

Resources for Your Consideration

A Process Rooted in Christian Love and Faithful Decisions

1. **Actions/Decisions of Churchwide Assembly** can be found at www.elca.org; click on the “Churchwide Assembly” icon
2. Some may be interested in **seeking help** from a personal counselor, spiritual director, or congregational consultant in the processing of how churchwide decisions may impact you. For a list of such resources, please contact the synod office.
3. **Guidance for congregational meetings/retreats in discernment**
 - a. Wrap everything in prayer
 - b. Use a Behavioral Covenant for the entire discernment process
 - c. Use transparent processes (no secret meetings)
 - d. Follow a process that is fair, just, and spirit-filled
 - e. Provide safe space so that the variety of voices are heard and honored
 - f. Respect the bound conscience of all who speak
 - g. Provide regular, ongoing, accurate information-sharing
 - h. Eliminate intimidation in the discernment process
 - i. Remember the 8th Commandment – put the best construction on people and their comments
 - j. The process is as important as the end result; consider ways of compromise instead of a win-lose situation
4. **Questions for congregations if considering terminating the relationship with the ELCA**
 - a. How will withdrawal from the ELCA change the life and ministry of the congregation and its members?
 - b. With what new church body will the congregation affiliate?
 - c. What will be the process for hearing and caring for those in the congregation who want to remain in the ELCA?
 - d. How will members who wish to remain in the ELCA be able to do so?
 - e. How will future pastors in the new church body be formed? Through what seminary process?
 - f. What process is in place in the new church body for the proper certification and verification of pastoral credentials?
 - g. What is the availability of clergy in the new church body?
 - h. How will the congregation compare the mission and ministry opportunities within the ELCA to those available in the new church body?
 - i. Currently the congregation’s tax exempt status is through the ELCA’s group exemption. How will the congregation retain its tax exempt status?
5. If the **decision of the congregation is to terminate the relationship with the ELCA/Synod**, the following are important for congregational consideration:
 - a. Carefully follow the constitutional process (see page 4)
 - b. Help find new church homes for those who will not continue with the congregation
 - c. Re-establish tax-exempt status (currently under ELCA group exemption)
 - d. Determine pastoral leadership if the pastor does not remain with the congregation
 - e. Determine medical/pension coverage for the pastoral leader(s)
 - f. Address any land/property ownership and legal concerns
 - g. Adopt a new constitution
 - h. Determine future church body affiliation
 - i. Address emotions and the grieving process for those who leave and those who stay

Various Scenarios

1. If the **decision of the congregation and pastor is to remain in the ELCA**, consider the following:
 - a. Practice patience in rites of same-gender blessing, candidates for ministry, etc. until implementing provisions are made by churchwide
 - b. Counsel with those in the congregation who may not be in favor of churchwide decisions and determine how to best minister to them

2. For **rostered leaders under call who personally choose to terminate his/her relationship with the ELCA**:
 - a. Submit a letter of resignation to the bishop and to the congregation
 - b. Provide for a healthy leave-taking from the congregation
 - c. Make inquiry to Board of Pensions for continued coverage or termination of coverage and ramifications

3. For **rostered leaders under call who choose to terminate his/her relationship with the ELCA with a congregation that leaves**:
 - a. Submit a letter of resignation to the bishop
 - b. Make inquiry to Board of Pensions for continued coverage or termination of coverage and ramifications; congregations/pastors may remain in the ELCA/BOP plan under most circumstances or develop a separate pension and medical plan
 - c. ELCA pension accounts belong to the individual and are part of the personal assets of that individual

4. For **rostered leaders under call who do not choose to terminate his/her relationship with the ELCA but the congregation does**:
 - a. Submit a letter of resignation to the congregation
 - b. Provide for a healthy leave-taking from the congregation
 - c. Fill out the Rostered Leader Profile for a new call, or if applicable, consider options like retirement, specialized ministry, etc.
 - d. Apply for On Leave from Call status (up to three years, annually renewable)
 - e. Make inquiry to Board of Pensions for continued coverage; pension cannot be contributed by the individual; medical coverage can continue up to 18 months but becomes the responsibility of the rostered leader

5. Creating a **Synodically Authorized Worshipping Community** in areas with that need:
 - a. Information on establishing a Synodically Authorized Worshipping Community is available through the synod office
 - b. The Rev. Joe Garcia, Bishop's Associate and Director of Evangelical Mission, has resources that establish the criteria for a new start, a model constitution, and a checklist for its formation

Note: A rostered leader cannot continue to serve a congregation which leaves the ELCA. A decision must be made by that rostered leader to remain with the congregation and resign from the ELCA or remain with the ELCA and resign from the call.

Retired Rostered Leaders

6. For retired rostered leaders:

- a. “A retired pastor must be a member of an ELCA congregation in order to remain on the roster of ordained ministers and remains subject to the standards for ordained ministers of this church.” (Manual of Policies and Procedures for Management of the Rosters, Part One, page 33)
- b. If a retired rostered leader personally chooses to terminate his/her relationship with the ELCA, he/she submits a letter of resignation from the retired roster to the bishop.
- c. If the congregation the retired rostered leader attends terminates its relationship with the ELCA and he/she does not wish to continue with them, transfer membership to another ELCA congregation.
- d. “If a (rostered leader) who has been granted retired status resides at too great a distance from any congregation of this church to be able to sustain an active relationship with that congregation, the bishop of the synod in which the (rostered leader) is listed on the roster may grant permission for the (rostered leader) to hold membership in a congregation or parish of a church body with which a relationship of full communion has been declared and established by the Evangelical Lutheran Church in America.” (ELCA Constitution 7.41.17.b)
- e. If the congregation a retired rostered leader attends terminates its relationship with the ELCA and he/she wishes to remain with the congregation, submit a letter of resignation from the retired roster to the bishop.

Constitutional provisions for a congregation terminating a relationship with the ELCA

***C6.05.**This congregation may terminate its relationship with the Evangelical Lutheran Church in America by the following procedure:

a. A resolution indicating the desire of this congregation to terminate its relationship must be adopted at a legally called and conducted special meeting of this congregation by a two-thirds majority of the voting members present.

b. The secretary of this congregation shall submit a copy of the resolution to the synodical bishop and shall mail a copy of the resolution to voting members of this congregation. This notice shall be submitted within 10 days after the resolution has been adopted.

c. The bishop of the synod shall consult with this congregation during a period of at least 90 days.

d. If this congregation, after consultation, still desires to terminate its relationship, such action may be taken at a legally called and conducted special meeting by a two-thirds majority of the voting members present, at which meeting the bishop of the synod or an authorized representative shall be present. Notice of the meeting shall be mailed to all voting members at least 10 days in advance of the meeting.

e. A certified copy of the resolution to terminate its relationship shall be sent to the synodical bishop, at which time the relationship between this congregation and the Evangelical Lutheran Church in America shall be terminated.

f. Notice of termination shall be forwarded by the synodical bishop to the secretary of this church and published in the periodical of this church.

g. **1** Since this congregation was a member of the Lutheran Church in America, it shall be required, in addition to the foregoing provisions in *C6.05., to receive synodical approval before terminating its membership in the Evangelical Lutheran Church in America.

h. **2** Since this congregation was established by the Evangelical Lutheran Church in America, it shall be required, in addition to the foregoing provisions in *C6.05., to receive synodical approval before terminating its membership in the Evangelical Lutheran Church in America.

1 This provision is to be used in the constitutions of all congregations that formerly were a part of the Lutheran Church in America, in accord with provision 9.62.h. in the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America.

2 This provision is to be used in the constitutions of all congregations that have been established by the Evangelical Lutheran Church in America, in accord with provision 9.62.h. in the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America.

***C7.02.**If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline, title to property shall continue to reside in this congregation.

***C7.03.**If a two-thirds majority of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to transfer to another Lutheran church body, title to property shall continue to reside in this congregation. Before this congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of the Southwestern Texas Synod.

***C7.04.**If a two-thirds majority of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to become independent or relate to a non-Lutheran church body, title to property of this congregation shall continue to reside in this congregation only with the consent of the Synod Council. The Synod Council, after consultation with this congregation by the established synodical process, may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of this congregation. If the

Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America.