



MEMORANDUM

To: Voting Members of the Rocky Mountain Synod Assembly

From: RMS Vice-President Ruth Hoffman on behalf of the RMS Synod Council

Date: May 6, 2023

Subject: Updated Background and Rationale of Proposed Amendments to the Constitution, Bylaws, and Continuing Resolutions of the Rocky Mountain Synod, ELCA

Updated Background

This update to the "Background and Rationale of Proposed Amendments" explains that while no proposed amendments sent to RMS congregations in October of 2022 have changed, an additional source of amendments to RMS Constitution, Bylaws, and Continuing Resolutions is now included to make a distinction between constitutional amendments and bylaws and amendments to continuing resolutions.

One of the responsibilities of the Synod Assembly is to adopt amendments to the Constitution, Bylaws, and Continuing Resolutions of the Rocky Mountain Synod (RMS). The process for amending the governing documents is specified in Chapter 18 of the RMS Constitution, Bylaws, and Continuing Resolutions. There are four sources of synod constitution amendments included in this draft amended RMS Constitution, Bylaws, and Continuing Resolutions:

1. As stated in **¶S18.11** (the inclusion of [†] called a "dagger" to a section of the constitution indicates that it is section required by the ELCA), amendments to required sections of synod constitutions which are adopted by the Churchwide Assembly, shall be "introduced at once into" the RMS constitution upon certification from the secretary of the ELCA. To provide clarity, these amendments adopted by the 2022 Churchwide Assembly are included (**in blue**) in the accompanying copy of the RMS Constitution, Bylaws, and Continuing Resolutions which also sets forth other proposed amendments for consideration.
2. As stated in **¶S18.12**, "whenever the secretary of the ELCA officially informs this synod that the Churchwide Assembly has amended the *Constitution for Synods*, **this constitution may be amended to reflect any such amendment by a majority vote at any subsequent meeting of the Synod Assembly . . .**" The Synod Council is recommending the adoption of those amendments adopted by the 2022 Churchwide Assembly. These amendments are included (**in red**) in the accompanying copy of the RMS Constitution, Bylaws, and Continuing Resolutions and must be adopted by a majority vote.

3. As stated in **†S18.13.b.**, ***“the Synod Council may propose an amendment, with notice to be sent to the congregations of this synod at least six months prior to the next regular meeting of the Synod Assembly.*”** Such an amendment shall require for adoption a two-thirds vote of the voting members present and voting at such a regular meeting of the Synod Assembly.” **†S18.13.b** refers to amendments of constitutional provisions. Additionally, **†S18.21** provides for amendment of bylaws. Amendments to constitutional provisions and bylaws must be adopted by a “two-thirds vote of voting members of the assembly present and voting.” The Synod Council is recommending the adoption of a number of amendments to constitutional provisions and to the bylaws which were proposed by a subcommittee of the Synod Council. These amendments are included (**in green**) in the accompanying copy of the RMS Constitution, Bylaws, and Continuing Resolutions.

4. As stated in **†S18.31**, ***“Such continuing resolutions may be adopted or amended by a majority vote of the Synod Assembly . . .”*** The Synod Council is recommending the adoption of a number of amendments to continuing resolutions which were proposed by a subcommittee of the Synod Council and synod committees. These amendments are included in (**in purple**) in the accompanying copy of the RMS Constitution, Bylaws, and Continuing Resolutions.

Rationale for proposed amendments

Many of these amendments can be seen as “housekeeping” amendments. Some provide for use of more inclusive language and some other changes are for clarity. This summary is provided to facilitate your review and analysis.

- **Page 2:**
 - Introduction**
 - >In the first paragraph and in c. under “Types of constitutional provisions”:** Following the ELCA adoption of the use of “synod” instead of “synodical.” This change is reflected throughout the proposed amendments.
 - >Addition of a note** explaining the use of gender inclusive language throughout the document.

- **Starting on Page 6**, amendments to required provisions (denoted by a dagger [†]) adopted by the 2022 Churchwide Assembly are printed (**in blue**) and are automatically added to the RMS constitution upon certification from the secretary of the ELCA. Those provisions are located in a number of chapters. These required amendments are included in this draft for information and clarity.

- **Page 10:**
 - S7.14.** *[Proposed amendments printed (**in red**) are non-required provisions that were adopted by the Churchwide Assembly and may be adopted by the synod. Rationale is from the ELCA Office of the Secretary]* Synods are free to set their own quorums. However, due to the challenges posed by meeting during a pandemic, some

synods have experienced difficulty in achieving this high a quorum. *The RMS Synod Council proposes this amendment to allow the RMS flexibility during challenging situations.*

- **Page 11-12:**

S7.21.01. *[Proposed amendments printed (in red) are non-required provisions that were adopted by the Churchwide Assembly and may be adopted by the synod. Rationale is from the ELCA Office of the Secretary]* Change for consistency.

S7.21.02.01. *[Proposed amendments printed (in green) are amendments recommended by the Synod Council]* This amendment is a numbering correction.

S7.22. *[Proposed amendments printed (in red) are non-required provisions that were adopted by the Churchwide Assembly and may be adopted by the synod. Rationale is from the ELCA Office of the Secretary]* Because of the increasing number of retired rostered ministers being granted voice and vote, some synods have been experiencing difficulty in achieving the required 60% of laypersons as voting members. This change is intended to reinforce the necessity of that percentage. *Note: S7.22.01, immediately below, addresses this situation in the RMS.*

S7.22.01 & S7.22.02. *[Proposed amendments printed (in green) are amendments recommended by the Synod Council]* Amendments to use the term “rostered ministers” as an inclusive term.

S7.22.A02 *Proposed amendments printed (in purple) are amendments recommended by the Synod Council]* This continuing resolution is unnecessary.

S7.24. *[Proposed amendments printed (in red) are non-required provisions that were adopted by the Churchwide Assembly and may be adopted by the synod. Rationale is from the ELCA Office of the Secretary]* These changes seek to clarify the term of service for voting members of the Synod Assembly and to conform with †S7.21.02.

S7.26. *[Proposed amendments printed (in red) are non-required provisions that were adopted by the Churchwide Assembly and may be adopted by the synod. Rationale is from the ELCA Office of the Secretary]* Change for precision.

S7.27. *[Proposed amendments printed (in red) are non-required provisions that were adopted by the Churchwide Assembly and may be adopted by the synod. Rationale is from the ELCA Office of the Secretary]* Editorial change for consistency.

- **Page 13:**

S7.32.12. *[Proposed amendments printed (in green) are amendments recommended by the Synod Council]* Change to clarify that the Synod Secretary alone does not prepare and distribute the pre-assembly report.

- **Page 17:**

S8.12.02.c *[Proposed amendments printed (in green) are amendments recommended by the Synod Council]* Changes to include the current name of the ELCA magazine.

- **Pages 19-20:**

S8.42. (a) through (e) *[Proposed amendments printed (in green) are amendments recommended by the Synod Council]* Clarifying language recommended by the RMS Finance Committee.

S8.42.(c) *[Proposed amendments printed (in red) are non-required provisions that were adopted by the Churchwide Assembly and may be adopted by the synod. Rationale is from the ELCA Office of the Secretary]* The change in c. reflects actual practice regarding separation of undesignated and designated funds.

S8.42.(f) *[Proposed amendments printed (in red) are non-required provisions that were adopted by the Churchwide Assembly and may be adopted by the synod. Rationale is from the ELCA Office of the Secretary]* The deletion of f. reflects the reality that fidelity bonds are no longer used, since insurance programs include this protection.

S8.51.A01 *[Proposed amendments printed (in purple) are amendments recommended by the Synod Council]* The Synod Council recommends that bishops not be eligible to serve for more than two consecutive terms. This amendment seeks to safeguard the well-being of the person serving as bishop while also providing for new synod leadership after twelve years.

- **Page 21:**

S8.55. *[Proposed amendments printed (in green) are amendments recommended by the Synod Council]* Change to create consistency in the way officers' terms are determined.

- **Page 23:**

S9.03.01. *[Proposed amendments printed (in green) are amendments recommended by the Synod Council]* Changes to clarify nominations from the Nominating Committee; Consistently using the term "rostered ministers"; Language about conference representation is in S10.01.01.

- **Pages 25:**

S10.01.01. *[Proposed amendments printed (in green) are amendments recommended by the Synod Council]* Changing from "ethnic-specific congregations" to "two specific positions for people of color and/or whose primary language is other than English." RMS has few ethnic-specific congregations and widening the diversity of possible Synod Council membership is more inclusive.

S10.01.02. *[Proposed amendments printed (in green) are amendments recommended by the Synod Council]* Removing the unnecessary limitation of electing the youth member in even numbered years.

- **Page 27:**

S10.06. *[Proposed amendments printed (in green) are amendments recommended by the Synod Council]* Simplifying language.

Chapter 11 title *[Proposed amendments printed (in green) are amendments recommended by the Synod Council]* Standardizing the usage of “committee” for synod groups with specific responsibilities.

- **Page 28:**

S11.02.01. *[Proposed amendments printed (in green) are amendments recommended by the Synod Council]* Consistent use of “rostered ministers.”

- **Page 29-30:**

S11.06. *[Proposed amendments printed (in green) are amendments recommended by the Synod Council]* Clarifying when members of the Executive Committee are elected. Removing the direction for the Executive Committee to counsel the synod officers since the officers are members of the Executive Committee.

S11.07.(a) through (g) & S11.08. *[Proposed amendments printed (in green) are amendments recommended by the Synod Council]* Reflecting the change to using the term “committee” for groups with specific responsibilities.

S11.07.(d) *[Proposed amendments printed (in green) are amendments recommended by the Synod Council]* Standardizing the starting dates of committee members’ terms.

S11.07.C19. *[Proposed amendments printed (in purple) are amendments recommended by the Synod Council]* Removal of a numbering no longer needed.

S11.08.A10. *[Proposed amendments printed (in purple) are amendments recommended by the Synod Council]* Clarifying the membership of RMS Finance Committee.

S11.08.B17.(a) & (b) *[Proposed amendments printed (in purple) are amendments recommended by the Synod Council]* Changing Churchwide unit references to the “appropriate Churchwide unit” so that this constitution does not have to be amended when the Churchwide units are reorganized.

- **Pages 31-34:**

S11.08.C19. *[Proposed amendments printed (in purple) are amendments recommended by the Synod Council]* Clarifying that the Policy Committees are advisory to the Advocacy Offices.

S11.08.D10. Disregard. The notice emailed in October showed edits to this section, however these changes will NOT be a part of the motion to amend. After consideration, it was determined there was a better way to accomplish the objective and there will be a separate motion to amend this continuing resolution.

S11.08.F17. *[Proposed amendments printed (in purple) are amendments recommended by the Synod Council]* Reflecting the change to using the term “committee” for all groups with specific responsibilities. Changing Churchwide unit references to the “appropriate Churchwide unit” so that this constitution does not have to be amended when the Churchwide units are reorganized.

S11.08.G87. *[Proposed amendments printed (in purple) are amendments recommended by the Synod Council]* Recommendations from the Congregational Ministries Board.

- **Pages 35-36:**

S11.08.H17 *[Proposed amendments printed (in purple) are amendments recommended by the Synod Council]* Recommendations from the Global Church Network. Reflecting the change to using the term “committee” for all groups with specific responsibilities. Changing Churchwide unit references to the “appropriate Churchwide unit” so that this constitution does not have to be amended when the Churchwide units are reorganized.

S11.08.I17 Disregard. The notice emailed in October showed edits to this section, however these changes will NOT be a part of the motion to amend. After consideration, it was determined there was a better way to accomplish the objective and there will be a separate motion to amend this continuing resolution.

- **Page 38:**

S12.01.A87.(5) *[Proposed amendments printed (in purple) are amendments recommended by the Synod Council]* Wording change for clarity.

- **Page 39:**

S12.01.A87. (c), (d), (e) *[Proposed amendments printed (in purple) are amendments recommended by the Synod Council]* Consistent use of “rostered ministers”; Addition of the term co-deans to reflect actual practice.

- **Page 44:**

S14.13. & S14.15. *[Proposed amendments printed (in red) are non-required provisions that were adopted by the Churchwide Assembly and may be adopted by the synod. Rationale is from the ELCA Office of the Secretary]* The deletion of “parochial” is for consistency of usage. **S14.15.** Inclusive language.

- **Page 48:**

S14.34. *[Proposed amendments printed (in red) are non-required provisions that were adopted by the Churchwide Assembly and may be adopted by the synod. Rationale is from the ELCA Office of the Secretary]* Inclusive language

- **Page 51-52:**

S15.13. & S15.14. *[Proposed amendments printed (in green) are amendments recommended by the Synod Council]* Clarifying language recommended by the RMS Finance Committee.