Report of the Constitution Committee
CONSTITUTIONAL REVIEW
PHASE TWO
Report to the Southeastern Pennsylvania Synod Assembly
May 3-4, 2013

Note: Constitutional sections considered for amendment by deletion are crossed out. Constitutional sections considered for amendment by addition are underlined.

PENDING CONSTITUTIONAL ITEMS FOR THE 2013 SYNOD ASSEMBLY

Action: The following provisions were approved by the 2012 Synod Assembly by the required 2/3rds vote; in order to be effective, they must be approved by the 2013 Synod Assembly by the required 2/3rds vote.

Voting Privileges for Retired Rostered Leaders at Synod Assembly

S7.23. All retired ordained ministers, all retired associates in ministry, all retired deaconesses of the Evangelical Lutheran Church in America, and all retired diaconal ministers of this church, all of whose names appear on the rosters of this synod, shall have the privilege of voice but not vote at all meetings of the Synod Assembly. The presiding bishop of the Evangelical Lutheran Church in America and such other official representatives of this church as may be designated from time to time by the Church Council shall also have voice but not vote in the meetings of the Synod Assembly. Like privileges shall be accorded to those additional persons whom the Synod Assembly or Synod Council shall from time to time designate.

Rationale: contradicts S7.22. and S7.22.10 where all retired persons on the four rosters are permitted to vote at synod assemblies; this sentence was deleted by the 2009 Churchwide Assembly from the Model Constitution for Synods; the sentence was added by the synod assembly in 1994, SA 94.5.18, and the contradiction was not recognized or noted.

Update Terminology

S14.22. The provisions in the churchwide documents and such provisions as may be developed by the Division of Ministry appropriate churchwide unit governing associates in ministry shall apply in this synod.

Rationale: Update terms.
PROPOSED CONSTITUTIONAL AND BYLAW AMENDMENTS FOR THE 2013 SYNOD ASSEMBLY

Nominating Committee

Action: The Constitution Committee recommends that the Synod Assembly approve the following bylaw amendment by the required 2/3rds vote of one assembly:

S9.03.01.a. Upon the recommendation of the vice president, the Synod Council shall appoint a Nominating Committee. The committee shall be composed of members of the Synod Council and others with the goal of having representation at least one representative from each conference. No member of the Nominating Committee shall be nominated by the committee for election to the Synod Council. In the event that a particular conference cannot be represented by a member of the Synod Council a representative of that conference shall be asked to serve on the committee.

Synod Council Conference Representatives

Action: The Constitution Committee recommends that the Synod Assembly approve the following bylaw amendment by the required 2/3rds vote of one assembly:

S9.08.01.b. Representatives of congregations in each conference shall meet prior to the annual meeting of the Synod Assembly and shall nominate at least one lay persons from their conference for the Synod Council, one nominee per conference to be elected by the assembly at the annual meeting. These lay seats assigned to conferences shall alternate every six years (or two terms) between male and female Council members. The Nominating Committee shall receive these nominations from the conferences to include in its reports.

Rationale: Difficulty in obtaining from conferences nominees for conference representative positions either by deadline or at all; difficulty in obtaining at least two nominees; inability for synod assembly voting members to make nominations from floor.
Congregational Membership of Synod Council Members

**Action:** The Constitution Committee recommends that the Synod Assembly approve the following bylaw amendment by the required 2/3rds vote of one assembly:

**S9.08.01.d.** No nomination for Synod Council shall be made if that nominee’s congregation already has a member on the Synod Council or if a member of a congregation has already been nominated, provided, however, that no nominee shall be ineligible if the Synod Council member from that congregation is an officer of this Synod and/or one of them is a Synod Council youth or young adult member. The Synod Council may make exceptions to this requirement in order to promote greater diversity and/or inclusivity.

Rationale: The election procedure for SC is cumbersome because of the requirements and requires careful review. Some of those elected have been disqualified because of this requirement. The amendment gives the SC the power to review this procedure on a case-by-case basis.

Synod Council Vacancies

The following article of the synod constitution is printed as information:

**S10.03.f.** [The function of this Synod Council shall be to:] Fill vacancies until the next regular meeting of the Synod Assembly except as may otherwise be provided in the constitution or bylaws of this synod, and determine the fact of the incapacity of an office of this synod.

**Action:** The Constitution Committee recommends that the Synod Assembly approve the following bylaw amendment by the required 2/3rds vote of one assembly:

**S10.03.01.** Should a member of the Synod Council resign or lose his or her membership on the Synod Council, the Synod Council shall elect, by majority vote, a successor who shall serve until the unexpired term is completed. A Synod Council member, who has been elected by the Synod Council to fill an unexpired term, is eligible to be elected for two consecutive terms after the unexpired term has ended if the unexpired term is less than one-and-one-half years.

Rationale: Avoids elections for the same positions year after year.

Conferences

**Action:** The Constitution Committee recommends that the Synod Assembly approve the following bylaw amendment by the required 2/3rds vote of one assembly:
S12.01.05 Each conference shall meet in full assembly at least one time per year, which assembly shall consist of one ordained minister and two lay delegates (one male, one female) from each congregation. Each institution of this church serving in the territory of the conference may be given the privilege of voice and vote by the conference by means of a delegate to the conference assembly who is a member of this church. The method of election and term of representation of delegates shall be determined by each congregation and institution. Associates in ministry and ordained ministers in good standing who are not serving as specified delegates and who reside on the territory of the conference and/or serve under call on the territory of the conference will be given the privilege of voice at the conference assembly. Each conference shall be responsible for developing a plan for fair representation of rostered leaders, congregations, institutions, and agencies.

Action: The Constitution Committee recommends that the Synod Assembly approve the following bylaw amendment by the required 2/3rds vote of one assembly:

S12.01.11 Each conference in assembly shall elect a dean who shall be a pastor under call serving within the territory of the conference. The quorum for the conference assembly at which the dean is to be elected shall consist of clergy and lay representation from a majority of the congregations in the conference. The conference shall seek to assure that the representational principles stated in +S6.04., +S6.04.A01., +S6.04.B09., and S6.04.C2. are fulfilled. If there is no quorum for the conference assembly at which the dean is to be elected, the dean shall be appointed by the bishop of this synod in consultation with the Committee of Deans. If the conference does not call a conference assembly for the election of the dean, the bishop of this synod shall call the conference assembly.

The following item from Conference Deans: Ministry Expectations prepared by the Committee of Deans, February 2012, is offered as information:

Election: The Conference Dean shall be elected by the conference in a special assembly for this purpose in which more than 50% of the congregations will be present with both lay and clergy representation and the neighboring dean. If there is no quorum for this assembly, the dean will be appointed by the bishop in consultation with the Committee of Deans. In case of a tie, the deciding vote will be cast by the executive committee of the conference if they are active or the bishop. The regular term for Conference Dean is three years; the Dean can serve no more than two consecutive terms. The Dean assumes office upon election.

Action: The Constitution Committee recommends that the Synod Assembly approve the following bylaw amendment by the required 2/3rds vote of one assembly:

S12.01.11.a The interim pastors of the Interim Ministry Network rostered in this synod in assembly shall elect a dean, who shall be an interim pastor fully endorsed under call by the Synod Council, or actively seeking placement for an interim call, serving within the territory of
this synod. The term of the Dean of Interim Ministry shall be the same as specified in S12.01.12. It is understood that the Dean of Interim Ministry advises, assists, and confers with the Bishop of the Southeastern Pennsylvania Synod as specified in S12.01.13 and relates to, consults with, and is a member of convenes the Interim Ministry Network gatherings of this synod. In the event of a vacancy in the office of the Dean of Interim Ministry, the interim pastors rostered in this synod in assembly shall elect a dean for a new three-year term.

Action: The Constitution Committee recommends that the Synod Assembly approve the following bylaw amendment by the required 2/3rds vote of one assembly:

S12.01.12. The term of office for each dean shall be three years, and a dean may serve no more than two consecutive terms. In the event of a vacancy in the office of the dean, the Conference Executive Committee the bishop of this synod may appoint an interim dean to serve until an election can be held at the next meeting of the Conference Assembly.

Action: The Constitution Committee recommends that the Synod Assembly amend by deletion the following bylaw by the required 2/3rds vote of one assembly:

S12.021.31 The bishop shall assign a synod staff person to each conference who will spend time within the conference territory and who may have an office on the territory.

Rationale: no longer practical.

Action: The Constitution Committee recommends that the Synod Assembly approve the following bylaw amendment by the required 2/3rds vote of one assembly:

S12.01.42 Other committees may be designated as the need and the ability to organize them arise. Each conference shall be encouraged to form a Social Ministry Committee, an Evangelism and Outreach Committee, a Communication Committee, a Financial Support Committee, and a Youth Ministry Committee.

Rationale: no longer practical; does not need to be a constitutional provision.

Action: The Constitution Committee recommends that the Synod Assembly amend by deletion the following bylaw by the required 2/3rds vote of one assembly:

S12.01.51 Conference Coordinating Committee (CCC):

a. The deans and chairpersons of the conferences together with the synod staff
persons assigned to the conferences and the bishop shall meet at least twice a year.

b. The CCC meetings shall be chaired by the bishop and may be attended by others as deemed necessary by the bishop or required by the constitution and bylaws.

c. The CCC shall be a program-oriented body whose purpose is to coordinate the work of the conferences, to work with the synod staff in identifying the resources needed for ministry and informing the church and its expressions of such need, and to exchange reports and proposals with Synod Council.

Rationale: no longer practical; not implemented.

RAM
January 2013