

MINUTES
COMMISSION ON HANDBOOK
Internet Conference Meeting (Zoom.us)
October 11, 2023

1. Opening Prayer, Introduction, and Brief Orientation for New Members

The Secretary called a meeting of the commission for the agenda below and to welcome a new member, the Rev. Dr. Ken Schurb, appointed by the President and Council of Presidents on September 19 to the seat formerly occupied by Dr. Sattgast (Rev. Totsky and Mrs. Abegg were also returned to the commission for second terms). The commission also welcomed CAO Felix Loc and the Rev. Larry Peters, designated by the Commission on Constitutional Matters as its representative. With all members present except for Roger Carlisle and David Hawk, Secretary Sias opened with prayer and the meeting's agenda was proposed and adopted as follows. The commission determined to defer the election of its officers until its first fully attended meeting, yet to be scheduled, to allow members time to become acquainted. Brief introductions were made.

2. Planning for Review of 2023 Convention Proceedings and Draft Handbook (Action Item 23-004)

The Secretary explained the typical process for “maintenance” of the *Handbook* after a Synod convention (Bylaws 3.9.4, 3.9.4.2 [b]) and his hope that the *Handbook* can be completed and shared with the Synod sometime in November or December.

3. Review of October 11 Draft Handbook

The Secretary led a review of a draft *Handbook* incorporating changes made by the 2023 convention, noting those locations and the respective resolutions indicated in the draft. The following issues were noted as being among those that will require the attention of the commission (none of them was finally disposed of in this meeting; they were merely identified as part of sizing up the work of this triennium's revision):

- Foreword: ensuring that this captures for the typical *Handbook* user the changes that need to be taken into account.
- Bylaw 1.5.7.1 / Res. 7-05A: subparagraph (f), added by Res. 7-05A, should be checked for clarity and coherency with respect to foregoing provisions. “Notice” is used in two different senses ([a] and [f], [f][1, 3–6, 8]). The comma in (f)(6) should likely be removed. In (f)(8), “these” should likely be inserted before “can.”
- Bylaw 1.10.1: to “individuals, congregations, and various agencies within the Synod” should be added “and other eligible parties listed in Bylaw 1.10.2,” as this section applies also to them. (This relates principally to 2019 Res. 4-06A, which added (4) to the list of Bylaw 1.10.2.)
- Bylaw sections 2.7–8: Res. 7-04B modified language to account for the possibility of Synod university church work programs being disaffirmed and therefore not able to declare graduates qualified for placement. Some aspects of the new wording may require clarification and perhaps an opinion of the CCM or substantive work:
 - Bylaw 2.8.2: Because of language changes, it appears that a seminary faculty cannot serve as the qualifying faculty for commissioned (e.g., deaconess) colloquy. This may have been/be implicit already in Bylaw subsection 3.10.3.
 - Bylaw 2.8.3: “such a faculty” must refer to either a seminary or college/university faculty, given the content, but this requires reference not only to Bylaw 2.8.2, which deals only with the latter, but also to 2.8.1 (a), which includes the former. It was noted that seminary faculties may include commissioned ministers and that these might be expected to

participate in qualification of deaconess candidates, but that this is disallowed by the bylaw; a change to this aspect, if desired, would be substantive.

- Bylaw 2.8.4: The “only” must be read with respect only to qualification of commissioned ministers by the colleges/universities, or it would exclude seminary faculties from certifying anyone. This is not likely to invite serious misunderstanding—except in the case of deaconess certification, which the seminaries do perform—but should perhaps be clarified. The “it” might more clearly be “their particular institution,” as the subject here is not the institution but the faculty thereof. The whole bylaw could, as an alternative, be restated in the singular, potentially solving both issues: “The faculty of a Synod college or university may declare qualified and recommend candidates for first calls only while affirmed by the Concordia University System, and only with regard to programs leading to candidacy for commissioned ministry (Bylaw 2.6.1.1) for which the college or university is specifically and currently affirmed by Concordia University System.” (See also Bylaws 2.7.1–3 for limitation of qualification, in general, to the faculties and colloquy committees.)
- Bylaw 2.12.1.4: Some have suggested a minor unclarity in “initial call to foreign service,” which from the context means a call to foreign service that places an individual for the first time on the roster of the Synod, not an already-rostered individual’s first call that takes him or her to foreign service. This language is due to 2019 Res. 10-02A (A).
- Bylaw 3.1.2.1: The last sentence of (d) continues to suggest a definite order of election (pastors first and then lay) which is no longer enforced. As this language is redundant with (e), the last sentence of (d) may simply be deleted.
- Bylaw 3.3.4.6 (d–e): Bylaw 3.6.6.2 was modified by Res. 7-04B to include one designated nonvoting advisory representative, rather than up to two appointed, of the Board of Directors on the Concordia University System Board. Bylaw 3.3.4.6 needs to be modified correspondingly. The Secretary has included in the draft a modification, inserting “Concordia University System” after “Concordia Publishing House” in the list of (d) and striking (e), pending approval of the commission.
- Bylaw 3.10.6.2 (3) (a): The Secretary noted that, Res. 7-05A being adopted later than Res. 7-04B, the text provided by Res. 7-05A prevails. This was addressed during the convention (an amendment to Res. 7-05A to restore the text adopted in Res. 7-04B failed; see minutes of Session 7).

4. Handbook Index

The Secretary explained the 2019 revision of the *Handbook* index and the logic of the “chaining” of references, which is intended to provide condensation and referential context. For example, “Board for International Mission” chains by way of a “see under” to “Mission Boards of the Synod,” where both common and distinctive features of the two mission boards are referenced. Other references, like “as agencies of Synod,” under boards, colleges, universities, seminaries, districts, synodwides, etc., provide linkages to applicable bylaws shared among all the various agencies. Eventually it is hoped that the *Handbook* index will provide, for a user serving in a given capacity, ready and fully contextual linkage to all the major sections of the *Handbook* pertaining to his or her work. Some have complained, most notably the President of the Synod, that the chaining structure requires one to “bounce around” in the index before finding the page reference one is seeking. There is probably a reasonable balance between chaining/context and direct reference, but moving more in the direction of direct references expands the book and risks losing context. The Secretary invited the commission to consider and discuss the index approach.

5. Outstanding Business

The Secretary reviewed the material that is presently before the commission, as follows:

Action Items Carried Over, Tabled in Previous Triennium, or Suggested to the Commission

(A) Action Item 23-001: Exclusion of All Potential Bylaw 3.1.4 Representatives from Advisory Representation

It was noted in the course of the 2019 convention that the nature of advisory representation (Bylaw subsection 3.1.4) varies by the entity represented and that perhaps commissioned ministers, for example, who are on a district board of directors but not representing that entity should not be excluded from voting and consideration for advisory delegate service (Bylaw subsection 3.1.3). A change to this practice, however, would require a constitutional amendment (Const. IX 2).

(B) Action Item 23-002: Bylaw 3.10.4.4 Mention of Defunct Specific Ministry Pastor Committee

This was noted by former chairman Sattgast in his work with Floor Committee 6. Deletion is suggested, particularly since the notation is only “for the sake of an example.”

(C) Action Item 23-003: CCM Op. 23-3010: Scope of Bylaw 1.9.1.1 (b) concerning Concordia Publishing House

The Commission on Constitutional Matters suggested that bylaws treating doctrinal review and certification challenges (Bylaw section 1.9 and subsection 3.9.3) could use a comprehensive review and revision for clarity. Other relevant and recent opinions include:

- Op. 23-3014: Doctrinal Review Challenge of Exempted Items
- Op. 23-3004: Questions regarding Concordia Publishing House Bylaws
- Op. 17-2869: Appeal of the Doctrinal Review Certification of a Seminary Journal Article

(D) Action Item 23-004: 2023 Revision of Synod *Handbook*

See above.

(E) Action Item 19-017: Specific Ministry Pastor (SMP) Program Noncompletion

CCM Op. 14-2708 addressed the problem of SPM pastors who, subsequent to ordination and installation, do not complete their program, resulting in the pastor’s removal from the Synod roster. The commission briefly explored whether this should be more clearly reflected in the Bylaws, but discussion had not progressed to the point of a proposal.

(F) Action Item 19-025: Clarification of Eligibility for Initial Membership, Bylaw Sections 2.6–9

These Bylaw sections, especially 2.7–8, must be read in concert to avoid serious misunderstandings, which have occurred. The commission started to work on a proposed rearrangement of these sections in the last triennium but did not complete it. The item was tabled and may be renewed.

(G) Action Item 19-026: Removal of a District President from Office

This is a noted lacuna in the Bylaws of the Synod and of the districts that, for clarity’s sake, should likely be filled. The commission asked the Council of Presidents for input in the previous triennium, but this was not taken up by the Council.

Other Work as Assigned

(H) Service on 2023 Res. 9-06A Task Force

The following *resolve* was noted: “That the task force [to consider the parameters for visitation circuits and electoral circuits and report with an overture six months before the 2026 Synod convention] consist of the Secretary of Synod, the Commission on Constitutional Matters, *the Commission on Handbook*, and three district presidents and three district secretaries (from different districts) chosen by the Council of Presidents. This will also require the commission’s attention. This is a joint assignment with the Commission on Constitutional Matters.

(I) Review of 2023 Ov. 9-28, “To Establish Procedures for Delay of Meetings of Synod,” and 9-29, “To Provide for Elections if Conventions Cannot Be Held,” Assigned in Omnibus A

The commission, in a joint assignment with the Commission on Constitutional Matters, will need to review these overtures for recommendation of any advisable action.

6. Plan for Next Meeting

After discussing schedules and availability of its membership to travel in the near term, and recognizing limited options in the necessary timeframe, the commission determined to attempt to schedule three Zoom meetings in the weeks of Oct. 30, Nov. 6, and Nov. 13, with the Secretary being asked to schedule sections of the *Handbook* for discussion at each. The hope would be to conclude the revision and approve the *Handbook* in November, leaving other action items for consideration in later meetings of the commission. The commission will need to organize itself, electing its chair, vice-chair, and secretary, at an early meeting with members fully present. The Secretary’s office will solicit availability and schedule the three meetings.

7. Discussion and Adjournment

Members briefly discussed the commission’s pattern of work. The agenda being concluded, the Secretary closed with the apostolic benediction.

John W. Sias, *Secretary*