

# **Constitution, Bylaws, And Continuing Resolutions**

**August 2016**



**Rocky Mountain Synod**  
**Evangelical Lutheran Church in America**  
God's work. Our hands.

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## INTRODUCTION

Placement together of those constitutional provisions, bylaws, and continuing resolutions that pertain to the same matter is recommended. Each is separately codified, but all are preceded by the letter, "S," denoting that they are part of the synodical constitution.

- a. Constitutional provisions are codified by two sets of numbers, as in S9.08. or †S10.01. and are printed in **bold face** type.
- b. A bylaw related to S9.08 would be codified as S9.08.01, and to †S10.01 as S10.01.01. A bylaw under a required provision would not carry the dagger "†" that designates a required constitutional provision. All bylaws are printed in light face type.
- c. Continuing resolutions also are codified by three sets of numbers, except that the third set is preceded by a capital letter. Thus, a continuing resolution might be numbered S10 to designate the chapter, S10.07 to designate the subject matter within the chapter; and the third set might be numbered A05 in the codification S10.07.A05 to indicate by the "A" that it is the first continuing resolution regarding that subject and by the "05" that it was adopted in 2005. All continuing resolutions are printed in *italic type*.

### Types of constitutional provisions

Three types of constitutional provisions are found within each synod's constitution.

- a. Required provisions are designated by a dagger, "†". Such required provisions:
  - (1) may only be adopted or amended by the Churchwide Assembly;
  - (2) may not be altered or amended by the Synod Assembly; and
  - (3) are to be introduced "at once" into the synod's constitution upon notification of the amendment or adoption of the provision. (†S18.11.).
- b. Recommended provisions are provided in this *Constitution for Synods*, as approved by the Churchwide Assembly. Such recommended provisions may be adopted by majority vote at one meeting of the Synod Assembly (†S18.12.).
- c. Other provisions may be initiated in and adopted by each respective synod (†S18.13.), but such provisions may not conflict with required constitutional provisions or with churchwide constitutional provisions and bylaws. Synodical constitutional amendments become effective upon ratification by the Church Council or Churchwide Assembly.

**Constitution, Bylaws and Continuing Resolutions  
of the  
Rocky Mountain Synod  
Evangelical Lutheran Church in America**

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**CHAPTER 1**

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**NAME AND INCORPORATION**

- †S1.01. The name of this synod, as determined by the Churchwide Assembly shall be Rocky Mountain Synod of the Evangelical Lutheran Church in America.
- †S1.02. For the purposes of this constitution and the accompanying bylaws, the Rocky Mountain Synod of the Evangelical Lutheran Church in America is hereafter designated as “this synod” or “the synod.”
- †S1.11. This synod shall be incorporated. Amendments to the articles of incorporation of this synod shall be submitted to the Church Council for ratification before filing.
- †S1.21. The seal of this synod is a cross with three united flames emanating from the base of the cross and three entwined circles beside the cross. The words ‘Rocky Mountain Synod ELCA’ and ‘corporate seal’ form the circular outer edge of the seal.



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## CHAPTER 2

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### 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*, which are recognized as having governing force in the life of this synod.
- †S2.02. The name Evangelical Lutheran Church in America (ELCA or “this church”) as used herein refers in general references to this whole church, including its three expressions—congregations, synods, and the churchwide organization. The name Evangelical Lutheran Church in America is also the name of the corporation of the churchwide organization to which specific references may be made herein.
- †S2.03. No provision of this constitution shall be inconsistent with the constitution or bylaws of this church.

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## CHAPTER 3

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### TERRITORY

- †S3.01. The territory of this synod, as determined by the Churchwide Assembly, shall be the states of Colorado; New Mexico; Utah; Wyoming, excluding the counties of Park and Washakie; and the counties of Brewster, Culbertson, El Paso, Hudspeth, Jeff Davis, Loving, Presidio, Reeves, Ward, Winkler in the state of Texas.
- †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 10.01.01. and 10.02.02.

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## CHAPTER 4

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### CONFESSION OF FAITH

- †S4.01. This synod confesses the Triune God, Father, Son, and Holy Spirit.
- †S4.02. This synod confesses Jesus Christ as Lord and Savior and the Gospel as the power of God for the salvation of all who believe.

- a. Jesus Christ is the Word of God incarnate, through whom everything was made and through whose life, death and resurrection God fashions a new creation.
- b. The proclamation of God's message to us as both Law and Gospel is the Word of God, revealing judgment and mercy through word and deed, beginning with the Word in creation, continuing in the history of Israel, and centering in all its fullness in the person and work of Jesus Christ.
- c. The canonical Scriptures of the Old and New Testaments are the written Word of God. Inspired by God's Spirit speaking through their authors, they record and announce God's revelation centering in Jesus Christ. Through them God's Spirit speaks to us to create and sustain Christian faith and fellowship for service in the word.

**†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 to the faith of this synod.

**†S4.05.** This synod accepts the Unaltered Augsburg Confession as a true witness to the Gospel, acknowledging as one with it in faith and doctrine all churches that likewise accept the teachings of the Unaltered Augsburg Confession.

**†S4.06.** This synod accepts the other confessional writings in the Book of Concord, namely, the Apology of the Augsburg Confession, the Smalcald Articles and the Treatise, the Small Catechism, the Large Catechism, and the Formula of Concord, as further valid interpretations of the faith of the Church.

**†S4.07.** This synod confesses the Gospel, recorded in the Holy Scriptures and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church of God's mission in the world.

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## CHAPTER 5

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### 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. This church confesses the one, holy, catholic, and apostolic Church and is resolved to serve Christian Unity throughout the world.
- †S5.03. 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.
- †S5.04. This church, inspired and led by the Holy Spirit, participates in The Lutheran World Federation as a global communion of churches, engaging in faithful witness to the gospel of Jesus Christ and in service for the sake of God's mission in the world.

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## CHAPTER 6

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### STATEMENT OF PURPOSE

- †S6.01. The Church is a people created by God in Christ, empowered by the Holy Spirit, called and sent to bear witness to God's creative, redeeming and sanctifying activity in the world.
- †S6.02. To participate in God's mission, this synod as a part of the Church shall:
- a. Proclaim God's saving Gospel of justification by grace for Christ's sake through faith alone, according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.
  - b. Carry out Christ's Great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministry with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.

- c. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity and justice for all people, working for peace and reconciliation among the nations, and standing with the poor and powerless, and committing itself to their needs.
- d. Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, and service.
- e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.
- f. Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity which the Spirit gives.

S6.02.01 Commit to be an inclusive church in the midst of division in society, in faithfulness to the Gospel, seeking to exhibit the inclusive unity that is God's will for the church.

†S6.03. Each synod, in partnership with the churchwide organization, shall bear primary responsibility for the oversight of the life and mission of this church in its territory. In fulfillment of this role and consistent with policies and procedures of this church, the synod shall:

- a. Provide for pastoral care of congregations and rostered ministers in the synod;
- b. Plan for, facilitate, and nurture the mission of this church through congregations;
- c. Strengthen interdependent relationships among congregations, synods, and the churchwide organization, and foster relationships with agencies and institutions affiliated with or related to this church as well as ecumenical partners.
- d. Interpret the work of this church to congregations and to the public on the territory of the synod.

†S6.03.01. In providing for pastoral care of congregations and rostered ministers in the synod, the responsibilities of the synod include the following:

- a. providing for pastoral care of congregations, ministers of Word and Sacrament, and ministers of Word and Service, in the synod, including:



- 1) approving candidates for the ministry of Word and Sacrament in cooperation with the appropriate seminaries of this church, which may be done through multi-synodical committees;
  - 2) authorizing ordinations and ordaining ministers of Word and Sacrament on behalf of this church;
  - 3) approving ministers of Word and Service which may be done through multi-synodical committees;
  - 4) authorizing consecrations and consecrating ministers of Word and Service on behalf of this church; and
  - 5) consulting in the call process for ministers,
- b. providing 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 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. providing for discipline of congregations, ministers of Word and Sacrament, and ministers of Word and Service; as well as for termination of call, appointment, adjudication, and appeals consistent with Chapter 20 of this church's constitution.
- d. providing for archives in conjunction with other synods.

- †S6.03.02. In planning for, facilitating, and nurturing the mission of this church through congregations, the responsibilities of the synod include the following:
- a. developing of new ministries, redevelopment of existing ministries, and support and assistance in the conclusion, if necessary, of a particular ministry;

- b. leading and encouraging of congregations in their evangelism efforts;
- c. assisting members of its congregations in carrying out their ministries in the world;
- d. encouraging congregations to respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society;
- e. providing resources for congregational life;
- f. grouping congregations in conferences, clusters, coalitions, or other area subdivisions for mission purposes.

†S6.03.03. In strengthening interdependent relationships among congregations, synods, and the churchwide organization, and in fostering relationships with agencies and institutions affiliated with or related to this church as well as with ecumenical partners, the responsibilities of the synod include the following:

- a. promoting interdependent relationships among congregations, synods, and the churchwide organization, and entering into partnership with other synods in the region;
- b. fostering organizations for youth, women, and men, and organizations for language or ethnic communities;
- c. developing relationships with social ministry organizations and ministries, participating in their mission planning, and providing partnership funding;
- d. supporting relationships with and providing partnership funding on behalf of colleges, universities, and campus ministries;
- e. maintaining relationships with and providing partnership funding on behalf of seminaries and continuing education centers;
- f. fostering supporting relationships with camps and other outdoor ministries;

- g. fostering supporting relationships with preschools, elementary schools, and secondary schools operated by congregations of the synod;
- h. fostering relationships with ecumenical and global partners;
- i. cooperating with other synods and the churchwide organization in creating, using, and supporting regions to carry out those functions of the synod which can best be done cooperatively with other synods and the churchwide organization.

- †S6.03.04. In interpreting the work of this church on the territory of the synod, the responsibilities of the synod include the following:
- a. encouraging financial support for the work of this church by individuals and congregations;
  - b. participating in churchwide programs;
  - c. interpreting social statements in a manner consistent with the interpretation given by the churchwide unit or office which assisted in the development of the statement, and suggestion of social study issues;
  - d. providing ecumenical guidance and encouragement.

S6.03.05. The Rocky Mountain Synod ELCA shall have a relationship with California Lutheran University for Board participation, synod financial support and shall participate in covenant relationships developed between the synod and these schools.

S6.03.06. The Rocky Mountain Synod ELCA shall work toward the full and equal participation of all persons within the life of the synod, fostering partnership among all persons, advocating for inclusiveness and assisting in the development and implementing of programs to this end.

†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 ministers of Word and Sacrament 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.

†S6.04.01. It is the goal of this synod that 10 percent of the membership of synod assemblies, councils, committees, boards and/or other organizational units be persons of color and/or persons whose primary language is other than English.

†S6.04.02. 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 this 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 or 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.

†S6.06. References herein to the nature of the relationship between the three expressions of this church—congregations, synods, and the churchwide organization—as being interdependent or as being in a partnership relationship describe the mutual responsibility of these expressions in God’s mission and the fulfillment of the purposes of this church as described in this chapter, and do not imply or describe the creation of partnerships, co-ventures, agencies, or other legal relationships recognized in civil law.

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## CHAPTER 7

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### 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 constitution and bylaws of the Evangelical Lutheran Church in America.
- †S7.11.** A regular meeting of the Synod Assembly shall be held at least triennially.
- S7.11.01.** The time and place of the Rocky Mountain Synod Assembly shall be determined by the Synod Council. The time and place for the next regular assembly normally shall be announced 12 months prior to the assembly.
- 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 Synod Council after consultation with the presiding bishop of the Evangelical Lutheran Church in America.
- S7.13.** Notice of the time and place of all meetings of the Synod Assembly shall be given by the secretary of this synod at least 60 days in advance.
- 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 laypersons, shall be constituted as follows:
- a. All ministers of Word and Sacrament under call on the roster of this synod in attendance at the Synod Assembly shall be voting members.

- b. All ministers of Word and Service, under call, on the roster of this synod shall be 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.

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

S7.21.02. The following formula shall provide additional lay representation from congregations to the Synod Assembly based upon the baptized membership as of the latest reporting period:

- 1. Congregations having baptized membership of 650 to 1,199 shall be allowed one additional lay voting member (female or male).
- 2. Congregations having baptized membership of 1,200 or more shall be allowed two additional lay voting members (one female and one male).

**S7.22.** This synod may establish processes that permit retired ministers, or those designated as disabled, or on leave from call, on the roster of the synod to serve as voting members of the Synod Assembly, consistent with †S7.21.c. If the synod does not establish processes to permit the rostered ministers specified above to serve as voting members, they shall have voice but not vote in the meetings of the Synod Assembly.

S7.22.01. Ten percent of the roster of retired ordained ministers of this synod may serve as voting members of the Synod Assembly. They shall be

selected annually through a lottery process by the Executive Committee of the Synod Council. All others shall be advisory members with voice but not vote.

- S7.22.02. Ordained ministers, associates in ministry, deaconesses, and diaconal ministers who are on leave from call, or those designated as disabled, on the roster of the synod may serve as voting members of the Synod Assembly.
- S7.22.A02. *Ten percent of the roster of retired lay people of this synod may serve as voting members of the Synod Assembly. They shall be selected annually through a lottery process by the Executive Committee of the Synod Council. All others shall be advisory members with voice but not vote.*
- S7.23.** The presiding bishop of the Evangelical Lutheran Church in America and such other official representatives of this church as may be designated from time to time by the Church Council shall have voice but not vote in the meetings of the Synod Assembly. Like privileges shall be accorded to those additional persons whom the Synod Assembly or the Synod Council shall from time to time designate.
- S7.24. Ministers under call on the rosters of this synod shall remain as members of the Synod Assembly so long as they remain under call and so long as their names appear on the rosters of this synod. Lay members of the Synod Assembly representing congregations shall continue as such until replaced by the election of new members or until they have been disqualified by termination of membership. Normally, congregations will hold elections prior to each regular meeting of the Synod Assembly.
- †**S7.25.** Except as otherwise provided in this constitution or in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*, each voting member of the Synod Assembly shall be a voting member of a congregation of this synod.
- S7.26.** This synod may establish processes through the Synod Council that permit representatives of congregations under development 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.
- S7.27.** This synod may establish processes through the Synod Council to grant a minister of Word and Sacrament from a church body with which a relationship of full communion has been declared and established by the Churchwide Assembly of the Evangelical Lutheran Church in

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

- 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 procedures of the Synod Assembly, unless otherwise ordered by the assembly.
- S7.32.10. Procedures for the Synod Assembly
- S7.32.11. A Reference and Counsel Committee, appointed for each Synod Assembly by the bishop in consultation with the Executive Committee, shall review all proposed changes or additions to the constitution and bylaws and other items submitted which are not germane to items contained in the stated agenda of the Synod Assembly.
- S7.32.11.A06. *The Committee on Reference and Counsel shall be appointed in January.*
- S7.32.11.B06. *After the Synod Assembly, the Committee on Reference and Counsel will be responsible for seeing that all adopted resolutions are referred to the proper location for appropriate action.*
- S7.32.11.C11. *In reviewing proposed memorials, resolutions, and main motions, the Reference and Counsel Committee may edit, prepare an alternative memorial, resolution, or motion, or consolidate into a single proposed action multiple memorials, resolutions, or main motions on the same or similar subjects. Whenever the Reference and Counsel Committee recommends an alternative memorial, resolution, or motion, the report to the assembly shall contain the text of the original motion.*
- S7.32.11.D13 *Memorials and Resolutions to be considered by the Synod Assembly shall be submitted in writing to the Secretary of the Synod no later than 40 days prior to the start of a Synod Assembly. Memorials and Resolutions submitted within 40 days of a Synod Assembly will have to be voted on upon by the Assembly in order to be considered for action.*



- S7.32.12. At least 20 days prior to a Synod Assembly the secretary shall prepare and distribute to each congregation and to the voting members-elect a pre-assembly report.
- S7.32.13. The Synod Assembly shall be planned by a team composed of selected staff from the Office of the Bishop, selected members from the Executive Committee and Synod Council, and others appointed by the Office of the Bishop in consultation with the Synod Council.
- S7.32.14. Any proposal to appropriate funds, whether by amendment to the budget or otherwise, which is presented to a meeting of the Synod Assembly without the approval of the Synod Council, shall require a two-thirds vote of the assembly for adoption.
- S7.33.** “*Ex officio*” as used herein means membership with full rights of voice and vote unless otherwise expressly limited.

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## **CHAPTER 8**

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### **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 minister of Word and Sacrament of the Evangelical Lutheran Church in America.
- †**S8.12.** As this synod’s pastor, the bishop 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 ministers of Word and Sacrament, and its ministers of Word and Service.
  - 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 ministry of Word and Sacrament (and as provided in the bylaws of the Evangelical Lutheran Church in America).

- d. 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 ministers of Word and Service.
- e. Attest letters of call for persons called to serve congregations in the synod, letters of call for persons called by the Synod Council, and letters of call for persons on the rosters of this synod called by the Church Council.
- f. Install (or provide for the installation of):
  - 1) rostered ministers whose calls the bishop has attested
- 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 the synod's life and work; and
  - 5) Advise and counsel this synod's related institutions and organizations.
- h. Practice leadership in strengthening the unity of the Church and in so doing:
  - 1) Exercise oversight of the preaching, teaching, and administration of the sacraments within this synod in accord with the Confession of Faith of this church;
  - 2) Be responsible for administering the constitutionally established processes for the resolution of controversies and for the discipline of rostered ministers, and congregations of this synod;
  - 3) Be the chief ecumenical officer of this synod;
  - 4) Consult regularly with other synodical bishops and the Conference of Bishops;

- 5) Foster awareness of other churches throughout the Lutheran world communion and, where appropriate, engage in contact with leaders of those churches;
  - 6) Cultivate communion in faith and mission with appropriate Christian judicatory leaders functioning within the territory of this synod; and
  - 7) Be *ex officio* a member of the Churchwide Assembly.
- i. Oversee and administer the work of this synod and in so doing:
- 1) Serve as the president of the synod corporation and be the chief executive and administrative officer of this synod, who is authorized and empowered, in the name of this synod, to sign deeds or other instruments and to affix the seal of this synod;
  - 2) Preside at all meetings of the Synod Assembly and provide for the preparation of the agenda for the Synod Assembly, Synod Council, and the council's Executive Committee;
  - 3) Ensure that the constitution and bylaws of the synod and of the churchwide organization are duly observed within this synod, and that the actions of the synod in conformity therewith are carried into effect;
  - 4) Exercise supervision over the work of the other officers;
  - 5) Coordinate the work of all 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 rostered 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:

- 9) Annually bring to the attention of the Synod Council the names of all rostered ministers on leave from call or engaged in approved graduate study in conformity with the constitution, bylaws, and continuing resolutions of this church and pursuant to prior action of this synod through the Synod Council;
- 10) Provide 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 certificates of transfer for rostered ministers in good standing who have received and accepted a properly issued, duly attested, regular letter of call under the jurisdiction of another synod; and
  - c) the entrance of the names of such persons for whom proper certificates of transfer have been received;
- 11) Provide for preparation and maintenance of a register of the congregations of this synod and the names of the laypersons who have been elected to represent them; and
- 12) Appoint a statistician of 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.

S8.12.01. As this synod's pastor, the bishop shall provide for equal participation for all persons in the life of this synod including:

- a. the identification of resources for study and action, suggesting ways that inclusiveness of all persons may be realized in all the entities of the synod;
- b. cooperating with appropriate groups in the synod to address issues, attitudes and practices that divide, discriminate and oppress in matters to include but not be limited to, gender, sexual orientation, race, age, mental and physical ability and marital status.

- S8.12.02. As the synod's pastor, the bishop shall develop and implement communication strategies including:
- a. the interpretation of synodical ministries to all synodical groups;
  - b. the publication of a synodical newsletter;
  - c. the creation of a synod insert for publication in The Lutheran; and
  - d. the dissemination of information through news media in all areas of the synod.
- †S8.13. The synodical bishop may appoint an attorney, admitted to the bar within the territory of the synod or the state where the synod is located, to be Synod Attorney. The appointment must be approved by the Synod Council and reported to the Synod Assembly and to the ELCA secretary. The appointment continues until resignation or until a successor is appointed. The Synod Attorney provides legal advice and counsel to the synodical officers and the Synod Council. The Synod Attorney is expected to be familiar with the governing documents and policies of the synod and, as necessary, to attend meetings of the Synod Council. The Synod Attorney serves without salary but may be retained and compensated for specific legal services requested by the synod.
- S8.14. The synodical bishop may have such assistants as this synod shall from time to time authorize.
- S8.14.01. Assistants to the bishop shall be called by the Synod Council. Such persons may be recalled or dismissed on proper notice by action of the Synod Council, and it shall set the term of office and the compensation. No such persons shall be eligible for membership on the Synod Council.
- †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
- †S.8.16.01. 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 a 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, including corresponding members of blended families and in-laws (parent, son, daughter, or sibling of a spouse, spouse of a sibling or the parent or sibling of the spouse of a sibling).

**S8.20** Vice President

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

**S8.22.** The vice president shall serve as the chair of the Synod Council and the Executive Committee of the Synod Council. In the event of the absence or illness of the bishop, the vice president shall serve as the chair of the Synod Assembly.

S8.22.01 The synod vice president collaborates with the Bishop of the Synod in the formation and implementation of the Synod's vision and mission.

S8.22.A04. *The synod vice president shall serve as the representative from the Rocky Mountain Synod ELCA to the Region 2 Council.*

**S8.23.** In the event of the death or disability of the bishop, the vice president, after consultation with the presiding bishop of the Evangelical Lutheran Church in America, shall convene the Synod Council to arrange for the

conduct of the duties of the bishop until a new bishop shall be elected or, in the case of temporary disability, until the bishop resumes full performance of the duties of the office.

**S8.30.** Secretary

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

**†S8.32.** The secretary shall:

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

*S8.32.A04. The synod secretary shall be responsible for the review and approval of the governing documents of the congregations in this synod, as specified in the Model Constitution for Congregations of the ELCA, \*C6.03.e.*

**S8.40.** Treasurer

**†S8.41.** The treasurer may be elected by the Synod Assembly or may be appointed by the Synod Council. The treasurer shall be a voting member of a congregation of this synod. The treasurer may be either a layperson or a minister of Word and Sacrament.

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

- a. Management of the monies and accounts of this synod, its deeds, mortgages, contracts, evidences of claims and revenues,

and trust funds, holding the same at all times subject to the order of the synod.

- b. Invest of funds upon the authorization of the Synod Council.
- c. Receipt and acknowledgment of offerings, contributions and bequest 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 the 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 the financial statement 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. Obtaining a fidelity bond in the amount determined by the Synod Council for persons handling synod funds, which bond shall be in the custody of the secretary. The premium for the bond shall be paid by this synod. Fidelity coverage provided by the Evangelical Lutheran Church in America shall be deemed a fulfillment of this requirement.

**S8.50.** General Provisions

**†S8.51.** The terms 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, and secretary, of this synod shall be elected to a term of four years and may be reelected.
- c. The treasurer of this synod shall be [elected] [appointed] to a four-year term and may be reelected or reappointed.

*S8.51.A04. The vice president and secretary shall not be eligible for more than two consecutive terms in that office.*



- S8.51.B14 The treasurer of the synod may be eligible for more than two consecutive terms in that office only upon recommendation by the Synod Council and affirmed by a majority vote from the Synod Assembly.*
- S8.52.** The terms of the officers shall begin on August 15<sup>th</sup> or in the year of a Churchwide Assembly, the day after adjournment of that year's Churchwide Assembly or, in special circumstances, at a time designated by the Synod Council.
- †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 the synod at the time of election.
- †S8.54.** Should the bishop die, resign, or be unable to serve, the vice president, after consultation with the presiding bishop of the Evangelical Lutheran Church in America, shall convene the Synod Council to arrange for the 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 serve the remainder of the term. If the treasurer is appointed by the Synod Council, the Synod Council shall appoint a new treasurer to a four year term.
- †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 and the vacating of office may be effected for willful disregard or violation of the constitutions, bylaws, and continuing resolutions of this church; for such physical or mental disability as renders the officer incapable of performing the duties of office; or for such conduct as would subject the officer to disciplinary action as a rostered minister or as a member of a congregation of this church.

- a. Proceedings for the recall or dismissal of a synodical bishop shall be instituted by written petition by:
  - 1) the Synod Council on an affirmative vote of at least two-thirds of its elected members present and voting;
  - 2) the Synod Assembly on an affirmative vote of at least two-thirds of its members present and voting;
  - 3) at least 10 synodical bishops; or
  - 4) the presiding bishop of this church.
- b. Proceedings for the recall or dismissal of an officer of a synod, other than the synodical bishop, shall be instituted by written petition by:
  - 1) the Synod Council on an affirmative vote of at least two-thirds of its elected members present and voting;
  - 2) the Synod Assembly on an affirmative vote of at least two-thirds of its members present and voting; or
  - 3) the synodical bishop.
- c. The petition shall be filed with the chair of the Committee on Appeals (in care of the secretary of the Evangelical Lutheran Church in America, 8765 West Higgins Road, Chicago, Illinois 60631) and shall set forth the specific charge or charges.
- d. Upon the filing of a written petition, the Executive Committee of the Synod Council may temporarily suspend the officer from service in the synod without prejudice, but with continuation of compensation, including benefits, if the officer is a salaried employee of the synod.
- e. In the case of alleged physical or mental incapacity of an officer of the synod, the procedures outlined in †S8.56. shall be followed, and such officer shall comply with the decision of the Synod Council. If such officer fails or refuses to comply, the Synod Council may proceed to petition for recall or dismissal as follows:
  - 1) the Synod Council will submit a written report of their findings and the basis of their decision to the Committee on Appeals.
  - 2) the Committee on Appeals, other than those who are disqualified,

shall review the findings and decision of the Synod Council and by an affirmative vote of at least two-thirds of those present and voting may adopt the findings and grant the petition.

- f. If the synod officer is a minister of Word and Sacrament, grounds for recall or dismissal include those set forth in ELCA bylaw 20.21.01. and as defined under the process described in ELCA constitutional provisions 20.20. and 20.21. as grounds for discipline. If the officer is a minister of Word and Service, grounds for recall or dismissal include those set forth in ELCA bylaw 20.22.01. and as defined under the process described in ELCA constitutional provisions 20.20. and 20.21. as grounds for discipline.
- g. If the officer is a layperson, grounds for recall or dismissal include those set forth in ELCA bylaw 20.41.01. as grounds for discipline.
- h. If the case of alleged willful disregard or violation of the constitutions, bylaws, and continuing resolutions or of alleged conduct as would subject the officer to disciplinary action, the following procedures shall apply:
  - 1) the petition shall be referred to the Committee on Appeals, which shall function as the discipline hearing committee that shall conduct a hearing in accordance with the rules provided for in ELCA bylaw 20.21.16. except to the extent that those rules are in conflict with the provisions of this bylaw; and
  - 2) the members of the Committee on Appeals, other than those who are disqualified, may grant the petition by an affirmative vote of a least two-thirds of those present and voting.
- i. Written notice of a decision by the Committee on Appeals that the charges have been sustained shall be given to the affected officer and to the Synod Council, and the office shall be vacated

**†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 a minister of Word and Sacrament of this church. Except as limited by action of the Synod Council, an acting bishop shall possess all of the powers and authority of a regularly elected bishop other than authority to ordain or to authorize the ordination of properly approved candidates for ordination.

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## CHAPTER 9

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### 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. The Synod Assembly shall 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.
- †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 6 members.
- a. Membership on the Nominating Committee shall reflect a balance of gender, rostered and lay persons, a multi-cultural presence, and a geographical balance according to the standard representational mandate of the ELCA.
  - b. A chairperson shall be appointed by the Synod Council to a two-year term, not eligible for reelection.
  - c. No person holding an office elected by the Synod Assembly shall serve on the Nominating Committee.
- S9.03.01. The Nominating Committee shall normally nominate at least two persons for each vacancy to be filled on the Synod Council, the Committee on Consultation, members of Synodical Ministry Teams, with the exception of the Candidacy Board, and voting members to the Churchwide Assembly. In the matter of all nominations, the Nominating Committee shall be concerned with representation of clergy women and men, lay women and men, people of color and/or whose primary language is other than English, youth and young adult, and with at least one representative of each Conference on the Synod Council. Additional nominations may be made from the floor for all elections for which nominations are made by the Nominating Committee.
- S9.04. The bishop shall be elected by the Synod Assembly by ecclesiastical ballot. Three-fourths of the legal votes cast shall be necessary for election on the first ballot. If no one is elected, the first ballot shall be considered the nominating ballot. Three-fourths of the legal votes cast on the second ballot shall be necessary for election. The third ballot shall be limited to the seven persons (plus ties) who received the greatest number of legal votes on the second ballot, and two-thirds of the legal votes cast shall be necessary for election. The fourth ballot shall be limited to the three persons (plus ties) who received the

greatest number of legal votes on the third ballot, and 60 percent of the legal votes cast shall be necessary for election. On subsequent ballots a majority of the legal votes cast shall be necessary for election. These ballots shall be limited to the two persons (plus ties) who received the greatest number of legal votes on the previous ballot.

- S9.05.** The Synod Council shall nominate at least one person for vice president; additional nominations may be made from the floor.
- S9.06.** The Synod Council shall nominate at least one person for secretary; additional nominations may be made from the floor.
- S9.07.** If the treasurer is elected, the Synod Council shall nominate at least one person for treasurer; additional nominations may be made from the floor.
- S9.08.** In all elections, except for the bishop, the names of the persons receiving the highest number of legal votes, but not elected by a majority of the legal votes cast on a preceding ballot, shall be entered on the next ballot to the number of two for each vacancy unfilled. On any ballot when only two names appear, a majority of the legal votes cast shall be necessary for election.
- S9.09.** The result of each ballot in every election shall be announced in detail to the assembly.
- †S9.10.** When notified by the secretary of this church, on behalf of the Nominating Committee of the Churchwide Assembly, the Synod Assembly shall nominate two persons in the specified categories for possible election by the Churchwide Assembly to the Church Council.
- †S9.12.** Background checks and screening shall be required and completed for persons nominated as synodical officers prior to their election, if possible, or as soon as practical after their election. The specific procedures and timing of background checks and screening shall be determined by the Synod Council.
- S9.12.A11.** *The Synod Council Executive Committee shall provide for background checks from persons nominated for synodical officer 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 the 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 Staff 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 competed 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.*
- g. *Unless otherwise determined by the Synod Council, a second background check will not be required if the officer is elected for a second consecutive term.*

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## CHAPTER 10

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### SYNOD COUNCIL

- †S10.01. The Synod Council consisting of the four officers of the synod, 10 to 24 other members, and at least one youth and at least one young adult, shall be elected by the Synod Assembly.
- a. Each person elected to the Synod Council shall be a voting member of a congregation of this synod, with the exception of ministers on a 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 bishop and the youth member shall be four years.
- S10.01.01. The Synod Council shall consist of, in addition to the officers, 17 elected members. The elected members shall be one per conference plus 7 at large positions with one each for lay male, lay female, rostered leader, and youth, young adult and two from ethnic-specific congregations. No elected member of the Synod Council shall be eligible for election to more than two consecutive terms.
- S10.01.02. The term of the youth member, elected during even numbered years, shall be two years. The terms of all council members shall begin upon election and continue until a successor is elected.
- S10.01.03. The terms of all council members shall begin on August 15<sup>th</sup> or in the year of a Churchwide Assembly, the day after the adjournment of that year's Churchwide Assembly.
- S10.01.04. A member's place on the Synod Council shall be declared vacant if the member a) ceases to be a voting member of an ELCA Congregation within the Synod or b) is absent from two successive regular meetings of the Synod Council without cause. Consistent with the laws of the state in which this Synod is incorporated, the Synod made adopt procedures to remove a member of the Synod Council in other circumstances.
- †S10.02. The Synod Council shall be the board of directors of this synod and shall serve as its interim legislative authority between meetings of the

Synod Assembly. It may make decisions which are not in conflict with actions taken by the Synod Assembly or which are not precluded by provisions of this constitution or the constitution and bylaws of the Evangelical Lutheran Church in America.

S10.02.01. The Synod Council shall meet at least three times each year, in the interim between synod assemblies.

*S10.02.A14 A quorum for the transaction of business shall consist of a majority of the members of the Synod Council, including the bishop, except when the bishop requests or consents to be absent and has given prior approval to the agenda for a particular regular or special meeting, which shall be the only business considered at that meeting. Chronic or repeated absence of the bishop who has refused approval of the agenda of a subsequent regular or special meeting shall not preclude action by the Synod Council, following consultation with the office of the presiding bishop.*

**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 of Word and Sacrament and the roster of ministers of Word and Service,  $\bar{r}$  receive and act upon appropriate recommendations regarding those persons whose status is subject to reconsideration and action under the constitution and bylaws of the Evangelical Lutheran Church in America, and make a report to the Synod Assembly of the Synod Council's actions in this regard.
- e. Issue letters of call to rostered ministers as authorized by Chapter 7 of the constitution and bylaws of the Evangelical Lutheran Church in America.
- f. Fill standing board, commission, committee, and council vacancies to fulfill the unexpired terms.
- 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.

S10.03.01. Additional duties and responsibilities of the Synod Council shall be:

- a. Promote the interests of the ELCA on the territory of the synod.
- b. Supervise and coordinate the work of the committees, commissions, and boards of this synod.
- c. Call assistants to the bishop in consultation with the Bishop of this Synod.
- d. Determine the time and place for each Synod Assembly and prepare the agenda and program.
- e. Elect the representatives of the synod who are to serve, in addition to the bishop, ex officio on the governing bodies of institutions, agencies and inter-church agencies to which this synod relates upon nomination by the appropriate synodical board.
- f. Elect members of all Boards, Commissions, and Ministry Teams of the synod, as directed by the constitution, bylaws and continuing resolutions of this synod, with the assistance, advice and consultation of the conferences.

**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 meet the requirements of the position to which she or he was elected, 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. To the extent permitted by state laws, meetings of the Synod Council and its committees may be held electronically or by telephone conference, and notice of all meetings may be provided electronically.

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## CHAPTER 11

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### COMMITTEES, BOARDS AND COMMISSIONS

(Numbering in this chapter is not consecutive, so that descriptions of Ministry Teams may be grouped appropriately. S11.01.01. through S11.21.A10 are before †S11.01.)

#### S11.01.01. Oversight, Catalyst and Self Organizing Ministry Team

This synod shall have three categories of Ministry Teams; Oversight, Catalyst, and Self-Organizing.

Oversight Ministry Teams work on behalf of the synod. These are initiated by the ELCA, Synod Council or Synod Assembly.

Catalyst Ministry Teams connect ELCA, synod and congregations. These groups are initiated by the Synod Council or Synod Assembly.

Self Organizing Ministry Teams are people with passion for an issue who connect and collaborate on throughout the synod. A Self Organizing Team is initiated by volunteers and recognized by Synod Council as a synodical ministry team.

#### **S11.10.** General Provisions for all ministry teams

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

S11.11.01. In the event that a vacancy on an Oversight or Catalyst ministry team occurs, that vacancy shall be filled by appointment of the Synod Council to fulfill the unexpired term.

S11.11.02. No person employed by an agency or institution related to that board shall be simultaneously an officer of the synod, a voting member of the Synod Council, a Conference Dean, or a voting member of another board.

S11.11.03. Each ministry team shall meet as often as determined by the Ministry Team, within budget constraints. Video-conferencing, teleconferencing and other electronic means of communication may be used.

- S11.11.04. Oversight and Catalyst Ministry Teams shall be responsible to the Synod Assembly and will report to the Synod Council in the interim. The mission, policies, and programs of each team shall be reviewed by the Synod Council in order to assure conformity with the governing documents of this synod, and to assure achievement of goals which may be established by the synod in any ministry team's area of ministry. These ministry teams will work collaboratively with the Synod Council.
- S11.11.05. One or more members of the Synod Council may be appointed by the Council to serve as liaison to each ministry team. This liaison shall include notice of meetings, agenda items and minutes. The Council liaison may have voice and vote.
- S11.11.06. A member of the synod staff may be assigned to teams as needed. The staff person shall have voice but no vote.
- S11.11.07. Each Oversight or Catalyst ministry team shall be responsible for submitting to the Executive Committee a budget for its operation costs. It shall abide by the expenditure authorization guidelines from the Synod Council.
- S11.11.08. No ministry team shall issue any public statement purporting to speak for this synod
- S11.11.09. Some Oversight Ministry Teams are required by ELCA; they are marked with †. The functions of other ministry teams shall be enumerated in bylaws or continuing resolutions.

**S11.21. Oversight Ministry Teams**

*S11.21.A10. Oversight Ministry Teams include the Synod Council, Executive Committee, Consultation Committee, Discipline Committee, Mutual Ministry Committee, Audit Committee, Nominating Committee, Finance Committee, Candidacy Committee, Campus Ministry Committee, Advocacy Ministry Board(s), Event Planning Task Forces, Congregation and Leadership Health Committee, Region 2 Council, Mission Endowment Fund Committee, Reference and Counsel Committee, and other groups which may be constituted by Synod Council for a particular purpose.*

†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, shall be as set forth in this constitution or in the bylaws or continuing resolutions, and shall be

subject to any applicable provisions or requirements of the constitution and bylaws of the Evangelical Lutheran Church in America.

- †S11.02.** The Consultation Committee of this synod shall consist of at least six persons and not more than 12 persons, of whom half shall be ministers of Word and Sacrament and half shall be laypersons, who shall each be elected by the Synod Assembly for a term of six years without consecutive reelection. The functions of the Consultation Committee are set forth in Chapter 20 of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America* and in Chapter 17 of this constitution. The size of the Consultation Committee, in accord with this provision, shall be defined in this synod's bylaws.
- S11.02.01. The Consultation Committee of this synod shall consist of 6 persons, of whom three shall be ordained ministers and three shall be laypersons.
- †S11.03.** The Committee on Discipline of this synod shall consist of 12 persons of whom six shall be ministers of Word and Sacrament and six shall be laypersons, who shall each be elected by the Synod Assembly for a term of six years without consecutive 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 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.
- S11.04.01. The Mutual Ministry Committee will be composed of two members selected from the Synod Council and two members selected from the synod at large upon the recommendation of the bishop of the synod, for terms of one year beginning in September of the year appointed. This committee shall seek to give encouragement by its concern for the spiritual, emotional, and physical well-being of the salaried officer (s) and staff of this synod. It will offer support when they are experiencing personal or pastoral stress. It will allow for open communication concerning attitudes and conditions within the synod. The committee shall meet at least once a year and as needed.
- †S11.05.** The Audit Committee shall consist of three to six persons, none of whom are members of the synod staff. Up to half of the committee may be Synod Council members. The Audit Committee members shall be

elected by the Synod Council for a term of three years and 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.

**S11.06.** The Nominating Committee – see S9.03. and S9.03.01.

**S11.07.** The Synod Council as in Chapter 10.

**S11.08.** The Synod Council shall have an Executive Committee composed of the four synodical officers and four Synod Council members, two elected by the Council at the Winter Meeting of the Synod Council each year to serve overlapping two-year terms. The Executive Committee shall counsel with the synodical officers and shall perform those functions of the Synod assigned to it by the Synod Council. This committee, with the exception of the salaried officer(s) of this synod, shall review the work of the officer(s) and the Executive Staff.

S11.08.01 The Executive Committee sets the salaries of the Bishop, executive staff, and support staff of the synod.

*S11.09.A10. A Finance Committee shall be composed of the treasurer of this synod, as chairperson and convener, and the Executive Committee of the Synod Council.*

*a. The committee shall prepare a comprehensive budget to be approved by the Synod Council and recommended to the Synod Assembly for adoption.*

*b. The committee shall periodically review the invested funds of this synod and make appropriate recommendations to the Synod Council.*

**S11.10.B16. CANDIDACY BOARD**

*a. The Candidacy Board shall be responsible to assist in the affirmation, development and support of the ministries of the whole people of God, including recognition and support of the ministry of Word and Sacrament and the ministry of Word and Service. To accomplish this end, the Candidacy Board will relate to the Vocation and Education Unit.*

- b. *The Candidacy Board shall be responsible to fulfill the following functions:*
1. *Develop programs for the recruitment, preparation and evaluation of candidates for the ordained ministry as outlined by the Vocation and Education Unit. (Chapter 7, ELCA Constitution and Bylaws.)*
  2. *Develop programs for the recruitment, preparation and evaluation of candidates for associates in ministry, deaconesses, and diaconal ministers as outlined by the Vocation and Education Unit. (Chapter 7, ELCA Constitution and Bylaws).*
  3. *Recommend for appointment by the Synod Council, persons to serve on the boards of seminaries) to which this synod is related.*
  4. *Determine the needs, both of and for ordained ministers, associates in ministry, deaconesses, and diaconal ministers on the territory of the synod and make recommendations and develop programs to meet those needs.*
  5. *Serve as liaison between the seminary(ies) and the synod providing information about the needs of each to the other and seeking to fill those needs.*
- c. *The Candidacy Board members shall be nominated by the Synod Bishop and elected by the Synod Council for a term of five years with the possibility of one consecutive reelection.*
1. *Board members shall be selected for their understanding of the ELCA and its rostered ministries, for their patience and compassion for people in discernment, for their ability to communicate clearly, and for their capacity to make difficult decisions for the sake of the church and those seeking candidacy.*
  2. *The Board's membership shall reflect a balance of gender, rostered and lay persons, a multicultural presence, and a geographical balance according to the standard representational mandate of the ELCA.*
  3. *The Synod Council-elected members, the Bishop of the synod, and a seminary representative shall have voice and vote on the board. The ELCA regional deployed staff person and the synod staff person assigned to the board shall have voice but not vote.*

*S11.12.A10. Lutheran Advocacy Ministry Boards*

- a. Lutheran Advocacy Ministry Boards are affiliated with the ELCA State Public Policy Offices. Their mission, governance, and relationship with Synod Council are described in each board's governing documents.*
  - 1. Advocacy Ministry Boards in the Rocky Mountain Synod are in the states of Colorado and New Mexico.*

*S.11.13.A10. CAMPUS MINISTRY COMMITTEE*

- a. The Campus Ministry Committee shall be responsible for developing, supporting, interpreting, and advocating the mission of ELCA campus ministry among the students, faculty and staff at institutions of higher education on the territory of this synod.*
- b. The Campus Ministry Committee shall facilitate an interdependent relationship with the ELCA Churchwide Campus Ministry Team and the local Campus Ministry Agencies.*
- c. The Campus Ministry Committee shall develop and present an annual budget to the Synod Council for the development and support of campus ministry. The Campus Ministry Committee shall develop and provide to the Campus Ministry Agencies a synodical grant application and distribute budgeted funds based upon those applications annually. Local application for and allocation of funds shall be the responsibility of the Campus Ministry Agencies.*
- d. The Campus Ministry Committee shall develop, encourage, and support cooperating congregations for outreach on campuses where there is not a Campus Ministry Agencies.*
- e. The Campus Ministry Committee shall commend to the Campus Ministry Agencies personnel policies consistent with ELCA policies, work with Campus Ministry Agencies in staff evaluations and participate in the quadrennial site reviews. The Campus Ministry Agencies and Synod Council shall consult the ELCA Churchwide Campus Ministry Team before issuing, or the synod's bishop attesting, a call involving significant campus ministry responsibilities.*

- f. The Campus Ministry Committee shall approve and assist all capital fund raising efforts of campus ministries in this synod consistent with the synod's and ELCA's policy guidelines.*
- g. The Campus Ministry Committee shall work with the National Lutheran Campus Ministry, Inc., for the acquisition and management of property.*
- h. The Campus Ministry Committee, through its chairperson, shall prepare an annual report for the annual Synod Assembly; provide, through the designated synod staff and synod council liaison, regular reports to the Synod Council of program accomplishments, long-range planning, requests for capital funding, and recommendations to call new staff.*
- i. The Campus Ministry Committee may appoint a grant review team that will work in collaboration with the executive committee and treasurer of the Synod Council to make recommendations regarding the distribution of synod funds made to CMA's. The Campus Ministry Committee will also oversee financial matters related to the interpretation and the encouragement of synodical campus ministry support with congregations.*
- j. The Campus Ministry Committee shall be comprised of six to ten voting members in accordance with the representational principles of the ELCA and Rocky Mountain Synod, three members to be elected by Synod Assembly for a term of four years with the possibility of one additional consecutive term, and the other members to be appointed by the Synod Council for a term of four years with the possibility of one consecutive appointment. Terms conclude at the time of the synod assembly.*
- k. The Campus Ministry Committee shall elect biennially a chairman, secretary, and may appoint a grant review team at the first meeting following the Synod Assembly in that year.*
- l. The Campus Ministry Committee shall include advisory members with the privilege of voice, but not vote, including, but not limited to, a member of the ELCA CCMT, the synodical bishop's designated staff member, Synod Council liaison, and RMS campus ministry staff members.*



**S11.14.A10. Event Planning Task Forces**

- a. *Synod Council or the Office of the Bishop may form task forces to plan synodical events as needed. Members may be volunteers or appointed. Synod Council may have a liaison assigned to a task force.*

**S11.15.A10. Congregation and Leadership Health Committee**

- a. *The Congregation and Leadership Health Committee shall be responsible for promoting, educating, and providing resources to fulfill the Vision, Passion, Action goal: “We (synod, congregations, lay and rostered leaders) are healthy and able to go through transition and conflict in ways that lead to positive growth.”*
- b. *The Committee will focus on promoting health for congregations, and lay and rostered leaders in areas such as:*
  1. *emotional health*
  2. *financial health*
  3. *spiritual health*
  4. *physical health*
- c. *The Committee will seek to assist congregations in discerning and adopting “best practices” in areas such as:*
  1. *job descriptions, personnel policies, staff and volunteer relationship*
  2. *lay leadership, committees, council meetings*
  3. *conflict resolution and congregational unity.*
- c. *The Committee shall be comprised of six to ten voting members in accordance with the representational principles of the ELCA and Rocky Mountain Synod; six members to be elected by Synod Assembly for a term of four years with the possibility of one additional consecutive term, and the other members to be appointed by the Synod Council for a term of four years with the possibility of one consecutive reappointment. Terms conclude at the time of the Synod Assembly.*

**S11.16. ELCA Region 2 Council**

S11.16.01. The Synod Council shall name the bishop and the synod vice president to serve as the representative from the Rocky Mountain Synod ELCA to Region 2 Council.

S11.17.A10. *Mission Endowment Fund Committee is to assist in the development of new congregations, support newly organized congregations and partner with existing congregations in the development of new outreach ministries by educating synod members and raising money for the RMS Mission Endowment Fund. Three to five members will be appointed by the Synod Council for an unspecified term.*

**S11.18.** Reference and Counsel Committee. See S7.32.11., S7.32.A06., and S7.32.11.B06

**S.11.20.** Catalyst Ministry Teams.

S11.20.A13 *Catalyst Ministry Teams include Mission Outreach Board, Congregational Ministries Board, Global Mission Committee, Hunger Network Core Team and other groups which may be constituted by Synod Council for a particular purpose.*

S11.20.A10. **MISSION OUTREACH BOARD**

- a. *The Mission Outreach Board shall be responsible for promoting, extending and coordinating the mission outreach activity of the synod, both on its own territory and throughout the world. To accomplish this end, the Mission Outreach Board will relate to the churchwide Evangelical Outreach and Congregational Mission Unit, Global Mission Unit, and Vocation and Education Unit.*
- b. *The Mission Outreach Board shall be responsible to fulfill the following functions:*
  1. *Provide strategic planning for mission on synod territory.*
  2. *Effect new congregational development in consultation with the Evangelical Outreach and Congregational Mission Unit.*
  3. *Provide support for existing congregations and ministries in consultation with the Evangelical Outreach and Congregational Mission Unit.*

4. *Consult with churchwide agencies regarding priorities for multicultural ministries, their establishment and continued support as necessary.*
5. *Provide periodical review for mission outreach.*
6. *The Mission Outreach Board will have six to ten members elected by the Synod Assembly for four-year terms.*

#### **S11.21.B87.CONGREGATIONAL MINISTRIES BOARD**

- a. *The Congregational Ministries Board shall be responsible for providing the resources to strengthen the life and mission of the congregations of this synod. To accomplish this end, the Congregational Ministries Board will relate to the Synod Council and the churchwide Evangelical Outreach and Congregational Mission Unit.*
- b. *The Congregational Ministries Board shall be responsible to fulfill the following functions:*
  1. *Work with Synod Council to identify major needs and areas of concern in all areas of congregational life and mission.*
  2. *Identify appropriate subgroups to plan and implement programs, provide resources and training in specific mission and ministry areas as needed.*
  3. *Assist congregations in identifying, developing, and evaluating congregational mission.*
  4. *Allocate financial and other resources available for use as prioritized to meet identified needs.*
  5. *Interface with Synod Council and other synod groups and with congregations, to facilitate the sharing of information, needs and ideas.*
  6. *Examine and evaluate uses of resources for support of congregational ministries.*
  7. *Encourage, guide and support sub-groups of the Board in the development and effective use of procedures.*

8. *Assist congregations involving the development of ministries with youth, young adults, men, women, and the aging and other groups as needed.*
9. *Assist congregations to equip members, individually and collectively, for ministry in daily life.*
10. *The Congregational Ministries Board will have six to ten members elected by the Synod Assembly for four-year terms.*

*S11.22.A10. Global Mission Committee*

- a. *The Global Mission Committee shall interpret and inform congregations of this synod regarding the scope, the opportunities and the needs of the Global Mission Unit of the ELCA, in consultation with the ELCA Global Mission Unit.*
- b. *The Global Mission Committee shall present a request for support to the Finance Committee of this synod as part of the annual budgeting process.*
- c. *The Global Mission Committee shall report its activities to the Synod Council at its regular meetings. This report shall include, but not be limited to financial reports, proposed budgets, program accomplishments and long-range planning.*
- d. *The Global Mission Committee shall be composed of six voting members: three members who are appointed by the Synod Council for a term of four years with the possibility of one consecutive reelection, and three at-large members who are elected by Synod Assembly for a four-year term with the possibility of reelection.*
- e. *The Global Mission Committee may invite advisory members who have the privilege of voice, but not vote, to participate in its meetings.*

*S.11.23.A10. Hunger Network Core Team*

- a. *The ELCA World Hunger Appeal (WHA), Rocky Mountain Synod Hunger Network's Core Team exists to provide leadership, resources, and support to the synod's congregations for the ministries of:*
  1. *Empowering, training, and funding a Core Team of both youth and adults who are passionate about hunger and*

- social justice issues and who will organize and lead contacts in all churches to carry out the mission of the hunger appeal.*
2. *Raising awareness among people of all ages about the need for social justice for our impoverished neighbors.*
  3. *Emphasizing advocacy for the poor and the hungry.*
  4. *Increasing giving to the World Hunger Appeal.*
- b. *The Core Team is composed of persons who self-identify or who are recruited because of demonstrated commitment to the ministries of the ELCA World Hunger Appeal.*
- c. *The team selects its own chairman and secretary, who are not term-limited. The chairman will be approved by the Synod Council.*
- d. *Responsibilities are assigned to team members interested in carrying out those functions on behalf of the Core Team and/or the entire Hunger Network of congregational contacts.*

**S11.40** Self-Organizing Ministry Teams

S11.40.A10. *Self- Organizing Ministry Teams may form according to the interest and energy within the Synod.*

- a. *If such a group desires to be recognized as synodical, its members must make a request of Synod Council. The Self-Organizing Team's purpose must conform with the Rocky Mountain Synod's purposes and goals. The Synod Council reserves the right to refuse such a request or to dis-associate from a Self Organizing Team at any time. The Self-Organizing Team's leaders must be members of Rocky Mountain Synod ELCA congregations.*
- b. *After a group has been recognized by Synod Council, A Self-Organizing Team has the following privileges:*
1. *Use synod communications, i.e. video-conferencing, eConnections, Synod Assembly displays, and/or conference calls as resources allow.*
  2. *Request money through a granting process or a budget line request if funds are available.*
  3. *Host events related to their topic under the name of the Rocky Mountain Synod.*
  4. *Partner with other Self-Organizing Teams, Oversight Teams, or Catalyst Teams for events.*

5. *Dissolve the group when they decide to do so.*

c. *A Self-Organizing Team will not automatically be entitled to receive staff support or money allocated in the budget.*

*S11.40.B10. This synod shall have Self-Organizing Teams, which include the following teams and such other groups which may form themselves.*

*S11.41.B10. Creation Care*

*S11.42.B10. Health Ministries*

*S11.43.B10. Youth Ministry Networks*

*S11.44.B10. Mission Partners*

*S11.45.B10. Missions 25*

*S11.46.B10. Next Step Family Ministry Team*

**S11.50.** Relation to Other Churchwide Units

**S11.51.** To promote interdependent relations and to further the total mission of the Evangelical Lutheran Church in America and synodical units, this synod shall accord to the Churchwide units the privilege of presenting their causes through reports to the regular Synod Assemblies and shall accord the privilege of representation with voice but not vote at meetings of the Synod Council.

Such groups shall include but are not limited to:

- a. The synodical women's organization;
  - b. The organizations for men and youth, Lutheran Men in Mission and Lutheran Youth Organization (LYO);
  - c. The Publishing House of the ELCA;
  - d. The Board of Pensions;
  - e. The church periodical;
  - f. The ELCA Foundation;
  - g. The Mission Investment Fund of the ELCA;
  - h. Members of churchwide or regional entities of the ELCA.
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## CHAPTER 12

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### CONFERENCES, CLUSTERS, COALITIONS OR OTHER AREA SUBDIVISIONS

†S12.01. This synod may establish conferences, clusters, coalitions, area subdivisions, and networks as appropriate within its territory and in collaboration with other synods and partners as specified in the bylaws and continuing resolutions. The purpose of such groupings shall be to foster interdependent relationships for missional purposes among congregations, synods, the churchwide organization, and other partners.

S12.01.01. The Rocky Mountain Synod ELCA shall have the following:

- a. Conferences
- b. Clusters
- c. Coalitions

The functions of these groups and their geographical areas shall be stated in continuing resolutions.

#### *S12.01.A87. Conferences*

- a. *Purposes of the Conference:*
  1. *The Conference shall foster and equip congregations to conduct ministry in local geographic areas of this synod.*
  2. *The Conference shall enable congregations to discover their mutual interdependence and to use that interdependence as a tool for mission.*
  3. *The Conference shall enable congregations to provide specific and tangible witness in local communities to the unity we share in Christ.*
  4. *The Conference shall provide mutual support for congregations, lay leaders, pastors, associates in ministry, deaconesses, and diaconal ministers.*
  5. *The Conference shall provide the channel for sharing program resources of this synod and the wider church.*
  6. *The Conference shall provide opportunities for annual review of its own ministry and discussion of mutual accountability of congregations one to another.*

b. *Boundaries of the Conferences*

*The Rocky Mountain Synod of the ELCA shall be divided into ten conferences, the names and boundaries of which shall be as follows:*

1. *WYOMING CONFERENCE shall include all congregations of this synod in the state of Wyoming.*
2. *UTAH CONFERENCE shall include all the congregations of this synod in the state of Utah.*
3. *NORTH COLORADO CONFERENCE shall include all congregations of this synod in the Colorado counties of Weld, Larimer, Logan, Sedgewick, Philips, Morgan, Washington and Yuma.*
4. *BOULDER/BROOMFIELD COUNTY CONFERENCE shall include all congregations of this synod in the Colorado counties of Boulder and Broomfield.*
5. *METRO WEST/MOUNTAIN CONFERENCE shall include congregations in the Colorado communities of Northglenn, Thornton, Arvada, Westminster and Wheat Ridge, and the mountain communities of Idaho Springs, Dillon, Vail, Gypsum, Glenwood Springs and the greater Grand Junction area.*
6. *METRO SOUTH CONFERENCE shall include congregations south of Colfax Avenue and its extension and to include Iglesia Luterana Familia de Cristo, Denver; Faith, Golden and congregations west of Interstate 25.*
7. *METRO EAST CONFERENCE shall include congregations east of Interstate 25 and Interstate 76 and the communities of Commerce City, Strasburg, and to include congregations in Douglas County.*
8. *SOUTHEAST COLORADO CONFERENCE shall include congregations in an area bounded on north by Kit Carson, Elbert and El Paso Counties, on the east by the Colorado State border, and on the west by the western borders of El Paso, Custer, and Fremont Counties.*



9. *NORTH NEW MEXICO CONFERENCE shall include congregations in the state of New Mexico north of the 34<sup>th</sup> parallel and shall also include the community of Durango, Colorado, and environs.*
10. *BORDER CONFERENCE shall include congregations in the state of New Mexico south of the 34<sup>th</sup> parallel and those congregations in Texas west of a line that continues the eastern border of New Mexico southward to the International Border.*

c. *Membership of the Conferences*

1. *Each Conference shall include the members of congregations, local ministries, coalitions, clusters and all rostered persons in a designated geographic area.*
2. *The Conference shall determine its own voting membership.*
3. *The bishop or the bishop's representative shall be informed and invited to attend all meetings of the conference with voice but not vote.*

d. *Organization of a Conference*

1. *Each Conference shall elect a dean who may be either lay or clergy. The manner of election, whether by nomination or by ecclesiastical ballot, is at the discretion of the Conference.*
2. *Each Conference shall elect a secretary in a manner determined by the Conference.*
3. *Other leadership positions and ministry task forces will be as determined by each Conference.*
4. *The Conference shall normally meet at least once each year. The Dean may consult with other Conference leaders or establish a task force to develop an agenda.*
5. *A Conference may establish a treasury and gather funds by assessment or other means, over and above synodical benevolence, only upon mutual agreement and in consultation with the Synod Council.*

e. *The Dean*

1. *The Dean of a Conference shall be requested to serve as a consultant in each pastoral call proceeding to the extent determined by the bishop and shall serve as the representative of the bishop as may be required.*
2. *At the discretion of the bishop, a Committee of Deans may be established. The Committee of Deans shall not be a decision-making group, but may make recommendations to the bishop, the Synod Council, or any other synodical entity regarding concerns for ministry.*
3. *The Committee of Deans, upon its establishment, may develop a process of review of ministry needs within each respective Conference to keep the bishop apprised of concerns in any given local situation and to provide advice and counsel to the bishop as requested.*

S12.01.B87. *Clusters*

*Clusters of congregations may develop informally for the purpose of sharing resources, ministry programs and providing mutual support for lay and clergy leadership.*

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## **CHAPTER 13**

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### **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 the constitutions, bylaws, and continuing resolutions 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 its voting members laypersons to serve as members of the Synod Assembly as well as persons to represent it at meetings of any conference, cluster, or coalition 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 rostered 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 rostered 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 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 unit of the churchwide organization before any steps are taken leading to such action.
- S13.21.** The alignment of congregations in pastoral charges and all alterations in any alignment, shall be subject to approval by the Synod Assembly or by the Synod Council.
- †S13.22.** Each congregation of the Evangelical Lutheran Church in America within the territory of this synod, except those which are in partnership with the Slovak Zion Synod, shall establish and maintain a relationship with this synod.
- †S13.23.** Provision 9.71. of the ELCA constitution shall govern the relationship of this synod and a congregation of this synod regarding the property of the congregation. This synod may transfer or convey property to a congregation of the synod, subject to restrictions accepted by the congregation, including provision that if the Synod Council, in its sole and exclusive discretion, determines (1) that the property is not being used to serve the mission and ministry needs of this church, or (2) that the congregation has transferred, encumbered, mortgaged, or in any way burdened or impaired any right, title, or interest in the property without the prior approval of the Synod Council, then title to the property shall revert to the synod, and the congregation, upon written demand, shall convey 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.
- S13.40.** Synodically Authorized Worshiping Communities
- S13.41.** 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.

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## **CHAPTER 14**

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### **ROSTERED MINISTERS**

- S14.10.** Ministers of Word and Sacrament
- †S14.11.** The time and place of the ordination of those persons properly called to congregations or non-congregational service of this synod shall be authorized by the bishop of this synod.
- †S14.12.** Consistent with the faith and practice of the Evangelical Lutheran Church in America,
- a. Every minister of Word and Sacrament shall:
    - 1) preach the Word;
    - 2) administer the sacraments;
    - 3) conduct public worship;
    - 4) provide pastoral care; and
    - 5) seek out and encourage qualified persons to prepare for the ministry of the Gospel;

- 6) impart knowledge of this church and its wider ministry through distribution of its communications and publications;
  - 7) witness to the Kingdom of God in the community, in the nation and abroad; and
  - 8) 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 pastor with a congregational call shall, within the congregation:
- 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
  - 2) relate to all schools and organizations within the congregation;
  - 3) install regularly elected members of the Congregation Council;
  - 4) with the council, administer discipline.
  - 5) Endeavor to increase the support given by the congregation to the work of the ELCA churchwide organization and of this synod.

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

**S14.14.** 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.

S14.15. Each minister of Word and Sacrament on the roster of this synod shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly

**†S14.16.** When a congregation of this church desires to call a pastor or a candidate for the ministry of Word and Sacrament 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 candidate by a congregation of this synod in accord with ELCA constitutional provision 7.41., a two-thirds vote shall be required of voting members of the congregation present and voting at a meeting regularly called for the purpose of issuing such a call.
- d. When the congregation has voted to issue a call to a prospective pastor, the letter of call shall be submitted to the bishop of this synod for the bishop's signature.

**S14.17.** No minister of Word and Sacrament shall accept a call without first conferring with the bishop of the synod. A minister of Word and Sacrament shall respond with an answer to acceptance or declination to a letter of call within thirty days of receipt of such call. In exceptional circumstances with the approval of the bishop of this synod and the chair of the Congregation Council of the congregation issuing the call, an additional fifteen days may be granted to respond to a letter of call.

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

- a. The call of a congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment which shall be terminated only by death, or 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, no later than 30 days after the date on which it was submitted;
  - 3) inability to conduct the pastoral office effectively in that congregation in view of local conditions;
  - 4) physical disability or mental incapacity of the pastor;
  - 5) suspension of the pastor through discipline for more than three months;
  - 6) resignation or removal of the pastor from the roster of ministers of Word and Sacrament of this church;
  - 7) termination of the relationship between this church and the congregation;
  - 8) dissolution of the congregation or the termination of a parish arrangement; or
  - 9) suspension of the congregation through discipline for more than six months.

- b. When allegations of physical disability or mental incapacity of the pastor under paragraph a.4) above, or ineffective conduct of the pastoral office under paragraph a.3) above, have come to the attention of the bishop of this synod,
  - 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
  - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the congregation council or by a petition signed by at least one-third of the voting members of the congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
- c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the pastor's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the pastorate vacant. When the pastorate is declared vacant, the Synod Council shall list the pastor on the roster of ministers of Word and Sacrament as disabled. Upon removal of the disability and restoration of the pastor to health, the bishop shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call.
- d. In the case of alleged local difficulties that imperil the effective functioning of the congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the pastor and then to the congregation. The recommendations of the bishop's committee must address whether the pastor's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by the congregation and by the pastor, if appropriate. If the pastor and congregation agree to carry out such recommendations, no further action need be taken by the synod.
- e. If either party fails to assent to the recommendations of the bishop's committee concerning the pastor's call, the congregation may dismiss the pastor only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds 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



majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.

- f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for disciplinary action, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of ~~the~~ this church's constitution, bylaws, and continuing resolutions

**†S14.19.** Ministers of Word and Sacrament 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.

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

- a. installation in another call, or
- b. transfer approval of a request for change in roster status.

**†S14.22.** The pastor shall make satisfactory settlement of all financial obligations to a former congregation before:

- a. installation in another call, or
- b. transfer approval of a request for change in roster status.

**†S14.23.** During the service to a congregation, an interim pastor shall have the rights and duties in the congregation of a regularly called pastor. The interim pastor may delegate the same in part to an interim supply pastor with the consent of the bishop of this synod. The interim pastor and any rostered 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.

**†S14.24.** 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 **†S14.18.**, 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 †S14.18.

S14.25. All ministers of Word and Sacrament under a call shall attend meetings of the Synod Assembly, and the pastors of congregations shall also attend the meetings of the conference, cluster, or coalition, or other area subdivision to which the congregation belongs.

**S14.30.** Ministers of Word and Service

†S14.31. The time and place of the consecration of those persons properly called to congregations or non-congregational service of this synod shall be authorized by the bishop of this synod.

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

- a. Be rooted in the Word of God, for proclamation and service;
- b. Advocate a prophetic diakonia that commits itself to risk-taking and innovative service on the frontiers of the Church's outreach, giving particular attention to the suffering places in God's world;
- c. Speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world, witnessing to the realm of God in the community, the nation, and abroad;
- d. Equip the baptized for ministry in God's world that affirms the gifts of all people;
- e. Encourage mutual relationships that invite participation and accompaniment of others in God's mission;
- f. Practice stewardship that respects God's gift of time, talents, and resources;
- g. Be grounded in a gathered community for ongoing diaconal formation;
- h. Share knowledge of the ELCA and its wider ministry of the gospel, and advocate for the work of all expressions of this church; and
- i. Identify and encourage qualified persons to prepare for ministry of the gospel.

- S14.33.** The minister of Word and Service shall become a member of the congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the minister of Word and Service shall hold membership in one of the congregations.
- S14.34.** Each minister of Word and Service on the roster of this synod shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.
- †S14.41.** When a congregation of this church desires to call a minister of Word and Service or a candidate for the ministry of Word and Service 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 minister of Word and Service.
  - b. For issuance of a letter of call to a minister of Word and Service or candidate by a congregation of this synod in accord with ELCA constitutional provision 7.71., a two-thirds vote shall be required of members of the congregation present and voting at a meeting regularly called for the purpose of issuing such a call.
  - c. When the congregation has voted to issue a call to a prospective minister of Word and Service, the letter of call shall be submitted to the bishop of this synod for the bishop's signature.
- S14.42.** No minister of Word and Service shall accept a call without first conferring with the bishop of this synod. A minister of Word and Service 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.
- †S14.43.**
- a. The call of a congregation, when accepted by a minister of Word and Service shall constitute a continuing mutual relationship and commitment which shall be terminated only by death or, following consultation with the synodical bishop, 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 minister of Word and Service, which shall become effective, unless otherwise agreed, no later than 30 days after the

date on which it was submitted;

- 3) inability to conduct the office effectively in that congregation in view of local conditions;
- 4) physical disability or mental incapacity of the minister of Word and Service;
- 5) suspension of the minister of Word and Service through discipline for more than three months;
- 6) resignation or removal of the minister of Word and Service from the roster of ministers of Word and Service of this church;
- 7) termination of the relationship between this church and the congregation;
- 8) dissolution of the congregation or the termination of a parish arrangement; or
- 9) suspension of the congregation through discipline for more than six months.

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

- 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
- 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of the congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.

e. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the minister of Word and Service's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the position vacant and the minister of Word and Service shall be listed on the roster of ministers of Word and Service as disabled. Upon

removal of the disability and restoration of the minister of Word and Service to health, the bishop shall take steps to enable the minister of Word and Service to resume the ministry, either in the congregation last served or in another appropriate call.

- f. In the case of alleged local difficulties that imperil the effective functioning of the congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the minister of Word and Service and then to the congregation. The recommendations of the bishop's committee address whether the minister of Word and Service's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by the congregation and by the minister of Word and Service, if appropriate. If the minister of Word and Service and congregation agree to carry out such recommendations, no further action need be taken by the synod.
- g. If either party fails to assent to the recommendations of the bishop's committee concerning the minister of Word and Service's call, the congregation may dismiss the minister of Word and Service only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds 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 majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
- h. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for disciplinary action, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.

**†S14.44.** Ministers of Word and Service 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 Congregation Council.

**†S14.45.** The minister of Word and Service shall make satisfactory settlement of all financial obligations to a former congregation before:

- a. installation in another call, or
- b. approval of a request for change in roster status.

**†S14.46.** 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 †S14.43., a congregation may call a minister of Word and Service 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 minister of Word and Service 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 †S14.43.

**S14.47.** All ministers of Word and Service under a call shall attend meetings of the Synod Assembly, and the ministers of Word and Service of congregations shall also attend the meetings of the conference, cluster, coalition, or other area subdivision to which the congregation belongs.

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## **CHAPTER 15**

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### **FINANCIAL MATTERS**

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

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

- a. The mission of this church beyond the congregation is to be supported by such a proportionate share of each congregation's annual budget as each congregation determines. This synod shall develop guidelines for determining "proportionate share," and shall consult with congregational leaders to assist each congregation in making its determination.
- b. This synod shall receive the proportionate share of the mission support from its congregations, and shall transmit that percentage or amount of each congregation's mission support as determined in consultation with the churchwide organization and approved by the Synod Assembly as part of its budget consideration.

- i. Should the Synod Assembly not approve the proportionate share of mission support determined in consultation with the churchwide organization, a new consultation with the churchwide organization shall take place. The Synod Council is authorized to amend the budget adopted by the Synod Assembly to reflect the results of this consultation.
  
- †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.
  
- S15.13.** On the basis of estimated income, the Synod Council shall authorize expenditures within the budget for the fiscal year. Expenditure authorizations shall be subject to revision, in light of changing conditions, by the Synod Council.
  
- S15.14.** Except when such procedure would jeopardize current operations, a reserve amounting to no more than 16 percent of the sum of the amounts scheduled in the next year's budget for regular distribution to synodical causes shall be carried forward annually for disbursement in the following year in the interest of making possible a more even flow of income to such causes. The exact number of dollars to be held in reserve shall be determined by the Synod Council.
  
- S15.21.** No appeal to congregations of this or any other synod of the Evangelical Lutheran Church in America for the raising of funds shall be conducted by congregations or organizations related to or affiliated with this synod without the consent of the Synod Assembly or the Synod Council.
  
- †S15.31.** This synod shall arrange to have an annual audit of its financial records conducted by a certified public accountant firm recommended by the synod Audit Committee and approved by the Synod Council. The audited annual financial report shall be submitted by this synod to the churchwide Office of the Treasurer and to the congregations of this synod. The financial reports shall be in the format approved from time to time by the churchwide Office of the Treasurer.
  
- †S15.32.** This synod shall maintain adequate, continuous insurance coverage in accordance with standards recommended by the churchwide organization. Insurance programs offered or endorsed by the churchwide organization shall be deemed to fulfill this obligation.

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## CHAPTER 16

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### INDEMNIFICATION

- †S16.01.** Subject to the limitations and duties imposed by law, each person who is or was made or threatened to be made a party to any proceeding by reason of the present or former capacity of that person as a Synod Council member, officer, employee, or committee member of this synod shall be indemnified against all costs and expenses incurred by that person in connection with the proceeding. Indemnification of any person by reason of that person's capacity as a director, officer, employee, or committee member of any other organization, regardless of its form or relationship to this synod, is subject to the provisions of section †S16.02.
- a. The term "proceeding" means a threatened, pending, or completed lawsuit, whether civil or criminal, an administrative or investigative matter, arbitration, mediation, alternative dispute resolution, or any other similar legal or governmental action. Except as otherwise required by law, the term "proceeding" does not include (a) any action by this synod against the individual seeking indemnification, or (b) subject to †16.04., a disciplinary hearing or related process described in Chapter 20 of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.
  - b. The term "indemnification" includes reimbursement and advances of costs and expenses for judgments, penalties, fines, settlements, excise taxes, reasonable attorneys' fees, disbursements, and similar required expenditures.
- †16.02.** Whenever a person who, while a Synod Council member, officer, committee member, or employee of this synod, is or was serving at the request of this synod as (or whose duties in that position involve or involved service in the capacity of) a director, officer, partner, trustee, employee, or agent of another organization, is or was made or threatened to be made a party to a proceeding by reason of such capacity, then such person shall be entitled to indemnification only if (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 had been applied in making a specific determination that such person is entitled to indemnification.
- †S16.03.** This synod may purchase and maintain insurance on behalf of itself or any person entitled to indemnification pursuant to this chapter against any liability asserted against and incurred by this synod or by such



other person in or arising from a capacity described in section †S16.01. or section †S16.02.

- †S16.04.** When written charges against a rostered minister on an official roster of this church are made in disciplinary proceedings under Chapter 20 of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America* by the synodical bishop or when written charges against a congregation are made in disciplinary proceedings by the Synod Council or the synodical bishop, and the discipline hearing committee determines that no discipline shall be imposed, then if such determination is not reversed or set aside on appeal, indemnification shall be made by the synod to the accused for reasonable attorney's fees and other reasonable expenses related to the defense of the charges. The determination of the reasonableness of such fees and expenses shall be decided by the Synod Council.

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## **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 rostered ministers 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 a rostered minister of this church, shall not be addressed by the Executive Committee but shall be resolved through the disciplinary process set forth in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.
- †S17.03.** When there is a disagreement among units of this synod on a substantive issue that cannot be resolved by the parties, the aggrieved party or parties may appeal to the synodical bishop and the Executive Committee of the Synod Council for a consultation. If this consultation fails to resolve the issue, a petition may be addressed by the parties to the Synod Council requesting it to arbitrate the issue. The decision of the Synod Council shall be final.

**†S17.04.** When a component or beneficiary of a synod has a disagreement on a substantive issue that it cannot resolve, it may address an appeal to the synodical bishop and the Executive Committee of the Synod Council. In this case the decision of the Executive Committee shall prevail, except that upon the motion of a member of the Synod Council, the decision shall be referred to the Synod Council for 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 the synod shall fail to resolve the issue(s), the matter shall be referred to the Synod Council, whose decision shall be final.

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## **CHAPTER 18**

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### **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 the Churchwide Assembly, 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 majority vote at any subsequent meeting of the Synod Assembly without presentation at a prior Synod Assembly. An amendment that is identical to a provision of the *Constitution for Synods* shall be deemed to have been ratified upon its adoption by the synod. The Church Council, through the secretary of this church, shall be given prompt notification of its adoption.

**†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 25 members and having been approved by a two-thirds vote of the voting members present and voting at such a regular meeting of the Synod Assembly.

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

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

**†S18.20.** Amendments to Bylaws

**†S18.21.** This synod may adopt bylaws not in conflict with this constitution nor with the constitution and bylaws of the churchwide organization. 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, bylaws, and continuing resolutions of the churchwide organization. Such continuing resolutions may be adopted or amended by a majority vote of the Synod Assembly or by a two-thirds vote of the Synod Council. Newly adopted continuing resolutions and amendments to existing continuing resolutions shall be reported to the secretary of this church.

Amended May 1987  
Amended April 1988  
Amended June 1990  
Amended May 1992  
Amended June 1993  
Amended August 1993 by ELCA Churchwide Assembly  
Amended May 1994  
Amended May 1995  
Amended August 1995 by ELCA Churchwide Assembly  
Amended May 1996  
Amended April 1997  
Amended August 1997 by ELCA Churchwide Assembly  
Amended May 1998  
Amended August 1999 by ELCA Churchwide Assembly  
Amended May 2000  
Amended August 2001 by ELCA Churchwide Assembly  
Amended April 2002  
Amended September 2002 by Rocky Mountain Synod Council  
Amended August 2003 by ELCA Churchwide Assembly  
Amended February 2004 by Rocky Mountain Synod Council  
Amended May 2005  
Amended August 2005 by ELCA Churchwide Assembly  
Amended April 2006 by Rocky Mountain Synod Assembly  
Amended September 2006 by Rocky Mountain Synod Council  
Amended May 2007 by Rocky Mountain Synod Assembly  
Amended August 2007 by ELCA Churchwide Assembly  
Amended August 2009 by ELCA Churchwide Assembly  
Amended May 2010 by Rocky Mountain Synod Assembly  
Amended January 2011 by Rocky Mountain Synod Council  
Amended May 2011 by Rocky Mountain Synod Assembly  
Amended August 2011 by ELCA Churchwide Assembly  
Amended August 2013 by ELCA Churchwide Assembly  
Amended October 2013 by Rocky Mountain Synod Council  
Amended February 2013 by Rocky Mountain Synod Council  
Amended May 2014 by Rocky Mountain Synod Assembly  
Amended April 2016 by Rocky Mountain Synod Assembly  
Amended August, 2016 by ELCA Churchwide Assembly