US****to renewed expressions of organic unity in the Body of Christ, and****SENDING US****as messengers of the Gospel to unite all people, tongues and nations in Christ,****we adopt this constitution in the name of the Father, the Son, and the Holy Spirit.****Chapter 1.****NAME AND INCORPORATION**

- †S1.01. The name of this synod shall be the Southwest California Synod of the Evangelical Lutheran Church in America.
- †S1.02. For the purposes of this constitution and accompanying bylaws, the Southwest California Synod of the Evangelical Lutheran Church in America is hereafter designated as “this synod” or “the synod”.
- †S1.11. This synod shall be incorporated. Amendments to the articles of incorporation of this synod shall be submitted to the Church Council for ratification before filing.
- †S1.21. The seal of this synod is a five petal rose outlined behind a cross formed of four trumpets with the image of a dove superimposed at its center. The name of this church and this synod and the year of its constituting convention form the outer edge of the seal.

Chapter 2. STATUS

- †S2.01. This synod possesses the powers conferred upon it, and accepts the duties and responsibilities assigned to it, in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America* (ELCA or “this church”), which are recognized as having governing force in the life of this synod.
- †S2.02. No provision of this constitution shall be inconsistent with the constitution and bylaws of this church.

Chapter 3. TERRITORY

- †S3.01. The territory of this synod, as determined by the Churchwide Assembly, shall be: Kern, Los Angeles, San Luis Obispo, Santa Barbara and Ventura Counties in the State of California.
- †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 Testament 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 Confessions 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. This Church is a people created by God in Christ, empowered by the Holy Spirit, called and sent to bear witness to God's creative, redeeming, and sanctifying activity in the world.

†S6.02.

To participate in God's mission, this synod as a part of the Church shall:

- a. Proclaim God's saving Gospel of justification by grace for Christ's sake through faith alone, according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.
- b. Carry out Christ's Great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministry with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.
- c. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity and justice for all people, working for peace and reconciliation among the nations, and standing with the poor and powerless, and committing itself to their needs.
- d. Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness and service.
- e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.
- f. Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity which the Spirit gives.

†S6.03.

To fulfill these purposes, this synod, in partnership with the churchwide organization, shall bear primary responsibility for the oversight of the life and mission of this church in the territory of this synod. In fulfillment of this role, this synod shall:

- a. Provide for the pastoral care of congregations, ordained ministers, associates in ministry, deaconesses, and diaconal ministers of this church in this synod, including:
 - 1) approving candidates for the ordained ministry in cooperation with the appropriate seminaries of this church, which may be done through multi-synodical committees;
 - 2) authorizing ordinations and ordaining on behalf of this church;
 - 3) approving associates in ministry, deaconesses, and diaconal ministers of this church, which may be done through multi-synodical committees;
 - 4) authorizing the commissioning of associates in ministry, the consecration of deaconesses, and the consecration of diaconal ministers of this church; and
 - 5) consulting in the calling process for ordained ministers, associates in ministry, deaconesses, and diaconal ministers.
- b. Provide for leadership recruitment, preparation, and support in accordance with churchwide standards and policies, including:
 - 1) nurturing and supporting congregations and lay leaders;

- 2) seeking and recruiting qualified candidates for the rostered ministries of this church;
 - 3) making provision for pastoral care, call or appointment review, and guidance;
 - 4) encouraging and supporting persons on the rosters of this church in stewardship of their abilities, care of self, and pursuit of continuing education to 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 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 assemblies, councils, committees, boards, or other organizational units shall be female and 50 percent shall be male; and that, where possible, the representation of ordained ministers shall be both male and female. This synod shall establish processes that will enable it to reach a minimum goal that 10 percent of its assemblies, councils, committees, boards, or other organizational units be persons of color and/or persons whose primary language is other than English.

†S6.04.A01.

It is the goal of this synod that 10 percent of the membership of synod assemblies, councils, committees, boards and/or other organizational units be persons of color and/or persons whose primary language is other than English.

†S6.04.B09.

It is the goal of this synod that at least 10 percent of the voting members of the Synod Assembly, Synod Council, committees, and organizational units of this synod be youth and young adults. The Synod Council shall establish a plan for implementing this goal. For purposes of the constitution, bylaws, and continuing resolutions of this synod, the term "youth" means a voting

member of a congregation who has not reached the age of 18 at the time of election or appointment for service. The term “young adult” means a voting member of a congregation between the ages of 18 and 30 at the time of election or appointment for service.

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

Chapter 7. SYNOD ASSEMBLY

- †S7.01. This synod shall have a Synod Assembly, which shall be its highest legislative authority. The powers of the Synod Assembly are limited only by the provisions in the Articles of Incorporation, this constitution and bylaws, the assembly's own resolutions, and the constitutions and bylaws of the Evangelical Lutheran Church in America.
- †S7.11. A regular meeting of the Synod Assembly shall be held at least biennially.
- S7.11.01. The regular meeting of the Synod Assembly shall be held annually during the months of April, May or June.**
- 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 as provided in the bylaws.
- S7.13.01. Notice of all meetings of the Synod Assembly shall be written and mailed to all ordained ministers on the synod roster, all associates in ministry, deaconesses and diaconal ministers on the synod roster and**

each congregation related to this synod, not later than sixty days prior to the date of the meeting. In cases of extreme emergency, the length of notice may be shortened by a two-thirds vote of the Synod Council.

- S7.14.** One-half of the members of the Synod Assembly shall constitute a quorum.
- †S7.21.** The membership of the Synod Assembly, of which at least 60 percent of the voting membership shall be composed of lay persons, 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 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.A10.** *In order to implement Continuing Resolution †S6.04.B0., each congregation with fewer than 175 baptized members may elect one additional voting member who is a youth or young adult. A congregation with more than 175 baptized members may elect two additional voting members who are youth or young adults, one of whom shall be female and one of whom shall be male.*
- S7.22.** This synod may establish processes that permit retired ordained ministers, retired associates in ministry, retired deaconesses, and retired diaconal ministers on the rosters of this synod to serve as voting members of the Synod Assembly, consistent with †S7.21.c. above.
- S7.22.01.** **Retired ordained ministers on the roster of this synod who are serving as Interim Pastors in a congregation of this synod at the time of the Synod Assembly shall be voting members to the Synod Assembly.**
- S7.22.02.** **Other retired ordained ministers on the roster of this synod shall be advisory members of the Synod Assembly having voice but not vote.**

- S7.23.** All retired ordained ministers, all ordained ministers on leave from call, all associates in ministry on leave from call or retired, all deaconesses of 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 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 this church 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 congregational membership. Normally, congregations will hold elections prior to each regular meeting of the Synod Assembly.
- S7.24.A87.** *Challenges to congregational delegations shall be settled by rule of the Chair after consultation with the Assembly Credentials Committee.*
- †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 mission settings formed with the intent of becoming chartered congregations and authorized worshiping communities of the synod, which have been authorized under ELCA bylaw 10.02.03., to serve as voting members of the Synod Assembly, consistent with †S7.21.. Authorized worshiping communities, acknowledged under criteria, policies, and procedures approved by 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.** This synod may establish processes through the Synod Council to grant an ordained minister from a church body with which a relationship of full communion has been declared and established by the Churchwide

Assembly of the Evangelical Lutheran Church in America the privilege of both voice and vote in the Synod Assembly during the period of that ordained minister's service in a congregation of this church.

- S7.28.** Duly elected voting members of the Synod Council who are not otherwise voting members of the Synod Assembly under †S7.21. shall be granted the privilege of both voice and vote as members of the Synod Assembly.
- †**S7.31.** Proxy and absentee voting shall not be permitted in the transaction of any business of this synod.
- S7.32.** *Robert's Rules of Order*, latest edition, shall govern parliamentary procedure of the Synod Assembly, unless otherwise ordered by the Assembly.
- S7.33.** Procedures for conducting the business of the Synod Assembly, including the method for processing resolutions, shall be established by the Synod Council.
- S7.33.01.** **The synod budget shall be adopted by the Synod Assembly.**
- S7.33.A87.** *Regular meetings of the Synod Assembly may provide a time on the agenda for voting members to voice issues of conscience to the Assembly according to guidelines established by the Synod Council.*
- S7.34.** "Ex-officio" as used herein means membership with full rights of voice and vote unless otherwise expressly limited.

Chapter 8. OFFICERS

- †**S8.01.** The officers of this synod shall be a bishop, a vice president, a secretary, and a treasurer.
- S8.10.** **Bishop**
- †**S8.11.** The bishop shall be elected by the Synod Assembly. The bishop shall be a pastor who is an ordained minister of the Evangelical Lutheran Church in America.
- †**S8.12.** As this synod's pastor, the bishop shall be an ordained minister of Word and Sacrament who shall:
- a. Preach, teach, and administer the sacraments in accord with the Confession of Faith of this church.
 - b. Have primary responsibility for the ministry of Word and Sacrament in this synod and its congregations, providing pastoral care and leadership for this synod, its congregations, its ordained ministers, and its other rostered leaders.

- c. Exercise solely this church's power to ordain (or provide for the ordination by another synodical bishop of) approved candidates who have received and accepted a properly issued, duly attested letter of call for the office of ordained ministry (and as provided in the bylaws of the Evangelical Lutheran Church in America).
- d. Commission (or provide for the commissioning of) approved candidates who have received and accepted a properly issued, duly attested letter of call for service as associates in ministry; consecrate (or provide for the consecration of) approved candidates who have received and accepted a properly issued, duly attested letter of call for service as deaconesses; and consecrate (or provide for the consecration of) approved candidates who have received and accepted a properly issued, duly attested letter of call for service as diaconal ministers of this church.
- e. Attest letters of call for persons called to serve congregations in this synod, letters of call for persons called by the Synod Council, and letters of call for persons on the rosters of this synod called by the Church Council.
- f. Install (or provide for the installation of):
 - 1) the pastors of all congregations of this synod;
 - 2) ordained ministers called to extraparish service within this church; and
 - 3) persons serving in 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 the synod;
 - 2) Preside at all meetings of the Synod Assembly and provide for the preparation of the agenda for the Synod Assembly, Synod Council, and the council's Executive Committee;
 - 3) Ensure that the constitution and bylaws of this synod and of the churchwide organization are duly observed within this synod, and that the actions of this synod in conformity therewith are carried into effect;
 - 4) Exercise supervision over the work of the other officers;
 - 5) Coordinate the work of all synodical staff members;
 - 6) Appoint all committees for which provision is not otherwise made;
 - 7) Be a member of all committees and any other organizational units of 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 of:
 - a) additions to and subtractions from the rosters of this synod and the register of congregations;
 - b) the issuance of a certificate of transfer for rostered persons in good standing who have received and accepted a properly issued, duly

attested, regular letter of call under the jurisdiction of another synod;

- c) the entrance of the names of such persons for whom proper certificates of transfer have been received;

11) Provide for preparation and maintenance of a register of the congregations of this synod and the names of the laypersons who have been elected to represent them; and

12) Appoint a statistician of this 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.

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

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

†**S8.16.** **Conflicts of Interest**

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

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

S8.20.**Vice President**†**S8.21.**

The vice president shall be elected by the Synod Assembly. The vice president shall be a lay person. 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 and Synod Council, be responsible for the printing and distribution of such minutes, and perform such other duties as this synod may from time to time direct.
- b. Be authorized and empowered, in the name of this synod, to attest all instruments which require the same, and which are signed and sealed by the bishop.
- c. In consultation with the bishop, classify and arrange all important papers and documents and deposit them in the archives of this synod.
- d. Submit to the secretary of this church at least nine months before the 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 duties of the treasurer shall be specified in the bylaws.

S8.42.01

The treasurer shall be responsible for:

- a. **Management of the monies and accounts of this synod, its deeds, mortgages, contracts, evidences of claims and revenues, and trust funds, holding the same at all times subject to the order of this synod.**
- b. **Investment of funds upon the authorization of the Synod Council.**

- c. **Receipt and acknowledgement 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 three years and may be reelected.

S8.51.01

The vice president, secretary and treasurer of this Synod shall be eligible for one re-election.

S8.52.

The terms of the officers shall begin at times specified in the bylaws.

S8.52.01

The term of the officers shall begin on the first day of the third month following election.

S8.52.02

The incumbent bishop shall serve until a successor bishop is installed.

†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 three 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.A08.** *The Synod Council Executive Committee shall provide for background checks for persons nominated for synodical office prior to the Synod Assembly at which the election will take place or as soon as possible after the Synod Assembly for newly elected officers nominated from the floor who were not identified as nominees prior to the assembly. The process shall be as follows:*

- a. *Prior to the Synod Assembly appropriate notice of the background check requirement and protocol will be provided to voting members, potential nominees, and others as directed by the Synod Council.*
- b. *Nominees and newly elected officers are required to provide written consent to a background check and all information necessary to complete a background check, which should be completed prior to the Synod Assembly with respect to nominees and prior to installation for newly elected officers, if possible.*
- c. *The Synod Council's Executive Committee shall designate one Executive Committee or Synod Council member to obtain the background checks.*
- d. *All background checks for nominees and newly elected officers will entail a criminal background check. A financial background check will be completed for nominees for treasurer. The Executive Committee shall decide whether additional types of background checks are appropriate for each officer position.*
- e. *The background check results shall be provided to that nominee or elected officer and to the Synod Council's Executive Committee. Further disclosure of the results may be determined by the Executive Committee.*
- f. *The Executive Committee may adopt other procedures or protocols as are necessary to provide for background checks for nominees and newly elected synodical officers and shall report such actions to the Synod Council.*

†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 seven members who shall be appointed by the Synod Council to serve for each regular meeting of the Synod Assembly. Additional nominations may be made from the floor for all elections for which nominations are made by the Nominating Committee.

S9.04. The bishop shall be elected by the Synod Assembly by ecclesiastical ballot.

S9.04.01. 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 four persons (plus ties) who received the greatest number of votes on the third ballot and 60 percent of the legal votes cast shall be necessary for election. The fifth ballot shall be limited to the three persons (plus ties) who received the greatest number of legal

votes on the fourth ballot and a majority of the legal votes cast shall be necessary for election. The sixth ballot shall be limited to the two persons (plus ties) who received the greatest number of legal votes on the previous ballot and a majority of the legal votes cast shall constitute an election.

- S9.04.02** Prior to each Synod Assembly at which an election of a bishop is to be held, the Synod Council shall appoint a task force which shall solicit names of potential nominees for bishop from members and congregations of this synod.
- a.** Persons whose names are submitted shall be requested to supply biographical information on a form provided by the task force or be allowed to have their names removed from this process.
 - b.** The biographical information forms shall be collated by the task force in random order, duplicated and distributed without comment to the Synod Assembly voting members at least 30 days prior to the meeting of the Assembly at which the election is to take place.
 - c.** The first ballot in the election shall not be limited to the names included in this process. Voting members to the Synod Assembly who intend to vote on the first ballot for a candidate who has not been included in this process may, on the first day of the Assembly, submit to the task force a completed copy of the approved biographical information form for duplication and distribution to the voting members prior to the second ballot.
- S9.04.03** Other means of organized advocacy or of circulating information about potential nominees for the office of bishop before or during the Synod Assembly shall be disapproved by this synod.
- 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 two persons for treasurer; additional nominations may be made from the floor.
- S9.08.** In all elections, except for the bishop, the names of the persons receiving the highest number of legal votes, but not elected by a majority of the legal votes cast on a preceding ballot, shall be entered on the next ballot to the number of two for each vacancy unfilled. On any ballot when only two names appear, a majority of the legal votes cast shall be necessary for election.
- S9.09.** The result of each ballot in every election shall be announced in detail to the assembly.

S9.09.A87. *The number of votes cast for each candidate shall be recorded in the minutes of the secretary. The only vote totals reported to the Synod Assembly shall be those for candidates being carried forward to a subsequent ballot and other candidates who receive at least 20 percent of the total votes cast.*

S9.10. The Nominating Committee shall nominate persons who are members of congregations in this synod to fill the voting member positions allocated to this synod for the Churchwide Assembly as provided in 12.41.11. of the constitution and bylaws of this church. The Synod Assembly shall elect voting members of the Churchwide Assembly.

S9.11. The Synod Council shall elect or appoint representatives to the Coordinating Council of the Region.

†**S9.12.** Background checks and screening shall be required and completed for persons nominated as synodical officers prior to their election, if possible, or as soon as practical after their election. The specific procedures and timing of background checks and screening shall be determined by the Synod Council.

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 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 member, shall be three (3) years.

S10.01.01. **Except for the bishop, members of the synod staff may serve only in an advisory capacity to the Synod Council.**

S10.01.02. **Except for the youth position, all members of the Synod Council shall be elected to a term of three (3) years and are eligible for one reelection.**

†**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.

S10.03.

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 ELCA, and make a report to the Synod Assembly of the Synod Council's actions in this regard.
- e. Issue letters of call to ordained ministers and letters of call to associates in ministry, members of the Deaconess Community of the Evangelical Lutheran Church in America, and diaconal ministers as authorized by Chapter 7 of the constitution and bylaws of the ELCA.
- f. Fill vacancies until the next regular meeting of the Synod Assembly except as may otherwise be provided in the constitution or bylaws of this synod, and determine the fact of the incapacity of an officer of 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 be referred to the Executive Committee for a report and recommendation prior to action by the Synod Assembly and shall require a two-thirds majority vote by the Assembly 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 the roster of this synod, if an ordained minister, or to be a voting member of a congregation of this synod, if a layperson, the office filled by such member shall at once become 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.

- S10.07.01.** In addition to the officers and youth position, there shall be nineteen members of the Synod Council, nine elected as Conference Representatives by the Synod Assembly and ten elected as Members-at-Large by the Synod Assembly.
- S10.07.A94.** *No elected member of the Synod Council may serve more than six consecutive years on the Synod Council.*
- S10.07.B94.** *With the exception of the bishop and the youth position, persons currently serving (June 1, 1994) on the Synod Council are eligible for one reelection.*
- S10.07.03.** Each Conference shall nominate its representative to the Synod Council in a rotating sequence of clergy, laywoman, layman following a formula prepared by the Synod Council.
- S10.07.04.** Conference Representatives shall be nominated at the first meeting of the Conference Assemblies in a calendar year and the results of this nomination shall be reported immediately to the Synod Nominating Committee by the Conference Chairperson. The Conference nominees shall be elected at the Synod Assembly by a yes/no vote. No nominations shall be made from the floor for any Conference representative to the Synod Council.
- S10.07.05.** Members-at-Large on the Synod Council shall be nominated by the Synod Nominating Committee in a manner that will fulfill the provisions of S6.04. and insure that at least 40% of the Synod Council is male and at least 40% is female.
- S10.07.A87.** *The Nominating Committee shall nominate two persons for each Member-at-Large position and arrange the ballot so that both persons for each position are either ordained ministers or laymen or laywomen or persons of color and/or persons whose primary language is other than English.*
- S10.07.B87.** *Nominations from the floor for Members-at-Large on the Synod Council shall be listed on the ballot in a way that has nominees running against peers in harmony with S10.07.A87.*
- S10.07.C87.** *Nominations made from the floor must be endorsed by the signatures of at least ten members of the Synod Assembly, the agreement of the nominee to serve if elected must have been secured, and biographical information must be available in writing for distribution to the voting members.*
- S10.07.D87.** *No more than four members of the Synod Council, with the exception of the Bishop, may be from the same Conference.*
- S10.07.06.** The Nominating Committee shall present at least two nominees for the youth position on the Synod Council each of whom will be either a Sophomore or Junior in high school upon entering office. The term of office shall be for two years.

- S10.07.07.** The synodical organization for Women of the ELCA may provide an advisory member to the Synod Council with voice but not vote.
- S10.07.08.** The Synod Council shall meet at least three times each year, normally during the quarters of the year when the Synod Assembly does not meet.
- S10.07.09.** No member of the Synod Council may serve simultaneously on more than one synod team or conference leadership team, except as appointed by the Council to serve as Council liaison to specific teams and conference leadership teams, or as specified in the constitution, by-laws and continuing resolutions of the synod.

Chapter 11.

COMMITTEES AND MISSION TEAMS

- †**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 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.
- †**S11.02.** 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.
- †**S11.03.** 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 ministers on the roster of this synod who reside outside the territory of this synod, each member of a committee of this synod, or any other organizational unit created by this synod, shall be a voting member of a congregation of this synod.

S11.11.A87. *The Nominating Committee of this synod and its Conferences when making nominations, and the Synod Council when making appointments, shall evaluate the knowledge and competence of proposed candidates and nominate or appoint only those persons who are judged to have the gifts necessary for effective service.*

S11.22.A08. *The Executive Committee shall be composed of the officers of the Synod and four other members of the Synod Council appointed by the Council, including at least one person of color and/or person whose primary language is other than English. The Executive Committee shall be empowered to act on its behalf between meetings of the Council. The Executive Committee shall normally meet at least four times each year.*

S11.23.A08. *The Nominating Committee shall be composed of seven members appointed by the Synod Council (S9.03.). Three of these shall be members of the Council and four appointed from the synod-at-large. It shall be chaired by a Council member appointed by the Council.*

S11.30.A08. *The Mission Team for Evangelical Outreach shall be responsible for helping the Synod and its congregations implement the Synod's Mission Goals of "intentional outreach to the diverse populations of our Synod," the development of new congregations," "the transformation of congregations," and "the re-rooting of congregations in their*

neighborhoods.” This team shall assist in implementation of the ELCA’s Evangelism Strategy as well as to assist in implementation of ethnic strategies adopted by the Synod. This team shall communicate the goals of the Synod to congregations as well as to draft proposed budgets for submission to the Budget and Finance Committee of the Synod Council. Membership shall consist of one person from each Conference, a Synod Council liaison, and representatives of Task Forces created by the Team in areas such as: new congregation planting and development; transformational ministry for congregations in transition; Mission Partners; congregational evangelism; ethnic strategy implementation. Staff support will be provided to this team by the Assistant for Mission Empowerment and the Mission Directors.

S11.30.B08.

The Mission Team for Rostered Leadership shall be responsible for providing opportunities to identify and support clergy and lay rostered ministers. This team shall promote participation in Conference Collegiums and Continuing Education and shall relate to the Candidacy Committee assisting those preparing for ministry including those enrolled in the TEEM program and First Call Theological Education. In concert with the Conference Deans, this team shall be responsible for planning Rostered Leaders Days, Bishop’s Colloquies, and other workshops. In cooperation with the Bishop, this team will review leaders whose Calls to service come through the Synod Council. Membership shall consist of one person from each of the Conferences, one Conference Dean, one active lay rostered person, at least three other persons chosen for their interest and/or expertise in this area, a Synod Council liaison, and representatives of Task Forces created by the Team in areas such as: Candidacy; First Call Theological Education; Call Process and Mobility; Etc. Staff support will be provided to this team by the Assistant for Rostered Mission Leadership.

S11.30.C08.

The Mission Team for Lay Leadership shall be responsible for providing opportunities to identify and support lay leaders as they witness and serve in their congregation and in daily life. This team shall help the Synod and its congregations to implement the Mission Goals of the Synod of “intentional outreach to children, youth and young adults,” and oversight and support for “the School for Equipping Leaders for Mission” (ELM). This team shall assist to implement Synod sponsored workshops for: School Teachers and School Boards; Sunday School Teachers; Youth Leaders; Bible Study Leaders; Congregation Councils; Etc; as well as to communicate to congregations activities planned by groups within the Synod that provide learning and leadership development for lay members of congregations. This Team shall relate to: Lutheran Schools of Southern California and Hawaii; Lutheran Youth Organization; the Young Adult Task Force; the Synodical Women’s Organization; Men’s Ministry; Lutheran Retreats, Camps, and Conferences; and Campus Ministries. Membership shall consist of one person from each of the Conferences, at least three other persons chosen for their interest and/or expertise in this area, a Synod Council liaison, and representatives of Task Forces created by the Team in areas such as: Schools and Preschools; ELM; Youth; Young Adults; Campus Ministry; Adult Catechumenate; Etc. Staff support shall be

provided by the Director for Schools, and the Assistant for Lay Mission Leadership.

S11.30.D08.

The Mission Team for Justice shall be responsible to help the Synod and its congregations, institutions and agencies address issues of justice in public life from Christian perspectives while being guided in their public witness by the Social Statements of the ELCA. This team will work closely with the Lutheran Office of Public Policy and the California Council of Churches in matters of advocacy. It will recommend actions that will help the Synod, its congregations, institutions and agencies in their advocacy for: the poor; the hungry; the disenfranchised; the environment; and those who are victims of injustice, violence or oppression; while also planning workshops that address specific justice issues. This team shall help to communicate to congregations the many ways that members can become involved in justice ministries both nationally and locally. Membership shall consist of one person from each of the Conferences, at least three other persons chosen for their interest and/or expertise in this area, a Synod Council liaison, and representatives of Task Forces created by the Team in areas such as: Environment; Criminal Justice; Peacemaking; Anti-Racism; Immigration; Gay and Lesbian; Justice for Women; Hunger; etc. Staff support shall be provided by the Director for Justice.

S11.30.E08.

The Mission Team for Global Partnerships shall be responsible to help the Synod and its congregations establish connections with the global Christian community by supporting growth in Companion Synod relationships, creating partnerships with congregations in other parts of the world; learning about issues of globalization; and by lifting up opportunities to accompany global churches in their mission. This team shall lift up connections with other Christians through the Lutheran World Federation and the World Council of Churches while helping to communicate to the congregations the global partnerships of the Synod and opportunities for more active engagement in those partnerships. Membership shall consist of one person from each of the Conferences, at least three other persons chosen for their interest and/or expertise in this area, a Synod Council liaison, and representatives of Task Forces created by the Team in areas such as: Companion Synod; Missionary Sponsorships; World Hunger; etc. Staff support shall be provided by the Bishop's designee.

S11.40.A08.

The Planning and Evaluation Committee shall be responsible to develop, review and evaluate Synod policies, drafting Constitutional Amendments, developing strategies for mission, planning for staff development, and fostering relationships with the ELCA Churchwide organization and congregations. This Committee shall also receive and review reports from the Synod Assembly Planning Committee, Resolutions and Nominating Committees, and plan for implementation of Synod Assembly Actions and Churchwide Assembly Actions. Four members of the Synod Council, plus the Bishop and Synod Vice President shall serve on this Committee.

S11.40.B08.

The Budget and Finance Committee shall be responsible to develop the Budget, review and recommend revisions to the Spending Plan, and encourage and review congregational giving to Mission Support while

receiving and reviewing reports from the Synod's Treasurer, Endowment Fund (including the First Lutheran Los Angeles Fund), and Planned Giving Specialist. Four members of the Synod Council, plus the Synod Treasurer, Assistant for Mission Support, and Stewardship Specialist shall serve on this Committee. Additionally, the five members of the Synod Council who serve as liaisons to the Mission Teams will participate in budget drafting.

S11.40.C08. *The Partnership Ministries Committee shall have responsibility for receiving and reviewing reports from the wide variety of partnership ministries, including agencies and institutions supported by or receiving support from the Synod, and the global, ecumenical and interfaith relationships maintained by the Synod. This Committee shall recommend levels of financial support for partnership ministries to the Budget and Finance Committee. Four members of the Synod Council, plus the Synod Secretary shall serve on this Committee.*

S11.40.D08. *The Synod Ministries Committee shall have responsibility to receive and review reports from the Mission Teams, and facilitate coordination between them on common activities. Five members of the Synod Council (including the Youth Representative) serving as liaisons to the five mission teams plus the Assistant for Mission Empowerment, the Assistant for Rostered Mission Leadership, the Assistant for Lay Mission Leadership, the Director for Justice and the Mission Directors shall serve on this Committee.*

Chapter 12.

CONFERENCES, CLUSTERS, COALITIONS, OR OTHER AREA SUBDIVISIONS

†**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.

S12.10. Conferences

S12.11.01. This synod shall have Conferences which are geographic subdivisions composed of all members of the synod's congregations within their territory.

S12.11.02. There shall be nine Conferences.

S12.11.A96. Congregations of this Synod shall be grouped into Conferences as follows:

Central Coast

*Arroyo Grande, St. John's
Atascadero, Hope
Lompoc, Peace
Morro Bay, Calvary
San Luis Obispo, Mt. Carmel
Santa Maria, Bethel
Santa Maria, Gloria Dei*

*Santa Maria, Santa Cruz +
Solvang, Bethania
Templeton, Bethel*

Tehachapi

*Bakersfield, Emmanuel
Bakersfield, Redeemer
Lancaster, Lutheran Church of the Master
Lancaster, Our Savior
Mojave, Hope
Palmdale, St. Stephen's in the Valley*

Channel Islands

*Agoura Hills, Westlake
Camarillo, Mount Cross
Goleta, Christ
Newbury Park, King of Glory
Ojai, Holy Cross
Oxnard, Lutheran Church of Our Redeemer
Oxnard, Our Saviour's
Santa Barbara, Grace
Santa Barbara, Trinity
Santa Paula, Emmanuel
Simi Valley, Shepherd of the Valley
Thousand Oaks, Ascension
Thousand Oaks, Holy Trinity
Ventura, Trinity*

Twin Valleys

*Arleta, Calvary
Burbank, American
Canoga Park, Faith
Canyon Country, The Church of Hope
Chatsworth, Holy Shepherd
Encino, Bethel
Granada Hills, Bethlehem
Granada Hills, St. Stephen's
North Hollywood, Emmanuel
North Hollywood, San Pablo
North Hollywood, St. Matthew's
Northridge, First
Northridge, Prince of Peace
Santa Clarita, Living Faith
Sun Valley, All Saints
Sylmar, Church of the Foothills
Van Nuys, Central
Van Nuys, Christ the King
Van Nuys, Finnish
Van Nuys, St. Andrew's*

West Hills, Shepherd of the Valley
Woodland Hills, St. Luke

Foothill

Altadena, Christ the Shepherd
Glendale, First
Glendale, Salem
Glendale, St. Matthew's
La Cañada, Lutheran Church in the Foothills
La Crescenta, Mt. Olive
Los Angeles, Eagle Rock
Los Angeles, Lutheran Church of the Good Shepherd
Los Angeles, Solheim
Monrovia, St. Paul's
Pasadena, Hill Avenue Grace
Pasadena, Messiah
Pasadena, Trinity
San Gabriel, Agape
San Gabriel, Trinity
Temple City, Bethlehem

San Gabriel Valley

Arcadia, Lutheran Church of the Cross
Covina, Grace
Covina, Prince of Peace
Diamond Bar, Abundant Life
Diamond Bar, Shepherd of the Hills
Glendora, Calvary
Glendora, Grace
Hacienda Heights, St. Mark's
La Verne, Rock of the Foothills
Monterey Park, Christ
Monterey Park, Faith
Monterey Park, St. Paul's
San Dimas, Faith
West Covina, Christ

Los Angeles Metropolitan

Culver City, Grace
Hollywood, Hollywood
Hollywood, Hope
Inglewood, Chapel of Peace
Inglewood, First
Inglewood, Holy Trinity
Los Angeles, Angelica
Los Angeles, Ascension
Los Angeles, Bethel
Los Angeles, Community
Los Angeles, Light of Christ

Los Angeles, Lutheran Church of the Master
Los Angeles, Messiah
Los Angeles, St. Andrew's
Los Angeles, St. Mark's
Los Angeles, Village
Los Angeles, Westchester
Pacific Palisades, Palisades
Santa Monica, Mount Olive
Santa Monica, St. Paul's

South Bay

Carson, First
Compton, Christ
Compton, Pueblo de Dios
Gardena, St. John
Hawthorne, Olivet
Hawthorne, Trinity
Manhattan Beach, Trinity
Rancho Palos Verdes, Ascension
Rancho Palos Verdes, St. Paul's
Redondo Beach, Lutheran Church of the Resurrection
San Pedro, Good Shepherd
Torrance, Christ the King
Torrance, First
Torrance, Glory
Torrance, Lutheran Oriental

Greater Long Beach

Bell, Grace
Bellflower, Holy Redeemer
Cerritos, St. John's
Downey, Christ
Lakewood, St. Timothy
Long Beach, Christ
Long Beach, Faith
Long Beach, Gloria Dei
Long Beach, Our Saviour
Long Beach, Resurrection
Long Beach, St. Luke
Long Beach, Trinity
South Gate, Fe y Esperanza

- S12.11.03.** Each Conference shall be designated by a name selected by the Conference.
- S12.11.04.** Changes in the alignment of congregations in Conferences may be made by mutual agreement between the Conferences affected and a two-thirds majority vote of the Synod Council.

- S12.11.05.** **The functions of the Conference shall be:**
- 1) **to identify and provide leadership persons for the mission and ministry of this synod;**
 - 2) **to provide training and resources for the ministry of congregational leaders;**
 - 3) **to provide support for the ordained ministers and rostered lay ministers serving under call within its territory;**
 - 4) **to provide programs that will nurture and strengthen the ministry of laity in daily life;**
 - 5) **to provide programs of fellowship and celebration;**
 - 6) **to establish and maintain inter-congregational ministries of outreach and service in its territory; and**
 - 7) **to be a primary channel of information, interpretation and cooperation between the congregations of the Conference and the synod, region and churchwide organization with which they are in partnership.**
- S12.12.01.** **The organization of the Conference shall include an Assembly, a Leadership Team, a Rostered Ministers Collegium and such other committees and task forces as the Conference may deem necessary.**
- S12.12.02.** **There shall be at least two Conference assemblies each year, one in the spring and one in the fall.**
- S12.12.03.** **The Conference Assembly shall meet semi-annually.**
- S12.12.A96.** *The voting members at the Spring Conference Assembly shall be the members of congregational councils within the territory of the Conference, the voting members of the Synod Assembly, and all rostered ministers serving under call in the conference.*
- S12.12.B96.** *The agenda of the Spring Conference Assembly will include elections, reports from the Synod Council, synod staff, and the churchwide organization and shall include a worship celebration led by the Conference Dean and the Bishop.*
- S12.12.C96.** *All congregational members and rostered persons serving under call in the Conference are invited to participate in the Fall Conference Assembly.*
- S12.12.D96.** *The agenda for the Fall Conference Assembly will focus on programs of inspiration, information and instruction dealing with the mission and ministry of the church and its members.*
- S12.13.01.** **The Conference Leadership Team shall be composed of a Chairperson; Dean; Secretary/Treasurer; and by virtue of their office, the Conference Mission Interpreter; the Conference representative to the Synod Council; and the Synod Staff person deployed to the Conference. Need provision for selection of representatives to five mission teams and a Disaster Liaison. (Mission Teams are *elected* per #104.)**

- S12.13.02.** No elected member of the Leadership Team shall receive compensation for such service.
- S12.13.03.** Members of the Leadership Team who are elected at the Spring Conference Assembly are elected for a term of three years. The terms of the initial members of the Leadership Team shall be staggered so that one-third of the terms expire each year.
- S12.13.A87.** *The Conference Chairperson shall be a layperson who shall preside over all meetings of the Conference Assembly and Leadership Team. The duties are primarily administrative.*
- S12.13.B93.** *The Conference Chairperson shall have seat and voice at all Synod Assemblies, but may not vote unless otherwise elected as a voting member.*
- S12.13.C87.** *The Dean shall be an ordained minister who shall preside at all meetings of the Rostered Ministers Collegium and at the request of the bishop assist in fulfilling the duties of the bishop within the Conference. The duties are primarily pastoral.*
- S12.10.D87.** *The Secretary-Treasurer shall keep minutes of the Conference Assembly and Leadership Team meetings and be accountable for the Conference treasury.*
- S12.13.F96.** *The Conference Mission Interpreter will work in partnership with the Congregational Mission Interpreters in communicating the mission and ministry of the synod and churchwide organization to the congregations of the Conference.*
- S12.13.G96.** *The Leadership Team shall meet at least three times a year and include the following among its duties:*
- a) to plan the meetings of the Conference Assemblies with regard to business and programs;*
 - b) to reflect on the mission needs in the territory of the Conference and recommend appropriate programs to the Mission Teams of the Synods and/or Conference Assembly;*
 - c) to carry out the actions of the Conference Assembly;*
 - d) to oversee the conduct and quality of Conference programs.*
- S12.14.01.** **The Conference shall have a Nominating Committee composed of three persons appointed by the Leadership Team from outside its membership and the deployed synod staff person. They shall present nominations for Conference Assembly elections for all elected members of the Leadership Team, except for the Dean.**
- S12.14.A87.** *The Nominating Committee shall present a slate of nominees for each position open for election. Nominations may be made from the floor and will be listed on the ballot in a manner that harmonizes with S12.10.23.*

- S12.14.B87.** *The Dean shall be elected to a three-year term by the rostered ministers under call using a nominating ballot. A two-thirds majority shall be required for election on the first ballot. The second ballot shall be limited to the four candidates who receive the highest number of votes on the first ballot and a two-thirds majority will be required to elect. Each subsequent ballot shall eliminate the candidate who received the least number of votes on the preceding ballot. The third ballot shall require a sixty percent majority and the fourth ballot a simple majority for election.*
- S12.15.01.** **The Conference Rostered Ministers Collegium shall be composed of all rostered ministers on the rosters of the synod who are serving under call in the conference.**
- S12.15.A96.** *Under the leadership of the Dean, the Conference Rostered Ministers Collegium shall have as its purpose: personal support, peer evaluation of ministry and continuing education for ministry.*
- S12.15.B87.** *The Collegium shall meet at least bi-monthly.*
- S12.20.** **Coalitions**
- S12.20.01.** **This synod may have Coalitions which are non-geographic subdivisions composed of members of this synod who identify with or minister among specific ethnic populations.**
- S12.20.A87.** *Each Coalition may develop its own statement of purpose and functions; define its leadership, and design its organization for approval of the Synod Council as continuing resolutions.*
- S12.30.** **Clusters**
- S12.30.01.** **This synod may have Clusters, a term that shall refer to any association of persons, congregations, conferences, coalitions or combinations of the above which are gathered from time to time for the achievement of a particular purpose.**
- S12.30.A87.** *There shall be a Cluster of Deans which will meet periodically at the call of the bishop and be chaired by the bishop.*
- S12.30.B87.** *There may be clusters of ordained ministers in various categories of specialized ministry such as military chaplains, hospital chaplains, teachers in institutions of higher education, etc. Such clusters may be initiated and organized by the ordained ministers involved and shall be approved by majority vote of the Synod Council.*
- S12.30.C96.** *There may be a Cluster of rostered laypersons (associates in ministry, deaconesses, diaconal ministers) composed of all Lay Ministers rostered in this Synod and may include other laypersons employed by congregations within the Synod.*

- S12.30.D96.** *The Cluster of rostered laypersons shall elect a Chairperson and such other leaders as it may deem necessary.*
- S12.30.E96.** *The Cluster of rostered laypersons shall have as its purposes: personal support, peer evaluation of ministry and continuing education for ministry.*
- S12.30.F96.** *There shall be a Hispanic Ministry Cluster which will meet periodically for mutual support and continuing education.*
- S12.30.G96.** *There shall be an Asian Ministry Cluster which will meet periodically for mutual support and continuing education.*

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, 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 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 extraparish 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 (a) shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation, (b) shall submit a summary of such statistics annually to this synod, and (c) shall become a member of the congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.

S14.04. 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 of 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 a letter of call within 30 days of receipt of such call. In exceptional circumstances with the approval of the bishop of this synod and the chair of the Congregation Council of the congregation issuing the call, an additional 15 days may be granted to respond to a letter of call.

†S14.13.

- a. The call of a congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment which, except in the case of the death of the pastor, shall be terminated only following consultation with the synodical bishop and for the following reasons:
 - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the pastor, which shall become effective, unless otherwise agreed, 30 days after the date on which it was submitted;
 - 3) inability to conduct the pastoral office effectively in that congregation in view of the 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 layperson.
- c. In case of alleged physical or mental incapacity competent medical testimony shall be obtained. When such disability is evident, the bishop of this synod with the advice of the committee shall declare the pastorate vacant. Upon the restoration of a disabled pastor to health, the bishop of this synod shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another field of labor.
- d. In the case of alleged 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 (a) by a two-thirds majority vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a simple majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.

- e. If, in the course of proceedings described in †S14.13.d., the committee concludes that there may be grounds for disciplinary action, the committee shall make recommendations concerning disciplinary action to the synodical bishop who may bring charges, in accordance with the provisions of the constitution and bylaws of the Evangelical Lutheran Church in America and the constitution of this synod.
- f. If, following the appointment of the committee described in †S14.13.b. or †d., it should become apparent that the pastoral office cannot be conducted effectively in the congregation(s) being served by the ordained minister due to local conditions, the bishop of this synod may temporarily suspend the pastor from service in the congregation(s) without prejudice and with pay provided through a joint synodical and churchwide fund and with housing provided by the congregation(s).

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

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

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

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

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

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

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

†S14.18. With the approval of the synodical bishop expressed in writing, which sets forth a clear statement of the purpose to be served by such a departure from the normal rule of permanency of the call as expressed in †S14.13., a congregation may call a pastor for a specific term. 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 call shall attend the meetings of the Synod Assembly, Conference Assembly and Clergy Collegium to which the congregation in which they hold membership 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.

S14.31.A96

All persons serving under call on the lay rosters of this Synod (associates in ministry, deaconesses and diaconal ministers) shall attend the meetings of the Conference to which they relate. They shall participate in the election process set forth in † S7.21.b. of this constitution.

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 responsibility in God's mission, all share in the responsibility to develop, implement, and strengthen the financial support program of the whole church. The gifts and offerings of the members of ELCA are given to support all parts of this church and thus partnership in this church should be evidenced in determining each part's share of the gifts and offerings. Therefore:

- a. The mission of this church beyond the congregation is to be supported by such a proportionate share of each congregation's annual budget as each congregation determines. This synod shall develop guidelines for determining "proportionate share," and shall consult with congregational leaders to assist each congregation in making its determination.
- b. This synod shall receive the proportionate share of the mission support from its congregations, and shall transmit that percentage of each congregation's mission support as determined by the Churchwide Assembly to the treasurer of the Evangelical Lutheran Church in America.

†S15.12.

The annual budget of this synod shall reflect the entire range of its own activities and its commitment to partnership funding with other synods and the churchwide organization. Unless an exception is granted upon the request of this synod by the Church Council, each budget shall include the percentage of congregational mission support assigned to it by the Churchwide Assembly.

S15.13.

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

S15.21.

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.A87** *The Synod Council shall develop guidelines for determining which organizations may be given consent to appeal to congregations for funds.*
- S15.21.B87** *The Synod Council shall establish and maintain an updated list of organizations which have been granted permission to appeal to congregations for funds and shall distribute the list annually to congregations.*
- †**S15.31.** This synod shall arrange to have an annual audit of its financial records conducted by a certified public accountant firm selected 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.
- S15.40.** **Mission and Ministry Fund**
- S15.41.** This Synod shall have an Endowment Fund (hereafter referred to as Fund). This Fund shall be named **The Mission and Ministry Fund**. It shall not be a separately incorporated entity, but shall be a separate Fund of this Synod.
- S15.41.01** **This Fund’s purpose shall be to receive gifts and bequests to be used for the mission outreach of the Southwest California Synod and the Evangelical Lutheran Church in America (ELCA), and their successor bodies.**
- S15.41.02** **The Mission and Ministry Fund shall be held in two accounts: Discretionary and Endowment. The Discretionary account shall receive one-third (1/3) of the Fund balance. The Endowment account shall receive two-thirds (2/3) of the Fund balance.**
- S15.41.03** **Undesignated gifts to the Fund shall be allocated one-third (1/3) to the Discretionary account and two-thirds (2/3) to the Endowment account.**
- S15.41.04** **Both the principal and income from “undesignated” gifts and bequests for the Fund are to be used for the purposes, projects, and programs recommended by the Fund’s Endowment Committee. The uses, projects, and programs shall be consistent with the general purpose for which this Fund has been established.**
- S15.41.05** **“Designated” (restricted) gifts which have special terms or conditions, or contain limitations or directions, may be accepted, provided such**

gifts are compatible with the vision for mission of the Southwest California Synod. The acceptance of such gifts must be agreed upon by two-thirds (2/3) vote of the members of the Endowment Committee.

S15.41.06 Designated or undesignated gifts to the Fund that impose special terms, limits of investment, conditions of sale and/or liquidation shall not be accepted. Gifts of tangible assets that are not immediately useful in or for the ministry of the Synod are to be sold, liquidated, converted to cash, or returned to the donor or the donor's estate.

S15.41.07 When gifts of real property are offered, the Endowment Committee is restricted to accept them conditionally to avoid governmental violations until the following criteria are met:

1. The donor must provide a certified appraisal that established the market value of the property within 90 days of the gift date.
2. If the appraisal does not include an environmental impact evaluation, one must be done separately, and provided by the donor.
3. In the rare instance where an environmental impact study by a qualified engineer is called for, it must be done at the expense of the donor.

S15.42. The Mission and Ministry Fund shall continue in existence and shall be used as hereinafter provided, (unless earlier revoked), so long as the Synod shall continue to exist. If the Synod should cease to exist, then the assets of the Fund shall become the property of a successor Synod. If there is no successor Synod, then the assets of the Fund become the property of the Evangelical Lutheran Church in America or its successor body. Furthermore, should the Synod dissolve it shall, at the time of dissolution, have the right to determine, in consultation with the ELCA, a successor Synod that qualifies as an exempt organization under the Internal Revenue Code.

S15.43. **The Endowment Committee**

S15.43.01 The Endowment Committee shall administer the Fund. It shall be composed as follows:

1. Initially the Chair of the Allocation Committee of the Fund shall be appointed by the Bishop or the Bishop's designee.
2. Initially the Chair of the Investment Committee of the Fund shall be appointed by the Bishop or the Bishop's designee.
3. Initially the Chair of the Marketing Committee of the Fund shall be appointed by the Bishop or the Bishop's designee.
4. The Bishop or the Bishop's designee.
5. The Treasurer of the Synod.
6. Three (3) at-large members elected by the Synod Assembly. The three at-large members shall be elected for terms of three years on a rotating basis. An at-large member shall be eligible for one reelection.

7. The Chair of the Endowment Committee shall be elected by the Endowment Committee from among its membership.

- S15.43.02** The Endowment Committee shall receive and consider recommendations from the Investment Committee for management of the Fund and from the Allocation Committee for the disbursements of earnings from the Fund. The Treasurer of the Synod shall be responsible for all financial records of the Fund and make disbursements from the Fund when directed by the Endowment Committee to do so. Written financial reports shall be submitted quarterly by the Treasurer to the Synod Council and the Endowment Committee.
- S15.43.03** Whenever possible, the Endowment Committee will act upon the need or needs that arise concerning acceptance of gifts, investments, investment of funds, and disbursement of funds at regular meetings as established by this constitution and bylaws. Should the need for action be deemed so necessary as to deviate from this practice, the Endowment Committee may duly call a special meeting.
- S15.43.04** Whenever the Endowment Committee takes action concerning matters of the Fund, a quorum shall consist of members present provided all members were duly notified of the time and place of the meeting. A majority vote shall carry any motion or resolution concerning the Fund. Actions taken that do not comply with this provision will be deemed illegal and void.
- S15.43.05** The Endowment Committee shall establish written rules and regulations as may be necessary for the conduct of the business of the Fund. It shall adopt standards and goals for guidelines in dealing with expenditures of the income/or principal from the Fund. These guidelines may be amended, added to, or deleted at any time by the Endowment Committee provided it is consistent with the constitution and stated purpose of the Fund.
- S15.43.06** The Synod Council shall be responsible for maintaining the account and authorizing a financial institution to hold the Fund. All checks and other documents transferring or expending any funds or assets in the Fund shall be signed by the Treasurer of the Synod, along with any other officer of the Synod authorized to do so. Such records are to be held on file not less than fifteen years.
- S15.43.07** All persons with check-signing authority shall be covered by a corporate fidelity bond, at the expense of the Fund, in an amount to be determined from time to time by the Council.
- S15.43.08** The Endowment Committee may ask other members of the Synod to serve as advisory members of its Sub-Committees and may employ, at the expense of the Fund, such professional counseling on investments

and legal matters as it deems to be necessary in the best interest of the Fund.

- S15.43.09** Members of the Synod Council, the Endowment Committee its Sub-Committees and its advisors, shall refrain from any self-dealing transactions of the Fund, and/or conduct where personal interest, (or that of a relative or friend), could be construed to be in conflict with the best interest or integrity of the Fund.
- S15.44.01** For tax accounting, distribution of Fund earnings or other purposes, the fiscal year of the Fund shall be the same as that of the Synod.
- S15.44.02** Within two months after the close of the fiscal year, an itemized written statement accurately reflecting the Fund's income and assets, along with receipts and records of disbursements and changes since any previous accounting, shall be submitted to the Synod Council for distribution at the general or duly called Synod Assembly.
- S15.44.03** Gifts and contributions to the Fund may be received, acknowledged, and receipts issued at any time during the year, so long as they meet the criteria established as stated in S15.41.06.
- S15.44.04** All funds and property of the Fund shall be accounted for and documented in separate, distinct, and independent accounts from those funds and property that otherwise belong to the Synod. The Synod Council or Endowment Committee shall not be required to place or maintain funds in separate bank accounts; however, the Synod Council shall set up and maintain separate accounting records for each account within the Fund.
- S15.45.** The Investment Committee
- S15.45.01** The Investment Committee, a sub-committee of the Endowment Committee shall be responsible for the investment management of the Fund.
- S15.45.02** The Investment Committee shall be composed as follows:
1. The Committee shall have 5 - 7 members.
 2. The Committee members shall be appointed by the Endowment Committee based on experience, skill and expertise.
 3. The Chair of the Investment Committee shall come from its members. The Chair shall be appointed by the Endowment Committee and be a member of the Endowment Committee.
 4. Terms of members of the Investment Committee shall be three years on a rotating basis. Members shall be eligible for one re-appointed term.
- S15.45.03** The Investment Committee, shall have the following powers and authority:

1. All property constituting the corpus of the Fund shall be managed in a manner intended to protect the corpus of the Fund. Investments, therefore, shall be made and/or reinvested in assets that would be expected to yield reasonable income. Investments that would be considered high risk or speculative, by a prudent and experienced investor, must be avoided. It is further understood that all or any part of the Fund may be invested with the Evangelical Lutheran Church of America Mission Investment Fund or endowment arrangements with the Evangelical Lutheran Church in America Foundation.
2. Whenever the Synod, its agencies and/or institutions, or a member congregation is in need of borrowed funds in order to purchase tangible assets or repair of tangible assets, the Investment Committee may recommend that Fund income or principle be loaned to the Synod, its agencies and/or institutions, or member congregation at the current market rate of interest being charged by the banking enterprise with whom the congregation does business on a regular basis. The borrower shall pay any outstanding loan balance before submitting an additional request to borrow from the Fund.
3. In the event that a donation of real property, adjacent to or remote from, the territory of the Synod could be seen as being immediately beneficial to the Synod in providing ministry activities, such property may be retained provided the Synod Council approve any such measure presented in compliance with constitutional provisions.

S15.46.

The Marketing Committee

S15.46.01

The Marketing Committee, a sub-committee of the Endowment Committee shall promote the Fund.

S15.46.02

The Marketing Committee shall be composed as follows:

1. The Committee shall have 9 members one member from each of the 9 Conferences.
2. The Committee members shall be appointed by the Endowment Committee based on experience, skill and expertise.
3. The Chair of the Marketing Committee shall come from its members. The Chair shall be appointed by the Endowment Committee and be a member of the Endowment Committee.
4. Terms of members of the Marketing Committee shall be three years on a rotating basis. Members shall be eligible for one re-appointed term.
5. The Marketing Committee may have a relationship with the ELCA Foundation for annuities and charitable trust administration.
6. The local representative of the ELCA Foundation as an ex-officio member.

- S15.46.03** **The Marketing Committee, shall have the following duties and responsibilities:**
- 1. To provide all new members of the Synod Council a copy of section fifteen of the Synod Constitution in order to become acquainted with the purpose and function of the Fund.**
 - 2. Shall inform the Synod Assembly of the purpose of the Fund, see that members receive a copy of section fifteen of the Synod Constitution, and may periodically arrange for members of the congregation to meet with professional counselors in the areas of charitable giving, wills, trusts, bequests, insurance, and other options that may serve the Synod's members and, whenever possible, the goals of the Fund.**
 - 3. To provide the means for the acknowledgment of gifts. The receipt of each shall be recorded in the Synod's permanent records and published in an appropriate manner for distributions to its members.**
- S15.47.** **Income and Principle of the Fund**
- S15.47.01** **The Endowment Committee shall determine what is principle and income of the Fund according to accepted accounting procedures. Income may include realized and unrealized capital gains in the portfolio.**
- S15.47.02** **Annually the Endowment Committee shall indicate the percentage of the prior year(s) income which may be allocated in the current year.**
- S15.47.03** **Income from the Fund shall be distributed annually and at such other times as deemed necessary and/or feasible to strengthen the ministry of this Synod.**
- S15.48.** **The Allocation Committee**
- S15.48.01** **The Allocation Committee, a sub-committee of the Endowment Committee, shall recommend allocations/expenditures, both grants and loans, from the "Endowment" portion of the Mission and Ministry Fund.**
- S15.48.02** **The Allocation Committee shall be composed as follows:**
- 1. The Committee shall have 5 members, appointed by the Endowment Committee, one of which shall be the Bishop of the Synod or the Bishop's designee.**
 - 2. The Chair of the Allocation Committee shall come from its members. The Chair shall be appointed by the Endowment Committee and be a member of the Endowment Committee.**
 - 3. Terms of members of the Allocation Committee shall be three years on a rotating basis. Members shall be eligible for one re-appointed term.**

- S15.48.03** **The Allocation Committee, shall review all proposals for grants and/or loans and make recommendations to the Endowment Committee for ratification for disbursement of said grants and/or loans.**
- S15.48.04** **When, it is the unanimous opinion of the Allocation Committee that circumstances are so dire and of such an emergency nature that the future of the ministry/congregation making the request for funds is at stake, and that the only recourse seems to be the use of the Endowment Fund principal, the Allocation Committee may request that the Endowment Committee authorize, by at least a two-thirds majority of the voting members present and voting, an invasion of the principal of the Fund of not more than one (1) percent of the current Endowment Fund balance. Such a request may be made no more than annually.**
- S15.48.05** *Income* from “Discretionary” funds shall be available for immediate disbursement to meet mission needs in the Synod at the sole discretion of the Bishop. Undisbursed Discretionary fund income at the end of the year shall be transferred by the Bishop to income for the Endowment fund.
- S15.48.06** **The *principal* of the “Discretionary” fund may be invaded only with prior unanimous approval of the Allocation Committee and ratified by a two-thirds (2/3) majority of the voting members of the Endowment Committee present and voting at the meeting in which such request is made.**
- S15.48.07** **If, in the judgment of the Allocation Committee, causes and programs for disbursement do not seem sufficient to utilize total funds available, the total disbursement of Endowment Funds need not occur annually.**
- S15.50.** **First Lutheran Los Angeles Fund**
- S15.51.A06** *The treasurer of the Synod shall maintain the First Lutheran Los Angeles Fund from the proceeds of the sale of the congregation’s property.*
- S15.52.B06** *Investment of the FLLAF would rest with the Synod’s Mission and Ministry Endowment Committee.*
- S15.51.C06** *All disbursements from the income generated by the FLLAF must be considered by the Executive Committee and be approved by the Synod Council. The principal of the FLLAF may be invaded only with the recommendation of the Executive Committee, and with the approval of a two-thirds majority of the voting members of the Synod Council present and voting.*
- S15.51.D06** *Disbursement from two-thirds of the income would be designated for the three following purposes:*
- 1. The planting and support of new congregations within the territory of the Synod as determined by the Synod’s Outreach Committee, Mission Director and Bishop. Support could include such things as: contributions towards the mission developer’s salary and/or benefits, purchase of equipment, and the rental or purchase of property for*

housing the new ministry; and the support of congregations in transition and/or transformation, and who in the estimation of the Synod's Outreach Committee, Mission Director and Bishop would be viable communities of faith as a result of this support. Such support could include support for a new or full-time pastor, and resources that would support new ministry and outreach;

- 2. The support of candidates for rostered ministry from this Synod preparing for ministry at one of the ELCA's seminaries or colleges.*
- 3. The support of existing or new agencies and institutions that are deemed important for the ongoing life and mission of Christ as lived out through the Southwest California Synod.*

S15.51.E06 *All applications for disbursement of income will be made to the Executive Committee. The Synod's Outreach Committee would make applications for purpose one; the Synod's Candidacy Committee for purpose two; and the Synod's Synodical Ministries Committee for purpose three.*

S15.51.F06 *Income from the remaining third of the FLLAF would be designated for the purpose "to meet mission needs in the Synod" (S15.48.05). The Executive Committee will make recommendations regarding the disbursement of this income to the Synod Council for their consideration and approval.*

S15.52. **Distribution of Proceeds Received from Sale of Real Property**
S15.52.A11 *In the occasion that the Synod Council determines that real property received from a congregation(s) shall be sold, sale proceeds shall be disbursed according to the following schedule:*

S15.52.B11 *all indebtedness, and sale costs shall be paid and*

S15.52.C11 *a tithe shall be sent to the churchwide expression of the ELCA.*

S15.52.D11 *The Synod shall receive an 8% management fee to offset expenses related to property management throughout the sale process.*

S15.52.E11 *One-third (1/3) of the remainder shall be gifted to this Synod for the operational expenses of the Synod.*

S15.52.F11 *The remaining two-thirds (2/3) shall fund new, transitional, and renewal synod ministries. The Synod's Mission Team for Evangelical Outreach, Mission Director and Bishop shall determine those which would be viable communities of faith as a result of this support.*

S15.52.G11 *All disbursements from the proceeds must be considered by the Executive Committee and be approved by the Synod Council.*

S15.52.H11 *The Endowment Committee and Endowment Fund shall not receive any sale proceeds unless otherwise determined by the Synod Council and set forth in a continuing resolution.*

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 proceedings 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 a party to any proceeding by reason of the present or former capacity of that person as a Synod Council member, officer, employee, or committee member of this synod shall be indemnified against judgments, penalties, 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 who, while a Synod Council member, officer, committee member, or employee of this synod, is or was serving at the request of this synod (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 such other person in or arising from a capacity described in section †S16.02. or section †S16.03..
- †S16.05. When in proceedings under Chapter 20 of the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America written charges against an ordained minister or a 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 resolved in this manner, the prescribed procedures for investigation, decision, appeal and adjudication shall be followed. Allegations or charges that could lead to the discipline of an ordained minister or a person on the official lay rosters 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 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 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 the Evangelical Lutheran Church in America.

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

†S18.13. Other amendments to this constitution may be adopted by this synod through either of the following procedures:

- a. An amendment may be adopted by a two-thirds vote at a regular meeting of the Synod Assembly after having been presented in writing at the previous regular meeting of the Synod Assembly over the signatures of at least 20 members and been approved by a two-thirds vote of the voting members present and voting at such a regular meeting of the Synod Assembly.
- b. The Synod Council may propose an amendment, with notice to be sent to the congregations of this synod at least six months prior to the next regular meeting of the Synod Assembly. Such an amendment shall require for adoption a two-thirds vote of the voting members present and voting at such a regular meeting of the Synod Assembly.

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

†S18.20. Amendments to Bylaws

†S18.21. This synod may adopt bylaws not in conflict with this constitution nor with the constitution and bylaws of this church. This synod may amend its

bylaws at any meeting of the Synod Assembly by a two-thirds vote of voting members of the assembly present and voting. Newly adopted bylaws and amendments to existing bylaws shall be reported to the secretary of this church.

†S18.30.

Amendments to Continuing Resolutions

†S18.31.

This synod may adopt continuing resolutions not in conflict with this constitution or its bylaws or the constitution and bylaws of this church. Such continuing resolutions may be adopted or amended by a majority vote of 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.