

## Memorandum

### Updates to Virginia Synod Constitution, Bylaws, and Resolutions

**To:** all rostered ministers, congregations, and congregation council presidents of the Virginia Synod

**From:** Ms. Blythe Scott, Virginia Synod Secretary

**Re:** Notice of proposed updates to the Virginia Synod Constitution, for vote at the 2021 Synod Assembly

#### Comments:

Like many congregations, the Virginia Synod Council has recently reviewed our Synod Constitution and has proposed several updates that will remove outdated language or better reflect the manner in which the Synod currently functions. Bylaw changes to the Virginia Synod Constitution require a six-month written notice to be sent to all Virginia Synod congregations. The Virginia Synod Council approved these updates to the *Virginia Synod Constitution, Bylaws, and Resolutions* at its September 26, 2020 and December 3, 2020 meeting. All of these proposed updates will be part of our 2021 Synod Assembly Business.

#### Notes:

- ~~Strikethrough~~ = remove completely
- **Highlight** = updated language
- **Highlighted-Strikethrough** = Current Bylaw language will be updated in a Continuing Resolution

#### Chapter 7. SYNOD ASSEMBLY

~~S7.26.01 — Application for designation as an authorized worshiping community shall be submitted in writing to the Virginia Synod Mission Committee. After determination that the criteria and procedure of the Evangelical Lutheran Church in America, Division of Outreach and the Churchwide Council are met, the Virginia Mission Committee may recommend to the Synod Council approval of the designation as an authorized worshiping community. The Synod Council may approve the designation as an authorized worshiping community and authorize its representatives to serve as voting members of the Synod Assembly.~~

#### Chapter 8. OFFICERS

~~S8.12.02. — The bishop, ex officio, shall be chief representative on the boards of directors or trustees of all institutions or agencies in which this synod is entitled to representation. However, the bishop is authorized and strongly encouraged to appoint a member of the Synod Council to be the bishop's official representative on all such boards.~~

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

c. The treasurer of this synod shall be **appointed** to a four-year term and may be re-elected or reappointed. The treasurer shall serve until his or her successor takes office.

~~S8.51.01. The vice president, secretary and treasurer of this synod shall be elected to a term of four years and may be reelected.~~ No one shall hold the same office (other than that of Bishop) for more than two consecutive full terms, except that the persons holding such offices when this provision is adopted shall be eligible to serve up to two (2) additional consecutive full terms.

**S8.55.** Should the vice president, secretary, or treasurer die, resign, or be unable to serve, the bishop, with the approval of the Executive Committee of the Synod Council, shall arrange for the appropriate care of the responsibilities of the officer until an election of a new officer can be held or, in the case of temporary disability, until the officer is able to serve again. The term of the successor officer, elected by the next Synod Assembly, shall be four years. **If the treasurer is appointed by Synod Council, the Synod Council shall appoint a new treasurer to a four-year term.**

## Chapter 10. SYNOD COUNCIL

**†S10.01.** The Synod Council, consisting of the four officers of the synod, 10 to 24 other members, and at least one youth and at least one young adult, shall be elected by the Synod Assembly. ...

b. The term of office of members of the Synod Council, with the exception of the officers and the youth member, shall be for **four** years.

~~S10.01.01. The Synod Council shall be composed of four officers, one youth member and twelve other members.~~

S10.01.02. The youth member shall be a rising 10th, 11th or 12th grader when elected **or appointed** to the Synod Council. The term of the youth member of the Synod Council shall be **one year** without consecutive reelection.

~~S10.01.03. The twelve other members shall be elected as follows: one third elected for a three year term every three years.~~

S10.01.06. It shall be the policy of this synod that no individual, other than the bishop, shall hold more than two of the following positions at any one time: membership on this synodical council or on the Board of Trustees of the following institutions: 1. Lutheran Family Services of Virginia, Inc.; ~~2. Lutheran Children's Home of the South, Inc.;~~ **3. National Lutheran Home Communities and Services;** 4. Virginia Lutheran Homes, Inc.; 5. Roanoke College; and 6. The seminaries to which this synod is assigned. Any exception to this policy may be made only by action of the Synod Council.

- S10.03.18. **Ratify** ~~Elect~~ the representatives of this synod who are to serve, in addition to the bishop, ex-officio, this synod's quotas to the governing bodies of the seminaries, social ministry institutions, outdoor ministry programs, and inter-church agencies, to which this synod is related.

## Chapter 11. COMMITTEES AND ORGANIZATIONAL UNITS

- †S11.01. There shall be an Executive Committee, a Consultation Committee, a Committee on Discipline, a Mutual Ministry Committee, an Audit Committee, and such other committees as this synod may from time to time determine. The duties and functions of such committees, or any other organizational units created by this synod, and the composition and organizational structure of such units, shall be as set forth in this constitution or in the bylaws or continuing resolutions, and shall be subject to any applicable provisions or requirements of the constitution and bylaws of the Evangelical Lutheran Church in America.

~~S11.01.01. The standing committees of the Synod Council shall be: Executive Committee, Consultation Committee, Committee on Discipline, Finance and Budget Committee, and a Mutual Ministry Committee.~~

### S11.01.10. Executive Committee

~~S11.01.12. The vice president shall chair this committee. In the absence of the vice president, members present shall elect its chair for that meeting.~~

~~S11.01.13. The Executive Committee's duties shall be: to review the work of the bishop and assistants to recommend salaries for said positions, and such other duties as shall be delegated to it by the Synod Council.~~

~~S11.01.14. Nothing in these bylaws shall prohibit the Synod Council from authorizing the Executive Committee to take any action that could be taken by the Synod Council in the period between meetings of the Synod Council.~~

S11.01.15. The **two members** ~~representatives~~ shall be elected by the Synod Council for two-year terms commencing January 1. The terms shall be staggered to the extent possible. The election is exempt from compliance with the inclusiveness provisions of S6.04.

~~S11.02.02. From this committee the Synod Council, or a committee authorized by the Council to make this selection, shall appoint three ministers of Word and Sacrament and two laypersons to serve as a special consultation committee to consider disputes. The bishop of this synod shall be a member of this committee ex officio except in instances where the bishop brings charges against an ordained minister.~~

S11.03.01. Six members of the Committee **on Discipline**, appointed by the Executive Committee of the Synod Council will serve with the six members appointed by the Executive Committee of the ELCA Church

Council in handling matters of discipline. [ELCA Constitution 20.22.08.] The bishop shall not be a member of the Committee on Discipline.

~~S11.03.02. Each biennium the Synod Council shall designate the chair of this synod Committee on Discipline from among the members of the Committee on Discipline elected by the Synod Assembly.~~

†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 committee shall meet regularly with the bishop and the assistants to the bishop to provide guidance and counsel.~~

~~S11.04.02. Nothing in these bylaws shall prohibit the setting up of separate mutual ministry committees for the bishop and each of the assistants.~~

~~S11.04.03. The members of the committee shall be appointed for a term of two years with no limit on reappointment, except that all terms shall be co terminus with that of the bishop.~~

~~S11.04.04. The committee shall be chaired by the bishop, or if a separate committee, by the person for whom the committee is appointed.~~

~~S11.04.05. The Synod Council shall determine the number of members on the committee in consultation with the bishop.~~

†S11.05. The Audit Committee of this synod shall consist of three to six persons, none of whom is a member of the synod staff. Up to half of the committee members may be Synod Council members. The Audit Committee members shall be elected by the Synod Council for a term of three years and be eligible for re-election to a second consecutive three-year term. The terms of the Audit Committee members shall be staggered. The Audit Committee shall be responsible for assisting the Synod Council in fulfilling its general oversight of the synod's accounting, financial reporting, internal control systems, and external audit processes as provided in †S15.31.

~~S11.06.40. Finance and Budget Committee~~

~~S11.06.41. The committee shall provide assistance to the Synod Council in matters relating to finances, including the preparation of a recommended budget and general supervision of budget control. [am SA89.05.28]~~

~~S11.06.42. The members of the committee shall be appointed by the Synod Council for terms of one calendar year. No member shall serve more than four consecutive full terms~~

~~S11.06.43. The chair of the committee shall be appointed annually by the Synod Council from the membership of the committee.~~

~~S11.06.44. The Synod Council shall determine the number of members on the committee.~~

~~S11.06.45. At least one person on the committee shall be a member of the Synod Council.~~

S11.12.A91. Coordinating Cabinet and Committee Structure

#### **CANDIDACY COMMITTEE.**

The Candidacy Committee is established as a standing committee of the Synod Council. ~~The Candidacy Committee shall have duties and responsibilities including, but not limited to: endorsing candidates for the ordained ministry in cooperation with the appropriate seminaries of this church and in accordance with the standards and procedures of the ELCA; certifying associates in ministry in accordance with provisions and procedures of the ELCA; providing for the approval of candidates for ordination; reinstating persons to the roster of ministers of Word and Sacrament providing for leadership recruitment, preparation and support in accordance with churchwide standards and policies, fostering relationships with seminaries.~~ The committee shall consist of one member from each conference partnership appointed by the Synod Council. The members of the committee shall be appointed to five-year terms with one possible renewal term. Additional members may be added as necessary to carry out the tasks of the committee. The chair shall be appointed by the Synod Council for a term of two year for a maximum of two consecutive full terms. ~~The committee and its sub-committees shall hold meetings at the call of the respective chairs as necessary to accomplish their purpose.~~

#### **INCLUSIVENESS.**

~~The membership of all cabinet committees and other organizational units established under this continuing resolution shall comply with the inclusiveness provisions of S6.04(a) of the Synod Constitution and other synod documents. The chair of each cabinet committee shall report the inclusiveness status of the committee membership to the Synod Council annually, sixty days prior to the Synod Assembly. The ex officio membership of the cabinets established under this resolution are exempt from the inclusiveness provisions of the synod documents.~~

### **Chapter 12. CONFERENCES, CLUSTERS, COALITIONS AND AREA SUBDIVISIONS AND NETWORKS**

†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 entities, 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 affiliates.

## **S12.01.10. — Conferences**

S12.01.11. — Upon recommendation of the bishop, the Synod Council shall designate clustering of parishes in conferences.

S12.01.12. — The functions of the conferences are: fostering independent relationships among congregations, institutions, and synodical and churchwide units for mission purposes; providing a clustering of parishes in close geographical proximity for the purpose of communication to and from this synod; providing a clustering of congregations to which the bishop of this synod can relate through a dean and developing programs, as mutually desired, for the congregations in a conference.

S12.01.13. — There shall be a pastors' group established in each conference. The purpose of the pastors' group will be to provide opportunities for all pastors, retired or active, to gather on a regular basis for study and/or support. The dean of the conference is primarily responsible for gathering pastors and assisting them to determine the type of group which will be most helpful. Structures appropriate to the needs of the membership may be developed.

## **S12.01.20. — Deans**

S12.01.21. — The bishop, after seeking nominations from the pastors in each conference, shall submit appointments for the deans to the Synod Council for ratification.

S12.01.22. — Deans shall be in all cases ordained pastors and there shall be one dean from each conference of this synod.

S12.01.23. — Appointments shall be made annually.

S12.01.24. — The bishop shall make necessary arrangements with parishes served by pastors appointed to be deans.

S12.01.25. — Deans shall be provided an annual stipend, the amount of which is to be set by the Synod Council, upon recommendation of the bishop.

S12.01.26. — All expenses of the deans in performing their duties shall be reimbursed by this synod.

S12.01.27. — The dean shall: establish personal relationships with professional leaders in the conference and provide pastoral care in consultation with the bishop, maintaining confidentiality in all such relationships, facilitate the development of professional leaders' support and/or study groups within the conference, provide crisis intervention services, in consultation with the bishop, to congregations experiencing conflict, assist the bishop with vacancy counseling in the conference, and represent this synod, at the bishop's request, at special congregation events.

## **~~S12.01.40. Council of Deans~~**

~~S12.01.41. There shall be a Council of Deans composed of the deans from each conference.~~

~~S12.01.42. The Council of Deans shall be responsible for providing advice and counsel to the bishop~~

~~concerning the work of the bishop generally and specifically regarding the bishop's work in each conference. The Council of Deans shall advise the bishop of issues and concerns which arise at the parish level. The deans shall also work to interpret the work of the bishop to the parishes in their respective conferences.~~

## **Chapter 13. CONGREGATIONS**

### **S13.21.10 Multi-Congregation Parishes**

~~S13.21.11. In the calling of a pastor, the congregation councils of all the congregations of the parish~~

~~shall meet jointly and agree on a single nomination for election. The balloting shall be done separately in each congregation; two thirds of the votes cast in the parish and the majority of the votes cast in each congregation shall be required for election. The joint council shall issue the call.~~

~~S13.21.12. In parishes consisting of more than one congregation, the joint council shall receive the~~

~~letter of resignation and report the same to the congregations and bishop.~~

~~S13.21.13. No one or more congregations of a parish shall dismiss a pastor pursuant to provisions of~~

~~S14.13(d) of the Constitution without the consent of each congregation in the parish ascertained by a two thirds vote at a regularly called meeting of each congregation, said meetings to be held after consultation with the bishop.~~

~~S13.21.15. No pastor shall, without the consent of the bishop, serve a part of a multi-congregation~~

~~parish as a regular supply pastor, without serving the entire parish.~~