

Explanation of recommended amendments to the Metropolitan Chicago Synod governing documents for 2022 presentation

In the Evangelical Lutheran Church in America, the church of which we collectively are a part, our governing documents serve as covenants between us and the various expressions of church. Ideally, any covenant serves at least two purposes: first, to hold us accountable to one another for our life together, and second to provide a strong foundation from which our ministry grows, adapts, and flourishes.

Governing documents such as ours are intended as living documents. As ministry informs our life together, we seek to reflect new realities through these covenants while at the same time maintaining the strong foundation with which the ELCA and Metropolitan Chicago Synod were founded. This church is founded with the understanding that it is the assembly of the people – the church itself – who make this covenant. Therefore, amendments to the synod constitution are made by the Synod Assembly. Voting members to the Synod Assembly have the opportunity to debate, amend, and vote for or against any recommended provision. More information about how this is done will be shared in the Book of Reports and at the Synod Assembly.

The Metropolitan Chicago Synod Council has given due notice that a number of amendments to the constitution, bylaws, and continuing resolutions of this synod will be considered at the 2022 Metropolitan Chicago Synod Assembly. Prior to the 2022 Synod Assembly, a hearing will be held to answer questions and receive feedback on the proposed amendments. Following are rationale statements for each of these proposed amendments.

For information purposes:

1. Throughout the governing documents, outline numbering has replaced bullets in continuing resolutions for clarity when referring to such resolutions. This editorial change has been incorporated but is not highlighted in the attached document and is not being voted on by the Synod Assembly.
2. The nomenclature of continuing resolutions will be adjusted editorially following adoption by the Synod Assembly.

[Editorial Changes - Changes marked in BLUE in the draft proposed constitution](#)

These proposed amendments are considered by the Constitution Working Group to be primarily editorial in nature. These amendments seek to clarify the preexisting structure and document, rather than to make substantial changes. These will be presented to the Synod Assembly *en bloc*, meaning that the Synod Assembly will have the opportunity to vote on all of these

recommended amendments at once. Any voting member of the Synod Assembly can request that an amendment be pulled out of the bloc for discussion, debate, and separate vote. There will be one bloc regarding constitutional provisions and one bloc regarding bylaws.

1. Throughout – The word “Synod” has been added before each reference to Assembly, Council, etc, to clarify the synod expression of this church. This clarity becomes particularly useful when the governing documents of different expressions of the church are being used in conversation with each other, such as when a congregation is relating to the synod, or when the synod is relating to the churchwide expression of the church.
2. Throughout – In non-required provisions gendered language has been removed. This is consistent with the amendments to the model Constitution for Synods expected to be approved at the 2022 Churchwide Assembly.
3. **S7.01.03** – This bylaw has been removed, as it is inconsistent with the existing (and overruling) constitutional provision of **S7.28.**, which specifies that all Synod Council members are voting members of Synod Assembly. This is consistent with the constitutional provision governing bylaws (**†S18.21.**), which indicates that bylaws may not conflict with constitutional provisions.
4. **S7.01.05.c.** -- Added the phrase “as directed by the bishop.” This provision relates to a special Synod Assembly and the composition of committees related to it. Specifically, this provision says that these committees *may* be comprised in the same way as former committees. However, this phrase is added to provide clarity for who has the authority to make a final decision. Also removed the phrase “first sentence of” in reference to another provision of this constitution.
5. **S7.13** -- Added specific references to when or how notice of a synod assembly is given by the secretary.
6. **S7.22.** -- Updated language around disability status to current language used in ELCA documents.
7. **S8.14.01.** -- “Assistants to the Bishop” changed to “Associates to the Bishop” to match function and the name used in practice.
8. **S8.14.01** -- Updated the decision making practice regarding compensation for Associate to the Bishop positions to match the current and historical practice.
9. **S8.32.01** -- This bylaw also adds information about the contents of the public file for clarity.
10. **S9.01.04 and following** – Changed the words “Other Council Members / OCMs” to “Synod Council Members at-large,” for clarity.
11. **S9.03.01** -- Removed the phrase “first sentence of” and left intact the provision.
12. **S10.01.01; S10.01.02; S10.01.03** -- Changed the first day of office for Synod Council Members from 2nd month to 3rd month to be the same as the first day of office for Synod Council Officers.

13. **Chapter 11** – This entire chapter has been rearranged to provide clarity to the already present committee structure. No changes have been made to the present committee structure at this time. Amendments to the current committee structure will be considered at a later Synod Assembly.
14. **S11.01.02** -- Consistent with recommended Chapter 11 constitutional provision amendments, this bylaw has been rewritten and restructured to provide clarity of committee structures.
15. **S11.01.18.** -- Removed “first sentence of” and indicates the appropriate provision (as rewritten.)
16. **S13.23.01** -- Added the words “to retain their property” to clarify the existing process.
17. **Chapter 17** – Added the words “Consultation and” to adhere to model Constitution for Synods.

Substantive Changes – Minor

These proposed amendments are considered by the Constitution Working Group to make substantive but minor changes to the synod’s current governing documents. These amendments intend to update the current governing documents to align with the current practices. These will be presented to the Synod Assembly *en bloc*, meaning that the Synod Assembly will have the opportunity to vote on all of these recommended amendments at once. Any voting member of the Synod Assembly can request that an amendment be pulled out of the bloc for discussion, debate, and separate vote.

1. **S6.04.03** This new bylaw indicates the synod’s existing Reconciling in Christ status and intentions.
2. **S7.01.05.** -- Added the words “five to” 10 members for the Reference and Council Committee, to align with actual practice and the historical difficulty of finding 10 people willing and able to serve in this capacity.
3. **S8.41.01** -- This bylaw is added to outline a process by which the synod council may appoint a treasurer. Prior governing documents allowed for the synod council to appoint a treasurer (~~†~~**S8.41.**) but did not include a process by which such appointment would be made. Appointment of the treasurer (as opposed to election) has become practice in recent years, allowing potential candidates for the position to be vetted for ability and appropriateness prior to the appointment.
4. **S9.05 & S9.06** -- Language updated to align with the current model Constitution for Synods, incorporating a practice of nominating individuals for Synod Vice President and Synod Secretary. Under this practice, the nominating committee would nominate at least one person for vice president and secretary. This would be received as information by the Synod Assembly. Both positions would continue to be elected by ecclesiastical ballot.

5. **S10.05.01** -- Clarified that mileage reimbursement is not the same as compensation for duties, and synod council members may receive mileage reimbursement for some synod duties. Synod council members may be called on by the bishop to attend meetings and hearings all over the synod, and some council members may be unable to assist the bishop in these ways because of mileage costs. This bylaw seeks to expand synod council active membership to individuals who might find the costs of commuting to synod council responsibilities prohibitive.
6. **S11.01.02** -- Added requirement of being a member of the synod in good standing in order to serve on a committee.

Substantive Changes – Major

These proposed amendments are considered by the Constitution Working Group to make major substantive changes to the synod's current governing documents. These are amendments that the Constitution Working Group suspects the Synod Assembly may wish to debate. These will be presented to the Synod Assembly *en bloc*, meaning that the Synod Assembly will have the opportunity to vote on all of these recommended amendments at once. However, any voting member of the Synod Assembly can request that an amendment be pulled out of the bloc for discussion, debate, and separate vote.

7. **S1.11.01**. -- This bylaw amendment allows the decision about the synod's office location to be made by synod council rather than the synod assembly. In order to provide the most flexibility and cost-saving alternatives, enabling the synod council to make this decision would present the opportunity for the synod to be much more flexible in its negotiations and determination of an appropriate location for the synod office.
8. **S7.11.01**. -- Regarding frequency, time & place of Synod Assembly, this language aligns to the model Constitution for Synod's language and removes the necessity for an annual Synod Assembly with ample notice of each Synod Assembly. At this time, the state of Illinois requires not-for-profit institutions to hold an annual meeting. Thus, amending this bylaw does not affect the practice of an annual Synod Assembly in the Metropolitan Chicago Synod at this time, but it does give greater leeway to find appropriate dates and locations based on the changing needs of the synod.
9. **S8.32.03**. -- Edited the language to give charge of the public file to the bishop instead of the secretary to align with the current practice of server storage and access. This bylaw may be revisited with future amendments as the technology by which public file is stored changes.
10. **S8.33 & S8.43** -- These new bylaws make the secretary & treasurer ex-officio members of churchwide assembly; all officers would therefore attend the churchwide assembly. It has been the practice that secretary and treasurer must be elected, which typically

happens, and the attendance at Churchwide Assembly by all officers is quite helpful to the functioning of the synod within the larger church. This is a practice in some but not all other synods across the ELCA. Because the number and requirements for voting members at Churchwide Assembly are set by the churchwide expression of this church, amending these bylaws would affect how many people would be elected to Churchwide Assembly by the Synod Assembly.

11. †S8.51. -- Where the decision to elect or appoint the treasurer must be made in this required provision - specifies that the treasurer will be “appointed” instead of “elected,” enabling the synod council to vet the potential treasurer prior to their appointment. This is considered good financial practice. The model Constitution for Synods allows the assembly to choose either option.

We will vote on these provisions in 3 blocs – with the ability for voting members to pull any one amendment from a bloc.

Bloc 1

First, the assembly will vote on amendments to the Metropolitan Chicago Synod Constitution, consistent with †S18.13. B. The Synod Council may propose an amendment, with notice to be sent to the congregations of this synod at least six months prior to the next regular meeting of the Synod Assembly. **Such an amendment shall require for adoption a two-thirds vote of the voting members present and voting at such a regular meeting of the Synod Assembly. All such amendments shall become effective upon ratification by the Churchwide Assembly or by the Church Council. [emphasis added]**

This bloc includes all constitutional provisions relating to numbers 1. and 2. above, as well as:

S7.13

S7.22.

S8.33

S8.43

†S8.51.

S9.05

S9.06

Chapter 11 constitutional provisions

Chapter 17

Bloc 2

Second, the assembly will vote on amendments to the Metropolitan Chicago Synod Bylaws, consistent with †S18.20. **Amendments to Bylaws & †S18.21.** This synod may adopt bylaws not in conflict with this constitution or with the constitution and bylaws of the churchwide organization. **This synod may amend its bylaws at any meeting of the Synod Assembly by a two-thirds vote of voting members of the assembly present**

and voting. Newly adopted bylaws and amendments to existing bylaws shall be reported to the secretary of this church. **[emphasis added]**

This bloc includes all bylaw provisions relating to numbers 1. and 2. above, as well as:

S1.11.01.

S6.04.03

S7.01.03

S7.01.05.c.

S7.01.05.

S7.11.01.

S8.14.01.

S8.32.01

S8.32.03.

S8.41.01

S9.01.04 and following

S9.03.01

S10.01.01

S10.01.02

S10.01.03

S10.05.01

Chapter 11 bylaws

S11.01.02

S11.01.02

S11.01.18.

S13.23.01

Bloc 3

Third, the assembly will vote on amendments to the Metropolitan Chicago Synod's Continuing Resolutions, consistent with †S18.30. **Amendments to Continuing Resolutions & †S18.31.** This synod may adopt continuing resolutions not in conflict with this constitution or its bylaws or the constitution, bylaws, and continuing resolutions of the churchwide organization. **Such continuing resolutions may be adopted or amended by a majority vote of the Synod Assembly** or by a two-thirds vote of Synod Council. Newly adopted continuing resolutions and amendments to existing continuing resolutions shall be reported to the secretary of this church. **[emphasis added]**

This bloc includes all continuing resolutions relating to numbers 1. and 2. above, as well as:

Chapter 11 continuing resolutions