

**SIERRA PACIFIC SYNOD  
GUIDELINES FOR MEMORIALS AND RESOLUTIONS**

**I. What is the difference between a memorial and a resolution?**

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

**Memorials** address broad policy issues and are passed by synod assemblies for consideration by the Churchwide Assembly. Only a Synod Assembly may address a memorial to the Churchwide Assembly. Synod councils are not authorized to adopt memorials.

Once a memorial has been adopted by your Synod Assembly, it is forwarded to the Office of the Secretary so it can be submitted to the Churchwide Assembly. One of the responsibilities of the Churchwide Assembly, in accordance with provision **12.21.c.** of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America (CBCR)*, is to “receive and consider proposals from synod assemblies.” Once received by the churchwide organization, memorials 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.** (CBCR). The Memorials Committee meets in the year of a churchwide assembly after all synod assemblies are over.

**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. As a practical matter, resolutions have a narrower focus than memorials because they are requests for consideration or action by the Church Council or by individual units or offices of the churchwide organization by way of the Church Council Executive Committee. Thus, for example, a request for the Church Council to recommend a parliamentary rule or some action by a unit of the churchwide organization would be the subject of a resolution, but a request to change an ELCA policy should be a memorial. Frequently, synod councils will pass resolutions between meetings of their Synod Assembly and forward them 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.

Resolutions or memorials proposed or endorsed by synod congregations, authorized worshipping communities, conferences, discipling teams, task forces, affiliated organizations and institutions, or at least fifteen voting members of the Synod Assembly shall be submitted to the Resolutions Committee (sometimes called a Reference and Counsel Committee) for presentation to the Synod Assembly. Synod congregations, authorized worshipping communities, conferences, discipling teams, task forces, or affiliated organizations and institutions proposing or endorsing a resolution or memorial shall provide the Resolutions Committee a copy of the body’s minutes or other indication that a majority of the body’s members approves proposing or endorsing the resolution or memorial. In addition, all resolutions and memorials shall be accompanied by a completed *Resource Impact Reporting Form*, indicating the potential resource impact (both financial and personnel) that implementation of the memorial or resolution will have upon the churchwide organization, the synod, and/or congregations.

**II. Which body should be addressed by a memorial or a resolution?**

Essentially, there are three avenues for synods to request action by the churchwide expression:

- 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 resolutions sent to the ELCA Church Council's Executive Committee (including forwarding resolutions adopted by synod assemblies).

A resolution and a memorial may *not* be combined in one action. In addition, a synod should not address both the Church Council and the Churchwide Assembly on the same subject.

The Office of the Secretary, with the concurrence of the Executive Committee of the Church Council, may decide whether a proposal that has been received is to be classified as a memorial or as a resolution. In these circumstances, the synod will be notified promptly of the re-classification.

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.

### III. Drafting Memorials and Resolutions

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.

Resolutions and memorials frequently contain both "resolved" clauses and "whereas" clauses. "Resolved" clauses state the action to be taken by the assembly; "whereas" clauses constitute a preamble describing the reasons for the proposed action. "Whereas" clauses are *not* required; in fact, *Robert's Rules of Order, Newly Revised* (12th ed.), Section 10, page 98, discourages their use:

In general, the use of a preamble should be limited to cases where it provides little-known information without which the point or the merits of a resolution are likely to be poorly understood, where unusual importance is attached to making certain reasons for an action a matter of record, or the like.

If "whereas" clauses are used, there should be as few as necessary. They should be succinct and factual. They should not be argumentative. The Resolutions/Reference and Counsel Committee should ensure that any "whereas" clauses comply with *Robert's Rules of Order*.

The "resolved" clauses represent the actual motion being voted upon. "Resolved" clauses, if adopted, become the officially worded statement of an action taken by a legislative body and a request for further action by the churchwide organization or the Churchwide Assembly. This means that they should be concise, accurate, and complete. They also should be unambiguous and should state clearly the proposed action. Just as any main motion, "resolved" clauses should not employ offensive language that would be improper in debate.

Some resolutions and memorials should not be considered. Any resolution or memorial that conflicts with the governing documents of this church is an "improper motion." As stated in *Robert's Rules of Order, Newly Revised* (12th ed.), Section 39, page 326:

Motions that conflict with the corporate charter, constitution, or bylaws of a society, or with the procedural rules prescribed by national, state, or local laws, are not in order, and if any motion of this kind is adopted, it is null and void.

The Synod Council will work closely with the Resolutions Committee to be certain that resolutions and memorials do not conflict with the governing documents of this church and that they meet the required criteria.

**Memorials** must always 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 \_\_\_\_\_ Synod Assembly memorialize the 2022 Churchwide Assembly of the Evangelical Lutheran Church in America to . . . [*clearly describe the proposed course of action*].

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 clauses 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*].

\*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.” A comparable bylaw **12.31.09**, is in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.

#### **IV. Review and Processing of Draft Memorials and Resolutions**

Memorials and resolutions (as well as other main motions) should be submitted to the Resolutions Committee by email to [resolutions@spselca.org](mailto:resolutions@spselca.org) at least 60 days prior to the opening of the Synod Assembly. Details about the process can be found in the appended excerpt on “Resolutions and Memorials” from the Standing Rules of Order of the Sierra Pacific Synod Assembly, approved by the Synod Assembly in May 2021.

The scope of authority of the Resolutions Committee includes the power to receive, review, and prepare resolutions and memorials, in consultation with the submitters of such resolutions or memorials, and to edit or consolidate resolutions or memorials for clarity and procedural purposes for presentation to the Synod Assembly. In addition, the Resolutions Committee may present multiple resolutions or memorials to the Synod Assembly *en bloc* for consideration, provided notice is given to the voting members of the Synod Assembly prior to the adoption of the agenda. In all cases, the committee must report all motions referred to it, although the committee can report motions without a recommendation.

Regardless of the scope of editorial authority, the Resolutions Committee shall consider at least the following factors in evaluating memorials and resolutions:

- 1) Is the proposed memorial or resolution timely (i.e., was it submitted before the deadline)?
- 2) Is the proposed memorial or resolution consistent with the governing documents of this church?
- 3) Is the proposed memorial or resolution germane to issues on the agenda?

- 4) Does the proposed memorial or resolution address a priority, ministry, or concern of this synod and this church?
- 5) Is the proposed memorial or resolution clearly drafted?
- 6) Do the “resolved” clauses clearly define the proposed course of action?
- 7) If the proposed memorial or resolution contains “whereas” clauses, do they explain the proposed action and are they accurate and non-argumentative?
- 8) Does the proposed memorial or resolution have budgetary or human resource implications, and, if so, how will they be addressed?
- 9) Are the proposed actions feasible and appropriate for the Synod Assembly, Church Council, Churchwide Assembly, or the churchwide unit or office that will be addressed?
- 10) Are there other memorials or resolutions that address the same or similar issues?

Interdependence, as well as stewardship of resources, requires that care be taken to avoid resolutions and memorials whose effect would be to impose unreasonable financial demands on the churchwide organization, synods, or congregations. If a proposed resolution or memorial will impose an unfunded mandate if adopted, the Synod Council shall consider the proposed action *before* it is submitted to the Synod Assembly. The Synod will also advise the Synod Council and Synod Assembly that the churchwide organization may not be able to support requested resolutions or memorials for budgetary reasons and that, if adopted, such proposed actions may have adverse consequences on existing programs or ministries. As interdependent partners, it is important for synods and the churchwide organizations to work collaboratively. If questions exist regarding the potential implications of a proposed resolution or memorial, inquiries shall be made to the Office of the Secretary.

The Synod’s standing rules of organization and procedure address how the Resolutions Committee reports to the Synod Assembly and the status of its recommendations. The Resolutions Committee shall report its recommendations on resolutions and memorials to the Synod Assembly. Such recommendations do not require a second.

1. When the Resolutions Committee recommends approval, the committee’s recommendation shall be the main motion before the assembly.
2. When the Resolutions Committee recommends the adoption of a substitute or alternative resolution or memorial, the committee’s recommendation shall be the main motion before the assembly. A voting member of the assembly may move to substitute the original resolution or memorial in place of the committee's revised version of the resolution or memorial. When the Resolutions Committee recommends referral, the committee’s recommendation shall become the main motion before the assembly.
3. When the Resolutions Committee recommends that the assembly decline a proposed resolution or memorial, the recommendation shall be reported to the assembly. If the author or another voting member wishes to bring the declined proposed resolution or memorial to the floor, they may move the matter, and it shall become the main motion before the assembly, and the committee’s recommendation shall be received for information.
4. If the Resolutions Committee is of the opinion that a resolution or memorial is unconstitutional, it shall note that opinion when the resolution is presented to the assembly.

Resolutions or memorials to be presented to the Synod Assembly through the Resolutions Committee shall be reviewed by the Synod Council prior to the Synod Assembly, and the Synod Council itself may recommend action to the Synod Assembly.

Authors of memorials and resolutions are encouraged to consult with the Resolutions Committee well in advance of the 60-day deadline prior to the Synod Assembly. The chair of the Resolutions Committee for the 2022 Synod Assembly is Pastor Jeremy Serrano, who can be reached by email at [resolutions@spselca.org](mailto:resolutions@spselca.org).