

Constitution Task Force Report and Proposal Explanation, January 2010

To: Good Shepherd Church Congregation
From: Good Shepherd Church Constitution Task Force

The *Constitution for Good Shepherd Lutheran Church* was adopted more than 10 years ago, no longer meets ELCA requirements, and in some instances is extremely outdated.

The Good Shepherd Church Council formed the Constitution Task Force to review the document. The Task Force referred to the *Model Constitution for Congregations* (the ELCA's *Model Constitution* is the required basis for a congregational constitution) and Good Shepherd Church's existing *Constitution* in preparing this proposal. This document proposes changes to the Constitution and Bylaws, and introduces a new type of governance, the Continuing Resolution.

The ELCA requires congregations to adopt many sections exactly as written in the *Model Constitution for Congregations*. Asterisks (*) mark these sections in our proposal. Only the portions of the Constitution that do not have asterisks can be changed or written as the Congregation wishes. You will find Bylaws and Continuing Resolutions in the body of the document rather than as a separate page following the Constitution itself.

Below you will find a brief explanation of the structure of this proposed Constitution:

- The CHAPTERS of the constitution are designated by brief titles for the chapters with the constitutional provisions noted by a C followed by a two-number code in bold type. **C8.01.**
- Bylaws are codified with three sets of numbers and are in plain type. C8.02.01
- Continuing Resolutions are similar to Bylaws, add the year adopted, and are in italics. *C10.01.A10.*

Examples:

CHAPTER 8.
MEMBERSHIP

- ***C8.01.** Asterisks denote required sections that cannot be changed in any way.
- C10.01.** Provisions carrying no asterisks can be modified as the congregation desires.
- C8.02.01 Bylaws are in plain type. (The .01 indicates this is the first Bylaw to Chapter C8.02)
- C10.01.A10.* The "A" in the coding for this Continuing Resolution indicates it is the first related to C.10.01. The last two numbers denote the year the resolution was adopted.

The three types of governance differ in their significance and the means of amendment.

Constitution Amending the Constitution requires readings and votes at two different congregational meetings. Changing provisions of the Constitution should take much thought before action; therefore, making changes to these provisions requires the most extensive effort. A proposed Amendment is debated and voted upon at the first Congregational meeting. At the second meeting there can be no changes to what was approved at the first meeting. The second vote is only to approve the proposed Amendment.

Bylaw A Bylaw, while important, can be adopted with a reading and vote at one congregational meeting.

Continuing Resolution Continuing Resolutions are used as governing statements and are the easiest to modify. These relate to topics in which changes should be easy to make as situations warrant. Changes can be made by action of the Congregation Council alone.

Following is a list of key portions of the proposal that you should review carefully:

<u>Page</u>	<u>Section</u>	<u>Task Force comments</u>
6	C8.05.01	A proposed Bylaw that alters the definition used by Good Shepherd Church (current: 1 year; proposed: 12 consecutive months)
9	C9.20.	The ELCA makes no recommendation here, and neither does the Task Force. There is no effective ecumenical organization in Romeoville.
9	C9.21.	This is ELCA-recommended wording, but it could be modified. The Task Force doesn't believe it needs to be changed.
9	C10.02.	Describes how a special congregational meeting may be called.
9	C10.05.	Sets number of voting members that constitute a quorum at 12. This is unchanged.
9	C11.01.	This portion specifies how the officers are elected.
10	C11.01.01	This Bylaw lists the duties of the officers.
10	C12.01.	This section determines the makeup of the Congregation Council and contains proposed revisions. The <i>Model</i> has a different suggestion that would make it mandatory for one member to be a youth. Our proposed wording encourages a "special effort" be made to nominate/elect at least one person under the age of 25 to the Council.
11	C12.05.c.	This specifies a limit to the adoption of a deficit budget under certain circumstances.
13	<i>C13.07.A10- C13.07.110</i>	These Continuing Resolutions delineate the duties of the various ministry teams and committees. By listing these in continuing resolutions, the Council can modify the duties easily in response to the church's needs.

Upon receiving congregational approval, the Constitution shall be submitted to the Northern Illinois Synod for its review and approval, as noted under Chapter 17 of the *Constitution for Good Shepherd Lutheran Church*.

We appreciate having had the opportunity to serve Good Shepherd Church in this way, and look forward to hearing your comments and questions about this proposal.

*Good Shepherd Church Constitution Task Force:
Bruce Beggs, chairman; Bob Hurdle; Jan Sanchez*

Good Shepherd Evangelical Lutheran Church
Romeoville, IL
Constitution, Bylaws, and Continuing Resolutions
(Proposed for Congregation consideration, January 31, 2010)

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 the Son and the Holy Spirit.

CHAPTER 1.

NAME AND INCORPORATION

- C1.01.** The name of this congregation shall be Good Shepherd Evangelical Lutheran Church of Romeoville, Illinois.
- C1.02.** For the purpose of this constitution and the accompanying bylaws and continuing resolutions, the congregation of Good Shepherd Lutheran Church of Romeoville, Illinois, is hereafter designated as "this congregation."
- C1.11.** This congregation shall be incorporated under the laws of the State of Illinois.

CHAPTER 2.

CONFESSION OF FAITH

- *C2.01.** This congregation confesses the Triune God, Father, Son, and the 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 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 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 Scriptures and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God's mission in the world.

CHAPTER 3. **NATURE OF THE CHURCH**

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

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

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 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 aged, advocating dignity and justice for all people, working for peace and reconciliation among nations, and standing with the poor and powerless, and committing itself to their needs.
- e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.
- f. Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity which the spirit gives.

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

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

- h. Foster and participate in interdependent relationships with other congregations, the synod, and the churchwide organization of the Evangelical Lutheran Church in America.
- i. Foster and participate in ecumenical relationships consistent with churchwide policy.

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

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

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. adopt amendments to the constitution, as provided in Chapter 17, and amendments to the bylaws, as specified in Chapter 16;
- e. approve the annual budget;
- f. acquire real and personal property by gift, devise, purchase, or other lawful means;
- g. hold title to and use its property for any and all activities consistent with its purpose;
- h. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
- i. elect its Congregation Council, and to require them to carry out their duties in accordance with the constitution, bylaws, and continuing resolutions; and
- j. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.

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

CHAPTER 6. **CHURCH AFFILIATION**

***C6.01.** This congregation shall be an independent part of the Evangelical Lutheran Church in America or its successor, and the Northern Illinois Synod of the Evangelical Lutheran Church in America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America.

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

- *C6.03.** This congregation acknowledges its relationship with the Evangelical Lutheran Church in America in which:
- a. This congregation agrees to be responsible for its life as a Christian community.
 - b. This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.
 - c. This congregation agrees to call pastoral leadership from the clergy roster of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the Bishop of the synod.
 - d. This congregation agrees to consider associates in ministry, deaconesses, and diaconal ministers 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.
 - c. This congregation is removed from membership in the Evangelical Lutheran Church in America according to the procedures for discipline of the Evangelical Lutheran Church in America.
 - d. This congregation follows the procedures outlined in ***C6.05**.
- *C6.05.** This congregation may terminate its relationship with the Evangelical Lutheran Church in America by the following procedure:
- a. A resolution indicating the desire of this congregation to terminate its relationship must be adopted at a legally called and conducted special meeting of this congregation by a two-thirds majority of the voting members present.
 - b. The secretary of this congregation shall submit a copy of the resolution to the synodical bishop and shall mail a copy of the resolution to voting members of this congregation. The notice shall be submitted within 10 days after the resolution has been adopted.
 - c. The bishop of the synod shall consult with this congregation during a period of at least 90 days.
 - d. If this congregation, after consultation, still desires to terminate its relationship, such action may be taken at a legally called and conducted special meeting by a two-thirds majority of the voting members present, at which meeting the bishop of the synod or an authorized representative shall be present. Notice of the meeting shall be mailed to all voting members at least 10 days in advance of the meeting.
 - e. A certified copy of the resolution to terminate its relationship shall be sent to the synodical bishop, at which time the relationship between this congregation and the Evangelical Lutheran Church in America shall be terminated.
 - f. Notice of termination shall be forwarded by the synodical bishop to the secretary of this church and published in the periodical of this church.
 - g. Since this congregation was a member of the Lutheran Church in America, it shall be required, in addition to the foregoing provisions in ***C6.05**, to receive synodical approval before terminating its membership in the Evangelical Lutheran Church in America.
- *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 program unit of the churchwide organization before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is effected.
- *C6.07.** If this congregation considers developing an additional site to be used regularly for worship, it shall confer with the bishop of the synod in which it is territorially located and the appropriate program 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 Northern Illinois Synod of the Evangelical Lutheran Church in America.
- *C7.02. If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline, title to the 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. Before this congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of the Northern Illinois 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, title to property of this congregation shall continue to reside in this congregation only with the consent of the Synod Council. The Synod Council, after consultation with this congregation by the established synodical process, may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of this congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America.
- *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:
 - a. 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.
 - b. Shall—upon written demand by the Synod Council, pursuant to †S13.23. of the constitution of the Northern Illinois Synod 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:
 - a. **Baptized** members are those 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.
 - b. **Confirmed** members are baptized persons who have been confirmed in this congregation, those who have been received by adult baptism or by transfer as confirmed members from other Lutheran congregations, or baptized persons received by affirmation of faith.
 - c. **Voting** members are confirmed members. Such confirmed members, 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.
 - d. **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.

- *C8.03. All applications for confirmed membership shall be submitted to and shall require approval of Congregation Council.
- *C8.04. It shall be the privilege and duty of members of this congregation to:
 - a. make regular use of the means of grace, both Word and sacraments;
 - b. live a Christian life in accordance with the Word of God and the teachings of the Lutheran church; and
 - c. support the work of this congregation, synod, and the churchwide organization of the Evangelical Lutheran Church in America through contributions of their time, abilities, and financial support as biblical stewards.
- *C8.05. Membership in this congregation shall be terminated by any of the following:
 - a. death;
 - b. resignation;
 - c. transfer or release;
 - d. disciplinary action by the Congregation Council; or
 - e. removal from the roll due to inactivity as defined in the bylaws. (See C8.05.01)

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 Inactive members are persons who have not received Holy Communion and have not contributed to the congregation with time and financial support for twelve (12) consecutive months unless circumstances necessitate such inactivity. The pastor and Congregation Council shall determine when an inactive member shall be removed from membership.

CHAPTER 9. **THE PASTOR**

- *C9.01. Authority to call a pastor shall be in this congregation by at least a two-thirds majority ballot vote of members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by the Congregation Council to recommend the call, shall seek the advice and help of the bishop of the synod.
- *C9.02. Only a member of the clergy roster of the Evangelical Lutheran Church in America or a candidate for the roster of ordained ministers who has been recommended for the congregation by the synodical bishop may be called as a pastor of this congregation.
- *C9.03. Consistent with the faith and practice of the Evangelical Lutheran Church in America,
 - a. Every ordained minister shall:
 - 1) preach the Word;
 - 2) administer the sacraments;
 - 3) conduct public worship;
 - 4) provide pastoral care; and
 - 5) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world
 - b. Each ordained minister with a congregational call shall, within the congregation:
 - 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
 - 2) supervise all schools and organizations of this congregation;
 - 3) install regularly elected members of the Congregation Council; and
 - 4) with the council, administer discipline.
 - c. Every pastor shall:
 - 1) strive to extend the Kingdom of God in the community, in the nation, and abroad;
 - 2) seek out and encourage qualified persons to prepare for the ministry of the Gospel;

- 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 Northern Illinois Synod of the ELCA.

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

- *C9.05.**
- a. The call of a congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which, except in the case of the death of the pastor, shall be terminated only following consultation with the synodical bishop and for the following reasons:
 - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the pastor, which shall become effective, unless otherwise agreed, 30 days after the date on which it was submitted;
 - 3) inability to conduct the pastoral office effectively in the congregation in view of local conditions, without reflections on the competence or the moral and spiritual character of the pastor;
 - 4) the physical or mental incapacity of the pastor;
 - 5) disqualification of the pastor through discipline on grounds of doctrine, morality, or continued neglect of duty;
 - 6) the dissolution of the congregation; or the termination of a parish arrangement; or
 - 7) suspension of the congregation as a result of discipline proceedings.
 - b. When allegations of physical or mental incapacity of the pastor or ineffective conduct of the pastoral office have come to the attention of the bishop of the synod, the bishop in his or her sole discretion may, or 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 shall, investigate such conditions personally in the company with a committee of two ordained ministers and one layperson.
 - c. In case of alleged physical or mental incapacity, competent medical testimony shall be obtained. When such disability is evident, the bishop of the synod with the advice of the committee shall declare the pastorate vacant. Upon the restoration of a disabled pastor to health, the bishop of the synod shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another field of labor.
 - d. In the case of alleged local difficulties that imperil the effective functioning of the congregation, all concerned persons shall be heard, after which the bishop of the synod together with the committee described in ***C9.05.b.** shall decide on the course of action to be recommended to the pastor and the congregation. If they agree to carry out such recommendations, no further action shall be taken by the synod. If either party fails to assent, the congregation may dismiss the pastor 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 where the bishop and committee recommended the termination of the call.
 - e. If, in the course of proceedings described in ***C9.05.d.** the committee concludes that there may be grounds for disciplinary action, the committee shall make recommendations concerning disciplinary action to the synodical bishop who may bring charges, in accordance with the provisions of the constitution and bylaws of the Evangelical Lutheran Church in America and the constitution of this synod.
 - f. If, following the appointment of the committee described in ***C9.05.b. or .d.**, it should become apparent that the pastoral office cannot be conducted effectively in the congregation(s) being served by the ordained minister due to local conditions, the bishop of the synod may temporarily suspend the pastor from service in the congregation(s) without prejudice and with pay provided through a joint synodical and churchwide fund with housing provided by the congregation(s).

- *C9.06. At a time of pastoral vacancy, an interim pastor shall be appointed by the bishop of the synod with 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 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.
 - *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 approval of the bishop of the synod, the 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 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 hands in good order by a departing pastor before the installation of that pastor in another field of labor or the granting by the synod of retired status to the pastor.
- C9.20. Ecumenical pastoral ministry**
- C9.21.** Under special circumstances, subject to the approval of the synodical bishop and the concurrence of this congregation, an ordained minister of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion may serve temporarily as pastor of this congregation under a contract between the congregation and the ordained minister in a form proposed by the synodical bishop and approved by the congregation.

CHAPTER 10.
CONGREGATION MEETING

- C10.01.** The annual meeting of this congregation shall be held at a time scheduled by and in a format determined by the Congregation Council.

- 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 twelve (12) voting members. The call for each special meeting shall specify the purpose for which it is being 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 mail (E-mail) to all voting members at least ten (10) days in advance of the date of the meeting. The posting of such notice (a) in the regular mail, with regular postage affixed or paid, sent to the last known address of such members, or (b) sent to the last known E-mail address of the member, shall be sufficient.
- C10.04.** When selling, purchasing, or encumbering real estate, or in such matters as legal counsel or the Synod Council may determine, only those of legal age in the State of Illinois (which is 18 years of age) shall be permitted to vote.
- C10.05.** Twelve (12) voting members shall constitute a quorum.
- C10.06.** Voting by proxy or by absentee ballot shall not be permitted.
- C10.07.** All actions by the congregation shall be by majority vote except as otherwise provided in this constitution or by the laws of the State of Illinois.
- C10.08.** *Robert's Rules of Order*, latest edition, shall govern parliamentary procedure of all meetings of this congregation.

CHAPTER 11. **OFFICERS**

- C11.01.** The officers of this congregation shall be the president, vice president, and secretary.
- a. Duties of the officers shall be specified in the Bylaws and Continuing Resolutions.
 - b. The officers shall be voting members of the congregation. If an officer ceases to be a voting member of the congregation, the Congregation Council immediately shall declare the office vacant and fill the vacancy for the remainder of the term.
 - c. The Congregation Council elects the officers of the congregation. The president, vice president, and secretary shall be elected from the elected membership of the Congregation Council and shall serve similar offices of the Congregation Council.
 - d. The treasurer and financial secretary are appointed by the Congregation Council. If not a member of the Congregation Council, these persons shall be accorded the privilege of voice without vote at meetings of the Congregation Council.
- C11.01.01.** Principal duties of the congregation officers, treasurer, and financial secretary.
- a. The president shall preside over all meetings of the congregation and the Congregation Council and provide services and perform other duties as delegated by the Congregation Council. The president may seek advice of the pastor in the administration of the business affairs of the congregation.
 - b. The vice president shall, in the event of the president's inability to preside at meetings, serve as presiding officer and provide services and perform other duties as delegated by the Congregation Council.
 - c. The secretary shall maintain the minutes of the congregation meetings and the Congregation Council meetings, preserve those minutes in the congregation archives, and provide services and duties as delegated by the Congregation Council.
 - d. The treasurer shall maintain the accounts and disburse monies in accordance with the budget and directives of the Congregation Council or the congregation.

- e. The financial secretary shall receive and maintain records of all income from contributing members and all other sources in accordance with the directives of the Congregation Council.
- f. The financial secretary and treasurer shall report all transactions monthly to the Congregation Council and distribute a summary report periodically to the congregation. These persons shall prepare an annual audited report of income and disbursements to be presented to the congregation at the Annual Congregation Meeting.

C11.02. The officers shall be elected by the Congregation Council by written ballot, and they shall serve for one year. The term of an officer commences upon election and continues until resignation or a successor is elected at a scheduled meeting of the Congregation Council.

C11.03. No officer shall hold more than one office at a time. No person elected president, vice president, or secretary shall be eligible to serve more than two consecutive full terms in the same office. The treasurer and financial secretary shall be eligible to serve six consecutive one-year terms.

C11.03.A10. If the president, vice president, or secretary is not eligible to serve another term in the same office, and if the eligible members of the Congregation Council cannot serve for any reason, the Council may waive the restriction of C11.03 and re-elect a current officer to one additional one-year term in the same office. Only currently serving members of the Congregation Council may be elected in this manner.

CHAPTER 12. **CONGREGATION COUNCIL**

C12.01. Membership of the Congregation Council

- a. The voting membership of the Congregation Council shall consist of the pastor(s), the officers of the congregation, and not more than eight (8) or fewer than two (2) members of the congregation.
- b. Special effort shall be made to elect at least one person who is under the age of twenty-five (25).
- c. Any voting member of the congregation may be elected, subject only to the limitation on the length of continuous service permitted in that office.
- d. A member's place on the Congregation Council shall be declared vacant if the member
 - 1. ceases to be a voting member of this congregation, or
 - 2. is absent from four successive regular meetings of the Congregation Council without cause, or
 - 3. is removed by vote of the Congregation Council, or
 - 4. resigns from the Congregation Council.
- e. Consistent with the laws of the State of Illinois, 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(s) shall be elected by written ballot to serve for three (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.

C12.03. Should a member's place on the Congregation Council be declared vacant, special effort shall be made by the Congregation Council to appoint a successor to serve 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 evaluate its activities in light of its mission and goals.
- b. To seek to involve all members of this congregation in worship, learning, witness, service, and support.
- c. To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.

- d. To maintain supportive relationships with the pastor(s) and staff and help them annually to evaluate the fulfillment of their calling or employment.
- e. To be examples individually and corporately of the style of life and ministry expected of all baptized persons, including being pledging members of the congregation currently working toward a tithe.
- 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 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.
- k. To be liaisons to a Ministry Team thereby ensuring all Teams are represented on the Council.

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

- a. The Congregation Council shall be the board of trustees of this congregation, and as such shall be responsible for maintaining and protecting its property and the management of its business and fiscal affairs. It shall have the powers and be subject to the obligations that pertain to such boards under the laws of the State of Illinois, 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 vote at a meeting of the congregation.
- c. The Congregation Council shall present an annual budget as prepared by the Finance Team for adoption by the congregation. They shall also supervise the expenditure of funds in accordance with the budget as adopted by the congregation. Obligations of more than 10.0% in excess of the anticipated receipts may not be incurred except where the expenditures are determined to affect the health and safety of the congregation. The budget shall include this congregation's full indicated share in support of the wider ministry being carried on in partnership with the synod and churchwide organization.
- d. 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.
- e. The Congregation Council shall be responsible for this congregation's investments and its total insurance program.

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

C12.07. The Congregation Council shall provide for an annual review of the membership roster, to be completed prior to the annual meeting.

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

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.

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 up to six 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 shall provide names and profiles of persons willing to serve on the Congregation Council. 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. The term of office shall be two years. Members shall be eligible for re-election. The annual audits shall include the accounts of the Treasurer and all organizations and ministries of the congregation and be completed at least two weeks before the annual meeting that includes budget and program presentations. If the congregation's financial books are transferred to a new treasurer, the Audit Committee shall conduct an audit prior to that transfer and report to the Congregation Council.
- C13.04.** A *Mutual Ministry Committee* (in the absence of a Mutual Ministry Committee, their duties shall be filled by the Executive Committee) shall be appointed jointly by the president and the pastor. Term of office shall be two years, with three members to be appointed each successive year. The Mutual Ministry committee shall submit the concerns and an annual evaluation in writing of all paid church employees to the Congregation Council for their consideration. They shall also receive and investigate any complaints against any of the above-named employees and submit recommendations to the Congregation Council.
- C13.05.** When a pastoral vacancy occurs, a *Call Committee* of six voting members shall be elected by the Congregation Council. The Call Committee shall consist of three (3) council members and three (3) active church members. The duties of this committee shall be specified by the Congregation Council in consultation with synod staff. Term of office will terminate upon installation of the newly called pastor.
- C13.06.** Other Committees and Ministry Teams of this congregation may be formed, as the need arises, by decision of the Congregation Council.
- C13.07.** Duties of the Committees and Ministry Teams of this congregation shall be specified in the bylaws and continuing resolutions. Except as stipulated in the following paragraphs, the duties of the Committees and Ministry Teams shall be assigned by the Congregation Council to be in the best interests of the congregation. All actions of Committees and Teams are subject to approval by the Congregation Council.
- C13.07.A10. The Evangelism Team shall seek to share the Good News of Jesus Christ both within and outside the congregation. It shall work to recruit members of the congregation to do outreach ministries around our community. It shall also be responsible for maintaining in-reach ministries and other ministries as directed by the Congregational Council, as it works to make Christ known to people wherever they go.*
- C13.07.B10. The Facilities Team shall oversee the maintenance of any church-owned and/or occupied facilities or grounds.*
- C13.07.C10. The Fellowship Team shall oversee the planning of social activities to engage the congregation and the larger community as it feeds souls and nourishes spirits.*

- C13.07.D10. The Finance Team membership shall consist of the Congregation Council president, pastor(s), the treasurer, financial secretary, and no more than three (3) additional lay members of the congregation. The Finance Team is responsible for the preparation of a proposed annual budget to be submitted to the Congregation Council prior to the annual congregation meeting. The Team shall complete all reports and activities specified in the Constitution and Bylaws in support of the Congregation Council duties. The financial secretary shall periodically prepare a Report of Giving which is distributed to the membership.*
- C13.07.E10. The Learning Team, in conjunction with the pastor or interim pastor, shall administer the Christian Education program of the church including, but not limited to, Sunday School, Confirmation, Vacation Bible School, Bible study and small groups, youth ministries, and First Communion, as it strives to inspire people of all ages to come closer to Christ through continuous education using God's loving Word.*
- C13.07.F10. The Preschool Team works with and assists the Director/Teacher and staff of the Preschool in all areas of Preschool activities not related to direct student teaching. The Team reports monthly to the Congregation Council, and its activities are directed by the policies developed by the Congregation Council and the Preschool Bylaws as it works to nurture the inner spirit of each child.*
- C13.07.G10. The Social Ministry Team shall seek to engage the congregation and larger community to respond to local, synod, and churchwide needs, as well as the social concerns of the world, as it reaches into the community with Christian compassion sharing God's love.*
- C13.07.H10. The Stewardship Team shall have the responsibility to promote Stewardship education and awareness within the congregation on an ongoing basis, including, but not limited to, the time and talent recruitment and the annual pledge campaign for the support of the ministries of the congregation. The team shall focus on encouraging members to grow in faith toward giving a tithe. It will work to bring glory to God by spiritually connecting, preparing, and encouraging God's children to serve Christ through the sharing of their gifts.*
- C13.07.I10. The Worship Team shall, in conjunction with the pastor or interim pastor, schedule, plan, and coordinate the regular and special services of the congregation and have oversight of the hymnals, Bibles, and other materials used for worship. It shall assist the pastor and Congregation Council, as directed, in the calling of qualified musicians and coordinate the recruitment and activities of all worship servants. It does this in order to create a "space" where all are welcomed and comfortable to offer themselves in worship to God -- heart, mind, and spirit -- and to provide continuous opportunities for the hearing of God's Word and the sharing of the Lord's Supper.*

CHAPTER 14.
ORGANIZATIONS WITHIN THE CONGREGATION

- C14.01.** All organizations within this congregation shall exist to aid it in the ministry to the members of this congregation and to all persons who can be reached with the Gospel of Christ. As outgrowth and expressions of this congregation's life, the organizations are subject to its oversight and direction. This congregation at its annual 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.

CHAPTER 15.
DISCIPLINE OF MEMBERS AND ADJUDICATION

- *C15.01.** Denial of the Christian faith as described in this Constitution, conduct grossly unbecoming a member of the Church of Christ, or persistent trouble-making in this congregation are sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation will be attempted following Matthew 18:15-17, proceeding through these steps: a) private admonition by the pastor, b) admonition by the pastor in the presence of two or three witnesses, and c) citation to appear before the Congregation Council. If for any reason the pastor is unable to administer the admonitions required by a. and b. hereof, the president (if not the pastor) or vice president shall administer such admonitions.
- *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 discipline against a member proceeds beyond counseling and admonition by the pastor, charges against the accused member(s) that are specific and in writing shall be prepared by member(s) of the congregation who shall sign the charges as the accuser(s). The written charges shall be filed with the pastor, who shall advise the Congregation Council of the need to issue a written citation to the accused and the accusers that specifies the time and place of the hearing before the Congregation Council. The written charges shall accompany the written citation to the accused. The written citation that specifies the time and place of the hearing before the Congregation Council and requests the presence of a member charged with the offense shall be sent at least ten (10) days prior to the meeting. If the member charged with the offense fails to appear at the scheduled hearing, the Congregation Council may proceed with the hearing and may pass judgment in the member's absence.
- *C15.03.** Members of the Congregation Council who participate in the preparation of the written charges or who present evidence or testimony in the hearing before the Congregation Council are disqualified from voting upon the question of the guilt of the accused member. Should the allegations be sustained by a two-thirds majority vote of the members of the Congregation Council who are not disqualified but who are present and voting, and renewed admonition prove ineffectual, the council shall impose one of the following disciplinary actions:
- a. censure before the council or congregation;
 - b. suspension from membership for a definite period of time; or
 - c. exclusion from membership in this congregation.
- Disciplinary actions b. and c. shall be delivered to the member in writing.
- *C15.04.** The member against whom disciplinary action has been taken by the Congregation Council shall have the right to appeal the decision to the Synod Council. Such right may not be abridged and the decision of the Synod Council shall be final.
- *C15.05.** Disciplinary actions may be reconsidered and revoked by the Congregation Council upon receipt of a) evidence that injustice has been done or b) evidence of repentance and amendment.
- *C15.06.** For disciplinary actions in this congregation, "due process" shall be observed as specified in 20.41.04. in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.
- *C15.07.** No member of a congregation shall be subject to discipline for offenses that the Congregation Council has previously heard and decided, unless so ordered by the Synod Council after an appeal.
- *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 the synodical bishop for consultation after informing the chair of the Congregation Council of their intent. If consultation fails to resolve the issue(s),

the Consultation Committee of the synod shall consider the matter. If the Consultation Committee of the synod shall fail to resolve the issue(s), the matter shall be referred to the Synod Council, whose decision shall be final.

CHAPTER 16. **BYLAWS**

- *C16.01. This congregation may adopt bylaws. No bylaw may conflict with this constitution.
- *C16.02. Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a majority vote of those voting members present and voting.
- *C16.03. Changes to the bylaws may be proposed by any voting member provided, however, that such additions or amendments be submitted in writing to the Congregation Council at least 60 days before a regular or special Congregation Meeting called for that purpose and that the Congregation Council notify the members of the proposal with its recommendations at least 30 days in advance of the Congregation Meeting.
- *C16.04. Approved changes to the bylaws shall be sent by the secretary of this congregation to the synod.

CHAPTER 17. **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 ten (10) 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 by mail of the proposal together with the council's recommendations at least 30 days in advance of the meeting.
- *C17.02. An amendment to this constitution, proposed under *C17.01., shall:
 - a. be approved at a legally called Congregation Meeting according to this constitution by a majority vote of those present and voting;
 - b. be ratified without change at the next annual meeting by a two-thirds majority vote of those present and voting; and
 - c. have the effective date included in the resolution¹ 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 amendment shall become effective within 120 days from the date of the receipt of the notice by the synod unless the synod informs this congregation that the amendment is in conflict with the constitution and bylaws of the Evangelical Lutheran Church in America or the constitution of the Northern Illinois Synod of the ELCA.
- *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—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 notice to the congregation of such an amendment or amendments, together with the council's recommendations, at least 30 days prior to the meeting. Upon the request of ten (10) voting members of the congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of

¹ Such an effective date must be stated in relation to the requirements of *C17.03. to allow time for synodical review of the amendment.

the congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following a vote of approval.

CHAPTER 18. **CONTINUING RESOLUTIONS**

- *C18.01. The congregation 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.

CHAPTER 19. **INDEMNIFICATION**

- *C19.01. Consistent with the provisions of the laws under which the 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**

- *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 responsibilities that have been delegated to a Parish Council.
- *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 who has been recommended to the congregation by the synodical bishop to serve the congregations of a parish, such letter of call shall be first approved by a two-thirds vote at congregational meetings of each of the congregations forming the parish. If any congregation of the parish should fail to approve extending this call, the other congregation(s) in the same parish shall have the right to terminate the parish arrangement.
- *C20.03. Any one of the congregations of a parish may terminate the call of a pastor as provided in †S14.13.d. of the synodical constitution of the synod named in *C6.01. In such case, the other congregation(s) in the same parish shall have the right to terminate the parish arrangement.
- *C20.04. Whenever a parish arrangement is terminated, the call of any rostered person 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, it may do so in accordance with the call process of this church.

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