



NALC

North American Lutheran Church

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Dear friends in Christ,

We pray our Lord Jesus is keeping you safe and healthy in the midst of all that is happening in our heavenly Father's creation. Thankfully, He is Lord and King of all creation.

One of the NALC's four Core Values is Congregationally Focused. Congregational participation is a cornerstone of the North American Lutheran Church's (NALC) governance. By requiring congregational ratification of certain key decisions, the NALC ensures that its members are aware of and broadly support those decisions. Participation in the ratification process is an important right and responsibility.

The 2020 Mission Convocation approved most of the constitutional amendments we proposed. As a result, each congregation is asked to schedule a duly called congregational meeting for the purpose of voting "yes" or "no" on the convocation's action to amend various articles of the NALC Constitution.

Under Section 17.03 of the constitution, to take effect, all constitutional amendments require ratification, and a congregation's ratification vote must be taken "in and through properly called congregational meetings." Ratification may happen at any congregational meeting, in accordance with the congregation's constitutional requirements. Normally, a simple majority is required, unless the congregation's constitution stipulates otherwise. *Ratification may only happen through congregational action at a congregational meeting. Congregations cannot delegate responsibility to their councils, pastors or any other persons or groups.*

The deadline for voting on ratification is within six months of the close of the 2020 Mission Convocation – February 8, 2021. However, congregations are asked to vote on ratification as soon as possible, perhaps at a brief, specially called meeting. *Congregations are asked to vote on ratification prior to December 31, 2020.* All congregations belonging to the NALC at the time of the 2020 Mission Convocation are entitled to vote on ratification.

A copy of the amendments approved by the convocation is enclosed. Deletions are marked with a strikethrough and additions are in red font. We have also included an explanation of

the amendments divided into two groups – apportionment of additional lay delegates and a shift to biennial convocations.

Each congregation votes “yes” or “no” on the proposed amendments. No amendments or changes may be made to the amendments passed by the convocation. A congregation must ensure that its members have a clear way to express their preference for having the congregation vote either “yes” or “no” on the proposed amendment. The best way to accomplish this is to use a paper ballot with the wording from one of the included model ballots.

We have included two ballots – one for congregations that want to consider all the amendments in one resolution, which would entail one “yes” or “no” vote. The second ballot may be used by congregations that want to consider the two groups of amendments separately, therefore having two “yes” or “no” votes. Either way is valid. Congregations may decide which way to consider ratification.

Two forms are included for a congregation to submit its ratification vote – one for congregations using one resolution and the other for congregations using two resolutions. The form may be returned via email, mail or fax, as indicated on the report form. **Congregations must use one of the prepared forms to report their vote with two signatures on the form as indicated.**

Ratification will be fully accomplished once two-thirds of the congregations voting have voted “yes.” A quorum for a valid ratification vote is 50% of NALC congregations voting. The sooner a congregation votes on ratification, the better.

Thank you for your partnership in this ministry we share.

Yours in Christ,

NALC Executive Council

The Rev. Bassam Abdallah
The Rev. Mark Braaten
Mr. Richard Jansak
The Rev. Melinda Jones

Ms. Lynn Kickingbird
The Rev. Ken Kimball
Mr. Scott Kramer
Mr. Brian Sutton

CONSTITUTIONAL AMENDMENTS APPROVED BY THE 2020 MISSION CONVOCATION

2020 RATIFICATION OF CONSTITUTIONAL AMENDMENTS

6.05 Prior to each ~~annual~~ Convocation, the NALC shall calculate for each congregation a benevolence share of the proposed NALC annual budget based on congregational size and resources.

Article 7 – ~~Annual~~ Biennial Convocation

7.01 A Convocation of the NALC shall be held ~~annually~~ biennially.

7.02 Delegates with voting privileges at a Convocation shall be the ordained ministers of the NALC and at least an equal number of laypersons. Each congregation of the NALC shall elect at least one lay delegate to the Convocation ~~for every 750 baptized members, or fraction thereof, of such congregation. For purposes of determining the number of lay delegates that a congregation may elect, associate members (those holding primary membership in another congregation) shall not be counted. In the event that the total number of lay delegates elected pursuant to the preceding sentence is less than the total number of ordained ministers, the Executive Council shall apportion additional lay delegates based on the relative size of the congregations of the NALC. The Executive Council shall apportion additional lay delegates based on the baptized membership of congregations so there is approximately an equal number of lay and clergy delegates to the Convocation. To the extent appropriate to maintain good order, and subject to any action by the Convocation, the Executive Council may adopt procedures relating to the timing of delegate selection and to verifying the credentials of all delegates.~~

7.04 The responsibilities of the ~~annual~~ biennial Convocation shall include: election of the Bishop, the Executive Council, and any other position requiring election; adoption of a budget for the two subsequent calendar years; consideration of teaching statements; reception of reports; and other items of business as may be determined by the Executive Council or by the Convocation.

9.08 In the event of vacancy in the office of Bishop, the Executive Council shall appoint a Bishop to fill the vacancy on an interim basis. The next ~~annual~~ Convocation shall elect a Bishop, who shall take office for a four-year term beginning the following October 1. In the event of vacancy in the office of Recording Secretary or Treasurer, the Executive Council shall appoint an interim to fill the vacancy until the following October 1, when

the successor elected by the Executive Council shall take office for a four-year term. If the vacancy in the office of Recording Secretary or Treasurer occurs in September of any year, the Executive Council may choose to extend the term of an interim until October 1 of the next calendar year, when the successor would begin a four-year term.

9.09 The Executive Council is empowered to suspend the Bishop by a three-quarters vote of all members, excluding the Bishop, for cause, as outlined in the provisions for discipline in Section 14.01, in consultation with the Court of Adjudication and the Commission on Theology and Doctrine. The Executive Council will appoint an interim Bishop to exercise the office until the next ~~annual~~ Convocation. The next ~~annual~~ Convocation may subsequently remove the suspended Bishop by a two-thirds vote and set in motion a process for the election of a successor according to Article 8. In case of death or disability precluding the exercise of the office, the Executive Council may appoint an interim Bishop to serve until the next ~~annual~~ Convocation.

10.02 The terms of elected members shall be staggered such that ~~one~~ two ordained ministers and ~~one~~ two lay members will be elected at each ~~annual~~ Convocation. Each term shall begin on the October 1 immediately following the ~~annual~~ Convocation and shall end on the September 30 four years later. In the event of a vacancy, the Executive Council may appoint an interim replacement, who will serve until the next October 1. The next ~~annual~~ Convocation shall elect a permanent replacement, who shall serve the remainder of the term to which the original holder of the seat had been elected. ~~If necessary to create or maintain staggered terms, an annual Convocation may elect an Executive Council member for a term of less than four years.~~ To the limited extent necessary to assure that an equal number of seats will be open at each Convocation or that the seats open at each Convocation will be evenly split between those held by ordained ministers and those held by lay members, the Executive Council as a provisional matter may change the number of seats open for election at a particular Convocation and may shorten the term to which a particular member is to be elected.

10.05 The duties and function of the Executive Council shall be to:

- e. Ensure and approve long-range planning for the NALC to be presented at the ~~annual~~ Convocation.
- j. Adjust the budget approved by the ~~annual~~ Convocation as prudence dictates in response to changed financial circumstances.
- l. ~~Report all actions to the next annual Convocation.~~ Report all actions quarterly to the congregations and clergy of the NALC, as well as to each Convocation.

10.06 The Executive Council is empowered to suspend any member of the Executive Council by a three-quarters vote of all members for cause, in consultation with the Court of Adjudication and the Commission on Theology and Doctrine. The Executive Council may appoint an interim replacement until the next ~~annual~~ Convocation. The Executive Council is empowered to suspend or remove any other elected officer by a three-quarters vote of all members.

15.01 There shall be a Court of Adjudication consisting of seven members, each elected to a four-year term by the ~~annual~~ Convocation. Each term shall begin on the October 1 immediately following the ~~annual~~ Convocation and shall end on September 30 four years later. Terms shall be staggered so that ~~two~~four seats will be open each year, ~~except that every fourth year, only one seat will be open. If necessary to create or maintain staggered terms, an annual Convocation may elect a Court member for a term of less than four years~~ at one biennial Convocation and three seats will be open at the next. The Nominating Committee, after soliciting names from congregations, shall place in nomination one or more names of candidates for each seat that needs to be filled effective on the upcoming October 1. Supporting biographical information shall be made available to the members of the NALC no less than 90 days prior to the Convocation. Three or more delegates representing at least three congregations may together submit an additional nomination in writing. To be in order, the nomination, together with supporting biographical information, must be submitted to the Nominating Committee no later than 45 days prior to the Convocation. If more than one seat is open for the same term of years, the seats shall be filled using a single ballot that includes all candidates. Those receiving the highest number of votes shall be elected. No member of the Court shall serve on the Nominating Committee. To the limited extent necessary to assure that the number of seats open at each Convocation is as close to equal as possible, the Executive Council as a provisional matter may change the number of seats open for election at a particular Convocation and may shorten the term to which a particular member is to be elected.

17.02 A minimum of twenty-five delegates to an ~~annual~~ Convocation may propose an amendment to the Constitution. The adoption of such an amendment shall require a two-thirds majority vote of the delegates present and voting at such Convocation as well as the subsequent ~~annual~~ Convocation. Amendments approved pursuant to this Section 17.02 shall be submitted to congregations for ratification after approval by a second consecutive ~~annual~~ Convocation.

EXPLANATION OF CONSTITUTIONAL AMENDMENTS

2020 RATIFICATION OF CONSTITUTIONAL AMENDMENTS

Apportionment of Additional Lay Delegates

Article 7.02 specifies 750 baptized members as the baseline number for apportionment of lay delegates to each convocation. Congregations automatically receive one lay delegate per 750 baptized members. As needed, the Executive Council then apportions additional lay delegates from congregations to achieve an equal balance of lay and clergy delegates. The number was based on the number and size of congregations expected to be in the North American Lutheran Church (NALC) in the first couple years after its formation.

The number of NALC congregations has grown with a very different mix of sizes. The number of NALC pastors has also grown at a greater rate than congregations. With those changes, the number 750 no longer works. In recent years, the Executive Council has apportioned additional delegates using a much lower number of baptized members. Rather than set a specific number in the constitution, the amendment would allow for the Executive Council to use a number based on the current congregational and clergy membership of the NALC leading up to a convocation.

Change the Requirement for an Annual Convocation to a Biennial Convocation

The main amendment is in Article 7.01, but it also requires deleting “annual” in Articles 6.05, 7.04, 9.08, 9.09, 10.02, 10.05, 10.06, 15.01 and 17.02.

The following is a summary of the Executive Council’s rationale in proposing these amendments. The main purpose of the amendments is to address how the NALC might best deploy its resources and time to perform the mission the Holy Spirit has put before us. That mission has come into sharper focus in the *2020 Vision* endorsed by the convocation. To be best equipped to succeed, the NALC needs the flexibility and nimbleness to invest its resources and time more effectively in service of Christ's Church.

This includes all parts of the NALC — congregations, mission districts, staff and committees. The NALC invests a significant amount of time, energy and resources for annual convocations and events. The average cost for congregations sending delegates to convocations is \$1,300 per delegate. The cost is greater if attendees are also participating in the other events during Lutheran Week.

Registration fees cover only about half the expenses of a convocation. Therefore, on average, the NALC subsidizes the event with \$110,000 to keep the cost manageable for congregations.

Annually, the NALC staff devotes 12% of its time, about 2,750 hours, to the convocation and Lutheran Week. A full-time position involves 2,080 hours of work per year, so more than one full-time equivalent NALC staff position is devoted to the annual event.

The amendments do not change Article 7.06, which allows for more frequent convocations. The bishop or the Executive Council may call for special convocations for specified purposes.

The Executive Council, deans and staff have had discussions about events and gatherings that could be held regionally in the years there is not a convocation. Regional events, with NALC continental leaders present, could potentially enable more people to attend an event beyond their mission district. Many of the valued experiences in the events at and preceding an annual convocation could be provided more broadly across the NALC at these events.

If congregations ratify the shift to biennial convocations, then the following amendments are in order to make that shift:

Provide Flexibility for Elections to Shift to Biennial Convocations

The election cycle of Executive Council and Court of Adjudication members is currently tied to annual convocations. The amendments to Articles 10.02 and 15.01 provide the flexibility to elect those members during the transition from annual to biennial convocations. The Executive Council would oversee the process, adjusting the timing and terms of office as needed.

Change in the NALC Budget Process

The 2020 Convocation accepted the amendment to Article 7.04 as a friendly amendment from a lay delegate. It specifies that each convocation is to adopt a budget for the next two calendar years.

Quarterly Reports from the Executive Council

During the discussion of the proposed amendments to shift to biennial convocations, an amendment to Article 10.05.I. was proposed to require the Executive Council to report all actions quarterly to congregations and clergy, as well as to each convocation.