

## MEMORANDUM

**DATE:** November 9, 2016

**TO:** Pastors in the Southern District of the LCMS

**FROM:** President's Office  
Southern District of The Lutheran Church—Missouri Synod

**SUBJECT:** Report from Task Force on Term Limits

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In compliance with Resolution #1-04 from the 2018 Southern District Convention, the Board of Directors (BOD) has established a Task Force on Term Limits. The task force has researched term limits in other districts of the LCMS and presented their findings to the Board of Directors. The Board of Directors is receiving feedback on this report. Please read the report, Resolution #1-04, and the task force's findings (all on the pages which follow). If you have feedback to share, please send your comments to John Heine – BOD Chairman ([jaheine@cox.net](mailto:jaheine@cox.net)). The deadline for submitting feedback is May 1, 2017.

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# **Task Force on Term Limits**

## **Final Report**

Date: September 2, 2016

To: Southern District LCMS Board of Directors

From: Task Force on Term Limits

Subject: Final Report and Recommendation

**Task Force Charge:** *Study and compare synod wide practice of term limits for elected officials of LCMS districts. (circuit visitors, vice presidents, presidents, etc.)*

**Overview of Task Force Work Plan:** *Investigate the current constitutional practices of LCMS districts regarding term limits by examining their constitutions on line and by direct contact with districts who do not have the information available on their website. Consult with one another on personal opinion of findings and seek a mutually agreed upon recommendation for BOD consideration.*

### **Summary of Task Force Findings:**

*Our current practice of term limits established by the Southern District in convention is in agreement with the common practice of the districts in the LCMS.*

### **Task Force Recommendation:**

#### **Recommendation**

*Based on the many and various practices of term limits in our church body, we the task force assigned by Pres. Rev. Kurtis Schultz of the Southern District LCMS recommend that no action be taken regarding the implementation of constitutional by-law revisions regarding term limits in our district.*

**Action to Be Taken: None:** *unless otherwise directed by the Board of Directors or President Schultz.*

#### **List of the Task Force Members:**

<b>Rev. Randal G. Ehrichs</b>	<b>Good Shepherd, Panama City, FL - Chairman</b>
<b>Rev. Ulmer Marshall</b>	<b>Trinity, Mobile, AL</b>
<b>Rev. Warren Pellom</b>	<b>Prince of Peace, Southaven, MS</b>
<b>Rev. Kevin Kieschnick</b>	<b>St. Paul, New Orleans, LA</b>
<b>Mr. Woody Keim</b>	<b>Trinity, Baton Rouge, LA</b>

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**TO ESTABLISH A TASK FORCE  
TO STUDY AND RECOMMEND BYLAW CHANGES CONCERNING TERM LIMITS**

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**WHEREAS**, several memorials were submitted suggesting changes to term limits for District Offices, which would require changes to The Southern District Bylaws; and

**WHEREAS**, The Lutheran Church Missouri Synod Bylaw 3.9.2.2 states, “The Commission on Constitutional Matters shall examine the articles of incorporation, bylaws, and policy manuals of every agency of the Synod to ascertain whether they are in harmony with the Constitution, Bylaws, and resolutions of the Synod.

(a) Agencies intending to make amendments to articles of incorporation or bylaws shall make such intentions known and receive approval from the commission in advance.”; and

**WHEREAS**, a careful study should be made before suggested bylaw changes come before the convention for consideration; therefore, be it

**RESOLVED, THAT** the Chairman of the District Board of Directors appoint a task force to study term limitations for all Southern District elected and committee appointed members; and be it further

**RESOLVED, THAT** this Task Force present its study to the Southern District Board of Directors by Sept. 1, 2016; and be it further

**RESOLVED, THAT** the Southern District Board of Directors submit the proposed bylaw change to the Southern District congregations for a 60-day comment period; and be it finally

**RESOLVED, THAT**, after the 60-day comment period, the Southern District Board of Directors submit for review the bylaw changes they deem appropriate to The LCMS Commission on Constitutional Matters prior to any action by the 2018 District Convention.

## **SOUTHERN DISTRICT ARTICLES OF INCORPORATION AND BY LAWS p. 16-17**

**ARTICLE IV - RULES GOVERNING OFFICE**

**A. Term of Office**

1. Officers The term of office of the President, Vice Presidents, Secretary, Treasurer, and Circuit Visitors shall be three (3) years. These officers shall be elected in the year preceding the regular 17 election of officers of the Synod. **A person elected to these offices, except the President, shall be limited to three (3) consecutive terms.** The office of President has no term limits.

2. Elected Boards and Committees The term of office of elected boards and committees shall be three (3) years. **A person elected to such boards and committees shall be limited to serving three (3) consecutive terms.**

3. Appointive Committee(s) and Commission(s) The term of office for appointive committee and commission personnel shall be three (3) consecutive years and shall run concurrent with the term of office of the District President.

## **South Wisconsin District By Laws - p. 7**

1.25 Successive Terms

a. **The offices of President, Vice-Presidents, Secretary, Assistant Secretary, and Treasurer of the District shall be without limitation as to re-election.**

b. **After serving a total of two consecutive six-year terms, members of the Board of Directors and the Committee for Convention Nominations shall be ineligible for three years for re-election to the same board or committee.**

c. After serving a total of three consecutive three-year terms, all appointed members of District committees shall be ineligible for three years for re-appointment to the same committee.

d. After serving a total of three consecutive three-year terms, Circuit Counselors shall be ineligible for three years for re-election to the same positions.

## **Ohio District By Laws - ARTICLE VII-OFFICERS, BOARD OF DIRECTORS, AND COMMITTEES p. 4-5**

**K. SUCCESSIVE TERMS**

1. **The Office of District President of the Ohio District shall be without limitation as to re-election for successive terms.**

2. **The Office of Treasurer/Chief Financial Officer shall be without limitation as to appointment for successive terms.**

3. **All other officers, board or committee members, elected or appointed, shall be ineligible for reelection or re-appointment to the same office after serving three complete successive terms.** Such officers and members of boards and committees shall be eligible again for election or appointment after an interval of two or more years. For purposes of this provision, a pastor serving as Vice President shall be ineligible for re-election to the office of Vice President after serving three complete successive terms irrespective of his rank as First, Second, Third, Fourth or Fifth Vice President.

4. Any officers or members of a board or committee ineligible for the above reason may be elected or appointed to any other position.

L. If the District President is unable to serve in that capacity because of a prolonged illness or disability as determined by the Board of Directors, the First Vice-President shall be named the acting District President until the Board of Directors determines that such illness or disability has been removed.

## **Missouri District By Laws – Article II – ADMINISTRATION p. 4**

### **F. TERMS OF OFFICE**

2. **The president may serve an unlimited number of terms. No individual may be elected or appointed after three consecutive terms until at least three years have elapsed.** A vice president after three consecutive terms, regardless of ranking, may not be elected to any other vice president position until after three years have elapsed. Service for a period of one half or more of an unexpired term shall be counted as a full term.

3. The terms of office of members of

appointive boards and committees shall be three years. The terms of office shall begin on the date of their induction and terminate at the induction of their successors after the next convention. 4. No individual may be elected or appointed to the same board or committee after three consecutive terms until at least three years have elapsed. Service for a period of one half or more of an unexpired term shall be counted as a full term.

#### **Minnesota South District Constitution - Chapter 4. District Organization p. 21**

4.3.5 Term of Office and Successive Terms a) **The offices of District President and Circuit Counselor shall be without limitation as to reelection.** b) All other officers and boards, elected or appointed, shall be limited to three complete successive terms. c) One-half or more of a term served shall be regarded as a complete term.

#### **Michigan District By Laws – Article V. Elections p. 2**

5.3 Term of Officers and Board of Directors' Members. a. **The term of office of each elected or appointed officer shall be three (3) years. All officers other than circuit visitors may be elected or appointed to the same office for four (4) consecutive terms** after which a period of three (3) years shall elapse before they are again eligible for election or appointment to the same office, unless otherwise provided by these Bylaws. An officer, elected or appointed to fill an unexpired term, who serves two (2) or more years, shall be considered to have completed one (1) term. **Circuit visitors may serve an unlimited number of terms.** b. **The President may be elected to succeed himself in office no more than three (3) times** c. The term of office of each Board of Directors member shall be six (6) years. All Board of Directors members may be elected or appointed to the same office for two (2) consecutive terms after which a period of six (6) years shall elapse before they are again eligible for election to that board. A Board of Directors member appointed to fill an unexpired term who serves four (4) or more years, shall be considered to have completed one (1) term.

#### **Iowa East District By Laws – Article III. Officers of the District A. General Provisions for Officers, Boards, Committees, Commissions, and Circuit Counselors**

3.11 Successive Terms and Tenure a. **The offices of the president, the first vice president, the second vice president, the secretary, and the treasurer shall be without limitation as to reelection.** b. **All members of all district boards, commissions, committees, and other offices shall be ineligible for reelection or reappointment to the same position after serving two successive three-year terms, unless otherwise provided in the bylaws and regulations of the district Handbook.** They may become eligible again for election or appointment to the same office, board, commission, or committee after an interval of three or more years. Serving an unexpired term of two or more years shall be regarded as a full term under limited tenure rules. c. Any member of a board, commission, committee, or other office who is ineligible for reelection or reappointment to the same position may be elected or appointed to another position, unless otherwise provided by the bylaws and regulations of the district Handbook. d. Persons who have served two consecutive three-year terms in the same position on the board of directors shall be ineligible for reelection to the same position or a different position on the board of directors, except for those offices listed in 3.11 a above. They may become eligible for election to a position on the board of directors after an interval of three or more years. e. The limitation of tenure of any individual shall not apply in cases that hereinafter are specifically excepted from such limitation.

**Indiana District By Laws – Article II Organization, B. GENERAL PROVISIONS FOR OFFICERS, BOARD OF DIRECTORS (B.O.D.), COUNCILS AND COMMITTEES**

2.67 Tenure a. **The District President may be reelected without limitation to the number of terms.** b. **Regional vice-presidents, circuit counselors and all elected members of the B.O.D. (with the exception of the District President), councils and committees shall follow the Synod bylaws for terms of service (H.B. 3.2.4.2), to wit, terms of office are limited to two successive six-year terms or three successive three-year terms unless otherwise provided in the Bylaws.** c. Appointment to fill one-half or more of a term shall be regarded as a full term under limited tenure rules (H.B. 3.2.4.1.b) d. There shall be no limitation upon the number of terms a person may serve in an appointed position. (H.B. 1.10.10.1)

**English District By Laws – ARTICLE IV ELECTIONS AND VACANCIES A. Elections p.3**

1. All elections shall take place at the regular Convention. 2. The President and all other elected officers, board and committee members shall be elected by a majority of votes cast. 3. One Vice-President from each of the four regions shall be elected by the delegates. The convention shall determine their rank. 4. Officers, members of the Board of Directors, Committee on Nominations, Committee for Stewardship, and Circuit Counselors shall serve for a term of three years. **A person's tenure in the same office or function shall be limited to four (4) consecutive full three year terms.** These persons may be elected to their previous office or function after an interval of no less than three (3) years, or be appointed to fill an unexpired term after an interval of no less than two (2) years.

**Central Illinois District By Laws - II. ADMINISTRATION A. OFFICERS, BOARDS, COMMISSIONS, COMMITTEES p. 2-3**

2.04 Successive Terms a. **The office of President of the District shall be without limitation as to re-election. 3 b. All other officers and members of boards, commissions, and committees shall be limited to two consecutive terms, except members of the Nominating Committee whose term of service is three years and who may not succeed themselves.** c. Any officer or member of a board, commission, or committee, who is ineligible for re-election or reappointment, may be elected or appointed to any other position. He may become eligible again for election or appointment to the same office, board or committee after an interval of three or more years.

**Kansas District By Laws – Article III – Administration p. 7**

3. Term of Office: (a) The term of office for the elective President, shall be three (3) years. **The elective President shall not serve more than four (4) consecutive terms.** (b) The term of office for the elective Vice Presidents, Secretary, Circuit Visitors, and the Board of Directors shall be three (3) years. **None of these elective officers shall serve more than three consecutive terms.** (c) The term of office of the District Nominations Committee shall be three (3) years. Members of the Committee may not succeed themselves. (d) Executive staff officers shall be subject to review and reappointment or release every three (3) years. (e) Members of District boards and commissions shall be ineligible for reelection or reappointment to the same board or commission after serving three (3) consecutive terms unless otherwise provided in the June, 2015 8 Bylaws. They may become eligible again for election or appointment to the same office, board or commission after an interval of three (3) or more years. One-half (½) or more of a term shall be

regarded as a full term. (f) Any member of a board or commission who is ineligible for reelection or reappointment may be elected or appointed to another position. (g) Members of the District staff, while eligible for elective office, shall not serve concurrently as staff and elected officers. (cf. Synod Bylaws 1.5.1.1 and 1.5.1.2) (h) The term of office of Appointive Officers shall be for three (3) years.

**Nebraska District By Laws – Article IV. District Administration Section A. District Board of Directors p. 7**

2. Term of Office a. **President, regional Vice-Presidents, and Secretary shall serve no more than four (4) consecutive three (3) year terms.** b. Commissioned ministers and elected lay members of the Board of Directors shall serve no more than two (2) consecutive six (6) year terms.

**Northern Illinois District By Laws – V. ELECTION PROCEDURES p.14**

D. Limitation of Terms: **No individual may hold the same elective office for more than three consecutive terms of three years each, with the exception of the President who may serve four consecutive terms of three years each.** Service for a period of one-half or more of an expired term shall be counted as a full term for purposes of term limitations.