

**SYNODICAL BYLAWS
OF
LUTHERAN CHURCH-CANADA**

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

In the event of a discrepancy between a provision in the Synodical Bylaws and a provision in the Synodical Constitution or Statutory Bylaws on matters specifically dealt with in the Statutory Bylaws or in the Synodical Constitution the provisions of the Statutory Bylaws or in the Synodical Constitution shall prevail.

In these Synodical Bylaws words and expressions defined in the Act and in the Statutory Bylaws have the same meaning these Synodical Bylaws, except where the context otherwise dictates.

I. PREAMBLE

A. CONFESSION

1.01 Confessional Position

The confessional position of LCC is set forth in Article II of the Synodical Constitution, to which all who wish to be and remain Members of Lutheran Church-Canada shall subscribe.

1.03 Doctrinal Resolutions and Statements

- a. LCC 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 LCC and shall ordinarily cite the pertinent passages of the Scriptures, the Lutheran Confessions, and any previously adopted official doctrinal statements or resolutions of LCC. 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as any other resolutions of a Convention and are to be honoured and upheld until such time as they are amended or repealed.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 LCC 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 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 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 LCC.
 7. Such adopted and ratified doctrinal statements shall be regarded as the doctrinal position of LCC 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 LCC, notwithstanding further study and action by LCC.
- d. Dissent from doctrinal resolutions and statements shall be governed by bylaw 1.21e.

B. MEMBERSHIP

1.13 Signing Synodical 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 Synodical 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 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 Synodical Constitution as the representatives of the congregation in open session at the first Convention which they attend. The secretary shall obtain such signatures to the Synodical Constitution.
- c. The secretary shall record the year in which a Member is received or relinquishes membership.

1.15 Constitutions of Congregations

- a. A community of believers which applies to become a member congregation in Lutheran Church-Canada shall submit its constitution to the president, who shall refer it to the Board. The Board shall examine the constitution to ascertain whether its provisions are in harmony with Scripture, the confessional position of LCC as set forth in the Synodical Constitution Article II, the Statutory Bylaws, the Synodical Constitution and these Synodical Bylaws in order that any necessary changes may be made by the community. A community shall not be received as a Member Congregation until it has made such changes as the Board may have deemed necessary and has so notified the 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 president, who shall direct it through existing channels for review. Upon favourable action by the Board, 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 for ratification.
- c. It shall be the policy of Lutheran Church-Canada:
 1. to decline membership to an applicant community whose constitutions deny membership or other congregational privileges to any Christian because of race or ethnic origin;
 2. to encourage such applicant communities 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 Member Congregation shall provide the means and opportunity for its members to support and to advance the mission of LCC.
- c. All Members of Lutheran Church-Canada shall abide by the Synodical Constitution and these Synodical Bylaws and shall subscribe to the confessional position of LCC.

1.21 Relation of Lutheran Church-Canada to Its Members

- a. The Statutory Bylaws, Synodical 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 are Members of 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 LCC 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. The only remedy available to Lutheran Church-Canada in response to improper activities of a Member Congregation is, where appropriate under the Synodical 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.
- c. Membership of a congregation in Lutheran Church-Canada gives Lutheran Church-Canada no equity in the property of the congregation.
- d. A pastor and a deacon who is an Individual Member serving an educational institution which is a part of the Synodical Family shall be under the ecclesiastical supervision of the president.
- 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 Synodical Constitution (see Art. V) 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 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 Synodical 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 regional pastor and the regional pastor, 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 regional pastor 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 or a congregation. All records of Lutheran Church-Canada shall reflect this fact.

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.

The collective objectives of Members include:

1. providing ecclesiastic supervision;
2. building community;
3. caring for Members;
4. training Church Workers;
5. engaging in Canadian Missions;
6. engaging in World Missions;
7. providing Social Ministry; and
8. providing Financial Services.

1.33 Relationships: Congregation, The Synod, Circuit

- a. The congregation is the basic unit in the Synod.
- b. LCC, the regions 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 regions.
- d. Circuits and regions are expected to carry out resolutions of the Conventions. Circuits and regions provide a means for congregations to review decisions of the Convention, to motivate one another to action, and to shape and suggest new directions.
- e. Congregations together set the requirements for membership in LCC. In so doing, congregations also obligate themselves to fulfill such requirements. They are to uphold the confessional position of LCC and to contribute to achieving the objectives of LCC, which are objectives of the congregations themselves. Congregations are self-governing. In exercising such freedom, however, congregations also commit themselves to act in accordance with the Synodical Constitution and these Bylaws under which they have agreed to live and work together.

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

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

1.37 Definitions

In these Synodical Bylaws

- a. A *circuit counsellor* is a pastor elected by the Member Congregations in a circuit to assist the regional pastor of that circuit in providing services to Members in the circuit.
- 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 *regional pastor* is a pastor elected at Convention by the Member Congregations of a region to assist the president in delivering services to Members in that region.
- e. 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 Statutory Bylaws, Synodical 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.

2.07 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 congregation, 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 congregation.

2.15 Advisors

Advisors shall be eligible for membership on committees and to offices of the Convention unless otherwise specified.

2.19 Reports and Overtures

- a. The business of a Convention shall include the consideration of reports and overtures.
 1. Reports are
 - (i) statements of work performed or contemplated by those who are charged with conducting the business of LCC between Conventions, and shall include all Memoranda of Understanding adopted since the previous Convention.
 - (ii) communications to a Convention with respect to studies which may have been made for LCC in order to further its work, or
 - (iii) other types of communications to LCC.Reports to a Convention may be submitted only by the president, the vice-president, the secretary, a board or commission of LCC as listed in bylaw 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, the President's Ministry Council, Board of Directors, Regional Mission and Ministry Councils, a faculty of an educational institution which has entered into a Memorandum of Understanding with LCC, or a commission listed in bylaw 2.55, a committee established by a prior Convention, or a circuit convocation.
- b. Reports and overtures must be submitted 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 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 LCC or the corporate officers of LCC 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 made available not later than 10 weeks prior to the opening date of the Convention.
- 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 and advisors. 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 LCC, 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 Member Congregation

- g. Any Member and any lay delegate to the Convention wishing to express comments on reports and overtures appearing in the Convention workbook may submit these at least seven weeks prior to the Convention to the secretary, 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 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 Registration Committee as appointed by the President. 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 Robert's Rules of Order, the Modern Edition 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 advisors 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 President's Ministry Council for evaluation and recommendation to a Convention.

2.31 Convention Manager

A convention manager, appointed by the administrator, shall plan, make arrangements for, and direct the externals of the Convention and other major synodical assemblies. He shall be responsible to the president.

2.33 Local Convention Committee

When necessary the administrator 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 convention assessment registration fees, exhibit space rentals, and other miscellaneous receipts.
- b. The amount of the convention assessment and the registration fees will be based on the convention budget submitted by the convention manager to the Board of Directors for approval.
- c. The administrator 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 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 published in an official periodical of LCC for the information and use of each pastor and his congregation. All delegates, advisors, and members of Commissions shall be sent a copy. The cost shall be paid by Lutheran Church-Canada.

B. COMMISSIONS

2.55 Commissions

Individuals shall be elected with one appointment by the President at Convention to the following commissions:

- a. A Commission on Adjudication
- b. A Commission on Constitutional Matters and Structure
- c. A Commission for Nominations and Elections

Individuals shall be elected or appointed to a Commission on Theology and Church Relations as provided in these Bylaws.

2.57 Qualification

Except as otherwise provided in these Bylaws, all members of all commissions shall be communicant members of Member Congregations.

2.59 Regional Representation

Each commission which has 8 or more members shall be elected or appointed so that there is at least one member on such commission from each region at the time of election or appointment.

2.61 Term of Office

- a. The term of office of members of commissions shall be four years commencing on September 1 following the Convention, or such other date as may be determined by the Convention.
- b. The president, vice-president, secretary, and members of all elected commissions shall be inducted into office on a Sunday in September following their election or such other date as may be determined by the Convention. Incumbents shall serve until their successors have been qualified.

2.63 Successive Terms

- a. All members of all commissions shall be ineligible for reelection or reappointment to the same commission after serving a total of two successive four year elected terms, unless otherwise provided in these Bylaws. They may become eligible again for election or appointment to the same commission after an interval of four 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 commission who is ineligible for reelection may be elected 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 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.

2.67 Induction

- a. All members of commissions shall assume office on the first day of September following the Convention or such other date as may be determined by the Convention. The induction of such members shall take place at the first regular meeting of the commission after such individuals have assumed office.
- b. The initial meetings of these commissions shall be held after the assumption of office and shall provide for an orientation program conducted under the direction of the president.

C. MISCELLANEOUS

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 shall continue to function until the newly elected and reelected members assume office. They shall continue to carry out programs initiated prior to the electing Convention.
- c. No appointments to commissions, or standing committees shall be made and no new programs shall be initiated by the outgoing president or the Board 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-president 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-president, to gather names and obtain information helpful for making wise appointments; he shall meet with the chairmen and secretaries of 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 administrator 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 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.

2.71 Prohibition of Conflict of Interest

- a. No officer, director, officer or member of a board or commission or of an agency of LCC 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 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 and Commissions

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

2.75 Holding More than One Office

- a. No one shall hold more than one elective office in LCC; 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 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 committee, commission, or other body or entity, established under these Synodical Bylaws, 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.

D. COMMISSIONS

1. Commission on Adjudication

2.91 Membership

The provisions dealing with membership on Commission on Adjudication are set out in Chapter VIII.

2.93 Functions

The functions of the Commission on Adjudication are set out in Chapter VIII.

2. Commission on Constitutional Matters and Structure

2.101 Membership

The Commission on Constitutional Matters and Structure shall consist of seven voting members.

The Convention shall elect the members of the Commission from a slate of candidates that have been nominated by the Commission on Nominations and Elections. The individuals elected must include three lay persons including one lawyer, three rostered workers one of whom may be a deacon and the secretary of LCC.

2.102 Vacancies

Unless otherwise specified in these Bylaws, the Commission shall be empowered to fill any vacancy which may occur in its membership. The appointed person may serve until the Convention at which the person being replaced would have completed the term of office.

2.103 Responsibilities

The responsibilities of the Commission include reviewing the corporate structure of LCC and its relationship with participants in the Synodical Family.

The Commission shall not give direction to the Board, to the president, to the administrator, or any employee of LCC or any organization with who LCC has signed a Memorandum of Understanding.

A. The Commission shall:

- a. conduct a continuing review of the structure of LCC, including its regions and its circuits and make proposals to succeeding Conventions for improvement; and
- b. act as resource committee to convention floor committees on all proposals to alter its structure.

B. In the area of process the Commission is expected to:

- a. examine all reports and overtures to Convention asking for amendments to the Act, the Statutory Bylaws, the Synodical Constitution, and the Synodical Bylaws, or which in any manner affect the Act, the Statutory Bylaws, the Synodical Constitution, and the Synodical Bylaws, to determine their agreement in content and language with the Act, the Statutory Bylaws, the Synodical Constitution, and the Synodical Bylaws;
- b. be represented at the meetings of the floor committees considering matters of process at the Convention,

- c. revise the Statutory Bylaws, the Synodical Constitution, and Synodical Bylaws immediately after each Convention to bring them into harmony with the resolutions or changes adopted by the Convention,
- d. maintain a complete file of succeeding copies of the in the Statutory Bylaws, the Synodical Constitution, and the Synodical Bylaws so that a comparison can be made between current regulations and those immediately preceding,
- e. provide for an orientation program for newly elected and appointed members of the Board and of the commissions at or before the first meeting of each group.

C. In the area of monitoring the governance of the Board, the Commission is expected to:

- a. ensure an orientation to the structure and processes, including governance, to new members of the Board before their second meeting of the Board,
- b. act as a parliamentarian to the Board in matters of governance advise the Board when it is in violation of any of the documents which the Commission has authority to monitor,
- c. advise the Board when any of the organizations who complement its mission and ministry are in violation of their respective Memorandum of Understanding.

2.104 Interpretation of the Statutory Bylaws, Constitution, and Synodical Bylaws of Synod

The Commission shall interpret the Statutory Bylaws, the Synodical Constitution, and the Synodical Bylaws, and resolutions upon the written request of a Member, officer, the Board, or commission, or an organization which has entered into a Memorandum of Understanding with LCC. 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.

2.105 Orientation and Training

In fulfilling its expectation of providing orientation to new members of the Board and the commissions, the Commission shall appoint one or more of its members to:

- a. work with the Governance Committee of the Board to ensure that each incoming member receives a copy of the Lutheran Church-Canada Handbook, the Governance Manual, the Strategic Plan and two examples of Memoranda of Understanding,
- b. ensure that each incoming member of the commissions receives a copy of the Lutheran Church-Canada Handbook.

3. Commission on Theology and Church Relations

2.106 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. Concordia Lutheran Seminary and Concordia Theological Seminary theological faculties shall each appoint or elect one member of its faculty, who may be its president.
- c. The president, in consultation with the vice-president, shall appoint one additional member.
- d. The president shall be an advisory member to the Commission.

2.107 Vacancies

- a. The Commission is authorized to fill any vacancy of an elected individual which may occur in its membership subject to the approval of the president.
- b. Vacancies in the Commission caused by appointed individuals shall be filled by the appointing authority. The Commission may submit suggestions to the appointing authority.

2.108 Responsibilities

- a. The responsibilities of the Commission are to:
 - 1. assist the president at this request in discharging his ecclesiastical responsibilities,
 - 2. provide guidance to LCC in matters of theology and church relations,
 - 3. assist Members in the area of fraternal organizations and cults,
 - 4. assist LCC in doctrinal reviews.

2.109 Expectations

- a. The Commission is expected to:
 - 1. convene meetings and provide advice and guidance in a timely manner when requested by the Board or the president, and
 - 2. use the Holy Scriptures and the Confessions as the basis of all its advice and guidance.

2.110 Responsibilities to President

- A. The Commission shall assist the president at his request in discharging his responsibilities, specifically:

1. in fostering and preserving the unity of the faith within LCC,
2. in dealing with other church bodies,
3. in initiating and pursuing fellowship discussions with other church bodies.

2.111 Theology and Church Relations

- A. The Commission shall provide guidance to LCC 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 LCC and to conferences,
 2. in addressing itself to and evaluating the existing fellowship relations for 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.

2.112 Fraternal Organizations and Cults

- A. The Commission shall assist Members 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 LCC'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 LCC for information on fraternal organizations and cults, in seeking to explain LCC's concern to such organizations, in publishing necessary study materials, and in assisting in carrying out the policy of LCC regarding fraternal organizations as set forth elsewhere in these Bylaws.

2.113 Doctrinal Resolutions and Statements

The Commission shall develop doctrinal resolutions and statements which are in harmony with Scriptures and the Lutheran Confessions to clarify LCC's witness or to settle doctrinal controversy.

Doctrinal Resolutions and Statements Shall be Developed by the Commission with Reference to:

- A. LCC, 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 LCC and shall ordinarily cite the pertinent passages of the Scriptures, the Lutheran Confessions, and any previously adopted official doctrinal statements or resolutions of LCC. 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 LCC 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 Members or submitted to the Commission on Theology and Church Relations by a Convention, a seminary faculty with whom LCC has entered into an MOU, or an official conference of pastors and deacons, 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 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 LCC;
 7. Such adopted and ratified doctrinal statements shall be regarded as the doctrinal position of LCC 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 paragraphs 1 to 11 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 LCC, notwithstanding further study and action by LCC;
 11. Dissent from doctrinal resolutions and statements shall be governed by Article 1.17 - LCC's Duties of Members.

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 LCC 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.

F. COUNCILS

2.301 President's Ministry Council

The president, vice-president and the regional pastors shall form the President's Ministry Council. The Council shall meet at least bi-annually and in addition at the call of the president or at the request of one-third of the members of the President's Ministry Council:

- a. to advise the president and give him counsel;
- b. to maintain, within budgetary constraints, a coordinated delivery of services in all regions;
- c. to counsel with one another on matters regarding the doctrine and administration of LCC and its regions;
- d. to give guidance regarding inter-church relations;
- e. to edify and support one another in the ministry they share;
- f. to serve as the Board of Assignments for the first calls to candidates for the pastoral and diaconal office;
- g. to carry out such assignments as the Convention may give to the Council from time to time;
- h. to produce, in consultation with the Regional Mission and Ministry Councils, an annual work plan and proposed budget which reflects the current LCC Strategic Plan and which has the support of all regions;
- i. the President's Ministry Council shall receive reports from the colloquy committees who shall assist the Council in carrying out its responsibilities as the Board of Assignments.

H. NOMINATIONS AND ELECTIONS

I. Nominations and Election of President

2.501 Nominations

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

- a. each Member Congregation shall be entitled to nominate two pastors as candidates for president;
- b. the secretary shall mail via post or electronic means to each Member Congregation ballots for nominating these candidates;
- c. each nominating ballot shall be signed by the president and the secretary of the Member Congregation and shall be sent to the secretary not later than four months prior to the opening date of the Convention;
- d. the secretary, with the approval of the Board, 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 LCC are urged to refrain from circularizing Members or their delegates relative to favoritism 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 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 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 present position, region 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 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 delegate of a Member Congregation in attendance 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-president

2.511 Nominations

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

- a. each Member Congregation shall be entitled to nominate two pastors as candidates for vice-president;
- b. the secretary shall mail via post or electronic means to each Member Congregation ballots for nominating these candidates;
- c. each nominating ballot shall be signed by the president and the secretary of the Member Congregations and shall be sent to the secretary not later than four months prior to the opening date of the Convention;
- d. the secretary, with the approval of the Board, 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;
- e. groups and individuals within and without LCC are urged to refrain from circularizing Members or their delegates relative to favoritism in nominations for vice-president.

2.513 Candidates

- a. Candidates for the office of vice-president shall be the five persons receiving the highest numbers of votes in the nominating ballots of the congregations, except for the provisions in bylaw 2.513d.
- b. The secretary shall notify each candidate and shall secure his approval in writing for inclusion of his name on the convention ballot. Each candidate shall reply within 10 days as to his willingness to serve if elected.
- c. In the event of the death, declination, or unavailability of any candidate, the nominee having the next highest number of votes shall become a candidate.
- d. In the event of a tie for the fifth position among the candidates, all names involved in the tie shall be listed as candidates, provided that the candidate has been named on at least two nominating ballots, and if no fifth candidate so qualifies, the fifth 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 LCC, present position, region 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 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

- a. Each delegate of a Member Congregation in attendance shall be entitled to vote for one of the candidates for vice-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.

3. Other Nominations and Elections

2.521 Commission on Nominations and Elections

1. The Commission on Nominations and Elections shall consist of seven voting members. The Convention shall elect from a slate of candidates nominated by the Commission. The Convention shall elect four rostered workers at least three of whom shall be pastors and one may be a deacon, and three lay people. Each region shall be represented by at least one voting member where possible.
2. Terms of office shall be four years in length, commencing on the first day of September following the Convention or such date as may be determined by the Convention. Members may be elected for one additional four year term.
3. The Commission is authorized to:
 - a. vet candidates for all positions which require election at a Convention, except for candidates for its own Commission,
 - b. manage the election processes at the Convention,
 - c. 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,
 - d. appoint a member to fill a vacancy which occurs on the Commission, who shall serve until the next Convention.

2.523 Responsibilities

The Commission is responsible to:

- a. nominate candidates and manage the nomination process,

- b. monitor the vetting processes,
- c. make the necessary arrangements for the elections,
- d. be responsible for the preparation and distribution of ballots, and supervise the elections, the tabulation of the votes, and the notification of results.

2.525 Expectations

The Commission is expected to:

- a. complete the nomination and vetting processed in time for the election process required for Conventions,
- b. manage the election processes at Conventions,
- c. work collaboratively with the Board, the president, and the administrator,
- d. provide a written report of its activities for inclusion in the Convention Workbook.

2.527 Commission on Nominations and Elections Processes

1. General Qualifications of Candidates for Elected and Appointed Positions

A. The following qualifications apply to candidates for all individual and/or group positions:

- a. except as otherwise provided in these Bylaws, all members elected or appointed by the Convention and those elected and appointed by others with authority from the Convention shall be communicant members of Member Congregations,
- b. no person shall be eligible for election or appointment to the Board other than as president if that person is employed by LCC or by an organization which complements or contributes to the mission or ministry of LCC and with whom LCC has signed a Memorandum of Understanding,
- c. the Board and each commission which has 8 or more members shall be elected or appointed so that there is at least one member on the Board or commission from each region at the time of election.
- d. all members of the Board and commissions shall be ineligible for reelection or reappointment to the same commission after serving a total of two successive four-year elected terms. Such individuals will become eligible again for election or appointment to the same commission after an interval of 4 or more years. One half or more of a term shall be regarded as a full term under limited tenure rules,
- e. any member of a commission who is ineligible for reelection or reappointment may be elected or appointed to another position.
- f. the limitation on the tenure of any individual shall not apply in cases which hereinafter are specifically excepted from such limitation,
- g. no one may hold more than one elective office, or ever hold two offices of which one is directly accountable to the other, or more than two offices, where one or both be appointive. Doubtful cases shall be decided by the President,
- h. all members the commissions shall assume office on the first day of September following the Convention or such date as may be determined by the Convention. The induction of the officers, the Board, and commissions shall take place at the first regular meeting of the Board or commission after such individuals have assumed office.

2.529 General Principles

A. Individuals shall be nominated, vetted and elected to the positions of:

- 1. Board of Directors
- 2. President
- 3. Vice-President
- 4. Commission on Nominations and Election
- 5. Commission on Theology and Church Relations
- 6. Commission on Adjudication
- 7. Commission on Constitutional Matters and Structure
- 8. Regional Pastors
- 9. Regional Mission and Ministry Councils
- 10. Circuit Counsellors
- 11. Individuals may be nominated and vetted only to boards of the following organizations which complement or contribute to the mission or ministry of LCC and with whom LCC has signed a Memorandum of Understanding.
 - The Board of Regents of Concordia Lutheran Theological Seminary, St. Catharines, Ontario
 - The Board of Regents of Concordia Lutheran Seminary, Edmonton, Alberta
 - Board of Managers for Worker Benefits Plans
 - Board of Directors of Lutheran Church-Canada Financial Ministries

Nominations to boards listed in 11 above shall follow the process required in the bylaws of or Memorandum of Understanding with the respective organization.

- B. The Board in consultation with the president and vice-president shall maintain a description of the desirable expertise, qualifications and competencies required for each elected position which shall be provided to the Commission prior to the beginning of their service before each Convention.

2.531 Nomination Processes

1. The Commission shall nominate candidates for all individual and group positions except the president or vice-president.
2. Where possible, at least 2 candidates shall be nominated for each position.
3. The Commission shall inform itself as to the qualifications and competencies of each position to be filled and be thereby guided in its selection of nominees.
4. Groups and individuals within and without LCC are urged to refrain from circularizing Member Congregations or their delegates relative to favouritism in nominations.
5. If a nomination is made from the floor, the CNE should first check the accompanying documentation to be sure the person is adequately vetted before the name is put forward to the Convention.
6. Nominations for the offices of president or vice-president shall be made in the following manner:
 - a. each Member Congregations shall be entitled to nominate from the roster two pastors as candidates for each office,
 - b. the Commission shall mail via post or electronic means to each Member Congregations ballots for nominating these candidates,
 - c. each nominating ballot shall be signed by the president and the secretary of the Member Congregations and shall be sent to the Commission not later than four months prior to the opening date of the Convention,
 - d. the Commission 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 or vice-president,
 - e. candidates for the office of president or vice-president shall be the five pastors receiving the five highest number of votes in the respective nominating ballots of the congregations,
 - f. the Commission 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,
 - g. 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,
 - h. 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 nominating ballots, and if no fifth candidate so qualifies, the fifth or final ballot position shall be eliminated,
 - i. the Commission shall publish in the convention workbook brief biographies of the five candidates for president or vice-president, giving adequate information on each candidate. This report shall contain such pertinent information as age, residence, number of years in LCC, present position, regional or 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.
7. The Commission shall solicit from congregations, Regional Mission and Ministry Councils, regional pastors, president, vice-president, administrator, circuit counsellors, and other likely sources names of persons who are regarded as suitable candidates for election to the various elected positions and shall list briefly the requirements of various positions. Qualifications of each candidate suggested are to be submitted together with the names. The Commission shall begin such solicitation of names 12 months before the Convention and the secretary of the Commission shall present the submissions to the Commission at its first meeting. All suggested names and information for consideration shall be submitted to the Commission no later than eight months prior to the Convention.
8. 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 in ample time to provide for its publication in the official periodicals of LCC before the Convention and also in the official convention workbook. This report shall contain pertinent information concerning each candidate, such as age, occupation or profession, regional affiliation, residence, specific experience and qualifications for the office in question.
9. The chair of the Commission shall submit the Commission's report in person to the Convention at one of its earliest sessions and immediately thereupon qualifying nominations may be made from the floor of the Convention.
10. All aspects of the nomination process may be conducted electronically.

2.534 Vetting Processes

1. Vetting of candidates for all individual or group positions shall be the responsibility of persons other than those who submitted the nominations.
2. The vetting process shall include:
 - a. a comparison of the candidate's qualifications and competencies with those required for the position,
 - b. the affirmation of peers who can confirm the candidate's qualifications and competencies,
 - c. demonstrated experience with the same or similar responsibilities as the position includes.
3. Board of Directors
Candidates shall be vetted by the Commission.
4. President
Candidates shall be vetted by the delegates in the nominating and election processes.
5. Vice-President
Candidates shall be vetted by the delegates in the nominating and election processes.
6. Commission on Nominations and Elections
Candidates shall be vetted by the Commission on Constitutional Matters and Structure.
7. Commission on Theology and Church Relations
Candidates shall be vetted by the president and President's Ministry Council.
8. Commission on Adjudication
Candidates shall be vetted by the president and President's Ministry Council.

9. Commission on Constitutional Matters and Structure
Candidates shall be vetted by the Commission.
10. Regional Pastors
Candidates shall be vetted by the president in consultation with the regional pastors. Regional pastors being considered for re-election shall recuse themselves from the vetting process.
11. Circuit Counsellors
Candidates shall be vetted by the regional pastor in consultation with the other pastors and deacons in the same circuit. Circuit Counsellors being considered for re-election shall recuse themselves from the vetting process.
12. The Commission shall confirm the previous vetting of anyone nominated from the floor for any elected position. Nominations from the floor shall be accepted if the conditions for candidacy including vetting are fulfilled.

III REGIONAL ORGANIZATION

3.01 Regional Pastor

- a. Commencing at the Convention held in 2021, the delegates in attendance at each Convention shall meet on a regional basis during a recess in the Convention and shall elect a regional pastor for their region. The regional pastor shall assume responsibilities on September 1 following such election or at such other date as may be determined by the Convention.
- b. The qualifications for a candidate for regional pastor including:
 - (i) Individual Membership in good standing on the roster,
 - (ii) demonstrated spiritual and pastor leadership,
 Each regional pastor shall be under the supervision of the president.

3.02 Responsibilities

The responsibilities of the regional pastor include:

- a. deliver the services of providing ecclesiastical supervision, building community, and caring for members to the Members in the region that he serves,
- b. identify needs and opportunities in the region he serves for engaging in Canadian missions and providing social ministry,
- c. serve as the leader of the Regional Mission and Ministry Council of the region,
- d. communicate news and information regularly to the Members of the region,
- e. support the work of the circuit counsellors in the region,
- f. appoint a circuit counsellor in the event of a vacancy.

3.03 Expectations of Responsibilities

The expectations of a regional pastor include:

- a. visit each Member of located in his region annually in addition to specific invitations he may receive from Member Congregations and Individual Members in that region,
- b. convene regional convocations when necessary,
- c. support each circuit counsellor in his efforts to convene a circuit convocation when necessary,
- d. attend all meetings of the Regional Mission and Ministry Council,
- e. attend all meetings of the President's Ministry Council.
- f. work collaboratively with the president, the Regional Mission and Ministry Council, circuit counsellors and the Members in that region,
- g. negotiate other expectations in the annual review process.

Strategic and Tactical Planning

- a. The regional pastor shall participate in the four year Strategic Planning process of LCC.
- b. The regional pastor shall participate in the annual process of developing a work plan and budget.

3.04 Regional Convocations

- a. Each region shall hold regional convocations.
- b. Regional convocations are an opportunity to gather a larger number of lay members of Member Congregations and rostered church workers of a region. The regional pastor may call a regional convocation at his discretion or at the request of the Regional Mission and Ministry Council.
- c. The agenda of a regional convocation may include the following or other items:
 - (i) significant issues that affect the entire region or LCC,
 - (ii) building community among the congregations, pastors, and deacons in the region,
 - (iii) Bible study and presentations of theological issues,
 - (iv) discussion of social issues that are relevant to the region.

3.05 Regional Mission and Ministry Council

1. Authority and Make-up
 - a. The Regional Mission and Ministry Council of a region shall consist of the circuit counsellors of that region and one layperson elected from each circuit of the region.

The qualifications for lay membership on a Regional Mission and Ministry Council are:

- (i) active membership in a Member Congregation,

Regional Mission and Ministry Council

- a. The Regional Mission and Ministry Council is the primary support structure for the regional pastor in his responsibility to deliver the services of LCC to the congregations, pastors, and deacons in the region. The administrator may also request support from the Council in the Administrator's responsibility to deliver financial services to Members in the region.
- b. The Convention authorizes the Council to participate in the strategic planning process. The regional pastor shall support the Council in that responsibility and ensure that the Council fulfills that responsibility.
- c. The regional pastor shall convene meetings of the Council and may chair the meetings or delegate the responsibilities of chair to others.
- d. The regional pastor shall appoint a secretary either from within the Council or a person who is not a member of the Council.

3.06 Responsibilities

The responsibilities of the Council are to:

- a. advise the regional pastor on matters of need for providing ecclesiastical supervision, building community, and caring for members in the strategic planning process to determine the allocation of resources within the region;
- b. provide a convocation for Members in the region and/or circuit to share concerns about needs that are not being met and other issues of concern and to provide opportunities for Biblical education, spiritual growth, and parish services seminars, and the like;
- c. provide an important conduit for sharing information from LCC and other regions with the congregations, pastors and deacons within the region;
- d. determine the expenditure of financial resources allocated to each respective region.

3.07 Expectations

Each Council is expected to:

- a. meet at least annually and at the request of the regional pastor,
- b. be intentional about two-way sharing between the congregations and the regional pastor;
- c. make decisions by consensus, not by voting,
- d. comply with the Strategic Plan of LCC in the priorities of the services in the region,
- e. attend the respective circuit convocations to enhance communications within the region.

Each Individual Member of the Council is expected to attend the respective circuit convocations to enhance communications with a region.

3.08 Regional Mission and Ministry Council Processes

- a. The Council shall seek to make decisions by consensus.
- b. Minutes shall be kept, approved by the Council and distributed to all of its members. Copies of minutes shall be open to all Members in the region, other Regional Mission and Ministry Councils, officers of LCC and the Board.

3.09 Strategic and Tactical Planning

- a. The Regional Mission and Ministry Council shall participate in the LCC's Strategic Plan.
- b. The Council shall provide input to the annual process of developing a work plan and budget for LCC.

3.11 Official Pastoral and Diaconal Conferences

- a. In each region there shall be an official conference for its pastors and for its deacons. Each official conference shall consist of all pastors and deacons of each region and shall meet, if possible, in plenary sessions at least once each year.. Regions may hold joint official conferences for their pastors and deacons.
- b. All pastors and deacons on the regional 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 Convention.
- d. Four weeks prior to the Convention 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 president for examination and a report to the Convention.

3.12 Other Conferences

Inter-synodical conferences for the study of theology are desirable and are encouraged on a regular basis.

3.13 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 region and of LCC, 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.

3.14 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 LCC or institution with whom Lutheran Church-Canada shares a Memorandum of Understanding or 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.

IV. CIRCUIT ORGANIZATION

A. GOVERNING PRINCIPLES

4.01 Structuring of Circuits

Each circuit shall consist of not less than three or more than twelve congregations involving an aggregate communicant membership of a maximum of 10,000. Exceptions to these requirements and limitations can be made only by the president upon request of a Regional Mission and Ministry Council.

4.03 Relationships: Officers and 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. 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 convocation, and maintaining liaison between the circuit and the respective Region and LCC..
- b. The circuit convocation is a gathering of members from circuit congregations 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 regional and synodical programming. Depending on each circuit's adopted objectives, the circuit may provide for additional representation from each congregation.

B. OFFICERS

1. Circuit Counsellor

4.11 Nomination and Election

Every Member congregation in 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. Candidates shall be vetted by the Regional Pastor in consultation with the other pastors and deacons in the same circuit. Circuit Counsellors being considered for re-election shall recuse themselves from the vetting process. The qualifications for this position include:

- a. membership in good standing on the roster,
- b. demonstrated spiritual and pastoral leadership,

The names of the vetted candidates shall be submitted to the Commission on Nominations and Elections. If no candidate has received a majority, the Commission on Nominations and Elections shall provide an open ballot at the Convention providing the Commission on Nominations and Elections has confirmed the vetting of anyone nominated from the floor and that such candidates meet the conditions for candidacy. The election of circuit counsellor shall be made by the delegates of the respective circuit providing the Commission on Nominations and Elections has confirmed the vetting of anyone nominated from the floor and that such candidates meet the conditions for candidacy. The secretary 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 regional pastor, in consultation with president, shall fill any vacancies for circuit counsellor that may occur between Conventions.

4.13 Official Visits

- a. The circuit counsellor shall visit each Member Congregation once every four years or when requested by the regional pastor or whenever it seems expedient for him to do so.
- 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 Synodical Constitution.
- c. The congregation of a circuit counsellor shall be visited by the regional pastor or by another circuit counsellor designated by the regional pastor.

4.15 Relation to Regional Pastor

- a. Each circuit counsellor, by virtue of his office, shall assist the regional pastor within the circuit. Therefore the regional pastor shall meet with the circuit counsellors of the region 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 regional pastor and serve on the Regional Mission and Ministry Council.

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 maintain liaison between the circuit and the respective region and LCC, and communicate news and information regularly to the members of his circuit.
- h. He shall identify and advise the regional pastor of specific needs in his circuit.
- i. Official visits shall be arranged in advance by the circuit counsellor with the respective pastor, deacon, 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 LCC, 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 Member of the Regional Mission and Ministry Council.

4.25 Expenses

The circuit counsellor shall be reimbursed by LCC for his reasonable 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. PASTORS' AND DEACONS' CIRCUIT MEETINGS

4.31 Functions of Circuit Meetings

The functions of circuit meetings are to:

- a. support one another with prayer, sharing perceptions, and pastoral support,
- b. provide for professional development,
- c. provide information, perceptions, and needs of the members in the circuit that will support the mission and ministry planning efforts in the region, and communicate that to the Regional Mission and Ministry Council and the regional pastor,
- d. provide accurate information from the Regional Mission and Ministry Council and the regional pastor to one another and to the congregations in the circuit.

4.33 Expectations

The expectations of the pastors and deacons are to:

- a. meet on a monthly basis, as able,
- b. provide true and transparent input from themselves and the congregations regarding the needs and opportunities within the circuit and communicate that to the Regional Mission and Ministry Council and the Regional Pastor,
- c. provide clear and accurate information from the Board, the president, the Regional Mission and Ministry Council, and the regional pastor to themselves and the congregations in the circuit,
- d. respect the leadership of the Circuit Counsellor in his work as convener and chair.

D. CONVOCATIONS

4.41 Functions

1. Circuit counsellors shall arrange for a circuit convocation, which is a larger gathering of members from circuit congregations held when there is a need for such a gathering, as the Circuit Counsellor determines in consultation with his regional pastor.
2. Each congregation shall be represented at the circuit convocation at least by its pastor and one member designated by the congregation, although all members of congregations are urged to attend.
3. Among the functions which the circuit convocation may perform are the following:
 - a. to participate in the four-year strategic planning process to develop and adopt plans for providing ecclesiastical supervision, building community, caring for members, mission outreach, and social ministry in the circuit area,
 - b. to participate in the annual work plan and budgeting process for the region and LCC 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 regions, or LCC,
- d. other purposes are to provide a setting in which Member Congregations may know of and celebrate the ministry pursued by each congregation, may review and discuss the work of the circuit convocation, and may receive information on various phases of the work pursued through the region and Synod, doctrinal essays, stewardship education; mission outreach; evangelism training; Sunday school teacher training and support, ministry support, and the like.
4. The circuit convocation shall be entitled to submit overtures to the Convention.

E. PARISHES

4.51 Parish Lines

The membership of a Member 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

Member 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.

4.57 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. Member Congregations in conformity with Article III, 3 of the Synodical 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 these Synodical Bylaws.
2. Member 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 LCC, 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.
3. Non-rostered workers shall be encouraged to seek certification through the Colloquy Committee.

5.03 Advising Member Congregations

Member Congregations shall seek the advice of the respective regional pastors when calling pastors or deacons.

5.05 Advising Lutheran Non-member Congregations

- a. Lutheran congregations not members of LCC making application to LCC for pastors or deacons to serve them shall also have the benefit of such official advice from the appropriate regional pastor.
- b. LCC 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 LCC 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 inspired and inerrant 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 if requested by a non-Lutheran congregation without a minister 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 a pastor, the conditions as provided in bylaw 5.07c

must be observed.

5.11 Assignment of Calls

- a. The President's Ministry Council acting as the Board of Assignments, shall regularly receive the calls for pastoral and diaconal candidates which congregations, qualified associations, and synodical boards have submitted and shall assign such calls and appointments to the following: graduates from our synodical church work programs, interns, and vicars of seminaries with whom Lutheran Church-Canada has entered into a Memorandum of Understanding and workers available from colloquy programs.
- b. The placement officers of the respective institutions shall be consulted before the assignments are made.
- c. The regional pastor of the region 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 a seminary which has entered into a Memorandum of Understanding, or have fulfilled the requisites for colloquy according to the 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 holder of which may be ordained according to these Synodical Bylaws..
 5. He shall have received and accepted a call extended through the proper channels to assume full-time or part-time work in the church.
 6. He shall have made application for Individual Membership in LCC and have submitted a request for ordination to the respective regional pastor or to the proper official of the board through which the call was extended.
- b. Graduates of the Concordia Lutheran Seminary, Edmonton and Concordia Lutheran Theological Seminary, St.Catharines 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 regional pastor shall approve the call, and the candidate shall be assigned by the Board of Assignments.
 3. The regional pastor shall approve the request for ordination and receive the candidate upon his application as an Individual Member and the district.

5.23 Responsibility of Regional Pastors

The regional pastor 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 congregations within his region. If the regional pastor is unable to perform these duties in person, he may delegate these duties to another pastor. 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 a recognized program of higher education or have fulfilled the requisites for colloquy according to the *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/her by the Board of Assignments.
 4. The candidate shall have received and accepted a call to a position, the holder of which may be consecrated according to these Synodical Bylaws.
 5. The candidate shall have received and accepted a call extended through the proper channels to assume full-time work or part-time in the church.
 6. The candidate shall have made application for membership in LCC and have submitted a request for consecration to the respective regional pastor or to the proper official of the board through which the call was extended.
- b. Graduates from an approved institute 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 LCC.

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 regional pastor of the region 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 regional pastor 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 liturgical orders 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 with whom Lutheran Church-Canada has entered into a Memorandum of Understanding shall be installed in accordance with accepted Lutheran liturgical orders 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 regional pastor or by his representative.

5.31 Induction of Instructional Staff Members

Candidates assigned to an educational institution with whom Lutheran Church-Canada has entered into a Memorandum of Understanding by the Board of Assignments shall be inducted into office in accordance with accepted Lutheran liturgical orders 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 regional pastor 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/she has been called. However, the regional pastor of the region 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 regional pastor of the region 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 liturgical orders 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.

C. CLERGY AND DIACONAL ROSTERS

5.41 Placement and Removal

Subject to the provisions of the Synodical Constitution and these Bylaws the regional pastor shall be responsible for the initial placement of the names of all pastors and deacons on the clergy and diaconal rosters respectively of LCC 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 elected by a Convention;
- d. an executive or professional staff member appointed by Lutheran Church-Canada or by an organization with whom Lutheran Church-Canada has entered into a Memorandum of Understanding;
- e. a missionary called or appointed by Lutheran Church-Canada or by a region;
- f. an instructor, administrator, or other staff member on the faculty of an educational institution with whom Lutheran Church-Canada has entered into a Memorandum of Understanding or of an educational institution recognized by LCC;
- g. a military or institutional chaplain called by Lutheran Church-Canada;
- h. an executive or professional staff member called or appointed by an organization approved by the Board.

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 President's Ministry Council.

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 regional pastor of the region of which the candidate is a Member. For the extension of the candidate status beyond two consecutive years, the President's Ministry Council shall require an annual application from the candidate as well as an evaluation by his regional pastor. 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 history and current ability of being able to perform the duties of an active pastor or deacon serving a Member Congregation or other position recognized by LCC; a demonstrated willingness to consider a call or appointment to a position recognized by LCC.

5.49 Restricted Status

- a. A pastor or deacon may have his status restricted to the extent deemed necessary and appropriate by the regional pastor who has ecclesiastical supervision of the Member. The regional pastor 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 termination of membership under Article VI of the Synodical 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 regional pastor; and
 2. accept a call to any other position of service in the Synodical Family.
- 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 regional pastor shall secure the approval of the President's Ministry Council. Such approval must be secured annually until such time as the regional pastor removes this status. In such cases, the regional pastor 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 President's Ministry Council. 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 President's Ministry Council through the office of the president. The President's Ministry Council shall rule on such petition within three months from the date of the receipt of the petition.
- e. The records maintained by the respective regional pastor shall reflect the restricted status. In addition, the regional pastor shall notify in writing the president and all other district presidents of such restricted status. The regional pastor 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.
- f. The records maintained by the respective regional pastor shall reflect the restricted status. In addition, the regional pastor shall notify in writing the president and all other regional pastors of such restricted status. The regional pastor 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 (individual or congregation), under the procedure set forth in bylaws 8.41 and 8.43, which may lead to termination of membership in LCC under Article VI of the Synodical 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 Synodical Constitution and these Synodical Bylaws subject to the limitations set forth herein. (bylaw 8.43)
- c. When a Member is placed on suspended status, the regional pastor 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 regional pastors 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 regional pastor 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 regional pastor, the duties assigned to the regional pastor shall be performed by an interim regional pastor appointed by the president after having consulted with the Regional Mission and Ministry Council of that region in which the Member on restricted status serves.
- 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 Synodical Constitution and these Synodical Bylaws, but shall be relieved (1) of his duties as a Member of LCC (e.g., delegate to a convention, membership on LCC boards and commissions) and (2) of the duties and responsibilities of his position with LCC with an organization with whom the Lutheran Church-Canada has entered into a Memorandum of Understanding, and he shall be ineligible for service in LCC. Suspension, however, shall not, of itself, act to relieve a Member of duties and responsibilities of his position with a Member Congregation but the regional pastor 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 shall be addressed to the regional pastor of the region in which the applicant resided at the time his membership was terminated. The regional pastor shall review the matter and report it to the President's Ministry Council, with or without recommendation. The President's Ministry Council shall decide the issue by means of a written ballot. If the applicant is reinstated, the regional pastor shall announce this fact in the official periodicals of LCC.

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 liturgical orders 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 by the regional pastor of that region in which the missionary resides. The order for the commissioning of missionaries for service within a region of the Synod shall be issued by the regional pastor of that region.

5.65 Membership in LCC

The application for membership in LCC by a missionary shall ordinarily be acted on at the next Convention. The regional affiliation of a missionary in a foreign field shall be with his home region unless he requests membership in another region. If a Convention is not held in that year the application shall be presented to on the Board for action.

E. ADMISSION TO THE PASTORAL MINISTRY BY COLLOQUY

5.71 Pastoral Colloquy Committee

The Pastoral Colloquy Committee (the "Committee") shall consist of the vice-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 all activity in matters of colloquy according to regulations adopted by LCC
- b. render a full report on its activities to each Convention
- 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 regional pastor of the region in which the applicant resides; and
- e. certify applicants for the pastoral ministry of the Synod, commending them to the President's Ministry Council 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 Member Congregation; or
- c. Members in good standing of a Member Congregation who are graduates of a seminary which has not entered into a Memorandum of Understanding; or
- d. Members in good standing of a Member 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 regional pastor of the region where the application originates.
- b. The regional pastor 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 regional pastor 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 and 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 regional pastors, congregations, or schools which have entered into a Memorandum of Understanding with LCC. When a call is received, the candidate shall be placed by the President's Ministry Council 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 the vice-president and the presidents of the theological seminaries at Edmonton and St. Catharines and a deacon appointed by the president. 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 LCC;
- b. render a full report on its activities to each Convention;
- 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 regional pastor of the region in which the applicant resides; and
- e. certify applicants for the diaconate commending them to the President's Ministry Council 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 regional pastor where the application originates.
- b. The regional pastor 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 regional pastor has furnished the Committee with the required documents the committee shall publish the request of the applicant in the official periodical(s) of LCC. 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 LCC.

5.117 Placement

Every applicant whom the Committee declares qualified for the diaconate shall be eligible to be placed on call lists by regional pastors, congregations or schools recognized by the Synod. When a call is received, the candidate shall be placed by the President's Ministry Council 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 President's Ministry Council. The PAT Committee is composed of four members who serve two year terms: the PAT Coordinator, one member appointed by each seminary and one member of the President's Ministry Council, who shall serve as chairman of the PAT Committee.

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 President's Ministry Council;
- c. appoint mentors and instructors for each student;
- d. supervise and provide academic evaluation of each student;
- e. provide regular progress reports to the President's Ministry Council 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 regional pastor;
- i. upon successful completion of all requirements recommend students to the President's Ministry Council 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 regional pastor of the region where the application originates.
- b. The regional pastor 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 regional pastor will make a recommendation to the President's Ministry Council regarding PAT site status.
- d. Upon ratification by the President's Ministry Council the congregation/community of faith presents a candidate for the PAT program. The regional pastor 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 regional pastor will submit his evaluation and the accompanying documentation of the candidate to the President's Ministry Council 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 regional pastors, 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 President's Ministry Council for certification.

5.139 Certificate of Eligibility

Candidates who have satisfactorily completed all requirements and have been ratified by the President's Ministry Council shall be given a certificate of eligibility and theological diploma.

5.141 Placement/Ordination

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

VI. HIGHER EDUCATION

Section 1. Seminaries

6.01 Seminaries Serving Synod

In recognition of longstanding service, LCC will endeavour to maintain a Memorandum of Understanding with Concordia Lutheran Seminary (Edmonton) and Concordia Lutheran Theological Seminary St. Catharines.

6.49 Ecclesiastical Supervision

A faculty member of a Seminary which has entered into a Memorandum of Understanding who is an Individual Member is under the ecclesiastical supervision of LCC. 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 president and be removed from the membership in LCC and therefore from the office in harmony with the provision of the Synodical Constitution and these Bylaws. The written decisions of the Commission on Adjudication required under bylaw 8.61, 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 President's Ministry Council for a review of any decision with respect to cases under bylaw 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 bylaw 8.63.

VII. RESERVED

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 these Synodical Bylaws is that the Members (i.e. the pastors, deacons, and congregations) and communicant members of 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, the pastors, deacons, and Member Congregations are, along with the communicant members of 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 provides “a voluntary ecclesiastical bond shared by Member 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* LCC has established Statutory Bylaws, Synodical Constitution and Synodical Bylaws, with officers, boards and commissions. Every Member shall, as a consequence of membership, respect the ordered offices of LCC, subordinate himself to appropriate ecclesiastical authority, abide by the provisions of the Statutory Bylaws, Synodical Constitution and these Synodical Bylaws 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 Chapter 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 termination of 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 (pastor, deacon, or Member 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 termination of 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 regional pastor).

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 Statutory Bylaws, Synodical Constitution and these Synodical Bylaws, 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 regions.
- 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 regions (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 regional pastor 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, LCC calls upon all parties to a dispute or controversy to make full use of LCC'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 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 is 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 regional pastor involved shall take action with respect to the suspension or termination of 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 Chapter 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 regional pastor 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 regional pastor to refer the dispute to the formal reconciliation process. The regional pastor may refer any dispute to the formal reconciliation process on his own initiative. The regional pastor shall prepare a written statement describing the matter in dispute.

8.21 Reconciliation Committee

- a. **Membership of Reconciliation Committee**
The Board shall appoint a reconciliation committee consisting of 2 members of each region consisting of one pastor and one layperson who is a communicant member of a Member Congregation from each region. One of the positions allotted to laypersons may be filled by a deacon. The Reconciliation Commission shall elect its own chair.
- b. **Appointment and Term of Office**
The term of office for the reconciliation committee shall be four years. Appointments are to be made following each Convention.
- c. **Training and Expenses**
All Members of the reconciliation committee shall receive appropriate training. Expenses for the training of the Members of the reconciliation committees shall be paid by LCC. The Board 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.**
A matter submitted for formal reconciliation shall be dealt with by a panel of at least three members of the Reconciliation Committee, at least one of which shall be a pastor and at least one of which shall be a lay person. One member shall be appointed by each party to the case, and the secretary shall appoint one member. Each panel shall elect its own chairman.
- b. **Matters Involving LCC and Organizations which have entered into a Memorandum of Understanding with LCC**
In a matter where there is a dispute involving LCC, the president shall request that a panel of three persons from the Reconciliation Committee be appointed to deal with that matter. 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.. 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 regional pastor shall request that a reconciliation panel be formed. The request shall be submitted to the secretary, and shall include a written statement from the regional pastor describing the matter in dispute. A Reconciliation Panel shall be selected forthwith pursuant to bylaw 8.23a, or b 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**
Where a panel member is disqualified 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 secretary.
- 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 regional pastor 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 secretary 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 regional pastor 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, a lay person shall be appointed by each regional pastor. 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 four 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 which have entered into a Memorandum of Understanding with LCC, no individual holding any position in LCC, or in any organization which has entered to a Memorandum of Understanding with 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 LCC,
 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, and
 3. cases of discipline, which a regional pastor may bring forward, against the persistently offensive conduct of a Member who refuses to comply with a ruling of a reconciliation panel;
- c. cases in which an Individual Member (pastor or deacon) shall have been removed from an office of ministry which he holds in a congregation which is a Member Congregation 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;
- e. all cases in which LCC itself, is a party; and
- f. all cases in which a person, whether or not a Member of LCC, holding a position in either LCC is a party.

The Commission may refuse to hear any case or may limit any decision to advisory to the parties. 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 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.

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. 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 regional pastor, 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 Synodical Constitution or these Synodical Bylaws 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.

- c. Distribution and Publication

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

- d. Changes

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

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 regional pastor, 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 termination of the membership of Member (pastor, deacon or Member 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 termination a membership of a Member (pastor, deacon, or congregation) from LCC under Article VI of the Synodical Constitution, a statement of the complaint shall be presented in writing by the complainant to the regional pastor of the region in which the Member serves.

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

The regional pastor shall investigate the complaint. The regional pastor 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 termination of Member. In either case, a copy of the written complaint shall be sent to the involved Member by the regional pastor.

c. **Restricted Status**

During the time that the regional pastor is investigating such a matter involving a pastor or deacon he may place the Member on Restricted Status (see Bylaw 5.49).

d. **Options of the Regional Pastor**

Upon the completion of his investigation, the regional pastor 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 an Individual Member (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 regional pastor 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 regional pastor has determined it is warranted to suspend the Individual Member, the regional pastor 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 regional pastor 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 regional pastor, 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 termination of membership.

- 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 regional pastor shall inform the president and shall notify LCC through the official periodicals of LCC 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 regional pastor, 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 the termination of his membership, and the matter shall be ended.
- h. Notification of Commission on Adjudication
If the suspended Member requests, through the regional pastor, that the case be heard by the Commission on Adjudication, the regional pastor 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 regional pastor 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 Regional Pastor
In the event that the regional pastor is a party to the case (8.13d.) or unable to act, he shall be disqualified from the case, and the president shall authorize another regional pastor to function in this instance as the regional pastor: 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 regional pastor to act shall be determined by the President.
- k. Inaction of a Regional Pastor on a Complaint
If the regional pastor fails to act within 60 days after having been notified in writing of a complaint which could, if proven, lead to the termination of the membership of a Member, the complainant may petition the president, who by virtue of the power given him in the Synodical 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 regional pastor 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) communicant member(s) from a Member Congregation,
 - 2. rescinding the suspension of a Member(pastor, deacon, Member Congregation), with the result that the Member continues in membership in good standing,
 - 3. upholding the suspension of a Member (pastor, deacon, Member Congregation), with the result that the Member's membership in LCC is terminated,
 - 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 termination of the membership in LCC.
- 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 President's Ministry Council

- a. If the Commission on Adjudication issues a decision against the suspended Member, the Member may make an appeal to the President's Ministry Council, 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 regional pastor 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 regional pastor who suspended the Member may appeal to the President's Ministry Council (excluding himself from any deliberations of the Council), on the same grounds.
- c. The President's Ministry Council 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 regional pastor, and to the president. Upon expiry of the period of time in which an appeal is possible, the regional pastor 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. LCC 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 Member Congregations 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 communicant members of Member Congregations 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 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 his regional pastor, 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. LCC 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 LCC 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 termination of membership in LCC.

X. DOCTRINAL REVIEW

10.01 Definition

- a. Doctrinal review is the exercise of LCC'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 (Synodical Constitution Article X).

10.03 Material Subject to Doctrinal Review

- a. All official periodicals and journals of LCC as well as any material with doctrinal content issued publicly by boards, commissions, or other subordinate groups of LCC 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 established under the Statutory or these bylaws. When such material is to be issued publicly, it shall be subject to doctrinal review.
- c. Each region is accountable to LCC through its regional pastor for the content of its published materials.
- d. Each of the schools with which LCC has entered into a Memorandum of Understanding is accountable to LCC 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 LCC. 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 X of the Synodical Constitution, the president may require doctrinal review.
- f. Official reports of the boards, commissions, and committees of LCC prepared in response to directives from LCC shall not be subject to doctrinal review.

10.05 Personnel and Appointment

- a. Each commission, and other subordinate group established under the Statutory Bylaws or these Synodical Bylaws 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 membership of LCC.
- 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 commission, and other subordinate group established under the Statutory Bylaws or these Synodical Bylaws shall establish procedures that ensure 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 LCC.
- 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 LCC.
- b. It shall as a primary purpose promote growth and strengthen the individual Christian life, include official reports and notices, promote LCC's work, provide current synodical news, transmit to the congregations information concerning LCC's positions and programs, serve as a forum for the responsible exchange of opinion on issues confronting LCC, and report general church news of interest to LCC.
- c. The Board shall supervise the editing and publication of the official periodicals.

11.23 Editors

The editor of LCC's official periodical shall be appointed by the Board from a list approved by the President's Ministry Council.

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 LCC 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 LCC 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 LCC. 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 LCC, 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 with the approval of the Commission on Theology and Church Relations.

XIII. AUXILIARY AND LISTED SERVICE ORGANIZATIONS

13.01 Auxiliaries

- a. Requirements. An organization desiring auxiliary status may apply to the Convention, through the Board, 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 LCC'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 LCC, specifically in programs that extend the ministry and mission of LCC;;
 5. it is classified by Canada Customs and Revenue Agency as a charitable organization;
 6. its membership is made up of persons who are baptized members of Member Congregations or that are Members of The Lutheran Church-Missouri Synod located in Canada;
and enters into a Memorandum of Understanding with LCC.
- b. Responsibilities. An approved 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 LCC and with other synodical auxiliaries;
 3. provide LCC with an annual program report and financial statements audited by an independent chartered accountant or equivalent;
 4. keep LCC advised of any new program under consideration;
 5. submit all material of a Biblical or theological nature to LCC 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, so that it is clear that being an approved 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 LCC 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 LCC;
 3. an opportunity to report to the Convention; and
 4. the opportunity to raise funds within LCC 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, 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 approved 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. Requirements. A service organization other than an auxiliary may apply to the Board for listing in *The Canadian Lutheran Annual* if it satisfies the following requirements:
 1. it identifies itself with LCC but is separately incorporated
 2. it operates with freedom and self-determination as a ministry in harmony with LCC 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 Revenue Agency as a charitable organization;
 6. it has the Member Congregations as a source of voluntary financial support;
and enters into a Memorandum of Understanding with LCC.

- b. Responsibilities. Such an organization shall enter into a relationship with LCC through the appropriate boards or commissions of LCC as designated by the Board through a letter of agreement or understanding as approved by the Board. 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 with an annual program report and financial statement audited by an independent chartered accountant or equivalent;
 - 3. inform the appropriate board or commission of LCC as designated by the Board of the actual dollar amount raised and the percentage of costs involved in fund-raising efforts;
 - 4. 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, so that it is clear that listing in *The Canadian Lutheran Annual* is not a guarantee on the part of LCC of the fiscal solvency of or any financial responsibility for the organization or for services expressly or impliedly offered; and
 - 5. 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 Board in conformity with regulating bylaws, resolutions, and policies of LCC;
 - 2. eligibility of pastors and deacons serving such organizations to be placed or to remain on the roster of LCC if otherwise eligible;
 - 3. listing of the organization in *The Canadian Lutheran Annual*; and
 - 4. the opportunity to report to the 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 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 Synodical 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 Synodical Bylaws and all amendments to it are repealed.

CLEARED by the Commission on Constitutional Matters and Structure this 6th day of September, 2017.

Rev. Bill Ney
Chairman - Commission on Constitutional Matters and Structure

ADOPTED by a majority votes of the delegates present and voting at a Convention this day of October, 2017.

LUTHERAN CHURCH-CANADA

Per: Robert Bugbee
President

Per: Rev. Paul Schallhorn
Secretary