

## **President of Synod Request for Opinion on Lay Reading of Sermons and Conduct of Worship in the Absence of a Pastor**

### **The Request of the Synod President**

During the extended triennium, the President of Synod repeatedly noted the looming shortage of clergy and the need to provide direction for (male) laymen assisting vacant congregations or congregations without ordained clergy available to preach or conduct worship. In November 2022, following extended conversations with CTCR executive staff and the chairman of the CTCR, the President posed the following questions:

*1) Given the biblical and confessional doctrine of the Office of the Holy Ministry, under what conditions might a layman read sermons or lead worship at a congregation when there is no pastor available to serve? What precedents are there within orthodox Lutheranism (and the LCMS, in particular) for such a practice? What qualifications should an individual have to assist in this way and what supervision should be provided?*

*2) What practical guidelines could the CTCR offer to ensure this is done “decently and in good order” (1 Cor. 14:40) and in keeping with Scripture and the Confessions of the Evangelical Lutheran Church?*

*It is the President’s hope that, if possible, the CTCR provide answers to these questions in advance of the 2023 Synod Convention.*

The President’s questions require a careful and informed response. In light of this request, the Commission recommended a two-part opinion. It would include a brief statement on the qualifications and supervision appropriate for a layman to read a sermon and conduct worship in the public services of a congregation without a pastor present, especially taking into account the stipulations already addressed in 1989 Res. 3-05B and the recommendations of the 2013 Resolution 4-06A Task Force. It would also (or furthermore) provide guidelines that offer direction for laymen serving in this capacity and congregations being assisted by such laymen. Since the Commission is customarily not the entity tasked with providing liturgical guidance, it sought to restrict itself to a theological consideration of the President’s request and practical guidelines in accordance with those theological considerations.

### **The Response of the CTCR**

The 2013 Synod convention requested that the President of Synod establish a task force to address questions regarding the service of licensed lay deacons under the terms established in 1989 Resolution 3-05B, whereby qualified laymen were authorized to preach the Gospel and administer the sacraments in certain extraordinary cases with proper supervision. In advance of the 2016 convention, 2013 Task Force 4-06A published its report, which laid out important exegetical, theological, and historical foundations for the office of the ministry and argued that these were inconsistent with the widespread licensure of lay deacons to carry out Word and

Sacrament Ministry. It particularly recommended the elimination of two practices—the use of Licensed Lay Deacons in congregations that were already being served or reasonably could be served by ordained pastors, and the use of Licensed Lay Deacons to serve vacancies in neighboring congregations. The task force further suggested that Synod should “provide a clear path forward to certify, call, and ordain men presently serving as lay deacons.” It recommended that “no new lay deacons be licensed to preach or administer the sacraments after January 1, 2018” and that all previously licensed lay deacons apply to a Synodical path leading to ordination (seminary or colloquy).<sup>1</sup>

At the 2016 convention, the Synod adopted resolution 6-02, by a vote of 875-177, upholding the biblical and confessional qualifications for the office of the public ministry, including the ordinary prerequisite that all those carrying out the functions of that office be examined, called, and ordained. Synod also adopted resolution 13-02A, by a vote of 809-277, affirming the “theological framework” of the task force and accepting its proposals for regularizing the ministry of lay deacons through ordination. Again, following the task force, it stipulated the cessation of licensure of deacons for Word and Sacrament ministry by January 1, 2018. It also included a provision that would allow qualified deacons to colloquize directly into Specific Ministry Pastor (SMP) status. It further resolved that the training of lay deacons should continue for service that *does not* include public preaching or administration of the sacraments and finally directed the First Vice-President of Synod and a committee appointed by the Council of Presidents to direct the implementation of the resolution’s requirements, subject to approval by the Colloquy Committee for Pastoral Ministry.

As the Word and Sacrament ministry of Licensed Lay Deacons has been phased out in accordance with these 2016 resolutions, concerns have been raised by the President of Synod and Council of Presidents about procuring service for congregations which are temporarily or permanently unable to obtain a pastor, potentially growing more acute in light of present and future clergy shortages. It is for this reason that the President of Synod posed the current questions regarding the propriety of laymen publicly reading sermons and conducting worship services in the absence of ordained clergy. The Commission addresses them as follows.<sup>2</sup>

*Q. 1) Given the biblical and confessional doctrine of the Office of the Holy Ministry, may a layman read sermons or lead worship at a congregation when there is no pastor available to serve?*

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<sup>1</sup> 2016 LCMS Convention Workbook, 245.

<sup>2</sup> This opinion presupposes the basic Scriptural and confessional foundations and role of the pastoral office in the church which the LCMS has repeatedly affirmed. For examples, see especially the Commission on Theology and Church Relations, *The Ministry: Offices, Procedures, and Nomenclature* (St. Louis: Lutheran Church-Missouri Synod, 1981); C.F.W. Walther, *Theses on the Church and the Office of the Ministry* (St. Louis: Concordia Publishing House, 2012), 3-6; “To Uphold the Scriptural and Confessional Principles for the Office of the Holy Ministry,” 2016 Res. 6-02, *2016 LCMS Convention Proceedings*, 166-168; and “To Affirm Synod’s Official Position on Church and Ministry,” 2001 Res. 7-17A, *2001 LCMS Convention Proceedings*, 172-173.

To this question, the Commission answers a qualified “Yes.” The Commission does not believe either practice mentioned in the above question necessarily contradicts the biblical and confessional doctrine of the ministry, provided that certain safeguards remain in place to prevent confusion with the pastoral office. The Commission has repeatedly identified four distinctive functions of the public ministry that should be carried out by those who have been rightly called to the office of the public ministry: preaching in the services of the congregation, leading formal public services of worship, public administration of the sacraments, and the public administration of the keys.<sup>3</sup> Apart from certain exceptional circumstances, the laity ought not exercise these distinctive functions of the public ministry, lest they risk such confusion with the pastoral office.

In the case of the lay reading of sermons, one would be exercising a distinctive function of the public ministry only in a qualified sense, because the sermon would simply be read and not composed by the layman himself. Rather, an ordained pastor, who is regarded as “apt to teach” (2 Tim 2:24), would prepare the sermon. In the case of conducting worship services, there is certainly potential for confusion, but the Commission believes that this can be avoided through the use of services especially designed for lay officiation, or through the use of the daily prayer offices and existing devotional orders (see *Lutheran Service Book* 282-89, 294-98). Likewise, it may be wise for lay officiants to distinguish themselves from ordained clergy in vesture, for instance, by not wearing a stole, or possibly even an alb, to prevent confusion.

Moreover, there is adequate precedent for these measures. Confessional Lutheran churches throughout their history have sought to address pastoral shortages and other emergency situations in ways that are faithful to Scripture and the Lutheran Confessions. That has at times included laymen reading sermons written for them by ordained clergy and conducting public services with certain limitations. This was particularly the practice for Lutheran congregations in America. For instance, the Berkenmeyer Constitution of 1735 (for congregations of New York and New Jersey) established the office of *Vorleser*, or “reader,” who would serve in the absence of a pastor by leading the congregation in song, or liturgy, and the reading of a sermon provided him by a pastor or from other authorized books.<sup>4</sup> Likewise, during its early expansion, many Synod congregations found themselves without called pastors for extended periods of time. In these instances, laymen were allowed to publicly read sermons and conduct services in what was called a “read service” (*Lesegottesdienst*), though this was only seen as a temporary or emergency provision and never proposed as a permanent solution.<sup>5</sup>

In its report to the 2016 convention, the 2013 Resolution 4-06A Task Force specifically made this same proposal in the fifth of its concluding recommendations to Synod:

Emergencies and other unforeseen circumstances will occur that will make it impossible for a pastor to serve his congregation on a given Sunday. The time-honored approach to such occasions has been to designate a man (typically an elder or perhaps another called auxiliary minister) to conduct Matins or another service from the hymnal so that the

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<sup>3</sup> CTCR, *The Ministry*, 35.

<sup>4</sup> Karl Kretzmann, ed., “The Constitution of the First Lutheran Synod in America,” *Concordia Historical Institute Quarterly* 9 (1936): 88-89.

<sup>5</sup> Karl H. Wyneken, “The Development of the Itinerant Ministries in the Lutheran Church—Missouri Synod, 1847-1865,” Unpublished Thesis (Concordia Seminary, 1963), 27-36.

congregation has opportunity to hear the Word of God, to pray together, and to sing praise (1 Tim. 4:4-5). A proactive approach to such occasional needs is important. On most occasions a sermon can be prepared by the pastor to be read in the service.<sup>6</sup>

The task force recommendation, however, cautioned that such measures should not be taken haphazardly, without guidelines, or in any way that may cause offense. It added:

In all such cases where it is simply impossible for a pastor to preach or conduct worship, care should be taken so that an exceptional circumstance does not create confusion or become a precedent for errant practices. Though “emergency knows no law,” it should not be an excuse for disorder. Thus, even in such difficult circumstances, every attempt should be made to address the problem in an orderly way that is consonant with Scripture and does not cause offense or misunderstanding. For example, while an emergency pastoral absence may necessitate having a layman lead a service of the Word and read a sermon prepared by the pastor, our congregations should heed the Synod’s counsel for women not to exercise liturgical leadership. Moreover, it would be good to distinguish between an emergency and ongoing challenges. A pastor’s illness and unavoidable absence on a given Sunday presents an emergency need. But, when there will be no pastor for the foreseeable future, a thoughtfully considered, theologically orthodox answer, rather than “emergency” remedies, is needed.<sup>7</sup>

It is in the spirit of this rationale and these kinds of concerns that the Commission offers a qualified “Yes.” We can explicitly affirm that, in temporary or emergency situations, a layman may read public sermons or conduct public worship in the absence of an ordained minister of Word and Sacrament. However, certain guidelines, as noted above and expanded upon below, should be practiced to prevent confusion with the pastoral office and its distinctive functions. Furthermore, care should be taken so that such temporary or emergency exceptions are in fact truly temporary or truly emergencies, and thus not seen or encouraged as normative. They are by definition *exceptions* and every effort should be made to obtain ordained clergy to preach and conduct public services of the church in accordance with the distinctive functions of the public ministry implicit in that office.

*Q. 2) What practical guidelines could the CTCR offer to ensure this is done “decently and in good order” (1 Cor. 14:40) and in keeping with Scripture and the Confessions of the Evangelical Lutheran Church?*

As noted above, the Commission ordinarily does not address itself to strictly liturgical concerns, such as guidelines for the conduct of lay-led services. However, it can speak to what we believe are optimal theological and practical standards to guide congregations of Synod in this practice. To that end, we suggest that, in these situations, congregations select lay readers and officiants who fit the following criteria. First, the candidate *must* be a male. Second, the candidate should hold a position within the congregation that maintains some accountability for the pastoral office or support of it, such as an elder, officer of the congregation, or, alternately, an auxiliary minister

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<sup>6</sup> 2016 LCMS Convention Workbook, 246–47.

<sup>7</sup> 2016 LCMS Convention Workbook, 247.

(e.g., Commissioned Minister) within that congregation or from a neighboring congregation. Third, the candidate should be trained and, in the event of longer durations, supervised by an ordained pastor, ordinarily a vacancy pastor, circuit visitor, or district president.

It is incumbent upon both congregation and supervisory clergy to ensure that this practice be reserved for true emergencies, such as the illness of a pastor or the inability to secure pulpit supply on short notice, or other temporary situations, such as during a vacancy. Care should be taken, however, not to use laymen in these instances simply to avoid the difficulty or cost associated with procuring a pastor. In the event of a prolonged vacancy, the presence of a lay officiant is no replacement for the appointment of a vacancy pastor, who may be available to conduct services and preach occasionally and, even if that is impossible, provide pastoral care and oversight to the congregation in the absence of its own shepherd. In the event of congregations with no realistic prospect of financially supporting full-time clergy, other more feasible options should be sought instead of lay officiants, such as alternate routes like SMP, EIIT, Center for Hispanic Studies, or possibly the service of retired pastors, so that the congregation may have a regularly called and ordained pastor to carry out all the distinctive functions of the pastoral office for the spiritual benefit of its members. We also note the time-honored practice of establishing a dual or multi-point parish with one or more similar congregations.

Other practical guidelines may be suggested pertaining to the specific functions entailed by lay services. With respect to laymen reading sermons, they should only read sermons written by ordained synodical clergy, and it should be made clear—by way of a bulletin or public announcement—that this is the case. With respect to conducting worship services, the layman should not administer the Sacrament of the Altar, nor should he exercise the keys by pronouncing absolution. For these reasons, it is best to make use of non-communion orders of service, such as Matins, the Order of Morning Prayer, or the Service of Prayer and Preaching, which may be used by either ordained or lay officiants. (We note that *LSB* indicates the leader position in all these services with an “L” and not with a “P” as is the case in Divine Service – Settings One through Five). The truncation of one of the five settings of the Divine Service in *LSB* to exclude Confession and Absolution and the Service of the Sacrament is possible, though not desirable due to the potential for incidental confusion.

In order to facilitate a biblically and confessionally responsible use of this practice, the Commission urges other agencies of Synod to assist in providing resources to support it. First, the seminaries of Synod and the publishing arm of Synod would do well to consider establishing a digitally available database of full-text sermons corresponding to the appointed pericopes of the church year (both one-year and three-year). This would enable lay officiants to download and read biblically, confessionally faithful sermons from ordained clergy rather than having to rely upon a supervisory pastor to provide them one, especially in time-sensitive emergencies. It would also allow for a greater diversity of sermons from which to choose. Second, the responsible agencies of Synod, such as the Office of National Mission or Concordia Publishing House, could produce liturgical resources for use by lay officiants. These would ideally include other non-communion services designed for lay leadership that are based upon the current, more familiar settings of the Divine Service, as well as rubrics and training resources dedicated to

assist laymen with the conduct of services, use of vestments, and other matters where confusion with the pastoral office should be avoided.

While the Commission does not believe the public reading of sermons or conduct of public services by laymen to be contradictory with the biblical and confessional standards for the pastoral office, nor to cause confusion with the pastoral office (given the basic caveats and guidelines noted above), it ultimately holds that this practice is neither desirable nor a long-term solution to the problem of current and future pastoral shortages. Among the many necessary qualifications of the pastoral office, the aptitude to teach stands out as particularly important within a confessional Lutheran tradition that has long valued preaching and the right division of God's Word (2 Tim. 2:15). Congregations should eagerly desire a theologically trained, rightly called and ordained pastor to preach and teach the Word in a way that addresses that Word to their context. This requires both knowledge of the people pastorally and knowledge of the Scriptures and the Lutheran Confessions theologically. The opinion offered here and its guidelines apply to legitimate emergency or temporary situations, so that the Word may be preached and the people of God edified in conformity with the biblical and confessional standards for the pastoral office. Yet it must not be viewed as an adequate regular or permanent substitute for the examined, called, and ordained pastor serving in the office of the public ministry.

By way of postscript, the Commission regrets that it is unable to provide a satisfying answer to the more serious challenges many of our districts face, namely, the growing number of regions with a high volume of small or financially strained congregations, which are simply unable to afford a full-time pastor. Some are in rural areas that lack geographic proximity either to more populous areas with active clergy that might be able to help fill needs, or to potential sister congregations, with whom they might enter multipoint parish service. Others are in areas with few retired (or even active) clergy to assist vacant congregations. These chronically underserved regions will for the foreseeable future continue to struggle filling pulpits and providing pastoral care. While the Commission understands the plight such congregations face, we are reluctant to propose this model of lay readers and officiants as a legitimate, long-term option, for the reasons cited throughout this opinion (the need for theologically trained clergy who are apt to teach and preach, the proper administration of the Sacrament of the Altar, regular pastoral care, etc.). The pastoral office is not an *adiaphoron*. The office of the public ministry has been instituted in Holy Scripture for the purpose of preaching the Word and administering the sacraments. In accordance with Augsburg Confession XIV, Lutheran congregations are to call ordained clergy to carry out these distinctive functions of the pastoral office in their midst. When they can no longer obtain the services of such clergy, the congregation must honestly and soberly reconsider its options for ongoing mission and ministry, however difficult and painful that may be.

We do believe there are plausible solutions to such dilemmas that do not necessitate the permanent use of lay-led services, as imperfect and unsatisfying as those solutions may be. Options are available, even if they require creativity and adaptability on the part of pastor and congregation alike. For instance, we would propose the use of lay readers/officiants *in conjunction with* semi-regular conduct of services by an ordained pastor or circuit visitor. This might entail, for example, three lay-led services a month without the sacrament and a fourth clergy-led service with the sacrament. A congregation might also adopt a different service time

to accommodate the presence of an ordained pastor from another congregation. Scripture does not necessitate that worship happen at a particular day or time each week. We are free to gather on any day and at any time for the church's public services of Word and Sacrament. The Commission believes that such alternatives, while admittedly not optimal for clergy or congregants, are far preferable to strictly lay-led services because they provide the congregations with ordained clergy to meet their pastoral needs in a way that is consistent with Scripture and the Lutheran Confessions. This position is consistent with the assumed presupposition that undergirds the entire argument and conclusions of this response, namely that doctrinal fidelity to our Confession rather than the force of pragmatic concerns must norm our practice.

Finally, the growing number of congregations that are not able to obtain regular pastoral care merits further attention and careful consideration. To this end, the Commission recommends more formal discussions in the next triennium to address the larger issue of Lutheran theological foundations for mission and ministry, especially as those foundations are being challenged in a post-Christian culture, where religious participation is on the decline and where demographics are also rapidly changing. Such discussions might involve representatives of the CTCR, the Council of Presidents, the Pastoral Formation Committee, and the seminaries, among others. Conversation and collaboration between these parties could lead to the development of practical and educational solutions to this looming problem that are consistent with, and indeed derive from, those theological foundations.

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