

## LEGEND FOR CHANGES TO IMMANUEL LUTHERAN CHURCH, 2017

An asterisk (\*) indicates a provision required under Model Constitution of Evangelical Lutheran Church in America, 2013 (MC – ELCA 2013).

**Underlined bold type** indicates new language mandated under MC – ELCA 2013).

~~Struckthrough type~~ indicates language from current Immanuel Lutheran Church's Constitution to be replaced by new language from the MC – ELCA 2013.)

*Underlined italicized type* indicates an editorial change made by ILC Constitution Working Group.

*Italicized type* indicates an available option under the MC – ELCA 2013 selected for inclusion by the ILC Constitution Working Group.

***Bold italicized, underlined type*** indicates a change in existing policy proposed by the ILC Constitution Working Group,

## PROPOSED CONSTITUTION FOR IMMANUEL EVANGELICAL LUTHERAN CHURCH

As edited by Working Group, September 20, 2017

### PREAMBLE

We, baptized members of the Church of Christ, responding in faith to the call of the Holy Spirit through the Gospel, desiring to unite together to preach the Word, administer the sacraments, and carry out God's mission, do hereby adopt this constitution and solemnly pledge ourselves to be governed by its provisions. In the name of the Father and of the Son and of the Holy Spirit.

### Chapter 1. NAME AND INCORPORATION

C1.01 The name of this congregation shall be Immanuel Evangelical Lutheran Church.

C1.02 For the purpose of this constitution and the accompanying bylaws, the Immanuel Evangelical Lutheran Church congregation is hereinafter designated as "this congregation."

C1.03 This congregation shall be incorporated under the laws of the Commonwealth of Massachusetts.

### Chapter 2. CONFESSION OF FAITH

\*C2.01 This congregation confesses the Triune God, Father, Son, and Holy Spirit.

\*C2.02 This congregation confesses Jesus Christ as Lord and Savior and the Gospel as the power of God for the salvation of all who believe.

- a. Jesus Christ is the Word of God incarnate, through whom everything was made and through whose life, death, and resurrection God fashions a new creation.
- b. The proclamation of God's<sup>1</sup> message to us as both Law and Gospel is the Word of God, revealing judgment and mercy through word and deed, beginning with the Word in creation,

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<sup>1</sup> Change to correct typo.

continuing in the history of Israel, and centering in all its fullness in the person and work of Jesus Christ.

c. The canonical Scriptures of the Old and New Testaments are the written Word of God. Inspired by God's Spirit speaking through their authors, they record and announce God's revelation centering in Jesus Christ. Through them God's Spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.

\*C2.03 This congregation accepts the canonical Scriptures of the Old and New Testaments as the inspired Word of God and the authoritative source and norm of its proclamation, faith, and life.

\*C2.04 This congregation accepts the Apostles', Nicene, and Athanasian Creeds as true declarations of the faith of this congregation.

\*C2.05 This congregation accepts the Unaltered Augsburg Confession as a true witness to the Gospel, acknowledging as one with it in faith and doctrine all churches that likewise accept the teachings of the Unaltered Augsburg Confession.

\*C2.06 This congregation accepts the other confessional writings in the Book of Concord, namely, the Apology of the Augsburg Confession, the Smalcald Articles *and*<sup>2</sup> the Treatise, the Small Catechism, the Large Catechism, and the Formula of Concord, as further valid interpretations of the faith of the Church.

C2.07 This congregation confesses the Gospel, recorded in the Holy Scriptures and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God's mission in the world.

### Chapter 3. NATURE OF THE CHURCH

\*C3.01 All power in the Church belongs to our Lord Jesus Christ, its head. All actions of this congregation are to be carried out under his rule and authority.

\*C3.02 The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the Church, and the universal Church exists in and through congregations. The Evangelical Lutheran Church in America, therefore, derives its character and powers both from the sanction and representation of its congregations and from its inherent nature as an expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in the historic continuity of the communion of saints; in breadth, *it* expresses the fellowship of believers and congregations in our day.

**\*C3.03. The name Evangelical Lutheran Church in America (ELCA or "this church") as used herein refers in general references to this whole church, including its three expressions: congregations, synods, and the churchwide organization. The name Evangelical Lutheran Church in America is also the name of the corporation of the churchwide organization to which specific references may be made herein.**

### Chapter 4. STATEMENT OF PURPOSE

\*C4.01 The Church is a people created by God in Christ, empowered by the Holy Spirit, called and sent to bear witness to God's creative, redeeming, and sanctifying activity in the world.

\*C4.02 To participate in God's mission, this congregation as a part of the Church shall:

a. Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, and service.

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<sup>2</sup> Change to correct typo.

- b. Proclaim God's saving Gospel of justification by grace for Christ's sake through faith alone, according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.
- c. Carry out Christ's Great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministries with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.
- d. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity and justice for all people, working for peace and reconciliation among the nations, and standing with the poor and powerless, and committing itself to their needs.
- e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.
- f. Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity which the Spirit gives.

\*C4.03 To fulfill these purposes, this congregation shall-

- a. Provide services of worship at which the Word of God is preached and the sacraments are administered.
- b. Provide pastoral care and assist all members to participate in this ministry.
- c. Challenge, equip, and support all members in carrying out their calling in their daily lives and in their congregation.
- d. Teach the Word of God.
- e. Witness to the reconciling Word of God in Christ, reaching out to all people.
- f. Respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.
- g. Motivate its members to provide financial support for the congregation's ministry and the ministry of other parts of the Evangelical Lutheran Church in America.
- h. Foster and participate in interdependent relationships with other congregations, the synod, and the churchwide organization of the Evangelical Lutheran Church in America.
- i. Foster and participate in ecumenical relationships consistent with churchwide policy.

\*C4.04 This congregation shall develop an organizational structure to be described in the bylaws. The Congregation Council shall prepare descriptions of the responsibilities of each committee, task force, or other organizational groups and shall review their actions. *Such descriptions shall be contained in continuing resolutions of the Congregation Council.*

\*C4.05 This congregation shall, from time to time, adopt a mission statement which will provide specific direction for its programs.

**\*C4.06. References herein to the nature of the relationship between the three expressions of this church—congregations, synods, and the churchwide organization—as being interdependent or as being in a partnership relationship describe the mutual responsibility of these expressions in God's mission and the fulfillment of the purposes of this church as described in this chapter, and do not imply or describe the creation of partnerships, co-ventures, agencies, or other legal relationships recognized in civil law.**

## Chapter 5. POWERS OF THE CONGREGATION

\*C5.01 The powers of this congregation are those necessary to fulfill its purpose.

\*C5.02 The powers of this congregation are vested in the Congregation Meeting called and conducted as provided in this constitution and bylaws.

\*C5.03 Only such authority as is delegated to the Congregation Council or other organizational units in this congregation's governing documents is recognized. All remaining authority is retained by the congregation. The congregation is authorized to:

- a. Call a pastor as provided in Chapter 9;
- b. Terminate the call of a pastor as provided in Chapter 9;
- c. Appoint or terminate the appointment of associates in ministry in conformity with the applicable policy of the Evangelical Lutheran Church in America.
- d. Adopt amendments to the constitution, as provided in Chapter 17, amendments to the bylaws, as specified in Chapter 16, and continuing resolutions, as provided in Chapter 18.
- e. Approve the annual budget;
- f. Acquire real and personal property of any and all activities consistent with its purpose;
- g. Hold title to and use its property for any and all activities consistent with its purpose;
- h. Sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
- i. Elect its Congregation Council and require it to carry out its duties in accordance with the constitution, bylaws, and continuing resolutions; and
- j. Terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.

**\*C5.04. This congregation shall choose from among its voting members laypersons to serve as voting members of the Synod Assembly as well as persons to represent it at meetings of any conference, cluster, coalition, or other area subdivision of which it is a member. The number of persons to be elected by the congregation and other qualifications shall be as prescribed in guidelines established by New England Synod of the Evangelical Lutheran Church in America.**

## Chapter 6. CHURCH AFFILIATION

\*C6.01 This congregation shall be an interdependent part of the Evangelical Lutheran Church in America or its successor, and of the New England Synod of the Evangelical Lutheran Church in America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America.

\*C6.02 This congregation accepts the Confession of Faith and agrees to the Purposes of the Evangelical Lutheran Church in America and shall act in accordance with them.

\*C6.03 This congregation acknowledges its relationship with the Evangelical Lutheran Church in America in which:

- a. This congregation agrees to be responsible for its life as a Christian community.
- b. This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.
- c. This congregation agrees to call pastoral leadership from the clergy roster of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstance and with the approval of the bishop of the synod. These special circumstances are limited either to calling a candidate approved for the roster of ordained ministers of the Evangelical Lutheran Church in America or to contracting for pastoral services with an ordained minister of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion.

- d. This congregation agrees to consider associates in ministry for appointment to other staff positions in the congregation according to the procedures of the Evangelical Lutheran Church in America. This congregation agrees to consider associates in ministry, **deaconesses, and diaconal ministers** for appointment to other staff positions in the congregation according to the procedures of the Evangelical Lutheran Church in America.
- e. This congregation agrees to file this constitution and any subsequent changes to this constitution with the synod for review to ascertain that all of its provisions are in agreement with the constitution and bylaws of the Evangelical Lutheran Church in America and with the constitution of the synod.

\*C6.04 Affiliation with the Evangelical Lutheran Church in America may be terminated as follows:

- a. This congregation takes action to dissolve.
- b. This congregation ceases to exist
- c. This congregation is removed from membership in the Evangelical Lutheran Church in America according to the procedures for discipline of the Evangelical Lutheran Church in America.
- d. This congregation follows the procedures outline in C6.05.

~~C6.05 This congregation may terminate its relationship with the Evangelical Lutheran Church in America by following procedure:~~

- a. ~~A resolution indicating the desire of this congregation to terminate its relationship must be adopted at a legally called and conducted special meeting of this congregation by a two-thirds majority of the voting members present.~~
- b. ~~The secretary of this congregation shall submit a copy of the resolution to the synodical bishop and shall mail a copy of the resolution to voting members of this congregation. This notice shall be submitted within 10 days after the resolution has been adopted.~~
- c. ~~The bishop of the synod shall consult with this congregation during a period of at least 90 days.~~
- d. ~~If this congregation, after consultation, still desires to terminate its relationship, such action may be taken at a legally called and conducted special meeting by a two-thirds majority of the voting members present, at which meeting the bishop of the synod or an authorized representative shall be present. Notice of the meeting shall be mailed to all voting members at least 10 days in advance of the meeting.~~
- e. ~~A certified copy of the resolution to terminate its relationship shall be sent to the synodical bishop, at which time the relationship between this congregation and ELCA shall be terminated.~~
- f. ~~Notice of termination shall be forwarded by the synodical bishop to the secretary of this church and published in the periodical of this church.~~
- g. ~~If this congregation was a member of the Lutheran Church of American it shall be required, in addition to the foregoing provisions in C6.05, to receive synodical approval before terminating its membership in the Evangelical Lutheran Church in America.~~
- h. ~~Congregations that are established by the Evangelical Lutheran Church in America shall be required, in addition to the foregoing provisions in C6.05, to receive synodical approval before terminating their membership in this church.~~

**\*C6.05 A congregation may terminate its relationship with this church by the following procedure:**

- a. A resolution indicating the intent to terminate its relationship must be adopted at a legally called and conducted special meeting of the congregation by a two-thirds vote of the voting members present. Such meeting may be held no sooner than 30 days after written notice of the meeting is received by the bishop of the synod, during which time the congregation shall consult with the bishop and the bishop's designees, if any. The times and manner of the consultation shall be determined by the bishop in consultation with the Congregation Council. Unless he or she is a voting member of the congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the meeting.
- b. The secretary of the congregation shall submit a copy of the resolution to the bishop, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, and shall mail a copy of the resolution to voting members of the congregation. This notice shall be submitted within 10 days after the resolution has been adopted.
- c. The bishop of the synod and the congregation shall continue in consultation, as specified in paragraph a. above, during a period of at least 90 days after receipt by the synod of the notice as specified in paragraph b. above.
- d. If the congregation, after such consultation, still seeks to terminate its relationship, such action may be taken at a legally called and conducted special meeting by a two-thirds vote of the voting members present. Notice of the meeting shall be mailed to all voting members and to the bishop at least 10 days in advance of the meeting. Unless he or she is a voting member of the congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the meeting.
- e. A copy of the resolution, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, shall be sent to the bishop within 10 days after the resolution has been adopted, at which time the relationship between the congregation and this church shall be terminated subject to paragraphs g., h., and i. below. Unless this notification to the bishop also certifies that the congregation has voted by a two-thirds vote to affiliate with another Lutheran denomination, the congregation will be conclusively presumed to be an independent or non-Lutheran church.
- f. Notice of termination shall be forwarded by the bishop to the secretary of this church, who shall report the termination to the Churchwide Assembly.
- g. Congregations seeking to terminate their relationship with this church which fail or refuse to comply with each of the foregoing provisions in \*C6.05. shall be required to receive Synod Council approval before terminating their membership in this church.
- h. Congregations which had been members of the Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in \*C6.05, to receive synodical approval before terminating their membership in this church.
- i. Congregations established by the Evangelical Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in \*C6.05, to satisfy all financial obligations to this church and receive Synod Council approval before terminating their membership in this church.
- j. If a congregation fails to achieve the required two-thirds vote of voting members present at the congregation's first meeting as specified in paragraph a. above, another special meeting to consider termination of relationship with this church may be called

no sooner than six months after that first meeting. If a congregation fails to achieve the required two-thirds vote of voting members present at the congregation's second meeting as specified in paragraph d. above, another attempt to consider termination of relationship with this church must follow all requirements of \*C6.05. and may begin no sooner than six months after that.

~~C6.06 If this congregation is considering relocation, it shall confer with the bishop of the synod in which it is territorially located before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is effected.~~

\*C6.06. If this congregation considers relocation, it shall confer with the bishop of the synod in which it is territorially located and the appropriate unit of the churchwide organization before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is effected.

\*C6.07. If this congregation considers developing an additional site to be used regularly for worship, it shall confer with the bishop of the synod in which it is territorially located and the appropriate unit of the churchwide organization before any steps are taken leading to such action.

## Chapter 7. PROPERTY OWNERSHIP

~~\*C7.01 If this congregation ceases to exist, title to undisposed property shall pass to the New England Synod of the Evangelical Lutheran Church in America.~~

~~\*C7.02 If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline, title to property shall continue to reside in this congregation.~~

~~\*C7.03 If a two-thirds majority of the voting members of this congregation present at a regularly called and conducted special meeting of this congregation vote to transfer to another Lutheran church body, title to property shall continue to reside in this congregation, provided the process for termination of relationship in \*C6.05 has been followed. Before this congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of the New England Synod.~~

~~\*C7.04 If a two-thirds majority of the voting members of this congregation present at a regularly called and conducted special meeting of this congregation vote to become independent or relate to a non-Lutheran church body and have followed the process for termination of relationship in \*C6.05, title to property of this congregation shall continue to reside in this congregation only with the consent of the Synod Council. The Synod Council, after consultation with this congregation by the established synodical process, may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of this congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America.~~

## Chapter 8. MEMBERSHIP

~~\*C8.01 Members of this congregation shall be those baptized persons on the roll of this congregation at the time that this constitution is adopted and those who are admitted thereafter and who have declared and maintain their membership in accordance with the provisions of this constitution and its bylaws.~~

~~\*C8.02 Members shall be classified as follows:~~

- a. Baptized members are those persons who have been received by the Sacrament of Holy Baptism in this congregation, or, have been previously baptized in the name of the Triune God, have been received by certificate by transfer from other Lutheran congregation or by affirmation of faith.
- b. Confirmed members are baptized persons who have been confirmed in this congregation, those who have been received by adult baptism or by transfer as confirmed members from other Lutheran congregations, or baptized persons received by affirmation of faith.
- c. Voting members are confirmed members. Such confirmed members shall have communed or made a contribution of record during the current or preceding year. **Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of the congregation.**
- d. Associate members are persons holding membership in other Lutheran or Christian congregations who wish to retain such membership but desire to participate in the life and mission of this congregation, **or persons who wish to retain a relationship with this congregation while being members of other congregations.** They have all the privileges and duties of membership except voting rights and eligibility for elected offices or membership on the Congregation Council of this congregation.

\*C8.03 All applications for confirmed membership shall be submitted to and shall require the approval of the Congregation Council.

\*C8.04 It shall be the privilege and duty of members of this congregation to:

- a. Make regular use of the means of grace, both Word and sacraments;
- b. Live a Christian life in accordance with the Word of God and the teachings of the Lutheran church; and
- c. Support the work of this congregation, the synod, and the churchwide organization of the Evangelical Lutheran Church in America through contributions of their time, abilities, and financial support as biblical stewards.

\*C8.05 Membership in this congregation shall be terminated by any of the following:

- a. Death;
- b. Resignation;
- c. Transfer or release;
- d. ~~Disciplinary action by the Congregation Council; or;~~
- d. **Disciplinary action in accordance with ELCA constitutional provision 20.40. and the accompanying bylaws; or**
- e. Removal from the roll due to inactivity as defined in the bylaws. Such persons who have been removed from the roll of members shall remain persons for whom the church has a continuing pastoral concern.

## Chapter 9. THE PASTOR

\*C9.01 Authority to call a pastor shall be in this congregation by at least a two-thirds majority ballot vote of members present and voting at a meeting regularly called for that purpose. Before a call is issued, the officers, or a committee elected by this congregation to recommend the call, shall seek the advice and help of the bishop of the synod.

~~C9.02 Only a member of the clergy roster of the Evangelical Lutheran Church in America or who has been recommended for it by the synodical bishop may be called as a pastor of this congregation.~~

**\*C9.02. Only a member of the clergy roster of the Evangelical Lutheran Church in America or a candidate for the roster of ordained ministers who has been recommended for the congregation by the synodical bishop may be called as a pastor of this congregation.**

**\*C9.03**

- a. Consistent with the faith and practice of the Evangelical Lutheran Church in America, every ordained minister shall:
  - 1) Preach the Word;
  - 2) Administer the sacraments;
  - 3) Conduct public worship;
  - 4) Provide pastoral care; and
  - 5) Speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.
- b. Each ordained minister with a congregational call shall, within the congregation:
  - 1) Offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
  - 2) Supervise all schools and organizations of this congregation;
  - 3) Install regularly elected members of the Congregation Council; and
  - 4) With the council, administer discipline.
- c. Every pastor shall:
  - 1) **Strive to extend the Kingdom of God in the community, in the nation, and abroad;**
  - 2) Seek out and encourage qualified persons to prepare for the ministry of the Gospel and strive to extend the Kingdom of God in the community, in the nation, and abroad;
  - 3) Impart knowledge of this church and its wider ministry through distribution of its periodicals and other publications; and
  - 4) ~~Endeavor to increase the support given by the congregation to work of the ELCA churchwide organization and of the New England Synod of the ELCA.~~
  - 4) **Endeavor to increase the support given by the congregation to the work of the churchwide organization of the Evangelical Lutheran Church in America (ELCA) and of the New England Synod of the ELCA.**

\*C9.04. The specific duties of the pastor, compensation, and other matters pertaining to the service of the pastor shall be included in a letter of call, which shall be attested by the bishop of the synod.

~~C9.05 a. The call of a congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment which, except in the case of the death of the pastor, shall be terminated only following consultation with the synodical bishop and for the following reasons:~~

- 1) ~~Mutual agreement to terminate the call or the completion of a call for a specific term;~~
- 2) ~~Resignation of the pastor~~
- 3) ~~Inability to conduct the pastoral office effectively in the congregation in view of local conditions, without reflection on the competence or the moral and spiritual character of the pastor;~~
- 4) ~~The physical or mental incapacity of the pastor;~~
- 5) ~~Disqualification of the pastor through discipline on grounds of doctrine, morality, or continued neglect of duty; or~~
- 6) ~~The dissolution of the congregation.~~

**\*C9.05**

**a. The call of a congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by death or, following consultation with the synodical bishop, for the following reasons:**

- 1) mutual agreement to terminate the call or the completion of a call for a specific term;**
- 2) resignation of the pastor, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;**
- 3) inability to conduct the pastoral office effectively in the congregation in view of local conditions;**
- 4) physical disability or mental incapacity of the pastor;**
- 5) suspension of the pastor through discipline for more than three months;**
- 6) resignation or removal of the pastor from the roster of ordained ministers of this church;**
- 7) termination of the relationship between this church and the congregation;**
- 8) dissolution of the congregation or the termination of a parish arrangement; or**
- 9) suspension of the congregation through discipline for more than six months.**

**b. In the case of alleged physical or mental incapacity of the pastor or ineffective conduct of the pastoral office, it shall be the responsibility of the bishop of the synod, when such difficulties are personally known have been brought to the synod's attention by an official recital of allegations by the Congregation Council, or by a petition signed by at least one third of the voting members of the congregation, to investigate such conditions personally in company with a committee of two ordained ministers and one layperson.**

**b. When allegations of physical disability or mental incapacity of the pastor under paragraph a.4) above, or ineffective conduct of the pastoral office under paragraph a.3) above, have come to the attention of the bishop of this synod,**

- 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two ordained ministers and one layperson, or**
- 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of the congregation, the bishop personally shall investigate such conditions together with a committee of two ordained ministers and one layperson.**

**c. In case of alleged physical or mental incapacity competent medical testimony shall be obtained. When such disability is evident, the bishop of the synod with the advice of the committee shall declare the pastorate vacant. Upon the restoration of a disabled pastor to health, the bishop of the synod shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another field of labor.**

**c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the pastor's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the pastorate vacant and the pastor shall be listed on the clergy roster as disabled. Upon removal of the disability and the restoration of the pastor to health, the bishop shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call.**

- d. In the case of alleged local difficulties which imperil the effective functioning of the congregation, all concerned persons shall be heard, after which the bishop of the synod together with the committee described in C9.05.b shall decide on the course of action to be recommended to the pastor and the congregation. If they agree to carry out such recommendations, no further action shall be taken by the synod. If either party fails to assent, the congregation may dismiss the pastor by a two-thirds majority vote of the voting members present at a regularly called meeting after consultation with the bishop.
- d. In the case of alleged local difficulties that imperil the effective functioning of the congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the pastor and then to the congregation. The recommendations of the bishop's committee must address whether the pastor's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by the congregation and by the pastor, if appropriate. If the pastor and congregation agree to carry out such recommendations, no further action need be taken by the synod.
- e. The foregoing procedure shall never be invoked when questions of doctrine, morality, or continued neglect of duty are involved, all such cases being treated as disciplinary matters.
- e. If either party fails to assent to the recommendations of the bishop's committee concerning the pastor's call, the congregation may dismiss the pastor only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds majority vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a simple majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
- f. If in the course of the proceedings, it should become apparent that the pastoral office cannot be conducted effectively in the congregation being served by the ordained minister due to local conditions, the bishop of the synod may temporarily suspend the pastor from service in the congregation without prejudice and with pay provided through a joint churchwide synod fund and with housing provided by the congregation.
- f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for disciplinary action, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.

\*C9.06 At a time of pastoral vacancy, an interim pastor may be appointed by the bishop of the synod with the consent of this congregation or the Congregation Council.

\*C9.07 During the period of service, an interim pastor shall have the rights and duties in the congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or Congregation Council. The interim pastor and any ordained pastor providing assistance shall refrain from exerting influence in the selection of a pastor. Unless previously agreed upon by the Synod Council, an interim pastor is not available for a regular call to the congregation served.

\*C9.08 This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting related to the Evangelical Lutheran Church in America.

\*C9.09 When a pastor is called to serve in company with another pastor or pastors, the privileges and responsibilities of each pastor shall be specified in documents to accompany the call and to

be drafted in consultation involving the pastors, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.

\*C9.10 With the approval of the bishop of the synod, the congregation may depart from C9.05.a and call a pastor for a specific term of years. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the pastor and representatives of the congregation for a review of the call. Such call may also be terminated before its expiration in accordance with the provisions of C9.05.a.

~~C9.11 The pastor shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation, and shall submit a summary of such statistics annually to the synod. The pastor shall be a member of the congregation that has extended the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one or the congregations.~~

~~C9.12 The pastor(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.~~

**\*C9.12. The pastor of this congregation:**

- a. shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation;**
- b. shall submit a summary of such statistics annually to the synod; and**
- c. shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.**

**\*C9.13. The pastor(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.**

**\*C9.14.. The parochial records of this congregation shall be maintained by the pastor and shall remain the property of the congregation. The secretary of this congregation shall attest in writing to the bishop of this synod that such records have been placed in his or her hands in good order by a departing pastor before the installation of that pastor in another field of labor or the granting by the synod of retired status to the pastor.**

*C9.21. Under special circumstances, subject to the approval of the synodical bishop and the concurrence of this congregation, an ordained minister of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion may serve temporarily as pastor of this congregation under a contract between the congregation and the ordained minister in a form proposed by the synodical bishop and approved by the congregation.*

## Chapter 10. CONGREGATION MEETING

C10.01 The annual meeting of this congregation shall be held at a time specified in the bylaws.

C10.02 A special Congregation Meeting may be called by the pastor, the Congregation Council, or the president of this congregation, and shall be called by the president of the congregation at the written request of 10 percent of the voting members. The call for each special meeting shall specify the purpose for which it is to be held and no other business shall be transacted.

C10.03 Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays or by mail *or by electronic mail* to all confirmed members at least 10 days in advance of the date of the meeting. The posting of such notice in the regular mail, with the regular postage affixed or paid, sent to the last known address of such members shall be sufficient.

C10.04 Thirty voting members shall constitute a quorum.

C10.05 Voting by proxy or by absentee ballot shall not be permitted.

~~C10.06 Robert's Rules of Order, latest edition, shall govern parliamentary procedure of all meetings of this congregation, except as otherwise provided in this constitution or bylaws.~~

*C10.06 The Congregation Council and its committees may hold meetings by remote communication, including electronically and by telephone conference, and, to the extent permitted by state law, notice of all meetings may be provided electronically.*

*C10.07 Robert's Rules of Order, latest edition, shall govern parliamentary procedure of all meetings of this congregation, except as otherwise provided in this constitution or bylaws.*

## Chapter 11. OFFICERS

C11.01 The officers of this congregation shall be president, vice-president, secretary, and treasurer, *with an optional assistant treasurer*.

- a. Duties of the officers shall be specified in the bylaws.
- b. The officers shall be voting members of the congregation.
- c. Officers of this congregation shall serve similar offices of the Congregation Council and shall be voting members of the Congregation Council.
- d. *If the Congregation Council elects its officers, the president, vice president, and secretary shall be selected from the elected membership of the Congregation Council. If the treasurer is not selected from the elected membership of the Congregation Council, the treasurer shall have voice but not vote at the meetings of the Congregation Council.*

C11.02 The Congregation Council shall elect its officers and they shall be the officers of the congregation. The officers shall be elected by written ballot and shall serve for one year or until their successors are elected. Their terms shall begin at the close of the annual council meeting at which they are elected.

C11.03 No officer shall hold more than one office at a time. No elected officer shall be eligible to serve more than two consecutive council terms in the same office.

## Chapter 12. CONGREGATION COUNCIL

C12.01 The voting membership of the Congregation Council shall consist of the pastor (s) and twelve members of the congregation. Any voting member of the congregation may be elected, subject only to the limitation on the length of continuous service permitted in that office. A member's place on the Congregation Council shall be declared vacant if the member a) ceases to be a voting member of this congregation or b) is absent from four successive regular meetings of the Congregation Council without cause.

C12.02 The members of the Congregation Council (except the pastor (s)) shall be elected at a legally called meeting of the congregation during the month of January. Their term of office shall be for 3 years with the term of office beginning with the first council meeting following their installation. Newly elected Congregation Council member shall be installed at worship the Sunday following their election or as soon thereafter as convenient.

C12.03 Should a member's place on the Congregation Council be declared vacant, the Congregation Council shall elect, by majority vote, a successor until the next annual Congregational meeting.

C12.04 The Congregation Council shall have general oversight of the life and activities of this congregation, and in particular its worship life, to the end that everything be done in accordance with the Work of God and the faith and practice of the Evangelical Lutheran Church in America. The duties of the Congregation Council shall include the following:

- a. To lead this congregation in stating its mission, to do long-range planning, to set goals and priorities, and to evaluate its activities in light of its mission and goals.
- b. To seek to involve all members of this congregation in worship, learning, witness, service, and support.
- c. To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.
- d. To maintain supportive relationships with the pastor(s) and staff and help them annually to evaluate the fulfillment of their calling, appointment, or employment.
- e. To be examples individually and corporately of the style of life and ministry expected of all baptized persons.
- f. To promote a congregational climate of peace and goodwill and, as differences and conflicts arise, to endeavor to foster mutual understanding.
- g. To arrange for pastoral service during the sickness or absence of the pastor.
- h. To emphasize partnership with the synod and churchwide units of the Evangelical Lutheran Church in America as well as cooperation with other congregations, both Lutheran and non-Lutheran, subject to established policies of the synod and the Evangelical Lutheran Church in America.
- i. To recommend and encourage the use of program resources produced or approved by the Evangelical Lutheran Church in America.
- j. *To seek out and encourage qualified persons to prepare for the ministry of the Gospel.*

C12.05 The Congregation Council shall be responsible for the financial and property matters of this congregation.

- a. The Congregation Council shall be the board of trustees of this congregation, and as such shall be responsible for maintaining and protecting its property and the management of its business and fiscal affairs. It shall have the powers and be subject to the obligations that pertain to such boards under the laws of the Commonwealth of Massachusetts, except as otherwise provided herein.
- b. The Congregation Council shall not have the authority to buy, sell, or encumber real property unless specifically authorized to do so by a meeting of the congregation.
- c. *The Congregation Council may approve expenditures of up to \$5,000, for any particular line item not included in the annual budget and provided current or anticipated funds would be available.* [Currently the upper limit is \$3,000.]
- d. *The Congregation Council shall prepare an annual budget for adoption by the congregation, shall supervise the expenditure of funds in accordance therewith following its adoption, and may incur obligations more than \$10,000 in excess of the anticipated receipts only after approval by a Congregation Meeting. The budget shall include this congregation's full indicated share in support of the wider ministry being carried on in*

**partnership with the synod and churchwide organization.** [Currently the upper limit is \$2,000.]

- e. The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of benevolence monies to the synodical treasurer.
- f. The Congregation Council shall be responsible for this congregation's investments and its total insurance program.

C12.06 The Congregation Council shall see that the provisions of this constitution, its bylaws, and the continuing resolutions are carried out.

C12.07 The Congregation Council shall provide for an annual review of the membership roster.

C12.08 The Congregation Council shall be responsible for the appointment and supervision of the salaried lay workers of this congregation.

C12.09 The Congregation Council shall be responsible for the appointment and supervision of a financial secretary, who when not a member of the council, shall be accorded the privilege of voice without vote in its meetings and shall keep record of all income from contributing members.

C12.10 The Congregation Council shall submit a comprehensive report to this congregation at the annual meeting.

C12.11 The Congregation Council shall normally meet once a month. Special meetings may be called by the pastor or the president, and shall be called at the request of at least one-half of its members. Notice of each special meeting shall be given to all who are entitled to be present.

C12.12 A quorum for the transaction of business shall consist of a majority of the members of the Congregation Council, including the pastor or interim pastor, except when the pastor or interim pastor requests or consents to be absent and has given prior approval to an agenda of routine matters which shall be the only business of the meeting.

*C12.13 The Congregation Council and its committees may hold meetings by remote communication, including electronically and by telephone conference, and, to the extent permitted by state law, notice of all meetings may be provided electronically.*

### Chapter 13. CONGREGATION COMMITTEES

C13.01 The officers of this congregation and the pastor shall constitute the Executive Committee.

C13.02 A Nominating Committee of 3 voting member of this congregation, preferably<sup>3</sup> including only one<sup>4</sup> council member, shall be approved by the church council.

C13.03 An Audit Committee of two voting member shall be elected by the Congregation Council. Audit Committee members shall not be member of the Congregation Council. No one auditor can audit more than 3 consecutive years.

C13.04 A Staff Support Committee Mutual Ministry Committee (in the absence of a staff support committee-mutual ministry committee, their duties shall be fulfilled by the executive committee) shall be appointed jointly by the president and the pastor. Term of office shall be two years, three members to be appointed each successive year.

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<sup>3</sup> Change to correct a typo.

<sup>4</sup> Change to correct a typo.

C13.05 When a pastoral vacancy occurs, a Call Committee of seven voting members shall be elected by this congregation. Term of office will terminate at installation of the newly-called pastor.

C13.06 Other congregation committees may be formed as the need arises, by decision of the Congregation Council.

C13.07 Duties of the congregation committees shall be specified in the continuing resolutions.

#### Chapter 14. ORGANIZATIONS WITHIN THE CONGREGATION

C14.01 All organizations within this congregation shall exist to aid it in ministering to the members of this congregation and to all persons who can be reached with the Gospel of Christ. As outgrowths and expressions of this congregation's life, the organizations are subject to its oversight and direction. This congregation at its meeting shall determine their policies, guide their activities, and receive reports concerning their membership, work, and finances.

C14.02 Special interest groups, other than those of the official organizations of the Evangelical Lutheran Church in America, may be organized only after *authorization*<sup>5</sup> has been given by the Congregation Council and specified in a continuing resolution.

#### Chapter 15 DISCIPLINE<sup>6</sup> OF MEMBERS AND ADJUDICATION

~~C15.01 Denial of the Christian faith as described in this constitution, conduct grossly unbecoming a member of the Church of Christ, or persistent trouble making in this congregation are sufficient cause of discipline of a member. Prior to disciplinary action, reconciliation will be attempted following Matthew 18:15-17, proceeding through these successive steps: a) private admonition by the pastor, b) admonition by the pastor in the presence of two or three witnesses, and c) citation to appear before the Congregation Council.~~

**\*C15.01. Persistent and public denial of the Christian faith, willful or criminal conduct grossly unbecoming a member of the Church of Christ, continual and intentional interference with the ministry of the congregation, or willful and repeated harassment or defamation of member(s) of the congregation is sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation and repentance will be attempted following Matthew 18:15-17, proceeding through these successive steps, as necessary: a) private counsel and admonition by the pastor, b) censure and admonition by the pastor in the presence of two or three witnesses, c) written referral of the matter by the Congregation Council to the vice president of the synod, who will refer it to a consultation panel drawn from the Consultation Committee of the synod, and d) written referral of the matter by the consultation panel to the Committee on Discipline of the synod. If, for any reason, the pastor is unable to administer the admonitions required by paragraphs a. and b. hereof, those steps may be performed by another pastor chosen by the Executive Committee of the Congregation Council.**

~~C15.02 A member charged with the offense shall appear before the Congregation Council having received a written notice, specifying the exact charges that have been made against the member, at least 10 days prior to the meeting.~~  
~~receipt of a) evidence that injustice has been done or b) evidence of repentance and amendment.~~

<sup>5</sup> Change to correct typo.

<sup>6</sup> Change to correct typo.

**\*C15.02. The process for discipline of a member of the congregation shall be governed as prescribed by the chapter on discipline in the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America. If the counseling, censure, and admonitions pursuant to C15.01 do not result in repentance and amendment of life, charges against the accused member(s) that are specific and in writing may be prepared by the Congregation Council, signed, and submitted to the vice president of the synod. The vice president shall select from the synod's Consultation Committee a panel of five members (three lay persons and two clergy). A copy of the written charges shall be provided to the consultation panel and the accused member(s). The consultation panel, after requesting a written reply to the charges from the accused member(s), shall consider the matter and seek a resolution by means of investigation, consultation, mediation, or whatever other means may seem appropriate. The panel's efforts to reach a mutually agreeable resolution shall continue for no more than 45 days after the matter is submitted to it.**

~~C15.03 Should the allegations be sustained by a two-thirds majority vote of the member of the Congregation Council and renewed admonition proved ineffectual, the council shall imposed one of the following disciplinary actions:~~

- a. censure before the council or congregation;
- b. suspension from membership for a definite period of time; or
- c. exclusion from membership in this congregation. Disciplinary actions b. and c. shall be delivered to the member in writing.

**\*C15.03. If the consultation panel fails to resolve the matter, that panel shall refer the case in writing, including the written charges and the accused member's reply, to the Committee on Discipline of the synod for a hearing. A copy of the panel's written referral shall be delivered to the vice president of the synod, the Congregation Council, and the accused member(s) at the same time it is sent to the Committee on Discipline of the synod. The Executive Committee of the Synod Council shall then select six members from the Committee on Discipline to decide the case, and shall appoint a member of the Synod Council to preside as nonvoting chair. Those six members plus the nonvoting chair comprise the discipline hearing panel for deciding the case. The Congregation Council and the accused member(s) are the parties to the case.**

~~C15.04 The member against whom disciplinary action has been taken by the Congregation Council shall have the right to appeal the decision to the Synod Council. Such right may not be abridged and the decision of the Synod Council shall be final.~~

~~C15.05 Disciplinary actions may be reconsidered and revoked by the Congregation Council upon receipt of a) evidence that injustice has been done or b) evidence of repentance and amendment.~~  
**\*C15.04. The discipline hearing panel shall commence and conduct the disciplinary hearing in accordance with the provisions governing discipline of congregation members prescribed in the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America.**

~~C15.05 Disciplinary actions may be reconsidered and revoked by the Congregation Council upon receipt of a) evidence that injustice has been done or b) evidence of repentance and amendment.~~

**\*C15.05. By the vote of at least two-thirds of the members of the discipline hearing panel who are present and voting, one of the following disciplinary sanctions can be imposed:**

- a. suspension from the privileges of congregation membership for a designated period of time;**

- b. suspension from the privileges of congregation membership until the pastor and Congregation Council receive evidence, satisfactory to them, of repentance and amendment of life;**
- c. termination of membership in the congregation; or**
- d. termination of membership in the congregation and exclusion from the church property and from all congregation activities.**

**\*C15.06. The written decision of the discipline hearing panel shall be sent to the vice president of the synod, the accused member(s), and the Congregation Council as required by the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America. The decision of the discipline hearing panel shall be implemented by the Congregation Council and recorded in the minutes of the next council meeting.**

**\*C15.07. No member of the congregation shall be subject to discipline a second time for offenses that a discipline hearing panel has heard previously and decided pursuant to this chapter.**

**\*C15.10. Adjudication** *This is intentionally left blank.*

**\*C15.11. When there is disagreement among factions within this congregation on a substantive issue that cannot be resolved by the parties, members of this 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 the synod shall consider the matter. If the Consultation Committee of the synod shall fail to resolve the issue(s), the matter shall be referred to the Synod Council, whose decision shall be final.**

## Chapter 16. BYLAWS

**\*C16.01 This congregation may adopt bylaws. No bylaw may conflict with this constitution.**

**\*C16.02 Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a majority vote of those voting members present and voting.**

**C16.03 Changes to the bylaws may be proposed by any voting member provided, however, that such additions or amendments be submitted in writing to the Congregation Council at least 60 days before a regular or special Congregation Meeting called for that purpose and that the Congregation Council notify the members of the proposal with its recommendations at least 30 days in advance of the Congregation Meeting.**

**\*C16.03. Changes to the bylaws may be proposed by any voting member, provided that such additions or amendments be submitted in writing to the Congregation Council at least 60 days before a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the congregation's members of the proposal with the council's recommendations at least 30 days in advance of the Congregation Meeting.**

**Notification may take place by mail or electronic means, as permitted by state law.**

**\*C16.04 Approved changes to the bylaws shall be sent by the secretary of this congregation to the synod.**

## Chapter 17. AMENDMENTS

~~C17.01 Amendments to this constitution may be proposed by at least 10 percent of the voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at its regular or special meeting called for that purpose. The Congregation Council shall notify the members of the proposal with their recommendations at least 30 days in advance of the meeting.~~

**\*C17.01. Unless provision \*C17.04. is applicable, those sections of this constitution that are not required, in accord with the Model Constitution for Congregations of the Evangelical Lutheran Church in America, may be amended in the following manner. Amendments may be proposed by at least TEN voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the congregation's members of the proposal together with the council's recommendations at least 30 days in advance of the meeting. Notification may take place by mail or electronic means, as permitted by state law.**

~~C17.02 A proposed amendment to this constitution shall:~~

- a. ~~be approved at a properly called meeting according to this constitution by a majority vote of those present and voting;~~
- b. ~~be ratified without change at the next annual meeting by a two-thirds majority vote of those present and voting; and~~
- c. ~~have the effective date included in the resolution and noted in the constitution.~~

**\*C17.02. An amendment to this constitution, proposed under \*C17.01., shall:**

- a. **be approved at a legally called Congregation Meeting according to this constitution by a majority vote of those present and voting;**
- b. **be ratified without change at the next annual meeting by a two-thirds majority vote of those present and voting; and**
- c. **have the effective date included in the resolution<sup>7</sup> and noted in the constitution.**

~~C17.03 Any amendments to this constitution shall be sent by the secretary of this congregation to the synod. The amendment shall become effective within 120 days from the date of the receipt of the notice by the synod unless the synod informs this congregation that the amendment is in conflict with the constitution and bylaws of the Evangelical Lutheran Church in America, or the constitution of the New England Synod.~~

**\*C17.03. Any amendments to this constitution that result from the processes provided in \*C17.01. and \*C17.02. shall be sent by the secretary of this congregation to the synod. The synod shall notify the congregation of its decision to approve or disapprove the proposed changes; the changes shall go into effect upon notification that the synod has approved them.**

**\*C17.04. This constitution may be amended to bring any section into conformity with a section or sections, either required or not required, of the Model Constitution for Congregations of the Evangelical Lutheran Church in America as most recently amended by the Churchwide Assembly. Such amendments may be approved by a simple majority vote of those voting members present and voting at any legally called meeting of the**

<sup>7</sup> Such an effective date must be stated in relation to the requirements of \*C17.03. to allow time for synodical review of the amendment. [From the Model Constitution of Evangelical Church in America, 2013]

congregation without presentation at a prior meeting of the congregation, provided that the Congregation Council has submitted by mail or electronic means, as permitted by state law, notice to the congregation of such an amendment or amendments, together with the council's recommendations, at least 30 days prior to the meeting. Upon the request of TEN voting members of the congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of the congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following a vote of approval.

Chapter 18. CONTINUING RESOLUTIONS

~~C18.01 The Congregation Council may enact continuing resolutions which describe the function of various committees or organizations of this congregation.~~

**\*C18.01. The congregation in a legally called meeting or the Congregation Council may enact continuing resolutions. Such continuing resolutions may not conflict with the constitution or bylaws of this congregation.**

~~C18.02 Continuing resolutions shall be enacted or amended by a two-thirds vote of all voting members of the Congregation Council.~~

**\*C18.02. Continuing resolutions shall be enacted or amended by a majority vote of a meeting of the congregation or a two-thirds vote of all voting members of the Congregation Council.**

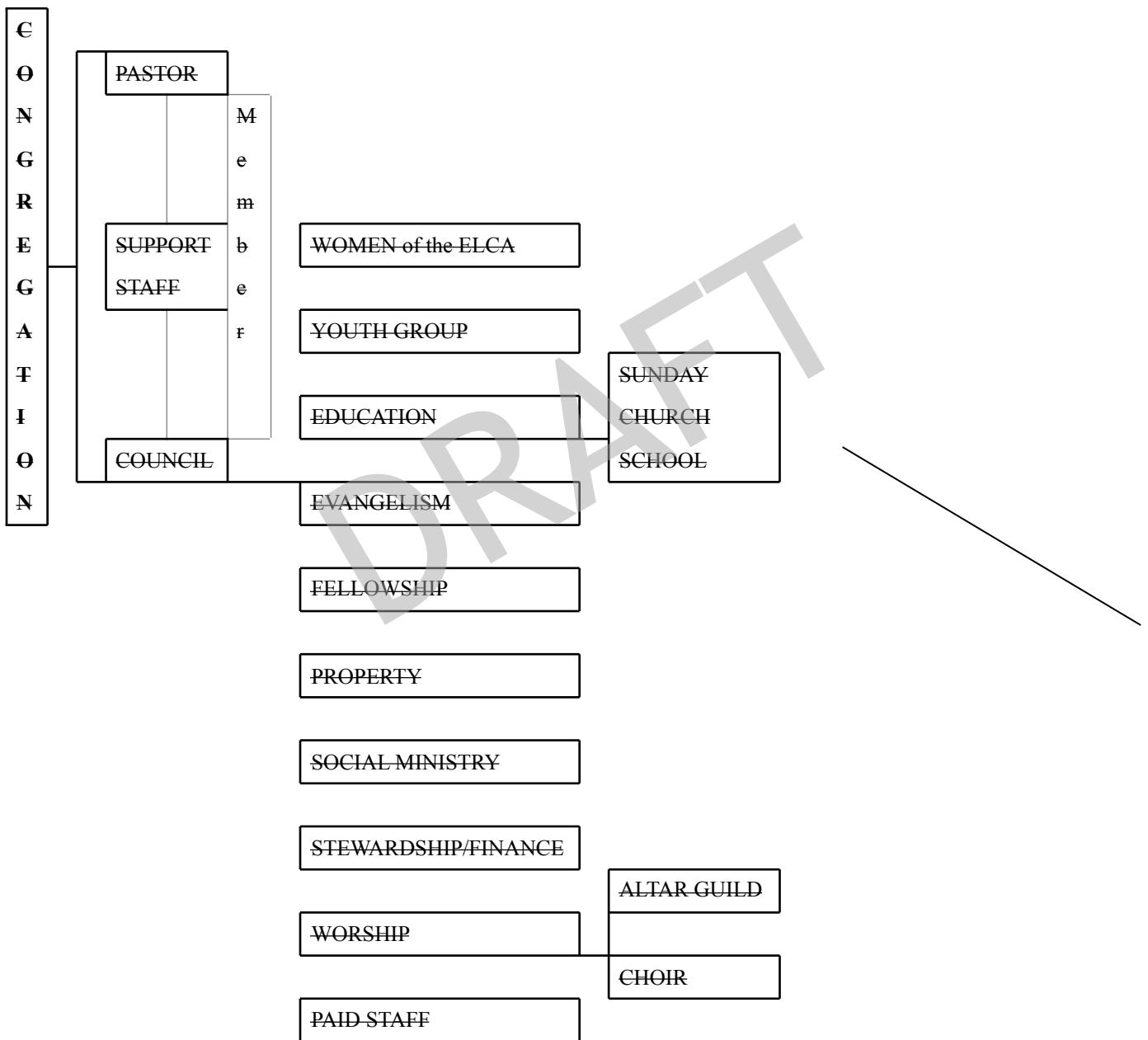
Chapter 19. INDEMNIFICATION

**\*C19.01. Consistent with the provisions of the laws under which this congregation is incorporated, this congregation may adopt provisions providing indemnification for each person who, by reason of the fact that such person is or was a Congregation Council member, officer, employee, agent, or other member of any committee of this congregation, was or is threatened to be made a party to any threatened, pending, or completed civil, criminal, administrative, arbitration, or investigative proceeding.**

IMMANUEL LUTHERAN CHURCH CONSTITUTION BYLAWS

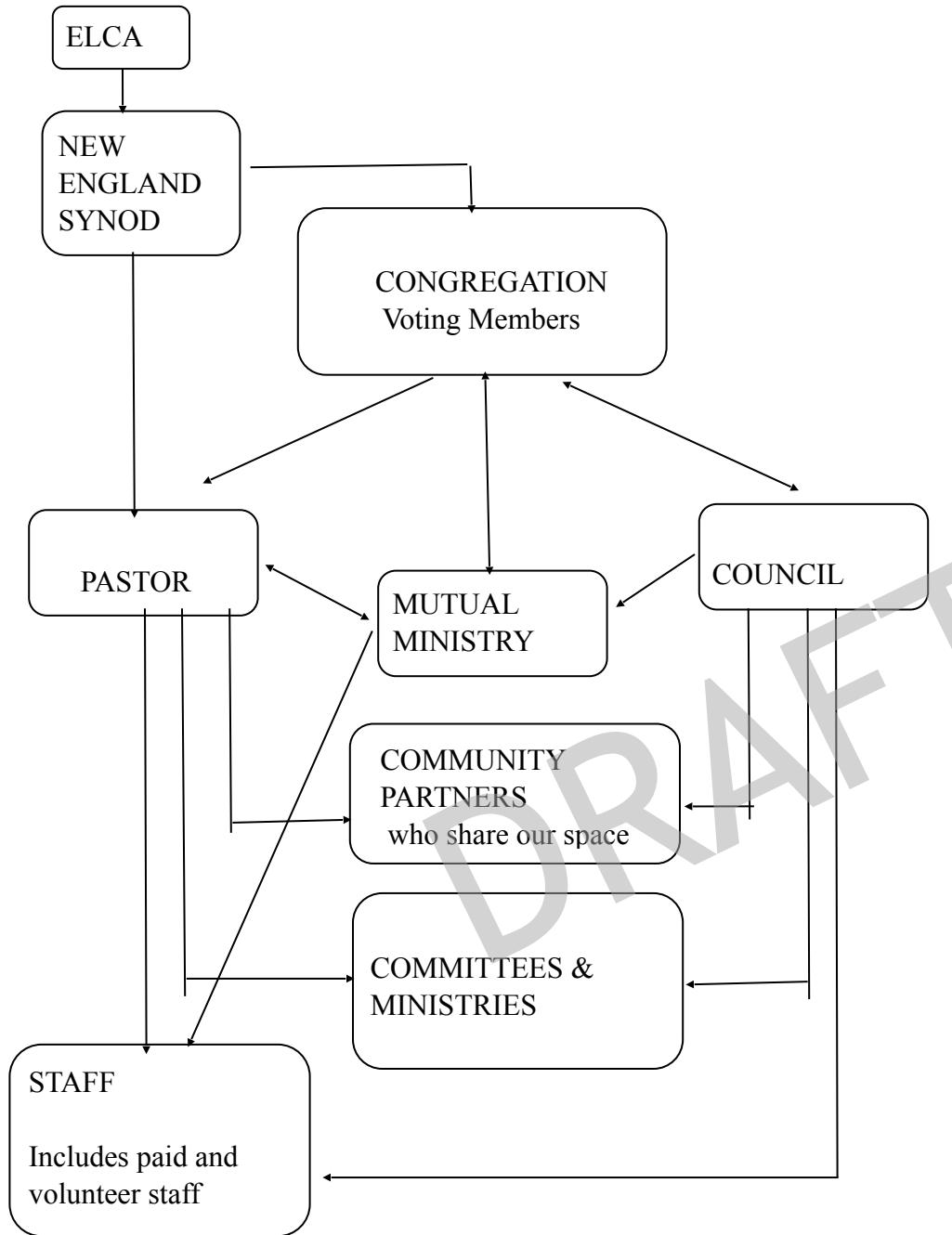
C4.04.01 Organizational Structure.

**BELOW: PREVIOUS ORGANIZATIONAL CHART - TO BE UPDATED AS SHOWN ON NEXT PAGE**



IMMANUEL LUTHERAN CHURCH CONSTITUTION BYLAWS

C.4.04.01 Organizational Structure.



The organizational chart of leadership for Immanuel is fluid in part, based on the strengths, needs, and makeup of its members and the community. The specific committees, ministries, and adjunct worship services may change after council approval. The descriptions and list below does not focus on our many ministries, but includes formal committees effective September 2017.

Worship Committee

Music

Choir

All God's People Worship Service

Third Mondays Communion Service

Blessing Of The Animals

Other Services such as Evening Vespers and Seasonal Worship

Education/Youth and Family Ministry

Baby Spirit

First Communion

Sunday School

Vacation Bible School

Confirmation

Youth Group

Adult Education

Property

Capital Campaign

Parsonage/Real Estate Management

Finance Committee

Stewardship Committee

Evangelism Committee (caring outreach)

Hospitality Committee (welcoming people in)

SERVE Committee (providing support/service to others)

Fellowship

Coffee Scheduling

Social Events

Women of the ELCA (WELCA)

IMMANUEL LUTHERAN CHURCH CONTINUING RESOLUTIONS

C8.04.01 Any confirmed member who, after pastoral care and counseling, has failed for a period of 2 years to receive Holy Communion or to make any contribution of record to the congregation shall be classified by the church council as inactive. They shall be restored by the church council to active members membership when they again receive the Lord's Supper or make a contribution of record to the church.

C8.05.01 The following procedure shall be followed in the removal of a member from the roll due to inactivity:

- 1) The record of inactivity for 5 years should be verified.
- 2) Attempts to contact the individual concerning his/her impending removal from the rolls should be made by the pastor, or the Evangelism Committee, any Council member, or any concerned member.
- 3) Upon the recommendation of the pastor, the council shall terminate their membership.

**C.8.05.02 Immanuel Lutheran Church is a community of welcome in Christ. That welcome offers a place of safety and security for all. In the hospitality of the Gospel, you are invited to visit here and all baptized Christians may be part of our congregation; we are blessed by your presence.**

C10.01.01 The annual meeting shall be held scheduled for the last Sunday of January.

C11.01.a.01 Duties of the Officers.

1. The president shall preside at meetings of the congregation and the church council. In the event of the president's inability to serve, the vice-president shall preside.
2. The secretary shall keep accurate minutes of all meetings of the congregation and of the council in a volume provided by the congregation, which shall be preserved permanently in its archives. Records may be stored on paper or in electronic format.
3. The treasurer shall keep the books of account of the congregation, disburse funds according to the annual congregational budget, and make regular remittance of benevolence to the treasurer of the synod.
4. The treasurer shall make written report of all financial transactions to the church council monthly and to the congregation at its annual meetings. The treasurer shall give corporate surety, in amounts determined by the church council, for which the premium shall be paid by the congregation. Fidelity Church Mutual coverage provided by Evangelical Lutheran Church in America shall be deemed a fulfillment of this requirement.
5. An optional Assistant Treasurer may be elected from and by the council, to support the functions of the Treasurer, and is considered a member of the executive committee.

C12.03.01 Any fulfillment of an unexpired term 13 months or greater constitutes a full term.

C12.05.e.01 MEMORIAL FUND

Monies given in memory of deceased individuals or given in honor of individuals, unless otherwise specified, shall be placed in a separate interest-earning account, known as the Memorial Fund, until its use is determined.

- 1) These monies are never to subsidize current operating expenses and should purchase items that would enhance worship life for all ages. Although the Worship Committee is primarily responsible for suggestions, any member can make a proposal to the Worship Committee for recommendation.
- 2) Any project exceeding \$500.00 in value shall be made public for 30 days for congregational review.
- 3) The council has approval authority up to \$1000.00 \$2,000 for any one object; the congregation must approve anything greater than that amount.
- 4) All gifts are considered given to the glory of God; and therefore, plaques denoting memorial subject/donor are deemed inappropriate.

C12.05.e.02 BEQUEST POLICY

All funds shall be placed in a separate interest-bearing account, known as The Trust Fund, and shall not be spent for six months. The congregation will be informed within two months of receipt of bequests over \$1000.00. Any member may make a suggestion for use of the funds through appropriate committee.

- 1) In general, all funds for any category, project, or proposal exceeding \$3000.00 \$5,000 will require the approval of the congregation at a specially called meeting for the purpose; and any bequests less than \$3000.00 \$5,000 need only the approval of the church council, after 30 days proper notification to the congregation.
- 2) All bequests shall be allocated as follows:
  - a. 10% to benevolence project(s) recommended by the Social Ministry Committee- SERVE Committee and approved by the council;
  - b. 10% to the building fund whose use is to be determined by the council;
  - c. 80% to a proposal(s) recommended by appropriate committee through the council and approved by the congregation if over \$3000.00 \$5,000
3. Council has approving authority to transfer up to \$5,000 one time per fiscal year, from the Trust Fund into the General Treasury, in emergency situations, to pay necessary operating expenses. Any available balance of the transferred money is paid back to the Trust Fund unless the congregation votes differently. Council majority vote is required and the congregation must be informed in writing within 30 days. All amounts over \$5,000 require congregational approval.

**C12.05.e.03 DESIGNATED FUNDS**

Money kept in a separate bank account from the general treasury, to be used for specific items or purposes. This money can only be used for the reason or function for which it was given. If such a purpose no longer exists, funds may be reassigned appropriately after written agreement from the donor(s) or by congregational vote if consent is not available. Council has approving authority to use up to \$5,000 of designated funds on any one item. Expenditures over that amount require congregational approval.

## **C12.06 MANNERS OF FUNDRAISING**

**Fundraising activity that includes the use of raffle(s), auction, silent auction, or similar is permitted with prior approval from the council. Monies must be raised for a specific, stated purpose.**

### **C12.09.A01 FINANCIAL SECRETARY DUTIES.**

Members shall receive an accounting of their giving after each quarter, including the status of their pledge. A quarterly report shall be prepared for the church council indicating income from pledging members, income from non-pledging members, income from loose offerings and special envelopes, and income designated for the Memorial Fund. The fourth quarter report will be included in the annual church report.

### **C13.07.A01 Descriptions of CONGREGATIONAL COMMITTEES:**

**EDUCATION** – This committee is committed to the ministry of teaching and learning throughout the congregation. In particular, their areas of responsibility are: all adult education, including Sunday morning forums and evening Bible study, such as Search; the inquirers' class; confirmation and first communion programs; intergenerational activities; and educational retreats. There is a standing sub-committee of this committee called the Sunday Church School Committee that includes all teachers for children ages three years through high school and that focuses on Sunday morning education hour and summer Vacation Bible School.

**EDUCATION/YOUTH AND FAMILY MINISTRY** – **This group of committees is dedicated to the ministry of teaching and learning throughout the congregation. Youth and Family Ministry and Education may include Adult Education such as Sunday morning forums and additional Bible Study Programs, intergenerational activities, and educational retreats. It may also encompass Baby Spirit for infants and toddlers, First Communion Programs, Confirmation Classes, Vacation Bible School Programs, and regular morning Sunday School classes for children ages three years through confirmation and/or high school. Youth Group activities have a Christian message and provide fellowship and connecting activities for members in the tween and teen years.**

**EVANGELISM** – This committee shall stimulate and lead all members of the congregation in continuous and concerted endeavors to spread the good news of Jesus Christ. They shall study the congregation's needs and strive to make it a welcoming and spiritually uplifting environment for members and strangers alike. They will study the congregation in the context of the surrounding community and will reach out to the spiritually indifferent and to those who are yet to be church-affiliated.

**FELLOWSHIP** – This committee plans several social activities during the year with the hope that members of Immanuel will come to know one another better on a personal basis. **This committee is responsible for promoting a friendly spirit among the members and friends of Immanuel, by organizing and coordinating fellowship and/or social events throughout the year.** They are also responsible for arranging the monthly Sunday morning coffee hours.

**PROPERTY** – This committee has the responsibility for general and specific maintenance of the Church building and grounds plus the care and maintenance of the Parsonage property, located on Veery Road, **a parsonage property**. They are responsible for the developing and implementing an annual cyclic maintenance plan to ensure the buildings and grounds remain in tiptop shape. They will serve as a task force to identify work projects and potential maintenance problems and provide guidance to work groups. They will also appoint a property coordinator who will be accountable for planning, scheduling, and directing work operations and assignments. They depend on volunteers to serve on work groups for a wide array of building and grounds maintenance projects which include skills in general cleaning, housekeeping, landscaping, lawn mowing, snow removal, painting, carpentry, plumbing, and electrical work among others.

### **SOCIAL MINISTRY**

**SERVE/Service Committee** – This committee extends Christian compassion and helpfulness to people in need within our congregation, in the surrounding communities, and around the world. This may include ministry to the hungry and homeless, the ill, the aged, the underprivileged, the abused, and the imprisoned in the form of financial assistance, donations of goods and food, collecting and assembling materials, and time in direct service. They shall strive to enlist as many individual members of the congregation as possible in carrying out its programs. They shall remain informed of the social conditions in the local community and the special ministries of the Church and educate as well as encourage and direct the congregation in responding to these needs.

**STAFF SUPPORT** – This committee provides constructive evaluation of pastoral and paid staff performance and serves as liaison between the pastor and paid staff and the congregation, the council, and all standing committees, so that the mission of the church can be successful.

**MUTUAL MINISTRY** – *This committee recognizes that Immanuel's ministry is the mutual concern of both the laity and the pastor. We are all God's beloved, empowered to share in Christ's ministry, empowered to bring God's love and truth to a broken world. Mutual ministry does not evaluate staff or make recommendations for compensation, but rather supports both staff and church members in spiritual care. This committee can address conflicts, seeking ways for pastor(s) and other leaders and the congregation to work together for the sake of the Gospel. Three to six committee members are appointed by the pastor or the Congregation Council, and asked to maintain strict confidentiality of all personal information shared during their work together.*

**STEWARDSHIP AND FINANCE** – *Congregational stewardship begins with an understanding of gratitude and generosity being central to god's grace.* This committee encourages *These committees encourage* the use of your time, talent, and treasure to help others in our congregation and our spheres of outside activities to find the peace *peace* and contentment that is assured from responsible Christian living. The finance area is concerned with individual giving, church finances, and preparing a draft budget for the succeeding year, including this congregation's full indicated share in support of the wider ministry being carried on in its behalf by the Evangelical Lutheran Church in America and the synod, and shall submit such draft budget to the church council for its action and later presentation to the annual congregational meeting.

**WORSHIP** – This committee has the weekly responsibility to see that all preparations are made for Sunday Worship and all additional Worship Services. They provide for the care of hymnals, paraments, vestments, musical instruments and church furnishings. They recruit and train all who share in the ministry of worship: the Altar Guild, Acolytes, Crucifers, Readers, Communion Assistants, and Ushers. Choirs function under their direction, providing cantors, soloists, anthems, and special music. This committee works very closely with the pastor and organist/choir director and obtains the approval of the church council for any major changes necessary to improve Worship.