

Date: June 13, 2017
To: All SED Ordained and Commissioned Members and Congregation Presidents
From: John R. Denninger, President, Southeastern District, LCMS
Subject: Bylaw Changes Impacting Your Ecclesiastical Supervision

Dear Fellow Kingdom Workers,

God's grace and peace be yours in Christ Jesus! Thank you for your partnership in the Gospel whether in your class room, congregation or community!

The reason you are receiving this letter – This letter is addressed to all members of synod (rostered workers and congregations) in the Southeastern District (SED). SED Church Workers (Ordained or Commissioned) on the LCMS Roster and Congregation Presidents (representing their congregation) need to be informed about the recent decision made by the LCMS Board of Directors regarding ecclesiastical supervision and how that impacts us. In the May meeting, the LCMS Board of Directors adopted bylaws changes authored by the Secretary of Synod that gives the ultimate responsibility for you and your congregation's ecclesiastical supervision to the Synod President (SP).

The changing role of the Synod President in ecclesiastical supervision – Up until now the District President (DP) has been the sole ecclesiastical supervisor of the rostered workers and congregations in his respective district. While the Synod President (SP) has always exercised supervision over the DPs even while they were making decisions on how to exercise supervision in a certain situation, the DP was still able to make appropriate decisions based on God's Word, our Confessions, the church worker and the specific context. According to the newly revised bylaws, if charges are brought against you or your congregation *in the area of doctrine or practice*, the SP has been given ultimate authority to determine whether those charges can be substantiated and whether suspension is warranted. This decision is now in effect.

The difference between supervision over doctrine and practice vs. lifestyle – In matters of doctrine and practice, if a DP does not suspend the member, the SP will decide whether or not to do so, assuming that the accuser appeals the case to the SP. However, if charges are brought against a person in matters of lifestyle (i.e. drunkenness, marital infidelity, pornography), the DP makes the final determination, and the accuser may not appeal the DP's

decision. The person accused may appeal the suspension by the DP, but the accuser may not appeal a DP's decision to the SP.

A table showing Bylaw changes – On the next page you will find a simplified table that will show the difference between the previous bylaws and new bylaws.

How significant is this decision? You will read articles and hear opinions that declare the SP has always had this responsibility for every member of the Synod. People will tell you there is nothing new about this, but in my opinion, that is not true. This decision is significant because:

- In my understanding (along with other DPs and former members of the Commission on Constitutional Matters) the bylaw change is unconstitutional. It changes the constitutionally defined role of the SP and the DPs, and centralizes power in the office of the SP. It would seem that these changes should require a constitutional revision first.
- This decision has the potential of changing our LCMS identity. With bylaw changes like this, we are moving from a congregational to a hierarchical model. Our church body has historically been congregationally based since the time of C.F.W. Walther, our first LCMS President.

How do we respond? At the last Synod Convention, Resolution 12-14 was adopted. Since then, the Council of Presidents (COP) has been in consultation with the Secretary of Synod about the way these bylaw changes would be put in place. Obviously, these discussions have not impacted the final decision.

In our church body decisions like this need to be discussed as rostered workers and lay leaders. We can talk together through our usual gatherings and webcasts leading up to the next District Convention in May 2018. Possibly you will choose to offer new overtures coming to our District Convention and ultimately to the 2019 Synod Convention. I still believe our SED values the historical practice that congregations come first in our Synod. You and your congregations are at the front lines of ministry, while the District and Synod's task is to support you in your mission and ministry.

Finally, keep all of this in perspective – We are recipients of Jesus' incredible love displayed on a cross. You have been called and gifted by the Lord to equip the baptized for their ministry of sharing the Good News of Jesus with their neighbors in deed and word. I pray that all of us are filled with the fullness of God in Christ Jesus, the Lord of the Church.

Previous Bylaws	New Adopted Bylaws
Accuser presents charge to District President (DP).	Accuser presents charge to District President (DP).
DP investigates and reviews facts.	DP investigates and reviews facts.
DP determines whether the facts form a basis for expulsion.	DP determines whether the facts form a basis for expulsion.
If DP concludes the facts form a basis for expulsion, he is required to suspend the member. The accused member may request a hearing before a Hearing Panel to appeal the suspension. If no appeal is made, the accused is deemed to consent to the suspension and is expelled from membership in the synod.	If DP concludes the facts form a basis for expulsion, he is required to suspend the member. The accused member may request a hearing before a Hearing Panel to appeal the suspension. If no appeal is made, the accused is deemed to consent to the suspension and is expelled from membership in the synod.
If DP determines the facts do not form a basis for expulsion, the matter is terminated.	If DP determines the facts do not form a basis for expulsion, and the DP has not received “concurrence” from the Synod President (SP), the accuser may appeal to the SP.
	If the SP determines the facts do not form a basis for expulsion, the matter is terminated.
	If the SP concludes the facts form a basis for expulsion, he is required to suspend that member. The member may request a hearing before a Hearing Panel to appeal the suspension. If no appeal is made, the accused is deemed to consent to suspension and is expelled from membership in the Synod.

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