



Agreement of Full Communion with The United Methodist Church

(Reference: *Pre-Assembly Report* IV:3-10)

In the seventh plenary session, voting members approved a relationship of full communion with The United Methodist Church.

ASSEMBLY

TWO-THIRDS VOTE REQUIRED

ACTION:

YES-958; NO-51

CA09.04.15

RESOLVED, that this Churchwide Assembly of the Evangelical Lutheran Church in America accept the implementing resolution as the basis for a relationship of full communion to be established, as follows:

IMPLEMENTING RESOLUTION FOR FULL COMMUNION BETWEEN THE EVANGELICAL LUTHERAN CHURCH IN AMERICA AND THE UNITED METHODIST CHURCH

The Evangelical Lutheran Church in America (ELCA) and The United Methodist Church (UMC) hereby agree that in their legislative bodies there shall be one vote to accept or reject, without separate amendment, the resolutions which follow. If adopted by both churches, each church agrees to take the following measures to establish a relationship of full communion:

WHEREAS, Jesus Christ calls us to unity so that the world may believe; and

WHEREAS, the Evangelical Lutheran Church in America and The United Methodist Church share a common heritage of faith and a commitment to mission; and

WHEREAS, "Confessing our Faith Together," the report of the ELCA-UMC bilateral dialogue, affirmed that there are no church-dividing differences precluding full communion between the Evangelical Lutheran Church in America and The United Methodist Church; therefore, be it

RESOLVED, that the Evangelical Lutheran Church in America and The United Methodist Church hereby:

- 1) Recognize in one another the one, holy, catholic, and apostolic faith as it is expressed in the Scriptures, confessed in the Church's historic creeds, and attested to in the Lutheran Confessions and the doctrinal standards of The United Methodist Church;
- 2) Recognize the authenticity of each other's Baptism and Eucharist, and extend sacramental hospitality to one another's members;
- 3) Recognize the validity of our respective ministries, including:
 - each other's ordination of persons to the Ministry of Word and Sacrament;
 - the authentic diaconal service of ordained deacons in the UMC and rostered lay ministers in the ELCA; and
 - each other's polity and ministries of oversight (including the interpretation of church doctrines, discipline of members, authorization of persons for ordained and lay ministries, and provision for administrative functions);
- 4) Recognize the full interchangeability and reciprocity of all ordained ministers of Word and Sacrament, subject to the constitutionally approved invitation for ministry in each other's churches;
- 5) Authorize the establishment of a joint commission to:
 - coordinate the implementation of these resolutions;
 - assist joint planning for mission;
 - facilitate consultation and common decision-making through appropriate channels in fundamental matters that the churches may face together in the future; and
 - report regularly and appropriately to each church;
- 6) Direct this joint commission to:
 - develop worship materials to celebrate our churches' full communion;
 - foster ongoing theological discussion;
 - formulate joint educational materials; and
 - encourage continuing education opportunities

for lay and clergy leaders regarding full communion;

- 7) Applaud one another's ecumenical conversations with other church bodies, acknowledging that each church remains free to pursue additional full communion agreements as each deems appropriate, so that the world may believe.

Joint Commission on ELCA-UMC Full Communion

(Reference: *Pre-Assembly Report IV:7*)

Following approval of the relationship of full communion, the 2009 Churchwide Assembly established a joint commission to oversee the relationship.

ASSEMBLY

ACTION: YES-922; NO-15
CA09.04.16

To fulfill the vision of full communion between The United Methodist Church and the Evangelical Lutheran Church in America, there shall be a Joint Commission on ELCA-UMC Full Communion. The commission shall serve the following functions:

- a. coordinate the implementation of action taken by the two churches to achieve full communion;
- b. assist joint planning for mission;
- c. facilitate consultation and common decision-making through appropriate channels in fundamental matters that the churches may face together in the future; and
- d. report regularly and appropriately to each church.

Implementing Resolutions for the Social Statement

(Reference: *Pre-Assembly Report IV:39*)

Voting members also adopted implementing resolutions for the social statement "Human Sexuality: Gift and Trust."

ASSEMBLY

ACTION: YES-695; NO-285
CA09.04.17

1. To embrace as a church our legacy of a rich theological tradition that proclaims God's gracious love expressed in Jesus Christ as the basis of our salvation, hope, and unity, and to call upon members of this church on this basis to commit themselves to finding ways to live

2. together faithfully in the midst of disagreements;
2. To call upon this church to affirm the various studies created for the Journey Together Faithfully series as resources for ongoing deliberation and discernment, and to direct the program unit for Church in Society to maintain their availability as long as demand continues;
3. To request the Office of the Presiding Bishop to explore the feasibility of developing liturgical resources for use by rostered leaders, individuals, and families at the time of divorce;
4. To encourage Augsburg Fortress, Publishers, to consider developing education curricula with particular attention to the needs of children, middle school, high school youth, and their parents for understanding Christian values and making responsible choices;
5. To recognize that organizations like Women of the ELCA, Lutheran Men in Mission, Lutheran Youth Organization, and campus ministries foster and support friendships; to encourage them to lift up and celebrate the value of strong friendships and to support the formation of voluntary associations for nurturing them;
6. To call upon all congregations, pastors, and other rostered leaders to reach out in welcome to all in accord with previous Churchwide Assembly actions as reaffirmed by the 2005 Churchwide Assembly [CA05.05.18], and to assist members to understand what it means to be hospitable to all in the name of Christ regardless of sexual orientation;
7. To call upon the ELCA to amend the eligibility provisions of the ELCA Pension and Other Benefits Program, consistent with the policies of this church;
8. To call upon this church to encourage the availability and funding of comprehensive sex education programs in public schools, as well as in Lutheran private schools;
9. To affirm the 2001 ELCA Message "Commercial Sexual Exploitation" and its continuing value for the mission and ministry of the ELCA;
10. To call upon this church's advocacy and corporate social responsibility ministries to support and advocate measures consistent with this social statement;
11. To express appreciation for the work being done by the churchwide organization, synods, institutions, and congregations to prevent sexual harassment and misconduct; to encourage

strengthening these efforts by all expressions and ministries of this church; and to ensure the availability of effective resources for dealing with sexual misconduct and sexual harassment within this church;

- 12. To call upon teaching theologians, bishops, pastors, diaconal ministers, associates in ministry, deaconesses, educators, and others to continue to extend theological and biblical reflection as well as theoretical and practical understanding of human sexuality through intellectual discourse, moral deliberation, continued research, discussion, and writing;**
- 13. To recognize that the ELCA has adopted a strategy that will guide its response to the HIV and AIDS epidemic, and to call upon all units and expressions of this church to support that strategy;**
- 14. To call upon all congregations, synods, early childhood education centers, elementary and secondary schools, colleges and universities, seminaries, campus ministries, outdoor ministries, social ministry organizations, public policy advocacy ministries, and all churchwide units to carry out the substance and spirit of this statement; and**
- 15. To call upon Church in Society and other appropriate churchwide units to oversee a process of implementation and accountability for this social statement and to report on implementation to the Church Council in early 2012.**

Report of the Reference and Counsel Committee

(Reference: Pre-Assembly Report VIII:1-4)

Motion A: Health Care Reform

WHEREAS, the 2003 ELCA Social Statement, "Caring for our Health: Our Shared Endeavor" states: "We support: a comprehensive approach to health care as a shared endeavor among individuals, churches, government, and the wider society; a vision of health care and healing that includes individual, church, and social responsibilities; a vision of a health care system that is based on understanding health, illness, healing, and health care within a coherent set of services; equitable access for all people to basic health care services and to the benefits of public health efforts; faithful moral discernment guiding individual participation and public policymaking in health care services," (pages 2-3); and

WHEREAS, "health care in the United States, its territories, and Puerto Rico suffers from a prolonged crisis" (page 1); and

WHEREAS, "the stress on individuals and families because of society's inability to fashion an adequate health care system makes action increasingly urgent" (page 2); and

WHEREAS, the United States Congress is working on comprehensive health care reform for passage; therefore, be it

RESOLVED, that the Evangelical Lutheran Church in America, in Assembly, commit this church in all of its expressions to the premise that "each person should have ready access to basic health care services that include preventive, acute, and chronic physical and mental health care at an affordable cost" (page 13); and be it therefore further

RESOLVED, that this assembly request that the ELCA Washington Office, in partnership with the synods, congregations and members of the ELCA, convey the urgency and sense of this resolution to Congress and the White House.

ASSEMBLY

ACTION:

YES-799; NO-126

CA09.04.18

To approve the following:

RESOLVED, that the Evangelical Lutheran Church in America, in Assembly, commit this church in all of its expressions to the premise that "each person should have ready access to basic health care services that include preventive, acute, and chronic physical and mental health care at an affordable cost" (page 13); and be it therefore further

RESOLVED, that this assembly request that the ELCA Washington Office, in partnership with the synods, congregations and members of the ELCA, convey the urgency and sense of this resolution to Congress and the White House.

Amendments to the Constitutions, Bylaws, and Continuing Resolutions

(Reference: *Pre-Assembly Report* IV:45-53)

During the seventh plenary session, voting members of the 2009 Churchwide Assembly considered amendments to the *Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.

ASSEMBLY

TWO-THIRDS VOTE REQUIRED

ACTION:

YES-891; NO-51

CA09.04.19

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

To amend 7.41.17. and 7.52.24. and create a new 7.41.18. and 7.52.25. to separate matters of retirement from those of disability:

7.41.17. Retirement. Ordained ministers may retire upon attainment of age 60, or after 30 years on the roster of ordained ministers of this church or one of its predecessor bodies, ~~or may be designated as disabled,~~ and continue to be listed on the roster of ordained ministers of this church, upon endorsement by the synodical bishop, by action of the Synod Council in the synod in which the ordained minister is listed on the roster.

- a. The policies and procedures for granting retired status ~~or for designation of disability~~ on the roster of ordained ministers shall be developed by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council.
- b. If an ordained minister who has been granted retired status resides at too great a distance from any congregation of this church to be able to sustain an active relationship with that congregation, the bishop of the synod in which the ordained minister is listed on the roster may grant permission for the ordained minister to hold membership in a congregation or parish of a church body with which a relationship of full communion has been declared and established by the Evangelical Lutheran Church in America.

7.41.18. Disability. Ordained ministers may be designated as disabled and continue to be listed on the roster of ordained ministers of this church, upon endorsement by the synodical bishop, by action of the Synod Council in the synod in which the ordained minister is listed on the roster.

- a. The policies and procedures for designation of disability on the roster of ordained ministers shall be developed by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council.
- b. If an ordained minister who has been granted disabled status resides at too great a distance from any congregation of this church to be able to sustain an active relationship with that congregation, the bishop of the synod in which the ordained minister is listed on the roster may grant permission for the ordained minister to hold membership in a congregation or parish of a church body with which a relationship of full communion has been declared and established by the Evangelical Lutheran Church in America.

7.52.24. Retirement. Associates in ministry, deaconesses, and diaconal ministers may retire upon attainment of age

60, or after 30 years on a roster of this church or one of its predecessor bodies, ~~or may be designated as disabled,~~ and continue to be listed on the roster of associates in ministry, deaconesses, or diaconal ministers of this church, upon endorsement by the synodical bishop, by action of the Synod Council in the synod in which the associate in ministry, deaconess, or diaconal minister is listed on the roster.

- a. The policies and procedures for granting retired status ~~or for designation of disability~~ on the official rosters of laypersons shall be developed by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council.
- b. If an associate in ministry, deaconess, or diaconal minister who has been granted retired status resides at too great a distance from any congregation of this church to be able to sustain an active relationship with that congregation, the bishop of the synod in which the associate in ministry, deaconess, or diaconal minister is listed on the roster may grant permission for the individual to hold membership in a congregation or parish of a church body with which a relationship of full communion has been declared and established by the Evangelical Lutheran Church in America.

7.52.25. Disability. Associates in ministry, deaconesses, and diaconal ministers may be designated as disabled, and continue to be listed on the roster of associates in ministry, deaconesses, or diaconal ministers of this church, upon endorsement by the synodical bishop, by action of the Synod Council in the synod in which the associate in ministry, deaconess, or diaconal minister is listed on the roster.

- a. The policies and procedures for designation of disability on the official rosters of laypersons shall be developed by the appropriate churchwide unit, reviewed by the Conference of Bishops, and adopted by the Church Council.
- b. If an associate in ministry, deaconess, or diaconal minister who has been granted disabled status resides at too great a distance from any congregation of this church to be able to sustain an active relationship with that congregation, the bishop of the synod in which the associate in ministry, deaconess, or diaconal minister is listed on the roster may grant permission for the individual to hold membership in a congregation or parish of a church body with which a relationship of full communion has been declared and

established by the Evangelical Lutheran Church in America.

To renumber current 7.41.18. as 7.41.19. and current 7.52.25. as 7.52.27. and amend for clarity:

7.41.18: 7.41.19. Retention of Roster Records. When an ordained minister resigns or is removed from that roster of this church, the roster record shall be retained by the secretary of this church and the synodical bishop shall invite the person at the time of resignation or removal to provide, annually, appropriate current information for the roster record.

~~7.52.25:~~ **7.52.27. Retention of Roster Records.** When an associate in ministry, deaconess, or diaconal minister resigns or is removed from the roster of this church, the roster record shall be retained by the secretary of this church and the synodical bishop shall invite the person at the time of resignation or removal to provide, annually, appropriate current information for the roster record.

To add a new 8.51. and renumber current 8.51. as 8.52. to clarify the establishment of relationships with other Lutheran organizations:

8.50. RELATIONSHIP WITH OTHER LUTHERAN ORGANIZATIONS

8.51. This church may establish relationships with Lutheran organizations, institutions, or agencies whose purposes are compatible with its mission and ministry. Policies and procedures to create and implement these relationships shall be adopted by the Church Council.

~~8.51:~~ **8.52. This church shall not, in any manner, be responsible for the debts or liabilities of other Lutheran organizations, institutions, or agencies, whether independent of or affiliated with this church.**

To amend 17.41.02. to increase the size of the ELCA Foundation board of trustees and to add continuing resolution 17.41.C09. to implement staggered terms:

17.41.02. The Foundation of the Evangelical Lutheran Church in America shall have a board of trustees that shall be comprised of at least nine but not more than 12 ~~nine~~ persons elected to six-year terms by the Church Council of the Evangelical Lutheran Church in America, with no consecutive reelection and with approximately one-third of

the members elected each biennium. . . [*with the rest unchanged*].

17.41.C09. To implement staggered terms for board members, if more than four persons will be elected in 2009, the fifth person elected will serve a four-year term, and the sixth person will serve a two-year term.

To amend 17.51.01 to increase the size of the Mission Investment Fund board of trustees and to add continuing resolution 17.51.B09. to implement staggered terms:

17.51.01. The Mission Investment Fund of the Evangelical Lutheran Church in America shall have a board of trustees of at least nine but not more than 12 ~~nine~~ members, who shall be elected by the Churchwide Assembly for six-year terms with no consecutive reelection and with approximately one-third elected each biennium as provided in Chapter 19.

17.51.B09. To implement staggered terms for board members, if more than four persons will be elected in 2009, the fifth person elected will serve a four-year term, and the sixth person will serve a two-year term.

To amend 17.61.03. and to add continuing resolution 17.61.C09. to provide for staggered terms for plan members and plan recipients on the board of trustees for the Board of Pensions:

17.61.03. The Board of Pensions shall have a board of trustees composed of 15 persons elected for one six-year term with no consecutive reelection and with one-third elected each biennium as provided in Chapter 19.

a. The board of trustees of the Board of Pensions shall include persons with expertise in investments, insurance, and pensions, and ~~four~~ two to five persons who are members of the plan, at least one of whom shall be a lay plan member or lay recipient of plan benefits and at least one of whom shall be an ordained minister who is a plan member.

17.61.C09. To implement staggered terms for plan members and plan recipients on the board of trustees of the Board of Pensions and to move to a board consisting of at least four plan members, at least one of whom is a lay plan member or lay recipient of plan benefits, at least two people, one ordained minister who is a plan member and one lay plan member or lay recipient of plan

benefits, shall be elected by the 2009 Churchwide Assembly. Thereafter, at least one plan member shall be elected as a trustee by the 2011 Churchwide Assembly, and one additional plan member shall be elected by the 2013 Churchwide Assembly. An amendment to 17.61.03.a. shall be proposed to the 2013 Churchwide Assembly to provide that the board shall include at least four persons who are members of the plans, at least one of whom shall be a lay plan member or lay recipient of plan benefits and at least one of whom shall be an ordained minister who is a plan member.

To amend 19.11.01.c. to reflect changes in governance instituted by the 2005 Plan for Mission:

- 19.11.01.** In the nomination and election process the following general considerations shall be observed:
- a. It shall be the responsibility of the Church Council to assure that this church maintain its commitment to inclusive representation.
 - b. In all elections by the Churchwide Assembly, other than for the presiding bishop, vice president, and secretary, a majority of the votes cast on the first ballot shall be necessary for election. If an election does not occur on the first ballot, the names of the two persons receiving the highest number of votes cast shall be placed on the second ballot. On the second ballot, a majority of the legal votes cast shall be necessary for election.
 - c. Members of ~~the Church Council and the~~ boards or committees of churchwide units, other than those in restricted categories, who have served less than one-half of a term shall be eligible for election to one full term to be served consecutively upon the conclusion of the partial term.

To amend 19.11.01.f. to reflect the language used in 14.32.01. concerning the composition of the Church Council:

- f. The Conference of Bishops shall select one bishop from each region to serve a four-year term as ~~an advisory~~ a liaison member of the Church Council. Each biennium the Conference of Bishops shall select a bishop to serve as an advisory member of each board, program committee, and advisory committee of the churchwide organization. No synodical bishop shall serve as a voting member of the Church Council or of a board or committee of any churchwide unit.

To amend 19.31.01.b. and c. to make them consistent with 19.31.01.a.:

- 19.31.01.**
- b. The vice president shall be elected by the Churchwide Assembly by ecclesiastical ballot. [with the rest unchanged]
 - c. The secretary shall be elected by the Churchwide Assembly by ecclesiastical ballot. [with the rest unchanged]

To add 19.31.A09. to provide for background checks for those nominated as officers of this church:

19.31.A09. Background checks and screening shall be required and completed for persons nominated as churchwide 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 Church Council.

To amend 19.51.A06. and renumber it as 19.51.A09. to make it consistent with 19.51.02., which specifies that the European-American ethnic association nominates Caucasian members:

19.51.A06: 09. ***Nomination for Multicultural Ministries Program Committee***

In each biennium in preparation for the Churchwide Assembly, the secretary of the Evangelical Lutheran Church in America—on behalf of the Nominating Committee—shall solicit from the ELCA ethnic associations names of persons for possible election to serve on the program committee for the Multicultural Ministries unit. The names of two persons in specified categories shall be presented in each biennium by designated associations to the Nominating Committee for submission to the Churchwide Assembly. Nominations to vacant terms designated for multiracial or biracial ~~and Caucasian~~ members shall be determined in the customary manner by the Nominating Committee. Floor nominations in specified categories shall be permitted at the Churchwide Assembly.

To amend 20.12.01., 20.21.19., 20.23.07., 20.41.A01.c.4. and 20.61.A92.c.4. and to renumber the last two to bring them into conformity with 20.41.04.i.5. concerning the recording of hearings:

- 20.12.01.** “Fundamental procedural fairness” means and includes: avoidance by committee members of written communications to or from either the

accused or accuser(s) without copy to the other; avoidance by committee members of oral communications with either the accused or accuser(s) outside the presence of the other; maintaining decorum during the hearing; allowing both the accuser(s) and the accused to present their cases without unnecessary interruptions; keeping a verbatim record of the hearing, made either by a stenographer or court reporter or ~~tape~~ by audio or video recording; allowing both the accuser(s) and the accused to be accompanied at the hearing by a representative (who may, but need not, be an attorney) who also may participate in the proceedings; impartiality of the committees that consider the charges; and the right to be treated in conformity with the governing documents of the Evangelical Lutheran Church in America.

20.21.19. At the hearing, the accuser(s) may present evidence in support of the charges and thereafter the accused shall be entitled to present evidence. The accused and the accuser(s), or other person acting on behalf of either of them, shall be entitled to question the other party or any of the witnesses appearing on behalf of the other party. A verbatim record shall be made by a stenographer or court reporter or by ~~tape~~ audio or video recording of the hearing.

20.23.07. The discipline hearing committee shall decide, consistent with rules adopted under 20.23.04., to what extent the accused shall be able to confront or cross-examine witnesses testifying on behalf of the accuser and to what extent the accuser shall be able to confront or cross-examine witnesses testifying on behalf of the accused. A verbatim record shall be made by ~~tape~~ a stenographer or court reporter or by audio or video recording of all meetings of the committee at which testimony is presented. The accused and the accuser may be accompanied at the meeting(s) by a friend or advisor. Such friend or advisor shall not participate in the proceedings before the committee.

20.41.A01. 09. c. *The chair of the Congregation Council must furnish the record on appeal to the Synod Council (in care of the vice president of the synod), certifying to the completeness and accuracy of the record on appeal, within 30 days of the receipt of the written notice, unless the vice president allows additional time for compelling*

reasons. The record on appeal will consist of the following:

4) *the verbatim record made by the stenographer or court reporter or the audio or video recording of the hearing before the Congregation Council; . . .*
[with the rest unchanged]

20.61.A92. 09.

c. *The material that shall be reviewed by the Committee on Appeals (herein referred to as the record on appeal) shall consist of the following:*

4) *the verbatim record made by the stenographer or court reporter or the ~~tape~~ audio or video recording of the hearing before the discipline hearing committee;*
[with the rest unchanged]

Constitution for Synods

To amend S7.26. and add S13.40. and S13.41. to separate information about the Synod Assembly from more general information about synodically authorized worshiping communities:

S7.26. This synod may establish processes through the Synod Council that permit representatives of mission settings formed with the intent of becoming ~~chartered~~ recognized congregations and authorized worshiping communities of the synod, which have been authorized under ELCA bylaw 10.02.03., to serve as voting members of the Synod Assembly, consistent with †S7.21. ~~Authorized worshiping communities, acknowledged under criteria, policies, and procedures approved by the Church Council of the Evangelical Lutheran Church in America, shall accept and adhere to the Confession of Faith and Statement of Purpose of this church, shall be served by leadership under the criteria of this church, and shall be subject to the discipline of this church.~~

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.

To add †S8.16. and †S8.16.01. to incorporate procedures concerning matters of potential conflicts of interest for synodical bishops, as required by 10.32. and 10.32.01. of the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America:

†S8.16 Conflicts of Interest

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

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

To amend S8.42. to provide additional clarity:

- S8.42.** The treasurer shall provide and be accountable for:
- f. ~~Giving of corporate surety in the amount determined by the Synod Council, which shall be~~

~~in the custody of the secretary, and the premium therefore shall be paid by this synod. Fidelity coverage provided by the Evangelical Lutheran Church in America shall be deemed a fulfillment of this requirement.~~

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.

To add †S9.12. to require background checks for nominees for officers of synods:

†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.

To amend †S11.01. to require each synod to have an Audit Committee, to add †S11.05. to specify its composition, and to amend †S15.31. to give to the Audit Committee responsibility for recommending a certified public accountant firm to conduct the annual audit:

†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.

†S11.05. The Audit Committee of this synod shall consist of three to six persons, none of whom are members of the synod staff. Up to half of the committee members may be Synod Council members. The Audit Committee members shall be elected by the Synod Council for a term of three years and be eligible for re-election to a second consecutive three-year term. The terms of the Audit Committee members shall be staggered. The Audit Committee shall be

responsible for assisting the Synod Council in fulfilling its general oversight of the synod's accounting, financial reporting, internal control systems, and external audit processes as provided in †S15.31.

†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 ~~selected~~ by the Synod Council. The audited annual financial report shall be submitted by this synod to the churchwide Office of the Treasurer and to the congregations of this synod. The financial reports shall be in the format approved from time to time by the churchwide Office of the Treasurer.

Model Constitution for Congregations

To amend C12.03. to make it consistent with C12.02.:

C12.03. Should a member's place on the Congregation Council be declared vacant, the Congregation Council shall elect, by majority vote, a successor until the next annual meeting. ~~Individuals who have served less than one-half of a regular term shall be eligible for nomination and possible election to a full term.~~

*To amend *C15.02. because a member cannot be compelled to appear:*

*C15.02. The process for discipline of a member of the congregation shall be governed as prescribed by the chapter on discipline in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. If discipline against a member proceeds beyond counseling and admonition by the pastor, charges against the accused member(s) that are specific and in writing shall be prepared by member(s) of the congregation who shall sign the charges as the accuser(s). The written charges shall be filed with the pastor, who shall advise the Congregation Council of the need to issue a written citation to the accused and the accusers that specifies the time and place of the hearing before the Congregation Council. The written charges shall accompany the written citation to the accused. ~~A member charged with the offense shall appear before the Congregation Council after having received a written citation at least ten days prior to the meeting.~~ The written citation that specifies the time and place of the

hearing before the Congregation Council and requests the presence of a member charged with the offense shall be sent at least ten days prior to the meeting. If the member charged with the offense fails to appear at the scheduled hearing, the Congregation Council may proceed with the hearing and may pass judgment in the member's absence.

Changes in Multiple Constitutions

To amend the following to provide for the termination of a call when a parish arrangement terminates:

7.46. **The provisions for termination of the mutual relationship between an ordained minister 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, except in the case of the death of the pastor, shall be terminated only following consultation with the synodical bishop and for the following reasons: . . .**
- 6) **the dissolution of the congregation or the termination of a parish arrangement; or**
[with the rest unchanged]

- †S14.13. a. The call of a congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment which, except in the case of the death of the pastor, shall be terminated only following consultation with the synodical bishop and for the following reasons: . . .
- 6) the dissolution of the congregation or the termination of a parish arrangement;
or
[with the rest unchanged]

- *C9.05. a. The call of a congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which, except in the case of the death of the pastor, shall be terminated only following consultation with the synodical bishop and for the following reasons: . . .
- 6) the dissolution of the congregation or the termination of a parish arrangement;
or
[with the rest unchanged]

*To add *C20.04. to make explicit what happens to a call when a parish dissolves:*

***C20.04.** Whenever a parish arrangement is terminated, the call of any rostered person serving that parish is terminated. Should any congregation that formerly was part of the parish arrangement desire to issue a new call to that rostered person, it may do so in accordance with the call process of this church.

To amend 10.41.02. and 10.41.03. to make them consistent with revised S7.22 and S7.23. and to add voting rights for those on disability:

10.41.02. Synods may establish processes that permit retired ordained ministers, associates in ministry, deaconesses, and diaconal ministers, or those designated as disabled, on the roster of the synod to serve as voting members of the Synod Assembly, consistent with bylaw 10.41.01. above.

10.41.03. Synods may establish processes that permit 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 to serve as voting members of the Synod Assembly, consistent with bylaw 10.41.01. above.

To amend S7.22. and S.73. to make them consistent and to add voting rights for those on disability:

S7.22. The synod may establish processes that permit retired ordained ministers, retired associates in ministry, retired deaconesses, and retired diaconal ministers on the roster of this synod to serve as voting members of the Synod Assembly, consistent with †S7.21.c. above. The synod may establish processes that permit 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 to serve as voting members of the Synod Assembly, consistent with †S7.21.c. above. If the synod does not establish processes to permit the rostered leaders specified above to serve as voting members, they shall have voice but not vote in the meetings of the Synod Assembly.

S7.23. ~~All retired ordained ministers, all ordained ministers on leave from call, all associates in ministry on leave from call or retired, all deaconesses of the Evangelical Lutheran Church in America on leave from call or retired, and all diaconal ministers of this church on leave from call or retired, all of whose names appear~~

~~on the rosters of this synod, shall have the privilege of voice but not vote at all meetings of the Synod Assembly. The presiding bishop of the Evangelical Lutheran Church in America and such other official representatives of this church as may be designated from time to time by the Church Council shall also have voice but not vote in the meetings of the Synod Assembly. Like privileges shall be accorded to those additional persons whom the Synod Assembly or the Synod Council shall from time to time designate.~~

A number of proposed constitutional amendments had been removed from the *en bloc* action for separate consideration.

ASSEMBLY **TWO-THIRDS VOTE REQUIRED**
ACTION: **YES-772; NO-188**
CA09.04.20

To adopt the following amendments to the Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America, which had been removed from the *en bloc* action:

To amend and add the following to make the process for relocation parallel to the process for establishment of additional sites for worship:

To amend:
9.53.06.

A congregation considering a relocation shall confer with the bishop of the synod in which it is territorially located and the appropriate program unit of the churchwide organization before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is effected.

To add:
†S13.19.

A congregation considering a relocation shall confer with the bishop of the synod in which it is territorially located and the appropriate program unit of the churchwide organization before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is effected.

To amend:
***C6.06.**

If this congregation considers relocation, it shall confer with the bishop of the synod in which it is territorially located and the appropriate program unit of the churchwide organization before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is effected.

To add the following to provide an interdependent process for the establishment of additional sites for worship:

9.53.08. A congregation considering development of an additional site to be used regularly for worship shall confer with the bishop of the synod in which it is territorially located and the appropriate program unit of the churchwide organization before any steps are taken leading to such action.

†S13.20. A congregation considering development of an additional site to be used regularly for worship shall confer with the bishop of the synod in which it is territorially located and the appropriate program unit of the churchwide organization before any steps are taken leading to such action.

***C6.07.** If this congregation considers developing an additional site to be used regularly for worship, it shall confer with the bishop of the synod in which it is territorially located and the appropriate program unit of the churchwide organization before any steps are taken leading to such action.

Report of the Memorials Committee

(Reference: *Pre-Assembly Report VI:1-96*)

Category E3: Lutheran Disaster Response

ASSEMBLY

ACTION: *YES-929; NO-20*
CA09.04.21

To thank the Northeastern Pennsylvania, Southeastern Pennsylvania, Northwestern Pennsylvania, Southwestern Pennsylvania, Lower Susquehanna, Upper Susquehanna, and West Virginia-Western Maryland synods for their strong support for and concern about Lutheran Disaster Response;

To acknowledge that Lutheran Disaster Response is a collaborative ministry of the Evangelical Lutheran Church in America (ELCA) and the Lutheran Church-Missouri Synod (LCMS);

To acknowledge that Lutheran Disaster Response currently is involved in a strategic planning process including the chief executive officers from five Lutheran Disaster Response-affiliated social ministry organizations;

To recommend to the strategic planning group that they give consideration to creating a permanent Lutheran Disaster Response advisory committee and to defining a process for succession of committee membership;

To anticipate that this process will address effective, appropriate, and sustainable response mechanisms and the future nature and focus of Lutheran Disaster Response;

To acknowledge that the ELCA and LCMS are currently involved in a facilitated process regarding their relationship in Lutheran Disaster Response;

To encourage the ELCA to continue to deepen and develop its process for working together with churchwide units, synods, and social ministry organizations in times of specific disasters; and

To request that the Church in Society program unit bring a progress report to the April 2010 meeting of the Church Council.

Unfinished Business

The 2009 Churchwide Assembly also began debate on Category B4: Strategy for Engagement in Israel and Palestine. The recommendation of the Memorials Committee follows:

To receive the memorials of the Eastern Washington-Idaho, Southwestern Texas, Indiana-Kentucky, New England, Northeastern Pennsylvania, Lower Susquehanna, and Metropolitan Washington, D.C., synods related to the ELCA strategy, "Peace Not Walls: Stand for Justice in the Holy Land";

To reaffirm the commitment of this church to:

1. Continue its awareness-building, accompaniment, and advocacy on behalf of a peaceful resolution of the conflict between Israel and Palestine;
2. Learn more about the experiences of both Israelis and Palestinians and their mutual fears, aspirations, and hopes;
3. Work to convey the concerns and perspectives of Palestinians and Israelis that dispel stereotypes and caricatures and promote better understanding;
4. Lift up the voices within both communities, especially those of victims of violence, that seek peace with justice through nonviolent responses to the Israeli-Palestinian conflict;
5. Continue to help alleviate the humanitarian needs of all of those affected by the conflict, especially in Gaza;
6. Support U.S. funding that promotes peace and cooperation for all parties to the conflict; and
7. Continue to pray for the Evangelical Lutheran Church in Jordan and the Holy Land and for the Israeli and Palestinian peoples.

At the close of the plenary session, the following amendment had been moved by voting member Richard B. Geib and seconded.

Moved;

Seconded:

To amend by addition:

To insert a new number 2 as follows, and renumber the remaining paragraphs:

2. Evaluate and refine its peace-making efforts to demonstrate as fully as possible the “balanced . . . care for all parties” expressed in the Churchwide Strategy for Engagement in Israel and Palestine (2005; Sect. II.A), while continuing our unique relationship with and accompaniment of Palestinian Christians and the Evangelical Lutheran Church in Jordan and the Holy Land (ELCJHL).

This amendment will be on the floor when the assembly continues its consideration of the Report of the Memorials Committee.