

CONSTITUTION  
for  
EMMANUEL EVANGELICAL LUTHERAN CHURCH OF DELL GROVE, MINNESOTA

Amended

**\*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 Emmanuel Evangelical Lutheran Church of Dell Grove, Minnesota.
- C1.02.** For the purpose of this constitution and the accompanying bylaws, the congregation of *Emmanuel Evangelical Lutheran Church of Dell Grove, Minnesota* is hereinafter designated as "this congregation."
- C1.11.** This congregation shall be incorporated under the laws of the State of Minnesota.

**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 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, 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 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 Scripture 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.** This church confesses the one, holy, catholic, and apostolic Church and is resolved to serve Christian unity throughout the world.
- \*C3.02 .03.** 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

**Commented [G&EL1]:** Items highlighted in magenta (this color) correspond to changes in this congregation's constitution that would align it with the model constitution for congregations.

Note that if the provision has an \*, it is a "required element," and must exist in this constitution exactly as it does in the model constitution.

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\* Required provision

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.

\*C3.04. This church, inspired and led by the Holy Spirit, participates in The Lutheran World Federation as a global communion of churches, engaging in faithful witness to the gospel of Jesus Christ and in service for the sake of God's mission in the world.

\*C3.03 .05. 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.
- 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 ministry 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, and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, embracing and welcoming racially and ethnically diverse populations, and standing with the poor and powerless, oppressed 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 the other expressions 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 group and shall review their actions. Such descriptions shall be contained in continuing resolutions in the section on the Congregation Committees.

\*C4.05. This congregation shall, from time to time, adopt and periodically review 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. ~~call or terminate the call of associates in ministry, deaconesses, and diaconal ministers in conformity with the applicable policy of the Evangelical Lutheran Church in America;~~
  - d. Call a minister of Word and Service;
  - e. ~~terminate the call of a minister of Word and Service in conformity with the constitution of the Evangelical Lutheran Church in America;~~
  - f. adopt amendments to the constitution, as provided in Chapter 17 16, amendments to the bylaws, as specified in Chapter 16 17, and continuing resolutions, as provided in Chapter 18.
  - g. approve the annual budget;
  - h. acquire real and personal property by gift, devise, purchase, or other lawful means;
  - i. hold title to and use its property for any and all activities consistent with its purpose;
  - j. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
  - k. elect its Congregation Council, and require them to carry out their duties in accordance with the constitution, bylaws, and continuing resolutions; and
  - l. 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 the *Northeastern Minnesota Synod* of the Evangelical Lutheran Church in America.
- \*C5.05. This congregation shall have a mission endowment fund that will operate as specified in this congregation's bylaws. The purpose of the mission endowment fund is to provide for mission work beyond the operational budget of this congregation.

## 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 *Northeastern Minnesota 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~~ roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances 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~~ Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or to contracting for pastoral services with an ~~ordained minister~~ Minister of Word and Sacrament 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, deaconesses, and diaconal ministers~~ Ministers of Word and Service for call 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.

Commented [G&EL2]: D to j need to be renumbered to e to k to account for what was c to be split into two subparagraphs, c & d.

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 or in accordance with provision 9.23 of the constitution and bylaws of the Evangelical Lutheran Church in America.

d. The Northeastern Minnesota Synod takes charge and control of the property of this congregation to hold, manage, and convey the same on behalf of the synod pursuant to ¶S13.24. of the synod constitution. This congregation shall have the right to appeal the decision to the next Synod Assembly.

d. This congregation follows the procedures outlined in \*C6.05.

\*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 second meeting.

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

a. A resolution indicating the intent to terminate its relationship must be adopted at two legally called and conducted special meetings of this congregation by a two-thirds vote of the voting members present at each meeting. The first 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 this 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 the bishop and/or the bishop's designees are voting members of this congregation, they shall have voice but not vote at the first meeting.

b. Within 10 days after the resolution has been voted upon at the first meeting, the secretary of this 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 send copies of the resolution and certification to voting members of this congregation.

Commented [G&EL3]: D should be renumbered to "e".

Commented [G&EL4]: \*C6.05 has changed substantially since this was last updated. My suggestion would be to strike the whole thing, and replace with the model constitution \*C6.05.

- c. If the resolution was adopted by a two-thirds vote of the voting members present at the first meeting, the bishop of the synod and this congregation shall continue in consultation, as specified in paragraph a. above, during a period of at least 90 days after receipt by the bishop of the attestation and certification as specified in paragraph b. above.
  - d. If this congregation, after such consultation, is still considering termination of its relationship with this church, 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 second meeting shall be sent to all voting members and to the bishop at least 10 days in advance of the meeting. Unless the bishop and/or the bishop's designees are voting members of this congregation, they shall have voice but not vote at the second meeting.
  - e. Within 10 days after the resolution has been voted upon, the secretary of this congregation shall submit a copy of the resolution to the bishop, attesting that the second special meeting was legally called and conducted and certifying the outcome of the vote, and shall send copies of the resolution and certification to the voting members of the congregation. If the resolution was adopted by a two-thirds vote of the voting members present at the second meeting, the relationship between the congregation and this church shall be terminated subject to Synod Council approval as required by paragraphs f. and g. below.
  - f. Unless this notification to the bishop also certifies that this congregation has voted to affiliate with another Lutheran denomination, this congregation shall be deemed an independent or non-Lutheran church, in which case \*C7.04. shall apply.
  - g. This congregation shall abide by these covenants by and among the three expressions of this church:
    - 1) 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.
    - 2) 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 synod approval before terminating their membership in this church.
    - 3) 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.
  - h. If this congregation fails to achieve the required two-thirds vote of voting members present at this congregation's first meeting as specified in paragraph a. above or fails to achieve the required two-thirds vote of voting members present at this 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 the meeting at which the two-thirds vote was not achieved.
- \*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 affected.
- \*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 Northeastern Minnesota 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 or pursuant to 9.23. of the constitution and bylaws of the Evangelical Lutheran Church in America, 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 legally 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 Northeastern Minnesota Synod.
- \*C7.04. If a two-thirds majority of the voting members of this congregation present at a legally 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 established by the synod, 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. In neither case does title to this congregation's property transfer to the synod.

- \*C7.05. Notwithstanding the provisions of \*C7.02. and \*C.7.03. above, where this congregation has received property from the synod pursuant to a deed or other instrument containing restrictions under provision 9.71.a. of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*, this congregation accepts such restrictions and:
- Shall not transfer, encumber, mortgage, or in any way burden or impair any right, title, or interest in the property without prior approval of the Synod Council.
  - Shall—upon written demand by the Synod Council, pursuant to †S13.23. of the constitution of the *Northeastern Minnesota Synod, ELCA*—reconvey and transfer all right, title, and interest in the property to the synod.

## 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:
- Baptized** members are those persons who have been received by the Sacrament of Holy Baptism in this congregation, or, having been previously baptized in the name of the Triune God, have been received by certificate of transfer from other Lutheran congregations or by affirmation of faith.
  - 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.
  - Voting** members are confirmed members. Such confirmed members, during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation. 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 as well as the other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws. They shall not have voted as a seasonal member of another congregation of this church in the previous two calendar months.
  - Associate** members are persons holding membership in other 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 or other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.
  - Seasonal** members are voting members of other congregations of this church who wish to retain such membership but desire to participate in the life and mission of this congregation, including exercising limited voting rights in this congregation. The Congregation Council may grant seasonal membership to such persons provided that this congregation is a member of a synod where the Synod Council has approved seasonal member voting on its territory. Such seasonal members shall have all the privileges and duties of voting members except that:
    - they shall not be eligible for elected office in, or for membership on the Congregation Council or on a call committee of this congregation;
    - they shall not have the right to vote on any matter concerning or affecting the call or termination of call of any minister of this congregation;
    - they shall not have the right to vote on any matter concerning or affecting the affiliation of this congregation with this church;
    - they shall not be eligible to serve as voting members from this congregation of the Synod Assembly or the Churchwide Assembly;
    - they shall not, even if otherwise permitted by this congregation, vote by proxy or by absentee ballot; and
    - they shall not, within any two calendar month period, exercise voting rights in this congregation and in the congregation where they remain voting members.
- \*C8.03. All applications for confirmed membership shall be submitted to and shall require the approval of the Congregation Council.
- C8.03.01. It shall be the responsibility of the Church Council to acknowledge candidates for the Rite of Confirmation in consultation with the Pastor or other appropriate rostered minister.
- C8.03.02. It shall be the responsibility of the Church Council to determine the age for baptized members to receive their first Holy Communion in consultation with the pastor. This normally will occur at age 10 after some form of First Communion instruction.
- C8.03.03. The Congregation Council shall admit persons to membership where there is no evidence of confirmation and there is no letter of transfer through Affirmation of Baptism.
- \*C8.04. It shall be the privilege and duty of members of this congregation to:
- make regular use of the means of grace, both Word and sacraments;

**Commented [G&EL5]:** Items highlighted in green are a slight rewording and putting in proper order of various items that exist in several different sources. They may or may not be identified in those sources as “bylaws,” but that is the appropriate terminology for them. Thus they are constructed as such.

- 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 in accordance with ELCA constitutional provision 20.40, and the accompanying bylaws Chapter 20 of the constitution and bylaws of the Evangelical Lutheran Church in America; 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.

C8.05.01. Members who move away shall be encouraged to transfer their membership. Such transfers will be issued upon request of a member.

C8.05.02. A member who shows no interest in attending church services and has not partaken in Holy Communion, and who does not make financial contribution to this congregation for a period of two years shall be presumed to no longer desire membership, and shall be removed from the membership statistics of this congregation. The records of these members shall remain with the congregation, but the member will be classified as "inactive." This does not apply to those who have, for pastoral care reasons, been classified as "homebound."

C8.05.03. The Church Council shall encourage the person who attains "inactive" status to take part in the life of this congregation, or to transfer elsewhere.

C8.05.04. Should a member who has been classified as "inactive" return for a period of at least thirty days to activity required of a voting member, the Church Council shall restore the person to the status of active membership and place that person on voting member roster of this congregation.

C8.05.05. Members who are definitely known to have become members of another congregation without transfer have thereby terminated their status as voting members; the Church Council, at its annual membership roster review, shall remove them from the roster of voting members by means of inactivity (statistical adjustment); or, if the member has communicated that they have established membership in another congregation without transfer to the Council, they shall be removed from the roster of voting members by means of resignation.

C8.05.06. Members who have changed their membership status by either transfer or resignation may become Associate Members by the member's request and at the discretion of the Church Council.

## Chapter 9.

### THE PASTOR ROSTERED MINISTER

\*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 legally 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, roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or a candidate for the roster of ordained ministers, Ministers of Word and Sacrament who has been recommended for the congregation by the synodical bishop may be called as a pastor of this congregation.

\*C9.03. Consistent with the faith and practice of the Evangelical Lutheran Church in America,

- a. Every ordained minister of Word and Sacrament 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.
  - 6) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
  - 7) impart knowledge of this church and its wider ministry through available channels of effective communication;
  - 8) witness to the Kingdom of God in the community, in the nation, and abroad; and
  - 9) speak publicly to the world in solidarity with the poor and oppressed, advocating dignity, justice, and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, and embracing and welcoming racially and ethnically diverse populations.
- b. Each ordained minister pastor with a congregational call shall, within the congregation:
  - 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;

**Commented [G&EL6]:** A couple of notes for this element (and chapter): What was "clergy roster" has become the "Roster of Ministers of Word and Sacrament"; the word "synodical" is apparently not a word, and should be changed throughout the constitution to "synod". As both Pastors (Ministers of Word and Sacrament) and Deacons (Ministers of Word and Service, see Associates in Ministry or Diaconal Ministers) are "ordained" it needs to be clarified which ministry roster is being referred to.

- 2) ~~supervise~~ ~~relate to~~ all schools and organizations of this congregation;
- 3) install regularly elected members of the Congregation Council; and
- 4) with the council, administer discipline.
- 5) endeavor to increase the support given by the congregation to the work of the churchwide organization and of the Northeastern Minnesota Synod; and
- 6) encourage adherence to covenantal relationship with this church as expressed in the *Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.

e. 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;~~
- 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 the work of the churchwide organization of the Evangelical Lutheran Church in America (ELCA) and of the Northeastern Minnesota Synod of the ELCA.~~

**Commented [G&EL7]:** The parts taken out of paragraph c are essentially contained in the additions to paragraphs a and b.

\*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 shall be terminated only by the pastor's 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 this~~ congregation in view of local conditions;
- 4) ~~inability to conduct the pastoral office effectively in view of 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~~ Ministers of Word and Sacrament of this church;
- 7) termination of the relationship between this church and ~~the this~~ congregation;
- 8) dissolution of ~~the this~~ congregation or the termination of a parish arrangement; or
- 9) suspension of ~~the this~~ congregation through discipline for more than six months.

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, ~~who has sole discretion, 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~~ 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. When the pastorate is declared vacant, the Synod Council shall list the pastor on the roster of Ministers of Word and Service with disability status. Upon removal of the disability and the restoration of the pastor to health resumption of the ability to conduct the office effectively,~~ 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 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. If either party fails to assent to the recommendations of the bishop's committee concerning the pastor's call, ~~the this~~ 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 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 shall 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.

\*C9.11. With the approval of the bishop of the synod, ~~the this~~ congregation may depart from \*C9.05.a. and call a pastor for a specific term. 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 this~~ congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of \*C9.05.a.

\*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~~ the secretary's hands in good order by a departing pastor before the installation of that pastor in another ~~call or approval~~ of a request for change in roster status ~~field of labor or the granting by the synod of retired status to the pastor.~~

#### ~~C9.20. Ecumenical pastoral ministry:~~

~~C9.21. 15.~~ Under special circumstances, subject to the approval of the synodical bishop and the concurrence of this congregation, an ~~ordained~~ minister of Word and Sacrament 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 this~~ congregation and the ~~ordained minister~~ pastor in a form proposed by the synodical bishop and approved by ~~the this~~ congregation.

\*C9.21. Authority to call a deacon shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally 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.

\*C9.22. Only a member of the roster of Ministers of Word and Service of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of Word and Service who has been recommended for this congregation by the synod bishop may be called as a deacon of this congregation.

\*C9.23. Consistent with the faith and practice of the Evangelical Lutheran Church in America, every minister of Word and Service shall:

- a. Be rooted in the Word of God, for proclamation and service;
- b. Advocate a prophetic diakonia that commits itself to risk-taking and innovative service on the frontiers of the Church's outreach, giving particular attention to the suffering places in God's world;
- c. Speak publicly to the world in solidarity with the poor and oppressed, advocating dignity, justice, and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, and embracing and welcoming racially and ethnically diverse populations;
- d. Equip the baptized for ministry in God's world that affirms the gifts of all people;
- e. Encourage mutual relationships that invite participation and accompaniment of others in God's mission.

Commented [G&EL8]: Very similar language to that of a Minister of Word and Sacrament is added for a Minister of Word and Service.

- f. Practice stewardship that respects God's gift of time, talents, and resources;
- g. Be grounded in a gathered community for ongoing diaconal formation;
- h. Share knowledge of this church and its wider ministry of the gospel and advocate for the work of all expressions of this church; and

i. Identify and encourage qualified persons to prepare for ministry of the gospel.

**\*C9.24.** The specific duties of the deacon, compensation, and other matters pertaining to the service of the deacon shall be included in a letter of call, which shall be attested by the bishop of the synod.

**\*C9.25.** The provisions for termination of the mutual relationship between a minister of Word and Service and this congregation shall be as follows:

a. The call of this congregation, when accepted by a deacon, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by the deacon's death or, following consultation with the synod bishop, for any of the following reasons:

- 1) mutual agreement to terminate the call or the completion of a call for a specific term;
- 2) resignation of the deacon, 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 ministry of Word and Service effectively in this congregation in view of local conditions;
- 4) inability to conduct the office effectively in view of disability or incapacity of the deacon;
- 5) suspension of the deacon through discipline for more than three months;
- 6) resignation or removal of the deacon from the roster of Ministers of Word and Service of this church;
- 7) termination of the relationship between this church and this congregation;
- 8) dissolution of this congregation or the termination of a parish arrangement; or
- 9) suspension of this congregation through discipline for more than six months.

b. When allegations of disability or incapacity of the deacon under paragraph a.4) above, or ineffective conduct of the office of minister of Word and Service under paragraph a.3) above, have come to the attention of the bishop of this synod,

- 1) the bishop, who has sole discretion, may investigate such conditions personally together with a committee of two rostered 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 this congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.

c. In case of alleged disability or incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the deacon's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the position vacant. When the position is declared vacant, the Synod Council shall list the deacon on the roster of Ministers of Word and Service with disability status. Upon resumption of the ability to conduct the office effectively, the bishop shall take steps to enable the deacon to resume the ministry, either in the congregation last served or in another appropriate call.

d. In the case of alleged local difficulties that imperil the effective functioning of this 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 deacon and then to this congregation. The recommendations of the bishop's committee must address whether the deacon'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 this congregation and by the deacon, if appropriate. If the deacon and congregation agree to carry out such recommendations, no further action need be taken by the synod.

e. If either party fails to assent to the recommendations of the bishop's committee concerning the deacon's call, this congregation may dismiss the deacon only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds 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 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 proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.

**\*C9.26.** This congregation shall make satisfactory settlement of all financial obligations to a former deacon before calling a successor. A deacon 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.

**\*C9.27.** When a deacon is called to serve in company with another rostered minister or other rostered ministers, the privileges and responsibilities of each rostered minister shall be specified in documents to accompany the call and to be drafted in consultation involving the rostered ministers, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.

- \*C9.28. With the approval of the bishop of the synod, this congregation may depart from \*C9.25.a. and call a deacon for a specific term. 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 deacon and representatives of this congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of \*C9.25.a.
- \*C9.29. The deacon shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the deacon shall hold membership in one of the congregations.
- \*C9.31. The deacon(s) shall submit a report of ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.

**Chapter 10.  
CONGREGATION MEETING**

- C10.01. This congregation shall have at least one regular meeting per year. The annual regular meeting(s) meeting of this congregation shall be held at a time specified in the bylaws. Consistent with the laws of the State of Minnesota, the bylaws shall designate one regular meeting per year as the annual meeting of this congregation.
- C10.01.01 The annual meeting of this congregation will take place on the second Sunday in February following worship. Should weather cause a cancellation of worship on that day, the annual meeting will take place on the next Sunday on which regular worship is held. Should other unforeseen circumstances arise, the council may make slight alterations to this date, but the annual meeting must take place prior to the end of February.
- C10.01.02. Current rosters of voting, confirmed, and baptized members shall be available to the congregation.
- C10.01.A23. The agenda for the annual meeting shall include the following:
  - a. Opening devotion.
  - b. Approval of minutes of the previous meeting.
  - c. Reports of Pastor, Treasurer, Financial Secretary and organizations of this congregation.
  - d. Elections.
  - e. Unfinished business.
  - f. New Business, presentations.
  - g. Adoption of the budget.
  - h. Closing prayer.
- 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 upon the written request of 25 percent of the voting members. The president of the Congregation Council shall call a special meeting upon request of the synodical bishop. 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 and by mail or electronic means, as permitted by state law, to all voting members at least 10 days in advance of the date of the meeting.
- C10.04. 10% voting members shall constitute a quorum.
- C10.05. Voting by proxy or by absentee ballot shall not be permitted.
- C10.06. All actions approved by the congregation shall be by majority vote of those voting members present and voting, except as otherwise provided in this constitution or by state law.
- C10.07. *Robert's Rules of Order*, latest edition, shall govern parliamentary procedure of all meetings of this congregation.
- C10.08. This congregation may hold meetings by remote communication, including electronically and by telephone conference, as long as there is an opportunity for simultaneous aural communication or its equivalent. To the extent permitted by state law, notice of all meetings may be provided electronically.
- C10.09. "Ex officio" as used herein means membership with full rights of voice and vote unless otherwise expressly limited.

**Commented [G&EL9]:** This bylaw exists back to some LCA constitution (though I've clarified it slightly, and added the second sentence). Should probably be dealt with as a "new" bylaw.

**Commented [G&EL10]:** C10.01.02 and A23 exist in some random documents in the "2000 NEMN Synod" folder. I'm not sure of the "status" of these documents, so I'd advise these to be added as though they were new.

**Commented [G&EL11]:** Items highlighted in yellow are continuing resolutions. These exist in earlier documents of Emmanuel Lutheran, but the origin and date of these documents is unclear. Thus, while not "new," they are being added as "new" continuing resolutions (and are being put in a proper form).

**Chapter 11.  
OFFICERS**

- C11.01. The officers of this congregation shall be a president, secretary, and 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.

**Commented [G&EL12]:** I've added this as C11.01.01 from various documents I discovered; I'm not sure what the status of those documents (approved in 1990) have, so I'd suggest just doing this (or something similar) as a new bylaw.

- d. If the Congregation Council elects its officers, the 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.

**C11.01.01.** This bylaw specifies the duties of the officers as noted in C11.01.a.

- a. The president shall have the following responsibilities:
- 1) Preside at all meetings of the congregation, the church council, the executive committee and the personnel committee.
  - 2) Coordinate the work of the committees and be an ex-officio member without vote on all other committees not specified in paragraph 1).
  - 3) Enforce the Constitution and Bylaws of this congregation and carry out the expressed will of the congregation as embodied in the resolutions of the voting membership.
  - 4) Hold the overall responsibility for the effective functioning of all boards, committees, auxiliaries, etc. in this congregation.
  - 5) Deliver an annual report to the congregation.
- b. The secretary shall have the following responsibilities:
- 1) Attend Church Council and Congregation meetings, record their proceedings, and distribute copies to members as needed.
  - 2) Hand in to the church office a copy of all minutes taken.
  - 3) Contact council members regarding meetings as needed.
  - 4) Keep attendance records at each council meeting. Advise the president of absentees and their reasons for absences and notify members who have two unexcused absences.
  - 5) Assist the president on agenda items, calling to attention matters deferred or referred to committee.
  - 6) Handle correspondence as needed for the Church Council and this congregation.
  - 7) Sign documents as needed for this congregation.
  - 8) Maintain a register of congregation and Church Council resolutions and policies.
- c. The Treasurer shall have the following responsibilities:
- 1) Be responsible for accurate recording of this congregation's receipts and disbursements and budgeted and actual expenditures according to appropriate accounting procedures.
  - 2) Shall give a monthly statement of income and expenditures compared to budget to the church council. Copies of the monthly treasurer's report shall be presented to all church council members.
  - 3) Shall present a written annual report to the congregation.
  - 4) Shall submit permanent financial records for annual audit.
  - 5) Shall be responsible for quarterly remission of mission support to the Northeastern Minnesota Synod and for prompt payment of salaries and bills authorized by the council or the finance committee.
  - 6) Shall furnish the congregation a surety bond in the sum designated by the church council and such a bond shall be procured and the premiums paid by this congregation.
  - 7) Shall receive from the financial secretary a report of all moneys received through worship services, special offerings, or any other source and duly record the same.
  - 8) Shall sign checks for payment of bills, salaries, or other financial commitments of this congregation of any sort.
  - 9) Shall have available for the Council and the various boards and organizations a current record of their accrued disbursements and budget allotment.
  - 10) May appoint with the president a voting member to receive moneys and gifts to memorial/dedicated funds, keep records of the same and disburse only on orders of the church council.

**C11.01.02.** In the event that the President or Secretary are absent from a meeting, these roles shall be filled by some member present. The choice of this member shall be by majority vote of those present.

- C11.02.** The Congregation Council shall elect its officers and they shall be the officers of the congregation. The officers shall be elected and shall serve for three years or until their successors are elected. Their terms shall begin at the Church Council meeting following the annual meeting at which they were elected. ~~Installation on the Sunday following the Annual Meeting.~~

- 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 terms in the same office.

## Chapter 12.

### CONGREGATION COUNCIL

- C12.01.** The voting membership of the Congregation Council shall consist of the pastor and 5 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.

Consistent with the laws of the state in which this congregation is incorporated, the congregation may adopt procedures for the removal of a member of the Congregation Council in other circumstances.

**C12.02.** The members of the Congregation Council except the pastor shall be elected by written ballot to serve for 3 years or until their successors are elected. Such members shall be eligible to serve no more than two full terms consecutively. Their terms shall begin at the close of the annual meeting at which they are elected. Newly elected Congregation Council members shall be installed at worship the Sunday prior to the date they assume office.

**C12.02.01.** The installation newly elected members of the Congregation Council and Officers shall take place on a date determined by the Congregation Council as close as is feasible to the beginning of their terms. Returning and outgoing members of the Congregation Council may also be recognized in an appropriate way at that time.

**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 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 Word 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) rostered minister(s) and staff and help them annually to evaluate the fulfillment of their calling 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 organization 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 directors 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 State of Minnesota, 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 enter into contracts of up to \$1,500.00 for items not included in the budget.
- d. The Congregation Council shall prepare an annual budget for adoption by this congregation, shall supervise the expenditure of funds in accordance therewith following its adoption, and may incur obligations of more than \$3,000.00 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 collaboration with the synod and churchwide organization.
- 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 and 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 employment and supervision of the staff of this congregation. Nothing in this provision shall be deemed to affect the congregation's responsibility for the call, terms of call, or termination of call of any employees who are on a roster of this church.

**C12.09.** 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 by the president 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 the agenda for a particular regular or special meeting, which shall be the only business considered at that meeting. Chronic or repeated absence of the pastor or interim pastor who has refused approval of the agenda of a subsequent regular or special meeting shall not preclude action by the Congregation Council, following consultation with the synodical bishop.
- C12.13. The Congregation Council and its committees may hold meetings by remote communication, including electronically and by telephone conference, as long as there is an opportunity for simultaneous aural communication or its equivalent. ~~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 three voting members of this congregation, two of whom, if possible, shall be outgoing members of the Congregation Council, shall be elected at the annual meeting for a term of one year. Members of the Nominating Committee are not eligible for consecutive re-election.
- C13.03. An *Audit Committee* of three voting members shall be elected by the Congregation Council. Audit Committee members shall not be members of the Congregation Council. Term of office shall be three years, with one member elected each year. Members shall be eligible for re-election.
- C13.04. A *Mutual Ministry Committee* (in the absence of a mutual ministry committee, the duties shall be fulfilled by the executive committee) shall be appointed jointly by the president and the rostered minister. Term of office shall be two years, with two members from Emmanuel appointed each successive year. This shall be a Parish Committee with representatives from each congregation.
- C13.05. When a ~~pastoral~~ vacancy occurs in a position for which this congregation calls a rostered minister, a *Call Committee* of ~~four~~ **three** voting members shall be elected by this congregation along with ~~four~~ **three** voting members from Grace Lutheran Church. Term of office will terminate upon installation of the newly called pastor.
- C13.06. Other committees of this congregation may be formed, as the need arises, by decision of the Congregation Council.

**C13.06.A23.** In addition to those committees specified in C13.01 through C.13.05, this congregation may have the following standing committees:

- a) Property Management Committee.
- b) ~~Shepherding~~ Committee.
- c) ~~Worship & Music~~ Committee.
- d) ~~Education & Youth~~ Committee.
- e) WELCA
- f) ~~Evangelism~~ Committee.
- g) ~~Stewardship~~ Committee.
- h) ~~Personnel~~ Committee

**C13.06.B23.** Each of the committees noted in C13.06.A23. shall have the following roles fulfilled:

- a) Council Liaison
  - 1) This person shall be a member of the Church Council.
  - 2) This person serves as communication link between committee and council.
  - 3) This person may serve as either committee chairperson or secretary, but are not granted either position as a result of being the council liaison.
  - 4) This person is responsible for securing people to serve on the respective committee.
- b) Committee Chairperson
  - 1) This person is elected by the committee to serve in that role.
  - 2) This person will communicate with the assigned staff member prior to the meeting to formulate the agenda.
  - 3) This person will prepare by December 30 (or other deadline as established) a year-end report for the inclusion in this congregation's annual report.
- c) Committee Secretary.
  - 1) This person is elected by the committee to serve in this role.
  - 2) This person is to keep minutes of the committee meetings.
  - 3) This person is to turn in copies of the minutes to the church office within three days of the meeting.
  - 4) This person is to be responsible for communications with outside organizations and people.

**Commented [G&EL13]:** This provision is being added so that it matches with Grace's Constitution, as this is described in their constitution as a "parish committee."

**Commented [G&EL14]:** This change is to align Emmanuel's constitution with Grace's (and the model constitution).

**Commented [G&EL15]:** It is possible that some of these committees are not presently functioning; however, it was chosen by the council to continue to have them included in these continuing resolutions in the hopes that such committees may again function.

The naming and descriptions of the committees are found again in earlier documents of uncertain status or date.

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

**C.13.07.A23** The Property Management Committee shall provide for the maintenance of the properties of this congregation. In order to accomplish this, they shall:

- 1) Oversee maintenance and improvement of the church buildings and grounds, including equipment and furnishings.
  - a) Organize volunteer workers, using time and talent resources.
  - b) Recommend contracts and recommend payments of maintenance contracts.
  - c) Keep inventory of physical assets in this congregation.
  - d) Inspect premises regularly for the purpose of maintenance, safety, accessibility, insurance and building code compliance.
- 2) Provide for custodial help.
  - a) Review and evaluate annually the job description and duties of the church custodian and make recommendations to the Personnel Committee.
  - b) Be or arrange for a substitute custodian when the custodian is on vacation or otherwise unavailable.
  - c) Arrange for spring cleaning or other appropriate help to custodian.
- 3) Evaluate and maintain building security.
  - a) Supervise distribution and duplication of keys.
  - b) Recommend appropriate security equipment and measures.
  - c) Perform fire safety inspections annually with the assistance of the local fire department; fire drills should be randomly called at least annually in the Sunday School time at a time approved by the Superintendent.
- 4) Serve as church liaison to the Cemetery Board.
- 5) Perform other needed responsibilities:
  - a) Evaluate requests for ongoing use of facilities by outside groups.
  - b) Make recommendations for appropriate property related memorial gifts.

**C13.07.B23.** The Shepherding Committee is responsible for the care and nurture of members of this congregation. To do this, they shall:

- 1) Be concerned for the continuing activity of New Members, assuring that:
  - a) Sponsorship contracts are maintained.
  - b) New Members receive special invitations to any activities and special events of this congregation.
  - c) Any volunteered activity by new members is utilized promptly.
- 2) Be aware of, and to share with the Pastor, concerns and needs of members.
- 3) Be concerned for the special needs of the elderly and shut-ins.
  - a) Provide for rides to church.
  - b) Maintain Lay Communion Server program.
  - c) Make tape recordings of Sunday Services and take to shut-ins.
- 4) Evaluate and develop a program of extended pastoral care to members of the congregation (Befrienders ,etc.).
- 5) Have a representative present at Baptisms.
- 6) Plan farewells for those members leaving the community.

**C13.07.C23.** The Worship & Music Committee will be joint committee with Grace Lutheran. The committee is to share in planning meaningful and theologically appropriate worship for this parish, in accordance with accepted Lutheran worship practices. Members of this committee should include the Altar Guild Chair, choir directors, accompanists, and organists to achieve maximum utilization of talents. The committee will be responsible for:

- 1) Worship:
  - a) Schedule readers, communion assistants, acolytes (in conjunction with Youth Director) and assisting ministers, and maintain follow-up to assure that these persons are present on their given Sunday.
  - b) Schedule choirs or special music.
  - c) May suggest hymn(s) as needed.
- 2) Worship space:
  - a) Maintain a welcoming and tasteful worship environment.
  - b) Discuss placement of sanctuary decorations and appointments for special events and seasons (e.g. Christmas trees, wreaths, Easter lilies, etc.) in order to avoid an undesirable or awkward traffic flow.
- 3) Practices and polices relating to Occasional Services:
  - a) Uphold and maintain wedding, funeral and sacramental rites of the Lutheran tradition.
  - b) Develop and make available written polices concerning these rites.
- 4) Procedures for ushers for all worship services:
  - a) In conjunction with the president of the congregation, appoint a Head Usher.
  - b) Maintain a schedule of ushers.
  - c) Express appreciation.
- 5) Communicating with the Altar Guild regarding the use of:
  - a) The worship space, liturgical appointments and worship helps.
  - b) Vestments, paraments and altar appointments.

c) Banners.

**C13.07.D23.** The Education & Youth Committee shall seek to provide leadership and supervision of this congregation's education program as it seeks to nurture Christian faith. The members of this committee should include the Sunday School Superintendent(s), coordinators for Release Time and Vacation Bible School, and representative of the Library Committee. This committee will be responsible for:

- 1) Establishing objectives, setting policies for, approving curriculums and supervising the total education program for each educational aspect of this congregation:
  - a) Sunday School:
    - i) Appoint the Superintendent(s).
    - ii) Arrange for special events which involve the Sunday School such as Rally Sunday, Christmas Program, Sunday School Awards Day.
    - iii) Arrange for the installation of Sunday School teachers.
  - b) Confirmation: Work with the appropriate Rostered Minister on Confirmation education program.
  - c) Vacation Bible School:
    - i) Appoint coordinator.
    - ii) Consider options for alternative programming such as Outreach Teams, outdoor camping experiences, combined classes with another church, etc.
  - d) Adult Education:
    - i) Appoint coordinator.
    - ii) Work with coordinator and/or pastor to plan Adult Forums and Bible studies.
    - iii) Consider educational opportunities for strengthening the family.
- 2) Enlisting and providing continuing support for teachers and leaders as the congregation's needs require; providing for continuing growth of teaching staff through workshop and conference opportunities.
- 3) Consulting and coordinating with the Youth Director regarding matters of mutual concern.
- 4) Planning for recognition of graduates and of faithful service by all persons involved in the education program of this congregation.
- 5) Annually examine the education facilities and equipment, and make appropriate recommendations to the Church Council.
- 6) Preparing an annual budget request.
- 7) Developing a program of activities for youth with promote:
  - a) Fellowship.
  - b) Spiritual growth.
  - c) Participation in church life.
- 8) Coordinate service projects through which youth can be involved in service and ministry to this congregation and the community, specifically:
  - a) Acolyte program.
  - b) Lesson readers.
- 9) Enlist participation of parents and adult advisors in youth programs and activities.
- 10) Oversee the use of moneys from the Youth Budget and coordinate fund raisers and needed.
- 11) Periodically review the congregation's total youth ministry in order to provide accountability, respond to the changing needs of youth, and develop new directions in youth ministry.

**C.13.07.E23.** The Evangelism Committee is to embody and communicate the Good News to all people; this is accomplished as one welcomes in the spirit of Christ all people through word and deed and invites them to participate in the life and ministry of this congregation. To meet these objectives, this committee shall:

- 1) Have the following responsibilities related to new members:
  - a) Approach persons regarding membership.
  - b) Assign sponsors to new members.
  - c) Coordinate New Member Sunday activities.
  - d) Ensure that pictures of new members are taken and displayed.
- 2) Maintain outreach through a "Greeter" program and guest register follow-up by:
  - a) Schedule greeters for Sunday mornings.
  - b) Monitor visitor registration and initiate follow-up activity as appropriate.
  - c) Greeters shall be members of Emmanuel Lutheran Church.
  - d) Greeters will greet all members and guests as they arrive for service.
  - e) Greeters will ensure that guests sign the Guest Book and also receive a registration card to complete IF they wish to do so. This card would be placed in the offering plate.
- 3) Maintain outreach by publicizing this congregation's activities in the community.
- 4) Evaluate the congregation's public witness to the community.



5) Assist in making contacts with new people in the community and make follow-up visits to persons who visit or attend our worship service.

**C.13.07.F23.** The Stewardship Committee shall educate and lead the congregation in biblical stewardship of time, talents, and treasures. To carry out this responsibility, the committee shall:

- 1) Be informed by the Biblical principles regarding Christian stewardship and encourage congregational giving in response to blessings received.
- 2) Be responsible for the annual Stewardship emphasis.
  - a) Education phase: Emphasize concepts of proportionate and first fruits giving.
  - b) Pledging phase:
    - i) Distribution of pledge cards.
    - ii) Collection of pledge cards.
    - iii) The Financial Secretary will confidentially record specific information from the pledge cards.
  - c) Follow-up evaluations of annual program.
  - d) Recommendations for the following year's program.
- 3) Shall offer year-round recommendations for stewardship education, i.e. when to emphasize missions and other needs of the church.
- 4) Shall maintain a program for enlisting the voluntary services of members, and be responsible for managing a congregational talent file.

**C13.07.G23.** The Personnel Committee shall be the Executive Committee. In their role as the Personnel Committee, they are to consider all matters related to church staff, including support, determining policies and hearing concerns. Further, they shall:

- 1) Annually review and make recommendations about salaries, vacations, evaluations, personnel policies, etc.
- 2) Develop written position descriptions and personnel policies for all staff covering at least salaries, hours and working conditions.
- 3) Adopt policies for staff related to such areas as office hours, vacations, records retention, sick leave, etc., provided that such policies do not conflict with other areas of this constitution or the laws or regulations of the State of Minnesota or the United States of America or entities thereof.
- 4) Be concerned for the spiritual, emotional and physical well-being and provide prayer support and encouragement by word and action to the pastor and other staff members.

**C13.08.** The pastor of this congregation shall be *ex officio* a member of all committees and boards of the congregation. The president of this congregation shall be *ex officio* a member of all committees and boards of this congregation, except the Nominating Committee.

## 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 has been given by the Congregation Council and specified in a continuing resolution.

**C14.02.01.** Ceremonies of lodges or other such organizations shall not be permitted in the buildings or premises of this congregation due to conflicting loyalties.

## Chapter 15.

### DISCIPLINE OF MEMBERS AND ADJUDICATION

**\*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. 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. 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 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. 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**

- \*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 may petition the synodical bishop for consultation after informing the Chair of the Congregation Council, the president of this congregation of their intent to do so. 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. The synod bishop shall seek a timely resolution of the dispute. If the issue relates directly to the pastor, the bishop may begin the process in †S14.18.d. In all other matters, if the bishop's consultation fails to resolve the issue, the bishop shall refer the matter to the Consultation Committee of the synod, which shall undertake efforts to find an appropriate solution. If the Consultation Committee's efforts fail to resolve the dispute, the entire matter shall be referred to the Synod Council for adjudication by whatever process the Council deems necessary. The Synod Council's decision shall be final.

**Commented [G&EL16]:** The ending portion of this is sufficiently changed to advocate striking it and replacing it with the concluding portion of the model constitution.

**Chapter 16 17.**

**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 two-thirds vote of those voting members present and voting.
- \*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.

**Commented [G&EL17]:** Bylaws and Amendments portion swap. All the numbering and order should change so that Bylaws are Chapter 17 and Amendments are Chapter 16. I'm not going to indicate that this point because it'll just get too messy.

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

## Chapter 17 16. AMENDMENTS

\*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 20% 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. An amendment to this constitution, proposed under \*C17.01., shall:

- be approved at a legally called Congregation Meeting according to this constitution by a majority vote of those present and voting;
- be ratified without change at the next annual meeting by a two-thirds majority vote of those present and voting; and
- ~~have the effective date included in the resolution<sup>2</sup> and noted in the constitution.~~

\*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 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 ~~51%~~ of at least two (2) 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.

Commented [G&EL18]: References should be updated once renumbering of the chapters has occurred.

## Chapter 18. CONTINUING RESOLUTIONS

\*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 majority vote of a meeting of the congregation or a two-thirds vote of all voting members of the Congregation Council.

\*C18.03. Adopted or amended continuing resolutions shall be sent by the secretary of this congregation to the synod.

## 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.

## Chapter 20. PARISH AUTHORIZATION

[\* Required provisions when congregation is part of a parish]

\*C20.01. This congregation may unite in partnership with one or more other congregations recognized by the synod named in \*C6.01. to form a parish. Except as provided in \*C20.02. and \*C20.03., a written agreement, developed in consultation with the synod and approved by the voting members of each congregation participating in the parish, shall specify the powers and

<sup>2</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.

responsibilities that have been delegated to a Parish Council. The Parish Agreement shall identify which congregation of the parish issues calls on behalf of the member congregations or shall establish a process for identifying which congregation issues calls on behalf of the member congregations.

**\*C20.01.01.** The call for a rostered minister serving this parish shall be issued by Grace Lutheran Church.

**\*C20.02.** Whenever a letter of call is being recommended for extension to an ordained minister of the Evangelical Lutheran Church in America or a candidate for the roster of ordained ministers, One congregation of a parish shall issue a call on behalf of the member congregations to a minister of Word and Sacrament or candidate for the roster of Ministers of Word and Sacrament who has been recommended to the congregation by the synodical bishop to serve the congregations of the parish. Such letter of call shall be first approved prior to issuance by a two-thirds vote at a congregational meeting of each of the congregations forming the parish. If any congregation of the parish should fail to approve extending this the call, the other congregations in the same of the parish shall have the right to terminate the parish arrangement.

**\*C20.03.** One congregation of a parish may issue a call on behalf of the member congregations to a minister of Word and Service or a candidate for the roster of Ministers of Word and Service who has been recommended by the synod bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregation meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.

**\*C20.03.04** Any one of the congregations of a parish may terminate the call of a their relationship with the pastor as provided in †§14.13.d §14.18.d. of the synodical constitution of the synod named in \*C6.01. In such case, the other congregation(s) in of the same parish shall have the right to terminate the parish arrangement.

**\*C20.05.** Any one of the congregations of the parish may terminate their relationship with a minister of Word and Service as provided in †§14.43.d. of the synod constitution of the synod named in \*C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.

**\*C20.04.06** Whenever a parish arrangement is terminated, the call of any rostered person minister serving that parish is terminated. Should any congregation that formerly was part of the parish arrangement desire to issue a new call to that rostered person minister, it may do so in accordance with the call process of this church.

**Commented [G&EL19]:** This bylaw is a completely new provision that is necessary because of the concluding portion of \*C20.01 and the absence of any clarification in the parish agreement; identical language is being added as a bylaw for Grace. (Only one congregation of a parish officially issues the letter of call.)