

**POLICIES ON PROTOCOL FOR SEVERANCE**  
**FROM THE**  
**EVANGELICAL LUTHERAN CHURCH IN CANADA**

**CONGREGATIONS:**

1. Congregational Council shall give notice of a special congregational meeting, legally called and conducted (at least two weeks minimum notice and led by the chair or vice chair of the council), to all congregational members, with suggestion that a notification letter also be sent to each member at least two weeks in advance, in which the purpose of the meeting and any motions pertaining to the meeting should be identified.
2. The Congregational Council Chair and the Pastor of the congregation shall notify the Bishop, in writing, when a vote will be taken, and invite the Bishop to be present in the congregation before that date.
3. The congregation shall inform members they have a voice and vote in the two meetings required to secede and shall designate an area in the meeting space where members can be duly present and their vote can be recorded without interference of visitors and observers.
4. The congregation shall provide the synod with a current membership list for the purpose of identifying said membership at the meetings.
5. The Congregation shall send a letter to the Bishop, with notification of the results of the first vote and include the date of the second vote.
6. The Congregational Council shall send a letter to congregational members notifying them of the results of the first vote and include the date of the second vote.
7. Once the first vote is recorded and at least two weeks before the second vote is taken, the Congregational Council shall provide the Synod with the financial records of the congregation, as well as a copy of it's current audited statement for the purpose of ensuring proper trusteeship of ELCIC or synod endowments.
8. In order to complete all legal, administrative and pastoral tasks involved in leaving the Evangelical Lutheran Church in Canada, it is suggested that a congregation wait at least thirty days before taking a second vote.
9. The Congregation shall notify Group Services Inc., administrators of the ELCIC Pension Plan, in writing, that they are have completed the first vote to leave the ELCIC and will await notification of GSI procedures in regard to legal obligations to the ELCIC Pension Plan.
10. The Congregational Council shall notify the Bishop, GSI and each congregational member in writing the results of the second vote. The action will be legally binding ninety days after notifying the Bishop.
11. The Congregational Council shall ensure legal counsel has met with ELCIC legal counsel as needed to ensure all administrative, legal and fiscal responsibilities have been met before the ninety days have passed.
12. It is suggested that all communications from the congregation to the Synod be sent by courier, with a signature required, to ensure proper and sure delivery of documents pertaining to the requirements of the constitution of the ELCIC, its bylaws and protocols.
13. It is suggested that both votes be by secret ballot and that a congregational council member call for such action at the beginning of the special congregational meetings. A call to destroy the ballots should follow each recording and reporting of the ballots.

## **THE BISHOP AND SYNOD:**

1. The Bishop shall acknowledge, in writing, receipt of the letter indicating notification of a vote of severance and include a protocol for severance by a congregation.
2. The Bishop shall send a letter to each congregational member indicating the process that will be followed for severance from the ELCIC. The letter should include references to the ELCIC Constitution and Bylaws and the proper protocol for a vote, as well as the call for a secret ballot.
3. On the days of the two votes, a synod council representative shall be in attendance to ensure the voting members are identified and have signed the membership list. Another representative shall be available to be a scrutineer at the counting of the votes.
4. After the results of the first vote and before the second vote is taken, the Treasurer of the Synod or designate shall examine the financial records of the congregation and provide an overview of any endowments or designated funds that belong under the trusteeship of the Synod should the congregation vote to sever its relationship with the ELCIC.
5. After the results of the first vote, the Bishop shall inform Group Services Inc. of the decision of the congregation to sever its relationship with the ELCIC.
6. The Bishop shall inform the congregation and the pastor that the call of the pastor to their congregation is terminated immediately upon the date of the second vote to sever from the ELCIC. The pastor will no longer be serving a congregation in good standing in the ELCIC and is deemed to be in conflict with the practices of the ELCIC. The pastor may also resign immediately from the roster of the ELCIC on the date of the last vote and notify the Bishop, in writing, of such action.
7. The Bishop shall inform the appropriate government authorities regarding the secession of a congregation, in terms of revoking marriage licensing, charity status under the ELCIC, and other such agencies as appropriate to the congregation and pastor.

## **References from the ELCIC CONSTITUTION AND BYLAWS and ELCIC Model Constitution for Congregations which pertain to congregational severance from the ELCIC:**

### **Article VI, Section 5.**

A congregation desiring to sever its relationship with this Church shall require a two thirds majority vote at any legally called and conducted meeting. Such a decision shall not be effective until at least ninety days after the Bishop of the synod has been notified and until the initial action has been ratified by a two thirds majority vote at a subsequent legally called and conducted meeting.

### **Article VIII, Section 2.**

Special congregational meetings may be called by the Congregational Council and shall be called at the written request of one tenth of the voting members. The call for each special meeting shall specify the purpose for which it is to be held, and no other business shall be transacted.

### **Section 3.**

Notice of all congregational meetings shall be given at the services of worship on the preceding two consecutive Sundays or by mail to all voting members at least ten days in

advance of the date of the meeting. The pastor shall be notified of all regular and special meetings of the congregation.

**Section 4.**

Ten percent of the voting membership shall constitute a quorum. Membership is defined by the average attendance at worship during the previous year.

**Article X, Section 1.**

The chairperson shall preside at all meetings of the council and of the congregation. The agenda shall be prepared in consultation with the pastor.

**Section 2.**

The vice chairperson shall preside at all meetings of the council and of the congregation in the absence of the chairperson.