

MATTERS PERTAINING TO RESOLUTIONS AND MEMORIALS

1. Our constitution provides a way for voting members of the assembly to offer a matter for discussion through a resolution. Such resolutions may refer the issue to synod or churchwide units for action.
2. Bylaw S7.01.01.a. informs us that the assembly's Committee of Reference and Counsel is responsible for reporting to the assembly with its recommendations all resolutions submitted to it. "The committee shall provide copies of all resolutions to the voting members of the assembly." Further, "resolutions of a general character which are not germane to pending questions or reports shall be submitted on no more than one page of 8 ½ x 11-inch paper to the synodical secretary no later than 15 days prior to the formal opening of the assembly."
3. Continuing Resolution S7.01.A23. provides additional authority for authorizing editing by the Committee of Reference and Counsel.

S7.01.A23. In reviewing proposed memorials, resolutions, and main motions, the Committee of Reference and Counsel may edit, prepare an alternative memorial, resolution, or motion, or consolidate into a single proposed action multiple memorials, resolutions, or main motions on the same or similar subjects. Whenever the Committee of Reference and Counsel recommends an edited or alternative memorial, resolution, or motion, the report to the assembly shall also contain the original maker's text.

4. Continuing Resolution S7.01.B23. addresses how the Committee of Reference and Counsel reports to the Synod Assembly and the status of its recommendations.

S7.01.B23. The Committee of Reference and Counsel shall report its recommendations on memorials, resolutions, and main motions to the Synod Assembly. Such recommendations do not require a second. When the Committee of Reference and Counsel recommends approval, the committee's recommendation shall be the main motion before the assembly. When the Committee of Reference and Counsel recommends the adoption of a substitute or alternative motion, the committee's recommendation shall be the main motion before the assembly. When the Committee of Reference and Counsel recommends referral, the committee's recommendation shall become the main motion before the assembly. When the Committee of Reference and Council recommends that the assembly decline a proposed memorial, resolution, or main motion, the recommendation shall be reported to the assembly. If the author or another voting member wishes to bring the declined proposed memorial, resolution, or main motion to the floor, the voting member may move the matter, and it shall become the main motion before the assembly, and the committee's recommendation shall be received for information.

5. Continuing Resolution S7.01.C11. provides the process for resolutions submitted later than 15 days prior to the formal opening of the Synod Assembly. **These resolutions are only matters that could not have been reasonably submitted before the 15-day deadline.**

S7.01.C11. Resolutions which could not have reasonably been submitted before the 15-day deadline may be submitted to the Committee of Reference and Counsel after the opening of the assembly. A signer of the resolution, preferably its primary author, shall meet with the Committee of Reference and Counsel at the time appointed in the Rules of Procedure adopted for that assembly. Regardless of the recommendation of the Committee of Reference and Counsel, the consideration of such resolutions by the assembly shall require the approval by a two-thirds vote of voting members to place the resolution before the Synod Assembly. If a resolution is received after the deadline of 15 days prior to the formal opening of the assembly, the resolution shall be processed according to the provisions of this continuing resolution.

What is the Difference between a Memorial and a Resolution?

In 1988, the Church Council voted that communications from synods to the churchwide organization and the Churchwide Assembly would be made pursuant to ELCA constitutional and bylaw provisions. Essentially, this action affirmed three avenues for communication:

- (1) Synod Assemblies may address the Churchwide Assembly through memorials;
- (2) Synod Councils may address the ELCA Church Council through resolutions;
- (3) Synod Councils may address churchwide units or offices through the ELCA Church Council's Executive Committee (including forwarding resolutions adopted by Synod Assemblies).

Although both memorials and resolutions are requests by a synod for action, they are intended to address different issues and are processed differently.

Memorials address broad policy issues and are passed by Synod Assemblies for consideration by the Churchwide Assembly. Synod Councils are not authorized to adopt memorials for submission to the Churchwide Assembly. One of the responsibilities of the Churchwide Assembly, in accordance with provision 12.21.c, in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*, is to "Receive and consider proposals from synod assemblies." Once received by the churchwide organization, they are referred to the Memorials Committee, which is appointed by the Church Council to review and make recommendations to the Churchwide Assembly, in accordance with bylaw 12.51.02. The Memorials Committee meets after all Synod Assemblies are over, approximately six to eight weeks before the Churchwide Assembly.

ON THOSE MEMORIALS TO MEMORIALIZE THE 2025 CHURCHWIDE ASSEMBLY:

Memorials must include a final "resolved" clause asking the Churchwide Assembly to act (or refrain from acting) in a particular way. Here is a sample final paragraph of a memorial from a Synod Assembly:

RESOLVED, that the South Carolina Synod Assembly memorialize the 2025 Churchwide Assembly of the Evangelical Lutheran Church in America to [clearly describe proposed course of action].

Resolutions are requests from synods to the Church Council or units or offices of the churchwide organization. Either Synod Assemblies or Synod Councils may originate resolutions. Frequently, Synod Councils pass resolutions between meetings of the Synod Assemblies and forward them directly to the Church Council for consideration or to the Church Council Executive Committee if the desired action involves referral to a unit or office of the churchwide organization. As a practical matter, resolutions have a narrower focus than memorials because they are requests for consideration or action by individual units or offices or the Church Council. Thus, for example, a request for the Church Council to recommend a parliamentary rule or action by a unit would be the subject of a resolution, but a request to change an ELCA policy should be a memorial.

ON THOSE RESOLUTIONS FOR REFERRAL:

The final "resolved" clause of **resolutions** will differ depending upon whether they are intended for the attention of the Church Council or a churchwide unit or office. Here are sample final paragraphs for resolutions:

RESOLVED, that the _____ Synod Assembly direct the Synod Council to forward this resolution to the Church Council for consideration and possible action.

Or

RESOLVED, that the _____ Synod Assembly direct the Synod Council to forward this resolution to the Church Council's Executive Committee for referral and disposition to the appropriate unit or office of the churchwide organization in accordance with the bylaws and continuing resolutions of this church.

Or

RESOLVED, that the _____ Synod Council request the Church Council to . . . [clearly describe the proposed course of action].

Or

RESOLVED, that the _____ Synod Council request the Church Council's Executive Committee to . . . [clearly describe the proposed course of action].

Both memorials and resolutions are forms of main motions under *Robert's Rules of Order, Newly Revised* (12th ed.), Section 10. A main motion is simply a motion that brings business before the assembly. It is the basic mechanism to present a matter to the assembly for possible action. Provision †S7.32. in the *Constitution for Synods* states: "*Robert's Rules of Order*, latest edition, shall govern parliamentary procedure of the Synod Assembly, unless otherwise ordered by the assembly."

It is important to note that resolutions and memorials may *not* direct the churchwide organization to take action because of the principle of interdependence of the three expressions of this church (churchwide organization, synods and congregations). They are proposals *requesting* a specified action. Memorials may request that the Churchwide Assembly urge synods and congregations to do something the writers desire, but a memorial should not assume that the Churchwide Assembly can compel synods or congregations to do these things. Similarly, resolutions may request that the Church Council or units or offices of the churchwide expression take a desired action, but the principle of interdependence applies here, as well.

Please email any memorials or resolutions to Rev. Ozzie Herlong, Secretary, ovherlong@aol.com and copy Ms. Wendy Davidson, wendy@scsynod.com to arrive no later than noon (12 pm) Thursday, May 23, 2024.