

BYLAWS
of the
Synod of Alberta and the Territories
Amended June, 2010

Part I

Headquarters

(Constitution, Article II)

Section 1. The headquarters of this synod shall be located in Edmonton.

Section 2. All executive offices shall be located at the headquarters of the synod unless otherwise approved by the synod council.

Part II

Organizational Relationships

Section 1. Congregation (Constitution, Article VI)

- a. In relating to congregations within its territory, the synod shall organize, recognize, receive, release and exclude congregations, and approve or disapprove of the relocation or the merger of congregations.
- b. Congregations may petition the synod according to the procedures set forth in these bylaws, Part V, Section 8.

Section 2. Conferences (Constitution, Article IX)

The synod shall be divided into five conferences as follows: East Central, Northern, Southern, Southwestern and West Central.

- a. All members of the congregations are encouraged to attend conference meetings. The voting membership shall be all ordained ministers and diaconal ministers residing within the territory of the conference, and three lay delegates from each congregation, the third of whom shall be a confirmed member under the age of twenty-five. Congregations having more than three hundred baptized members shall be entitled to an additional lay member for each additional two hundred baptized members or major fraction thereof.
- b. The bishop of the synod or the bishop's appointee shall attend the conference meetings.

- c. The purpose of the conferences shall be to:
 - i. Assist its congregations and the synod in planning, promoting and implementing the mission of this Church;
 - ii. Encourage fellowship among ordained and diaconal ministers and congregations;
 - iii. Arrange opportunities for the study of the Bible and Lutheran confessions;
 - iv. Respond in consultation with the synod to particular needs within its territory;
 - v. Elect the required number of rostered ministers as delegates to the conventions of this Church; and
 - vi. Elect representatives to synodical positions as determined in these bylaws.
- d. A conference may adopt for itself any rules and regulations not in conflict with the constitution and bylaws of the synod.
- e. Each conference shall meet at least once a year at a time and place set by the conference. Conferences shall designate their own quorums.
- f. Each conference shall have the right to petition the synod according to procedures set forth in these bylaws, Part V, Section 8.
- g. Each conference shall elect from its membership a dean, a chairperson, a secretary or secretary/treasurer, and at least one other person who shall constitute a conference council. The conference may elect a treasurer who shall be a member of the council, or the council may appoint a treasurer who shall not be a member of the council.
- h. The conference council shall appoint persons to fill all vacancies in the council membership until the next meeting of the conference. In the event of the resignation of a conference dean, an interim dean shall be appointed by the conference council in consultation with the bishop. Time of service completed in fulfillment of vacant conference council positions shall not be included for the purposes of determining eligibility for further election.
 - i. The conference council shall be authorized to receive and hold funds from its member congregations for the purpose of defraying reasonable administrative or program expenses related to the work of the conference. A printed financial report shall be presented at all regular meetings of the conference.
- j. The dean of each conference shall report to the synod through the bishop.

- k. The deans of the conferences and the bishop shall meet at least once a year for spiritual renewal and for general discussion of programs, plans and problems affecting conferences and the synod. Except where otherwise provided in this constitution and its bylaws, the function of such a meeting shall be consultative and advisory.
- l. The bishop may call upon the deans of the conferences to assist in the duties of installations and pastoral care of the ministers and congregations in their conferences.

Section 3. Evangelical Lutheran Church in Canada (Constitution, Article V)

In relating to the Evangelical Lutheran Church in Canada, the synod shall:

- a. Recognize where operating within the territory of the synod, all organizations recognized by the ELCIC, as provided for in the ELCIC Constitution, Article XVII, Section 3.

Section 4. Theological Institutions (Constitution, Article XV)

- a. The Lutheran Theological Seminary in Saskatoon is owned by the Synods of Manitoba/Northwestern Ontario, Saskatchewan, Alberta and the Territories, and British Columbia. Its Board of Governors is made up of the bishops of those synods, a lay and clergy representative from each of those synods, and one clergy and two lay representatives appointed by this Church. Advisory members are the president of the Lutheran Theological Seminary and the national staff person assigned to relate to theological institutions.
- b. In relating to Lutheran Theological Seminary, Saskatoon, the synod in convention shall elect two members to the Lutheran Theological Seminary Board of Governors, Saskatoon, Saskatchewan, one clergy and one lay, according to the terms determined by the seminary.

Part III

Ordained Minister/Congregation Relationship

(Constitution, Article VII)

Section 1. Ordination of approved candidates shall take place at a time and place designated by the bishop.

Section 2. The synod shall have a call process manual approved by the synod council. A congregation wishing to extend a call shall follow the general procedures set

out in the call process manual unless otherwise advised by the bishop due to unusual circumstances.

Section 3. A minister shall inform the congregational council and the bishop immediately upon receipt of a call to another ministry, and shall inform the calling agency and the bishop of any decision made within thirty days unless an extension is granted by mutual consent of all the parties involved. A minister shall terminate an existing call within two months of accepting another call, unless an extension is granted by mutual consent of all the parties involved.

Section 4. If a conflict arises within a congregation that cannot be resolved internally, the pastor or the council chairperson shall notify the dean or the bishop in order that a mediation counsellor or other person with special expertise may be called in for the purpose of resolution and reconciliation. This process may be requested by the minister(s), the congregational council, or one quarter of the members in good standing of the congregation. Recommendations from the mediator shall be dealt with at a meeting of the congregation called for this purpose. If the conflict cannot be resolved satisfactorily by this process, the bishop shall be advised for follow up action.

Section 5. When no term is specified, a regular call accepted by an ordained minister to a congregation shall constitute a relationship which may be terminated only for the following causes:

- a. The resignation of the minister
- b. The disqualification of the minister as a result of discipline
- c. The division of the pastoral charge
- d. The physical or mental incapacity of the minister
- e. The continued neglect of ministry by the minister
- f. The inability to conduct the ministerial office satisfactorily in a congregation in view of local conditions, without reflection on the moral and spiritual character of the minister.
 - i. In the last three contingencies, the bishop may, following consultation with the conference dean, appoint an advisory committee of two rostered ministers and two lay members to investigate. Upon the request of the congregational council or on receipt of a petition signed by at least one-third of the voting members of a congregation, the bishop shall appoint an advisory committee to investigate.
 - ii. The bishop may, with the concurrence of the congregational council, suspend the minister from ministerial duties pending the outcome of the formal proceedings when circumstances warrant.
 - iii. An advisory committee appointed to investigate an allegation of physical or mental disability shall secure medical testimony to confirm or

refute such allegation. If incapacity is confirmed, the bishop may, on the advice of the committee and with the concurrence of the congregational council, declare the pastorate vacant. Should the minister be restored to health, the bishop shall take steps to enable the minister to resume ministry in the congregation last served or in another ministry.

iv. An advisory committee appointed to investigate an allegation of neglect of ministry or of local conditions that imperil the well-being of a congregation shall provide an opportunity for all concerned parties to be heard. At the conclusion of the investigation, the bishop, in company with the committee, shall bring recommendations to the minister and the congregation for consideration and action. Such counsel shall be offered in Christian love and is not to be regarded as a disciplinary measure. If the situation cannot be resolved amicably, the pastor may resign, or the congregation may terminate the call by a majority vote at a properly called congregational meeting.

v. The foregoing procedure shall not be invoked when questions of doctrine or morality are involved. Such cases shall be treated as disciplinary matters.

Section 6. Between called ministers an interim minister shall be appointed by the bishop in consultation with the congregational council in accordance with procedures set forth in the call process manual. An interim minister shall have the rights and duties of a regularly called minister. An interim minister shall not be eligible for call to the congregation he or she is serving as interim. Interim or ministers providing occasional pulpit supply during an interim shall refrain from exerting influence in the call process.

Section 7. A minister shall not preach or perform any ministerial act within the parish of another minister except at the latter's request or consent, or visit or perform ministerial acts in a time of a ministerial vacancy, except by invitation of the interim minister or congregational council.

Section 8. The minister shall ensure that the congregation keeps accurate records of membership, baptisms, confirmations, marriages, burials and communicants, and shall report such statistics annually to the secretary of the Synod on the forms prescribed by the Church. These records shall be certified as being correct by the congregational secretary on the same forms. The congregational records shall be kept in a separate book which shall remain the property of the congregation.

Section 9. When members move, the minister shall commend them to the ministerial care of the parish in which their new home is located.

Section 10. All rostered ministers serving under call are expected to attend all conventions of the synod and the meetings of the conferences to which they belong.

Part IV

Diaconal Ministers

(Constitution, Article VIII)
(As defined by this Church)

Part V

Conventions

(Constitution, Article X)

Section 1. The regular conventions of the synod shall be held biennially between national conventions.

Section 2. The secretary shall publish the time and place of each regular convention at least six months in advance. The secretary shall send out a bulletin of reports to all voting members at least thirty (30) days before each regular convention.

Section 3. The voting membership of conventions shall consist of:

- a. One lay delegate from each congregation and, from congregations having more than three hundred (300) baptized members, one lay delegate for each additional two hundred (200) baptized members. A congregation is entitled to one extra voting delegate if that person is between the ages of 16 and 22 years as of December 31 of the convention year.
- b. Ordained ministers on the roster of the synod;
- c. Diaconal ministers on the roster of the synod; and
- d. All lay members of synod council.

Section 4. At least sixty days prior to the opening day of the convention,

- a. Each congregation shall submit the name(s) and address(es) of its lay delegates to the synod secretary, and
- b. Each ordained and diaconal minister, active, non-parish, and retired, shall submit his/her name and address to the synod secretary.

Section 5. One-third of the voting members shall constitute a quorum.

- Section 6. Seat and voice at conventions shall be granted to:
- a. The bishop of the Evangelical Lutheran Church in Canada and such other official representatives of this Church as may be designated by the national church council,
 - b. Chairpersons of synodical committees in connection with their reports,
 - c. Representatives of institutions and agencies related to or officially recognized by the synod, and
 - d. The presidents of the synodical units of the official auxiliaries of this Church.
- Section 7. All arrangements for worship services or public meetings shall be made in consultation with the bishop.
- Section 8. Congregations and conferences may petition the synod in convention by submitting the petition in writing to the secretary of the synod for inclusion in the bulletin of reports. If the petition is too late for inclusion in the bulletin of reports, the secretary shall deliver the petition to the appropriate committee for presentation to the convention.
- Section 9. The synod council shall approve the convention budget which will include the participation of all delegates - lay, ordained and diaconal. Convention costs shall be shared among the congregations by dividing the total convention costs by the total number of confirmed members in the synod times the number of confirmed members last reported by each congregation.
- Section 10. Special Conventions
- a. Special conventions for specified purposes shall be called by the chairperson of the synod within ninety days of receiving in writing a request for such a convention from:
 - i. The synod council by at least a two-thirds majority vote, or
 - ii. One-fifth of the congregations of the synod and one-fifth of the ordained ministers under call on its roster.
 - b. The secretary shall give written notice of a special convention to each congregation, each ordained minister, and each diaconal minister, and shall publish the same at least thirty days prior to the opening date of the convention.
 - c. The voting members at a special convention shall consist of:
 - i. The lay delegates who were seated in the preceding regular convention provided that they have not been disqualified by termination of membership in the congregation they represented. Vacancies in the lay delegates shall be filled by the congregations affected at a regular or specially called congregational meeting. Vacancies thus filled shall be reported to the secretary of the synod not less than five days before the special convention.
 - ii. Ordained ministers on the roster of the synod at the time of the special

- convention; and
- iii. Diaconal ministers on the roster of the synod at the time of the special convention.

Section 11. Nominations and Elections (Constitution, Articles XI-XIV)

- a. The convention shall elect synod council members, officers of the synod, and the bishop in the following manner:
 - i. The committee on nominations shall nominate at least two persons for each synod council position.
 - ii. Additional nominations may be made from the floor for all positions except that of the bishop and the chairperson, with the prior consent of the person being nominated.
 - iii. Synod council shall nominate the secretary and the treasurer. Nominations for chairperson shall be made by secret ballot without oral nomination. Nominations for two of the three synod officer positions shall be limited to lay persons.
 - iv. Nomination for bishop shall be made by secret ballot without oral nomination, and shall be limited to those who are qualified to be on the roster of ordained ministers of this Church.
 - v. All elections shall be by secret ballot.
 - vi. In all elections, except for the offices of the bishop and chairperson, a majority of the votes cast shall elect.
 - vii. The election of the bishop and the chairperson shall be held on alternate convention years.
 - viii. If an election does not occur on a first ballot for any position except that of the bishop and the chairperson, voting on a second ballot shall be limited to the two persons receiving the highest number of votes cast on the first ballot.
 - ix. The election of the bishop and the chairperson shall be by secret ballot without oral nomination, and shall proceed in the following manner:
 - 1. On the first ballot, three-fourths of the votes cast shall elect. If the first ballot does not result in an election, it shall be considered a nominating ballot. Thereafter, voting shall be limited to those persons named on the first ballot.
 - 2. On the second ballot, two-thirds of the votes cast shall elect. If the second ballot does not result in an election, voting shall be

limited to the four persons receiving the highest number of votes cast.

3. On the third ballot, a majority of the votes cast shall elect. If the third ballot does not result in an election, voting shall be limited to the three persons receiving the highest number of votes cast.

4. On the fourth ballot, a majority of the votes cast shall elect. If the fourth ballot does not result in an election, voting shall be limited to the two persons receiving the highest number of votes cast.

5. On the fifth ballot, a majority of the votes cast shall elect.

- x. The result of each ballot in every election shall be announced to the convention.
- b. Election of synodical representatives to the Lutheran Theological Seminary shall proceed as follows:
 - 1. The synod council, in consultation with the seminary, shall nominate one or more persons for each position for which election is required.
 - 2. Nominations may be made from the floor with the consent of those nominated.
 - 3. Normally, nominations will be presented in such a way that representation alternates between male and female at the completion of an individual's term or terms.
 - 4. A majority of the votes cast shall elect. If an election does not occur on a first ballot, voting on a second ballot shall be limited to the two persons receiving the highest number of votes cast on the first ballot.
- c. Eligibility for positions as synod officers, synod council members and synod representatives to the Lutheran Theological Seminary Board of Governors shall be limited to the confirmed membership of the member congregations of the synod and of those church bodies in shared ministry within the Synod with whom the Evangelical Lutheran Church in Canada is in full communion.

Section 12. The convention procedures shall be published in a convention manual approved by the synod council.

Part VI
Elections of Delegates to the
National Church Convention
(Constitution, Article VI, Sec. 2)

- Section 1. The synod secretary shall inform each of the conferences of the number of ordained delegates to be elected to the national church convention as determined by the secretary of this Church.
- Section 2. Rostered delegates and alternates shall be elected at least seven months before the national church convention, after which the synod secretary shall inform those parishes eligible to elect lay delegate(s). Conferences are encouraged to consider those rostered ministers who have not previously attended a national church convention. Lay delegates and alternates shall be elected not earlier than twelve (12) months and not later than four (4) months before a convention by each member congregation which is not represented by a delegate who is a rostered minister elected by a conference.
- Section 3. Where more than one rostered delegate is elected from a congregation or a multiple-congregational parish, the additional rostered delegate must secure the written consent of the congregation or parish to pay the additional fee or make other arrangements for payment. (ELCIC Bylaws, Part V, Section 5)

Part VII

Synod Council

(Constitution, Article XI)

- Section 1. The elected membership of Synod Council shall consist of one ordained and one lay representative from each conference in the Synod. Appointed membership shall consist of one representative of a full communion partner who is actively serving in that partner Church. This person shall have seat, voice and vote.
- Section 2. The synod council shall:
- a. Plan, coordinate, supervise and evaluate the activities of the synod in carrying out its mission and ministry, including development of appropriate policies for synod council;
 - b. Be the directors of the corporation and trustees for the synod;
 - c. Elect executive staff if and when such positions are created by the synod in convention;
 - d. Issue letters of call to rostered ministers who are full-time officers or staff officials of the synod, or who are called to special service;
 - e. Fill vacancies until the next convention except as otherwise provided;
 - f. Determine the fact of the incapacity of an officer of the synod according to the procedures in the constitution and bylaws of this Church;
 - g. Approve candidates for call, ordination and admission to the rosters of ordained and diaconal ministers;
 - h. Appoint all committees for which there is no other provision;

- i. Carry out duties in good faith with a reasonable degree of diligence, care, and skill;
- j. Expect the same standard of conduct from lay and rostered members;
- k. Make and enforce its own policies, including the discipline of its members; and
- l. Perform such additional duties as prescribed in the constitution, the bylaws, or by resolutions of the synod in convention.

Section 3. The synod council shall appoint an ordained minister to assume the duties and responsibilities of the bishop in the event of the resignation, incapacity, or death of the bishop, pending the election of a new bishop at the next regular or specially called synod convention.

Section 4. The synod council shall hold at least two meetings annually.

Section 5. Special meetings of the synod council may be called by the bishop or chairperson of the synod when circumstances warrant.

Section 6. A majority of the members of the synod council shall constitute a quorum.

Part VIII

Duties of the Synod Officers

(Constitution, Article XII)

Section 1. The chairperson of the synod shall:

- a. Convene and preside over conventions of the synod and meetings of the synod council, and
- b. Perform additional duties as prescribed in the synod council governance and policy manuals.

Section 2. The secretary shall oversee all secretarial and record keeping duties on behalf of the synod as prescribed in these bylaws and in the synod council governance and policy manuals.

Section 3. The treasurer shall:

- a. Oversee all financial affairs and accounts of the synod, including deeds, mortgages, contracts, trust funds, investments, etc.,
- b. Be bonded under the fidelity coverage provided by the synod, and
- c. Perform additional duties as prescribed in the synod council governance and policy manuals.

Part IX

Duties of the Bishop

(Constitution, Article XIII)

Section 1. The bishop shall:

- a. Provide spiritual leadership and counsel to the synod, its conventions, and conferences;
- b. Ordain approved candidates for ministry;
- c. Oversee the call process as outlined in the call process manual;
- d. Attest to all official documents of the synod as may be required;
- e. Appoint the synod archivist/necrologist to maintain historical records on behalf of the synod;
- f. Discipline staff and program committee members in keeping with Biblical principles;
- g. Report to the synod council and the synod convention all significant matters affecting the mission and ministry of the synod; and
- h. Perform other duties as prescribed in the constitutions and bylaws of this Church and the synod, and the synod council governance and policy manuals.

Part X

Synod Council Committees

(Constitution, Article XIV)

Section 1. This synod shall participate in an Examining Committee serving the Synods of British Columbia, Alberta and the Territories, Saskatchewan, and Manitoba/Northwestern Ontario.

- a. The Synod Council of each synod shall appoint two lay persons and two rostered persons. Of the eight rostered persons appointed, at least one rostered person shall be a diaconal minister, with that position assigned to one of the synods by agreement of the synod bishops. Members shall be appointed to serve for a term of four years, with a limit of two consecutive terms, staggered so that no more than half are replaced at any one time.
- b. The President of Lutheran Theological Seminary shall annually appoint two faculty members.
- c. The synod bishops shall serve ex officio on the Examining Committee.
- d. It shall be the duty of this Committee to examine candidates for ordained and diaconal ministry and candidates for reception from other Lutheran churches with whom mutual recognition of ministry has not been established. The committee shall report its recommendations to the Synod Council of the Synod where the candidate is registered.
- e. Each examination shall be conducted by a sub-committee of the Examining Committee comprised of one faculty, two lay persons, two rostered persons, and the bishop of the candidate's synod. When a diaconal candidate is being examined, the sub-committee shall include a diaconal minister.

- f. Further terms of reference for, and procedures of, the Examining Committee shall be defined in the Candidacy Manual of this Church.

Section 2. The Committee for Theological Education and Leadership (Candidacy) shall be a standing committee of the synod council.

- a. The Committee for Theological Education and Leadership shall consist of eight members. Five of the members shall represent the conferences of the synod, and shall be appointed by the synod council upon nomination by the conference councils. The other three members will be appointed by the synod council at large. Four of the committee members shall be lay persons, four shall be rostered. The synod bishop shall be an ex officio member. The committee will name its own chairperson and secretary.
- b. The appointed members shall serve for four year terms with a two consecutive term limit, staggered so that no more than half are replaced at any one time.
- c. It shall be the duty of this committee to select and endorse candidates for the ordained and diaconal ministry; review applications to the ministries of the synod by persons seeking readmission to the rosters of the synod; receive applications from candidates who come from Lutheran churches with whom mutual recognition of ministry has not yet been established, or who come from other churches; and refer candidates to the Examining Committee for colloquy according to the policies and procedures established by this Church.
- d. This committee shall receive applications for financial aid from ministry candidates, and authorize the disbursement of synod funds designated for this purpose.

Section 3. The Congregation Constitutional Review Committee shall be a standing committee of the synod council.

- a. The Congregation Constitutional Review Committee shall consist of not less than three members and not more than five members appointed by the Synod Council, including the administrative coordinator from the synod office and one person from Synod Council who will serve as the chair.
- b. The appointed members shall serve for two-year terms with a two consecutive term limit, staggered so that no more than one-half are replaced at any one time.
- c. The purpose of the Committee shall be to:
 - i. review congregations' constitutions and proposed amendments to ensure:
 - They do not conflict with the ELCIC or Alberta Synod Constitution or Bylaws;
 - They are based on the model constitution for congregations provided by the ELCIC for the guidance and practice of congregations within the ELCIC;
 - They provide consistency and clarity for congregational members in carrying out their ministerial and administrative duties and obligations including editing.

- That differences in congregations and practices are recognized as acceptable in certain circumstances provided they do not conflict with the national and synodical governing documents.
- ii. be available to confer and/or meet with a congregation or its representatives to discuss proposed amendments and assist in helping the congregation make the amendments acceptable to Council examination.
- iii. make recommendations to Synod Council regarding the Model Constitution for Congregations, its procedures and other related matters.
- d. The following principles will guide the work of the Committee:
 - i. Most reviews may be handled by mail (e-mail) without the need for a face-to-face meeting.
 - ii. Committee members' responses should be forwarded to the synod office to the attention of the administrative coordinator.
 - iii. When there is a lack of consensus from the first round of Committee responses, then further communication will be solicited from the Committee.
 - iv. If a proposed amendment from a congregation is unacceptable, and an understanding cannot be resolved by mail/phone call and negotiation, a real time meeting will be arranged that is mutually agreeable to the congregation and to most of the Committee members (this should occur infrequently).
 - v. The Committee will then make recommendation to Synod Council through the appointed Council member, for approval or modification as deemed necessary.
- e. Approval, amendment or rejection must be based on the review criteria as stated above. The Committee only recommends - the Synod Council approves, amends, or rejects.

Section 4. Synod council may appoint other ad hoc committees for a specific purpose and duration as deemed necessary.

Part XI

Ministry Committees

(Constitution, Article XIV)

Section 1. Synod Council may appoint ministry committees to help the synod meet its stated priorities.

Section 2. Committee terms of reference and membership shall be determined by the Synod Council, with due attention given to clergy/lay, male/female, and regional representation. No person shall be a member of more than one committee, or a member of a committee and the Synod Council, at the same time.

Section 3. Committees shall be accountable to the Synod Council through the office of

bishop.

