

**LUTHERAN CHURCH–CANADA**

# **HANDBOOK**

**2014**

**Reviewed and Edited by**

**The Commission on Constitutional**

**Matters and Structure**

**Lutheran Church–Canada  
3074 Portage Avenue  
Winnipeg, Manitoba R3K 0Y2**

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**LUTHERAN CHURCH-CANADA**

**STATUTORY BYLAWS**

BEING A BYLAW ENACTED PURSUANT to section 5 of the *Act to Incorporate Lutheran Church-Canada* and to provide generally for the carrying out of the objects and purposes of Lutheran Church-Canada.

BE IT ENACTED as a Bylaw of LUTHERAN CHURCH-CANADA as follows:

**Article I Interpretation**

Definitions

1.01 In these Bylaws unless the context otherwise requires:

"Act" means the *Act to Incorporate Lutheran Church-Canada 7-8 Eliz. II Chap. 68, S.C. 1959*;

"Board" means the Board of Directors of LCC;

"circuit" means an association of congregations established by a convention of a district as a circuit in accordance with the Synodical Bylaws;

"congregation" means a community of believers gathered around Word and Sacrament for worship and sharing of doctrine and confession as expressed in the Constitution, which community has been received as a member at a Convention or at a convention of a district;

"Convention" means a general or special meeting of delegates;

"deacon" means an individual received at a Convention or at a convention of a district to the position of deacon;

"delegate" means an individual elected by members in a circuit to represent such members at a Convention;

"director" means an individual elected at a Convention to the Board of Directors of LCC;

"district" means a body corporate organized to work with congregations and to advance the Synod in a designated geographic region;

"LCC" means the religious body incorporated under the *Act*;

"member" means a congregation, pastor, or deacon;

"pastor" means an individual received at a Convention or at a convention of a district to the office of ministry as a pastor;

"Synod" refers to the voluntary ecclesiastical bond shared by congregations, pastors and deacons walking together to carry out the ministry and mission given by Christ to His Church;

Save as aforesaid, words and expressions defined in the Act have the same meanings when used herein; and words importing the singular number include the plural and vice versa; words importing gender include the masculine, feminine and neuter genders; and words importing persons include individuals, bodies corporate, partnerships, trusts and unincorporated organizations.

**Article II Corporate Seal**

2.01 The seal of LCC shall be in such form as shall be prescribed by the Board and shall bear the words "LUTHERAN CHURCH-CANADA".

**Article III Head Office**

3.01 The head office of LCC shall be located in the City of Winnipeg, in the Province of Manitoba, Canada, and at such a location as the Board may from time to time determine.

**Article IV Fiscal Year**

4.01 Unless otherwise ordered by the Board the fiscal year end of LCC shall be the last day in January each year.

**Article V Auditors**

5.01 The delegates shall appoint an auditor at each Convention to audit the accounts of LCC for report to the delegates at the next Convention. The auditor shall hold office until the next Convention provided that the Board may fill any vacancy in the office of auditor. The remuneration of the auditor shall be fixed by the Board.

**Article VI Synod, Constitution and Synodical Bylaws**

6.01 The Synod represents a voluntary ecclesiastical bond shared by those who have accepted the principles, doctrine and religious standards of LCC as set out in the Constitution and Synodical Bylaws. This ecclesiastical bond does not create a legal relationship or government. The Synod has no secular status, does not own property or enter into contracts, and has no employees.

6.02 The Constitution and Synodical Bylaws annexed to this Bylaw shall apply to those sharing the ecclesiastical bond represented by the Synod. The Constitution and Synodical Bylaws may be amended in the manner set out in such documents.

6.03 The principles, doctrine, and religious standards adopted by LCC shall be those set out in the Constitution and Synodical Bylaws, as amended from time to time.

**Article VII Membership**

7.01 The eligibility and entitlement of a community of believers to be received as a member, and the rules, procedures and entitlements applicable to such a congregation as a member, shall be those set out in the Constitution and Synodical Bylaws.

7.02 The eligibility and entitlement of an individual to be received as a pastor or as a deacon, and the rules, procedures and entitlements applicable to such a pastor or deacon as a member, shall be those set out in the Constitution and Synodical Bylaws.

7.03 All members, as a condition of membership in LCC, must accept that the president may exercise the ecclesiastical supervisory functions of the president as set out in the Constitution and the Synodical Bylaws from time to time.

7.04 When a congregation, pastor or deacon is received as a member, that member shall also be received as a member of a district.

7.05 The membership of a member may be suspended and a member may be expelled from membership in LCC as provided in the Constitution and Synodical Bylaws.

7.06 No congregation, pastor or deacon shall be entitled to any share of the property of LCC upon termination of that former member's membership.

**Article VIII Delegates**

8.01 Members shall be represented at Conventions by delegates who shall be elected as provided in the Constitution and Synodical Bylaws.

## **Article IX Conventions**

- 9.01 A Convention shall be called and held triennially in the manner and at a time and place as provided for in the Constitution and Synodical Bylaws.
- 9.02 The delegates in attendance at a triennial Convention shall receive a report from the president and from the Board; shall appoint auditors; and shall elect officers, directors, and members of such commissions as may be established and prescribed from time to time in the Synodical Bylaws; and shall transact such other business as may properly come before the Convention.
- 9.03 A special Convention may be convened as provided for in the Constitution and Synodical Bylaws.
- 9.04 A Convention shall have the exclusive right:
- a. to adopt all amendments to the Statutory Bylaws, the Constitution, and the Synodical Bylaws;
  - b. to elect and to remove the president;
  - c. to authorize the affiliation or association of LCC with other church bodies, synods, or federations, or the discontinuance of such affiliation or association;
  - d. to authorize the disposition of all or substantially all of the assets of LCC; and
  - e. to authorize the dissolution of LCC.
- 9.05 The delegates in attendance at a Convention shall also determine those matters applicable to LCC and to the Synod set out in the Constitution and the Synodical Bylaws.

## **Article X Officers of LCC**

- 10.01 An officer in office at the time this Bylaw comes into force shall continue in that office until that individual's successor takes office.
- 10.02 The officers of LCC shall be the president, first vice-president, second vice-president, third vice-president, secretary and treasurer. No individual may hold more than one (1) of these offices. The vice-presidents shall be ranked in the manner set out in the Synodical Bylaws.
- 10.03 The president and the vice-presidents shall be elected at a Convention in accordance with the procedures set out in the Synodical Bylaws. The term of office of such officers shall be three (3) years until their successor takes office, commencing on the first day of September after such election. An incumbent whose term of office is about to expire is eligible for re-election.
- 10.04 The secretary shall be appointed by the Board from among its members. The treasurer shall be appointed by the Board and may be an employee of LCC.
- 10.05 All officers must be confirmed members of a congregation. The president must be a pastor. The vice-presidents must be pastors serving congregation(s), one (1) residing in each district. The term of office of any officer shall terminate in the event such individual ceases to be a member of a congregation.
- 10.06 The president shall be the chief executive officer of LCC, and shall, subject to those matters which must be dealt with by the Board, exercise general supervision and control of the business and affairs of LCC.
- 10.07 The president shall:
- a. exercise the ecclesiastical supervisory functions of the president as set out in the Constitution and Synodical Bylaws;
  - b. supervise the activities of all executive staff and employees of LCC;
  - c. be responsible for implementing resolutions passed by the Board;
  - d. sign contracts and documents or instruments in writing in the name of LCC;
  - e. be an ex-officio voting member of all committees of the Board;
  - f. attend meetings of the districts as an advisor to the districts on ecclesiastical matters;
  - g. report on his activities to each meeting of the Board and to each Convention; and

- h. have such additional powers and shall perform such additional duties as may be set out in the Constitution and Synodical Bylaws or in a special resolution of a Convention, or as may be determined by the Board.
- 10.08 A vice-president shall, upon request of the president, represent the president and carry out the president's functions.
- 10.09 In the event the president is unwilling or unable to continue in office, or in the case of the deposition from office 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 the president's term of office.
- 10.10 The secretary shall record the proceedings during Conventions; draw up and sign the official papers and documents of LCC; and perform such other duties which may be enjoined upon the secretary through the Synodical Bylaws or as may be prescribed by the Board or by special resolution of a Convention.
- 10.11 The treasurer is the custodian of all moneys and records normally related to the office of treasurer and shall keep an exact record of all moneys received and expended by LCC; administer LCC's financial affairs according to its instruction; and at any time submit to an examination of the treasurer's books and accounts by an auditing committee when so ordered by the Board or a Convention.
- 10.12 The Board may fill any vacancy in the office of a vice-president, the secretary or the treasurer by appointment of a qualified individual to hold such office for the balance of the unexpired term.

#### **Article XI Board of Directors**

- 11.01 A director in office at the time this Bylaw comes into force shall continue in that office until that individual's successor takes office.
- 11.02 Directors shall be elected at Conventions in accordance with the Synodical Bylaws, and shall include twelve (12) members namely:
- the president;
  - the three (3) vice-presidents;
  - six (6) individuals, two (2) from the confirmed members of congregations in each district, provided that such individuals are not pastors and further provided that not more than one (1) of such individuals may be a deacon; and
  - two (2) pastors serving congregations or pastors emeriti elected at-large.
- 11.03 The term of office of directors who are not officers of LCC shall be six (6) years until their successor takes office, commencing on the first day of September after such election. The terms of such directors shall be staggered so that approximately 50% of such directors are elected at each Convention. Directors who are not officers of LCC shall not serve more than two (2) consecutive six (6) year terms as directors.
- 11.04 A district president shall not be eligible to hold office as a director. The three (3) district presidents shall be entitled to attend and to participate in meetings of the Board as non-voting advisors.
- 11.05 No person, except the president, shall be eligible to hold office as a director if that person is employed by LCC or by a district, or by another entity controlled by LCC or by a district.

#### **Article XII Authority of the Board**

- 12.01 The property and business of LCC shall be managed by the Board, subject to the provisions of the Constitution and Synodical Bylaws.

12.02 During the intervals between Conventions, the Board shall possess and may exercise (subject to any restrictions which the Convention may from time to time make) all of the powers of the Convention (save and except only such powers as are given to the president and such powers as Constitution or Synodical Bylaws states must be performed by the Convention itself) in such manner as the Board may deem best in the interest of LCC in all cases in which specific direction shall not have been given by the Convention. All actions of the Board shall be reported to the Convention next succeeding such actions, and shall be subject to revision or alteration by the Convention; provided that no acts or rights of third parties shall be affected or invalidated by any such revision or alteration.

#### **Article XIII Directors' Meetings**

13.01 Meetings of the Board may be held at any time and place to be determined by the Board. Notice by mail shall be sent to each director at least fourteen (14) days prior to the meeting, provided that forty-eight (48) hours' notice of such meeting may be given, other than by mail, to each director. There shall be at least three (3) meetings per year of the Board. No error or omission in giving notice of any meeting of the Board or any adjourned meeting of the Board shall invalidate such meeting or make void any proceedings taken thereat and any director may at any time waive notice of any such meeting and may ratify, approve and confirm any or all proceedings taken or had thereat. A special meeting of the Board shall be held upon call by the president or upon written request of any six (6) of the directors.

13.02 If all the directors consent thereto generally or in respect of a particular meeting, a director may participate in a meeting of the Board or of a committee of the Board by means of such conference telephone or other communications facilities as permit all persons participating in the meeting to hear each other, and a director participating in such a meeting by such means is deemed to be present at the meeting.

13.03 A resolution in writing, signed by all the directors entitled to vote on that resolution at a meeting of directors is as valid as if it had been passed at a meeting of directors.

13.04 At any meeting, a majority of the directors shall constitute a quorum. Each director is entitled to exercise one (1) vote on a resolution at a meeting of directors.

13.05 The Board may elect its own chair, vice-chair, and recording secretary, and such officers as it deems necessary for the carrying out of its duties and responsibilities.

#### **Article XIV Committees of the Board of Directors**

14.01 The Board shall establish a Finance Committee, a Personnel Committee and a Committee for Mission and Social Ministry Services. Such committees shall consist of not less than three (3) persons appointed by the Board. Each such committee shall elect its own chair and appoint its own recording secretary and establish its own procedures. Minutes of each committee meeting shall be kept by the recording secretary of the committee and shall be forwarded to the Board.

14.02 The president shall be an ex-officio voting member of each committee of the Board. The treasurer shall be an ex-officio voting member of the Finance Committee.

14.03 The Finance Committee shall oversee the work and activities of the treasurer. It shall review work programs on spending budgets for presentation to the Board. It shall have authority to amend budget allocations between meetings of the Board and shall report all such actions to the next meeting of the Board for ratification or amendment.

14.04 The Personnel Committee shall develop policies to be administered by the president governing the employment and remuneration of all executive staff and employees of LCC.

14.05 The Committee on Mission and Social Ministry Services shall formulate, review, and recommend policies relating to the mission and social ministry services and shall advise the Board on all activities related thereto.



- 14.06 Each Committee which has six (6) or more members shall be appointed so that there is at least one (1) member on such Committee from each district. Notwithstanding the foregoing, a member of a Committee who changes districts during the term of appointment may complete such term of appointment.

**Article XV Protection of Directors, Officers and Others**

- 15.01 Every director and officer of LCC in exercising that person's powers and discharging that person's duties, shall act honestly and in good faith with a view to the best interests of LCC and exercise the care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances. Subject to the foregoing, no director or officer of LCC shall be liable for the acts, receipts, neglects or defaults of any other director or officer or employee, or for any loss, damage or expense happening to LCC through the insufficiency or deficiency of title to any property acquired for or on behalf of LCC, or for the insufficiency or deficiency of any security in or upon which any of the moneys of LCC shall be invested, or for any loss or damage arising from the bankruptcy, insolvency or tortuous acts of any person with whom any of the moneys, securities or effects of LCC shall be deposited, or for any loss occasioned by any error of judgement or oversight on that person's part, or for any other loss, damage or misfortune whatever which shall happen in the execution of the duties of that person's office or in relation thereto; provided that nothing herein shall relieve any director or officer of LCC from the duty to act in accordance with any legislation governing LCC or from liability for any breach of such legislation.
- 15.02 Subject to the limitations contained in any applicable legislation governing LCC, LCC shall indemnify a director or officer of LCC, a former director or officer, or a person who acts or acted at LCC's request as a director or officer of a body corporate of which LCC is or was a shareholder or creditor, and that person's heirs and legal representatives, against all costs, charges and expenses, including an amount paid to settle an action or satisfy a judgment, reasonably incurred by that person in respect of any civil, criminal or administrative action or proceeding to which that person is made a party by reason of being or having been a director or officer of LCC or such body corporate, if
- (a) such person acted honestly and in good faith with a view to the best interests of LCC; and
  - (b) in the case of a criminal or administrative action or proceeding that is enforced by a monetary penalty, such person had reasonable grounds for believing that such person's conduct was lawful.
- LCC shall also indemnify such person in such other circumstances as any legislation governing LCC may permit or require.
- 15.03 LCC may purchase and maintain insurance for the benefit of any person referred to in section 15.02 against such liabilities and in such amounts as LCC may from time to time determine and as are permitted by any such legislation.

**Article XVI Congregations**

- 16.01 Each congregation shall be incorporated or otherwise established as a separate identifiable entity, and shall adopt a constitution and otherwise operate in a manner consistent with the provisions of the Constitution and the Synodical Bylaws.

**Article XVII Districts**

- 17.01 The number and geographical boundaries of districts shall be provided for in the Constitution and Synodical Bylaws.
- 17.02 Each district shall be incorporated and shall adopt the Constitution as its constitution and shall otherwise operate in a manner consistent with the provisions of the Constitution and the Synodical Bylaws.

**Article XVIII Signature and Certification of Documents**

18.01 Contracts, documents or any instruments in writing requiring the signature of LCC, shall be signed by any two (2) of the president, a vice-president, the secretary or the treasurer, and all contracts, documents and instruments in writing so signed shall be binding upon LCC without any further authorization or formality. The directors shall have power from time to time by resolution to appoint an officer or officers on behalf of LCC to sign specific contracts, documents and instruments in writing. The directors may give LCC's power of attorney to any registered dealer in securities for the purposes of the transferring of and dealing with any stocks, bonds, and other securities of LCC. The seal of LCC when required may be affixed to contracts, documents and instruments in writing signed as aforesaid or by any officer or officers appointed by resolution of the Board.

**Article XIX Books and Records**

19.01 The directors shall see that all necessary books and records of LCC required by the Act, this Bylaw, or the Constitution and Synodical Bylaws or by any applicable statute or law are regularly and properly kept.

**Article XX Effective Date**

20.01 These Bylaws shall take effect when adopted by a majority of at least two-thirds of the votes cast by the delegates at a Convention duly called and held for that purpose.

**Article XXI Amendment of Statutory Bylaws**

21.01 These Statutory Bylaws may be repealed or amended by a bylaw adopted by a two-thirds majority of the votes cast by the delegates at a Convention, written notice of which has been given to all members of Lutheran Church-Canada not less than thirty (30) days before the Convention enclosing the bylaw or a summary specifying the general nature of such bylaw.

ENACTED by a resolution of the directors at a meeting of the Board duly called and held the 6<sup>th</sup> day of June, 2002.

LUTHERAN CHURCH-CANADA

Per: Rev. Ralph Mayan  
PRESIDENT

Per: Rev. William Ney  
SECRETARY

ADOPTED by a majority of at least two-thirds of the votes cast by the delegates at a Convention duly called and held the 7<sup>th</sup> day of June, 2002.

LUTHERAN CHURCH-CANADA

Per: Rev. Ralph Mayan  
PRESIDENT

Per: Rev. William Ney  
SECRETARY

**CONSTITUTION  
OF  
LUTHERAN CHURCH-CANADA**

**PREAMBLE**

**Reason for Forming Lutheran Church-Canada**

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.
3. The conviction that such an organization will facilitate our witness to the Gospel of Jesus Christ in our country and throughout the world.

**Article I Status and Definitions**

1. This Constitution has been passed pursuant to the Statutory Bylaws enacted pursuant to the Act.
2. For the purpose of this Constitution and accompanying Synodical Bylaws, the "Synod" means Lutheran Church-Canada, or where referring to the voluntary ecclesiastical bond between members, means the Synod as defined in the Statutory Bylaws; and "member of the Synod" means a member of Lutheran Church-Canada.
3. In this Constitution: "parish" means the association of two or more congregations that has been sanctioned by a district to constitute a parish; "circuit forum", "circuit counsellor", and "colloquy" have the meaning set out in the Synodical Bylaws; and "Act", "circuit", "congregation", "Convention", "deacon", "delegate", "district", "member", "pastor", and "Synod" have the meaning set out in the Statutory Bylaws.

**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 defence 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, deacons, and other professional church workers and provide opportunity for their continuing growth;
4. provide opportunities through which its members 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, deacons, and other professional church workers in the performance of their official duties;
9. provide protection for congregations, pastors, deacons, 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, deacons, and other church workers, and their families, in the event of illness, disability, retirement, special need, or death.

#### **Article IV Rights of Conventions**

A Convention shall be the paramount decision-making authority of Lutheran Church-Canada, subject to the provisions set out in the Statutory Bylaws, the Constitution, and the Synodical Bylaws.

#### **Article V Membership**

Membership in Lutheran Church-Canada is restricted to congregations, pastors and deacons of the Evangelical Lutheran Church who confess and accept the confessional basis of Article II.

Congregations, pastors, deacons, and candidates for the office of the ministry or for the position of a deacon shall normally be received at a convention of a district, but may also be received at a Convention.

A congregation may be received into membership only after a district convention or a Convention has convinced itself that the constitution of the congregation, which must be submitted for examination, contains nothing contrary to the Scriptures or the Confessions.

Pastors and deacons, and candidates for the office of the ministry or for the position of a deacon not coming from recognized orthodox church bodies, must submit to a colloquy before being received into membership.

Congregations shall meet as a circuit forum and shall elect an equal number of pastoral and lay voting delegates (and their alternates) to represent them at Conventions, as provided in the Synodical Bylaws.

#### **Article VI Conditions of Membership**

Conditions for acquiring and holding membership in Lutheran Church-Canada 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 pastors;
  - 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 deacons 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, hymn books, and catechisms in church and school.
5. Service of congregations by pastors who are members of Lutheran Church-Canada.

#### **Article VII Relation of the Synod to Congregations**

The Synod is not an ecclesiastical government exercising legislative or coercive powers, and with respect to an individual congregation's right of self-government, the Synod is advisory. 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.<sup>1</sup>

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<sup>1</sup>*Cf. Synodical Bylaws, 1.21b*

## **Article VIII Conventions**

### **A. TIME AND LEGALITY OF CONVENTIONS**

1. Lutheran Church-Canada convenes every three years for its regular Convention.
2. The presence of at least one-fourth of the constitutionally elected voting delegates are necessary to constitute a legal Convention.

### **B. SPECIAL CONVENTIONS**

1. If two-thirds of the delegates present at a Convention vote to call a special Convention, the Board of Directors shall call a special Convention.
2. If two-thirds of the members of the Board of Directors request the calling of a special Convention, the Board of Directors shall call a special Convention.
3. In cases of urgent necessity a special Convention may be called by the president with the consent of two-thirds of the district presidents or by the unanimous consent of the district presidents without the consent of the president.

All members of Lutheran Church-Canada must be notified thirty days in advance and told for what purpose this special Convention is being convened.

### **C. RESOLUTIONS AT CONVENTIONS**

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 at a Convention. In case of a tie vote the president may cast the deciding vote.

## **Article IX Representation**

Conventions are composed of regularly elected delegates and of certain individual persons, as specified in the Synodical Bylaws, to wit:

1. delegates representing congregations, entitled to vote;
2. non-voting representatives of the advisory members of the Synod, entitled to attend and speak;
3. non-voting representatives of boards, commissions, and educational institutions and such as by virtue of their office are required to attend the Conventions, entitled to attend and speak.

Advisory members of the Synod are the following:

1. pastors whose congregations have not been received as members of Lutheran Church-Canada;
2. pastors not in charge of congregations;
3. members of Lutheran Church-Canada who are faculty members at an educational institution established by Lutheran Church-Canada;
4. deacons;
5. candidates for the office of the ministry or for the position of deacon.

## **Article X Officers**

The officers of Lutheran Church-Canada shall exercise the ecclesiastical functions given to those officers in the Constitution and Synodical Bylaws.

## **Article XI President**

1. The president shall have ecclesiastical supervision regarding doctrine expressed by:
  - a. all officers of Lutheran Church-Canada;
  - b. all such as are employed by Lutheran Church-Canada;
  - c. the individual districts; and
  - d. all district presidents.

2. It is the president's ecclesiastical responsibility to see to it that all the aforementioned act in accordance with the confession set out in this Constitution, to admonish all who in any way depart from it, and, if such admonition is not heeded, to report such cases to the Convention.
3. The president has and always shall have the responsibility 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.
4. The president shall see to it that the resolutions of a Convention are carried out.

#### **Article XII Districts and Their Regulation**

1. The Synod is divided into districts, the geographical boundaries of which are determined by a resolution of a Convention and are altered by it according to circumstances.
2. This Constitution is also the constitution of each district insofar as it applies to the district; 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 Statutory Bylaws, the Constitution or the Synodical Bylaws.
3. The officers of the district shall be:
  - a. a district president;
  - b. district vice-presidents as the Synodical Bylaws prescribe;
  - c. as many circuit counsellors 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 a manner as the district may prescribe.
4. Additional officers, boards, and commissions may be 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 in the manner set out in the Synodical Bylaws.
6. All officers of the districts have the same rights and duties as those outlined in the Statutory Bylaws 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 ecclesiastical supervision regarding the doctrine, life, and administration of pastors and deacons in their district and acquaint themselves with the religious conditions of the congregations in 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 counsellors, who therefore shall regularly make their reports to the district president.
8. District presidents are empowered to suspend from membership in the Synod any pastor or deacon 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 Synodical Bylaws.
9. Furthermore, the district president shall:
  - a. see to it that all resolutions of the Synod which concern his district are made known to the district and are carried out by it;
  - b. submit an annual report of his administration to the president and, in general, permit the president to obtain all necessary insight into the discharge of his official activities as a district president;
  - c. perform, either in person or by proxy, the ecclesiastical ordination of the candidates for the ministry assigned to his district and the installation of such, as well as the installation of the candidates for the office of pastor and the position of deacon called by the congregations in his district;
  - d. sign all examination papers and certificates of ordination and, in general, all official papers and documents of his district.

10. District conventions shall be comprised of voting representatives of congregations and advisory members to districts. Every congregation is entitled to two voting representatives at district conventions, one to be one of its pastors and the other to be its elected lay delegate, provided however, that if congregations have associated together as a parish, then such voting rights shall be exercised by representatives of the parish.
11. Pastors of congregations that are members of the Synod, and lay delegates elected by such congregations shall be entitled to attend and vote at district conventions on behalf of congregations.
12. The advisory members of a district convention, entitled to attend and speak at district conventions are:
  - a. pastors whose congregations have not been received into membership in the Synod;
  - b. pastors not in charge of congregations;
  - c. members of the Synod who are faculty members at an educational institution established by Lutheran Church-Canada and located in the district;
  - d. deacons; and
  - e. candidates for the office of pastoral ministry or for the position of deacon.
  - f. associate pastors of LCC congregations not elected by their congregations to be a delegate to the district convention.
13. The districts shall be legally incorporated, with a board of directors which shall include the president, the secretary, and the treasurer of the district.
14. 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 Lutheran Church-Canada or to the nominee of Lutheran Church-Canada.
15. The districts are independent separate legal entities, it being understood, however, that districts shall, in administering their affairs, always serve the interests of the Synod.
16. The regular conventions of the districts shall be held in the year immediately following the triennial Convention of the Synod. Only a Convention of the Synod has the right to make an exception to this rule.
17. The presence of at least one-third of the congregations represented by at least one of their voting representatives (pastors or lay delegates) shall be required for a properly constituted district convention.
18. In cases of urgent necessity the district president shall be empowered to convene a special convention of his district; he must, however, previously have obtained consent of at least a majority of the congregations of the district after having informed them and the president of the purpose of the intended special convention.

#### **Article XIII Expulsion from the Synod**

1. Members of the Synod 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 Synodical Bylaws.
3. If the member of the Synod expelled is a pastor or deacon serving a congregation which is a member of the Synod, such congregation shall rescind his call and deal with him in accordance with the Word of God, notwithstanding an appeal. If the congregation fails to do so, the respective district president shall deal with the congregation. If all negotiations and admonitions of the district president fail, such congregation shall forfeit its membership in the Synod.

#### **Article XIV Amendments to the Constitution**

1. Amendments to the Constitution may be made provided they do not conflict with the provisions laid down in the Act or Statutory Bylaws, or in Article II and in Article VI.
2. All proposed amendments must be submitted in writing to a Convention, and each proposed amendment shall be voted on separately. A two-thirds majority of all votes cast at a Convention shall be necessary for adoption.

3. After adoption by the Convention such amendments shall be reported to the congregations in the official periodicals of the Synod.
4. Proposed amendments to the Constitution adopted by a Convention shall be submitted directly to each congregation that is a member 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 Lutheran Church-Canada on this official ballot. The proposed amendment shall become effective at the expiration of six months from the date on which the amendment was adopted by a Convention, provided a two-thirds majority of the votes cast by congregations within that period shall have favored the amendment. At the end of the six-month period the secretary of Lutheran Church-Canada shall announce the outcome of the voting by districts in the official periodicals of the Synod.

ADOPTED by a majority of at least two-thirds of the votes cast by delegates at a Convention this 7<sup>th</sup> day of June, 2002.

APPROVED by a two-thirds majority of the votes cast by congregations that are members of the Synod.

LUTHERAN CHURCH-CANADA

Per: Rev. Ralph Mayan  
PRESIDENT

Per: Rev. Nolan Astley  
SECRETARY

#### NOTICE

Article XII. 12 f amended by a two thirds majority of votes cast at the 2005 Convention of LCC and approved by a two-thirds majority of the votes cast by congregations that are members of the Synod.



**SYNODICAL BYLAWS  
OF  
LUTHERAN CHURCH-CANADA**

These Synodical Bylaws are passed pursuant to the Statutory Bylaws and the Constitution of Lutheran Church-Canada and are subject to the provisions of the Statutory Bylaws and the Constitution.

The terms used in these Synodical Bylaws have the same meaning as the terms used in the Statutory Bylaws and the Constitution, except where the context otherwise dictates.

**I. PREAMBLE**

**A. CONFESSION**

**1.01 Confessional Position**

The confessional position of the Synod is set forth in Article II of the Constitution, to which all who wish to be and remain members of Lutheran Church-Canada 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 members. They shall reiterate the doctrinal 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 Convention and are to be honoured and upheld until such time as they are amended or repealed.
- c. Doctrinal statements set forth in greater detail the doctrinal 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 Convention, a district convention, a synodical faculty, or an official conference of pastors and deacons, to the Commission on Theology and Church Relations for evaluation, refinement, development, or recommendation, as the case may be;
  2. submitted by the Commission, if it acts favourably, to the congregations, the colleges and seminaries, and the members who are pastors or deacons 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 members which are 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 through an announcement in the official periodicals of the Synod.
  7. Such adopted and ratified doctrinal statements shall be regarded as the doctrinal position of the Synod and shall be "accepted and used as helpful expositions and explanations" (FC SD Rule and Norm, 10). They shall be honoured and upheld until such time as they are amended or repealed.
  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 honour and uphold publicly the statement as the doctrinal position of the Synod, notwithstanding further study and action by the Synod.
- d. Dissent from doctrinal resolutions and statements shall be governed by bylaw 1.21e.

## B. MEMBERSHIP

### 1.11 Application and Reception

Applications for membership in Lutheran Church-Canada by congregations, pastors and deacons may be acted upon in a district convention or a Convention.

### 1.13 Signing Constitution

- a. Each pastor and each deacon applying for membership in Lutheran Church-Canada shall file a signed statement as follows: "I have read the Constitution of Lutheran Church-Canada and I hereby affix my signature to it, dated \_\_\_\_, signed \_\_\_\_." This statement shall be filed with the secretary of the district prior to the district convention or the Convention at which the individual wishes to be received.
- b. The duly elected lay delegates of a congregation newly received as a member shall sign the Constitution as the representatives of the congregation in open session at the first district convention or Convention which they attend. The district secretary shall obtain such signatures to the Constitution.
- c. 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 (see bylaws 5.27, 5.33).
- d. The district shall record the year in which a member is received or relinquishes membership or transfers to another district.

### 1.15 Constitutions of Congregations

- a. A congregation which applies for membership in Lutheran Church-Canada shall, two months prior to the district convention or the Convention, 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, the confessional position of the Synod, and the Constitution and these Synodical Bylaws in order that any necessary changes may be made by the congregation before the district convention or the Convention convenes. A congregation shall not hold membership until it has made such changes as the board of directors of the district 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 favourable action by the board of directors of the district, 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 Lutheran Church-Canada:
  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 constitution and practices into harmony with the Holy Scripture and the Confessions, so that their applications might receive favourable action.

### 1.17 Duties of Members of Lutheran Church-Canada

- a. Every pastor and every deacon shall, in accordance with his vocation, his ability, and the means at his command, diligently and earnestly promote the purposes of the Synod by word, deed, and adequate financial support.

- b. Every congregation shall provide the means and opportunity for its members to support and to advance the mission of the Synod.
- c. All members of Lutheran Church-Canada shall abide by the Constitution and these Synodical Bylaws and shall subscribe to the confessional position of the Synod.

#### **1.19 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 Convention, nor shall they be accredited as such. Former pastors and deacons who are regularly engaged in a secular calling shall no longer be considered advisory members.

#### **1.21 Relation of Lutheran Church-Canada to Its Members**

- a. The Statutory Bylaws, Constitution, and these Synodical Bylaws, and all other rules and regulations of Lutheran Church-Canada apply to all members of Lutheran Church-Canada, i.e., to all congregations, pastors, and deacons. Lutheran Church-Canada expects communities of believers as have not yet been received into membership, but are served by pastors and deacons who hold membership in Lutheran Church-Canada to honour its rules and regulations.
- b. Lutheran Church-Canada expects every congregation which is a member of Lutheran Church-Canada to respect the resolutions of a Convention, 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 voluntary and advisory, recognizes the right of the congregation to be the judge of the expediency of a resolution of Synod 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 Lutheran Church-Canada gives Lutheran Church-Canada no equity in the property of the congregation.
- d. Pastors and deacons who are members of Lutheran Church-Canada shall hold their membership in the district in which the congregation they serve is assigned, or in which they are serving as district executives. Pastors and deacons who are members of Lutheran Church-Canada who are serving an educational institution established by Lutheran Church-Canada shall be under the ecclesiastical supervision of the president of the district in which the institution is located.
- e. While retaining the right of brotherly dissent, members of Lutheran Church-Canada are expected, as part of the life together within the synodical fellowship, to honour and to uphold the resolutions of a Convention. 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.
- f. Although the Constitution (see Art. VI 3. and Art. XII 7. and 8.) deals with the life of pastors and deacons who are members of Lutheran Church-Canada and provides for dealing with ungodly life of pastors and deacons, this does not suggest that Lutheran Church-Canada, or any district, has the duty or even an opportunity to observe the activities in the life of a pastor or deacon, or has the means or authority to regulate, restrict, or control those activities. The only remedy available to Lutheran Church-Canada in response to improper activities in the life of such member is, where appropriate under the Constitution or these Bylaws and following the procedures set forth in these Bylaws, to take such action as may lead to the termination of that membership and the attendant rights and privileges.

#### **1.23 Reviewing Continued Membership Eligibility of Pastors and Deacons**

- a. If information with respect to a pastor or deacon who is a member of Lutheran Church-Canada is made known to or becomes known by the president of the district in which the person then holds his membership, and the district president, after a reasonable investigation, believes that there may be a basis, given the nature of the circumstances, for suspending the membership of the person, the president of the district in which the person then holds his membership may suspend that person's membership until the matter is satisfactorily resolved or the applicable reconciliation and adjudication procedures, as set forth in Chapter VIII of these Bylaws, can be completed.

- b. During the period that the suspension is in effect, the member shall have "Suspended Status" as provided by bylaw 5.51 and shall be ineligible for service in Lutheran Church-Canada, a district or a congregation. All records of Lutheran Church-Canada and the district shall reflect this fact. In addition, the district president shall notify the president and all other district presidents in writing of any such suspension.

## C. PRINCIPLES OF ORGANIZATION

### **1.31 Reasons for Forming Lutheran Church-Canada**

Committed to a common confession and mission, congregations which are members of Lutheran Church-Canada join with one another as a Synod to share an ecclesiastical bond and to support and work with one another in accordance with their commonly adopted objectives. In this way, members, as a Synod, seek 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, The Synod, District, Circuit**

- a. The congregation is the basic unit in the Synod. Congregations join together with pastors and deacons to establish the Synod. Conventions establish districts. Districts create circuits. The criteria for the creation of districts and circuits shall be determined in Convention.
- b. The Synod, the districts, and the circuits are regarded as ecclesiastical 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 provide a method by which congregations can exercise certain functions which can be performed more efficiently and effectively together with sister congregations.
- c. A congregation also exercises certain privileges and responsibilities in and through its respective circuit and district.
- d. Circuits and districts are expected to carry out resolutions of the Synod. Circuits and districts provide a means for congregations to review decisions of the Synod, to motivate one another to action, and to shape and suggest new directions.
- e. Congregations together set the requirements for membership in the Synod (Art. VI). In so doing, congregations also obligate themselves to fulfill such requirements. They are to uphold the confessional position of the Synod (Art. II) and to contribute to achieving the objectives of the Synod (Art. III), which are objectives of the congregations themselves. Congregations are self-governing (Art. VII). In exercising such freedom, however, congregations also commit themselves to act in accordance with the Constitution and these 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 and Commissions**

- a. The Convention serves as the meeting of members of Lutheran Church-Canada required by civil law and is also the ecclesiastical decision-making forum of the Synod.
- b. The elected officers of Lutheran Church-Canada also serve the Synod in accordance with the responsibilities assigned to them by the Constitution and these Bylaws or by a Convention.
- c. The Board of Directors also serve the Synod in accordance with the responsibilities assigned to them by the Constitution and these Bylaws or by a Convention.
- d. Each board and commission also serves the Synod in a specific area of program or ministry in accordance with the Constitution and these Bylaws.

### **1.37 Definitions**

The terms used in these Synodical Bylaws have the same meaning as the terms used in the Statutory Bylaws and the Constitution, except where the context otherwise dictates.

- a. An *agency* is an instrumentality other than a congregation, whether or not separately incorporated, which the 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 Lutheran Church-Canada Financial Ministries.

- b. A *commission* is a group of persons elected or appointed as prescribed in these Bylaws to assume the duties and to discharge the responsibilities assigned to them by the Convention.
- c. A *council* consists of persons from various administrative areas or agencies, with the primary function of coordination.
- d. 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.

## II. SYNODICAL ORGANIZATION

### A. CONVENTIONS

#### 2.01 Function of Convention

The Convention shall afford an opportunity for worship, nurture, inspiration, fellowship, and the communication of vital information. It is the principal legislative assembly, which approves the amendment of the Constitution and Synodical 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 on behalf of its members. Only a Convention 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 to a Convention shall consist of at least one pastor and one layperson from each circuit. Those circuits which exceed 1500 communicant members shall elect an additional pastor and layperson for every additional 1300 communicant members or fraction thereof. Exceptions to these requirements and limitations can be made only by the president 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 circuit shall meet at the call of the circuit counsellor to elect its delegates not later than seven 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 IX 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. A parish shall be entitled to a lay vote from each congregation.  
Prior to the meeting of the circuit, each congregation may nominate one lay person, who must consent in writing, either from its congregation or from the circuit. These names must be submitted to the circuit counsellor prior to the day of the circuit meeting and shall constitute the slate of candidates. All congregational nominees shall be eligible for election. Each person entitled to vote may write in the names of as many from the slate of candidates as there are lay delegates to be elected from the circuit. A nominee whose total vote equals or exceeds a majority of the number of persons voting shall be declared elected as a lay delegate. If more nominees received a majority than the number of lay delegates to be elected, those receiving the greatest number of votes shall be declared elected as a lay delegate. If not all lay delegates have been elected in such voting, the candidate(s) receiving the least number of votes shall be eliminated so that two candidates remain for each lay delegate remaining to be elected. Another vote shall then be taken and this procedure followed until all lay delegates have been chosen. The congregation represented by an elected lay delegate shall be removed from consideration for supplying a pastoral delegate for that particular convention.
- b. Each person thus entitled to vote may write in the names of as many pastors from the circuit as there are pastoral delegates to be elected from the circuit. A pastor whose total vote equals or exceeds a majority of the number of persons voting shall be declared elected as a pastoral delegate. If more pastors received a majority than the number of pastoral delegates to be elected, those receiving the greatest number of votes shall be declared elected. If not all pastoral delegates have been elected in

such voting, the candidates(s) receiving the least number of votes shall be eliminated so that two candidates remain for each pastoral delegate remaining to be elected. Another vote shall then be taken and this procedure followed until all pastoral delegates have been chosen.

- c. Election of alternate lay delegates shall follow the same procedure as in paragraph "a" above. Where circumstances permit, the alternates shall be chosen from congregations other than those who have already supplied pastoral or lay delegates. Alternates shall serve as needed, beginning with those receiving the greatest number of votes.
- d. Election of alternate pastoral delegates shall follow the same procedure as in paragraph "c" above.
- e. All four persons elected shall come from four different congregations where circumstances permit.
- f. The counsellor shall report the results of the election to the secretary of the district in writing immediately after said election. If neither the delegate(s) nor the alternate(s) (pastoral or lay) can serve, the vacancy shall be filled by the district president in consultation with the respective circuit counsellor.

## **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 communicant 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 Convention 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 30 advisory pastors and one advisory delegate for every 30 deacons on the roster of the Synod assigned to the district. 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 deacon conferences. Such elections must be completed at least seven months prior to the opening day of the Convention. Advisory pastors and deacons 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 Lutheran Church-Canada, 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, another board or commission member, or by its principal staff person. Standing exceptions shall be the Board of Directors, the Commission on Constitutional Matters and Structure, 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 educational institution established by Lutheran Church-Canada shall be represented at Conventions by one of its board members in addition to the district president, by its president, or by one faculty member who is a member of the Synod.
- d. A foreign mission area, as defined and established from time to time by the Board of Directors may be represented at a 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 of Directors and shared with the missionaries at least 15 months in advance of a Convention.

- 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. Advisory delegates and representatives shall be eligible for membership on committees and to offices of the Convention unless otherwise specified.

### **2.17 Youth Representation**

Each district may be represented at a Convention by two youth representatives 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 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 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 bylaws 2.53 and 2.55, and other individuals or duly constituted groups of individuals who may be required or permitted by these Bylaws, by action of a prior 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 may be submitted only by a member congregation of the Synod, a district convention or board of directors of a district, an official district pastors' and deacons' conference, the faculty of an educational institution established by Lutheran Church-Canada, a board or a commission of the Synod listed in bylaw 2.53, 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 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 adjudication, as well as overtures which, upon advice of legal counsel, may subject the Synod or the corporate officers of the Synod to civil liability, shall not be accepted for Convention consideration.
- d. A convention workbook containing reports, overtures, and other information shall be published under the editorship of the secretary subject to 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 workbook.
- e. A copy of the convention workbook shall be sent not later than 10 weeks prior to the opening date of the Convention to each pastor and deacon on the official rosters of the Synod, to each lay delegate and alternate, to each lay member of synodical commissions, and to all such lay deacons 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 (bylaw 2.03), advisory delegates (bylaw 2.09), and advisory representatives (bylaw 2.13). Pastors, deacons (to the extent possible), 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 the official periodicals of the Synod, at least one of which must appear no less than 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 Lutheran Church-Canada and any lay delegate to the Convention wishing to express comments on reports and overtures appearing in the convention workbook 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 tentative 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**

Convention preachers, worship leaders, and essayists 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 workbook 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 and place 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 and place or both.
- b. 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 convention manager, appointed by the president, shall plan, make arrangements for, and direct the externals of the 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 convention manager.

### **2.35 Convention Expenses**

- a. The primary sources of income which are to offset the operating costs of the 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 convention manager to the 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 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 control, and budgetary classifications for operating income and costs of the 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 Lutheran Church-Canada. The expenses of district presidents shall be paid by Lutheran Church-Canada. 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 shall indicate which convention committees must meet before the Convention opens and shall notify the convention manager, who shall provide pre-convention housing and meeting facilities for them. All direct expenses incurred by these pre-convention meetings shall be borne by Lutheran Church-Canada.

### **2.39 Publicity**

The Board of Directors shall be the channel for telling the story of the Convention to the public.

### **2.41 Distribution of Official *Proceedings***

The official *Proceedings* of each Convention shall be sent 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 commissions shall be sent a copy. The cost shall be paid by Lutheran Church-Canada.

## **B. BOARDS AND COMMISSIONS AND TERMS OF OFFICE**

### **2.53 Boards**

Individuals shall be elected at Conventions to the following boards:

- a. The Board of Directors
- b. The Board of Regents for each educational institution established by Lutheran Church-Canada.

Individuals shall be appointed as prescribed:

- a. Board of Managers for Worker Benefits Plans
- b. Board of Directors of Lutheran Church-Canada Financial Ministries.

### **2.55 Commissions**

Individuals shall be elected or appointed to the following commissions:

- a. A Commission on Adjudication to be elected at Convention
- b. A Commission on Constitutional Matters and Structure to be appointed by the Board of Directors
- c. A Commission on Theology and Church Relations to be elected in part and appointed in part as provided in these Bylaws.

### **2.57 Qualification**

Except as otherwise provided in these Bylaws, all members of all boards and commissions shall be communicant members of member congregations of the Synod

### **2.59 Regional Representation**

Each board or commission which has six or more members shall be elected or appointed so that there is at least one member on such board or commission from each district. Notwithstanding the foregoing, a member who changes districts during term of office will complete such term of office.

### **2.61 Term of Office**

- a. The term of office of members of boards and commissions shall be six years commencing on September 1 following the Convention.
- b. The term of office of members of a Board of Regents shall be six years, commencing in accordance with the provisions of the bylaws governing the educational institution.
- c. All six year terms of office shall be staggered, with approximately 50% of the members of each board or commission being elected at or appointed following each Convention.
- d. The president, vice-presidents, secretary, treasurer, and members of all elected boards and commissions shall be inducted into office on a Sunday in September following their election. All members appointed to a board or to a commission shall begin their service on January 1 following the Convention. Incumbents shall serve until their successors have been qualified.

### **2.63 Successive Terms**

- a. 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 these Bylaws. They may become eligible again for election or appointment to the same 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.
- b. Any member of a board or commission who is ineligible for reelection or reappointment may be elected or appointed to another position.
- c. The limitation on the tenure of any individual shall not apply in cases which hereinafter are specifically excepted from such limitation.

### **2.65 Vacancies**

- a. Unless otherwise specified in these Bylaws, each board or commission shall be empowered to fill any vacancy of an elected individual which may occur in its membership, subject to the approval of the president.
- b. Vacancies in any board or commission caused by appointed individuals shall be filled by the appointing authority unless otherwise specified in these Bylaws. The board or commission may submit suggestions to the appointing authority.

### **2.67 Induction**

- a. All members of elected boards and commissions shall assume office on the first day of September following the Convention. The induction of the officers, the Board of Directors, and all other elected boards and commissions shall take place at the first regular meeting of the board or commission after such individuals have assumed office.

- b. The initial meetings of these boards shall be held after the assumption of office and shall provide for an orientation program conducted under the direction of the president.

#### **2.69 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 re-elected 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 Lutheran Church-Canada and the estimate of the financial resources available for the coming year.
- e. The newly elected members of the Board of Directors shall attend whatever meetings are held in the interim, without vote, to become acquainted with their new responsibilities and board functions.
- f. If the president is not reelected before the official retirement age or does not stand for reelection, he shall continue to receive his full salary to the end of the calendar year while rendering transitional service. During this period Lutheran Church-Canada shall assist him, if requested, in his efforts at finding another opportunity for service in the church. In the event of resignation, he 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.

#### **2.71 Prohibition of Conflict of Interest**

- a. No officer, director, officer or member of a board or commission 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 Lutheran Church-Canada 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.

#### **2.73 Accountability of Officers, Boards, and Commissions**

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

#### **2.75 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.

#### **2.77 Use of Technologies for the Conducting of Business**

Any authorized individual may participate in a meeting of a Board, Committee, Commission, or other body or entity at the Synodical, District or Circuit level, other than a Convention, by telephone or electronic communication facilities provided that:

- a. All persons participating in the meeting are able to hear or otherwise communicate with each other;
- b. Notice of the fact that such meeting is being or may be held in whole or in part by telephone or electronic communication has been provided to each participant in accordance with the notice provisions for such meeting.
- c. The Chair of the meeting shall have the responsibility to ensure that all individuals not physically present have proper access in order to participate by telephone or electronic communication;
- d. All individuals participating by such means shall be deemed to be present at such meeting;
- e. A meeting conducted in the manner described in this subsection will be valid and effectual.

#### C. ADVISORY COUNCIL

##### **2.81 Membership and Functions**

Presidents and acting presidents of the educational institutions established by Lutheran Church-Canada and one member appointed by and from the Board of Directors shall comprise an advisory council and shall meet at the call of the Board of Directors. 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 of Directors and report the results of its studies to the Board of Directors for consideration in making its decisions. It shall perform such other functions as may be assigned to it under these Bylaws or by a Convention.

#### D. COMMISSIONS

##### 1. Commission on Adjudication

##### **2.91 Membership**

(See Synodical Bylaw 8.15)

##### **2.93 Functions**

(See Synodical Bylaw 8.01)

##### 2. Commission on Constitutional Matters and Structure

##### **2.101 Membership**

The Commission on Constitutional Matters and Structure shall consist of five voting members. The Board of Directors shall appoint two rostered workers, at least one of whom must be a pastor, and two laypersons, for six-year terms, renewable once. The Commission shall include a lawyer as a member. The secretary of the Synod shall serve as the fifth member and secretary of the Commission.

##### **2.103 Functions**

In the area of constitutional matters the Commission shall--

- a. examine all reports and overtures to the Synod asking for amendments to the Statutory Bylaws, the Constitution, and these Bylaws, or which in any manner affect the Act, Statutory Bylaws, Constitution, or these Bylaws, to determine their agreement in content and language with the Act, Statutory Bylaws, Constitution and these Bylaws;
- b. be represented at the meetings of the floor committees considering constitutional matters at the Convention;
- c. revise the synodical *Handbook* immediately after each Convention to bring it into harmony with the resolutions or changes adopted by the Convention;
- d. interpret the Synod's Statutory Bylaws, Constitution, these Bylaws, and resolutions upon the written request of a member of Lutheran Church-Canada, 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 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 Act, Statutory Bylaws, Constitution, Synodical Bylaws, and resolutions of the Synod. A district shall make such amendments to or changes in these documents as may be necessary to conform.

In the area of structure, the Commission 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 improvement;
- 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.

### 3. Commission on Theology and Church Relations

#### **2.105 Membership**

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

- a. The Convention shall elect two rostered workers serving congregations, at least one of whom must be a pastor, or pastors emeriti and two laypersons.
- b. The Edmonton and St. Catharines theological faculties shall each appoint or elect one member of its faculty, who may be the president.
- c. The president, in consultation with the vice-presidents, shall appoint one additional member.
- d. The president shall be an advisory member.

#### **2.107 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 Canada.
- 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.
- c. The Commission shall assist members of the Synod in the area of fraternal organizations and cults, specifically:
  - 1. in gathering and providing information, advice, and literature concerning all organizations, both objectionable and non-objectionable, about which pastors or congregations may make inquiry relative to ceremonies, tenets, programs, practices, or objectives;
  - 2. in seeking 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;
  - 3. in preparing and disseminating periodical reports concerning new organizations, changes within existing organizations and developments relative to organizations in general;

4. in serving as a resource centre for the Synod with reference to information on fraternal organizations and cults, in seeking to explain the Synod's concern to such organizations, in publishing necessary study materials, and in assisting in carrying out the policy of the Synod regarding fraternal organizations as set forth elsewhere in these Bylaws.
- d. The Commission shall assist the Synod in the area of doctrinal review, specifically:
  1. in providing guidelines for the work of the doctrinal reviewers;
  2. in concerning itself with problem areas in the procedures for doctrinal review.

#### **2.109 Official Service Books and Hymnals**

- a. 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 after a process of exposure and testing decided upon by the Convention.
- b. Revisions in such books shall be made only by a Convention after requesting the Commission on Theology and Church Relations for an evaluation and recommendations.

### **E. OTHER SYNODICAL ENTITIES**

#### **2.201 Governing Instruments**

The articles of incorporation and bylaws (or other appropriate governing instruments) of the synodical entities listed in this Chapter II, E of the *Handbook* shall be in conformity with the Act, Statutory Bylaws, Constitution, Synodical Bylaws and applicable convention resolutions. Such conformity shall be assured through review of those instruments, and any changes therein, by the Board of Directors and Commission on Constitutional Matters and Structure. 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 Lutheran Church-Canada upon request.

#### **1. Lutheran Church-Canada Financial Ministries**

#### **2.211 Incorporation**

Lutheran Church-Canada Financial Ministries, as established as a separate corporate entity under the provisions of Part II of the Canada Corporations Act (hereinafter called "the Act") by Letters Patent and Supplementary Letters Patent, is operated in accordance with its Bylaws to further the objectives of the Synod in Extension and Foundation activities throughout Canada.

As established in its Bylaws, Lutheran Church-Canada and each participating district is entitled to be a member of the corporation.

#### **2.213 Objectives and Functions**

Lutheran Church-Canada Financial Ministries is formed to assist member congregations of Lutheran Church-Canada, incorporated associations of any congregations which themselves are member congregations, colleges and seminaries established by Lutheran Church-Canada, districts, and Lutheran Church-Canada itself, 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 or for any of the other activities of the Synod or the corporation through Extension and Foundation activities.

The corporation shall manage, conserve, and be responsible for all legacies, bequests, devises, endowments, foundations, annuity gifts, and all other trust funds of Lutheran Church-Canada. It shall also provide such services to congregations, auxiliaries, other recognized service organizations, and others under policies approved by its Board of Directors.

The corporation shall maintain, supervise and enlarge Extension and Foundation activities on a sound financial basis through policies and programs approved by its board of directors.

The Extension activities of the Corporation include:

- a. aiding participating districts in motivating individuals, congregations, and organizations in acquiring investments for church extension in a systematic manner;
- b. aiding participating districts in motivating individuals to contribute gifts to the foundation; and
- c. providing leadership in advance site acquisition for further expansion.

#### **2.215 Governance**

Except to the extent expressly provided elsewhere in these Bylaws specifically naming Lutheran Church-Canada Financial Ministries, none of the provisions of these Bylaws shall be applicable to Lutheran Church-Canada Financial Ministries or to the members and directors of Lutheran Church-Canada Financial Ministries, the same being subject only to the terms and conditions of the Letters Patent and bylaws of that Corporation.

#### **2.217 Other Extension Funds and Foundations**

Since Lutheran Church-Canada Financial Ministries serves all the Synod, no new Foundations or Church Extension Funds shall be established by districts, colleges, seminaries, or agencies without prior approval of the Board of Directors of Lutheran Church-Canada.

#### **2.219 Duties of Board of Directors of Lutheran Church-Canada Financial Ministries**

Lutheran Church-Canada Financial Ministries shall:

- a. establish policies within which it will operate with respect to the making of loans and the type of security required, taking into consideration the financial status of an organization to which the loan is being made and the circumstances of the loan; and
- b. establish policies and programs for maintaining, supervising, and enlarging the Church Extension work on a sound financial basis.
- c. establish policies and programs for maintaining, supervising, and enlarging the Foundation work on a sound financial basis.

Lutheran Church-Canada Financial Ministries shall also:

- a. include a complete financial statement of participating 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
- b. provide architectural advice and site selection counsel, when requested, to congregations, synodical and district boards and commissions, and districts.

#### **2.211 District Church Extension Programs**

All district church extension boards or committees shall administer the district's church extension program in conformity with policies established by Lutheran Church-Canada Financial Ministries and in accordance with district regulations.

### **2. Worker Benefit Plans**

#### **2.231 Board of Managers**

The Board of Managers-Worker Benefit Plans shall be appointed by the Board of Directors of Lutheran Church-Canada and shall be composed of seven members, at least five of whom shall be communicant members of a member congregation of the Synod, as follows:

- a. two rostered church workers
- b. three lay persons, each of whom shall have experience in either human resources, pensions, health and benefit programs or investment management
- c. one person from a Lutheran Church-Canada higher education institution
- d. the treasurer of the Synod.

The term of office shall be three (3) years. A member, with the exception of the treasurer, cannot serve

beyond three (3) successive three-year terms. Appointments shall be staggered, at the determination of the Board of Directors.

### **2.233 General Powers**

The Board of Managers shall have the power to administer all plans approved by the Board of Directors and to administer and invest the pension fund, and shall have all general and incidental powers and duties appropriate for the performance of such functions, including, but not limited to, the powers mentioned elsewhere in these plans or set forth in their Manuals of Administrative Rules. The Board of Managers shall not, however, have the power, duty, or authority to add to, or amend any provisions of the Plans.

### **2.235 Rules and Regulations**

The Board of Managers shall have the power and authority to promulgate rules and regulations, as set out in their Manuals of Administrative Rules, not inconsistent with the plans, for the better operation of the Plans, and by its rules and regulations to resolve any ambiguity or supply any omission or reconcile any inconsistencies. No such rules and regulations shall be effective until approved by the Board of Directors.

## F. COUNCILS

### **2.301 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 at least annually 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 give guidance for inter-church relations;
- e. to edify and support one another in the work they share;
- f. to serve as the Board of Assignments for the first calls to candidates for the pastoral and teaching office, and for other church professions;
- g. to carry out such assignments as the Convention may give to the Council from time to time;
- h. colloquy committees shall report to the Council of Presidents and shall assist the Council in carrying out its responsibilities as the Board of Assignments.

### **2.303 Planning Council**

The members of the Board of Directors and of the Council of Presidents shall serve as the Planning Council of the Synod under the chairmanship of the president. All principal staff persons shall function in an advisory capacity.

The Planning Council shall:

- a. recommend planning, programming, and budgeting systems encompassing short-, mid-, and long-range plans;
- b. convene at least every six years a planning conference of the members of the Planning Council and other participants invited at the discretion of the president;
- c. recommend short, mid and long-range plans at the national church body program level based on proposals and analysis made by the administrative officer through the office of the president; and report such to the Convention.

## G. STAFF

### **2.401 Description of Appointment or Employment**

- a. The executive staff shall be appointed or called by the Board of Directors and shall report and be accountable to the president.
- b. Each member of the executive staff must be a member of a congregation of the Synod. Such position shall be filled in accordance with policies of the Board of Directors. The Board of Directors in



consultation with the president or his designated representative, shall study and determine the staffing requirements for Lutheran Church-Canada, as well as any special qualifications sought, and update the position description.

- c. When an executive staff position is to be filled, a list of nominees shall be gathered through placing an announcement in the official periodicals of the Synod and through other methods. The president of the Synod shall select at least two persons as preferred nominees. The president and two members designated by the Board of Directors shall act as a screening committee, which shall interview such preferred nominees and make appropriate recommendations to the Board of Directors. The Board of Directors, with the approval of the president, shall make the selection and extend the appointment. The Board or commission may ask for additional nominees from the screening committee or for additional names from the field for the regular procedure outlined above.

#### **2.403 Tenure and Termination**

- a. Unless otherwise specified in the Bylaws, all executive staff shall serve at the pleasure of the Board of Directors, subject to annual review and evaluation by the president. Clergy and deacon members of the Synod who are appointed to positions requiring a pastor or deacon shall receive a Solemn Call; lay persons, whose position must be filled by a communicant member, shall receive a Solemn Appointment. Executive staff who are pastors, deacons, and lay persons, may normally expect to continue in their position 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 Board of Directors decides to terminate an appointment, 90 days written notice shall be given to the executive staff appointee. 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. Severance pay for other synodical staff shall be under policies established by the Board of Directors.
- d. Termination of appointment without notice or payment in lieu of notice may be made by the president at any time for adherence to false doctrine, conduct unbecoming a Christian, neglect of office, or other just cause. In such cases none of the foregoing financial arrangements shall apply.

### **H. NOMINATIONS AND ELECTIONS**

#### **1. Nominations and Election of President**

##### **2.501 Nominations**

Nominations for the office of president shall be made in the following manner:

- a. each voting congregation shall be entitled to nominate from the roster of the Synod two pastors as candidates for president;
- b. the secretary of the Synod shall mail via post or electronic means 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 Board of Directors, may engage an external auditing firm to tabulate the nominations and shall report to the Convention by means of the convention workbook the names and tallies of all pastors who have received nominating votes for the office of president;
- e. Groups and individuals within and without the Synod are urged to refrain from circularizing the Synod or areas thereof relative to favouritism in nominations for president.

##### **2.503 Candidates**

- a. Candidates for the office of president shall be the five pastors receiving the highest number of votes in the nominating ballots of the congregations, except for the provisions in bylaw 2.503 d.
- 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 or final position among the candidates, all names involved in the tie shall be listed as candidates, provided that the candidate has been named on at least two (2) nominating ballots, and if no fifth candidate so qualifies, the fifth or final ballot position will be eliminated.
- e. The secretary of the Synod shall publish in the convention workbook brief biographies of the five candidates for 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 the 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 the 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 bylaw 2.503e.
- g. After all such amendments have been voted on, the convention shall ratify the slate of candidates prior to the election.

#### **2.505 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 vote 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. Nomination and Election of Vice-presidents

#### **2.511 Nominations**

Nominations for the office of vice-presidents of the Synod shall be made in the following manner:

- a. each voting congregation shall be entitled to nominate from the roster of the Synod three pastors as candidates for vice-president;
- b. the secretary of the Synod shall mail via post or electronic means 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 Board of Directors, may engage an external auditing firm to tabulate the nominations and shall report to the Convention by means of the convention workbook the names of the candidates for the office of vice-president.

#### **2.513 Candidates**

- a. Candidates for the office of vice-president shall be the three persons from each of the districts receiving the highest numbers of votes in the nominating ballots of the congregations, except for the provisions in bylaw 2.513d.
- 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 from that district having the next highest number of votes shall become a candidate.
- d. In the event of a tie for the third position among the candidates from each of the districts, all names

involved in the tie shall be listed as candidates, provided that the candidate has been named on at least two (2) nominating ballots, and if no third candidate so qualifies, the third ballot position will be eliminated.

- e. The secretary of the Synod shall publish in the convention workbook brief biographies of the candidates for 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 affairs, and any other specific experience and qualification for office.
- f. The Convention shall have the right to alter the 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 the 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 bylaw 2.513e.
- g. After all such amendments have been voted on, the Convention shall ratify the slate of candidates prior to the election.

#### **2.515 Balloting and Election**

In the election for the vice-presidents, each voting delegate shall be entitled to vote for one candidate from each of the districts. A candidate whose total vote equals or exceeds a majority of the number of delegates voting 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.

#### **2.517 Ranking**

After the three vice-presidents have been elected, the delegates shall cast an additional ballot to determine the ranking of the vice-presidents.

### 3. Other Nominations and Elections

#### **2.521 Committee for Convention Nominations**

- a. Each district shall elect through its regular election procedures at the district convention one rostered worker and one lay person to the Committee for Convention Nominations plus alternates.
- b. The Committee for Convention Nominations will take office on September 1 following the district conventions. 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.

#### **2.523 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.

#### **2.525 Solicitation of Suggestion for Candidates**

- a. The secretary of the Synod shall solicit from congregations, district presidents, district boards of directors, circuit counsellors, 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 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 Convention.

#### **2.527 Function**

- 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 requirement of each position to be filled and be thereby guided in its selection of nominees. In the case of the Boards of Regents of the synodical institutions, the Committee shall consult with the Board of Directors 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 the official periodicals of the Synod before the convention 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.
- 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.

#### **2.529 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 detailed in bylaw 2.527e. No further nominations shall thereafter be accepted, except in the event that the Convention creates a new elective office 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 commission is to be elected. Whenever possible, however, the Committee for Convention Nominations should be informed in advance if any new commission is likely to be elected at a Convention, so that it may have a slate of candidates in readiness.

#### **2.531 Order of Names on Ballot**

The names and the 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.

#### **2.533 Committee on Elections**

- a. Prior to the Convention 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.

#### **2.535 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.

#### **2.537 Order of Elections**

- a. The president and the 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 members of the Board of Directors. Their elections shall thereafter be conducted as hereinafter prescribed.

#### **2.539 Election Procedures**

- a. A majority of all votes cast shall be required for election of all officers and members of the Board of Directors and other boards and commissions.
- 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.

### **III. DISTRICT ORGANIZATION**

#### **A. GOVERNING PRINCIPLES**

##### **3.01 Purpose of Districts**

Districts are established to work with congregations to advance the objectives of the Synod in a designated geographic region.

##### **3.03 Formation and Realignment of Districts\***

- a. The Convention decides when and whether a district shall be formed, divided, realigned, 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 Convention or may be presented to a synodical convention by a district convention or the Board of Directors.
- c. Such proposals shall:
  - 1. be submitted to the president at least six months prior to a synodical convention;
  - 2. include a substantiated description of the non-viable 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;
  - 3. 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;
  - 4. provide a specific and realistic development plan for the proposed district(s), including detailed proposals for staff personnel and financial operations; and

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

**\*DISTRICTS:**

The current districts are Alberta-British Columbia (1988), Central (1990), and East (1993).

**3.05 Membership**

The membership of a district consists of all those members of Lutheran Church-Canada (congregations, pastors, and deacons) who have been received as members of the district at the time of being received as a member of Lutheran Church-Canada, who have been transferred from another district, or who have been assigned to the district by the Synod. Termination of membership in Lutheran Church-Canada terminates membership in the district.

**3.07 Relationship between the Synod and Districts**

- a. In ecclesiastical matters, the Synod is not merely an advisory body in relation to a district. A district is the Synod itself performing the ecclesiastical functions of the Synod. Resolutions of the Synod are binding on the districts.
- b. The Constitution is also the constitution of each district. These Synodical Bylaws 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 ecclesiastical work of the Synod. Such bylaws, regulations, and resolutions shall not conflict with the Constitution and these Synodical Bylaws. The bylaws and regulations of the district and any subsequent change therein shall be submitted to the Commission on Constitutional Matters and Structure for review and approval.
- c. A district shall incorporate under the civil laws under which the district carries on its activities. The form of incorporation and any subsequent proposed change thereof shall be submitted to the Commission on Constitutional Matters and Structure 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 Lutheran Church-Canada or to Lutheran Church-Canada's nominee.
- e. Jurisdiction with respect to ecclesiastical matters 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 pastors and deacons 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 ecclesiastical relationship of a congregation to the district is the same as the ecclesiastical relationship of a congregation to the Synod as defined in Article VII of the Constitution and 1.21 and 1.33 of these 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 Synodical Bylaws 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 resolutions 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 district convention, to the Board of Directors, and to the Convention 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 manager of all property of the district. Between district conventions it shall provide for implementation within the district of the decisions of the district conventions and 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 for 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 commission, 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 these Bylaws for its convention, insofar as these may be applicable. Each district may adopt any other regulations, provided these are not contrary to the Constitution and these Bylaws. 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 district convention the proper credentials provided by the district secretary and signed by two of the congregation's officers.

### **3.25 Advisory Delegates**

All advisory members within the district shall serve as advisory delegates entitled to voice and vote on a floor committee, if appointed, and to voice in the district convention.

### **3.27 Attendance**

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

### **3.29 Synodical Representation**

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

## C. DISTRICT OFFICERS

### 3.51 Officers

- a. The following officers of a district shall be elected by each district from the pastors on the roster of the Synod: a president, two or more vice-presidents and a circuit counsellor for each circuit established by the district.
- b. Each district shall have a secretary, who shall be either a pastor or deacon on the synodical roster or a layperson. The secretary shall be elected as the bylaws of the district may provide.
- c. Each district shall have a treasurer, who shall be a layperson and who shall be elected or appointed as the bylaws of the district may provide.
- d. 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 the 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. He shall serve the congregations of the district as liaison between the congregations, district, and the Synod.

### 3.73 The President as Adviser

Each district president, in accordance with the Constitution, shall supervise the doctrine, the life, and the official administration on the part of the pastors and the deacons 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 deacons held in his district, advise the congregations of his district as to the calling of pastors and deacons, give counsel, and respond to requests and inquiries. He may call upon circuit counsellors to assist him.

### 3.75 Official Visits and Investigations

The district president, even without formal request, may through 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 Deacons

The district president shall annually revise the official roster of clergy and deacons for publication in *The Canadian 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 pastors or deacons 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 set out in the Constitution, and the Synodical Bylaws, and the bylaws of the district. It shall operate within the applicable federal and provincial 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 ecclesiastical work with the Synod, the board shall be guided generally by the functions of the Board of Directors as set out in the Statutory Bylaws, as these apply to districts, and subject to reservations, limitations set out in these Bylaws.

## F. BOARDS

### 3.97 Provisions

- a. Each district shall provide through its structure for the following functions:  
Reconciliation, 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 Engagement

Districts engage full-time staff to assist officers, boards, and commissions in carrying on the work of the district. Unless districts are able to 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 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 development of relevant district and the Synod materials and programs; and in general act as partners with fellow staff persons in the pursuit of appropriate synodical programs.

## H. NOMINATIONS, ELECTIONS, AND APPOINTMENTS

### 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 district elective offices and elective board and commission 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

- a. Terms of office shall be as follows:
  1. elected officers - three years;
  2. elected board and commission members -three years; however, districts may adopt bylaws setting such terms at six years instead of three years;
  3. appointed boards and commissions - three years.
- b. Limitation of tenure, if any, may be determined by a district.

### **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 in the interest and general welfare of Lutheran Church-Canada 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 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 upon request of a district board of directors.

#### **4.03 Relationships: Officers, Forums, Convocation**

- a. The circuit counsellor is the principal officer of the circuit and serves in accordance with the duties assigned to this position in the Constitution and these bylaws and the bylaws of the districts. The circuits may select such other officers as it deems necessary. The circuit counsellor 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, deacons, 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 Counsellor**

#### **4.11 Nomination and Election**

Every voting congregation of each circuit shall nominate as candidates for the office of circuit counsellor two men from among the pastors of 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 three months prior to the elections and shall be submitted to the secretary of the district. If no candidate has received a majority, the district secretary shall provide an open ballot at the district convention. The election of circuit counsellor shall be made by the delegates of the respective circuit. The secretary of the district shall prepare a slate of circuit counsellors. The convention shall have the right to alter the slate by amendment. The convention shall then ratify the slate of circuit counsellors, which ratification shall constitute election. The district president shall fill any vacancies for circuit counsellor.

#### **4.13 Official Visits**

- a. The circuit counsellor 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 the Constitution.
- c. The congregation of a circuit counsellor shall be visited by the district president or by one of the district vice-presidents or by another circuit counsellor designated by the district president.

#### **4.15 Relation to District President**

- a. Each circuit counsellor, by virtue of his office, shall assist the district president within the circuit. Therefore the district president shall meet with the circuit counsellors of the district at least once a year for the purpose of discussing the work of the circuit counsellor.
- b. The circuit counsellor shall regularly report on his activities to the district president.

#### **4.17 Relation to Member Congregations**

- a. The circuit counsellor 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, a holy nation, a peculiar people" to show forth the praises of Him who 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 deacons; 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 counsellor with the respective pastor and congregation, except under extraordinary circumstances. If he deems it necessary, the circuit counsellor may through the proper channels arrange for a special meeting of the congregation even if he has not been invited.

#### **4.19 Relation to Non-member Congregations**

The jurisdiction of circuit counsellors shall include non-member 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 counsellor 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 Deacons and Schools**

The circuit counsellor shall officially visit the deacons in his circuit:

- a. In the case of deacons serving congregations, he shall give his attention especially to their teaching, visiting, and administration.
- b. In the case of deacons serving schools, he shall give his attention especially to:
  1. the personal attitudes of the teachers and principal toward their profession and their pupils;
  2. the general course of study, with special emphasis on the teaching of the Christian religion;
  3. Christian discipline;
  4. the school attendance;
  5. the school equipment;
  6. the school management.

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

#### **4.25 Expenses**

The circuit counsellor 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 triennially or more frequently at the discretion of the circuit counsellor.

#### **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, deacons, and pastors;
- c. to receive and respond as appropriate to advice, guidance, resolutions and programs as such may be addressed to it from other circuits, the respective district, or the Synod;
- d. to serve as a setting to review and evaluate programs, plans, and long-range directions of the district and the Synod.

#### **4.35 Election of Convention Delegates**

It is the circuit forum which triennially shall elect the pastoral and lay delegates, 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 district convention or 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 neighbourhood.
- d. The example of the apostolic church favours 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 favour 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 neighbourhoods 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 prevent 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 DEACONS**

#### **A. CALLS**

##### **5.01 Eligible Pastors and Deacons**

- a. Pastors
  1. Congregations which are members of the Synod, in conformity with Article III, 3 of the Constitution, shall call and be served only by pastors 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.
  2. Congregations which violate this requirement and persist in such violation shall after due admonition forfeit their membership in Lutheran Church-Canada.
- b. Deacons
  1. The term "deacon" shall include both male and female members of the diaconate who have accepted a call having been:
    - i Prepared and certified in our church's professional church worker program (teacher, director of parish services, parish nurse);
    - ii Prepared and certified through a certified program of the LCMS (teacher, Director of Christian Education, Director of Evangelism, deaconess, parish worker, lay minister) .
  2. Congregations which are members of the Synod, in conformity with Article III, 3 of the Constitution, shall call only deacons 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.
  3. Non-rostered workers shall be encouraged to seek certification through the Colloquy Committee.

##### **5.03 Advising Member Congregations**

Congregations shall seek the advice of the respective district officials when calling pastors or deacons.

##### **5.05 Advising Non-member Congregations**

- a. Lutheran congregations not members of the Synod making application to the Synod for pastors or deacons to serve them shall also have the benefit of such official advice.
- b. Synod expects such congregations to honour its rules and regulations and express a willingness to consider membership in Lutheran Church-Canada.
- c. Such congregations shall declare their willingness after due instruction to sever their connection with any heterodox body with which they may be affiliated.

##### **5.07 Non-Lutheran Congregations**

Congregations of non-Lutheran faith making application to the Synod for pastors or deacons to serve them 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 bylaw 5.07c must be observed.

## **5.11 Assignment of Calls**

- a. The Council of Presidents, acting as the Board of Assignments, shall regularly receive the calls for pastoral and diaconal candidates which congregations, qualified associations, and synodical and district boards have submitted and shall assign such calls and appointments to the following: graduates from our synodical church work programs (seminaries and university college) interns, and vicars of educational institutions established by Lutheran Church-Canada and workers available from colloquy programs.
- 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, CONSECRATIONS AND INSTALLATIONS**

### **5.21 Prerequisites for Ordination**

- a. A candidate for the office of the pastoral ministry in Lutheran Church-Canada 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 colloquy according to the Synodical Handbook, bylaws 5.71 to 5.87, or have completed all requisites for the PAT program according to 5.137.
  2. He shall have received endorsement by the proper faculty or the Colloquy Committee, or the COP with regard to PAT candidates 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 Edmonton and St. Catharines 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 Presidents**

The district president shall be responsible for the ordination of candidates for the pastoral ministry, for the consecration of candidates for the diaconal ministry, and the installation of pastors and deacons in congre-

gations 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 Prerequisites for Consecration**

- a. A candidate for the position of deacon in Lutheran Church-Canada may be consecrated when the following prerequisites have been met:
  1. The candidate shall have completed the prescribed courses of study and have received a diploma from Concordia University College of Alberta, or a synodically recognized program of higher education or have fulfilled the requisites for colloquy according to the synodical *Handbook*, bylaws 5.101 to 5.117.
  2. The candidate shall have received endorsement by the proper faculty or the Diaconal Colloquy Committee for the position of deacon and in every respect has been declared qualified by them for the position of deacon.
  3. The candidate shall have indicated complete dedication to the diaconal ministry and the readiness to accept a call extended to him by the Board of Assignments.
  4. The candidate shall have received and accepted a call to a position, the incumbent of which may be consecrated according to the regulations of Synod.
  5. The candidate shall have received and accepted a call extended through the proper channels to assume full-time work in the church.
  6. The candidate shall have made application for membership in Synod and have submitted a request for consecration to the respective district president or to the proper official of the board through which the call was extended.
- b. Graduates of Concordia University College of Alberta or a synodically approved institution of higher education who have fulfilled the prerequisites stated in a.1-4 and also wish to continue their professional studies shall be assigned and consecrated 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 deacon.
  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 consecration and receive the candidate upon his application as a member of Synod and the district.

#### **5.27 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.

#### **5.29 Installation of Faculty Members**

Faculty members at the educational institutions established by Lutheran Church-Canada 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.



### **5.31 Induction of Instructional Staff Members**

Candidates assigned to an educational institution established by Lutheran Church-Canada 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.

### **5.33 Consecration and Installation of Deacons**

- a. The consecration of a candidate for diaconal ministry 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 consecration to take place in the home congregation of the candidate and accordingly, with the permission of the calling congregation, authorize the consecration of the candidate in his home congregation. The president of the district in which the calling congregation is located shall issue a diploma of consecration.
- b. The installation of diaconal candidates or deacons shall always take place in the presence of the congregation to which they have been called and shall be performed by the pastor of the congregation upon authorization by the district president.
- c. Diaconal candidates and deacons shall be consecrated 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.

### **5.35 Transfers**

A pastor or deacon accepting a call to a member or non-member 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 deacon, the district president of the sister district shall install or authorize installation of such pastor or deacon.

## **C. CLERGY AND DIACONAL 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 pastors and deacons on the clergy and diaconal rosters respectively of the Synod and also for their removal.

### **5.43 Continuing Eligibility**

To be retained on the active roster, a pastor or deacon, 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 deacon called to serve a parish;
- c. an officer of the Synod or a district, elected by a Convention or by a district;
- d. an executive or professional staff member appointed by Lutheran Church-Canada or by an organization established by Lutheran Church-Canada;
- e. a missionary called or appointed by Lutheran Church-Canada or by a district;
- f. an instructor, administrator, or other staff member on the faculty of an educational institution established by Lutheran Church-Canada or of an educational institution recognized by the Synod;
- g. a military or institutional chaplain called by Lutheran Church-Canada or by a district;
- h. an executive or professional staff member called or appointed by a church-related agency recognized by the Synod.

#### **5.45 Emeritus**

A pastor or deacon 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 as emeritus. Any unusual case shall be decided by the Council of Presidents.

#### **5.47 Candidate Status**

- a. A pastor or deacon 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 two consecutive years, subject to annual review by the president of the district of which the candidate is a member. For the extension of the candidate status beyond two 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 honoured, 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 Restricted Status**

- a. A pastor or deacon may have his status restricted to the extent deemed necessary and appropriate by the district president who has ecclesiastical supervision of the member. The district president may take this action if information with respect to such member provides a substantial basis to conclude that such a member
  1. may have engaged in conduct which could lead to expulsion from the Synod under Article XIII of the Constitution; or
  2. is incapable of performing the duties of the office or position because of a physical, mental, or emotional disability; or
  3. neglects or refuses to perform the duties of the office or position.
- b. A pastor or deacon on restricted status is ineligible to
  1. perform functions of ministry except in the position of service, if any, held at the inception of restricted status and anything beyond the current position of service only if approved by the district president; and
  2. accept a call to any other position of service in the Synod.
- c. A pastor or deacon shall be notified in writing as to the specific reasons for having been placed on restricted status. Such restricted status shall continue for a period of one year or a lesser period if the matter is satisfactorily resolved.
- d. Restricted status shall normally be limited to one year. To extend the restricted status beyond this period, the district president shall secure the approval of the Council of Presidents. Such approval must be secured annually until such time as the district president removes this status. In such cases, the district president shall thereafter notify the pastor or deacon on restricted status in writing as to the reasons for such continuance of restricted status. A pastor or deacon who is placed on restricted status shall have the right to appeal the placement on, or continuance of, restricted status by filing a Petition for Removal of Restricted Status with the Council of Presidents. A pastor or deacon on restricted status may petition for removal therefrom no more than once in a 12-month period. Such Petition for Removal of Restricted Status shall be addressed solely to the Council of Presidents through the office of the president. The Council of Presidents shall rule on such petition within three months from the date of the receipt.
- e. While a pastor or deacon is on restricted status, the district president shall minister to that member and his immediate family, either directly or through others, concern himself with the spiritual well-being of that member, and continue efforts to resolve those matters which led to the imposition of restricted status.
- f. The records maintained by the respective district president shall reflect the restricted status. In addition, the district president shall notify in writing the president and all other district presidents of such restricted status. The district president shall also notify the congregation or other agency being

served by member of the restricted status to take appropriate action so that the rights of both the member and congregation or other agency are preserved.

#### **5.51 Suspended Status**

- a. When formal proceedings have been commenced against a member of the Synod (individual or congregation), under the procedure set forth in bylaws 8.41 and 8.43, which may lead to expulsion from the Synod under Article XIII of the Constitution, the member shall be placed on suspended status. If such member was on restricted status at the commencement of formal proceedings, the restricted status shall become suspended status.
- b. Suspended status shall continue until membership is duly terminated or until the suspension has been removed. While on suspended status, the member shall continue to hold all rights under the Constitution and these Bylaws subject to the limitations set forth herein. (bylaw 8.43)
- c. When a member is placed on suspended status, the district president who has ecclesiastical supervision of the member shall
  1. reflect the suspended status in the records maintained by him;
  2. notify, in writing, the president and all other district presidents of the affected member's suspended status;
  3. notify the congregation or other agency being served by the member of the suspended status to take appropriate action so that the rights of both the member and congregation or other agency are preserved.
- d. While a member is on suspended status, the district president shall minister to that member either directly or through others, concern himself with the spiritual well-being of such member, and continue efforts to resolve those matters which led to imposition of the suspended status.
- e. If the member on suspended status is a district president, the duties assigned to the district president shall be performed by the next proper successor district officer.
- f. The suspension of a member shall remain in effect until a decision is reached by the Commission on Adjudication. During the period of suspension a member shall not be relieved of his rights under the Constitution and these Bylaws, but shall be relieved (1) of his duties as a member of the Synod (e.g., delegate to a district or synodical convention, membership on district or synodical boards and commissions) and (2) of the duties and responsibilities of his position with the Synod or with a district or an organization owned and controlled by the Synod, and he shall be ineligible for service in the Synod. 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 the suspension so that the congregation may take action as it deems fit.

#### **5.53 Reinstatement**

All applications for reinstatement to the clergy or diaconal 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 report it to the Council of Presidents, with or without recommendation. The Council of Presidents shall decide the issue by means of a written ballot. If the applicant is reinstated, the district president shall announce this fact in the official periodicals 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 a foreign field shall be issued upon the request of the Board of Directors 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 of Directors and shall be acted on at the next Convention. 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 Pastoral Colloquy Committee**

The Pastoral Colloquy Committee (the Committee) shall consist of a vice-president of the Synod, appointed by the president, and the presidents of the theological seminaries at Edmonton and St. Catharines. The vice-president shall be chairman of the Committee.

#### **5.73 Functions**

The Committee shall—

- a. direct the synodical activity in matters of colloquy according to regulations adopted by the Synod;
- b. render a full report on its activities to each convention of the Synod;
- c. establish and monitor academic and theological standards for admission to and completion of the colloquy program for the pastoral ministry;
- d. approve for admission to the colloquy program those applicants whom it recommends and to which no valid objection is made and shall communicate its decision to the applicant, the applicant's ecclesiastical supervisor, and the president of the district in which the applicant resides; and
- e. certify applicants for the pastoral ministry of the Synod, commending them to the Council of Presidents as eligible for a call.

#### **5.75 Eligibility**

Only such applicants shall be considered eligible for admission to the pastoral colloquy program as are:

- a. ministers, or candidates for the ministry, who are in good standing in other Christian church bodies and are graduates of established theological seminaries; or
- b. men who have completed an undergraduate degree whose names appear on the roster of the Synod as deacon, and who have had at least 10 years of successful experience as a deacon and are in good standing in a congregation of the Synod; or
- c. members in good standing of synodical congregations who are graduates of an established non-synodical seminary; or
- d. 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.

#### **5.77 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 shall assure the Committee of his sponsorship of the applicant before the Committee can act favourably on the application.

#### **5.79 Publication of Application**

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 the official periodicals of the Synod. If no valid objection is filed within four weeks after the notice of the application has been published in the print edition, the committee shall proceed with the colloquy program.

### **5.81 Program of Instruction**

- a. The Committee shall determine the course of study and length of supervised ministry for each candidate on the basis of his needs and ecclesiastical background.
- b. The criteria by which the Committee shall judge an applicant's progress are as follows:
  1. The applicant shall demonstrate readiness for admission to the office according to standards established by the Committee.
  2. He shall give evidence that he fully understands and accepts the doctrinal standards of the Synod, is acquainted with its practices, and has the ability and intention to teach, preach, and practice in conformity with these standards.

### **5.83 Applicants from Affiliated Church Bodies**

Applications from pastors, candidates of theology, who are members of an affiliated church body and have previously given satisfactory evidence of their qualifications may be received without examination of the applicant.

### **5.85 Certificate of Eligibility**

Applicants who have satisfactorily passed their examination shall be given a certificate of eligibility by the Colloquy Committee. The Committee shall publish the names of certified candidates in the official periodical(s) of the Synod.

### **5.87 Placement**

Every applicant whom the Committee declares qualified for the pastoral ministry shall be eligible to be placed on call lists by District presidents, congregations or schools of Synod. When a call is received, the candidate shall be placed by the Council of Presidents acting as the Board of Assignments.

## F. ADMISSION TO THE DIACONATE BY COLLOQUY

### **5.101 Diaconal Colloquy Committee**

The Diaconal Colloquy Committee (the Committee) shall consist of a vice-president of the Synod, appointed by the president, the presidents of the theological seminaries at Edmonton and St. Catharines, and the president of Concordia University College of Alberta or his designate. The vice-president shall be chairman of the committee.

### **5.103 Functions**

The Committee shall—

- a. direct the synodical activity in matters of colloquy according to regulations adopted by the Synod;
- b. render a full report on its activities to each convention of the Synod;
- c. establish and monitor academic and theological standards for admission to and completion of the colloquy program for the diaconate;
- d. approve for admission to the colloquy program those applicants whom it recommends and to which no valid objection is made and shall communicate its decision to the applicant, the applicant's ecclesiastical supervisor, and the president of the district in which the applicant resides; and
- e. certify applicants for the diaconate of the Synod, commending them to the Council of Presidents as eligible for a call.

### **5.105 Eligibility for Admission**

Applicants for admission to the diaconate by colloquy shall be expected to have completed post-secondary education at an accredited institution culminating in a bachelor's degree. Teacher applicants must hold teacher certification in one of the Canadian provinces.

### **5.107 Application for Admission**

- a. Applications for admission to the diaconal colloquy program shall be directed to the president of the district where the application originates.

- b. The district president shall assure the Colloquy Committee of his sponsorship of the applicant before the committee can act favourably on the application.

#### **5.109 Publication of Notice**

After the district president has furnished the Committee with the required documents the committee shall publish the request of the applicant in the official periodical(s) of the Synod. Within a reasonable amount of time the Committee shall either accept or deny the application based on the information it receives in the application process. Its decision shall not be subject to any appeal.

#### **5.111 Program of Instruction**

The Committee shall determine the course of study for each candidate on the basis of his or her needs and ecclesiastical background.

#### **5.113 Applicants from Affiliated Church Bodies**

Applications from deacons who are members of an affiliated church body and have previously given satisfactory evidence of their qualifications may be received without examination of the applicant.

#### **5.115 Certificate of Eligibility**

Applicants who have satisfactorily passed their examination shall be given a certificate of eligibility by the Colloquy Committee. The Committee shall publish the names of certified candidates in the official periodical(s) of the Synod.

#### **5.117 Placement**

Every applicant whom the Committee declares qualified for the diaconate shall be eligible to be placed on call lists by District presidents, congregations or schools of synod. When a call is received, the candidate shall be placed by the Council of Presidents acting as the Board of Assignments.

### **G. ADMISSION TO THE PASTORAL MINISTRY THROUGH PASTORS WITH ALTERNATE TRAINING (PAT) PROGRAM**

#### **5.131 Pastors with Alternate Training (PAT) Committee**

The Pastors with Alternate Training (PAT) program is under the responsibility and administration of the Council of Presidents (COP) of the Synod. The PAT Committee is composed of four members who serve two year terms: the PAT Coordinator, a member appointed by the COP, and one member appointed by each seminary. The chairman of the COP serves in an advisory capacity.

#### **5.133 Functions**

The PAT Committee shall:

- a. review and update the curriculum and the course outlines;
- b. supervise the academic program for each PAT student approved by the COP;
- c. appoint mentors and instructors for each student;
- d. supervise and provide academic evaluation of each student;
- e. provide regular progress reports to the COP and seminaries about a student's progress;
- f. plan and organize intensive educational sessions;
- g. archive documentation of the entire program;
- h. arrange interviews of the student with the seminaries and the student's respective district president;
- i. upon successful completion of all requirements recommend students to the COP for acceptance into the pastoral ministry of the Synod for service in his site specific pastoral ministry.

#### **5.135 Application and Eligibility for Admission**

- a. Application for admission to be a PAT site shall be directed to the president of the district where the application originates.
- b. The district president on receipt of application shall arrange to meet with the congregational leadership who are requesting to be a PAT site.

- c. Upon completing the interview, the district president will make a recommendation to the COP regarding PAT site status.
- d. Upon ratification by the COP, the congregation/community of faith presents a candidate for the PAT program. The district president will process and evaluate the proposed candidate.  
The application shall be accompanied by the following documents:
  - 1. An autobiographical statement by the candidate, setting forth clearly his background and his reason for wishing to qualify for the pastoral ministry in the Synod;
  - 2. Transcripts of the candidate's secondary and post-secondary training and a description of non-credit academic work done by the candidate; and
  - 3. Testimonials as to Christian character and life, personality, ability and service in his congregation/community of faith from no fewer than three competent references who have known and observed the applicant for at least two recent years.
- e. The district president will submit his evaluation and the accompanying documentation of the candidate to the COP for acceptance into the program.

**5.137 Program of Instruction**

- a. The PAT Committee shall determine the course of study for each candidate based on his needs and his ecclesiastical background. In general, the course of study will follow the current curriculum which includes classes in the major areas of theology with a focus on personal and spiritual formation and capacity for pastoral leadership.
- b. The program includes onsite training under the tutelage of a local mentoring pastor. Regular interviews will be conducted with the PAT student by district presidents, seminary representatives, and the supervisor of the program.
- c. The program is normally four years in duration consisting of four stages of progression-
- d. In consultation with the PAT Committee, the supervisor shall administer the appropriate qualifying program and, when all requirements have been met, the PAT Committee will recommend the student to the COP for certification.

**5.139 Certificate of Eligibility**

Candidates who have satisfactorily completed all requirements and have been ratified by the COP shall be given a certificate of eligibility and theological diploma.

**5.141 Placement/Ordination**

Every candidate whom the COP declares qualified for pastoral ministry shall be assigned his first site-specific placement by the COP acting as the Board of Assignments. Having received his placement, a date for ordination shall be set.

H. OFFICIAL CONFERENCES OF PASTORS AND DEACONS

**5.151 Official Pastoral and Diaconal Conferences**

- a. In each district of the Synod there shall be an official conference for its pastors and for its deacons. Each official conference shall consist of all pastors and deacons 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 pastors and deacons 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 and diaconal 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**

Inter-synodical 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 deacons 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 relationships, 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 deacons 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. HIGHER EDUCATION**

### **SECTION 1. SEMINARIES**

#### **6.01 Membership**

Each college and seminary established by Lutheran Church–Canada shall be separately incorporated and governed, subject to the Synodical Bylaws, by a board of regents.

- a. The theological seminary Boards of Regents shall consist of the following board members:
  1. Concordia Lutheran Seminary, Edmonton: six members elected by the Convention in such a way that one is from the East District, two are from the Central District, and three are from the Alberta-British Columbia District; three are to be pastors and three are to be deacons or laypersons; the president or his designate; the president of the Alberta-British Columbia District;
  2. Concordia Lutheran Theological Seminary, St. Catharines: six board members elected by the Convention in such a way that one is from the Alberta-British Columbia District, two are from the Central District, and three are from the East District; three are to be pastors and three are to be deacons or laypersons; the president or his designate; the president of the East District.
- b. All members of a Board of Regents 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. There shall be at least one representative from each district. Members of a Board of Regents shall not be on the salaried staff of an educational institution established by Lutheran Church-Canada or enter into any gainful business, contracts, or transactions with the institution.

#### **6.03 Functions**

In exercising its commitment to the Synod 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, 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 co-curricular 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;
- 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 the students for student activities;
- h. operate and manage the institution as required by law. 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 of Directors 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;
- k. acquire, maintain, and sell property under policies established in consultation with the Board of Directors and with the approval of the Board of Directors;
- 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 of Directors, 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;
- o. delegate the application of its policies and execution of its resolutions to the president of the institution as its executive officer;
- p. 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.

#### A. PRESIDENTS

##### 6.11 Election

- a. The Board of Regents having first consulted with the Board of Directors, shall issue in the official periodicals 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 member congregations of the Synod, the Board of Directors, 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 the official periodicals 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 of Directors.
- d. All recommendations, statements of qualifications of any nominees, or objections to any nominee with reasons therefore, 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 search committee composed of up to three faculty members elected by the faculty and of two members of the Board of Regents elected by the Board of Regents 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 this committee shall submit to the elector's 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 district president or his designate with one vote; the president or his designate with one vote; and the chairman of the Board of Directors or his designate with one vote.
- g. The election shall be held on the day designated in the notice published in the official periodicals 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 search committee after consultation with the search 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 the official periodicals 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.

### **6.13 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 resolutions of the Convention, 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 departments 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 recommendations of the Convention through the Board of Directors;
- 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.

## **B. FACULTIES**

### **6.21 Members of Faculty**

- a. The faculty of each synodical institution shall consist of its president, its administrative officers holding instructional rank, and its 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 of Directors shall periodically review the internal administrative organization of the Synod's institutions.

### **6.23 Appointment of Members of Faculty**

- a. The Board of Regents on recommendation of the president of the institution shall appoint the members of the faculty.
- b. Initial appointments to a theological seminary shall require the prior approval of the majority of its electors. Appointments shall ordinarily be for terms of one to four years.
- c. The Board of Directors at its discretion may offer a report prior to the Board of Regents' action in any contract renewal. The final decision on the renewal of appointment shall be the sole prerogative of the Board of Regents.
- d. 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.
- e. The Advisory Council shall review and recommend to the Board of Directors policy statements on academic, professional, theological, ministerial, and other criteria for the appointment and advancement of faculty members. (Note: The Advisory Council consists of the three educational institutional presidents plus one member appointed by and from the Board of Directors.)

### **6.27 Ranking of Members of Faculty**

- 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 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 Ranges**

The salary ranges of all institutional faculty shall be established by the Board of Regents in consultation with the Advisory Council.

### **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 the 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 co-curricular 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 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 of Directors shall periodically review the institutional policies, programs, and curricula to determine whether they are consistent with the stated objectives of the Synod.

### **6.39 Evangelical Discipline and the Right of Appeal**

- a. Each faculty shall develop policies worthy of the Christian faith for personal conduct and community life applicable to student, faculty, and staff members, and other employees while on the campus.
- b. Each Board of Regents, on recommendation of the faculty, shall adopt a comprehensive policy statement committing the school to the principles of Christian discipline, evangelical dealing, and good order governing the students individually and collectively.
- c. Each student 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. There shall be no right of appeal under the provisions of bylaw 8.01ff.

### **6.41 Controversies Among Faculty Members**

Controversies and disagreements among members of the faculty (other than those set forth in bylaw 6.43) 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 bylaw 8.01ff. A record of the proceedings shall be filed with the Board of Directors.

### **6.43 Removal from Office**

- a. The Board of Regents may decline to renew the appointment of a faculty member in accordance with the terms and conditions of the appointment.
- b. No member of the faculty 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 of the employing institution.
- c. The only causes for which members of a faculty may be removed from office (within the definitions of "a" and "b" above) are:

1. incapacity;
2. incompetence;
3. dereliction of duty;
4. failure to meet job requirements through professional development;
5. blatant disregard of Christian practice;
6. adherence to false doctrine (Constitution, Article II) or failure to honour and uphold the doctrinal position of the Synod as defined further in bylaw 1.03c.

#### **6.45 Board Supervision**

- a. Subject to the appeals procedures of the Synod, the Board of Regents shall have the sole prerogative to make ultimate decisions regarding any non-renewal of faculty appointments due to incapacity, incompetence, dereliction of duty and failure to meet job requirements through professional development.
- b. Through procedures hereinafter set forth and subject to the appeals procedures of the Synod, the Board of Regents shall also have the ultimate responsibility for decisions regarding charges of blatant disregard of Christian practice and adherence to false doctrine (Constitution Article II), or failure to honour and uphold the doctrinal position of the Synod.

#### **6.47 Procedures for Exercising Board Supervision**

- a. When the Board of Regents or the president of an educational institution of the Synod receives a charge against any member of that institution's faculty, in the spirit of Christian love the complainant shall be advised to communicate directly with the person against whom he has a complaint and attempt to find a peaceful and amicable resolution to the matter.  
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.
- b. If in such a given case the Board decides that the charge is serious enough and of a nature that it is deemed to be in the best interest of the institution that he not continue to perform his duties as a member of the faculty, the Board may suspend the faculty member from his teaching and/or administrative duties; contractual obligations of the institution, however, shall continue until the charge is resolved.  
If the complainant does not notify the Board of Regents that such initial efforts have failed and does not resubmit the charge in writing together with substantive evidence within 60 days from the initial receipt of the charge by the Board of Regents, the Board of Regents may rule that the matter has been resolved to the complainant's satisfaction.
- c. If the Board fails to initiate further action within 60 days, 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 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 may submit the theological question at issue to the Commission on Theology and Church Relations for an advisory theological opinion.
- e. Furthermore, if the Board of Regents has decided to proceed, it shall also direct an ad hoc hearings committee to hold a hearing with respect to the validity of the charge that has been made. The hearing committee shall consist of three faculty members selected by the faculty and two other persons selected by the Board of Regents. Where necessary, current adjunct professors who have served a minimum of two years shall be eligible to serve on this committee. The committee shall hold its first hearing no later than eight weeks after the Board of Regents has served notice that the committee is to be constituted. The goal shall be that a decision shall be rendered within three months of the time that the Board of Regents has determined that there shall be a hearings committee.  
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 (1) a statement of the charge or charges, (2) a summary of the evidence on which the charges are based, (3) 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, (4) a formal invitation to the complainant and the accused to attend the hearing, (5) a statement to the complainant and the accused that they are entitled to counsel, and (6) the opinion of the Commission of 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, the hearings committee, and the complainant his written answer to the charge, 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 removal from office and, in its discretion, may independently investigate the truth of the charge.
  - h. If a hearing is held, each party shall have the right to select not more than two advisers (bylaw 8.51i). The hearing shall be private. 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, the accused, the president, and 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. The decision shall in no case be rendered without having given the complainant and the accused an opportunity 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 notify the accused in writing that his appointment to the faculty is being terminated and shall specify the effective date of the termination.
  - l. If the charge sustained against an 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 these Bylaws.
  - m. If the 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 intent to appeal within 30 days and the appeal itself within a second 30 day period. During the period allowed for appeal 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.
  - n. Bylaw 8.51 shall apply also to these procedures.

#### **6.49 Ecclesiastical Supervision**

A faculty member who is on a roster 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 president and be removed from the membership of the Synod and therefore from the office in harmony with the provision of the Constitution and Bylaws of the Synod (e.g., Constitution, Article III 8-9; VI; XI, B; XII, 6-9; XIII; Bylaws 1.17, 1.21, 2.101, 3.73, 3.77, 6.47c, and chapter VIII). The written decisions of the Commission on Adjudication required under bylaw 8.67, 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 Review**

A party may apply to the Commission on Adjudication for a review of any decision with respect to cases under bylaws 6.43, 6.45, 6.47, and 6.49. These reviews shall be treated as requests to rehear the case and shall be governed by the rules and procedures specified or adopted under bylaws 8.51(n) and 8.69.

### **6.57 Sabbatical Leave and Leave of Absence**

- a. A Board of Regents may grant any member on 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 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 Board and agencies involved.

## **C. FINANCES**

### **6.61 Uniform Accounting Methods**

The Board of Directors shall ensure that the accounting methods of the seminaries comply with generally accepted accounting principles, and the financial statements are structured in comparable formats.

### **6.63 Budget Adjustments**

- a. The Board of Directors shall determine the level of subsidy provided to the educational institutions established by Lutheran Church–Canada.
- b. The Board of Regents may, on recommendation 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.

### **6.65 Budget for Capital Improvements**

The Board of Regents shall submit to the Board of Directors proposals for major repairs, capital improvements, and purchase of equipment over \$250,000 for review and approval.

### **6.67 Objections to or Changes in Budget**

The Board of Directors may advise 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 to such advice.

### **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.

### **6.71 Business Management**

- a. The Board of Regents, on recommendation of the president, shall appoint an executive officer whose duties may include advising the president in the area of financial and administrative services, proper management of the financial resources of the educational institution, supervision and maintenance of the accounting records in compliance with the standards established by the Board of Directors, audit, tax and legal matters, insurance and risk management programs, banking relations, preparing strategic long range financial plans, integrity of the computerized records, preparation of annual budgets, and such other duties as may be assigned by the president.
- 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.

### **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 or those of partner churches 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. Graduates of the deacon's colleges of affiliated church bodies or persons 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 under-graduate 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.

## SECTION 2. CONCORDIA UNIVERSITY COLLEGE OF ALBERTA (CUCA)

- a. CUCA is a public post-secondary institution, established by Lutheran Church – Canada and incorporated in the Province of Alberta under the “Concordia University College of Alberta Act” (CUCA Act) as a public post-secondary institution being designated by law as an “Independent Academic Institution.”
- b. The CUCA Act authorizes the Board of Concordia University College to determine its composition and appoint its members.
- c. The CUCA Act empowers the board to approve, amend or repeal its corporate bylaws

### 6.103 Board of Governors

The ecclesiastical bond that exists between CUCA and LCC means a voluntary association between Concordia University College of Alberta, Lutheran Church-Canada and other entities that have accepted the doctrines, principles and religious standards of Synod, and seek to uphold a common confessional position.

The Board of Governors of CUCA shall consist of the following members appointed by the board:

- a. Chair of the Board
- b. Chancellor
- c. President & Vice Chancellor
- d. 2 CUCA Alumni nominated by the Concordia Alumni Association
- e. 1 Academic Staff Member who is a member of and nominated by the Faculty Association
- f. President of the Concordia Students' Association and one additional student nominated by the Concordia Students' Association
- g. President of the Graduate Students' Association of CUCA
- h. One member of the non-academic staff nominated by the non-academic staff
- i. The President of the Alberta-British Columbia District of the Synod of LCC
- j. Not more than nine members representative of the general public, 2 of whom shall be LCC Lutherans, in addition to the chair, appointed by the Board, with due consideration given to the appointment of individuals who will uphold CUCA's ecclesiastical bond with the Synod



## **6.105 Role of the Board of Governors**

The Board of Governors has the following responsibilities:

- a. To exercise all powers necessary to meet the statutory objects of the institution, to fulfill its obligations to the people of Alberta, and to identify and comply with all legal, financial and governance obligations required of the Board of a publicly funded university college of the Independent Academic Institution sector of Alberta Post-Secondary Education.
- b. Uphold CUCA's ecclesiastical bond with Lutheran Church-Canada and with other entities which have accepted the principles, doctrines and religious standards of the Synod as set out in its Constitution and Synodical Bylaws.
- c. Ensure the institution's long-term independence, success, viability and welfare.
- d. Appoint, support and assess the performance of the President.
- e. Ensure fiscal integrity, preserve institutional assets, provide fiduciary oversight, monitor performance, borrow money, ensure adequate financial controls and reporting engage with auditors, review audit results, approve financial statements and identify and manage institutional risks.
- f. Establish and maintain a principled culture and Christian standards of ethics and conduct.

## **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 to Lutheran Church-Canada for carrying out the work of the Synod and to that end promote stewardship, obtain deferred and special gifts, and coordinate capital drives to fund such work. Its work shall be in accordance with the Biblical principles of stewardship.

#### **7.03 Stewardship Support**

In the area of stewardship support the Board of Directors shall:

- a. provide input to other synodical agencies to assist them in including proper Scriptural motivation in all special-gift and deferred-giving programs;
- b. cultivate the growth of congregational members 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 Board of Directors shall:

- a. devise Synod-wide 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 Lutheran Church-Canada Financial Ministries and the Board of Directors;
- b. provide estate-planning services, materials, and training events in accordance with applicable policies established by Lutheran Church-Canada Financial Ministries, to assist estate-planning counsellors throughout the Synod in consummating gifts;
- c. maintain a current catalogue of Canadian 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 counsellors in making all calls;
- d. provide materials and conduct training events to assist special-gift counsellors 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 Board of Directors 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 counsellor 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 bylaw 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 bylaw 7.11 above. Any such approval shall be reviewed at least every six years.

### **7.15 Approval Is Recommendation Only**

The approval by the Board of Directors of the Synod or by a district of any special undertaking referred to in bylaw 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 commission of the Synod shall submit to the Board of Directors 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.

- b. By February 15 of each year each district president or his designated representative shall confirm to the Board of Directors the adjusted district commitment to the Synod 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 Board of Directors 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 Board of Directors in order that the Board of Directors may coordinate and plan for a more effective program of ministry.
- c. By March 30 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 commissions of the proposed adjustments; and solicit their support concerning such adjustments. 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 commission or district that disagrees with the Board of Directors budget or work program has the right to appeal by April 30 to the Board of Directors.
- e. The president, after consultation with the respective district presidents, shall appoint a floor committee on program implementation (hereafter called the floor committee) consisting of a representative from each district, plus at least one board member and one staff adviser from the Board of Directors. 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 endeavour to inform the district's delegates of the synodical program, finances, and floor committee recommendations. The Board of Directors 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 sources 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 treasurer's office 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 endeavour to visit each congregation in the 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 Board of Directors.

#### **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 bylaw 7.53b will be followed.
- c. By March 30 of each year the Board of Directors shall review the commitments from districts and any proposed changes to the spending budget together with the recommendations of its administrative officer thereon. The Board of Directors 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 one person appointed by each district president, preferably the member of the floor committee, who together with the Board of Directors 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.
- b. In preparation of the annual district budget and/or work program, representatives of the Board of Directors 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 the district spending budgets and work programs and provide suggestions for consideration by the respective boards of directors.

### **VIII RECONCILIATION, RESTORATION AND ADJUDICATION**

#### **A. PREAMBLE**

#### **8.01 The Gospel of Reconciliation**

God was in Christ, reconciling the world to Himself. Through Jesus Christ, God has called the church to a ministry of reconciliation. He gives:

- peace between himself and the sinful world,
- peace between brothers and sisters in Christ,
- Scriptural encouragements to Christians to strive to maintain unity of the Spirit in the bond of peace, the created gifts of reason and a conscience to help human beings have a sense of fairness, and the spiritual gifts of forgiveness and love to help Christians to be at peace, in so far as it in them lies, with each other and with all fellowmen.

#### **8.03 The Goal of Chapter VIII**

The goal of Chapter VIII of the LCC *Handbook* is that the members (i.e. the pastors, deacons, and congregations) of LCC and members of its member congregations receive and administer the Gospel of reconciliation in order that they might be in one accord in

- confessing and proclaiming the Gospel,
- living together in God-pleasing fellowship characterized by justice and peace, and
- glorifying God together with one heart and voice.

#### **8.05 LCC and Its Members as “Church,” “Synod,” and “An Incorporated Religious Body”**

As members of LCC, the pastors, deacons, and congregations are, along with the members of its member congregations, “church,” where the Gospel is preached and received in faith and the sacraments are administered in accord with Christ’s institution. As pilgrims on this earth, all of these Christian people are “simultaneously saints and sinners,” ever entangled in sin even while, under grace, being proclaimed forgiven. Though struggling with pride, anger, and self-serving factionalism, they hear the call and encouragement-and they aspire-to live in a God-pleasing fellowship characterized by forbearance, justice and peace.

Considered as a “Synod,” LCC is “a voluntary ecclesiastical bond shared by congregations, pastors, and deacons walking together to carry out the ministry and mission given by Christ to his Church” (Statutory

Bylaws 6.01). As such, it has the right to suspend and/or expel from its membership any member who persists in teaching contrary to the principles, doctrine and religious standards adopted by LCC, or who practices a manner of behaviour which is not in accord with the calling of the Gospel.

As a religious body incorporated under the *Act to Incorporate Lutheran Church-Canada*, LCC has established a Constitution and Bylaws, with officers, boards and commissions. Every member of LCC shall, as a consequence of membership, respect the ordered offices of LCC, subordinate himself to appropriate ecclesiastical authority, abide by the provisions of the LCC *Handbook* and serve in accord with the decisions of the LCC in Convention and of its officers, committees, boards, or commissions (see Synodical Bylaws 1.21).

### **8.07 Basic Distinctions**

This bylaw is comprised of two separate sections, which reflect a distinction between two types of disputes with which it may become necessary to deal.

- a. **Reconciliation** refers to the ministry which aims to bring a return of peace in the relationship between two or more members of LCC who have, for some reason, become estranged. Matters to be dealt with under the ministry of reconciliation are actions which offend and bring about estrangement, whether done in the name of Christian freedom, or in ignorance, or due to incompetence.

Thus *reconciliation* may deal with a wide range of disputes, but matters which may lead to suspension of—and possible expulsion from—membership in LCC, are not typically dealt with under this ministry of reconciliation.

- b. **Restoration** refers to the ministry which aims to bring back to the true doctrine and right practice a member of LCC (pastor, deacon, or congregation) who has acted “contrary to the confession laid down in Article II and to the conditions of membership laid down in Article VI” and/or who is persisting “in an offensive conduct” (Constitution, Article XIII, see also Articles II and VI). These actions may entail suspension of and/or expulsion from membership in LCC.

Procedures for *Adjudication*, furthermore, are required for several special categories of disputes, as included in 8.47.

### **8.09 General Encouragement and Particular (“Official”) Responsibilities**

In matters such as are to be dealt with under the category of *reconciliation*, there is encouragement and hope that all manner of attempts (mutual encouragement of brethren, pastoral care, etc.) to attain reconciliation will be made and that the relationship may be healed *before* the formal reconciliation process becomes necessary.

In matters such as are to be dealt with under the category of *restoration and adjudication*, while earnest fraternal discussion and admonition are certainly in order, it is important that the matter be brought promptly to the attention of and be addressed by the appropriate ecclesiastical authority (ordinarily the district president).

### **8.11 Constructive, Accessible, Clear**

In order that the provisions of Chapter VIII be constructive and helpful to the life together of the members of LCC, it is important that any and all interested parties have access to a clear explanation of the purposes, parameters, and procedures involved. This includes access not only to the LCC *Handbook*, but also to the most recent version of the appropriate Rules of Procedure. It is the responsibility, moreover, of a person in an office of ecclesiastical oversight to ensure that clear and accurate information about the parameters and procedures of Chapter VIII are provided to anyone who requests such information.

### **8.13 Definition of Terms as Used in This Chapter**

For the purposes of this Chapter, the following definitions shall apply.

- a. "Entity of LCC" shall be construed to include any board, commission, committee, or council of LCC or its districts and all educational institutions established by LCC.

- b. "Position" shall include:
  - 1. membership on a board, commission, committee, or council of the LCC;
  - 2. an officer of LCC or one of its districts (including a circuit counsellor); and
  - 3. any executive employment (as defined by the appropriate corporate board) regardless of whether the position was filled by election, appointment, or call, whether layperson or pastor.
- c. "Complaint" shall refer either to the substance of the cause of estrangement (in cases of reconciliation) or of the charge of false doctrine/offensive conduct (in cases of restoration) and to the act of lodging the complaint.
- d. "Party to a case" or "party to the case" shall include
  - 1. the person(s) or entity who initiated the complaint,
  - 2. the person(s) or entity against whom the complaint has been brought, and
  - 3. any person or entity, given standing by the Commission on Adjudication, whose rights will or may be materially affected by the reconciliation, restoration, or adjudication process.
 but shall *not* include a district president or the president whose actions are carried out in the course of exercising his official duties.
- e. An "action" or "decision of a congregation," (as a member of LCC) shall be any action or decision of any officer, board, or council of the congregation taken pursuant to the constitution of the congregation.

#### **8.15 Exclusiveness of Remedies**

- a. Except as may be otherwise provided in these Bylaws, this chapter shall govern all formal reconciliation, restoration and adjudication procedures within LCC.
- b. The Holy Scriptures (1 Cor. 6:1-7) urge Christians to settle their differences among themselves. Therefore, the Synod calls upon all parties to a dispute or controversy to make full use of the Synod's provisions for reconciliation, restoration and adjudication. If a person or entity to whom the provisions of this chapter are applicable shall unreasonably refuse to heed this admonition, the person or entity shall forfeit all rights under this chapter. Fitness for ministry and other theological matters should never be determined outside the church.
- c. No person or entity to whom or to which the provisions of this chapter are applicable because such person or entity is a member of LCC may render the provisions of this chapter inapplicable by terminating that membership.

#### **8.17 The Congregation's Right of Self-Government**

The congregation's right of self-government shall be recognized. However, when a decision of a congregation is the subject of adjudication, and if it comes to the Commission on Adjudication to review the decision of the congregation according to the Holy Scriptures, the Commission on Adjudication 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 district president involved shall take action with respect to the membership of the congregation in LCC.

### **B. RECONCILIATION**

#### **8.19 Formal Reconciliation Process: Preliminary Considerations**

- a. Goal and Means
 

The formal reconciliation process aims for a peaceful settlement of the dispute between the parties involved. It asks for their cooperation in attaining this, and calls for repentance, forgiveness and mutually agreed upon reciprocal commitments between the parties. This bylaw encourages—apart from any formal complaints or procedures—that the ministry of reconciliation continue to be exercised in every way: by fellow-Christians for fellow-Christians, by pastors for members of their congregations, by fellow-pastors for fellow-pastors, and by ecclesiastical overseers for those committed to their responsibility. When such informal efforts in reconciliation succeed, there is great joy and no need for further formal procedures.
- b. Prior Efforts at Reconciliation Required
 

Before any matter is submitted to formal reconciliation, the parties involved in a dispute are expected to have met together, face to face, in a good-faith attempt to settle their dispute. If this is unsuccessful

it is expected that those in dispute will seek the aid of others. The district president may be invited by either party to assist in these reconciliation efforts, in which case he may respond in person or by appointing someone to assist him.

c. **Initiating Formal Reconciliation**

When a party to a dispute is of the opinion that informal reconciliation efforts have failed, the party may ask the district president to refer the dispute to the formal reconciliation process. The district president may refer any dispute to the formal reconciliation process on his own initiative. The district president shall prepare a written statement describing the matter in dispute.

**8.21 Reconciliation Committees**

a. **Membership of Reconciliation Committees**

Each district board of directors shall appoint a reconciliation committee of five members for its district, with at least two pastors and at least two laypersons who are communicant members of member congregations in the district. One of the positions allotted to laypersons on the committees may be filled by a deacon. Each committee shall elect its own chairman.

b. **Appointment and Term of Office**

The term of office for each district reconciliation committee shall be six years. For the first term three members shall be appointed for the six-year term, and two for three years. Thereafter all appointments shall be made for six years, so that the terms are staggered. Appointments are to be made following each convention of the district.

d. **Training and Expenses**

All members of the district reconciliation committees shall receive appropriate training. Expenses for the training of the members of the reconciliation committees shall be paid by LCC. The board of directors of the respective district (or, in cases in which LCC itself is involved, the Board of Directors of LCC) shall provide for the payment of expenses incurred in meetings of reconciliation committees and reconciliation panels.

**8.23 Reconciliation Panels**

a. **Matters Involving Members of LCC in a Single District**

A matter submitted to formal reconciliation within a district shall be dealt with by a panel of three members of the committee, at least one of which shall be a pastor and at least one layperson. One of the positions on the panel allotted to laypersons may be filled by a deacon. One member shall be selected by each party to the case, with the third appointed by the district secretary. Each panel shall elect its own chairman.

b. **Matters Involving Members of LCC in Two (or More) Districts**

In matters where there is a dispute involving members of LCC in two (or more) districts, the president of LCC shall have the authority to assign the matter to a particular district reconciliation committee, from which there shall be formed a reconciliation panel as described in 8.23.a.

c. **Matters Involving LCC, Districts, or Entities of LCC**

In matters where there is a dispute involving LCC, District or entities of LCC, the president shall request that a panel of three persons from the district committees be established to deal with any matter in which LCC (including its districts and entities) is involved. Each district reconciliation committee chairman shall appoint one member to this panel. At least one member of the panel shall be a pastor and at least one layperson.

**8.25 Rules of Procedure**

Rules of Procedure for the formal reconciliation process shall be developed by the Commission on Adjudication and approved by the Board of Directors of LCC. Copies of the Rules of Procedure shall be dated, so as to ensure that the latest version is being used, and shall be available to any interested party upon request. The Rules of Procedure shall take into account generally accepted standards of due process and procedural fairness in similar circumstances.

**8.27 Procedures for Formal Reconciliation**

a. **Formation of a Reconciliation Panel**

The district president shall request that a reconciliation panel be formed. The request shall be submitted to the secretary of the district (or to the secretary of LCC in the case of a dispute involving

LCC), and shall include a written statement from the district president describing the matter in dispute. A Reconciliation Panel shall be selected forthwith pursuant to bylaw 8.23a, b, or c as outlined above.

1. Objection

Where a conflict of interest exists, a party to the case may, with cause, object to the selection of a panel member made by the secretary, in which case the secretary shall select a replacement panel member from among the remaining pool of reconciliation committee members.

2. Disqualification

In the case of a panel member disqualifying himself because of conflict of interest or for personal reasons, a replacement will be selected by the party to the case who appointed the individual or by the district secretary.

3. Provision for a Full Reconciliation Panel

In the event (a) member(s) of the district Reconciliation Committee is/are disqualified, and if, as a result of such disqualification(s), there are not enough individuals available in one district to form a reconciliation panel, the district secretary shall request that his district president ask that a trained reconciliation committee member from another district be made available.

b. Preliminary Meeting of the Panel

Prior to the hearing, the panel shall meet to elect its chairman, examine the written statement of the matter in dispute provided by the district president and other relevant information, and arrange a date and place for a hearing.

c. Conduct of Hearings

The reconciliation panel, shall, as soon as is practicable, conduct (a) formal hearing(s) with the parties to the dispute and offer recommendations for the resolution of the dispute and full reconciliation of the parties. The panel shall proceed in accord with the Rules of Procedure for formal reconciliation.

d. Timely and Sustained Efforts

The panel shall work in a timely manner and shall continue with sustained efforts to effect a God-pleasing reconciliation. More hearings may be held to continue such efforts.

e. Oversight

The district secretary (or, in cases involving LCC, districts, or entities of LCC, the secretary of LCC) shall oversee the process and ensure that the proper steps are followed in a timely manner.

**8.29 Formal Reconciliation Ruling**

In the event that the efforts of the reconciliation panel are unable to effect a reconciliation that is satisfactory to all parties, the reconciliation panel shall meet in private to deliberate upon the evidence and representations as presented during the hearing(s) and shall issue a written ruling setting out the requirements of the parties to effect reconciliation.

**8.31 Appeal**

The written ruling of the reconciliation panel is final and binding, unless appealed in writing within twenty-one days to the Commission on Adjudication. Such appeal may be made solely on grounds relating to reconciliation procedure, new information, possible bias of the panel, or such other reasons as may be set forth in the Rules of Procedure.

**8.33 Non-Compliance**

Each party to a dispute referred to a reconciliation panel is expected to accept the ruling of the panel (or of the Commission on Adjudication in the case of an appeal) as binding and shall act accordingly. Failure to do so may lead to the district president taking new action as appropriate, including disciplinary action as outlined under section C. 8.41 b. iii, below.

C. RESTORATION AND ADJUDICATION

**8.35 Commission on Adjudication**

There shall be a Commission on Adjudication for LCC, which shall be constituted, have jurisdiction, and follow the procedures set forth or authorized as follows.



### **8.37 Membership**

- a. Election and Appointment  
The Convention shall elect two rostered workers at least one of whom must be a pastor from each district, a lay person shall be appointed by each district president. Of the appointed members at least one (but not more than two) shall be a lawyer.
- b. Terms of Office  
Terms of office shall be six years in length and shall otherwise be in accordance with Bylaws 2.61 and 2.63.
- c. Ineligible Persons  
With the exception of members of the faculties of the educational institutions of LCC, no individual holding any position in LCC, in any of its districts, or in any other entity of LCC shall be eligible to be a member of the Commission on Adjudication.
- d. Officers  
The Commission shall elect from among its members a chairman, vice chairman, secretary.
- e. Vacancies  
Vacancies on the Commission shall be filled by the Commission. Any person filling a vacancy shall complete the unexpired term of office of the member of the Commission whose vacancy is being filled, but shall not participate in any case or proceeding in which the member was participating at the time the vacancy occurred.

### **8.39 Training**

All members of the Commission on Adjudication shall receive appropriate training.

### **8.41 Jurisdiction**

The Commission of Adjudication shall have jurisdiction in the following:

- a. procedural questions involved in excommunication cases;
- b. cases under Article XIII of the Constitution, including, but not limited to
  1. cases of conduct or teaching contrary to the confession laid down in Article II of the Constitution, in which instance the process shall include admonition aimed at correcting the erring member, receiving his recantation of error (publicly if necessary), and assuring the Synod that the individual is fit to continue to be a member of the Synod,
  2. cases of offensive conduct, in which instance the process shall include seeking to restore the sinner to the fellowship of the church through repentance, forgiveness, and (where necessary and possible) making appropriate amends, even though he or she may not be able to remain as a pastor or deacon of LCC, and
  3. cases of discipline, which a district president may bring forward, against the persistently offensive conduct of a member of LCC who refuses to comply with a ruling of a reconciliation panel;
- c. cases in which a member of LCC (pastor or deacon) shall have been removed from an office of ministry which he holds in a congregation which is a member LCC, in which instance the pastor or deacon may bring the case to the Commission on Adjudication;
- d. cases in which a person, whether or not a member of LCC, has been removed from the position which he holds in LCC or in a district or entity of LCC;
- e. all cases in which LCC itself, or a district or entity of LCC is a party; and
- f. all cases in which a person, whether or not a member of LCC, holding a position in either LCC or a district or entity of LCC is a party.

In those cases in which there is involved an employer-employee relationship, the finding of the Commission shall be advisory to the parties involved.

### **8.43 Pending Criminal and Civil Procedures**

The Commission on Adjudication may refuse to hear or may defer hearing a case involving unresolved or outstanding matters of criminal or civil law, including civil matters pertaining to parties as employers or employees.

#### **8.45 Venue of Commission Disputed**

Where venue of the Panel is disputed, the secretary of LCC shall make the decision on venue. This decision shall be final and binding. Any party or the Commission may request a ruling from the Board of Directors.

#### **8.47 Rules of Procedure for Adjudication**

##### **a. Adoption and Approval**

The Commission on Adjudication shall be governed by Rules of Procedure which shall be drafted and adopted by the Commission and approved by the Board of Directors of LCC. The Rules of Procedure shall be consistent with these Bylaws and with the following basic principles and policies.

##### **1. Scriptural and Christian Principles**

The Commission shall be governed in its acts, procedures, and judgments by the Holy Scriptures, the Lutheran Confessions and Christian principles.

##### **2. Closed Hearings**

The hearings shall be closed unless the Commission determines otherwise.

##### **3. No Unauthorized Communication**

Except as the Rules of Procedure expressly allow, while any proceeding is pending before the Commission, no party to a case (nor anyone on the party's behalf) shall either directly or indirectly have any form of communication with any member of the Commission concerning any matter involved in the proceeding.

##### **4. Information Regarding Procedural Matters**

Any party to a case, his adviser, the district president, or the president, may request in writing from the chairman of the Commission information relative to matters concerning procedures connected with the hearing.

##### **5. Interpretations from the Commission on Constitutional Matters and Structure**

In the event that questions arise regarding the interpretation of the Constitution or Bylaws of LCC, or of Convention resolutions, the Commission, on its own initiative or at the request of either party, shall seek the interpretation of the Commission on Constitutional Matters and Structure. In its deliberations the Commission on Adjudication shall accept the interpretations of the Commission on Constitutional Matters and Structure. Any member of the Commission on Constitutional Matters and Structure who is a party or an advisor to a party shall not participate in providing an interpretation to the Commission.

##### **6. Guidance from the Commission on Theology and Church Relations**

In the event that questions of interpretation of doctrine arise, the Commission shall on its own initiative or upon the request of either party seek guidance from the Commission on Theology and Church Relations. The Commission shall base its decision on the doctrinal position of the church as articulated by the Commission on Theology and Church Relations. Any member of the Commission on Theology and Church Relations who is a party or an advisor to a party shall not participate in providing a decision to the Commission.

##### **7. Prohibition of Publicity**

While a case is still undecided publicity shall not be given to the issues in the case by any party to the case, or his advisors and witnesses or by representatives of an entity involved in the case.

##### **8. Disposition of Records**

All records of cases in which a final decision has been rendered by the Commission on Adjudication shall be placed in the custody of the Board of Directors.

##### **b. Time of Effectiveness**

The Rules of Procedure shall become effective immediately upon their having been approved by the Board of Directors of LCC.

##### **c. Distribution and Publication**

The secretary of LCC shall distribute the Rules of Procedure, and any revisions to the Rules of Procedure, without delay to the president, all district presidents, and all reconciliation committees. Notice of their availability shall be published in the official periodicals of the Synod.

##### **d. Changes**

The Rules of Procedure may be changed from time to time by the Commission, with the changes approved by the Board of Directors. Changes shall become effective upon being approved by the Board of Directors of LCC.

e. **Applicability of Changes to Actions in Progress**

Any changes to the Bylaws and/or Rules of Procedure shall not be effective as to cases in progress unless all parties to the case and the Commission shall consent to the application of the changes to that case.

**8.49 Expenses**

Each party to a case shall assume his respective expenses, including the expenses of his adviser(s). LCC shall pay the expenses of the Commission, including the cost of furnishing transcripts of the proceedings and evidence to the parties to the case.

**8.51 Case Panels**

a. **Membership of Case Panel**

Each case coming before the Commission shall be heard and decided by a panel of at least five members, at least two of whom shall be pastors and at least two of whom shall be laymen, including at least one lawyer. The members case panel shall be selected by the Chairman of the Commission on Adjudication.

b. **Disqualification**

No member of the commission shall be appointed to a case panel if he/she is in a conflict of interest. Should an allegation of conflict of interest arise, a member of the Commission may be disqualified. Disqualification may be by the voluntary act of the member himself, by the Commission on its own initiative, or by the Commission following upon the complaint of any party to the case.

c. **Provision for a Full Case Panel**

In the event a member of the Commission is disqualified, and if, as a result of such disqualification, there is an insufficient number of individuals to form a case panel to hear and decide a case (8.51a), the provision of bylaw 8.37e. shall prevail for that case only.

**8.53 Case Manager**

For each case with which the Commission deals, a member of the Commission who is not on the Case Panel shall serve as Case Manager. Ordinarily, this will be the Chairman of the Commission, or the Vice-Chairman (if the Chairman is on the Case Panel), or another member of the Commission appointed by the Chairman (if both the Chairman and Vice-Chairman are on the Case Panel). The Case Manager shall:

1. monitor the case, that the matters are carried out in accord with the bylaws and Rules of Procedure and in a timely manner;
2. provide to any party to a case, his adviser, the district president, or the president information regarding the procedures connected with the case;
3. provide periodic progress reports to the concerned parties, as deemed appropriate.

**8.55 Procedure for Suspension and Commencing the Adjudication Process**

In any case which could result in the suspension or expulsion of a member of LCC (pastor, deacon or congregation), the following procedural steps shall be taken.

a. **Written Notification of the Complaint**

When there arises a situation which could result in the suspension or expulsion of a member (pastor, deacon, or congregation) from LCC under Article XIII of the Constitution, a statement of the complaint shall be presented in writing by the complainant to the president of the district in which the member involved holds membership.

b. **Investigation of the complaint; Notification of the Member**

The district president shall investigate the complaint. The district president also may initiate investigative action on the basis of his own knowledge of such matters (including as provided for in bylaw 1.23) which could lead to suspension and/or expulsion. In either case, a copy of the written complaint shall be sent to the involved member by the district president.

c. **Restricted Status**

During the time that the district president is investigating such a matter involving a pastor or deacon who is a member of LCC, he may place the member on Restricted Status (see Bylaw 5.49).

- d. Options of the District President  
Upon the completion of his investigation, the district president may either
1. conclude that there is no reason to pursue the matter further and dismiss the matter, in which case he shall notify the member and the complainant in writing of his decision, or
  2. conclude that there is a basis for suspending the member (cf. Bylaw 1.23) and proceed to the next step, written notification of suspension.
- e. Advice to Observe Civil Laws in Certain Cases  
In the event a member of LCC (pastor or deacon) is placed on restricted status or suspended in connection with the allegation of any action for which there are applicable provisions in law, the district president shall advise the member's employer to follow the stipulations of the current civil statutes with regard to the member's continuing to serve in his office of ministry.
- f. Written Notification of Suspension, Procedures  
When the district president has determined it is warranted to suspend the member, the district president shall inform the involved member in writing that his membership in LCC is suspended; the suspension shall be effective upon the member's receipt of the written notification. The suspension of a member shall remain in effect until the adjudication process has been completed, and all appeals have been exhausted. When the district president sends a copy of the written information to the involved member, he shall also send a copy of the Rules of Procedure, and shall give written notice therewith that
1. the involved member has 15 days from the date his suspension became effective to notify the chairman of the Commission, through the office of the district president, if he wishes the matter to be adjudicated, subject to the option to defer action as provided below (8.55 i), and
  2. that failure to file such notice in writing within the prescribed time will be regarded as consent to expulsion.
- g. Options of the Suspended Member
1. Resignation from LCC within 15 Days  
The suspended member may resign from membership in LCC at any time within the 15-day period which began on the effective date of his suspension, in which case the district president shall inform the president and shall notify the Synod through the official periodicals of the Synod and the matter shall be ended.
  2. Written Notification of Request to Appeal to Adjudication  
The suspended member may, within the 15 day period that began on the effective date of his suspension, give written notification to the Chairman of the Commission on Adjudication, through the district president, of his request to appeal the suspension to the Commission on Adjudication.
  3. Refrain from Any Response  
If the suspended member refrains from any response (resignation or request for appeal) within the 15 day period that began on the effective date of his suspension, his failure to respond shall be understood as consent to his expulsion from membership in LCC, and the matter shall be ended.
- h. Notification of Commission on Adjudication  
If the suspended member requests, through the district president, that the case be heard by the Commission on Adjudication, the district president shall, within seven days after his receipt of the request for appeal, forward the information to the Commission on Adjudication.
- i. Option to Defer Action  
Either the district president or the Commission on Adjudication may defer actively processing the case if it involves a separate proceeding which, should first be resolved (see. 8.43)
- j. Disqualification of the District President  
In the event that the district president is a party to the case (8.13d.) or unable to act, he shall be disqualified from the case, and the board of directors of the district shall authorize the first vice-president or the next qualified district officer to function in this instance as the district president: to investigate the complaint and, if necessary, to suspend the member and to submit the case to the Commission on Adjudication as herein provided. The validity of any challenge to the eligibility of the district president to act shall be determined by the President.
- k. Inaction of a District President on a Complaint  
If the district president fails to act within 60 days after having been notified in writing of a complaint which could, if proven, lead to expulsion of a member from LCC, the complainant may petition the

president, who by virtue of the power given him in the Constitution (Article XI), shall make inquiries and may on his own initiative institute proceedings, take administrative action, and, if necessary, lay a case before the Commission on Adjudication. If after a reasonable time the president does not intend to institute proceedings, he shall so inform the complainant and the involved member in writing.

#### **8.57 Hearings**

- a. Preliminary Meeting Regarding Issues and Facts  
The Rules of Procedure shall permit the chairman of the Commission to meet with the parties prior to a hearing of the case in order to determine the issue(s) in the case and the facts on which the parties agree.
- b. Minimum Time for the Member to Prepare  
If the suspended member requests that the matter be adjudicated, he shall have a minimum of 30 days, beginning with the date of his filing of his request with the Commission on Adjudication, in which to prepare his case prior to any hearing.

#### **8.59 Progress Reports; Timely conclusion**

- a. Progress Reports  
The Commission on Adjudication, through the Case Manager, shall keep all parties to the case, and the district president and president, informed as to the procedural progress it is making in the case.
- b. Timely Conclusion  
The Case Panel shall bring the case to a timely conclusion, ordinarily within no more than 90 days from the effective date of suspension, except
  1. where a longer time is deemed necessary to guarantee the rights of all parties,
  2. as permitted under bylaw 8.43, or
  3. for other good cause.

#### **8.61 Decisions**

- a. Decisions in Writing  
The decisions of the Commission shall be in writing and shall make a finding of facts and shall state the conclusion(s) of the Commission and reasons for its conclusion(s). In its decisions, the Commission has options which include, but are not limited to
  1. upholding or rescinding the excommunication of (a) member(s) from a member congregation of LCC,
  2. rescinding the suspension of a member of LCC (pastor, deacon, congregation), with the result that the member continues in membership in good standing,
  3. upholding the suspension of a member of LCC (pastor, deacon, congregation), with the result that the member is expelled from membership in LCC,
  4. recommending specific remedies, including financial reimbursements, for the parties to follow.
- b. Majority Vote  
The Commission shall decide each case by the vote of a majority of the case panel qualified to decide the case, provided, however, that in the case of excommunication a tie vote will be deemed a decision in favour of the individual under excommunication.
- c. Quorum  
No decision of the Commission shall be valid or binding unless at least a majority of the case panel thereof shall have been involved in all stages of the decision-making process.
- d. Timely Decision  
Except as permitted by bylaw 8.55i, above, the Commission shall make every effort to render its decision within 90 days from the effective date of suspension in any case involving expulsion from the membership in the Synod.
- e. Finality of Decisions  
The decisions of the Commission shall be binding upon all parties to the case and such parties shall take whatever steps which are within their authority to implement such decisions.

### **8.63 Appeal to Council of Presidents**

- a. If the Commission on Adjudication issues a decision against the suspended member, the member may make an appeal to the Council of Presidents, but only on grounds relating to procedure, new information, possible bias of the Commission or such other reasons as may be set forth in the Rules of Procedure. The district president who suspended the member shall exclude himself from any deliberations concerning the appeal.
- b. If the Commission issues a decision that the case against the suspended member is not sustained, the District president who suspended the member may appeal to the Council of Presidents (excluding himself from any deliberations of the Council), on the same grounds.
- c. The Council of Presidents shall determine whether or not the matter is to be returned to the Commission on Adjudication for a re-hearing.

### **8.65 Reporting and Executing the Decision**

- a. Reporting the Decision  
The decision of the Commission on Adjudication shall be reported to the parties, to the district president, and to the president. Upon expiry of the period of time in which an appeal is possible, the district president or the president shall take such action to further implement or publicize the decision as shall be appropriate under the circumstances.
- b. Financial Reimbursement  
In any case in which a Commission on Adjudication shall decide that the suspension of a pastor or deacon of the Synod should be set aside, the Commission shall, as part of its decision, determine the extent to which (if any) and the manner in which the individual shall be reimbursed for any loss of income suffered during the period of suspension. The parties shall accept such determination as binding on them.
- c. Execution of Decision  
The Commission on Adjudication may make any necessary recommendation to any authorized person in order to ensure that its decisions are implemented.

## **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 Theology and Church Relations 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 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 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 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 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 officers of the Synod to admonish those pastors and congregations that fail to offer counter-testimony 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 (Constitution Article XI).

### **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 rights 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 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 these Bylaws shall be held directly accountable for their material. However, in accord with his office as defined in Article XI of the Constitution, the president may require doctrinal review.
- f. 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 number and desired competency of doctrinal reviewers needed by it and may suggest a list of qualified persons. The president 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 three-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 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 Convention be honoured and upheld and that positions deviating from the doctrinal resolutions of the Convention 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 bylaw 10.03 be sent for doctrinal review to one of the reviewers referred to in bylaw 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 the 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 author and reviewer.
- h. Should any problem arise between the author, a reviewer, the publisher, or any other party involved, with respect to the material submitted for review, the sponsoring group shall endeavour to resolve it to the satisfaction of the reviewer. If it cannot do so, the problem shall be submitted to the Commission on Theology and Church Relations under the appeals procedure stated in bylaw 10.13.

### **10.13 Appeals Procedure for Materials Prior to Publication**

- 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 Theology and Church Relations.
- c. After receipt of an appeal, the chairman of the Commission on Theology and Church Relations 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 the 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 Theology and Church Relations is concerned. A report together with the panel's minutes shall be submitted to the chairman of the Commission on Theology and Church Relations.
- g. The chairman of the Commission on Theology and Church Relations shall report the decision to the author, the original reviewers, the sponsoring group, and the president.

### **10.15 Appeals Procedure for Materials Already Published**

- a. A challenge to the doctrinal review certification of a published item may be initiated by any member of the Synod.



- b. A challenge to the doctrinal review certification of a published item should be submitted to the chairman of the Commission on Theology and Church Relations.
- c. In order for the Commission on Theology and Church Relations to consider a challenge, the challenger is obliged to provide specific references of how the published item is not in agreement with Scripture and the Confessions.
- d. After receipt of the challenge, the chairman of the Commission on Theology and Church Relations shall inform the president and the sponsoring group, and shall appoint three members of the Commission to serve as a review panel and shall designate one as its chairman.
- e. To aid in maintaining objectivity, the identity of the challenger and the identity of the panel will ordinarily not be disclosed.
- f. The panel shall after reviewing the published material declare
  - 1. the doctrinal review certification of the published material is affirmed because the item is in agreement with Scripture and the Confessions; or,
  - 2. the doctrinal review certification of the published material is revoked because the item is not in agreement with Scripture and the Confessions.
- g. If the panel revokes the doctrinal review certification, it must identify the part(s) of the item in need of clarification, amplification, and/or deletion in order to bring it into agreement with Scripture and the Confessions, and withdraw the publication until such agreement is reached.
- h. The panel will appoint one of its members to be the doctrinal reviewer for the recycling of the revised material to assure the item's agreement with Scripture and the Confessions if republished.

## **XI. OFFICIAL PERIODICALS**

### **11.21 Editorial Policy**

- a. Both the print and the electronic editions of *The Canadian Lutheran* shall be the official periodicals of the Synod.
- b. It 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, 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 of Directors shall supervise the editing and publication of the official periodicals.

### **11.23 Editors**

The editor of the Synod's official periodical shall be appointed by the Board of Directors 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. INTER-CHURCH RELATIONS**

### **A. LUTHERAN COUNCIL IN CANADA**

#### **12.01 Representation**

- a. Voting representatives of the Synod to the Lutheran Council in Canada shall be named by the president 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 these Bylaws and in keeping with the theological and constitutional principles of Lutheran Church-Canada. They shall submit formal reports to the president and to each Convention and shall keep the Commission on Theology and Church Relations informed of Council activities.
- b. Standing committee representatives of the Synod to the divisions of the Lutheran Council in Canada shall be named by the president. They shall participate in the functions which concern their committee

according to the constitution and bylaws of the Lutheran Council in Canada and in keeping with the theological and constitutional principles of Lutheran Church-Canada. They shall submit formal reports to the president and to each Convention.

## 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 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 Convention by the Board of Directors 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 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 Lutheran Church-Canada but is separately incorporated and is not 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 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 Canada Customs and Revenue Agency as a charitable organization; and
  6. its membership is made up of persons who are baptized members of congregations that are members of Lutheran Church-Canada or that are members of The Lutheran Church-Missouri Synod located in Canada.
- b. Responsibilities. A synodical auxiliary shall--
  1. report annually, through its president, to the president and on request of the 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 chartered accountant or equivalent;
  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. enter into contracts in its own name and 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 Board of Directors, so that it is clear that being an auxiliary is not a guarantee on the part of Lutheran Church-Canada 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 Lutheran Church-Canada 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 Canadian Lutheran Annual*;
  2. recognition as an auxiliary in the *Handbook* of the Synod;
  3. an opportunity to report to the 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 by a resolution of a Convention. 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 Convention after an evaluation by the Board of Directors, based on consultation with the organization in question.

2. The listing in *The Canadian Lutheran Annual* shall provide a statement that such a 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. Lutheran Women's Missionary League-Canada Inc.
3. Concordia Lutheran Mission Society
4. Lutheran Laymen's League of Canada

### 13.03 Listed Service Organizations

- a. Definition. A service organization other than an auxiliary may apply to the Board of Directors for listing in *The Canadian Lutheran Annual* if it satisfies the following requirements:
  1. it identifies itself with the Synod but is separately incorporated and is not a part of the Synod's constitutional structure;
  2. it operates with freedom and self-determination as a ministry in harmony with the Synod while complying with the responsibilities as outlined in bylaw 13.03b;
  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 outlined in bylaw 13.03b;
  5. it is classified by Canada Customs and Revenue Agency as a charitable organization; and
  6. it has the 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 Board of Directors through a letter of agreement or understanding as approved by the Board of Directors. In addition to any special criteria required by the respective boards or commissions, 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 Board of Directors with an annual program report and financial statement audited by an independent chartered accountant or equivalent;
  3. seek formal approval from the respective district board of directors for special intra-district fund-raising efforts and through the Board of Directors for any fund-raising efforts that cross the district lines (bylaws 2.183e.2; 7.11; 7.13);
  4. inform the appropriate board or commission of the Synod as designated by the Board of Directors of the actual dollar amount raised and the percentage of costs involved in fund-raising efforts;
  5. enter into contracts in its own name and 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 Board of Directors, so that it is clear that listing in *The Canadian 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 Lutheran Church-Canada 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 pastors and deacons serving such organizations to be placed or to remain on the clergy or deacon roster of the Synod if otherwise eligible;
  3. listing of the organization in *The Canadian Lutheran Annual*; and
  4. the opportunity to report to the Conventions 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 Board of Directors and the designated board or commission.

2. The list in *The Canadian 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 SYNODICAL BYLAWS**

##### **14.01 How Made**

Amendments to these Synodical Bylaws may be made provided they are:

- a. not contrary to the Act, the Statutory Bylaws or the Constitution;
- b. presented in writing to a Convention;
- c. specified as an amendment and considered by a convention floor committee;
- d. submitted to the Commission on Constitutional Matters and Structure for clearance prior to presentation to the Convention;
- e. adopted by the affirmative vote of a majority of the delegates present and voting.

#### **XV. REPEAL OF CURRENT BYLAWS**

##### **15.01 Repeal**

The bylaws made under the Constitution of Lutheran Church-Canada are repealed.

CLEARED by the Commission on Constitutional Matters and Structure this 7<sup>th</sup> day of February, 2002.

Rev. Nolan Astley  
Chairman - Commission on Constitutional Matters and Structure

ADOPTED by a majority votes of the delegates present and voting at a Convention this 8<sup>th</sup> day of June, 2002

LUTHERAN CHURCH-CANADA

Per: Rev. Ralph Mayan  
President

Per: Rev. Bill Ney  
Secretary

**APPENDIX A**

**7 - 8 ELIZABETH II.**

CHAP. 68

An Act to incorporate Lutheran Church-Canada.

[Assented to 4<sup>th</sup> June, 1959.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Albert Schwermann, professor, of the city of Edmonton, in the province of Alberta, Arne Kristo, clergyman, of the city of Toronto, in the province of Ontario, Maynard Pollex, clergyman, of the city of Hamilton, in the province of Ontario, Clare Kuhnke, manager, of the city of Winnipeg, in the province of Manitoba, and David Appelt, librarian, of the city of Saskatoon, in the province of Saskatchewan, together with such other persons, synodical districts and congregations as become members of the religious body hereby incorporated, are incorporated under the name of Lutheran Church-Canada, hereinafter called “the Corporation”, for the purposes set out in this Act and for the purposes of administering the property, business and other temporal affairs of the Corporation.
2. The persons named in section 1 of this Act shall be the first directors of the Corporation.
3. (1) The head office of the Corporation shall be at the city of Edmonton, in the province of Alberta, or at such other place as may be decided by the Corporation.  
(2) Notice in writing shall be given to the Secretary of State by the Corporation of any change of the head office and such notice shall be published forthwith in the *Canada Gazette*.
4. The objects of the Corporation shall be
  - a. to promote, maintain, superintend and carry on in accordance with the faith, doctrines, constitution, acts and rulings of the Corporation any or all of the work of that body;
  - b. to advance and increase the diffusion of the faith of the Corporation in all lawful ways;
  - c. to organize, establish, maintain and carry on residences, missions, churches, places of worship, parsonages, orphanages, homes for the aged, rest homes and institutions and agencies for promoting, reaching, propagating and disseminating the Lutheran faith and doctrine and for training persons for the said purposes;
  - d. to promote, organize, establish, maintain and carry on social service, welfare and guidance institutions and agencies;
  - e. to promote education, instruction and culture, and to organize, establish, maintain and carry on schools, colleges, academies, seminaries, institutions of learning, recreational halls, centers and agencies, and industrial, technical and agricultural institutes and farms;
  - f. to promote charity and to care for the poor, and to organize, establish, maintain and carry on charitable institutions, hospitals, clinics, dispensaries and cemeteries;
  - g. to organize, establish, maintain and carry on libraries and houses and agencies for printing, publishing and disseminating literature, newspapers, periodicals and works of education, religion, art and science;
  - h. to promote the spiritual welfare of all the congregations and mission fields of the Corporation.
5. The Corporation may from time to time make by-laws, not contrary to law, for
  - a. the administration, management and control of property, business and other temporal affairs of the Corporation;
  - b. the appointment, functions, duties and remuneration of all officers, agents and servants of the Corporation;
  - c. the appointment or disposition of an executive committee or any special committees or boards from time to time created for the purposes of the Corporation, and defining the powers of such committees or boards;

- d. the calling of regular or special meetings of the Corporation or of the executive committee or the board of directors;
  - e. fixing the necessary quorum and the procedure to be followed at all meetings referred to in the preceding paragraph;
  - f. determining the qualifications of members;
  - g. defining and applying the principles, doctrine and religious standards of the Corporation;
  - h. generally carrying out the objects and purposes of the Corporation.
6. Subject to and in accordance with the by-laws enacted by the Corporation under section 5 of this Act, an executive committee consisting of such persons as the Corporation may from time to time elect or appoint thereto shall manage all the temporal affairs of the Corporation.
  7. The Corporation may do all such lawful acts and things as are incidental or as may be conducive to the attainment of its objects.
  8. The Corporation may exercise all its powers by and through an executive committee or through such boards or committees as may from time to time be elected or appointed by the Corporation for the management of its affairs.
  9. (1) The Corporation may purchase, take, have, hold, receive, possess, retain and enjoy property, real and personal, corporeal and incorporeal, and any or every estate or interest whatsoever, given, granted, devised or bequeathed to it, or appropriated, purchased or acquired by it in any manner or way whatsoever, to, for or in favour of the uses and purposes of the Corporation, or to, for or in favour of any religious, educational, eleemosynary or other institution established or intended to be established by, under the management of, or in connection with the uses or purposes of the Corporation.  
 (2) The Corporation may also hold such real property or estate therein as is bona fide mortgaged to it by way of security, or conveyed to it in satisfaction of debts or judgments recovered.
  10. Subject always to the terms of any trust relating thereto, the Corporation may also sell, convey, exchange, alienate, mortgage, lease or demise any real property held by the Corporation, whether by way of investment for the uses and purposes of the Corporation or not; and may also, from time to time, invest all or any of its funds or moneys, and all or any funds or moneys vested in or acquired by it for the uses and purposes aforesaid, in and upon any security by way of mortgage, hypothec or charge upon real property; and for the purposes of such investment may take, receive and accept mortgages or assignments thereof, whether made and executed directly to the Corporation or to any corporation, body, company or person in trust for it; and may sell, grant, assign and transfer such mortgages or assignments either wholly or partly.
  11. In regard to any real property which, by reason of its situation or otherwise, is subject to the legislative authority of the Parliament of Canada, a license in mortmain shall not be necessary for the exercise of the powers granted by this Act; but otherwise the exercise of the said powers shall in any province of Canada be subject to the laws of such province as to the acquisition and holding of lands by religious corporations, in so far as such laws apply to the Corporation.
  12. In so far as authorization by the Parliament of Canada is necessary, any person or corporation, in whose name any property, real or personal, is held, in trust or otherwise, for the uses and purposes of the Corporation, or any such person or corporation to whom any such property devolves, may, subject always to the terms and conditions of any trust relating to such property, transfer such property or any part thereof to the Corporation.
  13. Any deed or other instrument relating to real estate vested in the Corporation or to any interest in such real estate shall, if executed within the jurisdiction of the Parliament of Canada, be deemed to be duly executed if there is affixed thereto the seal of the Corporation and there is thereupon the signature of any officer of the Corporation duly authorized for such purposes.
  14. The Corporation may make a gift of or lend any of its property, whether real or personal, for or to assist in the erection or maintenance of any building or buildings deemed necessary for any

church, college, manse, school or hospital or for any other religious, charitable, educational, congregational or social purpose upon such terms and conditions as it may deem expedient.

15. (1) The Corporation may, from time to time, for the purposes of the Corporation
  1. borrow money upon the credit of the Corporation;
  2. limit or increase the amount to be borrowed;
  3. make, draw, accept, endorse or become party to, promissory notes and bills of exchange and every such note or bill made, drawn, accepted or endorsed by the party thereto, authorized by the by-laws of the Corporation, and countersigned by the proper party thereto, authorized by the by-laws of the Corporation, shall be binding upon the corporation and shall be presumed to have been made, drawn, accepted or endorsed with proper authority until the contrary is shown, and it shall not be necessary in any case to have the seal of the Corporation affixed to any such note or bill;
  4. mortgage, hypothecate or pledge any property of the Corporation, real or personal, to secure the repayment of any money borrowed for the purposes of the Corporation, or which it is obligated to pay or the payment of which is guaranteed by it;
  5. issue bonds, debentures or other securities of the Corporation;
  6. pledge or sell such bonds, debentures or other securities for such sums and at such prices as may be deemed expedient.
- (2) Nothing in the preceding subsection shall be construed to authorize the Corporation to issue any note or bill payable to the bearer thereof, or any promissory note intended to be circulated as money or as the note or bill of a bank, or to engage in the business of banking or insurance.
16. The Corporation may guarantee, with or without security, upon such terms as it may determine, any debts of, the performance of any obligations of and the repayment of any advances made to or for the purposes of, any Lutheran corporation, organization, association or society associated or affiliated with the Corporation.
17. The Corporation may invest its funds, or any portion thereof, either directly in the name of the Corporation or indirectly in the name of trustees, in the purchase of such securities as it may deem advisable, and may lend its funds or any portion thereof on any such securities.
18. The Corporation may exercise the rights and powers conferred upon it by this Act throughout Canada.

**APPENDIX B**  
**"SCRIPTURAL THESES ON CONFLICT RESOLUTION"**

- I** In a fallen world conflict is to be expected and is in fact inevitable. (Gen. 6:5,11-12; 1 Kings 8:46; Ps. 14:1-3; Ps. 51:5; Isa. 52:6; Jer. 5:1; Rom. 3:23, 5:12; Eph. 2:3)
- II** The visible church on earth is also subject to conflict in the world as well as among its members. (Gen. 4:8; 37:4; 1 Sam. 18:8-9; 2 Chron. 24:20-21; Jer. 20:1-2; Matt. 13:24-30; Acts 15:37-40; 1 Cor. 1:10-13; 5; 6:1; Gal. 2:11-14)
- III** The Scriptures anticipate such conflict in the church and prescribe guidelines and methods to be employed when there is manifest sin or disagreement among Christians. (Gen. 50:15-21; Deut. 1:6; Matt. 5:23-25, 39-42; 6:14-15; 7:1-5; 18:15-17, 21-35; 1 Cor. 6:1-8; 2 Cor. 5:14-20; Gal.6:1-2)
- IV** When conflict or dispute arises in the church, Christians must always stand ready to seek the Lord's gracious assistance through prayer. (Deut. 4:7; 1 Kings 8:28-32; Matt. 5:43-48; 6:8-15; 21:21-22; Eph. 6:18-19; James 1:5-6; 5:13-16)
- V** When the church employs Scriptural procedures in matters of dispute or manifest sin, it must endeavour faithfully to make proper distinction between the Law and Gospel. (Matt. 18:19-20; Rom. 3:19-31; 7:5-13; Gal. 2:16-3:14; Luther: The Small Catechism, The Office of the Keys; C.F.W. Walther: The Proper Distinction Between Law and Gospel, p. 303)
- VI** Biblical conflict resolution begins with God's truth that Christ died for the sins of all people while they were yet sinners. (Ps. 49:7-9; Isa. 53:4-6, 10-12; Rom. 5:6-11; 2 Cor. 5:19; 1 Tim. 1:15-16; 1 John 2:1-2)
- VII** The heart and goal of all Christian conflict resolution is the justification of the sinner through grace in Christ Jesus received through faith alone. (Ezek. 18:27-32; John 3:16; Rom. 3:21-26; Eph. 2:8-10, 14-18; Col. 1:19-20; 1 Tim. 2:4-6)
- VIII** Matthew 18:15-17 is to be interpreted ultimately in light of the theology of the Cross and the ministry of reconciliation. (2 Cor. 5:18-21; Eph. 1:7-14; Col. 1:13-14; Heb. 2:17-18)
- IX** Matthew 18:15-17 is not limited to matters that are brought before the church for discipline, but should also be employed by Christians privately and informally. (Matt. 5:23-25; 6:14-15; 18:21-35; CTCR: Church Discipline in the Christian Congregation; cf. Lenski's Commentaries)
- X** Christians involved in conflict, dispute, or manifest sin must always stand ready to ask for and extend forgiveness in both formal and informal proceedings according to Matthew 18:15-35. (Matt. 5:23-25; 6:14-15; 7:1-5; 12:7; Luke 23:34; John 8:3-11; 13:34-35; Phil. 2:1-7; 1 John 2:8-11)
- XI** The church must always make a special effort to distinguish between adversarial methods common in the Kingdom of the Left Hand and those appropriately exercised in the Kingdom of the Right Hand. (Deut. 16:18-20; 1 Kings 3:9; Micah 6:8; Matt. 5:23-25; 22:21; John 7:24; Rom. 13:1-7; 1 Cor. 6:1-7; AC XVI; AC XXVIII)
- XII** When the church is engaged in church discipline or in the ministry of reconciliation, it must not only seek the truth, provide for justice, and insist on fairness, but must also treat all parties with mercy. (Ex. 23:1-9; Lev. 19:9-18; Prov. 17:15; Hos. 6:6; Micah 6:8; Zech. 7:9-10; Matt. 5:6-7; 9; 12:7; 23:23; 1 Cor. 13:4-6; 16:14)
- XIII** When the church engages in the ministry of reconciliation or church discipline, it always seeks as its ultimate objective the restoration of the unity of the Body of Christ. (Matt. 18:15; Rom. 12; 1 Cor. 12-13; 2 Cor. 5:16-21; Eph. 4:1-5:2; CTCR: Church Discipline in the Christian Congregation, p.5)



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