

Handbook

of

*THE LUTHERAN CHURCH—
MISSOURI SYNOD*

1981 Edition

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1981
Constitution, Bylaws, and
Articles of Incorporation
as amended by the
1981 convention
July 3-10, 1981

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FOREWORD

Major changes have been made in this new edition of the synodical *Handbook*.

The undersigned served as chairman of the Task Force on Constitution, Bylaws, and Structure (Task Force II) created by the 1979 convention. As such he prepared for Task Force II a new format for the *Handbook* involving a rearrangement of subject matter and incorporating the many organizational changes that were being developed by Task Force II.

That new version was then reviewed on a line by line basis during several meetings of Task Force II. Each section received careful scrutiny on at least two separate occasions. In the process rearranging and rewriting were involved.

Finally the work of Task Force II on the proposed *Handbook* was completed. The new outline and all proposed changes were submitted by Task Force II to the Synod in a major section of the convention *Workbook* covering 80 pages.

This gave all the members of the Synod and specifically the convention delegates an opportunity to study the proposed *Handbook*.

Floor Committee 2 of the convention labored prodigiously on its assignment, in the end recommending to the convention the proposed *Handbook* with certain amendments.

It was a difficult task for the delegates, but they accomplished what many had considered an impossible assignment. After some additional amendments to certain specific proposals had been made, the recommendations of the floor committee were approved.

But now additional work confronted the Commission on Constitutional Matters. Under its Bylaw mandate, it was necessary for the CCM to work through very carefully all of the actions taken by the convention, both with reference to Floor Committee 2 and with reference to other floor committees. Some adjustments needed to be made, and certain ambiguities called for clarification.

The commission is presenting the new edition of the *Handbook* to the Synod in the realization that this edition may contain some rough spots both as a result of the extent of the revision and as a result of

the commission's desire for obvious reasons to publish the *Handbook* just as quickly as possible. Many segments of the Synod are dependent upon provisions contained in the new *Handbook*.

We hope that the Synod will be charitable.

Several constitutional amendments (which affect also the Bylaws and the Articles of Incorporation) were adopted by the convention and must now be ratified by the congregations before becoming effective. The Bylaws assume ratification (that was the approach decided upon by the convention), although the amendments have not been incorporated here in the text of the Constitution and Articles of Incorporation. However, they are indicated in the Appendix. As this is being written, ballots received from the congregations would indicate that the constitutional amendments will be approved by February 15, 1982, the date established by the required period of six months after ballots have been mailed to the congregations.

At the suggestion of the legal counsel of the Synod, in this new edition the Articles of Incorporation no longer precede but now follow the Constitution and the Bylaws of the Synod.

The 1981 convention *Proceedings* contain many resolutions dealing with Bylaw revisions, principally Resolution 2-18B. Special attention is called to the wording of that resolution. It dealt with 78 pages of Bylaw changes printed on pages 52 to 129 in the convention *Workbook*. It would have been prohibitively expensive to reprint those 78 pages in the *Proceedings*. It should be carefully noted that Resolution 2-18B called for the adoption of many of these amendments, except as indicated in the resolved and in the attachments to Resolution 2-18B.

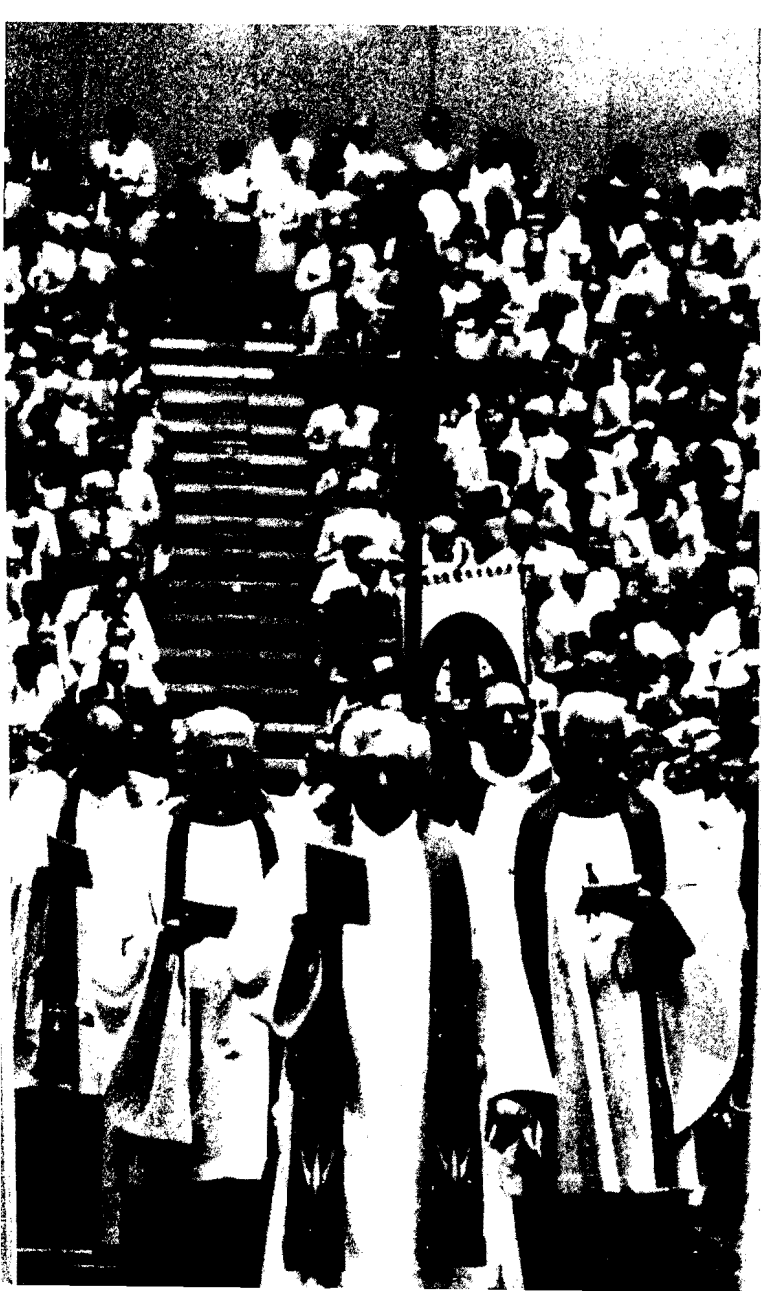
The Commission on Constitutional Matters, which has the responsibility for putting the *Handbook* into its final form, consists at the present time of Attorney Donald Prevaillet, chairman; Dr. Carl Eberhard; Dr. John Klotz; Judge Gene Schnelz; and the undersigned as secretary.

For the record it should also be noted that Task Force II, which contributed so much to this new *Handbook*, consisted of: Attorney Kermit A. Brashear II, secretary; Mr. John L. Daniel; Mr. Gilbert R.

Heine, vice-chairman; Rev. Richard T. Hinz; Mr. Clifford A. Kraft; Dr. August T. Mennicke; Dr. Herbert Mueller, chairman; Dr. Milton Nauss; Dr. Paul Zimmerman. Mr. John Schuelke served in an advisory capacity, and staff services were rendered by Rev. Everett Grese, succeeded after several months by Dr. Arthur Ahlschwede.

May our gracious Lord lend His blessing to this little book as our Synod strives to carry out His great commission!

Herbert Mueller, *Secretary*



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CONSTITUTION OF THE LUTHERAN CHURCH MISSOURI SYNOD

PREAMBLE

Reason for the Forming of a Synodical Union

1. The example of the apostolic church. Acts 15:1-31.
2. Our Lord's will that the diversities of gifts should be for the common profit. 1 Cor. 12:4-31.

Article I Name

The name of the synod organized under this Constitution shall be: The Lutheran Church—Missouri Synod.

Article II Confession

The Synod, and every member of the Synod, accepts without reservation:

1. The Scriptures of the Old and the New Testament as the written Word of God and the only rule and norm of faith and of practice;
2. All the Symbolical Books of the Evangelical Lutheran Church as a true and unadulterated statement and exposition of the Word of God, to wit: the three Ecumenical Creeds (the Apostles' Creed, the Nicene Creed, the Athanasian Creed), the Unaltered Augsburg Confession, the Apology of the Augsburg Confession, the Smalcald Articles, the Large Catechism of Luther, the Small Catechism of Luther, and the Formula of Concord.

Article III Objectives

The Synod, under Scripture and the Lutheran Confessions, shall—

1. Conserve and promote the unity of the true faith (Eph. 4:3-6; 1 Cor. 1:10), work through its official structure toward fellowship with other Christian church bodies, and provide a united defense against schism, sectarianism (Rom. 16:17), and heresy;
2. Strengthen congregations and their members in giving bold witness by word and deed to the love

and work of God, the Father, Son, and Holy Spirit, and extend that Gospel witness into all the world;

3. Recruit and train pastors, teachers, and other professional church workers and provide opportunity for their continuing growth;

4. Provide opportunities through which its members may express their Christian concern, love, and compassion in meeting human needs;

5. Aid congregations to develop processes of thorough Christian education and nurture and to establish agencies of Christian education such as elementary and secondary schools;

6. Aid congregations by providing a variety of resources and opportunities for recognizing, promoting, expressing, conserving, and defending their confessional unity in the true faith;

7. Encourage congregations to strive for uniformity in church practice, but also to develop an appreciation of a variety of responsible practices and customs which are in harmony with our common profession of faith;

8. Provide evangelical supervision, counsel, and care for pastors, teachers, and other professional church workers of the Synod in the performance of their official duties;

9. Provide protection for congregations, pastors, teachers, and other church workers in the performance of their official duties and the maintenance of their rights;

10. Aid in providing for the welfare of pastors, teachers, and other church workers, and their families in the event of illness, disability, retirement, special need, or death.

Article IV Powers

The Synod shall have legal powers—

1. To purchase, hold, administer, and sell property of every description in the interests of the Synod;

2. To accept, hold, administer, and, if deemed advisable, dispose of, legacies, donations, commercial papers, and legal documents of every description in the interest of its work.

Article V Membership

Membership in the Synod is held and may be

acquired by congregations, ministers of the Gospel, and teachers of the Evangelical Lutheran Church who confess and accept the confessional basis of Article II.

A. Voting Members

All organized congregations that have joined the Synod hold voting membership. At the meetings of the Districts of the Synod every congregation or parish is entitled to two votes; one of which is to be cast by the pastor and the other by the lay delegate. At the meetings of the Synod a number of congregations shall form a group, which shall be represented by two voting delegates, one a pastor and one a lay delegate.

B. Advisory Members

Advisory members only are the following:

1. Pastors whose congregations do not hold membership in the Synod;

2. Assistant pastors;

3. Ministers not in charge of congregations;

4. Professors at the Synod's educational institutions;

5. Teachers of parochial schools;

6. Candidates for the office of the ministry or for that of a teacher in the parochial schools.

Article VI Conditions of Membership

Conditions for acquiring and holding membership in the Synod are:

1. Acceptance of the confessional basis of Article II.

2. Renunciation of unionism and syncretism of every description, such as:

a. Serving congregations of mixed confession, as such, by ministers of the church;

b. Taking part in the services and sacramental rites of heterodox congregations or of congregations of mixed confession;

c. Participating in heterodox tract and missionary activities.

3. Regular call of pastors and teachers and regular election of lay delegates by the congregations, as also the blamelessness of the life of such.

4. Exclusive use of doctrinally pure agenda, hymnbooks, and catechisms in church and school.

5. A congregation shall be received into membership only after the Synod has convinced itself that the constitution of the congregation, which must be submitted for examination, contains nothing contrary to the Scriptures or the Confessions.

6. Pastors, teachers, or candidates for the office of the ministry or that of a teacher in a parochial school not coming from recognized orthodox church bodies must submit to a colloquium before being received.

7. Congregations, pastors, teachers, or candidates for the office of the ministry or that of a teacher in a parochial school are, as a rule, received at the meetings of the Districts of the Synod, but may be received also at the meetings of the Synod.

Article VII Relation of the Synod to Its Members

In its relation to its members the Synod is not an ecclesiastical government exercising legislative or coercive powers, and with respect to the individual congregation's right of self-government it is but an advisory body. Accordingly, no resolution of the Synod imposing anything upon the individual congregation is of binding force if it is not in accordance with the Word of God or if it appears to be inexpedient as far as the condition of a congregation is concerned.*

† Article VIII Synodical Meetings

A. Time and Legality of Meetings

1. The Synod convenes every two years for its regular meeting.

2. For a legal convention a constitutional convocation of the meeting and the presence of at least one-fourth of the constitutionally elected voting representatives are necessary.

B. Special Sessions of the Synod

1. The Synod may under circumstances call a special session if two-thirds of the voting representatives present so decide.

* Cp. Bylaws, 1.19 b.

† See Appendix

2. In cases of urgent necessity a special session may be called by the President with the consent of two-thirds of the District presidents or by three-fourths of the District Presidents without the consent of the President; however, all congregations and other members of the Synod must be notified thirty days in advance and told for what purpose this extra meeting is being convened.

C. Resolutions at Synodical Meetings

All matters of doctrine and of conscience shall be decided only by the Word of God. All other matters shall be decided by a majority vote. In case of a tie vote the President may cast the deciding vote.

Article IX Representation

The synodical meetings are composed of regularly elected and delegated representatives and of certain individual persons, as specified in the Bylaws, to wit:

1. Representatives of congregations, entitled to vote;
2. Advisory representatives of the advisory members of the Synod;
3. Advisory representatives of boards, commissions, and educational institutions and such as by virtue of their office are required to attend the Synod.

Article X Officers

A

The officers of the Synod are:

1. A President;
2. Vice-Presidents, as prescribed by the Bylaws;
3. A Secretary;
4. A Treasurer;
5. A Board of Directors;
6. Other officers, as specified in the Bylaws.

B

1. The President, the Vice-Presidents, and the Secretary must be ministers of the church and, like the Treasurer and the members of the Board of Directors, members of voting congregations.

2. The time of service of all officers, boards, and commissions shall be fixed by the Bylaws of the Constitution of the Synod.

3. Any officer or any member of any board or

commission ceases to be an officer of the Synod or a member of any board or commission as soon as he ceases to be a member of a congregation affiliated with the Synod.

Article XI Rights and Duties of Officers

A. In General

1. The officers of the Synod must assume only such rights as have been expressly conferred upon them by the Synod, and in everything pertaining to their rights and the performance of their duties they are responsible to the Synod.

2. The Synod at all times has the right to call its officers to account and, if circumstances require it, to remove them from office in accordance with Christian procedure.

3. The Synod reserves the right to abolish any office it has established.

4. Conventions of the Synod and of the Districts have the right, in extraordinary cases, to elect a chairman other than the regular presiding officer.

B. Duties of the President

1. The President has the supervision regarding the doctrine and the administration of—

- a. All officers of the Synod;
- b. All such as are employed by the Synod;
- c. The individual Districts of the Synod;
- d. All District Presidents.

2. It is the President's duty to see to it that all the aforementioned act in accordance with the Synod's Constitution, to admonish all who in any way depart from it, and, if such admonition is not heeded, to report such cases to the Synod.

3. The President has and always shall have the power to advise, admonish, and reprove. He shall conscientiously use all means at his command to promote and maintain unity of doctrine and practice in all the Districts of the Synod.

4. The President shall see to it that the resolutions of the Synod are carried out.

5. At the sessions of the Synod the President shall—

a. Conduct the meetings and have a care that all things be done in a Christian way and in accordance

with the Constitution of the Synod;

b. Give an accurate report to the Synod of his administration.

6. The President shall sign the official papers and documents in the name of the Synod.

7. It is the duty of the President to be present also at the meetings of the Districts, to advise them, and to report at the next session of the Synod.

8. The President shall perform all additional duties which the Synod may enjoin upon him through its Bylaws or by special resolution.

9. When business matters that permit of no delay turn up between conventions of the Synod, the President is authorized to submit them to a vote of the congregations by means of the official periodicals. In such cases at least one-fourth of the synodical congregations must register their vote.

C. Duties of the Vice-Presidents

1. The Vice-Presidents shall upon request of the president represent him in all his functions.

2. In case of the disability, the deposition from office, or the death of the President, the Vice-Presidents, in the order of their rank of office, advance to the President's place, with full power, until the expiration of his term of office.

D. Duties of the Secretary

The Secretary shall—

1. Record the proceedings during the synodical conventions;

2. Draw up and sign the official papers and documents of the Synod;

3. Perform such other work as the Synod may enjoin upon him through its Bylaws or by special resolution.

E. Duties of the Treasurer

The Treasurer is the custodian of all moneys and records normally related to the Office of Treasurer of the Synod and shall—

1. Keep an exact record of all moneys received and expended by the Synod;

2. Administer the Synod's financial affairs according to its instruction;

3. At any time submit to an examination of his

books and accounts by an auditing committee when so ordered by the Synod or its officers.

***F. Duties of the Board of Directors**

1. The Board of Directors shall consist of not fewer than seven members, to wit: the President, the Secretary, the Treasurer, one pastor, and three laymen.
2. The members of the Board of Directors are the legal representatives of the Synod and the custodians of all property of the Synod, and upon them are incumbent the general management and supervision of all the business affairs of the Synod.

Article XII Districts of the Synod and Their Regulation

1. The Synod is divided into Districts, the geographical boundaries of which are determined by the Synod and are altered by it according to circumstances.

2. This Constitution is also the constitution of each District of the Synod; however, each District is at liberty to adopt such bylaws and pass such resolutions as it deems expedient for its conditions, provided that such bylaws and resolutions do not conflict with the Constitution and the Bylaws of the Synod.

3. The officers of the Districts are:

- a. A District President;
- b. District Vice-Presidents as the Bylaws prescribe;
- c. As many Circuit Counselors as each District may determine upon;
- d. A District Secretary;
- e. A District Treasurer, who may be elected by the District convention or appointed in such manner as the District may prescribe.

4. Additional officers, boards, and commissions are elected by the Districts as they are required for the execution of the business of the Districts.

5. The election and time of service of the District officers shall be determined by the Bylaws of the Constitution of the Synod.

* See Appendix

6. All officers of the Districts have the same rights and duties as those outlined in this Constitution for the officers of the Synod but only insofar as these apply to the District and only within the boundaries of their Districts.

7. The District Presidents shall, moreover, especially exercise supervision over the doctrine, life, and administration of office of the pastors and teachers of their District and acquaint themselves with the religious conditions of the congregations of their District. To this end they shall visit and, according as they deem it necessary, hold investigations in the congregations. Their assistants in this work are the Circuit Counselors, who therefore shall regularly make their reports to the District President.

8. District Presidents are empowered to suspend from membership pastors, professors, and teachers for persistently adhering to false doctrine or for having given offense by an ungodly life, in accordance with such procedure as shall be set forth in the Bylaws of the Synod.

9. Furthermore, the District President shall—

a. See to it that all resolutions of the Synod which concern the Districts are made known to the Districts and are carried out by them;

b. Submit an annual report of their administration to the President of the Synod and, in general, permit him to obtain all necessary insight into their official activities as District Presidents;

c. Perform, either in person or by proxy, the ecclesiastical ordination of the candidates for the ministry assigned to their Districts and the installation of such, as well as the installation of the candidates for the office of schoolteacher and of all ministers and teachers called by the congregations in their Districts;

d. Sign all examination papers and certificates of ordination and, in general, all official papers and documents of their District.

10. The meetings of the Districts of the Synod are composed of the following:

A. Voting Representatives

The pastors of such congregations as hold voting membership in the Synod and the lay delegates

elected and deputed by these congregations shall be voting representatives.

B. Advisory Members

Advisory members are:

- a. Pastors whose congregations do not hold membership in the Synod;
- b. Assistant pastors;
- c. Ministers without a charge;
- d. Professors at the educational institutions;
- e. Teachers of parochial schools;
- f. Candidates for the office of the ministry or for the office of parochial schoolteacher.

11. The Districts, when legally incorporated, are represented before the State by a Board of Directors composed of the President, the Secretary, and the Treasurer of the District, which Board, however, may be constituted otherwise.

12. The Districts are independent in the administration of affairs which concern their District only, it being understood, however, that such administration shall always serve the interests of the Synod.

† 13. The regular sessions of the Districts are held in those years in which no regular session of the Synod is held. Only the Synod has the right to make an exception to this rule.*

14. For the legal holding of the sessions of the Districts a constitutional convocation of such sessions and the presence of at least one-third of the voting members represented by at least one of their respective representatives (pastor or lay delegate) are required.

15. In cases of urgent necessity the District President is empowered to convene special sessions of his District; he must, however, previously have obtained consent of at least a majority of the voting members of the District after having informed them and the President of the Synod of the purpose of the intended special session.

† See Appendix.

* Permission was granted to the South American Districts to meet also in those years in which the delegate synod convenes. 34 (1929), 124.

Article XIII Expulsion from the Synod

1. Members who act contrary to the confession laid down in Article II and to the conditions of membership laid down in Article VI or persist in an offensive conduct, shall, after previous futile admonition, be expelled from the Synod.

2. Expulsion shall be executed only after following such procedure as shall be set forth in the Bylaws of the Synod.

3. If the member expelled is a pastor or teacher in a congregation of the Synod, such congregation, unless it has already done so, is held to depose him from office and to deal with him in accordance with the Word of God, notwithstanding an appeal. If it persistently refuses to do so, the respective District is to deal with it. If all negotiations and admonitions fail of their purpose, such congregation forfeits its membership in the Synod.

4. Because of their expulsion those so expelled forfeit their membership and all share in the property of the Synod. The latter holds good also with respect to those who for any reason themselves sever their connection with the Synod.

Article XIV Changes in, and Amendments to, the Constitution

1. Changes in the Constitution and amendments thereto may be made provided they do not conflict with the provisions laid down in Article II and in Article VI.

2. All proposed changes and amendments must be submitted in writing to the Synod assembled in convention, and each proposed change shall be voted on separately. A two-thirds majority of all votes cast shall be necessary for adoption.

3. After adoption by the convention such amendments shall be submitted to the congregations of the Synod by means of three announcements in the official periodical within three months after the close of the convention.

4. Amendments to the Constitution of the Synod shall be submitted directly to each voting congregation of the Synod on an official ballot, and the congregations shall by official action express their

affirmative or negative vote and indicate the same to the Secretary of the Synod on this official ballot. The proposed amendment shall become effective at the expiration of six months from the date on which the amendment is submitted for vote, provided a two-thirds majority of the votes cast within that period shall have favored the amendment. At the end of the six-month period the Secretary of the Synod shall announce the outcome of the voting by Districts in the official periodical of the Synod.

BYLAWS OF THE LUTHERAN CHURCH— MISSOURI SYNOD

I. PREAMBLE

A. CONFESSION

1.01 Confessional Position

The confessional position of the Synod is set forth in Article II of its Constitution, to which all who wish to be and remain members of the Synod shall subscribe.

1.03 Doctrinal Resolutions and Statements

a. The Synod, in seeking to clarify its witness or to settle doctrinal controversy, shall have the right to adopt doctrinal resolutions and statements which are in harmony with Scriptures and the Lutheran Confessions.

b. Doctrinal *resolutions* may be adopted for the information, counsel, and guidance of the membership. They shall reiterate the corporate position of the Synod and shall ordinarily cite the pertinent passages of the Scriptures, the Lutheran Confessions, and any previously adopted official doctrinal statements or resolutions of the Synod. Such resolutions come into being in the same manner as any other resolutions of a synodical convention and are to be honored and upheld until such time as the Synod amends or repeals them.

c. Doctrinal *statements* set forth in greater detail the corporate position of the Synod especially in controverted matters. A proposed statement or a proposal for the development of such a statement shall be—

1. submitted by the Commission on Theology and Church Relations directly to those listed in c 2 or submitted by a synodical convention, a District convention, a synodical faculty, or an official District pastoral or teachers conference to the Commission on Theology and Church Relations for evaluation, refinement, development, or recommendation, as the case may be;

768
382
388 39
373 32
309



2. submitted by the commission, if it acts favorably, to the congregations, the colleges and seminaries, and the clergy and teacher members of the Synod for study and suggestions for no more than one year (failure by the Commission on Theology and Church Relations to submit a proposed doctrinal statement within a year may be appealed to the convention through a proper overture);

3. refined further by the commission on the basis of suggestions received;

4. submitted by the commission to a convention for further consideration and possible adoption by majority vote; amendments shall require a two-thirds affirmative vote of those present and voting;

5. resubmitted to the congregations for ratification in its final existing form;

6. ratified and operative if a two-thirds majority of the member congregations which respond within six months registers an affirmative vote on a ballot supplied by the synodical Secretary for that purpose. Failure to ratify makes the statement inoperative, and this fact shall be reported by the Secretary to the members of the Synod through an announcement in an official periodical.

7. Such adopted and ratified doctrinal statements shall be regarded as the corporate position of the Synod and shall be "accepted and used as helpful expositions and explanations" (FC SD Rule and Norm, 10). They shall be honored and upheld ("to abide by, act, and teach in accordance with" [1971 Res. 2-21]) until such time as the Synod amends or repeals them.

8. An overture to amend such an adopted ratified doctrinal statement shall follow the same procedure as listed in paragraph c, 1 to 6, above.

9. An overture to repeal such an adopted and ratified doctrinal statement shall require a majority vote of a convention in answer to an overture properly submitted and be subject to the procedure of congregational approval set forth in paragraph c, 6, above.

10. In the interim, those who submit overtures to amend or to repeal shall, while retaining their right to dissent, continue to honor and uphold publicly the statement as the corporate position of the Synod,

notwithstanding further study and action by the Synod.

d. Dissent from doctrinal resolutions and statements shall be governed by Bylaw 1.19 e.

B. MEMBERSHIP

1.11 Application and Reception

Applications for membership in the Synod may be acted upon in the convention of the Synod or of any District of the Synod.

1.13 Signing Constitution

a. All pastor and teacher applicants shall file a signed statement as follows: "I have read the Constitution of The Lutheran Church—Missouri Synod, and I hereby affix my signature to it, dated _____, signed _____." This statement shall be filed with the Secretary of the District prior to the convention in which the individual wishes to be received.

b. The duly elected lay delegates of newly received congregations shall sign the Constitution as the representatives of their congregations in open session at the District convention which they attend.

c. The District Secretary shall obtain the signatures to the Constitution and shall note the year in which the member is received or relinquishes membership or is transferred to another District of the Synod. The District President shall keep the Secretary of his District informed of transfers into and out of the District so that entries can be made in the records of his District.

1.15 Duties of Members

Every member of the Synod shall, in accordance with his vocation, his ability, and the means at his command, diligently and earnestly promote the purposes of the synodical organization by word, deed, and adequate financial support.

1.17 Duties of Advisory Members

Advisory members of the Synod shall attend the District conventions. They shall not be elected by any congregation or by any group of congregations as lay delegates to a synodical convention, nor shall they be

accredited as such. Former pastors and teachers who are regularly engaged in a secular calling shall no longer be considered advisory members.

1.19 Relation of the Synod to Its Members

a. The Constitution, Bylaws, and all other rules and regulations of the Synod apply to all members of the Synod, i.e., to all congregations, pastors, professors, and teachers. The Synod expects such congregations as have not yet been received into membership, but are served by the Synod, and whose pastors and teachers hold membership in the Synod to honor its rules and regulations.

b. The Synod expects every member congregation to respect its resolutions and to consider them of binding force if they are in accordance with the Word of God and if they appear expedient as far as the condition of the congregation is concerned. The Synod, being an advisory body, recognizes the right of the congregation to be the judge of the expediency of the resolution as applied to its local condition. However, in exercising such judgment, a congregation must not act arbitrarily but in accordance with the principles of Christian love and charity.

c. Membership of a congregation in the Synod gives the Synod no equity in the property of the congregation.

d. Clergy and teacher members of the Synod shall hold their synodical membership in that District in which the congregation they serve holds membership or in which they are serving as District executives. Clergy and teacher members of the Synod who are serving an educational institution of the Synod shall be under the ecclesiastical supervision of the President of the geographical District in which the institution is located.

e. While retaining the right of brotherly dissent, members of the Synod are expected as part of the life together within the synodical fellowship to honor and to uphold the resolutions of the Synod. If such resolutions are of a doctrinal nature, dissent is to be expressed first within the fellowship of peers, then brought to the attention of the Commission on Theology and Church Relations before finding expression as an overture to the convention calling for

revision or rescission. While the conscience of the dissenter shall be respected, the consciences of others, as well as the collective will of the Synod, shall also be respected.

1.21 Constitutions of Congregations

a. A congregation which applies for membership in the Synod shall, two months prior to the convention of the Synod or of the respective District of the Synod, send its constitution to the District President, who shall refer it to a standing committee of the District. This committee shall examine the constitution to ascertain whether its provisions are in harmony with Scripture and the teachings and practices of the Synod in order that any necessary changes may be made by the congregation before the District or the Synod convenes. A congregation shall not hold membership until it has made such changes as the Synod may have deemed necessary and has so notified the District President.

b. A member congregation which translates, revises or amends its constitution or adopts a new constitution shall submit such translation, revision, amendment, or new constitution to the District President, who shall direct it through existing channels for review. Upon favorable action by the District Board of Directors, the congregation shall be notified that the changes are valid and approved and that the congregation is empowered to function under the new or changed constitution. Such actions shall be submitted to the next convention of the District for ratification.

c. It shall be the policy of the Synod:

1. to decline membership to congregations whose constitutions deny membership or other congregational privileges to any Christian because of race or ethnic origin;

2. to encourage such applying congregations to bring their constitutions and practices into harmony with the Holy Scripture and the Confessions, so that their applications might receive favorable action.

C. PRINCIPLES OF ORGANIZATION

1.31 Reasons for Organizing a Synod

Committed to a common confession and mission,

congregations of The Lutheran Church—Missouri Synod join with one another in a Synod to support and work with one another in accordance with their commonly adopted objectives. The Synod functions *in support of* its member congregations by providing resources and assistance for their local ministries and *on behalf of* its member congregations by administering those ministries which can be accomplished more effectively in cooperation with sister congregations. In this way, the Synod seeks to serve (1) our Lord Jesus Christ, (2) the members of His body, and (3) the world which stands in need of the Word and the impact of His redeeming love.

1.33 Relationships: Congregation, Synod, District, Circuit

a. Congregations join together to form the Synod. The Synod divides itself into Districts and authorizes its Districts to create Circuits. The criteria for the creation of Districts and Circuits are determined by the Synod in convention.

b. The congregation is the basic unit in the Synod. The Synod, the District, and the Circuit are regarded as extensions of the congregation. They are designed to assist the congregation and its members in conserving and promoting the unity of the faith and in carrying out their mission and ministry. They also serve as the structure through which congregations exercise certain functions which can be performed more efficiently and effectively together with sister congregations.

c. Membership is held in the Synod itself. In accordance with the objectives of the Synod, a congregation exercises certain privileges and responsibilities of membership also in and through its respective Circuit and District.

d. Circuits and Districts as administrative arms of the Synod are expected to carry out applicable resolutions of the Synod. Circuits and Districts as extensions of the congregations are structures for congregations to review synodical decisions, to motivate one another to action, and to shape and suggest new directions.

e. Congregations together set the requirements of membership in the Synod (Art. VI). In so doing,

member congregations also obligate themselves to fulfill such requirements. They are to uphold the confessional position of the Synod (Art. II) and to assist in carrying out the objectives of the Synod (Art. III), which are objectives of the congregations themselves. Congregations of the Synod are self-governing (Art. VII). In exercising such freedom, however, congregations also commit themselves to act in accordance with the synodical Constitution and Bylaws under which they have agreed to live and work together and which the congregations alone have the authority to adopt or amend.

1.35 Relationships: Convention, Officers, Board of Directors, Boards and Commissions, Staff

a. The delegate convention of the Synod is the legislative assembly which ultimately establishes policies and provides program direction to carry on the Synod's work on behalf of and in service to the member congregations, reserving to itself the right to give directions to all officers, boards, and commissions of the Synod.

b. The elected officers serve the Synod in accordance with the duties assigned to them by the Constitution and Bylaws. To them individually is given the primary responsibility for implementing specific decisions of the convention and of the Board of Directors and for supervising and coordinating the day-to-day activities of the synodical staff as set forth elsewhere. The elected officers are to report their activities and recommendations to the convention and, as appropriate, to the President and the Board of Directors.

c. The Board of Directors serves the Synod as its legal representative and the custodian of all property of the Synod, and upon it is incumbent the general management and supervision of the business affairs of the Synod. It shall also, between conventions, determine general operating policies, approve program budgets, allocate resources for such programs, review program performance, coordinate the administration of convention resolutions, settle disputes between operating boards, and report its activities and recommendations to the convention.

d. Each board and commission serves the Synod in a specific area of program or ministry in accordance with the Synod's Constitution and Bylaws. It adopts programs in its assigned area of responsibility; administers the program and resources assigned to it by the Constitution and Bylaws, convention, or Board of Directors; and proposes modifications thereto. It provides program policies and directions for its staff. It shall establish, together with staff, evaluation criteria for its assigned programs. It shall report its activities to the convention, the President, and the Board of Directors.

e. The staff develops procedures, recommends and reviews programs and ministries, manages programs, and recommends policy and program modifications. It implements decisions of its respective board in accordance with approved policy. It is responsible to its respective board or commission and also to the President of the Synod, who shall exercise supervision in accordance with the Constitution and Bylaws, resolutions of the Synod, and the decisions of the respective board and of the Board of Directors. Staff represents the board or commission and is ordinarily the liaison between the board or commission and the field. Each principal staff person shall report on staff activities and recommendations to his board or commission and, as requested, to the President of the Synod. The Board of Directors shall establish position titles.

1.37 Definitions

a. A *program board* is an officially established group of elected persons charged with policy making and evaluative responsibilities for a programmatic function of the Synod.

b. A *support services board* is an officially established group of persons appointed by the Board of Directors with the approval of the President and charged with policy making and evaluative responsibilities for certain support services assigned to it. Members are appointed in view of their special abilities and experience in certain closely defined areas of competence.

c. A *standing committee* is a small group of specialists, appointed by the Board of Directors, a

program board, or a support services board, which provides professional or technical assistance to a board. With the approval of the President, or upon instruction by the Board of Directors, a board may or shall, as the case may be, delegate certain responsibilities to such a committee while retaining supervision. The size of each standing committee shall be determined by the Board of Directors after consultation with the respective board.

d. A *commission* is a group of persons elected or appointed as prescribed in the Bylaws, rendering a precisely defined service function of the Synod and responsible, as the case may be, to the convention, to the President of the Synod, or to the Board of Directors.

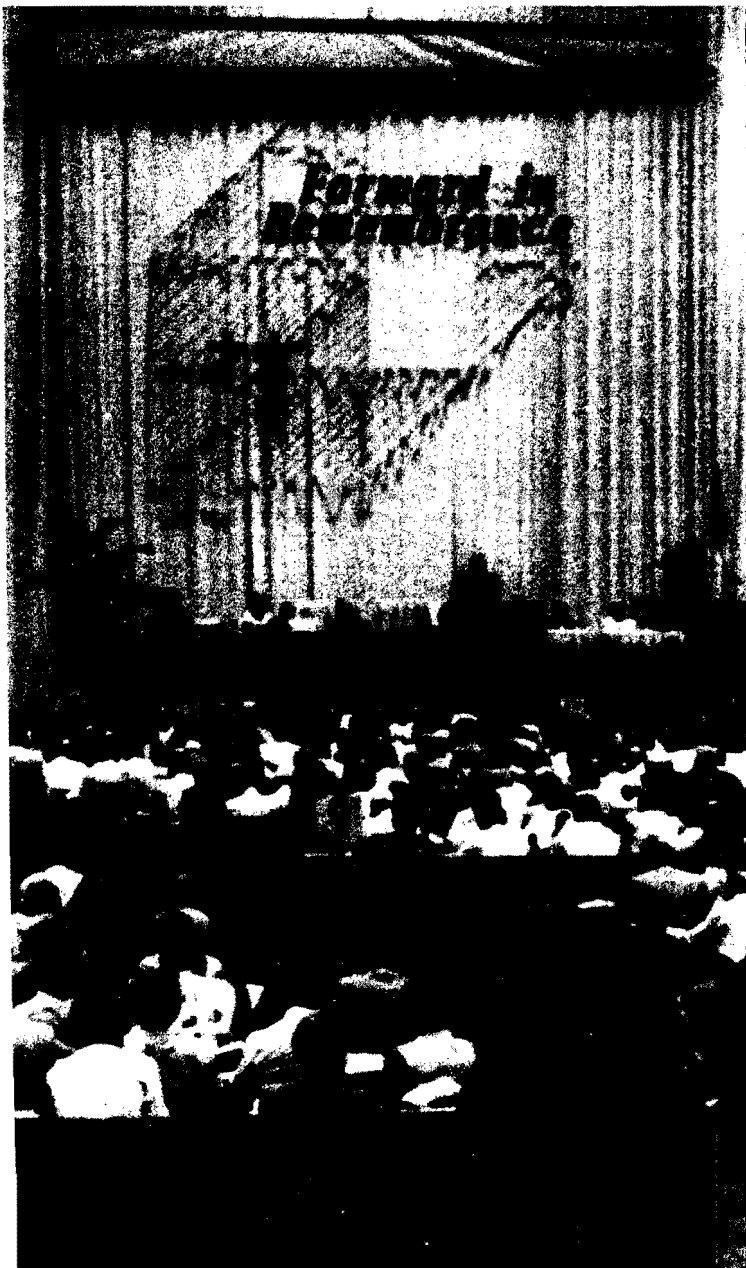
e. A *council* consists of persons from various administrative areas or agencies, with the primary function of coordination.

f. A *department* is an operating unit which is directly responsible to the Board of Directors.

g. A *subcommittee* consists of persons who are voting or advisory members of a board or commission who perform a specific function and are in a reporting relationship to the parent group. This may be a standing subcommittee or an ad hoc committee.

h. A *task force* is a group which has an ad hoc assignment to accomplish a specific task, has a definite expiration date, and does not necessarily consist of members of the appointing body.

i. An *agency of the Synod* is an instrumentality other than a congregation, whether or not separately incorporated, which the Synod or its Board of Directors has caused or authorized to be formed to further the Synod's objectives and includes without limitation each board, commission, seminary, college, and District, as well as Concordia Publishing House, Concordia Historical Institute, The Lutheran Church—Missouri Synod Foundation, and Lutheran Church Extension Fund—Missouri Synod.



II. SYNODICAL ORGANIZATION

A. CONVENTIONS

2.01 Function of Convention

The general convention of the Synod shall afford an opportunity for worship, nurture, inspiration, fellowship, and the communication of vital information. It is the principal legislative assembly, which amends the Constitution and Bylaws, considers and takes action on reports and overtures, and handles appropriate appeals. It establishes general synodical positions and policies, provides overall program direction and priorities, and evaluates all such positions, programs, policies, directions, and priorities in order to provide responsible service for and in behalf of its members. Only a delegate convention of the Synod shall authorize affiliation or association of the Synod with other church bodies, synods, or federations, and the discontinuance of such affiliation or association.

2.03 Voting Delegates

Voting delegates shall consist of one pastor and one layman from each electoral Circuit. An electoral Circuit shall consist either of one or of two adjacent visitation Circuits, as shall be determined by each District, on the basis of the following requirements: each pair of delegates shall represent from 7 to 20 member congregations, involving an aggregate communicant membership ranging from 1,500 to 10,000. Exceptions to these requirements and limitations can be made only by the President of the Synod upon request of a District Board of Directors. Voting delegates shall serve a three-year term, beginning with the convention; after the convention they shall function as resource persons in their Circuit and assist in the dissemination and implementation of the synodical resolutions in their area.

2.05 Election of Delegates

a. Each electoral Circuit shall meet at the call of the Counselor(s) to elect its delegates not later than nine months prior to the opening day of the convention. The election shall be by written ballot. All

pastors who are not advisory members under Article V, B of the Constitution shall be eligible for election. The privilege of voting shall be exercised by one pastor and one layperson from each member congregation of the Circuit, both of whom shall have been selected in the manner prescribed by the congregation. Multiple parishes shall be entitled to a lay vote from each member congregation. Each delegate may write in the name of two pastors on the initial ballot. The three pastors (or more, in case of a tie vote) who receive the highest number of votes in this preliminary ballot shall be placed on the next ballot. Each voter shall now vote for only one candidate. Balloting shall continue with the lowest candidate being removed from each succeeding ballot until one pastor shall have received a simple majority of all votes cast, whereupon he shall be declared the pastoral delegate. The congregation or congregations served by the elected pastoral delegate shall be removed from consideration for supplying any other voting delegate or alternate for that particular convention.

b. Prior to the meeting of the electoral Circuit, each congregation may nominate one layperson, either from its congregation or from the Circuit. These names must be submitted to the Circuit Counselor prior to the day of the Circuit meeting and shall constitute the slate of candidates. All congregational nominees, except those who have been eliminated through the election of the pastoral delegate, shall be eligible for election. Each delegate may write in the name of two of the remaining lay nominees on the initial ballot. The three laypersons (or more, in case of a tie vote) who received the highest number of votes in this preliminary ballot shall be placed on the next ballot. Each voter shall now vote for only one candidate. Balloting shall continue with the lowest candidate being removed from each succeeding ballot until one layperson shall have received a simple majority of all votes cast, whereupon he or she shall be declared the lay delegate. The congregation from which the lay delegate has been elected shall then be removed from consideration for supplying any remaining alternates to that particular convention.

c. All other pastors who received votes in the

initial write-in ballot, except those who were eliminated through the election of the lay delegate, shall be eligible for election as the alternate. Each voter shall now vote for only one candidate. Balloting shall continue with the lowest candidate being removed from each succeeding ballot until one pastor shall have received a simple majority of all votes cast, whereupon he shall be declared the alternate pastoral delegate. The congregation or congregations served by him shall be removed from consideration for supplying the remaining lay alternate.

d. All lay nominees except those which have been disqualified through the procedures listed above shall be eligible for election as the alternate lay delegate. The election of the alternate shall follow the same procedure as in paragraph c above.

e. All four persons elected shall come from four different member congregations.

f. The Counselor(s) shall report the results of the election to the Secretary of the District in writing immediately after said election. If neither the delegate nor the alternate (pastoral or lay) can serve, the vacancy shall be filled by the District President in consultation with the respective Circuit Counselor(s).

2.07 Responsibilities of Delegates

Congregations shall not require their delegates to vote in accordance with specific instructions, but every delegate shall be permitted to vote according to his or her own conviction. Delegates are nevertheless responsible to their Circuits, whom they represent, and shall attempt to discover the sentiment of the members thereof. They shall be expected to be faithful in attendance at all sessions of the convention. After each convention they shall report the actions of the Synod to their Circuits, preferably appearing before each of the congregations which they represent. Voting delegates shall serve a three-year term beginning with the convention; they shall function as members of the Circuit Forum, serve as resource persons in the Circuit, and assist in the implementation of synodical resolutions in their area.

2.09 Advisory Delegates

Each District shall send one advisory delegate

for every 60 advisory clergymen and one advisory delegate for every 60 teachers on the roster of the Synod. Fractional groupings shall be disregarded except that each District shall be entitled to at least one advisory delegate in each category. These selections shall be made by the respective groups meeting at the call of the District Secretary either during the District convention or at official pastor and teacher conferences. Such elections must be completed at least nine months prior to the opening day of the convention. Advisory clergymen and teachers who are eligible for selection in any category under Bylaw 2.13 shall not be counted in determining the number of advisory delegates from each District. They shall not be eligible to be selected as a delegate from the groups defined in Bylaw 2.09, neither shall they participate in the election process.

2.11 Certification

The names and addresses of all voting and advisory delegates and representatives and their alternates shall be forwarded by the District Secretary before the announced registration deadline to the Secretary of the Synod on registration forms provided by the latter. This procedure shall constitute certification.

2.13 Other Advisory Representatives

a. The President, the Vice-Presidents, the Secretary, and the Treasurer of the Synod, and the District Presidents, shall be advisory representatives to the convention.

b. Each elected and appointed board and commission of the Synod shall be represented by its chairman or another board or commission member and by its principal staff person. Standing exceptions shall be the Board of Directors, the Commission on Constitutional Matters, and the Commission on Theology and Church Relations, who may be represented by as many of their membership as they deem necessary. Other exceptions must have the approval of the Board of Directors prior to each convention.

c. Each of the Synod's educational institutions shall be represented at synodical conventions by one of its board members in addition to the District

President, by its president, and by one faculty member for every 30 faculty members who are members of the Synod. Fractional groupings shall be disregarded.

d. Each foreign mission area, as defined and established from time to time by the Board for Mission Services, but not to exceed 10 in number, may be represented at a synodical convention by one advisory representative from within the mission area who is on furlough at the time of convention and will return to the mission area represented. These representatives shall be elected by the missionaries in a given mission area in a manner prescribed by the Board for Mission Services and shared with the missionaries at least 15 months in advance of a synodical convention; provided, however, that each said mission area shall be entitled to a representative, even though there may be no other than terminating missionaries on furlough at convention time.

e. Each District Board of Directors shall be entitled to send one representative from the District Board of Directors and one from the District executive staff, other than the District President. If the District has no executive staff, it may select two members of its Board of Directors.

2.15 Rights of Advisory Delegates and Representatives

a. Advisory delegates and representatives to the convention shall be entitled to the floor and may express their opinion the same as voting members.

b. They shall be eligible to membership on committees and to offices of the convention unless otherwise specified.

2.17 Youth Representation

Each District may be represented by two youths to be selected as a District may specify. They may speak at the request of a floor committee and by express permission of the chair.

2.19 Reports and Overtures

a. The principal business of a synodical convention shall be the consideration of reports and overtures.

1. Reports are (1) statements of work performed

or contemplated by those who are charged with conducting the business of the Synod between conventions, (2) communications to a convention with respect to studies which may have been made for the Synod in order to further its work, or (3) other types of communications to the Synod.

Reports to a convention of the Synod may be submitted only by the President, a Vice-President, the Secretary, the Treasurer of the Synod, a board or commission of the Synod as listed in Sections 2.53 and 2.55, and other individuals or duly constituted groups of individuals who may be required or permitted by the Bylaws, by action of a prior synodical convention, or by the President to report to a convention. A report shall not include an overture unless the report is submitted by someone authorized (in the following paragraph 2) to submit overtures.

2. Overtures are recommendations in the form of proposed resolutions requesting action on the part of the convention.

Overtures to a convention of the Synod may be submitted only by a member congregation of the Synod, a convention or Board of Directors of a District, an official District pastoral or teachers conference, the faculty of an educational institution of the Synod, a board or commission of the Synod listed in Sections 2.53 and 2.55, a committee established by a prior convention, or a Forum of a Circuit.

b. Reports and overtures must be submitted in triplicate to the President of the Synod not later than 16 weeks prior to the opening date of the convention. No report or overture received subsequent to that date shall be accepted for convention consideration unless a committee consisting of the President, the First Vice-President, and the Secretary adjudge it to be a matter of overriding importance and urgency which is not adequately covered by documents already before the convention.

c. Overtures with reference to a case in which a member has been suspended or expelled and which is at present in the process of or subject to appeal, as well as overtures which, upon advice of legal counsel, may subject the Synod or the corporate officers of the Synod to civil action for libel or slander, shall not be accepted for convention consideration.

d. A convention manual containing reports, overtures, and other information shall be published under the editorship of the Secretary subject to the approval of the President. The President shall also decide which of the matters accepted for presentation to and consideration by the convention shall be published in the convention manual.

e. A copy of the convention manual shall be sent not later than 10 weeks prior to the opening date of the convention to each pastor and teacher on the official rosters of the Synod, to each lay delegate and alternate, to each lay member of synodical boards and commissions, and to all such lay teachers and lay ministers as are designated by their District Presidents.

f. All reports and overtures accepted by the President in accordance with the foregoing paragraphs shall be referred by him to convention committees appointed by him in the name of the convention from among the voting delegates (2.03), advisory delegates (2.09), and advisory representatives (2.13). Pastors, teachers, and laymen shall be represented on all committees. The President shall notify committee members of their appointment and of the time and place of their first meeting no later than 12 weeks before the start of the convention. The committee rosters shall be published in an official periodical at least 10 weeks before the convention. After due consideration of the matters referred to it, each committee is to report its findings and recommendations to the convention. If the President deems it advisable, he may convene any committees prior to the opening of the convention. The first issue of *Today's Business* shall be issued containing tentative resolutions. This issue of *Today's Business* shall be sent to all registered delegates of the convention and to each congregation of the Synod.

g. Any member of the Synod (congregation, pastor, teacher) and any lay delegate to the convention wishing to express comments on reports and overtures appearing in the convention manual may submit these in triplicate at least seven weeks prior to the convention to the Secretary of the Synod, who shall transmit them to the appropriate convention committee for consideration. Responses to the tenta-

tive resolutions contained in the first issue of *Today's Business* shall be submitted in triplicate to the chairman of the appropriate floor committee at least one week prior to the convention. All floor committees shall meet at the convention site at a time prior to the opening of the convention to review such responses and reconsider their tentative resolutions accordingly.

h. Overtures and recommendations involving capital outlay or current expenditures shall be accompanied, to the extent feasible, by cost projections and the basis thereof; furthermore, each proposed resolution involving expenditures, prior to its consideration on the floor of the convention, shall be presented to the floor committee on financial matters, which in consultation with the Accounting Department shall attach to the recommended resolution accompanying information on estimated cost thereof on an annual basis or on a project basis, as the case may be.

2.21 Convention Preachers, Worship Leaders, and Essayists

These shall be appointed by the President prior to the convention.

2.23 Convention Orientation

The President shall arrange for suitable orientation and guidance of delegates. A convention manual or guide shall be furnished.

2.25 Organization and Agenda

The convention shall organize at its first session on the basis of its registration and the report of the Committee on Credentials. The President shall then make his presidential address and submit his official report. He shall, at the first session and during the course of succeeding sessions of the convention, announce the order of business for the day and following days. He shall conduct the sessions according to parliamentary law and make every effort so to arrange the schedule of business that the sessions do not exceed one week in duration. Daily minutes shall be prepared by the Secretary's office for inclusion in *Today's Business*.

2.27 Absences

All duly elected delegates and advisory members shall attend all sessions regularly until the close of the convention. Delegates who arrive late or leave early or who do not attend at all shall present a written excuse.

2.29 Time and Place of Next Convention

a. Before adjournment the convention shall decide upon the time of the next convention. If the convention fails to do so, the President shall do so. In case of necessity he may change the appointed time.

b. Conventions shall be conducted in the St. Louis area, with the understanding that consideration may be given by a previous convention to other areas upon special request.

c. Prior to submitting an invitation a host group shall determine the minimum requirements from the convention manager and shall then submit a proposal to the Council of Presidents for evaluation and recommendation to a convention.

2.31 Convention Manager

A synodical convention manager, appointed by the President, shall plan, make arrangements for, and direct the externals of the synodical delegate convention and other major synodical assemblies and may assist with planning and arranging for District conventions. He shall be responsible to the President.

2.33 Local Convention Committee

When necessary the President in consultation with the convention manager may appoint a local convention chairman and a local convention committee to assist the synodical convention manager.

2.35 Convention Expenses

a. The primary sources of income which are to offset the operating costs of the synodical convention are the District levy, registration fees, exhibit space rentals, and other miscellaneous receipts.

b. The amount of the District levy per communicant member and the registration fees will be based on the convention budget submitted by the conven-

tion manager to the synodical Board of Directors for approval who shall notify the District Treasurers of the amount of their assessments by September 1 of the year preceding the synodical convention.

c. The District Treasurer shall remit the amount of the District levy to the synodical Accounting Department not later than the month of March before the convention.

d. The Accounting Department of the Synod shall prescribe, install, and supervise convention accounting procedures, financial controls, and budgetary classifications for operating income and costs of the synodical convention.

2.37 Expenses of Delegates and of Representatives

a. All travel and convention expenses of synodical officials, delegates, and representatives shall be paid by the Synod, the Districts, the boards, or the commissions which are represented by the respective delegates or representatives. The expenses of District Presidents shall be paid by the Synod. The convention manager shall arrange for lodging and may also provide for joint meals while the convention is in session. Rates for lodging and joint meals shall be established and published.

b. The President of the Synod shall indicate which convention committees must meet before the convention opens and shall notify the convention manager, who shall provide preconvention housing and meeting facilities for them. All direct expenses incurred by these preconvention meetings shall be borne by the Synod.

2.39 Publicity

The Synod's Board for Communication Services shall be the channel for telling the story of the synodical convention to the public.

2.41 Distribution of Official Proceedings

The official *Proceedings* of each convention shall be sent by Concordia Publishing House to every congregation in the Synod for the information and use of the pastor and his congregation. All delegates (voting and advisory) and all members of synodical

boards and commissions shall be sent a copy. The cost shall be paid by the Synod.

B. GENERAL PROVISIONS FOR OFFICERS AND BOARDS

2.51 Officers

The officers of the Synod shall be a President, five Vice-Presidents, a Secretary, and a Treasurer, elected by the convention.

2.53 Boards

The boards of the Synod shall be elected or appointed as follows:

a. Elected by the delegate convention of the Synod:

A Board of Directors

A Board for Evangelism Services

A Board for Mission Services

A Board for Parish Services

A Board for Professional Education Services

A Board for Youth Services

A Board of Directors for Concordia Publishing House

A Board of Regents for each educational institution.

b. Appointed by the Board of Directors:

A Board for Communication Services

A Board for Radio Station KFUD

A Board for Social Ministry Services

A Board of Managers for Worker Benefit Plans

A Board of Trustees for The Lutheran Church—Missouri Synod Foundation

c. Appointed as prescribed:

A Board of Directors of the Lutheran Church Extension Fund—Missouri Synod

(Synodical Board for Church Extension)

A Board of Governors of Concordia Historical Institute

2.55 Commissions

The commissions of the Synod shall be elected or appointed as follows:

a. Elected by the convention of the Synod:

- A synodical Commission on Adjudication
- A synodical Commission on Appeals
- b. Appointed by the President:
 - A Commission on Black Ministry
 - A Commission on Constitutional Matters
 - A Commission on Doctrinal Review
 - A Commission on Health and Healing
 - A Commission on Ministerial Health
 - A Commission on Organizations
 - A Commission on Structure
- c. In part by election and in part by appointment as provided in the Bylaws:
 - A Commission on Theology and Church Relations

2.57 Term of Office

a. The term of office of all elected synodical officers shall be three years; of the members of all elected synodical boards six years, except for youth members of the Board for Youth Services which shall be three years; and of all appointed boards, commissions, and standing committees three years, unless these Bylaws shall hereinafter specifically provide otherwise.

b. The President, Vice-Presidents, Secretary, Treasurer, and members of all elected boards shall assume office on the fourth Sunday of September following their election. The members of all appointed boards and commissions shall begin their service on January 1 following each convention. Incumbents shall serve until their successors have been qualified.

2.59 Successive Terms

a. The offices of the President, of the First Vice-President, of the Secretary, and of the Treasurer of the Synod shall be without limitation as to reelection.

b. All members of all synodical boards and commissions shall be ineligible for reelection or reappointment to the same board or commission after serving a total of two successive six-year elected terms or three successive appointed three-year terms, unless otherwise provided in the Bylaws. They may become eligible again for election or appointment to the same office, board, or commission after an interval of three or more years. One-half or more of a term

shall be regarded as a full term under limited tenure rules.

c. Any member of a board or commission who is ineligible for reelection or reappointment may be elected or appointed to another position.

d. The limitation on the tenure of any individual shall not apply in cases which hereinafter are specifically excepted from such limitation.

e. If the President, the First Vice-President, the Secretary, or the Treasurer of the Synod are not reelected to their office before they reach the official retirement age or do not stand for reelection, they shall continue to receive their full salary to the end of the calendar year while rendering transitional service. During this period the Personnel Department shall assist them, if requested, in their efforts at finding another opportunity for service in the church. In the event of a resignation the officer shall be continued at full salary for a minimum of three months. Any extension beyond this period shall be at the discretion of the Board of Directors.

2.61 Vacancies

a. Unless otherwise specified in these Bylaws, each synodically elected board or commission shall be empowered to fill any vacancy which may occur in its membership, subject to the approval of the President.

b. Vacancies in any appointed board or commission of the Synod shall be filled by the appointing authority unless otherwise specified in these Bylaws. The board or commission may submit suggestions to the appointing authority.

2.63 Induction

a. The elected officers, the Board of Directors, and all other elected boards and commissions shall be jointly inducted into their office at a location in the St. Louis area on the fourth Sunday of September. The place and time shall be determined by the Board of Directors and shall be announced at the close of the convention. Arrangements for the induction service shall be made in consultation with the newly elected President and by a committee appointed by the Board of Directors.

b. The initial meetings of these boards shall be held following the induction and shall begin with a combined orientation program conducted under the direction of the President.

2.65 Interim Authority

a. Before his successor assumes office, the outgoing President shall use the intervening time to settle the affairs of his administration and assist the newly elected President as requested to become acquainted with the responsibilities of the office.

b. The existing Board of Directors and other elected boards shall continue to function until the newly elected and reelected members of these boards assume office. They shall continue to carry out programs initiated prior to the electing convention.

c. No appointments to synodical boards, commissions, or standing committees shall be made and no new programs shall be initiated by the outgoing President or the Board of Directors or elected boards during the interim. Emergency action that demands immediate attention may be taken in consultation with and with the consent of the newly elected President.

d. In the interim, the newly elected President shall meet with the reelected and newly elected Vice-Presidents to assess the state of the Synod, to plan for the communication and carrying out of the resolutions adopted at the convention, to assign areas of responsibility to the Vice-Presidents, to gather names and obtain information helpful for making wise appointments; he shall meet with the chairmen and executive secretaries of boards and commissions to discuss their convention reports, to receive from them their specific plans, goals, and objectives, and to assess with them the financial support they will need; he shall meet with the financial and administrative officers to assess the financial status of the Synod and the estimate of the financial resources available for the coming year.

e. The newly elected members of the Board of Directors and other elected boards shall attend whatever meetings are held in the interim, without vote, to become acquainted with their new responsibilities and board functions.

2.67 General Regulations

a. All members of all boards and commissions shall be members of member congregations of the Synod.

b. Every board and commission shall organize itself as to officers and subcommittees every three years at its initial meeting and shall conduct its business in accordance with accepted parliamentary procedures.

c. Every board and elected commission shall meet at least quarterly; exceptions require the approval at least annually of the synodical President.

d. Executive committees may be employed by boards and commissions to act in times of emergency between plenary meetings of the board and to act on delegated assignments. Executive committees may not perform acts specifically required by statute or by synodical legislation to be performed by the board or commission, nor may they overturn actions of the board or commission. All executive committee actions shall be ratified in plenary sessions of the board or commission. Boards and commissions may also delegate a specific assignment for a limited time to a committee composed of its own members.

e. Every board or commission may create executive staff positions with the approval of the President and the Board of Directors and fill the same in accordance with policies provided in the *Handbook* or by the Board of Directors.

f. The board or commission under which salaried executives serve shall draft, in consultation with the Director of Personnel, the necessary position descriptions, which shall be submitted to the President and to the Board of Directors for review and approval.

g. Clerical help may be employed according to policies adopted by the Board of Directors.

h. Executives shall not be members of the board or commission under which they serve or of any other board or commission of the Synod.

i. The Board of Directors shall develop policy statements regarding the relations between boards and staffs. These shall be supplemented as required by the respective boards and commissions.

j. Every board and commission shall submit

annually to the Board of Directors through the President and the Council of Administrators its proposed budget with accompanying cost estimates in the format and under the timetable prescribed by the Board of Directors. The same requirement shall apply to officers and departments not directly accountable to a board or commission.

k. A synodical board or commission with the approval of the President may grant any member of the staff who has served the Synod 10 years a sabbatical leave for one-half year with pay or for an entire year with half pay, to pursue advanced studies in his special field of work or to pursue any other acceptable program of experience, experimentation, or research. Budgetary provisions shall be arranged in advance, and interim help is to be provided to maintain continuity of the work of the affected synodical agency.

l. Program boards shall make available upon request and at a reasonable price a verbatim copy of the minutes of their meetings except for their executive sessions.

m. Administrative and programmatic conflicts between boards or between a board and its staff shall be handled by the parties concerned in a Christian manner with the assistance of the President of the Synod, and if these efforts fail, shall be decided by the Board of Directors.

n. All boards and commissions shall be responsible and accountable for their activities to the President of the Synod (Art. XI, B, 1-4) between conventions of the Synod and ultimately to the Synod in convention (Art. XI, A, 1-2).

2.69 Prohibition of Conflict of Interest

a. No officer, director, board or commission member of the Synod or of an agency of the Synod shall use his position or the knowledge acquired from his service in such a manner that a conflict between his personal or business interests and the interest and general welfare of The Lutheran Church—Missouri Synod arises.

b. Officers or members of synodical boards or commissions shall not enter into gainful business

transactions, directly or indirectly, with any board or commission on which they serve.

2.71 Accountability of Officers, Boards, and Commissions

All officers, boards, and commissions shall be accountable to the Synod for all their actions, and any decision of such officers, boards, and commissions may be appealed to the delegate convention of the Synod.

2.73 Holding More than One Office

a. No one, either in the Synod or in a District, or between the Synod and a District, shall hold more than one elective office; or more than two offices, although one or both be appointive; or ever hold two offices of which one is directly responsible for the work done by the other.

b. An office shall be regarded as elective only if it is an office filled through election by a synodical or a District convention, even though a vacancy in such an office may be filled by appointment.

c. Doubtful cases shall be decided by the President of the Synod.

2.75 Assistant Officers

The Board of Directors, subject to the approval of the President of the Synod, shall appoint such assistant officers and such staff as may be required from time to time to carry out the business and legal affairs of the Synod.

C. OFFICERS

1. The President

2.101 Powers and Duties

a. The President shall be the chief executive officer of the Synod.

b. The President, in exercising supervision over the doctrine taught in the Synod and over the administration of the officers and employees of the Synod, shall at regular intervals officially visit or cause to be visited all the educational institutions of the Synod and receive regular reports from the District Presidents.

c. The President shall report in person or through a Vice-President or other representative to all District conventions and to that end shall formulate the report that is to be made.

d. Through the regular meetings of the Council of Presidents and otherwise, the President shall provide for periodic consultations on doctrine and practice with the District Presidents individually or in small groups. He may provide for similar consultations with other District officers.

e. The President shall acquaint new District Presidents and synodical boards and commissions with their duties and responsibilities as synodical officers.

f. The President, in consultation with the appropriate board or commission, shall represent the Synod in official contacts with all partner churches by aiding, counseling, and advising them and strengthening the relations with and between them.

g. The President shall represent the Synod in official contacts with other church bodies.

h. The President shall ultimately be responsible for the day-to-day supervision of the synodical staff. Such supervision shall be in accordance with the Constitution, Bylaws, and resolutions of the Synod, and in accordance with the decisions of the boards and commissions under which the executives serve and of the Board of Directors. Actions of the President regarding such decisions of boards or commissions are subject to appeal.

i. The President shall ordinarily carry out his supervisory responsibilities with reference to the program and support services boards of the Synod through the Administrative Officer of the Board of Directors, who in such matters is responsible to the President.

j. The President shall normally consult with the Vice-Presidents, as elected advisers, whenever important and difficult synodical and intersynodical questions and problems arise.

k. The President, in consultation with the First Vice-President, shall establish the duties and responsibilities of the First Vice-President, who shall be responsible to the President at all times.

l. The President shall make an official report to

the Synod at each convention.

m. The President shall approve the manuscript of convention *Proceedings* before they are published by the Secretary.

n. The President shall have the right to authorize the Vice-Presidents to perform the duties of his office and shall hold them responsible for their performance. Accountability, however, shall always remain with the President.

2.103 Advisory and Executive Functions

a. The President shall upon request, or in the exercise of his office, give counsel and advice to those who are under his supervision.

b. He shall exercise executive power when the affairs of the Synod demand it and when he has been expressly invested with such power for such specific purpose.

c. In the event that the affairs of the Synod require the exercise of executive power for a purpose for which there is no specific directive of the Synod, he shall be authorized to exercise such power after consultation with the Vice-Presidents, the Board of Directors, the Council of Presidents, or the Council of Administrators, whichever in his judgment is most appropriate. Any member of the Synod shall have the right to appeal to the convention of the Synod from his action.

d. The President, in the interval between conventions, shall appoint special boards or committees whenever the purpose for which the Synod has been organized requires or when conditions arising in the course of time demand such action.

2.105 Full-Time Executive

a. The President shall be a full-time executive. He shall not be in charge of a congregation or hold a chair at any educational institution but may be called as an assistant pastor, provided such services do not interfere with his official duties as President.

b. The President, with the approval of the Board of Directors, shall be empowered to engage sufficient staff to carry out the duties of his office.

2.107 Inability to Serve

The duties and responsibilities of the office of

President shall be assumed by the First Vice-President whenever the Board of Directors determines that the President is unable to serve in that capacity because of his prolonged illness or disability, and the First Vice-President shall remain as the acting President until the Board of Directors determines that such illness or disability has been removed.

2. The Vice-Presidents

2.121 The First Vice-President

The First Vice-President shall be a full-time executive. He shall not be in charge of a congregation or hold a chair at any educational institution but may be called as an assistant pastor, provided such services do not interfere with his official duties as First Vice-President.

2.123 Other Vice-Presidents

Four additional Vice-Presidents shall be ranked from two to five and are to be selected in the manner prescribed in these Bylaws. These four Vice-Presidents shall serve the Synod in a part-time capacity.

2.125 Relation to President

The Vice-Presidents shall be elected advisers of the President. They may upon his request or as provided by the Synod assist him in discharging his responsibilities or represent him.

2.127 Succession to Presidency

The Vice-Presidents shall, in the order in which they have been ranked, assume the presidency if the office is vacated or perform the duties of the President if he becomes incapacitated.

2.129 Vacancies

A vacancy in any Vice-Presidency shall be filled by advancing the lower-ranking Vice-Presidents. The resulting vacancy shall remain vacant until filled by election at the next convention of the Synod.

3. The Secretary

2.141 Duties

The Secretary shall—

- a. perform all customary duties as corporation

secretary and as such shall sign all duly authorized documents of the Synod and have custody of the corporate seal;

- b. serve as a member and secretary of the Board of Directors of the Synod;

- c. serve as consultant to the local convention committee;

- d. publish the names of the members of the Committee for Convention Nominations in an official synodical periodical at least 12 months before each convention of the Synod;

- e. carry out responsibilities with reference to the Committee for Convention Nominations as determined in the Bylaws;

- f. provide the Committee on Elections with copies of a manual of suggested election procedures;

- g. record the proceedings during the synodical conventions;

- h. announce daily the time and the place of committee meetings at conventions;

- i. officially notify every member of the Synod elected to office of his election;

- j. edit the *Proceedings* of the convention and arrange for their distribution in harmony with the provisions of the Bylaws;

- k. serve as a member and secretary of the Commission on Constitutional Matters;

- l. carry out responsibilities with reference to the nomination and election of the President and First Vice-President as detailed in the Bylaws (2.901 and 2.903);

- m. supervise the maintenance of the official roster of member congregations, clergymen, and teachers on the basis of information supplied by the District Presidents;

- n. serve as editor of *The Lutheran Annual*;

- o. keep a file of all governing instruments of Districts and agencies of the Synod and of its Districts;

- p. perform such other work as the delegate convention or the President of the Synod may assign to him.

2.143 Vacancy

In the event of the death, resignation, or perman-

ent incapacity of the Secretary, the Board of Directors shall appoint a successor for the unexpired term.

4. The Treasurer

2.161 Election

The Treasurer, who shall be a layperson, shall be nominated by the Board of Directors and elected by the convention. Additional nominations may also be made from the floor of the convention. The term of office shall be for a period of three years, with no limitation of reelection to successive terms.

2.163 General Duties

The Treasurer shall administer his office in accordance with the rules and regulations adopted by the Synod and as directed by the Synod's Board of Directors. He shall receive and disburse the Synod's moneys and keep accurate account of them under the instruction of the Board of Directors. He shall be a nonvoting member of the Board of Directors.

2.165 Specific Duties

The Treasurer shall—

a. act as the depository for all funds in the hands of the Synod's boards, commissions, officers, and employees who by virtue of their office act as custodians or trustees of such funds;

b. be the Trust Officer of the Synod, in which capacity he shall be a voting member of the boards of The Lutheran Church—Missouri Synod Foundation, the Lutheran Church Extension Fund—Missouri Synod, and the Worker Benefit Plans, and shall function under their respective policies as well as those of the Board of Directors of the Synod;

c. keep on file a correct list of all devises and bequests which directly or indirectly have been given to the Synod. In such list there shall be recorded the name of the testator, the amount of money or the real estate (including description) devised or bequeathed, the stipulations of the will, if such have been made by the testator, and the name of the executor or executors. New legacies and bequests made to the Synod, to its institutions and for any of its activities, shall be reported to the Treasurer as soon as possible;

d. rent adequate safe-deposit boxes in the name of the Synod as may be approved by the Board of Directors for the safekeeping of bonds and other negotiable securities, with access to these boxes regulated by the Board of Directors;

e. report regularly to the Synod through the official periodicals and at every convention of the Synod on the performance of his office;

f. be authorized to borrow in the name of the Synod, provided the Board of Directors has first determined the amounts and conditions under which such moneys shall be borrowed.

2.167 Vacancy

In the event of the death, resignation, or permanent incapacity of the Treasurer, the Board of Directors shall appoint a successor for the unexpired term.

D. BOARD OF DIRECTORS

2.181 Role and Membership

a. The Board of Directors shall function as a servant of and to the congregations and the Synod.

b. It shall consist of 15 voting members: the President and Secretary by virtue of their office; four additional pastors; one teacher; eight laypersons. No more than one of the four pastors may be elected from any one District. No more than one of the eight laypersons may be elected from any one District. The First Vice-President and the Treasurer shall be nonvoting members of the board by virtue of their office. No person (other than one serving by virtue of his office) salaried by the Synod or by a District or other corporation organized by the Synod shall be an elective member of the board. The Administrative Officer of the board shall serve in an advisory capacity, and those members of the Council of Administrators who are staff persons shall be available for consultation.

2.182 Officers of the Board

The Board of Directors shall elect its own chairman, vice-chairman and such other officers of the board as may be necessary.*

* See 2.141 b.

2.183 Authority

a. The Board of Directors shall have all the powers and duties which have been accorded to it by the laws of the State of Missouri, the Articles of Incorporation of the Synod, the Constitution and Bylaws of the Synod, and the resolutions of the delegate conventions of the Synod. The Board of Directors shall be vested with the general management and supervision of the Synod's business and legal affairs.

b. The Board of Directors shall provide for the coordination of the policies and directives of the Synod authorized by the Constitution, Bylaws, and resolutions, evaluate plans and policies, and communicate to the appropriate boards and commissions suggestions for improvement. The Board of Directors shall discharge duties specifically assigned to it by resolutions of the Synod.

c. The Board of Directors shall have the right to call up for review, criticism, or suggestion any policy of a board or commission of the Synod.

d. The Board of Directors shall be accountable to the delegate convention of the Synod for the discharge of its duties.

2.184 Meetings

The Board of Directors shall meet not fewer than four times a year. A majority of the board members shall constitute a quorum.

2.185 Duties in Planning

a. The Board of Directors shall require the Council of Administrators through the Administrative Officer of the Board of Directors to submit long-range and short-range plans of synodical work which shall include the plans of all divisions and departments of the Synod together with their operating and capital budgets. The Board shall provide such staff assistance as is needed in the planning process.

b. The Board of Directors shall review all submitted plans with regard to scope, function, structure, balance, coordination, and feasibility and shall determine whether they are in harmony with resolutions, policies, and directives of the Synod.

c. The Board of Directors shall receive periodic

reports on the progress of divisions, departments, and officers as well as any special report it may require on the functioning of any division or department.

d. The Board of Directors shall review plans and policies which the boards and commissions of the Synod intend to submit to a delegate convention of the Synod and shall notify the respective boards and commissions whether it approves or disapproves such proposed plans and policies. In the event the Board of Directors and the board or commission of the Synod cannot resolve their differences, the board or commission may nevertheless submit its plan or policy to the delegate convention of the Synod, provided that the Board of Directors shall also be privileged to report to the convention its views with respect to such plan or policy.

e. The Board of Directors shall provide the necessary personnel to coordinate and insofar as practical to conduct the research and statistical activities for the Board of Directors, boards, commissions, operating departments, and agencies of the Synod; to maintain a continued analysis of the growth characteristics of the Synod and prepare periodically short-range and long-range forecasts of synodical growth in terms of significant factors; to provide technical advice and guidance to the agencies of the Synod in the performance of their research work; to gather the parochial, District, and synodical statistics annually and publish such statistics in tabulated form with the necessary analysis and annotations in the *Statistical Yearbook* (all pastors, officers, District boards, etc. within the Synod shall furnish the department with the requested data on the prescribed forms); and to maintain the official rosters of the Synod.

2.186 Duties with Respect to Synodical Personnel

a. The Board of Directors shall review position descriptions of synodical staff members to eliminate overlap and duplication of activity.

b. The Board of Directors, after consultation with the respective synodical board or commission, shall establish policies and conditions of employment

of all employees of the Synod and its various boards and commissions.

c. The Board of Directors shall establish the remuneration of elected synodical officers and of staff personnel.

d. The Board of Directors shall appoint the executive secretaries and staff members in cases where there is no board or commission.

e. The Board of Directors shall provide a Personnel Director who shall be advisory to the boards, commissions, and officers of the Synod.

2.187 Financial Duties

a. Accounting Procedures

1. The Board of Directors shall establish and prescribe uniform accounting procedures and systems, financial reporting, and budgeting classifications in and for all boards, commissions, agencies, and institutions of the Synod. Such procedures and systems shall apply to all operations, including Church Extension, Worker Benefit Plans, and all specific funds. The Board of Directors shall, through the Accounting Department, receive from all agencies, institutions, boards, and commissions periodic financial statements, consolidated balance sheets, and operating statements.

2. Districts shall to the extent possible publish their quarterly and annual reports in the Synod's standard reporting format and transmit to the Synod's Accounting Department such reports for use in preparing consolidated financial statements. Districts shall be encouraged to use the Synod's procedures as described in paragraph 1 above.

3. The Board of Directors shall provide an Accounting Department which shall, in accordance with policies and procedures established by the board, maintain on behalf of the Treasurer (cf. Art. XI, E, of the Synod's Constitution, "Duties of the Treasurer") all accounting records for all fund classifications of the Synod (exclusive of the Districts, except where legally required), including the general ledgers, which may feasibly and conveniently be maintained in a centralized Accounting Department of the Synod; prepare checks for all disbursements supported by approved vouchers for signature of the Treasurer;

serve as custodian of payroll and accounting records; and prepare, publish, or disseminate in consultation with the Treasurer financial statements and reports, including regular fiscal reports to the Board of Directors.

b. Budgeting Procedures

1. The Board of Directors shall establish and prescribe uniform budgeting procedures in and for all boards and commissions of the Synod and all its institutions for all operations, including Church Extension, Worker Benefit Plans, and all specific funds, and through the Accounting Department shall receive the budgets and work programs for review and evaluation with representatives of the appropriate boards and commissions.

2. The Board of Directors, on the basis of this review, shall prepare for each biennium a program of current work and capital projects for presentation to the delegate convention for its consideration and review. Upon action by the convention, the annual budgeting procedure specified elsewhere in these Bylaws shall then be followed.

3. The Board of Directors shall, within a budget period, direct the Council of Administrators, through the Administrative Officer of the Board of Directors, to modify previously approved plans where a necessary balancing of income and expenditure requires such budget modification. Such a directive should specify the amount of adjustment, but the manner in which such adjustments will be made shall be determined by the agencies affected.

4. Prior approval of the Board of Directors shall be required for all commitments which exceed a synodical agency's approved budgetary allocation. Interbudgetary transfers of current operating funds from one classification to another within the agency's approved budget shall receive prior approval of the Accounting Department. All funds held or received by a synodical agency shall be accounted for and shall be subject to budgetary control.

c. Audit Procedures

1. The Board of Directors shall assure itself that audits are provided by internal auditors or independent certified public accountants for all boards, commissions, and agencies of the Synod and all its

institutions, and in all the synodical Districts, for all operations, including Church Extension, Worker Benefit Plans, and all specific funds, and through the Internal Audit Department shall receive copies of such audits.

2. The Board of Directors shall provide an Internal Audit Department which shall, in accordance with policies and procedures established by the board, conduct or arrange for audits for the units described in paragraph 1 above, all audits to be conducted in accordance with generally accepted auditing standards.

d. Capital-Fund Borrowing Authority

1. The Board of Directors shall be empowered to authorize the synodical Treasurer to borrow capital funds after the board has determined the amounts and the conditions under which these capital funds shall be borrowed, for capital-fund outlay, for site acquisition, and for construction projects which are authorized by synodical conventions.

2. The Board of Directors and the responsible officers of the Synod are empowered to do all things necessary to effect such capital-fund borrowings if and when required, including the pledging of real and other property belonging to the Synod in order to secure loans to obtain the necessary funds.

3. The borrowed capital funds shall not be used for any operating expenditures and shall be subject to provision for amortization.

e. Special Offerings

1. The Board of Directors, in the event of need or unusual circumstances, may, after consultation with the Council of Presidents, provide for special offerings for synodical purposes.

2. The Board of Directors alone may authorize the solicitation of funds by any person, board, commission, agency, or corporation in the Synod at large and shall have the authority to regulate the collection of funds from congregations and the Synod at large beyond the confines of any one District in accordance with policies adopted by the delegate convention of the Synod. There shall be no such solicitation of funds by any person, board, commission, agency, or corporation without the approval of the Board of Directors, provided that nothing herein

contained shall be construed to interfere with District or local financial undertakings where the collection of funds is confined to the District or a local area.

2.188 Powers and Duties with Respect to the Property of the Synod

The Board of Directors, except as otherwise provided in these Bylaws, shall have such authority and responsibility with respect to the property of the Synod as is generally vested in and imposed upon the board of directors of a corporation. The Board of Directors (1) shall, however, delegate to District boards of directors the authority to buy, sell, and encumber real and personal property in the ordinary course of performing the functions which the District carries on for the Synod, consistent, however, with general policies (which shall be applicable to all Districts) established from time to time by the Synod in convention, and (2) may delegate to any agency engaged in furthering the objectives of the Synod powers and duties with respect to property for which such agency has direct supervisory responsibility. (Such delegation of powers and duties shall be in writing and shall be subject to change at any time by the Board of Directors.) For the purposes of this section 2.188,

a. "Synod" includes every agency engaged in furthering the objectives of the Synod;

b. "agency engaged in furthering the objectives of the Synod" is any instrumentality other than a congregation, whether or not separately incorporated, which the Synod or one of its agencies has caused to be formed to further the Synod's objectives, and includes without limitation each board, commission, seminary, college, and District, and Concordia Publishing House, Concordia Historical Institute, and The Lutheran Church—Missouri Synod Foundation; and

c. "property of the Synod" includes all property, real or personal, tangible or intangible, and wherever situated (whether in the United States or elsewhere), and regardless of whether title to such property is held in the name of the Synod or its nominee or one of its agencies, provided, however, such shall not include any assets of the Lutheran Church Extension Fund—

Missouri Synod, and provided further that property held by an agency in a fiduciary capacity (including, for the purposes of example, the pension, retirement, and welfare funds administered by the Board of Managers, and certain funds held by The Lutheran Church—Missouri Synod Foundation) shall not be considered or treated as the property of the Synod.

2.189 Coordination and Supervision

a. The Board of Directors shall require its Administrative Officer to expedite the execution of authorized plans. The Board of Directors, through its Administrative Officer shall make sure that no division or department undertakes any activity which is not provided for in synodically adopted policies or budgets.

b. The Board of Directors shall communicate with boards, commissions, and staff executives through the Administrative Officer.

c. The Board of Directors shall make final determination in the event that conflicts develop in the plans and policies of two or more boards or commissions of the Synod.

d. The Board of Directors shall require monthly and annual financial reports and statements from the Accounting Department and from the Treasurer. It shall arrange for the publication and distribution of financial reports according to synodical regulations.

e. The Board of Directors shall see to it that independent audits are made of all financial activities of boards and commissions of the Synod, its controlled organizations, and its Districts.

f. The Board of Directors shall report on the work and on the needs of the Synod in an official periodical of the Synod as often as it may deem necessary but at least annually.

g. The members of the Board of Directors shall attend each convention of the Synod. The board shall submit to the convention a comprehensive report with appropriate recommendations regarding the Synod's work.

2.191 Other Duties

a. The Board of Directors shall provide adequate

blanket fidelity bonds. The persons to be covered and the amount of the bonds shall be determined by the Board of Directors. The premiums shall be paid by the Synod.

b. The Board of Directors shall be authorized to draw on the treasury of the Synod for its expenses.

c. The Board of Directors shall be authorized to engage legal counsel and other professional or technical personnel for its guidance and for advice to the officers, boards, or commissions.

d. The Board of Directors may appoint committees of the board and define their duties.

2.193 Administrative Officer of the Board of Directors

a. The Administrative Officer of the Board of Directors shall be appointed by the Board of Directors in consultation with and subject to the approval of the President of the Synod. The term of office shall be for a period of three years, with no limitation on reappointment to successive terms. The term shall begin on January 1 following the election of the President.

b. The Administrative Officer of the Board of Directors shall—

1. serve as administrative officer of the Board of Directors and as such carry out the decisions of the Board of Directors as it may direct;

2. assist the President, as he directs, in the President's supervisory responsibility with reference to the program and support services boards and administrative units of the Synod.

E. ELECTED PROGRAM BOARDS

1. Board for Evangelism Services

2.201 Membership

The Board for Evangelism Services shall consist of nine members who shall be elected by the general convention of the Synod: three parish pastors, two teachers, four laypersons.

2.203 Functions

The Board for Evangelism Services, through its staff and in cooperation with District boards, shall

support and serve the congregations of the Synod in their ministries of witness and evangelism.

The board shall—

a. assist congregations in every possible manner as they seek to enable individuals to be witnesses for the Lord Jesus Christ, so that a growing number of God's people share the Good News of God's forgiveness in Jesus Christ by what they say and do, both in structured programs of evangelism and in life situations;

b. cooperate with the Districts in developing objectives, goals, and specific strategies for evangelism and in providing leadership, training workshops, and conferences;

c. cooperate in the production and distribution of evangelism materials.

2. Board for Mission Services

2.211 Membership

The Board for Mission Services shall consist of nine members who shall be elected by the general convention of the Synod: four clergymen, one teacher, four laypersons.

2.213 Functions

The board shall—

a. formulate, recommend, review, and supervise the mission policies of the Synod, recommend and monitor budgets, review organizational effectiveness, and provide for an aggressive and united mission effort for the Synod;

b. call, appoint, assign, withdraw, and release missionaries (pastors and teachers) and other workers for the ministries and areas within its direct responsibility, always safeguarding the rights of the partner churches and workers involved;

c. maintain a concern for the specific training of missionaries and other workers related to the mission endeavors of the Synod and establish a continuing liaison with the terminal schools of the Synod;

d. counsel with the mission boards of the Districts and partner churches with reference to their total mission program and supervise the planning and implementation of programs which will best

utilize the Synod's resources of people and possessions;

e. have a special concern for the mission and ministry among minorities, among sensory impaired, and on campuses;

f. give assistance upon recommendation of the Board for Social Ministry Services to congregations or through them to their members or others in dire emergencies or disaster situations;

g. serve as a channel for the love and compassion of the church for helping the homeless, persecuted, sick, and needy as a witness to our faith in Jesus Christ;

h. provide a ministry for all the Synod's military personnel, dependents of military personnel overseas, civilians and their dependents overseas, and patients in veterans hospitals;

i. function as a recruitment, liaison, and endorsement agency with the various governmental units involved in the Armed Forces and Veterans Administration and between these units and the Synod's chaplains and directors of religious education;

j. maintain liaison and cooperation with the appropriate units of the Lutheran Council in the U.S.A. and with assigned auxiliary and listed service organizations.

2.215 Standing Committees

The board shall be assisted by standing committees dealing with the following areas:

Black Ministry

(Commission on Black Ministry)

Campus Ministry

Ministry among American Indians (a majority of whom shall be American Indians)

Ministry among Hispanics (a majority of whom shall be Hispanics)

Ministry to the Armed Forces

Ministry to the Blind

Ministry to the Deaf

3. Board for Parish Services

2.221 Membership

The Board for Parish Services shall consist of nine members who shall be elected by the general

convention of the Synod: three parish pastors, three teachers, three laypersons.

2.223 Functions

The Board for Parish Services, through its staff and in cooperation with District boards, shall support and serve the congregations of the Synod, in their ministries of nurture, service, worship, discipleship, and fellowship.

The board shall—

a. assist congregations in arranging and carrying out a comprehensive and effective program of Christian education, so that the Gospel of Jesus Christ may become ever more effective in the life of the individual Christian and of the congregation;

b. assist congregations in stimulating members, individually and corporately, to serve others in community and world, so that the meaning of the Gospel of Jesus Christ may be demonstrated in life and vocation and so that members may manifest the love of Christ without seeking return;

c. assist congregations in developing a meaningful life of worship, so that the presence of the Gospel of Jesus Christ becomes the focus around which members celebrate their understanding of life itself and their new relationships to one another;

1. all service books and hymnals which are to be accepted as official service books and hymnals of the Synod shall be given such status only by a convention of the Synod after a process of exposure and testing decided upon by the Synod in convention;

2. revisions in such books shall be made only by a convention of the Synod after requesting the appropriate officers and commissions for an evaluation and recommendations;

d. assist congregations in helping their members grow in discipleship so that the Gospel of Jesus Christ empowers people to manage time, talent, and treasure for the fulfillment of God's purpose in their lives;

e. assist congregations in becoming communities where fellow believers care for one another and share with one another those gifts which God has placed in their midst for the common good;

f. coordinate the ministry to and among the

mentally retarded and assist in developing materials for their education;

g. maintain liaison and cooperation with the appropriate units of the Lutheran Council in the U.S.A. and with assigned auxiliary and listed service organizations.

2.225 Standing Committees

The board shall be assisted by standing committees dealing with the following areas:

Bible Study and Family Life Education

Church Literature

Congregational Administration

Elementary and Secondary Schools

Human Care (including advisory representation from the Board for Social Ministry Services)

Ministry to Developmentally Disabled

Sunday, Weekday, Summer Schools, and Confirmation Instruction

Worship

4. Board for Professional Education Services

2.231 Membership

The Board for Professional Education Services shall consist of nine members who shall be elected by the general convention of the Synod: three clergymen, three teachers, three laypersons.

2.233 Functions

The board shall have the overall responsibility to provide for the education of pastors, teachers, and other professional church workers for the Synod by supervising and coordinating the activities of the Synod's colleges and seminaries as a unified synodical system through their respective Boards of Regents. To that end and in keeping with the objectives and the Constitution, Bylaws, and resolutions of the Synod, the board shall—

a. supervise the execution of all decisions of the Synod relating to its educational system or its institutions;

b. establish educational and administrative standards, policies, and procedures for the coordination of the Synod's colleges and seminaries;

c. evaluate the curriculum of each educational

institution and prescribe appropriate measures;

d. survey current trends in education, including government programs and regulations, and determine their implications for the Synod;

e. provide for visits to the institutions;

f. require reports from Boards of Regents and presidents;

g. gather information regarding scholastic attainments and other relevant data concerning individuals and make such data available to Boards of Regents and persons authorized to participate in engaging teaching personnel;

h. acquire, maintain, and sell property under policies established by the Board of Directors and in consultation with the respective Board of Regents;

i. determine the order in which specific education projects for which the Synod has made appropriations shall be carried out;

j. assist congregations and Districts in student recruitment and student aid programs;

k. have authority, after receiving the consent of the Boards of Regents of the colleges involved and with the approval of the synodical Board of Directors and the Council of Presidents, to consolidate colleges to the extent required by the church's professional needs and by its financial condition;

l. give prior approval to appropriate schools for specialized and graduate programs to avoid unnecessary duplication;

m. authorize the development of four-year programs only with the prior approval of the Board of Directors, the Council of Presidents, and the local Board of Regents;

n. encourage the congregations of the Synod and their memberships to take the fullest advantage of the opportunities for Lutheran lay higher education available at the colleges and seminaries of the Synod.

2.235 Standing Committees

The board shall be assisted by standing committees dealing with the following areas:

Colloquy for the Pastoral Ministry (Bylaws 5.71 to 5.91)

Colloquy for the Teaching Ministry (Bylaws 5.101 to 5.117)

Colloquy for the Deaconess Ministry (Bylaws 5.121 to 5.129)

Lay Ministry (Bylaws 5.131 to 5.143)

2.237 Boards of Regents, Presidents, Faculties

Each college and seminary, with its president and faculty, shall be governed by a Board of Regents as detailed elsewhere in these Bylaws.

2.239 Advisory Council

Presidents and acting presidents of the Synod's educational institutions shall comprise an advisory council which shall meet at the call of the Board for Professional Education Services. It shall study problems and issues in the field of higher education and such other matters as may be assigned to it by the Board for Professional Education Services and report the results of its studies to the board for consideration in making its decisions.

5. Board for Youth Services

2.241 Membership

The Board for Youth Services shall consist of nine members who shall be elected by the general convention of the Synod: one parish pastor, one parish teacher, two laypersons, one representative of one of our synodical schools, and four youth of our Synod.

2.243 Functions

The Board for Youth Services, through its staff and in cooperation with District boards, shall support and serve the congregations of the Synod in their ministries to the youth of the church.

The board shall—

a. assist congregations in every possible manner as they seek to develop and maintain a ministry among the youth that they may grow in sound theology and Christian living;

b. cooperate in the preparation of materials and training programs for the ministry to youth inside and outside the church;

c. initiate and direct research activities necessary to develop, improve, and promote the youth ministry;

d. provide guidance to the Districts and Lutheran Youth Fellowship organization in arranging training conferences, youth convocations, and other developing forms of ministry for the youth of our Synod.

F. APPOINTED SUPPORT SERVICES BOARDS

1. Board for Communication Services

2.401 Membership

The Board for Communication Services shall consist of seven members who shall be appointed by the Board of Directors: three clergymen, one teacher, three laypersons.

2.403 Functions

To interpret, subject to the approval of the applicable officers and boards, the Synod's purpose and program to its members and to promote an increased understanding on the part of the church's publics of the mission of the church, the Board for Communication Services shall—

a. organize the communications activities of the church at general synodical, District, and Circuit levels into a coordinated functioning unit;

b. authorize and supervise the production of the necessary print and broadcast materials for the church and its publics;

c. have editorial responsibility for and publish the official periodicals of the general Synod;

d. recommend communication policies to guide staff;

e. assist the appropriate officers of the Synod in their communication responsibilities;

f. maintain liaison and cooperation with the appropriate units of the Lutheran Council in the U.S.A. and with assigned auxiliary and listed service organizations.

2.405 Standing Committees

The board shall be assisted by standing committees dealing with the following areas:

Official Periodicals

News Releases

Promotional Materials

Broadcast

2. Board for Social Ministry Services

2.421 Membership

The Board for Social Ministry Services shall consist of seven members who shall be appointed by the Board of Directors: three clergymen, one teacher, three laypersons.

2.423 Functions

The board shall—

a. assist Districts in their institutional chaplaincy, pastoral counselor, and social ministry programs, and participate in social education and endeavors to remove or alleviate human suffering;

b. grant church-affiliated status to health, chaplaincy, and social ministry agencies and institutions to validate their merit for use and support with assurance that they meet acceptable standards;

c. recommend to the Board for Mission Services the granting of assistance to congregations, or through them to their members or others, in dire emergencies or disaster situations;

d. provide advisory services to the program boards in order that their materials and programs will cultivate congregation members in their concern for human care;

e. maintain liaison and cooperation with the appropriate units of the Lutheran Council in the U.S.A. and with assigned auxiliary and listed service organizations.

f. sponsor and participate in World Relief activities for the alleviation of human suffering.

2.425 Standing Committees

The board shall be assisted by standing committees dealing with the following areas:

Certification of Agencies

World Relief

G. COMMISSIONS

1. Commission on Adjudication

2.501 Membership

(See Bylaw 8.47)

2.503 Functions

(See Bylaw 8.01)

2. Commission on Appeals

2.511 Membership

(See Bylaw 8.47)

2.513 Functions

(See Bylaw 8.01)

3. Commission on Black Ministry

(Effective until the 1986 convention)

2.521 Membership

Membership of the Commission on Black Ministry shall consist of nine members, with an equal distribution of clergy and laity, plus one teacher. Candidates may be proposed by any member of the Synod (congregation, pastor, teacher). The members of the commission shall be appointed by the President of the Synod, in consultation with the Executive Secretary of the Board for Mission Services, from a list of at least three candidates for each vacant seat of the commission which the representatives of the Black congregations meeting in convocation will have reviewed, evaluated, and approved. After the initial appointments, the term of office shall be three years. Vacancies on the commission shall be filled by appointment by the synodical President from remaining nominees on the same slate of candidates.

2.523 Functions

The commission shall do the following:

a. Plan, coordinate, and expand Black ministry in the Synod in cooperation with the convocation of Black Lutheran congregations, the appropriate board chairman, and the President of the Synod.

b. Represent the concerns of Black ministry before the boards, commissions, committees, and judicatories of the Synod.

4. Commission on Constitutional Matters

2.531 Membership

The Commission on Constitutional Matters shall consist of five voting members. The President in consultation with the Vice-Presidents shall appoint two pastors and two laypersons, who shall be lawyers,

for six-year terms, renewable once. The Secretary of the Synod shall serve as the fifth member and secretary of the commission.

2.533 Functions

The commission shall—

a. examine all reports and overtures to the Synod asking for amendments to the Constitution and Bylaws of the Synod or which in any manner affect the Constitution and Bylaws, to determine their agreement in content and language with the Constitution and Bylaws of the Synod;

b. be represented at the meetings of the floor committees considering constitutional matters at the convention of the Synod;

c. revise the synodical *Handbook* immediately after each convention of the Synod to bring it into harmony with the resolutions or changes adopted by the convention;

d. interpret the Synod's Constitution, Bylaws, and resolutions upon the written request of a member (congregation, clergyman, or teacher), official, board, commission, or agency of the Synod. Such a request may be accompanied by a request for an appearance before the commission. An opinion rendered by the commission shall be binding on the question decided unless and until it is overruled by a synodical convention;

e. maintain a complete file of succeeding *Handbooks* so that a comparison can be made between current regulations and those immediately preceding;

f. maintain a file of the articles of incorporation and bylaws and regulations of all Districts of the Synod; examine in advance the articles of incorporation and the bylaws or regulations of every District and all proposed amendments of such documents to ascertain whether they are in harmony with the Constitution, Bylaws, and resolutions of the Synod. A District shall make such amendments to or changes in these documents as may be necessary to conform.

5. Commission on Doctrinal Review

2.541 Membership

The Commission on Doctrinal Review shall consist of five members appointed by the President of

the Synod from the total number of doctrinal reviewers.

2.543 Functions

The commission shall carry out the functions set forth in the Bylaw chapter on Doctrinal Review.

6. Commission on Health and Healing

2.551 Membership

The Commission on Health and Healing shall consist of five members, at least one of whom shall be a clergyman, appointed by the President. The president of the Lutheran Medical Mission Association and the president of the Wheat Ridge Foundation shall also serve as advisory members of the commission.

2.553 Functions

The commission shall—

a. advise, cooperate with, and consult with all boards and commissions of the Synod which have a relationship to the healing mission of the church, particularly with the Board for Mission Services, the Board for Social Ministry Services, and the Social Concerns Committee of the Commission on Theology and Church Relations;

b. act as the Synod's authorized agent to relate to the Lutheran Medical Mission Association, the Lutheran Hospital Association, and other groups having the healing mission of the church as their objective, and maintain liaison with the Department of Medical Services of the Lutheran Council in the U.S.A.;

c. stimulate interest among the Synod's youth to choose careers in the healing professions, provide counsel and guidance, and administer a scholarship fund for those in training; assist in recruitment of health-related personnel; help to provide specific preservice training for professional people preparatory to church-related medical work at home and abroad;

d. provide a channel of communication to professional people involved in Christian medical work abroad and at home and to the Synod and its

administrative units, and provide a publication to accomplish this purpose.

7. Commission on Ministerial Health

2.561 Membership

The Commission on Ministerial Health shall consist of five members who shall be appointed by the President of the Synod: two clergymen, one teacher, two laypersons, at least one of whom shall be a physician or a psychiatrist. The directors of admissions of the theological seminaries shall be advisory members.

2.563 Functions

1. The synodical commission shall develop standards and procedural guidelines.

2. The District commission shall be charged with the responsibility of receiving, investigating, and considering petitions from or complaints concerning the alleged disability of a professional church worker. These requests may be initiated in writing by the worker, by an adult member of his family, by the board of elders or the church council of his congregation, or by the synodical or District board which is his ecclesiastical employer.

3. The District commission shall be authorized to use the professional consultative services needed to establish the facts in the situation. Subject to prevailing legal limitations regarding the necessary consent of a party to comprehensive or special medical examinations, the commission may secure a prognosis and recommend a program of remedial or supportive care. The commission may propose vocational redirection or guidance into a more suitable work situation.

4. The District commission shall have the authority to recommend to the District President specific courses of action. The District President shall have authority to place a disabled church worker temporarily on a c.r.m. or leave of absence status.

5. The Board of Managers of the Concordia Plans and the Board of World Relief, respectively, may be asked to offer assistance and support in the care of the worker and the dependents in an individual case.

6. Reports on individual cases shall be made annually to the synodical President, who shall also refer cases of appeal from the decision of a District commission to the synodical Commission on Ministerial Health.

8. Commission on Organizations

2.571 Membership

A Commission on Organizations consisting of five members—one pastor, one teacher, two laymen, and one seminary professor—shall be appointed by the President of the Synod.

2.573 Functions

The commission shall—

a. gather and provide information, advice, and literature concerning all organizations, both objectionable and nonobjectionable, about which pastors or congregations may make inquiry relative to ceremonies, tenets, programs, practices, or objectives;

b. seek to explain the Synod's concerns to those organizations that have unchristian or antichristian features, with the goal of persuading them to discard their objectionable features;

c. prepare and disseminate periodic reports concerning new organizations, changes within existing organizations, and developments relative to organizations in general;

d. serve as resource center for the Synod with reference to information on fraternal organizations and cults, seek to explain the Synod's concern to such organizations, publish necessary study materials, and assist in carrying out the policy of the Synod regarding fraternal organizations as set forth elsewhere in the Bylaws.

9. Commission on Structure

2.581 Membership

The Commission on Structure shall consist of five persons who shall be appointed by the President: two clergymen, one teacher, two laypersons. The synodical Secretary and the Administrative Officer of the Board of Directors shall be advisory members.

2.583 Functions

The Commission on Structure shall—

a. conduct a continuing review of the organizational structure of the Synod, including its Districts and its Circuits, and make proposals to succeeding conventions for improvements;

b. act as a resource committee to convention floor committees on all proposals to alter the synodical structure;

c. serve as a resource committee to Districts with regard to organizational structure.

10. Commission on Theology and Church Relations

2.591 Membership

The Commission on Theology and Church Relations shall consist of 13 voting and 4 advisory members, to be selected as follows:

1. The synodical convention shall elect two parish pastors, one parish teacher, and two laypersons.

2. The Council of Presidents shall elect by ballot two clergymen (one of whom shall be a District President) and two laypersons.

3. The St. Louis and Fort Wayne theological faculties shall each appoint or elect one member of its faculty.

4. The President of the Synod, in consultation with the Vice-Presidents, shall appoint two additional members.

5. The President and the First Vice-President of the Synod shall be advisory members.

6. The Presidents of the St. Louis and Fort Wayne seminaries shall be advisory members.

2.593 Functions

a. The commission shall assist the President at his request in discharging his constitutional responsibilities, specifically:

1. in fostering and preserving the unity of the faith within the Synod;

2. in dealing with other church bodies;

3. in initiating and pursuing fellowship discussions with other church bodies;

4. in appointing representatives to the Lutheran Council in the United States of America.

b. The commission shall provide guidance to the Synod in matters of theology and church relations, specifically:

1. in bringing matters of theology and church relations through special studies and documents to the membership of the Synod and to conferences;

2. in addressing itself to and evaluating the existing fellowship relations for the purpose of mutual admonition and encouragement;

3. in referring theological issues and questions to the proper individuals or groups of individuals for additional study;

4. in suggesting and outlining studies of contemporary issues, including also current social issues, as they affect the church and as the church may affect such social issues;

5. in fostering and providing for ongoing theological education through institutes, seminars, and other means;

6. in obtaining and studying theological treatises, conference papers, and similar documents and studies.

H. OTHER SYNODICAL ENTITIES

2.600 Governing Instruments

The articles of incorporation and bylaws (or other appropriate governing instruments) of the synodical entities listed in this Chapter II, H of the *Handbook* shall be in conformity with the Synod's Constitution, Bylaws, and applicable convention resolutions. Such conformity shall be assured through review of those instruments, and any changes therein, by the Synod Board of Directors and Commission on Constitutional Matters. Negative decisions on the part of these two bodies shall be appealable to the convention, which shall also retain the right on its own initiative to require amendments to the governing instruments of these entities. Such governing instruments shall be filed with the Secretary of the Synod and shall be made available by the entities to every member of the Synod (congregation, pastor, teacher) upon request.

1. Concordia Historical Institute

2.601 Membership

Membership in the Concordia Historical Institute is defined in the articles of incorporation and bylaws of the Institute.

2.603 Board of Governors

The Board of Governors of the Institute shall consist of 11 persons: the Secretary of the Synod, five members appointed by the President of the Synod—at least two of whom shall be clergymen—and five members who shall be elected by the membership of the Institute. They shall serve a maximum of three three-year terms.

2.605 Functions

a. Concordia Historical Institute, a corporation, shall be the official Department of Archives and History of the Synod and as such shall operate under the budget and personnel policies and procedures of the Synod.

b. It shall promote interest in the history of Lutheranism in America, particularly of The Lutheran Church—Missouri Synod, serve as an advisory and correlating agency for historical interests within the Synod, collect and preserve articles of historical value, stimulate historical research, and publish its results. It may, at its discretion, serve as the official depository for such other groups as designate the institute as their depository.

c. It shall provide guidelines for the establishment of an archive-historical unit by each District, seminary, synodical college, and other agencies.

2.607 Transfer of Records

a. The President, Vice-Presidents, Secretary, and Treasurer, the Board of Directors and its officers and staff; the Council of Presidents; and all other synodical boards, commissions, committees, and other entities related to the Synod shall transfer correspondence, records, minutes, reports, and other files from their respective offices to the archives when they are no longer of current operational value.

b. Such minutes, files, records, and reports shall ordinarily be transferred to the archives at the expiration of not more than 15 years after their creation unless such records are still currently being used by the officer or board. If the latter is the case, this shall be reported to the archives.

c. Temporary committees, task forces, and other entities serving the Synod shall immediately on their dissolution transfer to the archives all of their files containing the correspondence, records, minutes, and reports relating to their work.

d. Copies of official documents of the Districts, such as articles of incorporation, constitutions, bylaws, convention proceedings, and other official publications, shall be filed in the archives of the Synod. Each District shall also establish the office of "Archivist-Historian" and pattern the responsibilities of the office after those of the synodical archives and encourage this officer to work in close relationship with the synodical archives.

e. Institutions, organizations, and agencies related to the Synod or to any of its structure or work that are disbanding permanently are urged to transfer their files, correspondence, records, reports, and other historical materials to the archives.

f. All auxiliary agencies and interchurch councils and structures related to the Synod or in which the Synod holds membership shall file copies of all official documents, including articles of incorporation, constitutions, bylaws, convention proceedings, official publications, minutes, and other materials, with the archives on a regular basis.

g. Synodical colleges and seminaries shall establish departments of archives and history for the preservation of their records and shall transfer bylaws, handbooks, minutes, and official publications to the archives of the Synod. The job description of the college or seminary archivist shall be patterned after that of the synodical archivist, such archivist shall also be directed to work in close cooperation with the synodical archives.

h. Congregations permanently disbanding (not merging) are urged to transfer all of their records, such as registers of official acts, minutes, and other historical materials, to the archives.

2. Concordia Publishing House

2.611 Incorporation

a. Concordia Publishing House shall be maintained and controlled by the Synod as a corporate entity and shall be operated by a Board of Directors elected by the convention of the Synod: one pastor, one teacher, and seven laypersons. The directors shall serve a maximum of two six-year terms. The Board of Directors of the Synod shall at least triennially appoint a representative who shall attend the meetings of the Board of Directors of Concordia Publishing House and serve as a liaison between the two boards.

b. Its operation shall be in accordance with the provisions of its articles of incorporation and bylaws. Any amendment of these documents shall have the prior consent of the Board of Directors of the Synod.

c. Surplus funds, when not needed in the operation of the publishing house, shall be paid to the Synod according to a formula agreed upon by the boards of directors of Concordia Publishing House and of the Synod.

d. The Board of Directors shall be represented at the conventions of the Synod by its president and one board member. A written report of the financial condition and operation of the corporation for the previous three-year period shall be submitted to the convention.

e. The purpose of Concordia Publishing House is to serve as the publisher of The Lutheran Church—Missouri Synod. Unless otherwise instructed by the Synod the Board of Directors of Concordia Publishing House shall determine what is to be published by the corporation. Decisions on the publishing of curriculum materials shall be determined jointly by the Board for Parish Services and Concordia Publishing House. All manuscripts of a religious or theological nature shall be approved through the Synod's prescribed procedure for doctrinal review before publication.

3. Lutheran Church Extension Fund— Missouri Synod

2.621 Incorporation

a. The Lutheran Church Extension Fund—

Missouri Synod, as established on June 15, 1978, as a separate corporate entity under the laws of the State of Missouri, is operated by its members and board of directors, in accordance with its articles of incorporation and corporate bylaws, to further the objectives and duties of the Church Extension Fund within the Synod.

b. Until such time that all Districts of the Synod conduct the Church Extension activities through the Lutheran Church Extension Fund—Missouri Synod, there shall also be a Board for Church Extension of The Lutheran Church—Missouri Synod, the functions and duties of which are set forth in Section 2.624 of these Bylaws.

c. The Board of Directors for the Lutheran Church Extension Fund—Missouri Synod shall consist of nine individuals, at least two of whom shall be on The Lutheran Church—Missouri Synod's official roster of pastors and called teachers. Eight of the directors shall be elected by the members and shall have an understanding of the Church Extension program and/or demonstrate an expertise in fields or areas closely related to Church Extension activities, such as knowledge of real estate, management, and financial planning. The Treasurer of the Synod shall be one of the lay members of the board and the treasurer of the fund. The results of such elections shall be reported to the Synod at its next convention.

d. The individuals elected to the Board of Directors for the Lutheran Church Extension Fund—Missouri Synod shall serve a maximum of three four-year terms and shall also serve as members of the Board for Church Extension of the Synod.

e. Any amendment to the articles of incorporation and the corporate bylaws of the Lutheran Church Extension Fund—Missouri Synod as heretofore adopted shall be made by a two-thirds vote of the members of the Lutheran Church Extension Fund—Missouri Synod as set forth in its articles of incorporation and bylaws and shall be reported to the next synodical convention.

f. In the event the Lutheran Church Extension Fund—Missouri Synod is ever dissolved, its net assets shall be distributed to The Lutheran Church—Missouri Synod or its successor.

2.622 Objectives

This corporation is formed for the purpose of financing the acquisition of sites and the erection of facilities to aid expansion for effective programs of ministry, witness, outreach, and service of The Lutheran Church—Missouri Synod.

2.623 Governance

Except to the extent expressly provided elsewhere in these Bylaws, specifically naming the Lutheran Church Extension Fund—Missouri Synod, none of the provisions of these Bylaws shall be applicable to the Lutheran Church Extension Fund—Missouri Synod or to the members and directors of the Lutheran Church Extension Fund—Missouri Synod, the same being subject only to the terms and conditions of the articles of incorporation and bylaws of that corporation.

2.624 Functions of Synodical Board for Church Extension

The board shall—

a. aid Districts in motivating individuals, congregations, and organizations in acquiring investments from Districts for church extension in a systematic manner;

b. strive to coordinate and obtain uniformity in the church extension programs of the Districts; and

c. provide leadership in advance site acquisition for further expansion.

2.625 Duties of Synodical Board for Church Extension

The board shall—

a. establish policies within which Districts are to operate with respect to the making of loans and the type of security required, taking into consideration the financial status of the organization to which the loan is being made and the circumstances of the loan;

b. establish policies and programs for maintaining, supervising, and enlarging the District Church Extension Funds on a sound financial basis;

c. periodically review financial statements of all District Church Extension Funds;

d. confer with Districts in cooperatively promot-

ing Church Extension Funds and seeking greater uniformity in the policies and programs of the Districts;

e. include a complete financial statement of District funds in its report to the Synod, including money borrowed and received, the total amounts of loans outstanding, and the amounts delinquent in each District; and

f. provide architectural advice and site selection counsel, when requested, to congregations, synodical and District boards and commissions, and agencies of the Synod and Districts.

2.626 The District Church Extension Program

The District Church Extension boards or committees shall administer the District's church extension program in conformity with policies established by the Synod's Board for Church Extension and in accordance with District regulations.

2.627 Standing Committees

The board shall be assisted by a standing committee dealing with the following area:

Architecture

4. Radio Station KFUE

2.631 Operation

Radio Stations KFUE-AM and KFUE-FM, St. Louis, shall be maintained and controlled by the Synod through an appointed board which shall be composed of seven members: one faculty member of Concordia Seminary, St. Louis, elected by that faculty; and one clergyman, one teacher, and four laypersons appointed by the Board of Directors of the Synod.

2.633 Functions

The Operating Board of Radio Station KFUE shall—

a. manage and operate the business and affairs of Radio Stations KFUE-AM and KFUE-FM;

b. serve as a resource to the various boards, commissions, congregations, and other entities of the Synod by providing creative ideas and information

along with program, production facilities, and other material assistance for radio ministry;

c. encourage and assist the St. Louis seminary in training for radio ministry;

d. formulate for Board of Directors approval operating policies and procedures.

5. The Lutheran Church—Missouri Synod Foundation

2.641 Incorporation

a. The Lutheran Church—Missouri Synod Foundation shall be maintained and controlled by the Synod as a corporate entity organized under the laws of the State of Missouri and shall be operated by a separate Board of Trustees, responsible to the Synod, in accordance with the provisions of its articles of incorporation and corporate bylaws.

b. Any amendments to the articles of incorporation or the corporate bylaws as heretofore adopted shall be subject to approval by the voting members of the Board of Directors of the Synod serving as the Members of the Foundation.

2.643 Membership

The Members of the Foundation shall be the voting members of the Board of Directors of the Synod. The Members shall appoint a Board of Trustees of the Foundation, which shall include the President, Secretary, and Treasurer of the Synod and at least 10 other trustees as provided in its bylaws. The principal staff person of the Department of Stewardship and Financial Support shall be advisory to the Board of Trustees and as such shall attend the meetings of the board.

2.645 Functions

a. The primary purpose of the Foundation shall be to serve as the Trust Department of the Synod. It shall manage, conserve, and be responsible for all legacies, bequests, devises, endowments, foundations, annuity gifts, and all other trust funds of the Synod and its Districts, colleges, seminaries, and agencies. It shall also provide such services to congregations, auxiliaries, listed service organizations and others under policies approved by the Board of Trustees.

b. The Foundation Board of Trustees shall maintain and publish written policies approved by the Members of the Foundation for (1) the negotiation of any qualified deferred-gift devices by the Synod's Department of Stewardship and Financial Support and the development staffs of the Synod's Districts, colleges, seminaries, and agencies and (2) the acceptance of the same by the Foundation. The Department of Stewardship and Financial Support shall be consulted in the development of such policies.

c. The Treasurer, as the trust officer of the Synod, shall provide staff services to the Foundation. In this capacity he shall function under the bylaws and written policies of the Foundation as well as those of the Board of Directors of the Synod and be accountable to the same.

d. The Foundation shall distribute designated funds in accordance with the contractual instructions of the donor. The distribution of undesignated funds shall be determined by the Members of the Foundation.

e. The Foundation shall be audited annually by independent certified public accountants selected by the Members of the Foundation. The audit report shall be made available upon request. The auditors shall also provide the Members an annual letter commenting on the administrative and financial controls.

2.647 Other Foundations

Since the Foundation serves all of the Synod, no new foundations shall be established by Districts, colleges, seminaries, and agencies without prior approval of the synodical Board of Directors.

6. Worker Benefit Plans

2.651 Board of Managers

The Board of Managers—Worker Benefit Plans shall consist of 11 members, 10 of whom shall be appointed by the Board of Directors: 2 parish pastors, 1 teacher, and 7 laypersons, at least 3 of whom should be experienced in the design of employee-benefit plans and the others in the management of benefit-plan investments. The Treasurer of the Synod shall be the 11th member.

When the Board of Managers is carrying out its functions with respect to any such separate plan, it may be designated as the Board of Managers of such separate plan; and when it is carrying out its functions generally, it may be designated as the "Board of Managers—Worker Benefit Plans of The Lutheran Church—Missouri Synod."

2.652 Functions

The Board of Managers shall—

a. administer the assets and trust funds in the Concordia Health Plan, the Concordia Survivor Plan, and the Pension Plan for Pastors and Teachers in accordance with the Synod's policies governing the investment of trust funds;

b. have all general and incidental powers and duties appropriate for the performance of its functions, including the powers and duties set forth in the respective plans, as amended from time to time. It cannot create or amend any plan since such power is vested in the Board of Directors;

c. make investment decisions at its own discretion or select and utilize investment counsel other than the Board of Managers and select agents and actuaries;

d. design for Board of Directors approval benefit plans which compare favorably with typical plans in the country while meeting unique needs of the full-time church workers in the Synod;

e. provide copies of all actuarial, audit, and investment-analysis reports to the Board of Directors for information, advice, and counsel;

f. settle disputes which arise in the enrollment in the plans and the payment of claims and benefits.

2.653 Pension Plan for Pastors and Teachers

The "Pension Plan for Pastors and Teachers of The Lutheran Church—Missouri Synod" is the pension plan established by the Synod as of October 1, 1937, as heretofore or hereafter amended, including the "Special Rules for Workers in Canada" forming a part thereof. The text of the plan, as amended from time to time, shall be published in booklet form under the supervision of the Board of Managers—Pensions and Support.

2.654 Concordia Retirement Plan

The "Concordia Retirement Plan for Ministers of Religion and Lay Workers of The Lutheran Church—Missouri Synod, Its Member Congregations, Controlled Organizations, and Affiliated Agencies" is the retirement plan adopted by the Board of Directors pursuant to Resolution 10-02 of the 45th convention of the Synod, as such plan has been heretofore or may hereafter be amended by the Board of Directors of the Synod. The text of the plan, as amended from time to time, shall be published in booklet form under the supervision of the Board of Managers—Concordia Retirement Plan.

2.655 Concordia Health Plan

The "Concordia Health Plan for Ministers of Religion and Lay Workers of The Lutheran Church—Missouri Synod, Its Member Congregations, Controlled Organizations, and Affiliated Agencies" is the health plan adopted by the Board of Directors pursuant to Resolution 10-02 of the 45th convention of the Synod, as such plan has been heretofore or may hereafter be amended by the Board of Directors. The text of the plan, as amended from time to time, shall be published in booklet form under the supervision of the Board of Managers—Concordia Health Plan.

2.656 Concordia Survivor Plan

The "Concordia Survivor Plan for Ministers of Religion and Lay Workers of The Lutheran Church—Missouri Synod, Its Member Congregations, Controlled Organizations, and Affiliated Agencies" is the plan adopted by the Board of Directors in accord with directives adopted at a prior convention of the Synod (Resolution 10-02 of the 45th convention) to provide for surviving widows and children those benefits previously provided under the Concordia Retirement Plan. The text of the plan, as amended from time to time, shall be published in booklet form under the supervision of the Board of Managers—Concordia Survivor Plan.

2.657 Support Program

The Support Program of the Synod is a program of financial assistance to those eligible pastors,

teachers, and other professional church workers and their eligible dependents who are in financial need. This aid is in the form of a gift from the budget funds of the Synod. Eligibility standards shall be determined by the Board of Managers.

2.658 Official Lists

The lists of pastors, teachers, and professors appearing in the current records of the synodical Department of Personnel and Statistics shall be the official lists for the purpose of the Board of Managers.

I. COUNCILS

2.701 Council of Presidents

The President and Vice-Presidents of the Synod and the District Presidents shall form the Council of Presidents. The council shall meet three times each year and in addition at the call of the President or at the request of one-third of the Council of Presidents:

- a. To enable the President to advise and counsel his representatives in the Districts;
- b. To enable the District Presidents in turn to give counsel to the President;
- c. To counsel with one another on matters regarding the doctrine and administration of the Synod and its Districts;
- d. To edify and support one another in the work they share;
- e. To serve as the Board of Assignments for the first calls to candidates for the pastoral and teaching office, and for other church professions;
- f. To carry out such assignments as the Synod may give to the council from time to time.

2.711 Council of Administrators

a. *Membership:* The Council of Administrators shall consist of the following synodical officers and members of the administrative staff:

1. The President of the Synod, who shall serve as chairman of the Council or designate a chairman to serve in his absence
2. The Secretary of the Synod, who shall serve as secretary of the Council
3. The First Vice-President of the Synod

4. The Treasurer of the Synod
5. The principal staff persons of the elected program boards
6. The principal staff persons of the appointed support services boards
7. The principal staff person of the Department of Stewardship and Financial Support
8. The Administrative Officer of the Board of Directors

b. Any board, commission, or department whose principal staff person is not on the Council of Administrators shall be represented on the council by another staff person assigned by the Board of Directors.

c. *Functions.* The Council of Administrators shall—

1. in cooperation with the Administrative Officer review the long-range plans, work programs and budgets of the respective divisions, boards, commissions, and operating departments of the Synod and submit to the Board of Directors recommendations thereon in line with the projected income and growth of the Synod and in keeping with the concept of a balanced budget;

2. review monthly the actual performance of all departments and assist the respective departments in making necessary revisions to the current year plans and programs;

3. recommend to the Board of Directors such changes in approved plans as may become necessary when income forecasts fail to materialize or when for other reasons the approved plans of the Synod cannot be carried out;

4. recommend to the Board of Directors policies and procedures for more effective management of the Synod and encourage a uniform observance throughout all departments of sound and efficient administrative and operational procedures and routines;

5. approve all requests for grants from outside sources within policies established by the Board of Directors;

6. make recommendations to the Board of Directors on proposed grants to other organizations for joint programs and on proposed participation in any new programs to be conducted directly or indirectly

by the Lutheran Council in the United States of America or any similar inter-Lutheran organization;

7. make recommendations to the President of the Synod for the appointment of members of standing committees for each division, department, and commission of the Lutheran Council in the United States of America in which the Synod participates.

J. STAFF

2.801 Description of Appointing or Employing Authorities

- a. The principal staff person for each board or commission shall be appointed by the respective group with the approval of the President.

- b. Other appointed executives shall be appointed by the respective board or commission with the approval of the President and the principal staff person.

- c. Each appointive position which according to the position description requires that the occupant be a member of a congregation of the Synod and receive a Solemn Appointment shall be filled from a list of candidates gathered by the Personnel Director from all appropriate sources. A request for nominations shall be printed in the *Reporter*. Background information shall be obtained on each nominee. If the open position is that of the principal staff person, the President of the Synod shall select from the list at least three candidates whom he will propose to the respective board or commission. Upon request he may submit additional names. The respective board or commission or its designated members and the President shall interview in person each of the candidates and agree on the selection prior to extending an appointment. For other appointed positions with the same requirements concerning membership and Solemn Appointment, the principal staff person, together with the President or his designated representative, shall select from the list at least three candidates whom they will interview in person and recommend to the respective board or commission, who, at its discretion, may also interview the candidates prior to extending a Solemn Appointment.

- d. All other executives shall be employed by the

principal staff person, with the approval of the President, from a list of candidates developed by the Personnel Director.

e. Secretarial and clerical staff shall be employed by the principal staff person with the approval of the Synod's Personnel Department under policies established by the Board of Directors.

f. All additions to or replacements of staff shall be in accordance with current position descriptions and shall be within staffing limits approved by the respective board or commission and the Board of Directors.

2.803 Tenure and Terminations

a. Unless otherwise specified in the Bylaws, all executive staff shall serve at the pleasure of the appointing authorities described above, subject to annual review and evaluation. Appointees may normally expect to continue in their positions if their work is satisfactory as evidenced by the annual review and evaluation and if there is a continuing need for their services.

b. If the appointing authorities described above decide to terminate an appointment, 90-day written notice shall be given to the executive. During the 90-day period, the Personnel Department shall assist the executive, if requested, in his effort to find another opportunity for service in the church. Full salary shall continue to be paid for services rendered until the earlier of the date of obtaining new employment or the expiration of the 90 days. An additional month's salary shall be paid as severance pay on termination of full salary.

c. The month's severance pay provision shall also apply to other terminated executives not subject to the appointment process. Severance pay for secretarial and clerical personnel shall be under policies established by the Board of Directors.

d. Terminations require the same approvals as appointment or employment. Terminations may be appealed to the respective board or commission or the Board of Directors.

e. Termination of appointment may be made by the appointing authorities at any time for adherence to false doctrine, conduct unbecoming a Christian,

neglect of office, or refusal to cooperate. In such cases none of the foregoing financial arrangements shall apply except for one month's severance pay.

2.805 Retirement Policies

a. The following retirement policies shall apply to salaried nonelective personnel of the general Synod except as otherwise provided in these Bylaws:

1. Each person shall retire at the end of the calendar year in which he or she attains the age of 70. Each person may, however, request retirement prior to attaining age 70 under the applicable provisions of the Concordia Retirement Plan.

2. To the extent, if any, to which the foregoing is inconsistent with the provisions of any pension or retirement plan covering such persons, the provisions of such plan shall control.

3. The administration of this policy shall be the responsibility of the Personnel Director.

b. The retirement policies of Districts shall conform to those of the general Synod.

2.807 Common Functions

Staff, through the respective principal staff person shall—

a. implement decisions of its respective board or commission in accordance with its policies and those of the Board of Directors;

b. prepare, for the chairman's approval, meeting dockets and mail them in advance of the meetings;

c. prepare program and policy recommendations for action by the board or commission;

d. maintain procedures manuals to implement board policies and programs;

e. make day-to-day operating decisions in the administration of adopted programs in accordance with approved policies;

f. provide for reports to the board or commission and President on staff activities and implementation of assignments;

g. solicit input from Districts, colleges, and seminaries as appropriate to learn their needs and expectations;

h. design, in cooperation with Districts, for board approval program resources for Districts and con-

gregations and survey Districts and congregations regarding the use of program resources;

i. provide counsel and advice to Districts and at their request to congregations in program areas;

j. coordinate work with assigned auxiliaries and listed service organizations;

k. draft annually for board or commission approval long- and short-range plans and budget requests for programs, and evaluate program budget performance against agreed-upon evaluation criteria;

l. propose staffing levels and review staff performance;

m. normally represent the board or commission in contacts within and outside the Synod.

K. NOMINATIONS AND ELECTIONS

1. Nomination and Election of President and First Vice-President

2.901 Nominations

Nominations for the office of President and First Vice-President of the Synod shall be made in the following manner:

a. Each voting congregation shall be entitled to nominate from the clergy roster of the Synod two clergymen as candidates for President and two clergymen as candidates for First Vice-President.

b. The Secretary of the Synod shall mail to each voting congregation of the Synod ballots for nominating these candidates.

c. Each nominating ballot shall be signed by the president and the secretary of the voting congregations and shall be sent to the Secretary of the Synod not later than four months prior to the opening date of the convention.

d. The Secretary of the Synod, with the approval of the synodical Board of Directors, may engage an external auditing firm to tabulate the nominations and shall report to the convention by means of the convention manual the names and tallies of all clergymen who have received nominating votes for the office of President and First Vice-President.

e. Groups and individuals within and without the Synod are urged to refrain from circularizing the

Synod or areas thereof relative to favoritism in nominations for President and First Vice-President.

2.903 Candidates

a. Candidates for the office of President and First Vice-President shall be in each instance the five clergymen receiving the highest number of votes in the nominating ballots of the congregations.

b. The Secretary of the Synod shall notify each candidate and shall secure his approval in writing for inclusion of his name on the convention ballot. Each candidate shall reply within 10 days as to his willingness to serve if elected.

c. In the event of the death, declination, or unavailability of any candidate, the nominee having the next highest number of votes shall become a candidate.

d. In the event of a tie for the fifth position among the candidates, all names involved in the tie shall be listed as candidates.

e. The Secretary of the Synod shall publish in the convention manual brief biographies of the five candidates for President and the five candidates for First Vice-President, giving adequate information on each candidate. This report shall contain such pertinent information as age, residence, number of years in the Synod, present position, District or synodical offices previously held, year of ordination, former pastorates, involvement in community, government, or interchurch affairs, and any other specific experience and qualification for the office.

f. The convention shall have the right to alter each slate at the proper time by amendment. The amendment procedure shall include merely a motion, a second, and a vote on the amendment, deliberately excluding verbal characterizations and discussion of the motion (except for the chair to ascertain that the requirements have been met as to eligibility, consent, and the filing of the biographical form). Any delegate making a nomination from the floor shall have secured prior written consent of the candidate whom he wishes to nominate. Such delegate shall immediately submit to the Secretary of the Synod this document and written pertinent information concerning his nominee as detailed in 2.903 e.

g. After all such amendments have been voted on, the convention shall ratify the slate of candidates prior to each election.

2.905 Election of President

a. Each voting delegate shall be entitled to vote for one of the candidates for President.

b. The candidate receiving a majority of the votes cast shall be declared elected.

c. If no candidate receives a majority of the votes cast, the four candidates receiving the highest number of votes shall be retained on the ballot, and another vote shall be taken. Thereafter, the candidate receiving the smallest number of votes shall be eliminated on each subsequent ballot until one candidate receives a majority of the votes cast.

2.907 Election of First Vice-President

After the results of the presidential election have been announced, the convention shall take action as outlined in 2.903 f and g on the slate of candidates for First Vice-President and shall then elect the First Vice-President according to the procedures outlined for the election of President.

2. Nomination and Election of Other Vice-Presidents

2.921 Nominations

Nominations for other Vice-Presidents shall be by direct nominating ballot. Each voting delegate shall be entitled to place in nomination as many persons as there are other Vice-Presidents to be elected.

2.923 Candidates

The persons receiving the greatest number of nominations shall be the candidates in the election for the other Vice-Presidents, the number of candidates to be three times the number of offices to be filled.

2.925 Balloting and Election

a. If any person or persons receive as many nominations as equal or exceed 75 percent of the

delegates making nominations, he or they shall be declared elected. Whenever more than one Vice-President is elected in this manner, the order of their election shall be determined by the number of nominations each received, priority being given in each case to the candidates receiving the greatest number of nominations. No more candidates shall be elected in this manner than there are offices to be filled.

b. In the election for the other Vice-Presidents each voting delegate shall be entitled to vote for as many candidates as there are offices to be filled. A candidate whose total vote equals or exceeds a majority of the number of delegates voting shall be declared elected. If more candidates receive a majority than there are offices to be filled, those receiving the greatest number of votes shall be declared elected. If not all offices are filled in such voting, the candidate or candidates receiving the least number of votes shall be eliminated so that two candidates remain for each office to be filled. Another vote shall then be taken. This procedure shall be followed until all the offices have been filled.

2.927 Ranking

The rank of the Vice-Presidents shall be determined by the order of their election, or if more than one is elected in the same voting, by the number of votes received by each.

3. Other Nominations and Elections

2.941 Committee for Convention Nominations

a. Each District shall elect through its regular election procedures at the District convention one member to the synodical Committee for Convention Nominations plus an alternate. Half of the Districts shall be designated to elect a professional church worker and the other half, a layperson, with the roles reversed every three years.

b. The Committee for Convention Nominations will take office on September 1 following the District conventions in the year immediately preceding a synodical convention. The entire committee will determine its slate. Nominations from the floor must be accepted if the conditions for candidacy are

fulfilled. The entire convention shall vote on all candidates.

c. The Committee for Convention Nominations is to be regarded as an ad hoc convention committee, to which limitations on holding multiple offices do not apply.

d. The Secretary of the Synod shall handle the preliminary work.

2.943 Publication of Names of Committee

The names of the members of the Committee for Convention Nominations shall be published within one month following the last District convention.

2.945 Solicitation of Suggestions for Candidates

a. The Secretary of the Synod shall solicit from congregations, District Presidents, District Boards of Directors, Circuit Counselors, and other likely sources names of persons who are regarded as suitable candidates for election to the various offices and boards of the Synod and shall list briefly the requirements of various positions. Qualifications of each candidate suggested are to be submitted together with the names. The Secretary shall begin such solicitation of names 12 months before the synodical convention and shall present his work and submissions to the Committee for Convention Nominations at its first meeting. The Secretary shall not serve as a member of the committee, but he shall convene the initial meeting of the committee and be available, upon call, for consultation.

b. All suggested names and information for consideration by the Committee for Convention Nominations shall be submitted to the committee no later than eight months prior to the synodical convention.

2.947 Functions

a. The first meeting of the Committee for Convention Nominations shall be at the call of the Secretary of the Synod, at which meeting the committee shall name its chairman and secretary.

b. The committee shall inform itself as to the duties and requirements of each position to be filled

and be thereby guided in its selection of nominees. In the case of the Boards of Regents of synodical institutions the committee shall consult with the Board for Professional Education Services and receive their nominations for the various Boards of Regents for their consideration.

c. The committee shall nominate candidates for all elective offices, boards, and commissions except the President and Vice-Presidents.

d. Two candidates shall be nominated for each position.

e. At least five months prior to the convention the committee shall determine its complete list of candidates and alternates, obtain the consent of the persons it proposes to nominate, and transmit its final report to the Secretary of the Synod in ample time to provide for its publication in a pre-convention issue of an official periodical of the Synod and also in the official convention book of reports and overtures (*Convention Workbook*). This report shall contain pertinent information concerning each candidate, such as age, occupation or profession, District affiliation, residence, specific experience and qualifications for the office in question, and if the candidate so desires, also a brief personal statement.

f. The Committee for Convention Nominations in consultation with synodical officials shall maintain a description of the desirable expertise required for each elected board, and shall transmit this information together with suggestions for improvement of procedures to the next committee through the Secretary.

2.949 Report

a. The chairman of the Committee for Convention Nominations shall submit the committee's report in person to the convention at one of its earliest sessions, and immediately thereupon nominations may be made from the floor of the convention. Any delegate making a nomination from the floor shall have secured prior written consent of the candidate whom he wishes to nominate. He shall immediately submit to the chairman of the Committee for Convention Nominations this document and written pertinent information concerning his nominee as de-



III. DISTRICT ORGANIZATION

A. GOVERNING PRINCIPLES

3.01 Purpose of Districts

The Synod establishes Districts in order more effectively to achieve its objects and carry on its activities.

3.03 Formation and Realignment of Districts

a. The Synod decides when and whether a District shall be formed, divided, realigned, or merged with another or other Districts, or dissolved; determines the boundaries of a District; and approves the name of a District.

b. A proposal calling for the formation, division, realignment, merger, or dissolution of a District or Districts may be initiated by a synodical convention or may be presented to a synodical convention by a District convention or the synodical Board of Directors.

c. Such proposals shall—

1. be submitted to the President at least six months prior to a synodical convention;

2. be produced in consultation with the Department of Research and Statistics;

3. include a substantiated description of the nonviable aspects of the current District(s) on the basis of general principles of viability adopted from time to time by synodical conventions, and shall specify the problems or factors which make the adoption of the proposal advisable or necessary;

4. provide evidence that possible changes in the present structure or function of the District(s) in order to meet the problems have received thorough consideration and have been deemed less desirable than the proposal being offered;

5. provide a specific and realistic development plan for the proposed District(s), including detailed proposals for staff personnel and financial operations;

6. be the object of an evaluation prepared by the synodical Board of Directors and submitted to the convention.

3.05 Membership

The membership of a District consists of all those members of The Lutheran Church—Missouri Synod (congregations, clergymen, and teachers) who have been received into the District at the time of joining the Synod, who have been transferred from another District, or who have been assigned to the District by the Synod. Termination of membership in the Synod terminates membership in a District.

3.07 Relationship Between the Synod and Districts

a. The Synod is not merely an advisory body in relation to a District. A District is the Synod itself performing the functions of the Synod. Resolutions of the Synod are binding on the Districts.

b. The Constitution of the Synod is also the constitution of each District. The Bylaws of the Synod shall be primarily the bylaws of the District. A District may adopt additional bylaws, regulations, and resolutions necessary or proper for its own administration or for effectively carrying on the work of the Synod. Such bylaws, regulations, and resolutions shall not conflict with the Constitution and Bylaws of the Synod. The bylaws and regulations of the District and any subsequent change therein shall be submitted to the Commission on Constitutional Matters of the Synod for review and approval.

c. A District may incorporate or adopt such other convenient form of association as may be permitted by the civil laws under which the District carries on its activities. The form of incorporation or association and any subsequent proposed change thereof shall be submitted to the Commission on Constitutional Matters of the Synod for review and approval before adoption by the District and before presentation to the proper civil authorities.

d. Upon dissolution of a District, all property and assets to which the District holds title or over which it has control shall be transferred forthwith to the Synod or to the Synod's nominee.

e. Jurisdiction with respect to everything which is administered by or for the entire Synod resides in the Synod itself, including but not limited to general supervision of doctrine and practice; foreign missions;

synodical institutions; qualification, ordination, and installation of clergymen and teachers who apply for membership in the Synod; publication of official religious periodicals; conduct of negotiations and affiliations with other church bodies; and the like.

3.09 Relationship Between Congregations and District

The relationship of a congregation to the District is the same as the relationship of a congregation to the Synod as defined in Article VII of the Constitution of the Synod and Sections 1.19 and 1.33 of the Bylaws.

3.11 Relationships: Conventions, Officers, Board of Directors, Boards and Commissions, Staff

a. The delegate convention of the District is a legislative assembly which, in accordance with the Bylaws and objectives of the Synod, establishes and evaluates policies and provides direction on behalf of and in service to member congregations of the Synod in that District. It shall be the assembly in which the congregations of the District can counsel together to achieve their objectives, receive reports and counsel from the Synod, and through which the congregations and the District can together make recommendations to the convention, boards, and commissions of the Synod. It shall have the authority to give direction to the officers, boards, and commissions of the District.

b. The elective officers of the District serve in accordance with the duties assigned to them in the Constitution and Bylaws of the Synod as they apply to the District and within the boundaries of the respective District, and in accordance with the duties which may be assigned in the Bylaws of the District. They shall have primary responsibility for District implementation of decisions of the Synod, as applicable, and for implementation of decisions of the District convention and District boards. They shall supervise the day-to-day activities of District staff. They shall report their activities and recommendations to the convention, to the Board of Directors, and to the Synod as appropriate, and maintain communication as necessary with other Districts and with jurisdictional units of other church bodies.

c. The Board of Directors, elected by the District, serves as the legal representative of the District and the custodian of all property of the District. Between conventions it shall provide for implementation within the District of the decisions of the synodical and District conventions, determine general operating policies, establish program priorities, approve program budgets, allocate necessary funds for the support of the synodical and District budgets, review program performance, and make provisions for necessary staff. It shall report its activities to the District convention.

d. The District shall utilize boards and commissions to fulfill the objectives of the Synod and to carry out the decisions and programs of the District, on behalf of or in service to the congregations and the District, as provided in the bylaws of the District. They shall maintain communication with and provide for utilization of the programs of the corresponding boards and commissions of the Synod, as applicable. They shall design programs to meet their special needs in their assigned area of responsibility and administer approved programs and resources assigned to them by the convention or the Board of Directors. They may propose new programs and adjustments to existing programs. They shall report their activities and recommendations as provided in the bylaws of the District.

e. The District Board of Directors in accordance with the bylaws of the District may engage such staff as is necessary for program implementation. District staff shall develop, manage, and review programs and ministries and recommend necessary adjustments. Staff represents its respective board or committee, and serves the congregations of the District as liaison between the board or commission and the field. Staff ordinarily serves as liaison between the District program board and its related synodical program board. The reporting relationships of staff should be defined in the bylaws of the District.

B. CONVENTIONS

3.21 Rules of Order

The conventions of the Districts shall be governed

by the Bylaws adopted by the Synod for its conventions, insofar as these may be applicable. Each District may adopt any other regulations, provided these are not contrary to the Constitution and Bylaws of the Synod. The President of the District shall conduct the sessions according to accepted parliamentary rules and shall so arrange the schedule of business that the sessions do not extend beyond six business days.

3.23 Accrediting of Delegates

The delegates of a voting congregation shall stand accredited and entitled to vote upon presenting to the Secretary at the opening of the convention the proper credentials provided by the District Secretary and signed by two of the congregation's officers.

3.25 Advisory Delegates

All nonvoting clergy members of the Synod within the District and all teacher members of the Synod within the District shall serve as advisory delegates entitled to voice and vote on a floor committee, if appointed, and to voice in the convention.

3.27 Attendance

All duly elected voting delegates and all advisory members shall attend all sessions of the convention regularly until the close of the convention.

3.29 Synodical Representation

The President of the Synod or his representative shall report on the condition and affairs of the Synod and shall also deliver the sermon at the opening or convention service.

C. OFFICERS

3.51 Officers

a. The following officers shall be elected from the clergy roster of the Synod by each District: a President, two or more Vice-Presidents, a Secretary, and a Circuit Counselor for each Circuit established by the District.

b. Each District shall have a Treasurer. He shall

be a layman and shall be elected or appointed as the bylaws of the District may provide.

c. All officers and members of boards shall be members of member congregations of the District upon assuming office and during the course of their tenure.

D. DISTRICT PRESIDENTS

3.71 Role of District President

a. The District President is the chief executive officer of the District. Upon him is incumbent the responsibility that the resolutions of the District are implemented. He shall report to each District convention.

b. Each District President shall represent the Synod in his respective territory. He shall therefore cause the resolutions of the Synod to be implemented in the District and shall therefore regularly report to the President of the Synod. He shall serve the congregations of the District as liaison between the congregations, District, and Synod.

3.73 The President as Adviser

Each District President, in accordance with the Constitution of the Synod, shall supervise the doctrine, the life, and the official administration on the part of the pastors and the teachers of his District and shall inquire into the prevailing spiritual conditions of the congregations of his District. Therefore as often as possible he shall attend the conferences of pastors and teachers held in his District, advise the congregations of his District as to the calling of pastors and teachers, give counsel, and respond to requests and inquiries. He may call upon Circuit Counselors to assist him.

3.75 Official Visits and Investigations

The District President, even without formal request therefor, may through the proper channels arrange for an official visit or investigation when a controversy arises in a congregation or between two or more congregations of the District, or when there is evidence of a continuing unresolved problem in doctrine or practice. He shall ask for a full report on

the case in order that he may have a clear understanding of the situation. If the District President authorizes anyone to represent him in such matters, his representative shall be accorded the same rights as the District President.

3.77 Official Roster of Pastors and Teachers

The District President shall annually revise the official roster of clergy and teachers for publication in *The Lutheran Annual* and remove the names of those who have died, have severed their connections with the Synod, have been eliminated from the roster by the Council of Presidents, have resigned their status as clergymen or teachers in the Synod, or have in some way disqualified themselves for service in the church. He shall regularly forward roster reports to synodical headquarters.

E. BOARDS OF DIRECTORS

3.91 Functions

Each District shall elect a Board of Directors, the size and composition of which shall be determined by the bylaws of the District. It shall have such powers and duties as are accorded to it by the Constitution, Bylaws, Articles of Incorporation, resolutions, and policies of the Synod, as well as those of the District. Subject to such limitations, it shall operate within the applicable federal and state laws. It shall be vested with the general management and supervision of the District's business and legal affairs and shall adopt policies and require procedures which assure that said management and supervision is effected. In fulfilling its functions and in coordinating its work with the Synod, the board shall be guided generally by the functions of the Board of Directors of the Synod as defined in Bylaw 2.181 ff., as these apply to Districts, and subject to the reservations, limitations, and delegations of such bylaws.

F. BOARDS

3.97 Provisions

a. Each District shall provide through its structure for the following functions:

Adjudication
Church Extension
Communications
Congregational Constitutions
Congregational Services
Missions

Social Ministry Services
Stewardship and Financial Support

b. A District may provide for the election or appointment of such other boards and commissions as it deems necessary.

G. STAFF

3.101 Authorization

Districts are authorized to engage full-time staff to assist officers, boards, and commissions in carrying on the work of the District. Unless Districts are able to have separate staff individuals for each program of the District, the combining of responsibilities should conform to the board structure.

3.103 Relationship to Synodical Staff

While relations with the general Synod are carried on primarily through the District President, District staff persons should be in close relationship to their synodical staff counterparts; serve as persons to collect, collate, and communicate the needs and expectations of congregations; assist in the development of relevant District and Synod materials and programs; and in general act as partners with fellow staff persons in the pursuit of appropriate synodical programs.

3.105 Functions

In carrying out their functions at the District level, staff persons shall be guided generally by the responsibilities for staff as detailed in Bylaw 2.807.

H. NOMINATIONS AND ELECTIONS

3.121 Nominating Committee

The Nominating Committee of each District shall be elected by the District convention.

3.123 Majority Vote

a. A majority of all votes cast shall be required for election to all elective offices and elective board positions.

b. Except in the election of the President and the Vice-Presidents, the following regulations shall apply: Candidates receiving a majority on the first ballot shall be declared elected. When a second or succeeding ballot is required for a majority, the candidate receiving the fewest votes and all candidates receiving less than 15% of the votes cast shall be dropped from the ballot, unless fewer than two candidates receive 15% or more of the votes cast, in which case the three highest candidates shall constitute the ballot. In every election balloting shall continue until every position has been filled by majority vote.

3.125 Term and Tenure

All terms shall be for three years; a District may determine what limitation of tenure, if any, it may desire.

3.127 Election of President and Vice-President

Each District may adopt regulations for the nomination and election of its President, the nomination, election, and ranking of its Vice-Presidents, and the succession in case of vacancies, as long as these provisions do not conflict with the Bylaws of the Synod. Nominating committees may not be employed in the election of the President and Vice-Presidents.

3.129 Holding More than One Office

a. No one, either in the Synod or in a District, or between the Synod and a District, shall hold more than one elective office; or more than two offices, although one or both be appointive; or ever hold two offices of which one is directly responsible for the work done by the other.

b. An office shall be regarded as elective only if it is an office filled through election by a synodical or a District convention, even though a vacancy in such an office may be filled by appointment.

c. Doubtful cases shall be decided by the President of the Synod.

3.131 Prohibition of Conflict of Interest

a. No officer, director, board or commission member of the District or any agency of the District shall use his position or the knowledge acquired from his service in such a manner that a conflict between his personal or business interests and the interest and general welfare of The Lutheran Church—Missouri Synod arises.

b. Officers or members of District boards or commissions shall not enter into gainful business transactions, directly or indirectly, with any board or commission on which they serve.

IV. CIRCUIT ORGANIZATION

A. GOVERNING PRINCIPLES

4.01 Structuring of Circuits

Each Circuit shall consist of 7 to 20 member congregations involving an aggregate communicant membership from 1,500 to 10,000. Exceptions to these requirements and limitations can be made only by the President of the Synod upon request of a District Board of Directors.

4.03 Relationships: Officers, Forum, Convocation

a. The Circuit Counselor is the principal officer of the Circuit and serves in accordance with the duties assigned to this position in the Constitution and Bylaws of the Synod and Districts. The Circuit may select such other officers as it deems necessary. The Circuit Counselor and these other officers shall have the primary responsibility of preparing the agenda for the Circuit Forum and Convocation and maintaining liaison between the Circuit and the respective District and the Synod.

b. The Circuit Forum, consisting of the pastor of each congregation and one member of each congregation designated by the congregation, is the group which aids the process of keeping congregations, particularly the lay leaders, teachers, and pastors, supportive of one another in their common confession and mutually active in developing programs for the good of member congregations, in considering and recommending new work, and in suggesting improvements for District and synodical programming. Depending on each Circuit's adopted objectives, the Circuit may provide for additional representation from each congregation.

c. The Circuit convocation is a larger gathering of members from Circuit congregations during a year in which there is no synodical or District convention.

B. OFFICERS

1. Circuit Counselor

4.11 Nomination and Election

Every voting congregation of each Circuit shall

tailed in 2.947 e. No further nominations shall thereafter be accepted, except in the event that the Synod in convention creates a new elective office, board, or commission for which no candidates have previously been nominated.

b. The chairman of the Committee for Convention Nominations shall have on hand at the convention a reserve list of nominees, approved by his committee, for use if required, e.g., if a new board or commission is to be elected. Whenever possible, however, the Committee for Convention Nominations should be informed in advance if any new board or commission is likely to be elected at a synodical convention, so that it may have a slate of candidates in readiness.

2.951 Order of Names on Ballot

The names and District affiliations of the candidates in all elections—at least two for each position—shall be placed on the election ballot in alphabetical order and without any distinctive mark, except where regional representation is a synodical preference or requirement.

2.953 Committee on Elections

a. Prior to the convention of the Synod the President shall appoint a Committee on Elections and designate a chairman. The Secretary of the Synod shall provide the chairman with a current manual of suggested election procedures.

b. The committee shall make the necessary arrangements for the elections, shall be responsible for the preparation and distribution of ballots, and shall supervise the elections and the tabulation of the votes. It shall be empowered to adopt procedures and methods which will insure efficiency and accuracy, including the use of mechanical, electronic, or other methods of casting, recording, or tabulating votes.

c. The committee shall report the official results of each election to the convention and shall file a written report of the tabulation of votes of each election, certified by the chairman and at least one other member of the committee, with the convention chairman and the Secretary of the Synod.

d. All ballots in each election shall be preserved

by the chairman of the committee until the close of the convention and shall then be destroyed.

2.955 Schedule

The President shall determine and announce a period of time during the convention for the election of the members of all elective boards and commissions.

2.957 Order of Elections

a. The President, the First Vice-President, and the other Vice-Presidents shall be elected in that order and in the manner herein provided.

b. After the election of the President and the Vice-Presidents, a ballot shall be submitted listing the candidates for Secretary, Treasurer, and the elective members of the Board of Directors. Their elections shall thereafter be conducted as hereinafter prescribed.

2.959 Election Procedures

a. A majority of all votes cast shall be required for election to all elective offices and elective board positions.

b. Except in the election of the President and the Vice-Presidents, the following regulations shall apply: Candidates receiving a majority on the first ballot shall be declared elected. When a second or succeeding ballot is required for a majority, the candidate receiving the fewest votes and all candidates receiving less than 15% of the votes cast shall be dropped from the ballot, unless fewer than two candidates receive 15% or more of the votes cast, in which case the three highest candidates shall constitute the ballot. In every election balloting shall continue until every position has been filled by majority vote.

c. The tally of the votes cast for each candidate shall be announced after each ballot in all elections.

nominate as candidates for the office of Circuit Counselor two men from among the pastors of member congregations of the Circuit or from among the emeriti who hold membership in one of the member congregations of that Circuit. The nominations shall be made at least six months prior to the elections and shall be submitted to the Nominating Committee through the Secretary of the District. If no candidate has received a majority, the District Secretary shall mail to each congregation in that Circuit a ballot containing the names of the two men receiving the highest number of votes. The Nominating Committee shall arrange a slate containing the first choice for Circuit Counselor from each Circuit, provided that man is still available, or the second choice of the Circuit if he is not. The District President shall fill the slate where neither man is still available. The convention shall have the right to alter the slate by amendment. The convention shall then ratify the slate of Circuit Counselors, which ratification shall constitute election.

4.13 Official Visits

a. The Circuit Counselor shall visit each congregation once in three years and otherwise as he deems it necessary.

b. The purpose of official visits shall be to bring about to the greatest possible degree the achievement of the Synod's objectives as expressed in Article III of its Constitution.

c. The congregation of a Circuit Counselor shall be visited by the District President or by one of the District Vice-Presidents or by another Circuit Counselor designated by the District President.

4.15 Relation to District President

a. Each Circuit Counselor, by virtue of his office, shall assist the District President within the Circuit. Therefore the District President shall meet with the Circuit Counselors of the District at least once a year for the purpose of discussing the work of the Circuit Counselor.

b. The Circuit Counselor shall regularly report on his activities to the District President.

4.17 Relation to Member Congregations

a. The Circuit Counselor shall keep in mind the glory and responsibility of the universal priesthood of all believers as it applies to the congregations. He shall remind them that they are "a chosen generation, a royal priesthood, an holy nation, a peculiar people" to show forth the praises of Him who has called them out of darkness into His marvelous light. He shall meet with the entire congregation, if possible, rather than with the voting members only.

b. He shall inquire whether the congregations are zealously guarding the purity of doctrine, not tolerating errors or schismatic tendencies.

c. He shall inquire regarding the attendance at services, at Communion, and at voters meetings; the salaries of pastors and teachers; the participation of the congregation in the work of the church at large and in missions; the reading of Christian literature; the Christian training of the children; the adequate indoctrination of adult catechumens; and the maintenance of the family altar.

d. He shall inquire what means are being used to guard against the evil influences of sects and organizations which endanger the spiritual life of the congregation.

e. He shall inquire concerning excommunications, and examine the minutes referring to them, with a view to possible adjustment according to the Word of God.

f. He shall strive to bring about a peaceful adjustment in a Christian manner (Matt. 18:15-17; 1 Tim. 5:19) if any differences between a pastor and his congregation have arisen and have been brought to his attention.

g. He shall report on the work of the Synod and urge adequate support of the Synod's work on the part of the congregation.

h. Official visits shall be arranged in advance by the Circuit Counselor with the respective pastor and congregation, except under extraordinary circumstances. If he deems it necessary, the Circuit Counselor may through the proper channels arrange for a special meeting of the congregation even if he has not been invited.

4.19 Relation to Nonmember Congregations

The jurisdiction of Circuit Counselors shall include nonmember congregations whose pastors are members of the Synod, but for the purpose of official visits in such a congregation the consent of the congregation shall first be secured.

4.21 Relation to Pastors

a. The Circuit Counselor shall conduct his official visits in an evangelical manner and not resort to legalistic measures.

b. He shall come to the pastor as a brotherly adviser, reminding him of the glory of the ministry and of its great responsibilities.

c. He shall ascertain whether the pastor is faithful in preaching the law and the Gospel in their purity, properly dividing and applying them, whether he privately ministers to the needs of the individuals, exercises church discipline in an evangelical manner, and properly supervises all Christian education and training in his parish.

d. He shall in a brotherly manner discuss the spiritual life, home life, and studies of the pastor with him, also his library and professional studies and professional growth.

4.23 Relation to Teachers and Schools

The Circuit Counselor shall officially visit the teachers and elementary schools in his Circuit. He shall give his attention especially to—

a. the personal attitude of the teacher toward his profession and his pupils;

b. the general course of study, with special emphasis on the teaching of the Christian religion;

c. Christian discipline;

d. the school attendance;

e. the school equipment;

f. the school management.

In this activity he may be assisted by an appropriate District staff person.

4.25 Expenses

The Circuit Counselor is authorized to draw on the District treasury for his expenses.

2. Other Officers

4.27 Individual Positions

The Circuit may create such other offices as may be desirable and also appoint committees for specific assignments.

C. CIRCUIT FORUM

4.31 Representation

Each congregation shall be represented at the Circuit Forum at least by its pastor and one member designated by the congregation, although each Circuit may request additional representation depending on its adopted objectives. The Circuit Forum will meet at least twice a year.

4.33 Functions

Among the functions which the Circuit Forum may perform are the following:

a. to develop and adopt within existing policies of the respective District complementary and sometimes joint plans for mission outreach in the Circuit area;

b. to devise and develop programs and services relevant to the needs of Circuit congregations, lay leaders, teachers, and pastors;

c. to receive and respond as appropriate to advice, guidance, resolutions, and programs in other sections of the Synod as such may be addressed to it from other Circuits, the respective District, and the general Synod;

d. to serve as a setting to review and evaluate programs, plans, and long-range directions of the District and Synod;

4.35 Election of Synodical Convention Delegates

It is the Circuit Forum which triennially shall elect the pastoral and lay delegate, and their alternates, to the general convention of the Synod according to the regulations of the Synod. The lay delegate shall upon his election serve a term of three years as a voting member of the Circuit Forum.

4.37 Overtures

The Circuit Forum shall be qualified to submit overtures to synodical and District conventions.

D. CONVOCATIONS

4.51 Functions

Circuits shall arrange for a Circuit convocation, which is a larger gathering of members from Circuit congregations held during a year in which there is no synodical or District convention. Its purpose is to provide a setting in which congregational members may know of and celebrate the ministry pursued by each congregation, may review and discuss the work of the Circuit Forum, and may receive information on various phases of the work pursued through Districts and the Synod. As such, its emphasis should be on inspiration, education, and motivation.

E. PARISHES

4.61 Parish Lines

The membership of a congregation constitutes its parish. Territorial parish lines are not established by divine right. Nevertheless the following reasons may be cited for establishing such lines:

a. God is not the author of confusion, and therefore He wants all things to be done decently and in order, 1 Cor. 14:40; 1 Peter 4:15.

b. Schisms and sects in a congregation should be avoided, and church members should not be given occasion to attach themselves to the person of one pastor in preference to that of another. This in itself is a sectarian tendency, which Paul condemns, 1 Cor. 1:12; 3:3-7.

c. The private cure of souls, an essential duty of every pastor, is rendered more difficult where there are no parish lines and in many cases is impossible, nor can church discipline be well exercised. A member who on account of distance no longer regularly attends church services shall be advised to affiliate with the nearest orthodox Lutheran congregation in his neighborhood.

d. The example of the apostolic church favors the separation of congregations by parish lines; for in the days of the apostles, bishops were appointed for every city, Titus 1:5. The example of the apostles, it is true,

is not equal to an express command which must be obeyed by Christians at all times and under all circumstances; yet the custom of apostolic times speaks in favor of the reasons given above, and therefore it is proper that we should not without good reason fail to follow such example.

4.63 Dividing Congregations

Congregations which have grown so large that their members cannot receive proper pastoral care, or whose members have spread over so much territory that members living at a distance find it difficult to use the means of grace with necessary frequency, shall not oppose a division of the parish; nor shall they oppose the organization of new congregations in neighborhoods which would be thereby better served. All other interests are subordinate to those which seek to promote the glory of God and the extension of His kingdom.

4.65 Principles of Division

The dividing of one congregation into two or more and the establishing of a new mission or congregation adjacent to an existing parish or parishes shall be regulated and effected in accordance with due Christian regard for the spiritual welfare of all concerned. This requires (1) that any such separation or division be brought about—as much as possible—by a voluntary agreement, prompted by the conviction of all concerned; (2) that church property be divided in accordance with justice and equity, so that one party will not be slighted while the other party is given undue advantages; (3) that Christian forbearance rather than the strict letter of the law decide any difficult questions; (4) that lesser evils be borne in order to present greater evils; (5) that the dividing of a parish for the purpose of organizing new congregations be not insisted on if thereby a whole congregation would be seriously disturbed.

4.67 Reports of Removal

Pastors shall report the removal of any of their members to the parish to which such members have removed, in order to prevent a deplorable and unnecessary loss of members. Members shall keep their pastors informed of such removals.



V. PASTORS AND TEACHERS

A. CALLS

5.01 Eligible Pastors and Teachers

a. Congregations which are members of the Synod, in conformity with Article III, 3 of the Constitution of the Synod, shall call and be served only by pastors and called teachers who have been admitted to these respective ministries in accordance with the rules and regulations set forth in the synodical *Handbook* and have thereby become members of the Synod.

b. Congregations which violate this requirement and persist in such violation shall after due admonition forfeit their membership in the Synod.

5.03 Advising Member Congregations

Congregations shall seek the advice of the respective District officials when calling pastors or teachers.

5.05 Advising Nonmember Congregations

a. Lutheran congregations not members of the Synod making application to the Synod for pastors or teachers shall also have the benefit of such official advice.

b. The Synod expects such congregations to honor its rules and regulations and express a willingness to consider membership in The Lutheran Church—Missouri Synod.

5.07 Non-Lutheran Congregations

Congregations of non-Lutheran faith making application to the Synod for pastors or teachers shall not be denied their request, provided that the congregation making application—

a. declares its unconditional acceptance of the Bible as the Word of God;

b. declares its willingness to permit its pastor to minister to it in accordance with the Confessions of the Lutheran Church;

c. declares its willingness after due instruction to sever its connection with any heterodox body with which it may be affiliated.

5.09 Serving Non-Lutheran Congregations

A pastor of the Synod, if requested by a non-Lutheran congregation without a pastor to fill its pulpit, may do so for a longer or shorter period of time, in order that such a congregation may hear the Word of God expounded in its truth and purity. Under such circumstances a pastor will not publicly celebrate the Lord's Supper in that congregation. If such a congregation desires to extend a regular call to one of our pastors, the conditions as provided in paragraph 5.07 c must be observed.

5.11 Assignment of Calls

a. The Council of Presidents, acting as the Board of Assignments, shall regularly assign to the graduates and available supply students, interns, and vicars of the Synod's educational institutions, and to workers available from colloquy programs and church-work training programs, the calls and appointments for pastors, teachers, deaconesses, missionaries, and church workers which congregations, qualified associations, and synodical and District boards have sent.

b. The placement officers of the respective institutions shall be consulted before the assignments are made.

c. The President of the District to which a candidate is to be assigned shall be consulted, and his suggestions and recommendations shall be part of the final recommendation to the plenary Board of Assignments.

B. ORDINATIONS AND INSTALLATIONS

5.21 Prerequisites for Ordination

a. A candidate for the office of the pastoral ministry in The Lutheran Church—Missouri Synod may be ordained when the following prerequisites have been met:

1. He shall have completed the prescribed courses of study and have received a diploma from one of the Synod's seminaries, or have fulfilled the requisites for a colloquy according to the synodical *Handbook*, 5.71 to 5.91.

2. He shall have received endorsement by the

proper faculty or the Colloquy Committee for the Pastoral Office and in every respect have been declared qualified by them for the office of the ministry of Word and Sacrament in the church.

3. He shall have indicated complete dedication to the ministry and the readiness to accept a call extended to him by the Board of Assignments.

4. He shall have received and accepted a call to a position the incumbent of which may be ordained according to the regulations of the Synod.

5. He shall have received and accepted a call extended through the proper channels to assume full-time work in the church.

6. He shall have made application for membership in the Synod and have submitted a request for ordination to the respective District President or to the proper official of the board through which the call was extended.

b. Graduates of the St. Louis and Fort Wayne seminaries who have fulfilled the prerequisites stated in a, 1—4, and who wish to continue their professional studies shall be assigned and ordained upon their request under the following conditions:

1. A call shall have been extended by a congregation or a proper board expressing preference for a particular candidate to be assigned to the function of pastor or other synodically approved office.

2. The District President shall approve the call, and the candidate shall be assigned by the Board of Assignments.

3. The District President shall approve the request for ordination and receive the candidate upon his application as a member of the Synod and the District.

5.23 Responsibility of District President

The District President shall be responsible for the ordination of candidates for the ministry and the installation of pastors and teachers in congregations within his District. If the President is unable to perform these duties in person, he may delegate these duties to another pastor who is a member in good standing of an orthodox Lutheran body. If possible, the pastor officiating at such ordination or installation shall be assisted by one or more pastors.

5.25 Place and Manner of Ordination

a. The ordination of a candidate shall as a rule, for the sake of good order in the church, take place in the presence of the congregation to which he has been called. However, the President of the District in which the calling congregation is located may permit the ordination to take place in the home congregation of the candidate and accordingly, with the permission of the calling congregation, authorize the ordination of the candidate in his home congregation. The President of the District in which the calling congregation is located shall issue a diploma of ordination.

b. The installation of candidates or pastors shall always take place in the presence of the congregation to which they have been called.

c. Candidates and pastors shall be ordained and installed in accordance with accepted Lutheran forms for that purpose and shall be solemnly pledged to the Scriptures as the inspired and inerrant Word of God and the Symbolical Books of the Lutheran Church as a true exposition of the Scriptures.

5.27 Installation of Professors

Professors at the Synod's educational institutions shall be installed in accordance with accepted Lutheran forms for that purpose and shall be solemnly pledged to the Scriptures as the inspired and inerrant Word of God and to the Symbolical Books of the Lutheran Church as a true exposition of the Scriptures. The installation shall be performed by the respective District President or by his representative.

5.29 Induction of Instructional Staff Members

Candidates assigned to a synodical educational institution by the Board of Assignments shall be inducted into office in accordance with accepted Lutheran forms for that purpose. They shall be solemnly pledged to the Scriptures as the inspired and inerrant Word of God and to the Symbolical Books of the Lutheran Church as a true exposition of the Scriptures. Having made application for membership in the Synod, they may be ordained or installed respectively by the District President or his representative.

5.31 Installation of Teachers

Teachers at Lutheran elementary and secondary schools who have been duly elected and called by a congregation or congregations for full-time service in the church shall, after having made application for membership in the Synod, be installed in accordance with accepted Lutheran forms for that purpose and shall be solemnly pledged to the Scriptures as the inspired and inerrant Word of God and to the Symbolical Books of the Lutheran Church as a true exposition of the Scriptures. The installation shall be performed by the pastor of the congregation upon authorization by the District President.

5.33 Transfers

A pastor or a teacher accepting a call to a member or nonmember congregation in a sister District, or to an institution served by such District, shall immediately report such decision to his District President and ask for a transfer of membership. The District President shall forward such transfer to the President of the sister District. Upon receipt of the transfer and of a request for installation from the pastor or teacher, the District President of the sister District shall install or authorize installation of such pastor or teacher.

C. CLERGY AND TEACHER ROSTERS

5.41 Placement and Removal

Subject to the provisions of the Constitution and Bylaws the District President shall be responsible for the initial placement of the names of all clergymen and teachers on the clergy and teacher rosters respectively of the Synod and also for their removal.

5.43 Continuing Eligibility

To be retained on the roster, a clergyman or teacher, as the case may be, must be performing the duties of one of the following offices:

- a. A pastor called to serve a parish;
- b. A teacher called or appointed to serve a parish;
- c. An officer of the Synod or a District, elected by the Synod or a District;
- d. An executive or professional staff member

appointed by the Synod or by one of its controlled organizations;

e. A missionary called or appointed by the Synod or by one of its Districts;

f. An instructor, administrator, or other staff member on the faculty of a synodical educational institution or of an educational institution recognized by the Synod;

g. A military or institutional chaplain called by the Synod or by one of its Districts;

h. An executive or professional staff member called or appointed by a church-related agency recognized by the Synod.

5.45 Emeritus

A clergyman or teacher who has retired after reaching the age of 55 or for reasons of total and permanent disability shall be eligible for retention on the roster. Any unusual case shall be decided by the Council of Presidents.

5.47 Candidate Status

a. A clergyman or teacher who is eligible to perform the duties of the offices of ministry specified in Bylaw 5.43 but who is not currently performing those duties and who is not retired may be continued on the roster for a period not to exceed three consecutive years, subject to annual review by the President of the District of which he is a member. For the extension of the candidate status beyond three consecutive years the Council of Presidents shall require an annual application from the candidate as well as an evaluation by his District President. The Council shall determine by written ballot whether or not the request shall be honored, in each instance, for an additional year.

b. Among criteria for determining whether candidate status should be granted or continued are: the health of the applicant; the extent of his current involvement on a part-time and assisting basis in the ministry of Word and Sacrament; a demonstrated willingness to consider a call or appointment to a position recognized by the Synod under its Bylaw regulations.

5.49 Reinstatement

All applications for reinstatement to the clergy or teacher roster of the Synod shall be addressed to the President of the District in which the applicant last held membership. The President of the District shall review the matter and shall make a recommendation to the Council of Presidents, which shall decide the issue by means of a written ballot. If the applicant is reinstated, the District President shall announce this fact in an official periodical of the Synod.

D. MISSIONARIES

5.61 Commissioning

Missionaries and itinerant preachers who are not called by and to a specific congregation shall be commissioned according to accepted Lutheran forms and shall be pledged to the Scriptures as the inspired and inerrant Word of God and to the Symbolical Books of the Lutheran Church as a true exposition of the Scriptures.

5.63 Order for Ordination and Commissioning

The order for the ordination and commissioning or commissioning of a missionary called into the foreign fields shall be issued upon the request of the Board for Mission Services by the President of the District in which the missionary resides. The order for the commissioning of missionaries for service within a District of the Synod shall be issued by the President of that District.

5.65 Membership in the Synod

The application for membership in the Synod shall be addressed to the Board for Mission Services and shall be acted on at the next convention of the Synod. The District affiliation of a missionary in a foreign field shall be with his home District unless he requests membership in another District. If the Synod does not meet in that year, the application shall be presented to the convention of the home District of the applicant and be acted on.

E. ADMISSION TO THE PASTORAL MINISTRY BY COLLOQUY

5.71 Colloquy Committee

The Colloquy Committee for the Pastoral Office shall consist of a Vice-President of the Synod, appointed by the President of the Synod, and the presidents of the theological seminaries at St. Louis and Fort Wayne. The Vice-President shall be chairman of the committee.

5.73 Functions

The Colloquy Committee shall—

- a. direct the synodical activity in matters of colloquies for the pastoral office according to regulations adopted by the Synod;
- b. establish academic and theological standards for admission to the office of the pastoral ministry by colloquy;
- c. recommend applicants for acceptance into the pastoral ministry of the Synod to the Council of Presidents acting as the Board of Assignments.

5.75 Application for Admission

- a. Applications for admission to the pastoral colloquy program shall be directed to the President of the District where the application originates.
- b. The District President on receipt of application shall transmit the application to the chairman of the Colloquy Committee. The application shall be accompanied by the following documents:
 1. an autobiographical statement by the applicant, setting forth clearly his background and his reason for wishing to qualify for the pastoral ministry in the Synod;
 2. official transcripts of the applicant's secondary, collegiate, and seminary training and a full description of noncredit academic work done by the applicant;
 3. testimonials as to Christian character and life, personality, ability, and previous service from no fewer than three competent references who have known and observed the applicant for at least 2 recent years;
 4. where applicable, testimonials witnessing to

past service in the denomination where the applicant previously served as pastor, together with evidence of good standing in the ecclesiastical body from which he has severed connection or is in the process of severing connection.

c. Men who are teacher members of the Synod or directors of Christian education shall in addition to the above testimonials from the District President also present a recommendation from the superintendent of the schools or a comparable officer of the District in which they have last served as teachers or directors of Christian education.

d. The District President shall assure the Colloquy Committee of his sponsorship of the applicant before the committee can act favorably on the application.

5.77 Eligibility

Only such applicants shall be considered eligible for admission to the pastoral colloquy program as are:

1. ministers, or candidates for the ministry, who are in good standing in other Christian church bodies and are graduates of established theological seminaries;
2. men who are graduates of the Synod's colleges, whose names appear on the roster of the Synod as teacher members of the Synod, and who have had at least 10 years of successful experience as a Lutheran teacher or director of Christian education and are in good standing in a congregation of the Synod;
3. members in good standing of synodical congregations who are graduates of an established non-synodical seminary;
4. members in good standing of synodical congregations who are over the age of 40, are college graduates, and have had considerable experience in church work;
5. members in good standing of a synodical congregation who belong to a special ethnic or linguistic group, who have a college-level education, and who have had considerable experience in church work.

5.79 Publication of Applicant's Request

After the District President has furnished the

Colloquy Committee with the required documents and the committee has assured itself that the applicant qualifies for the colloquy program, the committee shall publish the request of the applicant in an official periodical of the Synod. If no valid objection is filed within four weeks after the notice of the application has been published, the committee shall proceed with the colloquy program.

5.81 Program of Instruction

a. After admission to the pastoral colloquy program, a full final year of resident training in one of our Synod's seminaries, as well as a vicarage under synodical auspices, shall be expected of:

1. ministers, or candidates for the ministry, in good standing in other Lutheran church bodies;

2. members in good standing of synodical congregations who are graduates of an established nonsynodical Lutheran seminary.

b. After admission to the pastoral colloquy program, not less than two full and up to three full academic years of instruction at one of the Synod's theological seminaries, including not less than one full year in residence, as well as a vicarage under synodical auspices, shall be expected of:

1. ministers, or candidates for the ministry, in good standing in non-Lutheran Christian church bodies;

2. graduates of a non-Lutheran seminary in good standing in a synodical congregation;

3. graduates of the Synod's teachers colleges who have at least 10 years of successful experience as a Lutheran teacher or director of Christian education.

c. After admission to the pastoral colloquy program, a minimum of 2 full academic years of instruction at one of the Synod's theological seminaries, at least 1½ years of which shall be in residence, as well as a vicarage under synodical auspices, shall be expected of:

1. members in good standing of synodical congregations who are over 40, are college graduates, and have had considerable experience in church work;

2. members in good standing of synodical congregations who belong to special ethnic or linguistic

groups, who have a college-level education, and who have had considerable experience in church work.

d. The committee shall determine the course of study and length of vicarage for each candidate on the basis of his needs and ecclesiastical background. In general, the course of study should include courses in the major areas of theology. In exceptional cases the committee may regard special educational attainments or church work experience as meeting a portion of the aforementioned requirements, provided that the Synod's high professional standards for the ministry are maintained.

e. The committee may ask District Presidents or other qualified persons to assist them from time to time in special cases.

f. The criteria by which the committee shall judge a man's progress are:

1. Readiness for admission to the office as demonstrated according to standards established by the Colloquy Committee by—

aa. an acceptable level of achievement in the area of general education;

bb. satisfactory completion of a well-rounded and comprehensive training in all major fields of theology;

cc. satisfactory completion of a supervised vicarage.

2. In the case of men who have been educated in foreign lands with differing educational and ecclesiastical requirements who are expected to serve ethnic and special linguistic groups in The Lutheran Church—Missouri Synod, the committee is authorized to waive or modify certain of the above-mentioned requirements in accord with the committee's good judgment.

3. Before being declared qualified for the pastoral ministry in the Synod, the applicants shall submit satisfactory theological papers and sermons and pass comprehensive written and oral examinations in the major areas of theology under the direction of the Colloquy Committee for the Pastoral Office.

4. They shall give evidence that they fully understand and accept the doctrinal standards of the Synod, are acquainted with its practice, and have the

ability and intention to teach, preach, and practice in conformity with these standards.

5.83 Certificate of Eligibility

Applicants who have satisfactorily passed their examination shall be given a certificate of eligibility by the Colloquy Committee.

5.85 Placement

Every applicant whom the committee declares qualified for the pastoral ministry shall be assigned his first placement by the Council of Presidents acting as the Board of Assignments.

5.87 Applicants from Affiliated Church Bodies

Applications from pastors or candidates of theology who are members of an affiliated church body and have previously given satisfactory evidence of their qualifications for the pastoral ministry may be received without examination of the applicant.

5.89 Report to the Convention

The Colloquy Committee shall render a full report on its activities to each convention of the Synod.

5.91 Argentina Colloquy Board

The Colloquy Committee for applicants for the pastoral ministry in the Argentine District shall be the President of the Argentine District and the president of the seminary at Buenos Aires.

F. ADMISSION TO THE TEACHING MINISTRY (INCLUDING DIRECTOR OF CHRISTIAN EDUCATION) BY COLLOQUY

5.101 Colloquy Committee for the Teaching Ministry

a. *Membership.* The Colloquy Committee for the Teaching Ministry shall consist of a Vice-President of the Synod and the presidents of the synodical colleges offering a bachelor degree in teacher education.

b. *Functions.* The Colloquy Committee for the Teaching Ministry shall—

1. direct the synodical activity in matters of

colloquies for the teaching ministry according to regulations adopted by the Synod;

2. establish academic and theological standards for admission to the teaching ministry by colloquy, and in the establishment of these standards the board shall consult the faculties of the synodical colleges offering a bachelor degree in teacher education;

3. approve for admission to the colloquy program for the teaching ministry those applicants who meet the preliminary requirements;

4. make a full report of its activities to every convention of the Synod.

5.103 Academic and Theological Requirements for the Colloquy

Applicants for the colloquy shall be expected to meet the following academic and theological requirements before their final examination by the committee:

- a. a college program culminating in the bachelor degree;

- b. the completion of certain required courses or their equivalent in the areas of education, doctrine, Biblical interpretation, church history and practice to meet the academic and theological standards established by the Colloquy Committee;

- c. one year of successful teaching in a school within the Synod prior to permanent placement in the church, or student teaching under the supervision of a synodical college offering a bachelor degree in teacher education;

- d. residence work of at least two full quarters, either in the summer or during the school year, at a synodical college offering a bachelor degree in teacher education.

5.105 Procedures

a. Applications of men and women for admission into the colloquy program shall be directed to one of the synodical colleges offering a bachelor degree in teacher education. The application shall be accompanied by the following documents:

1. an autobiographical statement setting forth clearly the applicant's background, religious affilia-

tion, and training and his reason for wishing to qualify for the teaching ministry in the Synod;

2. official transcripts of the applicant's secondary and collegiate training and a full description of noncredit academic work done by the applicant;

3. a recommendation, whenever applicable, from the Superintendent of Schools or from the chairman of the Board of Education of the District in which the applicant taught;

4. testimonials as to Christian character and life, personality, ability, and previous service from the applicant's pastor, and two references from a previous employer or people who have observed the applicant for at least two recent years.

b. The college shall forward the application together with all required documents to the following for their recommendation: the President of the District in which the applicant resides, the chairman of the Colloquy Committee for the Teaching Ministry, and the president of the college at which the applicant proposes to study.

c. The college shall submit for publication in an official periodical of the Synod the requests for colloquies of all persons whose applications have been approved. If no valid objection is filed within four weeks after the publication of such notice, the colloquy procedure may continue.

d. The college shall appoint an adviser for the applicant and an examining committee.

e. The adviser shall assist the applicant in arranging the appropriate qualifying program and, when all requirements have been met, recommend the applicant to the examining committee for a review of his competency and readiness for admission to the office of the teaching ministry. Ordinarily the adviser shall participate in the final oral examination.

5.109 Certification of Eligibility for Placement

a. The examining committee shall recommend to the faculty for endorsement those applicants who have satisfactorily passed written and oral examinations.

b. The college certifying the applicant as a candidate for the teaching ministry shall—

1. report its action to the members of the Colloquy Committee for the Teaching Ministry and the President and Superintendent of Schools of the synodical District in which the candidate resides;

2. publish a report of its favorable action in an official periodical of the Synod.

5.111 Placement

Every applicant whom the college declares qualified for the teaching ministry shall receive his first placement from the Council of Presidents acting as the Board of Assignments on recommendation of the Colloquy Committee.

5.113 Directors of Christian Education

The foregoing Bylaws 5.101 to 5.111 shall also apply to application for recognition as a director of Christian education through the colloquy process. The requirement of Bylaw 5.103 c shall be construed as including also alternative service in the position of director of Christian education.

5.115 Applicants from Affiliated Church Bodies

Applications from teachers or candidates for the teaching ministry who are members of an affiliated church body and have previously given satisfactory evidence of their qualifications for a teaching position in the Synod may be received without examination of the applicant.

5.117 Teacher Colloquies in Argentina

Teacher colloquies in the Argentine District shall also be conducted according to these regulations, adapted to requirements of the District. A Vice-President of the District and the faculty engaged in teacher education shall constitute the Colloquy Committee for Teachers. A District Committee on Assignments shall make the first placement.

G. ADMISSION TO THE DEACONESS MINISTRY BY COLLOQUY

5.121 Colloquy Committee for the Deaconess Ministry

The Colloquy Committee for the Deaconess

Ministry shall consist of a Vice-President of the Synod appointed by the President of the Synod and one representative from each of the entities preparing deaconesses for The Lutheran Church—Missouri Synod. The Vice-President of the Synod shall be chairman of the committee.

5.123 Functions

The Colloquy Committee for the Deaconess Ministry shall—

a. direct the synodical activity in matters of colloquies for the deaconess ministry according to regulations adopted by the Synod;

b. establish the standards for admission to the deaconess ministry of the Synod by colloquy;

c. approve for admission to the colloquy program for the deaconess ministry those applicants who meet the preliminary requirements;

d. make a full report of its activities to every convention of the Synod.

5.125 Application for Admission

a. Application for admission into the colloquy program shall be directed to one of the entities preparing deaconesses for the Synod. The application shall be accompanied by the following documents:

1. an autobiographical statement by the applicant, setting forth clearly her background and her reason for wishing to qualify for the deaconess ministry in the Synod;

2. official transcripts of the applicant's collegiate and professional training and a full description of noncredit academic work done by the applicant;

3. testimonials as to Christian character and life, personality, ability, and previous service from no fewer than three competent references who have known and observed the applicant for at least two recent years.

b. The preparatory entity shall forward the application together with all required documents to the following for their recommendation: the President of the District in which the applicant resides and the individual members of the Colloquy Committee for the Deaconess Ministry.

c. The preparatory entity shall submit for publication in an official periodical of the Synod the request for colloquies of all persons whose applications have been approved by the District President and the Colloquy Committee for the Deaconess Ministry. If no valid objection is filed within four weeks after the publication of such notice, the colloquy procedure may continue.

d. The preparatory entity shall appoint an adviser for the applicant and an examining committee.

e. The adviser shall assist the applicant in arranging the appropriate qualifying program and, when all requirements have been met, recommend the applicant to the examining committee for a review of her competency and readiness for admission to the office of the deaconess ministry. Ordinarily the adviser shall participate in the final oral examination.

5.127 Requirement for Certification of Eligibility

a. Four years of college training leading to a bachelor of arts degree with a major in theology or approved equivalent, and a year of supervised internship shall be considered the quantitative minima for admission to the deaconess ministry by colloquy.

b. Readiness for admission to the deaconess ministry shall be demonstrated according to standards approved by the Colloquy Committee for the Deaconess Ministry by:

1. an acceptable level of achievement in the area of general education;

2. satisfactory completion of a well-rounded and comprehensive training in theology;

3. fulfillment of a minimum of one year's residence at one of the educational institutions where deaconesses are prepared for The Lutheran Church—Missouri Synod;

4. satisfactory completion of a supervised internship year.

c. After the successful completion of the residency and internship, each applicant shall submit to a written and oral examination in the areas of deaconess service.

d. The examining committee shall recommend to the faculty of the preparatory entity for endorsement

those applicants who have successfully passed the written and oral examinations.

e. The preparatory entity certifying the applicant as a candidate for the deaconess ministry shall—

1. report its action to the deaconess colloquy committee and the President of the District in which the applicant resides, and

2. publish a report of its favorable action in an official periodical of the Synod.

5.129 Placement

Each applicant whom the committee declares qualified for the deaconess ministry shall be assigned her first placement by the Council of Presidents acting as the Board of Assignments.

H. LAY MINISTERS

5.131 Committee for Lay Ministers

a. *Membership.* The Committee for Lay Ministers shall consist of one District President, one parish pastor, one member of a synodical seminary faculty, one member representing the lay ministry program at Concordia College, Milwaukee, a Vice-President of the Synod, who shall serve as chairman, and the Executive Secretary of the Board for Higher Education or his representative in an advisory capacity.

Full-time or part-time staff may be engaged by the board as conditions may warrant and require, with the approval of the Board of Directors.

b. *Election.* The voting members of this committee shall be elected with overlapping terms by the Council of Presidents.

c. *Functions.* The Board for Lay Ministers shall:

1. direct the colloquy program for lay ministry according to regulations adopted by the Synod;

2. serve as the Advisory Council to Concordia College, Milwaukee, in its lay ministry program;

3. work in harmony and cooperation with the lay ministry program of Concordia College, Milwaukee, of which it is an extension;

4. establish the academic and theological standards for admission to the lay ministry by colloquy, in consultation with the faculty of Concordia College, Milwaukee;

5. approve for admission to the colloquy program for lay ministry those applicants who meet the preliminary requirements;

6. examine applicants as to readiness for acceptance into the lay ministry of the Synod, recommend approved candidates to the Board of Assignments for placement, and provide guidelines for their supervision;

7. make a full report of its activities to every convention of the Synod.

5.133 Eligibility

Applicants shall be at least 20 years old, or have 2 years of college, and agree to have administered prescribed aptitude, achievement, personality, and vocational entrance tests. Personal interviews may be required.

5.135 Application for Admission

a. Applications of men and women for admission to the lay ministry colloquy program shall be directed to Concordia College, Milwaukee. The application shall be accompanied by the following documents:

1. Complete background information setting forth clearly the applicant's background, religious affiliation, previous church-work activity and experience, employment record, formal and informal education, and reasons for wishing to qualify for lay ministry service in the Synod.

2. Official transcripts of the applicant's secondary and collegiate training and a full description of noncredit academic work done by the applicant.

3. Testimonials as to Christian character and life, personality, ability, and previous service from the applicant's pastor and two references from previous employers or persons who have observed the applicant for at least two years.

4. A letter of endorsement from the applicant's District President.

5.137 Publication of Applicant's Request

The name of an applicant requesting admission to the lay ministry program shall be published in an official periodical of the Synod after his application has been endorsed by the District President and

approved by the committee. If no valid objection is filed within four weeks after publication of such notice, the colloquy procedure may continue.

5.139 Academic and Theological Requirements

Applicants for admission to lay ministry by colloquy shall be expected to meet the following academic and theological requirements before their final examination by the board:

a. A college program culminating in the Associate in Arts degree or its demonstrated equivalent.

b. The completion of required courses or their equivalent in the areas of general education, Christian doctrine, Biblical interpretation, church history, and practice, to meet the academic and theological standards established by the board.

c. Evidence of successful service in a church agency within the Synod prior to regular placement in the church.

d. Residence at a synodical college as determined necessary or desirable by the committee.

5.141 Placement

a. The committee shall recommend placement of those applicants who have satisfactorily completed their colloquy studies and passed their colloquy examination.

b. The committee shall report its action to the President of the District in which the candidate resides and publish a report of its favorable action in an official periodical of the Synod.

c. Every applicant whom the committee declares qualified for lay ministry shall be assigned his first placement by the Board of Assignments.

5.143 Service and Supervision

a. Male lay ministers are licensed, not ordained, to serve in all areas of the ministry of the Word when authorized by a local congregation and supervised by an ordained pastor.

b. Women engaged in this area of the church's work are licensed to serve in such areas of the ministry of the Word as are authorized by a local congregation and supervised by an ordained pastor,

except in those functions distinctive to the pastoral office.

c. The President of the District in which a lay minister is assigned shall be responsible for his supervision, which, however, may be delegated to another ordained pastor in the District. If a lay minister is assigned to a congregation, he shall serve under the supervision of his own pastor. The District President shall approve all reassignments of lay ministers within his District.

d. If a lay minister wishes to accept an assignment in a District other than the one in which he is serving, his transfer requires the approval of both District Presidents.

e. Lay ministers may serve as lay delegates to conventions of the Synod.

I. CONFERENCES OF PASTORS AND TEACHERS

5.151 Official Pastoral and Teachers Conferences

a. In each District of the Synod there shall be an official conference for its pastors and an official conference for its teachers. Each official conference shall consist respectively of all clergymen and all teachers on the District roster and shall meet, if possible, in plenary sessions at least once each year and may meet more frequently in major sections (not more than four sections) whose geographical boundaries shall be established by the District in convention. Also such major sectional meetings shall be regarded as sessions of the official conference.

b. All clergymen and teachers on the District roster are expected to attend meetings of their official conference or present a valid excuse.

c. The plenary and the sectional meetings of both official conferences may adopt and submit overtures to the District and synodical conventions.

d. Four weeks prior to the convention of the District the minutes and essays or a reasonably comprehensive summary of the essays accepted by the pastoral conference and by the teachers conference in plenary and sectional meetings shall be submitted to a committee appointed by the District

President for examination and a report to the convention.

5.153 Other Conferences

a. The official pastoral and official teachers conferences shall be encouraged to meet also jointly for the purpose of discussing doctrinal, professional, and practical matters.

b. Pastors and teachers are encouraged to organize smaller conferences in addition to their official conferences.

c. Intersynodical conferences for the study of theology are desirable and are encouraged on a regular basis.

5.155 Purposes of Conferences

The official conferences of pastors and teachers shall be conducted for the spiritual and professional growth of their members. Matters pertaining to Christian doctrine and practice, to professional problems, to the proper conduct in office, to private study, to the welfare of the respective congregations and schools, to the work of the District and of the Synod, or to any other professional matter shall at all times receive due and sympathetic attention. The members of the conferences shall aim to cultivate brotherly relationship, be mutually helpful in every way possible, and encourage, instruct, and admonish one another in a spirit of sincerity and Christian love. Professional conferences have no synodical administrative functions.

5.157 Attendance at Official Conferences

Attendance at the official conferences shall be obligatory for pastors and teachers serving in congregations and parishes. Those whose office in the Synod, District, or synodical institution imposes professional or service requirements on which full and regular conference attendance makes undue demands, shall nevertheless, in consultation with their supervisory boards, arrange for their own partial or occasional attendance and participation in their own official conferences.



VI. COLLEGES AND SEMINARIES

A. BOARDS OF REGENTS

6.01 Membership

Each college and seminary of the Synod shall be governed, subject to general policies set by the Synod, by a board of regents.

a. The Board of Regents of each theological seminary shall consist of the following voting members:

1. three pastors, one teacher, and three laypersons elected by the convention of the Synod;
2. a Vice-President of the Synod designated by the President of the Synod;
3. the President of the geographical District in which the seminary is located.

b. The Board of Regents of each college shall consist of the following voting members:

1. one pastor, one teacher, and three laypersons elected by the convention of the Synod;
2. one pastor, one teacher, and one layperson elected by the geographical District in which the institution is located, together with the President of that geographical District or a District Vice-President as his standing representative.

c. All members must hold membership in a member congregation of the Synod, and not more than two of the elected members shall be members of the same congregation. They shall not be on the salaried staff of a synodical educational institution or enter into any gainful business, contracts, or transactions with the institution.

d. The election of the Board of Regents of the seminary in Argentina shall be vested in the Argentine District.

6.03 Functions

In exercising its relationship to the Synod and to the Board for Professional Education Services as set forth elsewhere in these Bylaws the Board of Regents of each institution shall—

- a. make certain that the work of the institution is carried on effectively and to that end require reports

from the president as its executive officer and through him from other officers and staff members;

b. be responsible for the educational programs of the institution;

c. be responsible for the general welfare of the instructional staff members and other employees, adopt regulations governing off-campus activities, develop policies regarding salary and wage scales, tenure, promotion, vacations, health examinations, leaves, dismissal, retirement, pension, and other employee welfare benefit provisions;

d. be responsible for the general welfare of the students, their housing and board facilities, health services, appropriateness of cocurricular and off-campus activities, and employment;

e. exercise its responsibility for the efficient business management of its institution through a business officer appointed by it on recommendation of the president of the institution and responsible to him; under its supervision the business officer shall keep accurate accounts of all moneys and other assets, regularly deposit all moneys in banks designated by the board, submit his books for inspection and audit, and, at the Synod's expense, furnish appropriate bond for the faithful performance of his duties;

f. be responsible for the physical property, grounds, buildings, and equipment and keep them in good repair;

g. supervise the collection and disbursements of all funds raised by students for student activities;

h. operate and manage the institution as the agent of the Synod, in which ownership is primarily vested and which exercises its ownership through the Board of Directors as custodian of the Synod's property, the Board for Professional Education Services, and the respective Board of Regents as the local governing body. All matters which according to synodical regulation require the attention of any board, agency, or officer of the Synod shall be submitted to the Board for Professional Education Services for referral to the appropriate recipient;

i. be the governing body corporate of the institution and be vested with all powers which its members may exercise in law either as directors, trustees, or

members of the body corporate, unless in conflict with the laws of the domicile of the institution or its articles of incorporation; in such event the Board of Regents shall have power to perform such acts as may be required by law to effect the corporate existence of the institution;

j. receive all gifts either by deed or will or otherwise made to the institution and deliver same promptly to the Treasurer of the Synod or such other person as may be designated by the Board of Directors. If delivery is precluded by law or the terms of the gift, the Board of Regents shall hold and administer the same, in accordance with the terms of the instrument creating such gift and in accordance with the policies of the Board of Directors of the Synod;

k. acquire, maintain, and sell property under policies established by the Board of Directors and with the approval of the Board for Professional Education Services;

l. determine that the charter, articles of incorporation, constitution, and bylaws of each institution conform to and are consistent with those of the Synod; changes therein shall receive the prior consent of the Board for Professional Education Services and, where applicable in property and financial matters, of the Board of Directors;

m. have no power to close its institution or to sell all or any part of the property which constitutes the main campus;

n. recognize that the responsibility of the Board of Regents resides in the board as a whole. The board shall delegate the application of its policies and execution of its resolutions to the president of the institution as its executive officer;

o. designate a faculty member of the institution as acting president in case of the president's absence, his temporary incapacity, or a vacancy in the office.

B. PRESIDENTS

6.11 Election

a. The Board of Regents, with prior consent of the Board for Professional Education Services, shall issue in the official periodical of the Synod a call for

the nomination of candidates for the presidency of the institution. The call for nominations shall describe the office and qualifications desired to fill it.

b. Candidates may be nominated by congregations of the Synod, the Board for Professional Education Services, the Board of Regents, and the faculty of the institution.

c. All nominations must be filed with the secretary of the Board of Regents within 90 days of the date of its published request unless the request sets a later date. The secretary of the Board of Regents shall thereupon publish the names of the nominees in an official periodical of the Synod, stating also the date on which the election is to be held, which shall be not less than six weeks after the date of the publication of the names of the nominees. Copies of the submitted notice shall at the same time be sent to the President of the Synod and the Board for Professional Education Services.

d. All recommendations, statements of qualifications of any nominees, or objections to any nominee with reasons therefor, must be filed with the Board of Regents before the time fixed for the election. If a charge of false doctrine or offensive life is registered, the electors shall investigate and reach a decision on such charge before proceeding with the election.

e. A committee composed of three faculty members elected by the faculty and of two board members elected by the board shall make a careful analysis of the needs of the institution, the requirements of the Synod, and the academic and personal qualifications of the nominees. To this end the secretary of the Board of Regents shall make available to this committee all information, recommendations, and objections which he shall receive. On the basis of these studies a committee of faculty members elected by the faculty shall submit to the electors evaluations and pertinent recommendations regarding the candidates who have been proposed.

f. At a meeting of the Board of Regents held to elect a president, there shall be present and voting as electors: the members of the Board of Regents as a group with one vote (the District President not voting with the board); the President of the synodical District or his official representative with a distinct vote; the

President of the Synod or his official representative with one vote; and the chairman of the Board for Professional Education Services or his official representative with one vote.

g. The election shall be held on the day designated in the notice published in the official periodical of the Synod or as soon thereafter as feasible. The electors shall give due consideration to the recommendations and statements of qualifications and objections submitted on behalf of all nominees. A majority of the electors, with the members of the Board of Regents now voting as individuals, may add names to any preferred list supplied by the faculty committee after consultation with the faculty committee. If the electors are unable to complete the election, they may postpone the election and request the Board of Regents to issue a new call for nominations.

h. The Board of Regents shall extend the formal call promptly after the election and submit its action to an official periodical of the Synod for publication.

i. Whenever a call is declined, the chairman shall promptly call another meeting of the electors, at which meeting the call may be reissued or another person be elected from among the remaining candidates, or the Board of Regents may be requested to issue a new call for candidates.

6.15 Functions

The president of the institution shall be the executive officer of the Board of Regents and as such serve as the spiritual, academic, and administrative head thereof. He shall—

a. represent the institution in its relations to the Synod and its officers and boards;

b. supervise, direct, and administer the affairs of the institution and all its departments, pursuant to the rules and regulations of the Synod and its boards and agencies, and the policies of the Board of Regents;

c. bring to the attention of the Board of Regents matters which require consideration or decision and make pertinent recommendations;

d. be the academic head of the faculty, preside at its meetings, and be an ex-officio member of all standing committees of the faculty and its depart-

ments with the exception of the standing hearings committee or of another standing committee to which the functions of such a committee have been assigned;

e. periodically visit or cause to be visited the classes of professors and instructors, and in general secure conformity in teaching efficiency and subject matter to the standards and policies prescribed by the Board of Regents and by the Synod through the Board for Professional Education Services;

f. advise and admonish in a fraternal spirit any member of the faculty found dilatory, neglectful, or exhibiting problems in his teaching. Should this action prove ineffective, he shall request selected members of the faculty privately to engage their colleague in further fraternal discussion. If this results in failure to correct or improve the situation, the president shall report the matter to the Board of Regents with his recommendations for action;

g. delegate or reassign one or more of his functions to a member of the faculty or staff, although standing administrative assignments shall be made by the Board of Regents on his recommendation;

h. be responsible for the provision of spiritual care and nurture for every student;

i. carefully watch over the spiritual welfare, personal life, conduct, educational progress, and physical condition of the students and in general exercise such Christian discipline, instruction, and supervision as may be expected at a Christian educational institution;

j. be responsible for the employment, direction, and supervision of all employees of the institution;

k. be responsible for the business management of the school and for the proper operation and maintenance of grounds, buildings, and equipment;

l. make periodic and special financial reports to the Board of Regents.

6.19 Argentine Election (Seminary President)

The Board of Regents of Seminario Concordia shall issue a call for a list of candidates and shall then develop a preferred list of three candidates that must be submitted to the President of the Synod for approval before the election is held. The electors in

this instance shall be the five members of the Board of Regents.

C. FACULTIES

6.21 Members

a. The faculty of each synodical institution shall consist of the president, the administrative officers holding instructional rank, and the regular instructional staff members.

b. Special lecturers and substitute teachers shall hold advisory membership on the faculty.

c. Administrative positions may be created, modified, abolished, or have functions assigned to them by the Board of Regents on recommendation by the president of the institution. Such offices are to be those made necessary by the functions assigned to the institution and appropriate to its size and internal organization. Appointments to these offices are to be for renewable terms. Ordinarily administrative officers are also to carry a partial teaching load.

d. Administrative appointments shall be made by the Board of Regents on recommendation by the president of the institution. The Board for Professional Education Services shall periodically review the internal administrative organization of the Synod's institutions.

6.23 Appointment of Members

a. The Board of Regents on recommendation of the president of the institution shall appoint the members of the faculty.

b. The initial appointment to the faculty shall be from a list of potential faculty members for a specific position recommended by the Board of Regents and approved in advance by the Board for Professional Education Services, and in the case of initial appointments to a theological seminary shall also require the prior approval of its electors. Appointments shall ordinarily be for terms of one to four years and may be extended, but not beyond the total service period prescribed in Bylaw 6.25.

c. Proposals for renewal of appointment shall be submitted for prior review and recommendation to the Board for Professional Education Services. The Board

for Professional Education Services at its discretion may offer a report in person prior to the taking of action by the Board of Regents. Final decision on the renewal of appointment shall be the sole prerogative of the Board of Regents.

d. Appointments with permanent tenure may be made if the candidate has already been granted permanent tenure by another educational institution of the Synod or if the requirements for the granting of permanent tenure are satisfied at the time the appointment is made.

e. The Board of Regents may decline to renew the appointment of a faculty member without tenure at its discretion and without formal statement of cause. If reappointment to the teaching staff is not contemplated, the Board of Regents shall so notify the faculty member through the president of the institution at least six months prior to the expiration of the current appointment. In the case of individuals under consideration for permanent tenure (6.25 b) such notice of nonreappointment shall be made at least 12 months before the expiration of the current appointment.

f. The terms and conditions of every appointment shall be stated in writing and be in the possession of both the institution and the prospective faculty member before the appointment is consummated. Limitations of academic freedom because of the religious and confessional nature and aims of the institution shall be stated in writing at the time of the appointment and conveyed to the person being appointed.

g. The Board for Professional Education Services after consultation with its Advisory Council shall provide policy statements on academic, professional, theological, ministerial, and other criteria for the appointment and advancement of faculty members.

h. Ordinarily candidates for teaching positions with tenure on the Synod's instructional staffs shall be graduates of a theological seminary or teachers college affiliated with the Synod or shall have achieved such status by colloquy. When, in exceptional cases, laymen are involved, they should be persons who are solemnly pledged to the Holy Scrip-

tures as the inspired Word of God and to the Lutheran Confessions.

6.25 Permanent Tenure

Each educational institution of the Synod shall normally award tenure to a minimum of 40 percent and a maximum of 60 percent of its faculty.

a. Standards or qualifications for granting tenure shall be:

1. The faculty member shall ordinarily have completed five years of creditable service (periods of leave are not included) as a member of the faculty of one or more educational institutions of the Synod, at least the last two years of which shall have been in the institution he is currently serving. However, the said five-year requirement may be waived in exceptional cases if the unanimous consent of the electors is given.

2. The faculty member shall have demonstrated scholarly achievement by earning advanced academic degrees.

3. The faculty member's reputation, character, concern for students, and ability to honor leaders shall present a good reflection on the institution and the church.

4. The faculty member's aptness to teach has been demonstrated by effective communication in the classroom.

b. Steps toward granting tenure shall be:

1. If the Board of Regents, on recommendation of the president of the institution, determines that a faculty member meets the above requirements and has not been granted permanent tenure, it shall either carry forward the procedure for granting permanent tenure or inform the faculty member of its decision not to grant tenure, in which case his contract may either be renewed or terminated. In cases in which the decision is made to terminate the individual's contract, the contract shall be extended for at least six months beyond the time at which notice is given. If the Board of Regents does not take up the question of permanent tenure at least nine months prior to the end of the sixth year of service, the faculty member may petition the Board of Regents to take up the question of permanent tenure.

2. The Board for Professional Education Services shall review the candidate's qualifications and make its recommendation. At its discretion it may offer a report in person.

3. Notice of intent to grant tenure shall be announced in an official periodical of the Synod.

4. The faculty member shall be given the opportunity to respond to any comments or concerns that may have been raised relative to his tenure.

5. At least six weeks after the notice is published, consent of the electors of the institution shall be given.

6. If the above steps have all been met, after final review the Board of Regents may grant tenure.

c. The granting of permanent tenure shall in no case be construed as requiring or indicating advancement in rank or increase in salary.

6.27 Ranking of Members

a. The Board of Regents shall determine the assignment and rank of members of the faculty and of the administrative officers.

b. The approved nomenclature for the ranks of faculty members is: instructor, assistant professor, associate professor, professor.

c. The descriptive prefixes "visiting" or "guest" may be used, when appropriate, with the designation of any rank. The descriptive suffix "emeritus" may be used, when appropriate, with the designation for any rank, by special resolution of the Board of Regents in the case of each person to be so designated.

d. Persons appointed with the designation "graduate assistant" shall not be voting members of the faculty but may be granted other faculty privileges and benefits as determined by the Board of Regents.

6.29 Salary Schedules

The salary schedules of all institutional employees shall be fixed by the Board of Directors on recommendation of the Board for Professional Education Services.

6.31 Faculty Organization and Meetings

a. Instructional staff size or special synodical responsibilities may lead to the organization of a faculty senate.

b. Faculty and faculty senate meetings shall be held at regular intervals.

c. Special meetings of the faculty or of the faculty senate may be called by the president.

d. In the president's absence the designated acting president shall preside at regular and special meetings.

e. The faculty shall elect a secretary and provide for the election of committees, consisting of faculty members or of faculty members and other persons, who shall study, evaluate, and report to the faculty on policy matters affecting the activity of the institution, the activity and welfare of the members of the faculty, and the life and welfare of the students.

f. The faculty shall elect a standing hearings committee or assign the functions of such a committee to another standing committee.

6.35 Institutional Educational Policies

a. Each faculty shall adopt rules and regulations for the admission, transfer, dismissal, or withdrawal of students, fix the standards of scholarship to be maintained by students, determine criteria for their promotion, graduation, or failure, act on recommendations in the matter of granting certificates, diplomas, and such academic or honorary degrees as may lawfully be conferred by the institution.

b. Each faculty shall develop and construct curricula implementing the recognized and established purposes of the institution and designed to attain the synodically approved objectives of training for professional church workers. Each faculty shall pursue the improvement of teaching and learning and the evaluation of their effectiveness in every segment of the institution and its curriculum.

c. Each faculty shall develop policies, standards, and programs for the out-of-class life and activity of its students so that the cocurricular and off-campus activities of the student contribute to the attainment of the educational objectives of the institution. The faculty shall draw up such standards, criteria, and regulations as will be conducive to the cultivation of a Christian deportment on the part of all students, will stimulate the creation of a cultured and academically challenging atmosphere on and about the whole

campus, and will make a spiritually wholesome community life possible.

d. Each faculty shall develop policies, standards, and regulations that will contribute to the maintenance of wholesome conditions of instructional staff service and welfare.

e. The faculty of each institution which trains professional workers directly for service in the Synod shall conform its placement policies to the synodical provisions for the distribution of candidates and workers through the synodical Board of Assignments.

6.37 Institutional Policy Formation

a. The regulations, standards, criteria, policies, programs, and curricula developed and adopted by each synodical faculty shall be submitted for approval to the respective Board of Regents.

b. After approval, these regulations, standards, criteria, policies, programs, and curricula shall be administered and applied by the administrative officers of the institution.

c. The Board for Professional Education Services shall periodically review the institutional policies, programs, and curricula to determine whether they are consistent with the stated objectives of the Synod's educational system and its institutions.

6.39 Evangelical Discipline and the Right of Appeal

a. Each faculty shall develop, formulate, promote, and foster ideals, standards, and criteria of personal conduct and of the community life of the campus worthy of the Christian calling and of ministers in training for the church.

b. Each Board of Regents on recommendation of the faculty, shall adopt a comprehensive policy statement committing the school and its officers to the principles of Christian discipline, evangelical dealing, and good order governing the students individually and collectively.

c. Each student, together with his parents and advisers, shall be informed regarding the disciplinary policy and procedure and under what conditions and to whom an appeal from a disciplinary decision may be made. The proper line of appeal proceeds from the

student and his faculty counselor through the dean of students to the president as chief executive of the institution. In such situation there shall be no right of appeal under the provisions of Section 8.01 ff.

6.41 Controversies Among Faculty Members

Controversies and disagreements among members of the faculty (other than those set forth in 6.51) shall be submitted to the president of the institution for mediation. If this proves unsuccessful, he shall report the matter to the Board of Regents for arbitration. After hearing the parties the board will render its decision, which shall be final, without the right of appeal under the provisions of Section 8.01 ff. A record of the proceedings shall be filed with the Board for Professional Education Services.

6.43 Removal from Office

a. The Board of Regents may decline to renew the appointment of a faculty member without permanent tenure at the time of the expiration of the term of the appointment in accordance with paragraph 6.23 e.

b. No member of the faculty who has been granted permanent tenure and no member of the faculty without permanent tenure at times other than the expiration of the term of his appointment shall be removed from the faculty either by ecclesiastical authority or by the Board of Regents except for causes hereinafter enumerated and by procedures hereinafter described.

c. The only causes for which members of a faculty may be removed from office (within the definitions of a and b above), other than honorable retirement, are:

1. professional incompetency;
2. incapacity for the performance of duty because of physical, mental, or emotional disabilities;
3. refusal to cooperate;
4. neglect or refusal to perform duties of office;
5. conduct unbecoming a Christian;
6. advocacy of false doctrine (Constitution, Article II).

6.45 Board Supervision

The Board of Regents shall have the sole prerog-

ative, subject only to the action of the convention, to investigate through procedures hereinafter set forth charges of professional incompetency, incapacity for the performance of duty because of physical, mental, or emotional disabilities, refusal to cooperate, or neglect of or refusal to perform duties of office; in these cases the president of the institution shall normally present the charges. Through procedures hereinafter set forth, the Board of Regents shall also have responsibility to investigate charges of false doctrine or conduct unbecoming a Christian.

6.47 Procedures for Exercising Board Supervision

a. When the Board of Regents receives a charge against any member of the faculty of an educational institution of the Synod, in the spirit of Christian love it shall first call upon the complainant to communicate directly with the person against whom he has a complaint and attempt to find a peaceful and amicable resolution of the matter.

b. If subsequently the complainant desires to pursue the matter, he shall so notify the Board of Regents and present the charge in writing, formulated with reasonable definiteness, and the evidence. The Board of Regents shall then direct the president of the institution to attempt to deal with it to the satisfaction of all concerned. Charges against the president of the institution shall be dealt with by the chairman of the Board of Regents.

If the complainant does not notify the Board of Regents and present his charge in writing within 60 days, the Board of Regents may rule that the matter has been resolved to the complainant's satisfaction.

c. If the board decides not to proceed, or if the board has not acted within 90 days after the complainant has notified the Board of Regents in writing that he wishes to pursue the matter, and if the complainant is dissatisfied and the charge involves conduct unbecoming a Christian or advocacy of false doctrine (Constitution, Article II), the complainant may take his complaint to the District President. If he finds the action of the District President unacceptable, he may take his complaint to the synodical

President under the pertinent provisions of Bylaw 6.49.

d. If the board should decide to proceed, and if the charge is of a theological nature, the board shall submit the theological question at issue to the Commission on Theology and Church Relations for an advisory theological opinion. If in such a case the board decides that the charge is serious enough to threaten immediate harm to the accused or others by his continuance as a member of the faculty, the board may suspend the faculty member from his teaching duties; contractual obligations of the institution, however, shall continue until the charge is resolved.

e. Furthermore, if the Board of Regents has decided to proceed, it shall also direct the faculty hearings committee to hold a hearing with respect to the validity of the charge that has been made. The notification of the hearing, approved and issued by the board through the president of the institution at least four weeks in advance and sent to the chairman of the committee, to the complainant, and to the accused, shall contain (a) a statement of the charge or charges, (b) a summary of the evidence on which the charges are based, (c) a statement that the hearings committee will conduct a hearing and that the time and the place thereof shall be determined by the hearings committee, (d) a formal invitation to the complainant and the accused to attend the hearing, (e) a statement to the complainant and the accused that they are entitled to counsel, and (f) the opinion of the Commission on Theology and Church Relations if a theological issue is involved.

f. No less than two weeks prior to a suitable date set for the hearing, the accused shall submit to the president, to the hearings committee, and to the complainant his written answer to the charges or he shall state that he desires no hearing to be held.

g. If the accused fails to answer the statement of charges or declares that he desires no hearing to be held, the hearings committee shall consider whether the grounds stated constitute adequate cause for dismissal, and in its discretion may independently investigate the truth of the charges.

h. If a hearing is held it shall be private unless the accused requests a public hearing. However, the

president or his representative, and the complainant, the accused, and their advisers shall have the right to be present at the hearing at all times. Opportunity for cross examination and for presenting testimony by competent witnesses shall be afforded.

i. The hearings committee shall forward its findings to the complainant, to the accused, to the president, and to the Board of Regents.

j. After the findings of the hearings committee have been conveyed to the Board of Regents, the board, after hearing whatever additional witnesses it may desire to hear and considering all pertinent evidence, including, if it is a theological issue, the opinion of the Commission on Theology and Church Relations, shall render a decision. This decision shall in no case be rendered without having given the accused a personal hearing, with right of counsel, and with adequate opportunity for the preparation of a response to the charge, as well as having given an opportunity for the complainant with right of counsel to appear before the Board of Regents.

k. If the decision of the Board of Regents is that the accused is to be removed from the faculty, the Board of Regents shall formally, in writing, notify the accused that his appointment to the faculty is being terminated and shall specify the effective date of the termination.

l. If the charge sustained against the individual is of such a nature that it could disqualify him from further membership in the Synod under Article XIII, the District President of the accused shall be so notified and a transcript of the proceeding shall be forwarded to the District President. The District President shall then proceed in the manner prescribed in the Constitution and Bylaws.

m. If a faculty member has lost his membership in the Synod through the ecclesiastical route (Bylaw 6.49), he shall automatically forfeit his membership on the faculty after the appeals procedure has been applied or after he has failed to file an appeal within 90 days. During the 90-day period and during the appeals procedure, if an appeal is made, the Board of Regents shall suspend him from teaching activity but shall continue to meet its contractual obligations.

6.49 Ecclesiastical Supervision

A faculty member who is a clergy or teacher member of the Synod is under the ecclesiastical supervision of the Synod. In cases in which such a faculty member is charged with false doctrine or conduct unbecoming a Christian and in which the complainant finds unacceptable the decision of the Board of Regents not to pursue the charge, he may be dealt with by the District President or the synodical President and be removed from membership in the Synod and therefore from office in harmony with the provision of the Constitution and Bylaws of the Synod (e.g., Constitution Articles III, 8-9; VI; XI, B; XII, 6-9; XIII; Bylaws 1.15, 1.19, 2.101, 3.73, 3.77, 6.47 c, chapter VIII). The written decisions of the Commission on Adjudication and the Commission on Appeals required under Bylaw 8.37, including the finding of fact, the conclusions, and the reasons for such conclusions, shall be conveyed in writing to the Board of Regents of the faculty member involved.

6.51 Appeals

The normal appeals procedure set forth in chapter VIII of the Bylaws shall apply, with the provision that if the case has been handled by the Board of Regents (Bylaw 6.47) and not by the ecclesiastical authorities (Bylaw 6.49), the Commission on Adjudication shall be bypassed, notwithstanding the provisions of chapter VIII of the Bylaws, and the case shall go directly to the Commission on Appeals. Either the accused or the complainant may resort to such an appeal, but the appeal must be made within 90 days after the action has been communicated. If the complainant makes no appeal, the accused shall have the right to request a public announcement that the charge has been dismissed.

6.53 Modified Service and Retirement

a. The president of a synodical institution may be honorably retired from his presidential responsibilities by action of the Board of Regents, or at his request, at any time after the end of the school year in which he attains the age of 60 or after 15 years of service as president of the same school. He shall be relieved of his presidential responsibility at the end of

the school year in which he reaches the age of 70.

b. A president who has been honorably retired from his presidential responsibilities shall ordinarily no longer be actively associated with the school which he last served.

c. A president who has been honorably retired may elect to serve under the direct jurisdiction of the Board for Professional Education Services. In such cases the retired president's compensation and benefits shall be a direct responsibility of the Board for Professional Education Services, and his responsibilities and assignments, if any, shall be determined by that board.

d. Former presidents shall continue to hold the rank of professor if and when they become members of a faculty or staff of a synodical school or if they opt to serve directly under the Board for Professional Education Services. Former presidents shall also retain the synodical housing and retirement provisions for professors and administrators.

e. Faculty members may request early retirement under the applicable provisions of the Concordia Retirement Plan but shall be eligible for reappointment on other than a call basis at the end of the academic year in which their 70th birthday occurs. Reappointment shall be for one academic year until age 75, at which time retirement shall be mandatory.

f. Service loads and conditions of service between the ages of 70 and retirement shall be determined by the Board of Regents.

g. The compensation of a faculty member who is on modified service may be reduced provided that the Board of Regents shall, upon diligent and regular inquiry, satisfy itself that the total income available to him is sufficient to provide a level of living appropriate to his status.

6.55 Grants for Advanced Study

The Boards of Regents of the Synod's institutions shall recommend subsidies for advanced study by instructional and administrative personnel when such additional study is made mandatory or desirable by local circumstances beyond the control of the personnel involved (e.g., addition of courses, request to assist in library administration, guidance work,

requirements of achieving or maintaining accreditation, modifications which the Synod requires the school to make in its program, etc). Such recommendations are to become effective on review and approval of the Board for Professional Education Services.

6.57 Sabbatical Leave and Leave of Absence

a. A Board of Regents, with approval of the Board for Professional Education Services, may grant any member of the instructional staff who has served seven years at synodical institutions a sabbatical leave for one-half year with pay or for an entire year with half pay, to pursue advanced studies in his special field of work or in any other acceptable program of experience or research or to gain additional parish experience.

b. A Board of Regents, with approval of the Board for Professional Education Services, may grant any member of the instructional staff a leave of absence for a fixed period of time to pursue advanced studies in his special field of work or to render particular service to the Synod or to its agencies. Time so spent on a special leave shall ordinarily not be charged against a subsequent sabbatical leave. Budgetary provisions shall be arranged in advance by the boards and agencies involved.

D. FINANCES

6.61 Uniform Accounting Methods

The Board for Professional Education Services shall, in consultation with the Board of Directors and on the basis of reasonable and generally accepted educational practice, establish and prescribe uniform accounting methods, financial controls, budgetary classifications, and allocations for operating income and costs and for capital investments of each of the educational institutions of the Synod.

6.63 Budget Adjustments

a. The Board for Professional Education Services shall have responsibility for the proper administration of the subsidy of the educational institutions.

b. The Board of Regents may on recommenda-

tion of the president of the school make necessary internal transfers of current budget funds from one classification or account to another within the institution's budget. Notification of this internal transfer of current funds is to be conveyed to the Board for Professional Education Services.

6.65 Budget for Capital Improvements

On a regular basis, the schedule to be determined by the Board for Professional Education Services, the Board of Regents shall submit to the Board for Professional Education Services proposals for major repairs, capital improvements, and purchase of equipment. After due consideration of these proposals, the Board for Professional Education Services shall submit its recommendations to the Board of Directors.

6.67 Objections to or Changes in Budget

The Board for Professional Education Services shall give notice to the respective Board of Regents of any objection to, or of a proposed change in, the budget (either operating or capital investment) submitted by such board and shall, upon request, give a hearing to such board with reference thereto, prior to transmitting the same to the Board of Directors or the President of the Synod, as the case may be.

6.69 Contracts for Capital Improvements

Each Board of Regents shall make all contracts for major repairs, capital improvements, and expansion of the physical plant and equipment of its institution only after recommendation of the Board for Professional Education Services and on the authority of the Board of Directors of the Synod and shall supervise and control the execution thereof on behalf of and by order of the Board of Directors.

6.71 Business Management

a. The Board of Regents, on recommendation of the president, shall appoint a business manager. He shall keep accurate accounts of all funds, goods, property, and assets received and disbursed by the institution in accordance with the system of accounting and business records prescribed by the Board for

Professional Education Services in consultation with the Board of Directors. He shall deposit all funds in a bank or banks designated by the Board of Regents, prepare regular financial reports to be transmitted to the Board of Regents through the president, submit his books, records, files, and inventories for inspection and audit, under bonding for the faithful performance of his duties.

b. The Board of Regents is responsible for the supervision and management of student affairs, of the finances and budgets of student organizations, ventures, and services, and of properties used or acquired by student enterprises and organizations. The policies governing each student organization and its enterprises are to be submitted to the Board of Regents for its review and approval.

c. All surplus institutional funds above an adequate working balance shall be deposited with the Treasurer of the Synod.

E. SPECIAL REGULATIONS

6.81 Special Academic Programs

a. The educational institutions of the Synod may be authorized by the Board for Professional Education Services to conduct summer schools under the direction of the respective Board of Regents and faculty for regular and special students and for the in-service education of pastors and teachers.

b. The terminal institutions of the Synod may be authorized by the Board for Professional Education Services to conduct schools for graduate studies or correspondence schools under the direction of the respective Boards of Regents and faculties for regular and special students and for the in-service education of pastors and teachers.

c. The Board for Professional Education Services shall aid the institutions operating approved summer schools, schools for graduate studies, or correspondence schools in securing teaching personnel, preparing adequate curricula and programs of studies, and coordinating the programs of the various institutions offering such special programs and shall assist in the financing of these programs where this becomes necessary.

6.83 The Transfer Student

A qualified student applying for admission to an educational institution of the Synod after previous attendance at another synodical institution shall be admitted only after the admitting institution has received proper credentials, cumulative records, and a recommendation from the president of the synodical institution which the student last attended.

6.85 Eligibility and Placement of Church Workers in the Synod

a. Every regular student, special supply student, vicar, or graduate of an authorized synodical institution or approved synodical training program declared qualified for placement shall be assigned his first permanent placement in church service by the Council of Presidents, acting as the Board of Assignments.

b. Students who have not completed their program of studies at the Synod's educational institutions shall not be eligible for temporary or permanent engagement by congregations or other agencies within the Synod without the consent and approval of the respective faculty and District President. The faculties of the Synod's terminal schools shall consider applications for temporary supply work by their students only when such applications have received prior approval of the respective District President.

c. A year of supervised fieldwork is required of all theological students before graduation. Ordinarily this experience is to be gained in the second year before graduation.

d. Candidates eligible for calls are students who have completed the prescribed courses of studies, have received their diplomas from their respective institutions, and have in every respect been declared qualified by the faculties for their specific type of service in the church.

e. Women graduates of the Synod's teachers colleges or women who have given satisfactory evidence of having met the minimum requirements of the Synod are eligible for teaching positions in the schools of the church and shall receive their teaching placement through the Board of Assignments.

f. A graduate of one of the Synod's terminal

schools who desires to continue his or her professional studies after he or she has completed the prescribed undergraduate curriculum or who for any other valid reason is not ready for first placement in the church shall continue to be eligible for unqualified recommendation for placement as long as he or she can be recommended by the faculty of the institution from which he or she has graduated. The respective faculty shall annually ascertain through personal interviews with the candidate or through satisfactory testimonials that each candidate so classified is still qualified for recommendation for regular placement in the church.

6.87 Teachers Colleges

a. Students who for any reason have not completed their studies at the Synod's teachers colleges shall not be eligible for temporary or permanent service in congregations without the consent and approval of the respective faculties and District Presidents.

b. Women graduates from the Synod's teachers colleges or such women as have given satisfactory evidence of having met the minimum requirements set by the Synod are eligible for teaching positions in the Synod's schools. To obtain such positions, these women shall present themselves for placement by applying to one of the teachers college faculties, who through their placement committees will present these candidates to the official synodical committees for assignment to teaching positions. Congregations may obtain these women teachers by making formal applications, endorsed by the respective District President, to the faculties of the teachers colleges.



VII. RESOURCE DEVELOPMENT AND UTILIZATION

A. STEWARDSHIP AND FINANCIAL SUPPORT

7.01 General

The Board of Directors shall have the responsibility for providing operating and capital funds for carrying out the work of the Synod and to that end provide for a Department of Stewardship and Financial Support under the board which will promote stewardship, obtain deferred and special gifts, and coordinate capital drives for the Synod.

7.03 Stewardship Support

In the area of stewardship support the department shall—

a. provide input to other sections in the department to assist them in including proper Scriptural motivation in all special-gift and deferred-giving programs;

b. provide to the Board for Parish Services advice and materials which will cultivate congregational members to continue to grow in living their lives as faithful stewards of Jesus Christ, effectively carrying out Christ's ministry and mission collectively through congregations and through the Synod and its agencies as well as in their day-to-day personal relationships;

c. provide, in consultation with Districts, materials and training events to aid Districts, pastors, and congregations in effectively teaching the grace of proportionate giving and in promoting their program in the congregation and through the District and the Synod.

7.05 Deferred and Special Gifts

In the area of deferred and special gifts, the department shall—

a. devise Synodwide programs of deferred giving, including legacies, bequests, devises, endowments, foundations, and other trusts for the advancement, promotion, endowment, and maintenance of the

Synod and its Districts, colleges, seminaries, and other agencies, and such other causes as may be designated by The Lutheran Church—Missouri Synod Foundation and the Board of Directors of the Synod;

b. provide estate-planning services, materials, and training events in accordance with applicable policies established by The Lutheran Church—Missouri Synod Foundation, to assist estate-planning counselors throughout the Synod in consummating gifts;

c. maintain a current catalog of North American and worldwide missions, and social ministry, higher education, and other projects, on a prioritized basis, which could be funded by special gifts from individuals, congregations, and auxiliaries, and develop prospectuses for use by special gift counselors in making all calls;

d. provide materials and conduct training events to assist both volunteer and salaried special-gift counselors throughout the Synod.

7.07 District Boards

a. *Membership.* Each synodical District shall elect or appoint a committee or board for stewardship.

b. *Function.* The District board shall cooperate with the Synod's Department of Stewardship and Financial Support and shall assist and advise the local congregations in the development and promotion of an adequate stewardship program.

c. *Stewardship Secretary.* The Districts of the Synod are advised to provide for the systematic supervision and qualified guidance and promotion of stewardship education. To that end, where possible, they shall establish and maintain the office of a Stewardship Counselor or Secretary, who shall be responsible to the District Stewardship Board in the performance of his duties.

7.09 Congregational Boards

Every congregation is encouraged to elect or appoint a board or committee for stewardship, which shall be responsible for carrying on an adequate stewardship program in the manner prescribed by the congregation.

7.11 Collections Beyond Congregational Bounds

a. The solicitation of funds for the benefit of any institution, society, or association among the congregations of the Synod must have the approval of the Board of Directors of the Synod before such solicitation may be undertaken whenever the solicitation is to be made among congregations beyond the limits of any one synodical District.

b. In cases where the solicitation is to be made among the congregations of a synodical District within which the soliciting agency is located, but beyond the number of congregations directly identified with the soliciting institution, society, or association, the approval of the Board of Directors of that synodical District shall be required before such solicitation may be undertaken.

c. Requests to the Synod or District Board of Directors shall be accompanied by the recommendation of the appropriate synodical or District supervising board or commission as well as of the respective Stewardship Department.

7.13 Collections Beyond District Bounds

a. Approval by the Board of Directors of the Synod shall be required for each solicitation of capital funds beyond the confines of any one District by all listed in paragraph 7.11 above.

b. Approval by the Board of Directors for the solicitation of operating funds beyond the confines of any one District and an annual audited financial report to the Board of Directors shall be required by all listed in paragraph 7.11 above. Any such approval shall be reviewed at least every six years.

7.15 Approval Is Recommendation Only

The approval by the Synod or by a District of any special undertaking referred to in 7.11 and 7.13 shall be only a recommendation and shall not be construed to obligate the Synod or a District as such to support the undertaking financially.

B. BUDGET AND WORK PROGRAMS

7.51 General

Stewardship is the management of the total

resources God has given His people individually and collectively to carry out His mission and ministry. Therefore it follows that the budgeting process and the spending budget itself shall be designed to capitalize on the opportunities for mission and ministry challenging the Synod.

7.53 Budget Adoption Procedure

a. By November 30 of each year every board, commission, and operating department of the Synod shall submit to the Board of Directors through the Council of Administrators its proposed spending budget for the next fiscal year together with its proposed work program for the following three years. The request shall be submitted on a current dollar basis in the format and under the timetable prescribed by the Board of Directors. All programs shall show total costs and each agency's total financial support, including local, synodical, and any other support. The Council of Administrators shall review the proposed spending budget and work program and make recommendations thereon to the Board of Directors.

b. By February 15 of each year each District President or his designated representative shall confirm to the Synod the adjusted District commitment for the next District fiscal year. He will also report the estimated total income from congregations and other sources to be available for District and synodical ministry for each of the next three years. At the same time each District will also inform the Synod of the amount and percent designated for ministry within the District and that which will be available for ministry at the synodical level for the same three-year period. A report in which the District forecasts continuous and new work for the three-year period is to be shared with the Synod in order that the Synod and District may coordinate and plan for a more effective program of ministry.

c. By April 15 every year the Board of Directors shall review the estimated income and spending budget and work program information submitted; make such fiscal adjustments as it considers necessary; advise the respective boards, commissions, and operating departments of the proposed adjustments; and solicit their support concerning such adjust-

ments. The Board of Directors shall report the budget to the Synod, reflecting the mission, ministry, and stewardship performance and potential of the Synod.

d. Any board, commission, or District that disagrees with the Board of Directors budget or work program has the right to appeal by May 15 to the Board of Directors.

e. The President of the Synod, after consultation with the respective District Presidents, shall appoint a floor committee on program implementation (hereafter called floor committee) consisting of a representative from each District, plus at least one board and one staff adviser from the synodical Board of Directors and Department of Stewardship and Financial Support. Prior to the convention the floor committee shall meet to review the current budget and work program as submitted by the Board of Directors, together with any proposed adjustments. The floor committee shall report to the convention on the mission, ministry, and stewardship performance and potential of the Synod.

f. Prior to the convention the individual member of the floor committee, in consultation with the District's stewardship department or its equivalent, will endeavor to inform the District's delegates of the synodical program, finances, and floor committee recommendations. The Department of Stewardship and Financial Support shall provide assistance in this process, including resource people, if requested.

g. Overtures and recommendations that will greatly affect the budget shall be accompanied by objectives and anticipated results, cost projections, and source of funding for the next four fiscal years. Each proposed resolution from other floor committees involving expenditures, prior to its consideration on the floor of the convention, shall be presented to the floor committee, which in consultation with the representatives of the Accounting Department and the Finance Committee of the Board of Directors shall attach to the recommended resolution its observation regarding the estimated benefits and costs. All new work so proposed shall be considered on a priority basis in relation to existing programs and other proposed programs.

h. Following each convention, delegates in

cooperation with District stewardship departments and Circuit officials shall endeavor to visit each congregation in the electoral circuit to report and discuss the program of the Synod, emphasizing the congregational responsibility toward synodical and District programs. Materials to assist with the communication of the programs of the Synod and Districts shall be provided by the stewardship department.

7.55 Budget Confirmation Procedure

a. It is the responsibility of the District to provide information to its congregations concerning the spending budget and work program of the District and the Synod prior to the congregational budget-setting meeting. The congregations are encouraged to use synodical convention delegates, District convention delegates, and/or District staff personnel in this communication process. District and synodical stewardship personnel shall provide materials to assist in the process of communicating the adopted spending budgets and work programs of the District and the Synod, as well as receive information and suggestions for consideration by the respective Boards of Directors and conventions. Such materials shall be coordinated with the provisions of these bylaws.

b. By February 15 of each year the procedure outlined in 7.53 b will be followed.

c. By April 15 of each year the Board of Directors of the Synod shall review the commitments from Districts and any proposed changes to the spending budget together with the Council of Administrators recommendations thereon. The board shall then adopt a final budget for the next fiscal year.

d. In the event commitments from the Districts will not support the total spending budget, the Board of Directors may convene a meeting of the District Presidents and Council of Administrators and one person appointed by each District President, preferably the member of the floor committee, who together with the board will review the synodical program and discuss the total ministry being effected by the Synod and its Districts so as to decide on a course of action to resolve the imbalance.

7.57 Budget and Work Program Preparation

a. The Board of Directors shall be responsible for coordinating the preparation of the budget and work program as defined in Bylaw 2.187.

b. In preparation of the annual District budget and/or work program, representatives of the Board of Directors and/or Department of Stewardship and Financial Support of the Synod shall meet with the appropriate officials in each District, including the representative on the floor committee, to share information and plans concerning the total ministry of the District and the Synod.

7.59 District Conventions

a. Each District shall arrange for adequate time at its convention for a report on the budget and work program of the Synod. Such report shall be made by a representative of the Synod.

b. The responsible District floor committees shall discuss the Synod and District spending budgets and work programs and provide suggestions for consideration by the respective Boards of Directors.

VIII. ADJUDICATION AND APPEAL

A. BASIC PRINCIPLES

8.01 General Purposes and Objectives.

The provisions of this article are established in order to provide a means consistent with the Word of God to find the truth, provide for justice, safeguard the welfare of the Synod and, wherever possible, effect reconciliation (i) in all cases of excommunication and (ii) in all cases of disagreement, accusation, or controversy in which all the parties are within the following: the Synod, District of the Synod, organizations owned and controlled by the Synod, persons holding positions with any of the foregoing, or members of the Synod.

8.03 Informal Settlement Efforts

a. Before an individual may commence an action with a Commission on Adjudication involving excommunication, he shall first present his case to the appropriate Circuit Counselor. If the Circuit Counselor cannot settle the matter, the individual shall present his case to the District President. If this effort should also fail, the matter may be submitted by the individual to the appropriate District Commission on Adjudication, in accordance with provisions hereinafter set forth.

b. Before any matter other than excommunication is submitted to a Commission on Adjudication, opportunity to settle the matter shall be given to the District President, synodical President, or to the chief officer of such organization owned and controlled by the Synod as may be involved.

8.05 Exclusiveness of Remedies

Except as may be otherwise in these Bylaws set forth, expressly stated to be an exception hereto, provisions of this Article VIII shall govern all formal adjudication and appeal procedures within the Synod.

8.07 The Congregation's Right of Self-Government

When a decision of a congregation is in issue, the

congregation's right of self-government shall be recognized. A Commission on Adjudication may, therefore, review the decision of the congregation according to the Word of God and shall either uphold the action of the congregation or advise the congregation to review and revise its decision. If the congregation does not revise its decision, the other congregations of the Synod shall not be required to respect such decision and the District involved shall take such action with respect to such congregation as it may deem necessary.

8.09 Definition of Terms as Used in This Article

a. "Organization owned and controlled by the Synod" shall be construed to include any board, department, division, committee, or commission of the Synod, Radio Station KFUD, Concordia Historical Institute, The Lutheran Church—Missouri Synod Foundation, Concordia Publishing House, and all educational institutions operated by the Synod, but shall not for the purposes of this Article include the Districts of the Synod.

b. "Members of the Synod" shall mean those individuals and congregations holding membership in the Synod specified within Article V of the Constitution of the Synod.

c. "Position" shall include (i) membership on a board or commission, (ii) status as an officer (including a Circuit Counselor), and (iii) any executive employment (as defined by the respective corporate board) regardless of whether the position was filled by election, appointment, or call, whether lay or clergy.

B. SUSPENSION AND EXPULSION

8.11 Notification of Accusation

When a member of the Synod is accused of an act or of conduct which could result in expulsion from the Synod under Article XIII of the Constitution, the accusation shall be addressed in writing to the President of the District in which said member holds membership. The District President shall promptly inform such member that such an accusation has been made against him. If the member consents to the

expulsion, the District President shall publish such fact in an official periodical of the Synod and shall so report to the next District convention.

8.13 Commencing an Action of Expulsion

If a member of the Synod, accused of an act or of conduct which could result in expulsion from the Synod under Article XIII of the Constitution, does not consent to such expulsion, the District President, in consultation with the District Vice-Presidents, may suspend the member, provided, however, that the member shall have been given written notice of the proposed suspension 15 days in advance of the effective date thereof, during which the said member may ask the District President to reconsider on the ground that adequate informal settlement efforts (Section 8.03 b) have not been made. Within seven days after the effective date of such suspension, the District President shall submit the case to the District Commission on Adjudication for adjudication in accordance with the provisions hereinafter set forth. In the event that the District President is disqualified or unable to act, the First Vice-President or the next qualified District officer shall be authorized to suspend and to submit the case to the Commission on Adjudication as herein provided.

If the District officers fail to act, the President of the Synod, by virtue of the power given him in the Constitution (Article XI, B, 1-3, inclusive), may on his own initiative institute proceedings, take administrative action, and, if necessary, present charges to the appropriate District Commission on Adjudication, provided, however, that such must be in the same manner as hereinabove set forth for the District officers.

8.15 Duration and Effect of Suspension

The suspension of the member shall remain in effect until a decision is reached by the Commission on Adjudication, provided that in the event that the decision of the Commission on Adjudication is to the effect that such member should be expelled from the Synod and a further appeal is taken, the suspension shall remain in effect until a final decision is reached by the Commission on Appeals. During the period of

suspension a member shall be relieved (i) of his duties (but not his rights) as a member of the Synod and (ii) of the duties and responsibilities of his position with the Synod or with a District of the Synod, or with an organization owned and controlled by the Synod. Such suspension, however, shall not, of itself, act to relieve a member of duties and responsibilities of his position with a congregation which is a member of the Synod, but the District President shall notify the congregation of such suspension so that the congregation may take such action as it deems appropriate.

C. STRUCTURES AND JURISDICTION FOR ADJUDICATION AND APPEAL

8.17 Commissions on Adjudication

There shall be a District Commission on Adjudication for each District of the Synod, and one synodical Commission on Adjudication. Commissions on Adjudication shall be constituted, have such jurisdiction, and follow such procedures as hereinafter set forth.

8.19 Commission on Appeals

There shall be one Commission on Appeals, which shall be constituted, have such jurisdiction, and follow such procedures as hereinafter set forth.

8.21 Jurisdiction of District Commissions

District Commissions on Adjudication shall have jurisdiction in the following situations:

- a. Procedural questions involved in excommunication cases.
- b. Cases under Article XIII of the Constitution.
- c. Cases in which a member of the Synod shall have been removed from the called position which he holds with a congregation which is a member of the Synod.
- d. Cases in which a person, whether or not a member of the Synod, is removed from the position which he holds with a District of the Synod.
- e. Cases involving differences between congregations within the same District or between a congregation and its District.

8.23 Venue of District Commissions

A District Commission on Adjudication shall handle matters involving parties all of which hold membership in such District, provided that if an individual who is a party to such matter has changed his membership subsequent to the occurrence which gives rise to the controversy, the Commission on Adjudication for the District in which the occurrence took place shall handle such matter.

8.25 Jurisdiction of the Synodical Commission

The Synodical Commission on Adjudication shall have jurisdiction in the following situations:

- a. All matters in which the Synod itself is a party.
- b. All matters in which a District of the Synod is a party *except*
 1. Cases involving expulsion under Article XIII of the Constitution;
 2. Cases in which a person, whether or not a member of the Synod, is removed from the position which he holds with that District of the Synod;
 3. Cases involving that District and a congregation within that District.

Each of these exceptions shall be handled by the Commission on Adjudication of the District in which the person or congregation involved held his or its synodical membership.

- c. All matters in which an organization owned and controlled by the Synod is a party.
- d. All matters in which a person, whether or not a member of the Synod, holding a position with either the Synod or an organization owned and controlled by the Synod, is a party *except*
 1. Cases involving procedural questions in excommunication, which shall always be handled by the Commission on Adjudication of the District in which exists the congregation which is responsible for the excommunication;
 2. Cases involving expulsion under Article XIII of the Constitution, which shall be handled by such Districts' Commissions on Adjudication.
- e. All matters involving members of the Synod who hold, and who held at the time of the occurrence

which gives rise to the controversy, their synodical membership in different Districts.

8.27 Jurisdiction or Venue of Commission Disputed

Where jurisdiction or venue of a Commission on Adjudication is disputed, the Commission on Appeals shall, at the request of any party, or of any Commission on Adjudication, make (in its sole discretion and with the right to have such hearings as it might determine) the decision on jurisdiction or venue, which decision shall be final and binding.

8.29 Jurisdiction of Commission on Appeals

The Commission on Appeals shall handle only appeals of decisions of Commissions on Adjudication.

D. RULES OF PROCEDURE AND ADMINISTRATIVE REGULATIONS

8.31 Establishing and Amending Rules and Regulations

Commissions on Adjudication and the Commission on Appeals shall be governed by and shall follow such rules of procedures and administrative regulations as shall be promulgated by, and may from time to time be changed by, the Commission on Appeals, provided that rules and regulations (and any changes thereto) shall not be effective until in printed form and until six months after official notice of the availability thereof shall have been duly published in an official periodical of the Synod, and provided further, that any changes in such rules and regulations shall not be effective as to actions then in progress unless all parties to any such action shall consent in writing to the application of such changes. In all events, such rules and regulations shall be consistent with the following basic principles:

a. A commission shall be governed in its acts, procedures, and judgments by the Word of God and Christian principles.

b. All hearings before a commission shall be private.

c. Except as herein or in the rules and regulations expressly allowed, while any proceeding is pending

before a commission, no party to such proceeding, nor anyone on such party's behalf, shall either directly or indirectly have any form of communication with any member of such commission concerning any matter involved in such proceeding. Similarly, except as herein or in the rules and regulations expressly allowed, there shall be no such communication with any member of the Commission on Appeals while there is pending before a Commission on Adjudication any matter which is appealable to the Commission on Appeals.

d. The rules shall permit one or more members of a commission to meet with the parties prior to a hearing of the case in order to determine (i) the issue(s) in the case and (ii) the facts on which the parties agree, provided that all parties shall be present or represented.

e. In the event that questions of interpretation of the Synod's Constitution, Bylaws, and resolutions, or questions of interpretation of theological issues arise during any adjudication, the Commission on Adjudication hearing such case and either party to the adjudication may seek the advisory opinion of the Commission on Constitutional Matters or the Commission on Theology and Church Relations in accordance with the rules and regulations promulgated by the Commission on Appeals of the Synod for that purpose.

f. In appeal cases before the Commission on Appeals, there shall be no new hearing, and the Commission on Appeals shall render its decision on the basis of a review of the proceedings before the Commission on Adjudication. The Commission on Appeals may, however, in its discretion permit or request the submission of additional evidence when it appears that such evidence may assist the board in reaching a decision. In the event that questions of interpretation of the Synod's Constitution, Bylaws, and resolutions, or questions of interpretation of theological issues arise during any appeal, the Commission on Appeals, at the request of either party to the appeal, shall seek the advisory opinion of the Commission on Constitutional Matters on questions of interpretation of the Synod's Constitution, Bylaws, and resolutions, and also that of the Commission on

Theology and Church Relations on questions of interpretation of theological issues.

g. The commission or board need not be bound by legal rules of evidence in every respect but shall require that evidence be relevant.

h. Any party to any proceeding may select not more than two advisers.

i. Each party to a proceeding shall assume his respective expenses, including the expenses of his adviser(s). The Synod or the District, as the case may be, shall pay the expenses of its Commission on Adjudication, including the cost of furnishing transcripts of the evidence to the parties to the proceeding.

j. While a case is still undecided or while appeals are contemplated or pending, there shall be no publicity of the case by any party to the proceeding.

k. All files of cases in which a final decision has been rendered by a commission on the synodical level shall be preserved in locked files in the custody of the Concordia Historical Institute. Any such files shall be opened only with the approval and for the use of the Commission on Appeals during the first 25 years from the date of closing.

l. The rules shall provide for petitions for rehearing by a Commission on Adjudication and the Commission on Appeals of its decisions.

m. A Commission on Adjudication shall decide within three months except for good cause from the effective date of suspension any case involving expulsion from membership in the Synod of a member who is under suspension.

E. DECISIONS

8.33 Quorum

No decision of a Commission on Adjudication or the Commission on Appeals shall be valid or binding unless at least a majority of the case panel thereof, as hereinafter provided, shall have been involved in all stages of the decision-making process.

8.35 Majority Vote

A Commission on Adjudication shall decide each case by the vote of a majority of the case panel qualified to decide the case; provided, however, that

in case of excommunication a tie vote will be deemed in favor of the individual under excommunication. The Commission on Appeals shall decide each case by the vote of a majority of the case panel qualified to decide the case; in the event of a tie vote, the previous decision shall be sustained.

8.37 Decisions in Writing

The decisions of Commissions on Adjudication and the Commission on Appeals shall be in writing and (a) shall make a finding of facts and (b) shall state the conclusion(s) of the commission and its reasons for such conclusion(s).

8.39 Finality of Decisions

All decisions of the Commission on Appeals of the Synod and all unappealed decisions of a Commission on Adjudication shall be final and binding upon all concerned and not subject to review, reversal, amendment, or modification, any provision to the contrary in these Bylaws notwithstanding; provided, however, that this section shall not diminish or otherwise affect the self-governing rights of congregations of the Synod as set forth in these Bylaws.

8.41 Financial Reimbursement

In any case in which a Commission on Adjudication or the Commission on Appeals shall decide that the suspension of an individual member of the Synod should be set aside, such commission or board shall, as part of its decision, determine the extent to which and the manner in which such individual shall be reimbursed for any loss of income suffered during the period of suspension, and such determination shall be binding on all parties, even though the case may be appealed to the Commission on Appeals and even though the decision of the Commission on Adjudication may ultimately be reversed by the Commission on Appeals.

8.43 Reporting the Decision

The decisions of Commissions on Adjudication and the Commission on Appeals shall be reported to the parties and to either the District President or the President of the Synod, as the case may be, and upon

expiration of the time for appeal, the District President or the President of the Synod, as the case may be, shall take such action to further publicize the decision as shall be appropriate under the circumstances.

8.45 Execution of Decision

The Commission on Adjudication or the Commission on Appeals shall, upon expiration of the time for appeal, request the proper executive officer or group to carry out its decision.

F. COMMISSION AND BOARD PERSONNEL

8.47 Membership

a. Each District Commission on Adjudication shall be elected by its District, and the synodical Commission on Adjudication shall be elected by the Synod, and shall consist of four clergymen and three laymen, at least two of whom shall be lawyers. The synodical Commission on Appeals shall be elected by the Synod and shall consist of five clergymen and four laymen, at least two of whom shall be lawyers. Terms of office shall be in accordance with Section 2.59 of these Bylaws.

b. Teachers on the synodical roster may be elected as clergymen, provided that not more than one such teacher shall serve on any commission.

c. With the exception of members of the faculties of the educational institutions of the Synod, no individual holding any position in the Synod, in any of its Districts, or in any organization owned and controlled by the Synod shall be eligible for membership on a Commission on Adjudication or the Commission on Appeals.

8.49 Officers

Each Commission on Adjudication and the Commission on Appeals shall elect a chairman, vice-chairman, and secretary, and may elect such other officers as it may determine.

8.51 Case Panel

Each case coming before a Commission on Adjudication or Commission on Appeals shall be heard and decided by a panel of at least five members,

at least two of whom shall be clergymen and at least two of whom shall be laymen, including at least one lawyer.

8.53 Vacancies

Vacancies on any Commission on Adjudication or the Commission on Appeals shall be filled by alternates (in the respective classifications of clergymen or laymen) in the order of the number of votes received by the nominees in the election of such commission. If there are no alternates available, such commission shall choose any eligible communicant member of a congregation of the Synod (in the respective classification of clergymen or laymen, and who, in the case of a vacancy on a District Commission on Adjudication, resides in said District) to fill the vacancy. Any person filling a vacancy shall complete the unexpired term of the member of the commission whose vacancy is being filled but shall not participate in any action in which such member was participating at the time the vacancy occurred.

8.55 Disqualification

At the outset of any proceeding before a Commission on Adjudication or Commission on Appeals, a member of the commission may be disqualified from acting in such proceeding if the member has a conflict of interest. Disqualification may be the voluntary act of the member himself or by the action of the Commission on Appeals (i) on its own initiative or (ii) on the complaint of any party to the proceeding. In the event a member or members of a commission shall be so disqualified, the Commission on Appeals or a majority of the remaining members shall designate replacement(s) from the Commission on Adjudication of another District.

IX. FRATERNAL ORGANIZATIONS

9.01 Statement of Purpose

a. The Synod has declared itself firmly opposed to all societies, lodges, and organizations of an unchristian or antichristian character.

b. The Commission on Organizations shall assist the pastors, and the congregations of the Synod in fulfilling their commitment to witness publicly and privately to the one and only Gospel set forth in the Holy Scriptures.

9.03 Responsibilities of Pastors and Congregations

a. Pastors and laymen alike must avoid membership or participation in any organization that in its objectives, ceremonies, or practices is inimical to the Gospel of Jesus Christ or the faith and life of the Christian church.

b. It is the solemn, sacred, and God-given duty of every pastor properly to instruct his people concerning the sinfulness of all organizations that—

1. explicitly or implicitly deny the holy Trinity, the deity of Christ, or the vicarious atonement;

2. promise spiritual light apart from that revealed in the Holy Scripture;

3. attach spiritual or eternal rewards to the works or virtues of men; and/or

4. embrace ideologies or principles that clearly violate an express teaching of the Holy Scriptures concerning the relationships of men to one another.

c. The responsibility of diligent and conscientious pastoral care requires that pastors of the Synod do not administer Holy Communion nor admit to communicant membership members of such organizations who, after thorough instruction, refuse to sever their affiliation with the organizations, since Holy Communion expresses an exclusive spiritual relationship of the communicant to his Lord and to his brethren (Matt. 10:32; 1 Cor. 10:16-17; 1 Cor. 11:25). Earnest continuous efforts should be put forth to bring individuals to a clear-cut decision regarding their contradictory confessions, in order that they may become or remain communicant members of the congregation, as the case may be.

d. The responsibility of conscientious pastoral care recognizes that a pastor will occasionally encounter an exceptional case in which he is called on to administer Holy Communion to a person who is outwardly connected with such an organization. Such exceptional cases ordinarily involve an individual who—

1. has accepted the pastoral care of the congregation and is being instructed by its pastor in an effort to lead him to see the inconsistency of his contradictory confession and witness, and

2. has renounced to the pastor and/or church council the unchristian or antichristian character of the organization of which he is a member.

In such exceptional cases the pastor should consult with his brethren in the ministry or with officials of the Synod, as the case may require. He should, furthermore, beware of procrastination and the giving of offense to members of either the congregation or sister congregations.

e. The Synod instructs its officials to exercise vigilant care and urges all pastors and congregations to carry out these provisions and faithfully eradicate all compromise or negation of the Gospel through members' identification with objectionable organizations. It shall be the duty of every member, pastor, and especially officials of the Synod to admonish those pastors and congregations that fail to offer countertestimony and take decisive action in matters pertaining to this subject. Refusal to heed brotherly admonition shall lead to suspension and eventual expulsion from the Synod.

X. DOCTRINAL REVIEW

10.01 Definition

a. Doctrinal review is the exercise of the Synod's responsibility for every doctrinal statement made in its material as defined in 10.03.

b. The prime concern of doctrinal review is that the doctrine set forth be in accord with the Scriptures and the Lutheran Confessions.

c. The primary responsibility for doctrinal supervision and review lies with the President of the Synod (Constitution Article XI, B, 1).

10.03 Material Subject to Doctrinal Review

a. All official periodicals and journals of the Synod as well as any material with doctrinal content issued publicly by boards, commissions, or other subordinate groups of the Synod except as stipulated in these Bylaws shall be subject to doctrinal review.

b. The right to produce study documents and exploratory material plainly designated as such and published by boards, commissions, or other subordinate groups of the Synod is recognized. When such material is to be issued publicly, it shall be subject to doctrinal review.

c. Each District is accountable to the Synod through its respective President and Board of Directors for the content of all of its published materials.

d. Each of the Synod's terminal schools is accountable to the Synod through its respective president and Board of Regents for the content of its professional journals and all of its published materials which are not the official publications of the Synod. The members of the editorial board of such publications shall serve as its doctrinal reviewers.

e. Auxiliary organizations recognized by Article XIII of the Bylaws shall be held directly accountable for their material. However, in accord with his office as defined in Article XI, B, 1 of the Synod's Constitution, the President of the Synod may require doctrinal review.

f. In the case of broadcasts over the Synod's radio station by other than regular staff members, individuals must be held responsible for their own

material, since it is not feasible to apply the process of doctrinal review to such broadcasts.

g. Official reports of the boards, commissions, and committees of the Synod prepared in response to directives from the Synod shall not be subject to doctrinal review.

10.05 Personnel and Appointment

a. Each board, commission, and other subordinate group of the Synod shall advise the President of the Synod of the number and desired competency of doctrinal reviewers needed by it and may suggest a list of qualified persons. The President of the Synod shall appoint reviewers for each group according to its needs. They shall be broadly representative of the ministry of the Synod.

b. Reviewers shall be appointed for renewable two-year terms. An appointment may be terminated prior to the completion of the appointed term if the reviewer is unable or unwilling to carry out the reviewing tasks assigned. In the event of such termination, the President of the Synod shall appoint another reviewer to complete the unexpired term.

10.07 Duties of Doctrinal Reviewers

a. The reviewer shall make a careful evaluation of the doctrinal content of all items submitted to him.

b. The reviewer's primary concern is that items submitted to him be in agreement in their doctrinal content with the Scriptures and the Lutheran Confessions.

c. The reviewer shall also be concerned that the items submitted to him do not contain statements that are inadequate, misleading, ambiguous, or lacking in doctrinal clarity.

d. The reviewer shall further be concerned that resolutions of the Synod be honored and upheld and that positions deviating from the doctrinal resolutions of the Synod be clearly identified as such.

10.09 Procedure for Doctrinal Review

a. Each board, agency, or group shall establish procedures that insure that its material as specified in 10.03 be sent for doctrinal review to one of the reviewers referred to in 10.05.

b. Since time requirements vary according to the type of material being reviewed, the procedure in each case shall be worked out to the mutual satisfaction of the producing group and the publisher.

c. The identity of authors and reviewers shall not be disclosed without the approval of the President. Consultation may at times be advisable, however, where clarification is necessary.

d. When the author is also a reviewer, his material shall be assigned to another reviewer.

e. The reviewer may request that specific material assigned to him also be reviewed by another reviewer.

f. Where changes appear to be necessary, the reviewer(s) shall submit a documented critique which shall be made available to the author, the sponsoring group, and the publisher.

g. The author shall consider the critique and make necessary revisions until there is agreement between the author and reviewer.

h. Should any problem arise between an author, a reviewer, the publisher, or any other party involved, with respect to the material submitted for review, the sponsoring group shall endeavor to resolve it to the satisfaction of the reviewer. If it cannot do so, the problem shall be submitted to the Commission on Doctrinal Review under the appeals procedure stated in 10.13.

10.11 Commission Functions

a. The Commission on Doctrinal Review shall meet as often as necessary, effect its own organization, and elect its officers.

b. Its duties shall be—

1. to provide guidelines for the work of the doctrinal reviewers;

2. to concern itself with problem areas in the procedures of doctrinal review.

10.13 Appeals Procedure

a. An appeal may be initiated by an author, the sponsoring group, or an executive staff member of that group.

b. When an appeal is initiated, the material in

question is to be submitted to the chairman of the Commission on Doctrinal Review.

c. After receipt of an appeal, the chairman of the Commission on Doctrinal Review shall inform all concerned and shall appoint three members of the commission to serve as a review panel and shall designate one as its chairman. A panel member shall disqualify himself on the basis of any kind of personal involvement in the issue.

d. To aid objectivity, the identity of author and review panel shall ordinarily not be disclosed. However, consultation may at times be necessary for clarification.

e. In making its recommendation the panel shall decide whether the item in question—

1. is suitable for publication or
2. may be published after alteration or
3. may be published as a study document or
4. shall be denied publication.

f. The decision of the panel shall be determined by a majority vote and shall be final so far as the Commission on Doctrinal Review is concerned. A report together with the panel's minutes shall be submitted to the chairman of the Commission on Doctrinal Review.

g. The chairman of the Commission on Doctrinal Review shall report the decision to the author, the original reviewers, the sponsoring group, and the President of the Synod.

XI. PUBLICATIONS

A. CHURCH LITERATURE

11.01 Standing Committee

A Standing Committee on Church Literature, appointed by and responsible to the Board for Parish Services, shall—

a. study the needs of the church to determine what literature may be required and also select authors to undertake literary tasks, but the contract to write books shall be issued by the publisher;

b. critically examine all manuscripts to determine their literary value, timeliness, and expediency. Matters relating to doctrine shall be approved under the prescribed procedure for doctrinal review before publication;

c. study existing literature with a view to recommending for translation, distribution, or republication;

d. consider research projects which may be proposed by members of the Synod, approve those which meet certain standards, and allocate funds for carrying on these projects;

e. initiate studies in:

1. Biblical research;
2. church history;
3. contemporary church problems;
4. other areas of interest and value to the church;

f. encourage a high standard of scholarship as well as literary and artistic excellence;

g. report regularly to the President of the Synod, the synodical constituency, and the synodical convention.

11.03 Subcommittees

The committee may divide itself into subcommittees or may be augmented by additional members who shall be advisory to the committee. If the committee finds it necessary to be augmented through additional membership on its subcommittees, it shall recommend suitable candidates to the President of the Synod, who in conjunction with the Vice-Presidents shall appoint additional advisory members to the committee. Such subcommittees may consist of

from three to five members and, where possible, shall include one pastor, one teacher, and one layman. The names of the subcommittee members shall be published in the usual manner together with the membership of the Standing Committee on Church Literature. Synodical policies on the term of office and on holding more than one office shall apply. Decisions of the subcommittees shall be transmitted to the committee by means of their minutes. The committee shall be encouraged to conduct an annual plenary meeting in order to coordinate policy development and broad planning within the departments. The following areas shall be provided for, either in separate departments or in combination with another department:

- a. Practical
- b. Systematic
- c. Historical
- d. Devotional
- e. Homiletical
- f. Exegetical
- g. Scholarly Research
- h. Christian Arts
- i. Children and Youth
- j. Tracts
- k. Audiovisual Materials
- l. Laymen's Literature

11.05 Advisors and Consultants

a. A representative of Concordia Publishing House shall attend the meetings of the Standing Committee on Church Literature as advisor.

b. The committee may appoint specialists on a temporary basis to examine manuscripts pertaining to specialties such as music, textbooks, art, audiovisual aids, and professional publications. These specialists shall report their findings to the committee and shall act as advisors in the matters submitted to them.

c. Representatives of synodical boards, commissions, committees, and auxiliary organizations may be invited for consultation by any of the subcommittees.

11.07 Relationships

- a. The committee's relationship to the Board of

Directors of Concordia Publishing House shall be advisory in recommendations on publications. The latter board, which may also initiate publications, shall determine whether or not to publish any material recommended by the committee, as well as the manner and style of publication. Should these two fail to agree in a given instance, the President of the Synod shall act as arbiter.

b. So far as doctrinal content is concerned, books, periodicals, official church papers, tracts, circulars, etc., published on the order of or in behalf of synodical boards or officers, do not come under the jurisdiction of the Standing Committee on Church Literature but under the prescribed procedure for doctrinal review before publication.

11.09 Expenses

The expenses of the committee shall be borne by Concordia Publishing House.

B. OFFICIAL PERIODICALS

11.21 Editorial Policy

a. *The Lutheran Witness* and the *Reporter* shall be the official periodicals of the Synod.

b. They shall as a primary purpose promote growth and strengthen the individual Christian life, include official reports and notices, promote the Synod's work, provide current synodical news, transmit to the congregations information concerning the Synod's positions and programs, assist congregational leaders in developing coordinated programs, facilitate the exchange of information concerning successful methods of practical church work, serve as a forum for the responsible exchange of opinion on issues confronting the Synod, and report general church news of interest to the Synod.

c. The Board for Communication Services shall supervise the editing and publication of the official periodicals, utilizing the Standing Committee on Official Periodicals as appropriate.

11.23 Editors

The editors of *The Lutheran Witness* and of the *Reporter* shall be appointed by the Board for Com-

munication Services from a list approved by the Council of Presidents.

11.25 Doctrinal Review

Matters relating to doctrine shall be approved under the prescribed procedure for doctrinal review before publication.

XII. INTERCHURCH RELATIONS

A. LUTHERAN COUNCIL IN THE UNITED STATES OF AMERICA

12.01 Representation

a. Voting representatives of the Synod to the Lutheran Council in the United States of America shall be named by the President of the Synod on recommendation of the Commission on Theology and Church Relations. These representatives shall participate in the activities of the Council according to its constitution and bylaws and in keeping with the theological and constitutional principles of The Lutheran Church—Missouri Synod. They shall submit formal reports to the President and to each convention of the Synod and shall keep the Commission on Theology and Church Relations informed of Council activities.

b. Standing committee representatives of the Synod to the divisions, departments, and commissions of the Lutheran Council in the United States of America shall be named by the President on recommendation of the Council of Administrators. They shall participate in the functions which concern their committee according to the constitution and bylaws of the Lutheran Council in the United States of America and in keeping with the theological and constitutional principles of The Lutheran Church—Missouri Synod. They shall submit formal reports to the President and to each convention of the Synod and shall keep the Council of Administrators informed of their activities.

B. CHURCH FELLOWSHIP

12.03 Procedure for Recognition

a. When a church body applies for formal recognition of altar and pulpit fellowship with the Synod, such recognition shall be proposed at a synodical convention only after the approval of the Commission on Theology and Church Relations.

b. When a synodical mission applies for formal recognition as a self-governing partner church, such recognition shall be proposed at a synodical convention by the Board for Missions with the approval of the Commission on Theology and Church Relations.

XIII. AUXILIARY AND LISTED SERVICE ORGANIZATIONS

13.01 Auxiliaries

a. *Definition.* An organization desiring auxiliary status may apply to the synodical convention, through the Board of Directors, if it satisfies the following requirements:

1. It is national in scope, voluntary in membership and participation;

2. It identifies itself with The Lutheran Church—Missouri Synod but is not a part of the Synod's constitutional structure;

3. It is independent in the establishment and evaluation of its own objectives, activities, and programs, in its organization and administration, and in financial matters;

4. It exists as an arm of the Synod and has as its primary function aiding the Synod, specifically in programs that extend the ministry and mission of the Synod;

5. It is classified by the Internal Revenue Service as a 501 c(3) corporation; and

6. Its membership is made up of persons who are baptized members of congregations that are members of The Lutheran Church—Missouri Synod.

b. *Responsibilities.* A synodical auxiliary shall—

1. report annually, through its president, to the Synod's President and on request of the Synod's President to the convention;

2. cooperate with the appropriate division, board, commission, and/or staff member of the Synod and with other synodical auxiliaries;

3. provide the Synod with an annual program report and financial statements audited by an independent certified public accountant;

4. keep the Synod advised of any new program under consideration;

5. submit all material of a Biblical or theological nature to the Synod for doctrinal review;

6. be responsible for its own debts and liabilities and so indicate in agreements, promotional materials, and all other communications of a financial nature in accordance with criteria determined by the

synodical Board of Directors, so that it is clear that being an auxiliary is not a guarantee on the part of the Synod for the fiscal solvency of or any financial responsibility for the organization or for services expressly or impliedly offered; and

7. be consistent with the doctrine and practice of The Lutheran Church—Missouri Synod as set forth in the Scriptures and the Lutheran Confessions.

c. *Privileges.* Auxiliary status in the Synod provides for—

1. a listing of the organization and its officers in *The Lutheran Annual*;

2. recognition as an auxiliary in the *Handbook* of the Synod;

3. an opportunity to report to the Synod in convention; and

4. the opportunity to raise funds within the Synod to support the auxiliary program.

d. *Recognition.*

1. An organization is given auxiliary status through convention action. For continued recognition as an auxiliary an organization must meet and continue to meet the requirements given above. When it no longer meets these requirements, an organization loses its auxiliary status. This determination shall be made by a synodical convention after an evaluation by the synodical Board of Directors, based on consultation with the organization in question.

2. The listing in *The Lutheran Annual* shall provide a statement that such listing is not a guarantee on the part of the church body for the fiscal solvency of the organization or any financial responsibility for such organization or for services expressly or impliedly offered.

The following organizations are recognized as synodical auxiliaries:

1. International Lutheran Laymen's League
2. International Lutheran Women's Missionary League

13.03 Listed Service Organizations

a. *Definition.* A service organization other than an auxiliary may apply to the synodical Board of Directors for listing in *The Lutheran Annual* if it satisfies the following requirements:

1. It identifies itself with the Synod but is not a part of the Synod's constitutional structure;

2. It operates with freedom and self-determination as a ministry within the Synod while complying with the responsibilities as outlined in Section 13.03 b;

3. It is involved in program activities that extend the mission and ministry of the church;

4. It is independent in the establishment and evaluation of its own objectives, activities, and programs, in its organization and administration, and in financial matters while complying with the responsibilities as outlined in Section 13.03 b;

5. It is classified by the Internal Revenue Service as a 501 c(3) corporation; and

6. It has the members of member congregations of the Synod as a source of voluntary financial support.

b. *Responsibilities.* Such an organization shall enter into a relationship with the Synod through the appropriate boards or commissions of the Synod as designated by the synodical Board of Directors through a letter of agreement or understanding as approved by the synodical Board of Directors. In addition to any special criteria required by the respective board or commission it shall be set forth in the letter of understanding that the organization shall—

1. coordinate, cooperate, and communicate its programs through its designated board or commission;

2. provide that board or commission and the synodical Board of Directors with an annual program report and financial statement audited by independent certified public accountants;

3. seek formal approval from the respective District Board of Directors for special intra-District fund-raising efforts and through the Department of Stewardship and Financial Support from the synodical Board of Directors for any fund-raising efforts that cross District lines (Bylaws 2.187e, 2; 7.11; 7.13);

4. inform the appropriate board or commission of the Synod as designated by the synodical Board of Directors of the actual dollar amount raised and the percentage of costs involved in fund-raising efforts;

5. be responsible for its own debts and liabilities and so indicate in all of its contractual agreements of a financial nature, statements of ownership, bylaws, financial offers, and other legal documents, agreements, promotional materials, and all other communications of a financial nature in accordance with criteria determined by the synodical Board of Directors, so that it is clear that listing in *The Lutheran Annual* is not a guarantee on the part of the Synod for the fiscal solvency of or any financial responsibility for the organization or for services expressly or impliedly offered (Bylaw 7.13); and

6. be consistent with the doctrine and practice of The Lutheran Church—Missouri Synod as set forth in the Scriptures and the Lutheran Confessions.

c. *Privileges.* Being a listed service organization carries with it the following privileges:

1. The privilege of soliciting funds upon approval by the synodical or District Board of Directors in conformity with regulating Bylaws, resolutions, and policies of the Synod or of a District;

2. Eligibility of clergymen and teachers serving such organizations to be placed or to remain on the clergy or teacher roster of the Synod if otherwise eligible;

3. Listing of the organization in *The Lutheran Annual*; and

4. The opportunity to report to synodical or District conventions through its designated board or commission.

d. *Listing.*

1. To be and remain a listed service organization, an organization must meet and continue to meet the requirements given above. Eligibility for continued listing shall be reviewed periodically by the synodical Board of Directors and the designated board or commission.

2. The list in *The Lutheran Annual* shall provide a statement that such listing is not a guarantee on the part of the church body for the fiscal solvency of the organization or any financial responsibility for such organization or for services expressly or impliedly offered.

XIV. AMENDMENTS TO BYLAWS

14.01 How Made

Amendments to the Bylaws may be made provided they are—

a. not contrary to the Constitution;

b. presented in writing to a convention of the Synod;

c. specified as Bylaw amendments and considered by a convention floor committee;

d. submitted to the Commission on Constitutional Matters for clearance prior to presentation to the convention;

e. adopted by the affirmative vote of a majority of the delegates present and voting.

ARTICLES OF INCORPORATION

Article I Name, Duration, Registered Office, and Agent

a. The name of this corporation shall be "The Lutheran Church—Missouri Synod."

b. The period of duration of the corporation is perpetual.

c. The address of the registered office of the corporation is 500 North Broadway, St. Louis, Missouri.

d. The name of the registered agent of the corporation is John Schuelke.

Article II Objects

The objects of this corporation shall be:

a. To unite in a corporate body the members of the Evangelical Lutheran Church who acknowledge and remain true to the *Book of Concord* of the year of our Lord 1580 as a true exhibition of sound Christian doctrine.

b. To train ministers and teachers for service in the Evangelical Lutheran Church.

c. To assist and advise congregations, pastors, and teachers affiliated with The Lutheran Church—Missouri Synod and to exercise supervision over such pastors and teachers as to doctrine, practice, and performance of their official duties.

d. To establish, build, conduct, and maintain theological seminaries, colleges, academies, schools, and other institutions of learning.

e. To assist in the establishment of Lutheran congregations and preaching stations.

f. To spread the Gospel by means of radio and television broadcasting, visual education, and all other forms of missionary endeavor throughout the world.

g. To print, publish, purchase, sell, and otherwise disseminate Bibles, books, periodicals, literature, music, and other supplies for congregations, schools, Sunday schools, preaching stations, and institutions.

h. To establish and conduct all such enterprises and endeavors and to exercise such further powers as

may be necessary or expedient to carry out the objects and purposes for which this corporation is organized.

Article III Membership

The power of the corporation shall be lodged with the accredited clergy and lay delegates of the congregations in actual membership with The Lutheran Church—Missouri Synod, distributed among the constituent congregations in such number as may be determined upon from time to time by the Bylaws of The Lutheran Church—Missouri Synod, and only such delegates shall be entitled to a vote at the meetings of the corporation.

***Article IV Meetings**

This corporation shall have general synodical meetings once in every two years, or as often as may be determined by resolution of said corporation. Special meetings may be called in such manner as may be provided by the Constitution or Bylaws of The Lutheran Church—Missouri Synod.

***Article V Officers**

The officers of this corporation shall consist of a President, Vice-presidents as specified by the Bylaws of The Lutheran Church—Missouri Synod, a Secretary, and a Treasurer.

The Board of Directors of the corporation shall be comprised of the President, the Secretary, and the Treasurer of the corporation and such additional directors as shall be elected from time to time in accordance with the Bylaws of The Lutheran Church—Missouri Synod.

The officers and members of the Board of Directors shall be elected at the general meetings of the corporation for such terms as shall be specified by the Bylaws of The Lutheran Church—Missouri Synod and shall serve until their successors are duly elected and have qualified.

*See Appendix

Article VI Property

This corporation shall have power to acquire by gift, grant, demise, devise, bequest, purchase, or otherwise, property of every kind and description, real, personal, or mixed; to hold and use such property and deal with, or dispose of, any or all such property by sale, exchange, or gift, when necessary or expedient to carry out the objects and purposes of the corporation; to receive, maintain, and administer endowments, legacies, pension funds, retirement funds, and such other general or trust funds as may be necessary for the operation of said corporation or for the accomplishment of its purposes; provided that all such property shall be acquired, dealt with, or disposed of in a manner not in conflict with the laws of the State of Missouri or of the laws of any State in which said property is located.

Article VII Bylaws

This corporation shall have and make such Bylaws as may be necessary to accomplish its purposes and shall have power to create such offices, committees, and other subordinate bodies as may be necessary to accomplish its general and special objects.

Article VIII Amendments

Amendments to these Articles of Incorporation may be made at any time at a regularly called meeting of this corporation by a majority of the voting delegates present at such meeting, provided such amendments are not inconsistent with the Constitution or the laws of the United States or the State of Missouri.

The Articles of Incorporation of the Synod were amended in their entirety by the synodical convention of 1956. Article IV was amended by the 1962 synodical convention and Article V, paragraph 2, by the 1965 convention. Both of the amendments were approved by the Circuit Court of the City of St. Louis.

The Synod at its 1967 convention, on advice of counsel, resolved to accept the provisions of the Missouri "General Not-for-Profit Corporation Act" enacted in 1959. This act simplifies corporate procedure and makes it unnecessary to apply to the Circuit Court of the City of St. Louis for approval of amendments. Only two changes were needed. In Article I, Sections b, c, and d were added, and the clause in Article VIII for court approval of amendments was deleted.

APPENDIX

If the three proposed constitutional amendments are approved in the prescribed manner, then, effective February 15, 1982, the pertinent sections of the Constitution will read as follows:

Article VIII Synodical Meetings

A. Time and Legality of Meetings

1. The Synod convenes every three years for its regular meeting.

* * *

Article XII Districts of the Synod and Their Regulation

13. The regular sessions of the Districts are held in the year immediately preceding the general convention of the Synod. Only the Synod has the right to make an exception to this rule.*

* * *

Article XI Rights and Duties of Officers

F. Duties of the Board of Directors

1. The Board of Directors shall consist of not fewer than seven voting members, to wit: the President, the Secretary, one pastor, and four laymen. The First Vice-President and the Treasurer shall be non-voting members.

2. The voting members of the Board of Directors are the legal representatives of the Synod and the custodians of all property of the Synod, and upon them are incumbent the general management and supervision of all the business affairs of the Synod.

The convention resolved that if the constitutional amendments are approved, the following changes would be made in the Articles of Incorporation:

Article IV Meetings

This corporation shall have general synodical meetings once in every three years, or as often as may

be determined by resolution of said corporation. Special meetings may be called in such manner as may be provided by the Constitution or Bylaws of The Lutheran Church—Missouri Synod.

Article V Officers

The officers of this corporation shall consist of a President, Vice-Presidents as specified by the Bylaws of The Lutheran Church—Missouri Synod, a Secretary, and a Treasurer.

The voting members of the Board of Directors shall consist of the President and Secretary of The Lutheran Church—Missouri Synod and such additional directors as shall be elected from time to time in accordance with the Bylaws of The Lutheran Church—Missouri Synod. The First Vice-President and the Treasurer shall be nonvoting members of the board.

The officers, voting members of the Board of Directors, the First Vice-President, and the Treasurer shall be elected at the general meetings of The Lutheran Church—Missouri Synod for such terms as shall be specified by the Bylaws of The Lutheran Church—Missouri Synod, and shall serve until their successors are duly elected and have qualified.

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