

Duties of the NWLM Synod Consultation Committee

“The Consultation Committee shall consist of twelve persons, half ordained ministers and half laypersons.”

--- *S11.02.01, North/West Lower Michigan Synod Constitution

Summary of Duties:

- The Consultation Committee elected positions are 6-year terms
- The Consultation Committee does not meet as a full committee; instead members of the committee are available over their 6-yr term for selection by the Bishop to a focused Consultation panel.
- Issues that may trigger the need for a panel can include allegations of Boundary violations, scenarios where the congregation or cong. council and rostered minister are at an impasse, issues of financial mismanagement, scenarios where there is an inability to perform the duties of an elected office, etc.
- When requested by the synodical bishop, a consultation panel consisting of five persons (three ministers of Word and Sacrament and two laypersons) appointed from the members of the Consultation Committee of the synod, shall assist the synodical bishop in efforts to resolve a situation by consultation.
- If appointed, a consultation panel shall advise the synodical bishop as to whether or not the bishop should bring charges or may make other recommendation for resolution of the controversy that would not involve proceedings before a discipline hearing committee. To these ends, the panel may meet with complaining witnesses as well as with the concerned minister of Word and Sacrament. If requested by the synodical bishop, members of the panel also may assist, as representatives of the accuser, in the presentation of evidence and examination of witnesses before a discipline hearing committee.
- The work of a consultation panel shall be completed within 30 days from the time the panel was constituted.
- Travel for Consultation Committee meetings and other duties is covered by the synod (mileage, hotel for overnight stays, etc.)

Additional Details on the Consultation Committee for Reference - from the NWLM Synod Constitution:

- *S11.02. The Consultation Committee of this synod shall consist of at least six persons and not more than 12 persons, of whom half shall be ordained ministers and half shall be lay persons, who shall each be elected by the Synod Assembly for a term of six years without consecutive re-election. The functions of the Consultation Committee are set forth in Chapter 20 of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America* and in Chapter 17 of this constitution. The size of the Consultation Committee, in accord with this provision, shall be defined in this synod's bylaws.
- S11.02.01 The Consultation Committee shall consist of twelve persons, half ordained ministers and half laypersons. In the event of vacancies in the Consultation Committee between meetings of the Synod Assembly, such vacancies shall be filled by action of the Synod Council Executive Committee. Persons appointed to fill a vacancy shall be subject to election for the remainder of the term of the filled position during the next Synod Assembly.

- *S17.11. When there is disagreement among factions within a congregation on a substantive issue that cannot be resolved by the parties, members of a congregation shall have access to the synodical bishop for consultation after informing the chair of the Congregation Council of their intent. If the consultation fails to resolve the issue(s), the **Consultation Committee** of this synod shall consider the matter. If the **Consultation Committee** of this synod shall fail to resolve the issue(s), the matter shall be referred to the Synod Council, whose decision shall be final.

Additional Details on the Consultation Committee for Reference - from the ELCA Constitution:

- 20.21.04.** When there are indications that a cause for discipline may exist and before charges are made, efforts shall be made by the bishop of the synod to resolve the situation by consultation; for assistance in these efforts, the bishop may utilize either a **consultation panel** or an advisory panel as herein provided:
- a. When requested by the synodical bishop, **a consultation panel consisting of five persons (three ministers of Word and Sacrament and two laypersons) appointed from the members of the Consultation Committee of the synod** by the synodical bishop, or, at the request of the synodical bishop, by the Synod Council's Executive Committee or other committee authorized to do so by the Synod Council, shall assist the synodical bishop in efforts to resolve a situation by consultation.
 - b. When requested by the synodical bishop, an advisory panel consisting of five persons (three ministers of Word and Sacrament and two laypersons) appointed by the synodical bishop shall assist the synodical bishop in efforts to resolve a situation by consultation.
- 20.21.05.** If appointed, a **consultation panel** or advisory panel shall advise the synodical bishop as to whether or not the bishop should bring charges or may make other recommendation for resolution of the controversy that would not involve proceedings before a discipline hearing committee. To these ends, the panel may meet with complaining witnesses as well as with the concerned minister of Word and Sacrament. If requested by the synodical bishop, members of the panel also may assist, as representatives of the accuser, in the presentation of evidence and examination of witnesses before a discipline hearing committee.
- 20.21.06.** When charges are brought other than by the synodical bishop or the presiding bishop of this church, the synodical bishop may refer such charges to a **consultation panel** as provided in 20.21.04.a.
- a. If as a result of meeting with a **consultation panel** the charges are withdrawn by the accuser(s), no further proceedings shall be required.
 - b. Upon recommendation of the **consultation panel** that the charges be dismissed, the synodical bishop may dismiss the charges, in which case no further proceedings shall be required.
 - c. Upon recommendation of the **consultation panel** that some of the allegations supporting the charges be stricken, the synodical bishop may strike some or all of such allegations, and further proceedings shall be required on the remaining allegations.

- d. In the case of charges that do not anticipate disciplinary action, the **consultation panel** shall submit a report in writing to the synodical bishop that sets forth the action or actions recommended by the **consultation panel**, and the synodical bishop shall convey the recommendations to the parties. If either party does not accept the recommendations, that party may appeal to the Synod Council, whose decision shall be final.
- e. In the case of charges that anticipate disciplinary action that have not been withdrawn or dismissed as a result of 20.21.06.a. or b. above, the charges shall be referred to a discipline hearing committee for a hearing.
- f. The work of a consultation panel under this section shall be completed within 30 days from the time the panel was constituted.