

the basis of a challenge in a court of law to the validity or effect of any action taken or authorized by any such assembly, council, committee, board, commission, task force, or other body.

- +S6.06.** References herein to the nature of the relationship between the three expressions of this church – congregations, synods, and the churchwide organization – as being interdependent or as being in a partnership relationship describe the mutual responsibility of these expressions in God’s mission and the fulfillment of the purposes of this church as described in this chapter, and do not imply or describe the creation of partnerships, co-ventures, agencies, or other legal relationships recognized in civil law.

## **Chapter 7. SYNOD ASSEMBLY**

- +S7.01.** This synod shall have a Synod Assembly, which shall be its highest legislative authority. The powers of the Synod Assembly are limited only by the provisions in the Articles of Incorporation, this constitution and bylaws, the assembly’s own resolutions, and the constitutions and bylaws of the Evangelical Lutheran Church in America.
- +S7.11.** A regular meeting of the Synod Assembly shall be held at least biennially.
- S7.11.01.** The Synod Assembly of the South Dakota Synod of the Evangelical Lutheran Church in America shall meet annually.
- S7.12.** Special meetings of the Synod Assembly may be called by the bishop with the consent of the Synod Council, and shall be called by the bishop at the request of one-fifth of the voting members of the Synod Assembly.
- a. The notice of each special meeting shall define the purpose for which it is to be held. The scope of actions to be taken at such a special meeting shall be limited to the subject matter(s) described in the notice.
  - b. If the special meeting of the Synod Assembly is required for the purpose of electing a successor bishop because of death, resignation, or inability to serve, the special meeting shall be called by the Synod Council after consultation with the presiding bishop of the Evangelical Lutheran Church in America.
- S7.13.** Notice of the time and place of all meetings of the Synod Assembly shall be given by the secretary of this synod.
- S7.13.01.** Notice of the date, time and place of the meeting of the Synod Assembly shall be published in official publications established by this Synod or mailed to the ordained ministers, Associates in Ministry, deaconesses of the Evangelical Lutheran Church in America, and diaconal ministers, under call, on the official lay rosters of this synod and congregations, not less than 90 days before the meeting of the Assembly.
- S7.14.** One-half of members of the Synod Assembly shall constitute a quorum.
- +S7.21.** The membership of the Synod Assembly, of which at least 60 percent of the voting membership shall be composed of lay persons, shall be constituted as follows:
- a. All ordained ministers under call on the roster of this synod in attendance at the Synod Assembly shall be voting members.

- b. All associates in ministry, deaconesses of the Evangelical Lutheran Church in America, and diaconal ministers, under call, on the official lay rosters of this synod shall have both voice and vote as lay voting members in the Synod Assembly, in addition to the voting membership of lay members of congregations provided in item +S7.21.c.
- c. A minimum of one lay member elected by each congregation with fewer than 175 baptized members and a minimum of two lay members elected by each congregation with 175 or more baptized members related to this synod, normally one of whom shall be male and one of whom shall be female, shall be voting members. The Synod Council shall establish a formula to provide additional lay representation from congregations on the basis of the number of baptized members in the congregation. The Synod Council shall seek to ensure that, as nearly as possible, 50 percent of the lay members of the assembly shall be female and 50 percent shall be male. Additional members from each congregation normally shall be equally divided between male and female.
- d. Voting membership shall include the officers of this synod.

S7.21.A07

*Any congregation of this synod which elects a 16-21 year old as a voting member shall be granted one additional voting member. Any congregation of this synod which elects a person of color and/or a person whose primary language is other than English as a voting member shall also be granted one additional voting member. The number of lay voting members per congregation is determined by the following scale:*

<b>* Baptized Member Increments</b>	<b>** Lay Voting Members</b>	<b>+ 16-21 Year Old Member</b>	<b>+ Person of Color and/or Non-English Origin</b>	<b>Maximum Total Lay Voting Members</b>
0– 500	2	1	1	4
501 – 1000	3	1	1	5
1001 – 1500	4	1	1	6
1501 – 2000	5	1	1	7
2001 – 2500	6	1	1	8
2501 – 3000	7	1	1	9
3001 – 3500	8	1	1	10
3501 – 4000	9	1	1	11
4001 – 4500	10	1	1	12
4501 – 5000	11	1	1	13

*\*Figures used are the published baptized membership totals from the most recent South Dakota Synod Handbook.      \*\*Goal of a balance of female/male voting members.*

S7.21.B02

*Ordained Ministers from a church body with which a relationship of full communion has been declared and established by a Churchwide Assembly of the Evangelical Lutheran Church in America shall be granted the privilege of both voice and vote in the Synod Assembly during the period of called or contracted service in a congregation of this synod, in accord with ELCA churchwide bylaw 8.72.12.*

S7.21.C02

*ELCA pastors serving as interim pastors, under contract to a congregation of this synod, shall be granted the privilege of both voice and vote in the Synod Assembly during the period of contracted service in a congregation of this synod.*

S7.21.D02

*Licensed Lay Ministers certified by the South Dakota Synod, under contract to a congregation of this synod, shall be granted the privilege of both voice and vote in the Synod Assembly during the period of contracted service in a congregation of this synod.*

- S7.22.** Retired ordained ministers, retired associates in ministry, retired deaconesses, and retired diaconal ministers on the roster of this Synod may serve as voting members of the Synod Assembly if they are elected by their congregations and if the 60 percent minimum representation of lay persons required by +S7.21. is satisfied.
- All retired ordained ministers, all ordained ministers on leave from call, all associates in ministry on leave from call or retired, all deaconesses of the Evangelical Lutheran Church in America on leave from call or retired, and all diaconal ministers of this church on leave from call or retired, all of whose names appear on the rosters of this synod, shall have the privilege of voice but not vote at all meetings of the Synod Assembly.
- S7.23** The presiding bishop of the Evangelical Lutheran Church in America and such other official representatives of this church as may be designated from time to time by the Church Council shall also have voice but not vote in the meetings of the Synod Assembly. Like privileges shall be accorded to those additional persons whom the Synod Council shall from time to time designate.
- S7.24.** Ordained ministers under call on the roster of this synod shall remain as members of the Synod Assembly so long as they remain under call and so long as their names appear on the roster of ordained ministers of this synod. Associates in ministry, deaconesses of the Evangelical Lutheran Church in America, and diaconal ministers of this church serving under call on the roster of this synod shall remain as members of the Synod Assembly so long as they remain under call and so long as their names appear on the official lay roster of this synod. Lay members of the Synod Assembly representing congregations shall continue as such until replaced by the election of new members or until they have been disqualified by termination of membership. Normally, congregations will hold elections prior to each regular meeting of the Synod Assembly.
- +S7.25.** Except as otherwise provided in this constitution or in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*, each voting member of the Synod Assembly shall be a voting member of a congregation of this synod.
- S7.26.** This synod may establish processes through the Synod Council that permit representatives of authorized mission settings formed with the intent of becoming chartered congregations and authorized worshipping communities of this synod, which have been authorized under ELCA bylaw 10.02.03., to serve as voting members of the Synod Assembly, consistent with +S7.21. Authorized worshipping communities, acknowledged under criteria, policies, and procedures approved by the Church Council of the Evangelical Lutheran Church in America, shall accept and adhere to the Confession of Faith and Statement of Purpose of this church, shall be served by leadership under the criteria of this church, and shall be subject to the discipline of this church.
- S7.27.** This synod may establish processes through the Synod Council to grant an ordained minister from a church body with which a relationship of full communion has been declared and established by the Churchwide Assembly of the Evangelical Lutheran Church in America the privilege of both voice and vote in the Synod Assembly during the period of that ordained minister's service in a congregation of this church.
- S7.28.** Duly elected voting members of the Synod Council who are not otherwise voting members of the Synod Assembly under +S7.21. shall be granted the privilege of both voice and vote as members of the Synod Assembly.
- +S7.31.** Proxy and absentee voting shall not be permitted in the transaction of any business of this synod.
- S7.32.** The Synod Rules of Parliamentary Procedure shall govern the procedure of the Synod Assembly.

**S7.33.** "Ex-officio" as used herein means membership with full rights of voice and vote unless otherwise expressly limited.

**S7.40. Committees of the Synod Assembly**

S7.40.10. **Credentials Committee**

S7.40.11. Prior to the Synod Assembly, the Synod Bishop shall appoint three persons to act as a Credentials Committee. This committee shall report when requested on the number of voting members, visitors, advisors, and others in attendance.

S7.40.20. **Election Committee**

S7.40.21. Prior to the Synod Assembly, the Synod Bishop shall appoint three ordained ministers and three laypersons to an Election Committee to supervise elections and announce the results to the Synod Assembly.

S7.40.30. **Resolutions Committee**

S7.40.31. Each conference shall elect one representative to a Resolutions Committee. The Synod Bishop shall appoint two representatives at large, and shall designate the convener of the committee. In the case of a vacancy, the Synod Bishop will appoint a replacement.

S7.40.32. The committee shall elect its own leadership.

S7.40.33. The committee shall receive all resolutions, prepare them, and make recommendations on them in accordance with the Synod Rules of Parliamentary Procedure for transmission to the Synod Assembly.

S7.40.34. The committee shall draft such resolutions as it is instructed to draft by the Synod Assembly, and may draft others it deems necessary.

**S7.50. Conference Caucus**

S7.50.10. The members of the Synod Assembly from each conference shall constitute the conference caucus.

S7.50.11. The caucus may draft resolutions for submission to the Resolutions Committee.

S7.50.12. The caucus may discuss resolutions, and transact such other business as the voting members determine.

S7.50.13. The caucus shall meet at the call of the Bishop, the President of the Conference or the request of 15 percent of the voting members of the conference.

S7.50.14. The officers of the conference shall serve as the leadership of the caucus.

**Chapter 8. OFFICERS**

**+S8.01.** The officers of this synod shall be a bishop, a vice president, a secretary, and a treasurer.

**S8.10. Bishop**

**+S8.11.** The bishop shall be elected by the Synod Assembly. The bishop shall be a pastor who is an ordained minister of the Evangelical Lutheran Church in America.

**+S8.12.** As this synod's pastor, the bishop shall be an ordained minister of Word and Sacrament who shall: