



Recommendations: Proposed Amendments to the Constitution and Bylaws

Background Information

The Church Council of the Evangelical Lutheran Church in America is responsible for recommendations for action by the 2007 Churchwide Assembly. In regard to constitutional amendments, a six-month notice requirement is provided to synods for adoption of such amendments at one meeting of the Churchwide Assembly (constitutional provision 22.11.a.). Bylaws do not require the same notice but are recommended by the Church Council (22.21.).

The Church Council—in preparation for the tenth Churchwide Assembly of the Evangelical Lutheran Church in America—recommends adoption of the following amendments to the *Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.

Recommendation for Assembly Action:

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

To amend bylaw 7.31.13. to permit the seminary residency requirement to be satisfied also at a seminary of the Evangelical Lutheran Church in Canada:

- 7.31.13. **Preparation and Approval.** Except as provided below, a candidate for ordination as a pastor shall have:
- ...
- d. completed at least one year of residency in a seminary of this church or of the Evangelical Lutheran Church in Canada, except when waived by the appropriate committee in consultation with the faculty of a seminary of this church or of the Evangelical Lutheran Church in Canada;
- e. been recommended for approval by the faculty of a seminary of this church or of the Evangelical Lutheran Church in Canada; *(with the remainder unchanged)*.

To amend bylaw 7.51.03. to describe more fully the role of associates in ministry on the lay roster of this church:

- 7.51.03. **Associates in Ministry.** This church shall maintain a lay roster of associates in ministry of those

commissioned—according to the standards, criteria, policies, and procedures of this church—for such service within the life of this church in positions of Word and service on behalf of all of God's people. Associates in ministry are to be faithful to Jesus Christ, knowledgeable of the Word of God and the Confessions of this church, respectful of the people of God, and responsive to needs in a changing world as they serve in congregations and other ministry settings . . . (with remainder unchanged).

To amend bylaw 7.51.04. to describe more fully the role of deaconesses on the lay roster of this church:

- 7.51.04. **Deaconesses of the Evangelical Lutheran Church in America.** This church shall maintain a lay roster of the deaconesses of the Evangelical Lutheran Church in America of those consecrated—according to the standards, criteria, policies, and procedures of this church—for such service within the life of this church in positions of Word and service on behalf of all of God's people. Deaconesses are to be faithful to Jesus Christ, knowledgeable of the Word of God and the Confessions of this church, respectful of the people of God, and responsive to needs in a changing world. They are to be theologically trained to serve in congregations and other ministry settings . . . (with remainder unchanged).

To amend bylaw 7.51.05. to include the basic standards related to those on the roster of diaconal ministers of this church:

- 7.51.05. **Diaconal Ministers.** This church shall establish and maintain a lay roster of diaconal ministers of those consecrated—according to the standards, criteria, policies, and procedures of this church—for service on behalf of who shall be called by this church to in positions of Word and service that exemplify the servant life and that seek to equip and motivate others to live it. Diaconal ministers are to be faithful to Jesus Christ, knowledgeable of the Word of God and the Confessions of this church, respectful of the people of God, and responsive to needs in a changing world. Such diaconal ministers shall seek in a great variety of ways to empower, equip, and support all the baptized people of God in the ministry of Jesus Christ and the mission of God in the world.

To amend bylaw 7.52.23. to make it consistent with †S14.31.c. in the Constitution for Synods:

7.52.23.d. 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 appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council of the Evangelical Lutheran Church in America.

To amend bylaw 7.47.01. to delete the now unnecessary introductory phrase:

7.47.01. ~~After the organization of this church, n~~ No person who belongs to any organization other than the Church. . . (with remainder of bylaw unchanged).

To adopt a new bylaw 10.33.01. parallel to the constitutional requirement that pastors of congregations are obliged to "respect the integrity of the ministry of congregations which they do not serve..." (†S14.14.):

10.33. Integrity of ministry

10.33.01. Ordained ministers previously under call to the churchwide organization or to a synod shall respect the integrity of the ministry in which they no longer serve and shall not interfere with or exercise the functions of the office or position in which they no longer serve unless invited to do so by the presiding bishop or Church Council in the churchwide organization or, in the synods, by the bishop or the Synod Council.

To amend bylaw 12.41.31. to correct an omission in the revision of bylaws as part of the 2005 reorganization process of the churchwide organization:

12.41.31. Members of the Church Council, unless elected as voting members, shall serve as advisory members of the Churchwide Assembly. ~~In addition~~ Likewise, program committee chairpersons and board chairpersons or their designees, unless elected as voting members, shall serve as advisory members of the Churchwide Assembly. ~~E In addition,~~ executive directors of churchwide program units, executive directors of churchwide service units, executives for sections related to the officers, presidents of separately incorporated churchwide units, the executive for administration, and executive assistants to the presiding bishop shall serve as advisory members of the Churchwide Assembly.

To amend bylaw 14.32.02. related to the length of the term for youth advisory members of the Church Council:

14.32.02. The Church Council shall have two youth advisory members, each elected by the board of the youth

organization of this church to a ~~two~~ three-year term ~~beginning at the first meeting of the Church Council following each regular meeting of the Churchwide Assembly.~~

To amend bylaw 14.32.03. to recognize the formation of a European-American Association in the ELCA in connection with the Multicultural Ministries unit:

14.32.03. The Church Council shall have as advisory members each president, or the designated representative of the president, of the African American Lutheran Association in the ELCA, the Association of Lutherans of Arab and Middle Eastern Heritage, the Association of Asians and Pacific Islanders in the ELCA, the Association of Latino Ministries in the ELCA, ~~and~~ the American Indian and Alaska Native Association in the ELCA, and the European-American Association in the ELCA.

To amend bylaw 17.31.01. to omit the duplication of text that exists in the listing of responsibilities of the advisory committee of the church periodical in continuing resolution 17.31.B05.:

17.31.01. An advisory committee for *The Lutheran* shall have the responsibility for the church periodical. The advisory committee, in consultation with the presiding bishop of this church, shall nominate the editor for the church periodical ~~and shall arrange, together with the presiding bishop, for an annual review of the editor.~~

To amend bylaw 17.31.11. to simplify the pattern followed for the advisory committee of the church periodical and to make provision for the representative of the Church Council consistent with program committees:

17.31.11. The advisory committee of the church periodical shall be composed of ~~eleven~~ nine members elected by the Church Council.

a. ~~The members of the advisory committee of the church periodical shall be nominated by the Church Council's nomination process. Not more than one person shall be a member of the Church Council and not more than one person shall be a member of the board of the publishing house.~~ The members of the advisory committee of the church periodical, who shall be nominated through the Church Council's nomination process, shall include persons chosen for their understanding of periodical publishing.

~~c b.~~ With the exception of a member of the Church Council selected to serve on the advisory committee and with the exception of a member of the board of this church's publishing house selected to serve on the advisory committee, each Each member of the advisory committee for *The Lutheran* shall be

electd for one six-year term, with no consecutive reelection and with one-third of the members elected every two years. ~~A member of the Church Council and a member of the board of the publishing house shall serve two-year terms on the advisory committee, with the possibility of biennial reelection to a maximum of six years.~~

- b. c. The terms of office of persons so elected to regular terms on the advisory committee of the church periodical shall begin on the first day of the month following each regular meeting of the Churchwide Assembly.
- d. The Church Council shall appoint one voting member of the council to serve as an advisory member of this committee. ~~advisory committee shall elect the chair of the committee from those members who are not members of the Church Council or the board of the publishing house.~~
- e. The Conference of Bishops shall elect one bishop to serve as an advisory member of this committee.

To amend provision 17.51. to allow for a wider range of services through the Mission Investment Fund:

- 17.51. This church shall have a fund, known as the Mission Investment Fund of the Evangelical Lutheran Church in America, to provide investment opportunities to individuals, congregations, synods, institutions, agencies, and organizations, and administer loans to congregations, synods, and the churchwide organization of this church, and to other organizations and institutions that are affiliated with related to this church. The Mission Investment Fund of the Evangelical Lutheran Church in America ~~will provide investment opportunities for congregations, institutions, and ELCA members and shall be incorporated.~~

To amend bylaw 19.51.02. to include the European-American Association in the ELCA in the nomination pattern for members of the Multicultural Ministries Program Committee:

- 19.51.02. The program committee for the Multicultural Ministries unit shall consist of 15 persons, 14 of whom shall be elected to six-year terms by the Churchwide Assembly. The committee shall include two persons from each of the following communities: African American or Black; Arab and Middle Eastern; Asian and Pacific Islander; Latino; American Indian and Alaska Native; European-American; and multiracial or biracial; ~~and Caucasian.~~ One person shall be elected to a three-year term on the committee by the Multicultural Advisory Committee of the Lutheran Youth Organization.

To amend bylaw 19.61.02. to simplify the wording of the first part of that bylaw:

- 19.61.02. No member of the Church Council, a committee of the Church Council, a board, a program committee, ~~an advisory committee,~~ or other committee of the churchwide organization shall receive emolument for such service, nor shall any member be simultaneously an officer of this church, an elected member of the Church Council, or a voting member of a committee or board of the churchwide organization . . . (with remainder unchanged).

To amend bylaw 19.61.05. to delete unnecessary language on matters addressed elsewhere in the governing documents:

- 19.61.05. ~~No voting member of a board shall be simultaneously an officer of this church, a voting member of the Church Council, or a voting member of another board or committee of this church, except the advisory committee of the church periodical that has representation from the Church Council and the board of the Publishing House of the ELCA. Further, no~~ No person employed by an entity, agency, or institution supervised by ~~that~~ a board or committee of the churchwide organization shall be a member of that supervising board or committee, except the full-time salaried officers as specified in the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America.

To amend provision †S8.12.e. in the Constitution for Synods to clarify the phrasing:

- †S8.12.e. Attest letters of call for persons called to serve congregations in the synod, letters of call for persons called by the Synod Council, and letters of call for persons on the rosters of this synod called by the Church Council ~~on the rosters of this synod.~~

To amend provision †S10.01.a. in the Constitution for Synods to provide for representation under the partner synod design for nominations to and service on the Church Council:

- †S10.01.a. (First part unchanged.) . . . A member of the Church Council of the Evangelical Lutheran Church in America ~~from this synod,~~ 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.

To amend provision *C8.02.c. in the Model Constitution for Congregations to ensure the protection of the voting rights of members of congregations:

- *C8.02.c. Voting members are confirmed members. Such confirmed members, during the current or preceding calendar year, shall have communed in

this congregation and shall have made a contribution of record to this congregation. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of the congregation.

To amend provisions *C17.01. and *C17.04. in the Model Constitution for Congregations regarding incorporation of amendments adopted by the Churchwide Assembly:

*C17.01. Unless provision *C17.04. is applicable, those ~~Those~~ sections of this constitution that are not required, in accord with the *Model Constitution for Congregations of the Evangelical Lutheran Church in America*, may be amended in the following manner. Amendments may be proposed by at least _____ voting members or by the Congregation Council... (with the remainder of the provision unchanged).

*C17.04. ~~Whenever the Model Constitution for Congregations is amended by the Churchwide Assembly, this~~ This constitution may be amended to ~~incorporate such amendment~~ bring any section into conformity with a section or sections, either required or not required, of the Model Constitution for Congregations of the Evangelical Lutheran Church in America—as most recently amended by the Churchwide Assembly—by a simple majority vote of those voting members present and voting at any subsequent legally called meeting of the congregation without presentation at a prior meeting of the congregation, provided that the Congregation Council has submitted by mail notice to the congregation of such an amendment or amendments, together with the council's recommendations, at least 30 days prior to the meeting. Upon the request of _____ voting members of the congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of the congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following a vote of approval.

To amend provisions *C18.01. and *C18.02. in the Model Constitution for Congregations regarding adoption of continuing resolutions:

*C18.01. The congregation in a legally called meeting or the Congregation Council may enact continuing resolutions. Such continuing resolutions may not conflict with the constitution or bylaws of this congregation.

*C18.02. Continuing resolutions shall be enacted or amended by a majority vote of the congregation or a two-thirds vote of all voting members of the Congregation Council.