

**CONSTITUTION,
BYLAWS AND
CONTINUING RESOLUTIONS**
of
IMMANUEL LUTHERAN CHURCH
1700 Westport Road
Kansas City, Missouri 64111

(Adopted by the Immanuel Lutheran Church Congregation at its 22 January 1989 meeting.)
(Sections 12.02 and 13.02 amended by the Immanuel Lutheran Church Congregation, 16 February 1992.)
(Sections 12.05.b and 13.01 amended by the Immanuel Lutheran Church Congregation, 26 February 1995.)
(Section 19.01 amended by the Immanuel Lutheran Congregation, 28 January 2007.)
(Model provisions adopted by the Immanuel Lutheran Church Congregation, August 18, 2013).
(Amended by the Immanuel Lutheran Church Congregation, 9 February 2014)

Additions are underlined. Deletions are ~~struck through~~ in the text.

PREAMBLE

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

Chapter 1. NAME AND INCORPORATION

- C1.01.** The name of this congregation shall be Immanuel Evangelical Lutheran Church Association of Kansas City, Missouri.
- C1.02.** For the purpose of this constitution and the accompanying bylaws, the Immanuel Lutheran Church (ELCA) congregation is hereinafter designated as "this congregation."
- C1.11.** This congregation shall be incorporated under the laws of the State of Missouri.

Chapter 2. CONFESSIO 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 of 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

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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 Apostle's, 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, 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. This church confesses the one, holy, catholic, and apostolic Church and is resolved to serve Christian Unity throughout the world.

- *C3.03. 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 church, therefore, derives its character and powers both from the sanction and representation of its congregations and from its inherent nature as an expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in the historic continuity of the communion of saints; in breadth, it expresses the fellowship of believers and congregations in our day.

- *C3.04. 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.

- *C3.0305. 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 AND PURPOSE

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

- *C4.02. To participate in God's mission, this congregation as a part of the Church shall:
 - a. Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, and service.

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

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

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

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

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

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

C4.06.01. Statement of Mission.

- a. Immanuel Lutheran Church is a congregation of Christian people, created by God and gathered by the Holy Spirit, which recognizes Jesus Christ as the source of new life and the hope of salvation. Inspired by our name Immanuel, we believe that God is with us as we seek to deepen our faith through worship, expand our love for one another in word and deed, and embody the spirit of Christ by serving our neighbor.
- b. We are committed to an order of worship where Christ crucified and risen is proclaimed through regular celebration of the sacraments, scriptural preaching, meaningful liturgy, and a special ministry of music. Moreover, we believe that our individual lives and our common purpose are

- strengthened through educational opportunities which renew our faith and broaden our vision of God's creation.
- c. We seek to minister faithfully to all our members, counting sick and homebound persons as full participants in our fellowship. Guided by prayer and faith, we aim to ease the pain of those in our metropolitan area who lack the basic necessities for living. We desire to remember the larger Kingdom of God through involvement in local and international appeals to assist less fortunate persons and those who do not know Christ's love. Finally, we aspire to be good stewards of our money, our talents, our church property, and our time, so that we may give generously as God has given to us.
 - d. In accordance with *C4.05 of the Congregation's Constitution, the congregation shall from time to time adopt a more specific mission statement consistent with this general mission.

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 by 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 a minister of Word and Service;
 - d. ~~or terminate the call of associates in ministry, deaconesses, and diaconal ministers~~ a minister of Word and Service in conformity with the ~~applicable policy constitution~~ of the Evangelical Lutheran Church in America;
 - de. 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.
 - ef. approve the annual budget;
 - fg. acquire real and personal property by gift, devise, purchase, or other lawful means;
 - gh. hold title to and use its property for any and all activities consistent with its purpose;
 - hi. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
 - ij. elect its Congregation Council, and require them to carry out their duties in accordance with the constitution, bylaws, and continuing resolutions; and
 - jk. 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 Central States Synod of the Evangelical Lutheran Church in America.

Chapter 6. CHURCH AFFILIATION

- *C6.01. This congregation shall be an interdependent part of the Evangelical Lutheran Church in America or its successor, and of the Central States 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 to act in accordance with them.
- *C6.03. This congregation acknowledges its relationship with the Evangelical Lutheran Church in America in which:

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- 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 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 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 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 the 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 Church in America.
- d. This congregation follows the procedures outlined in *C6.05.

***C6.05.** ~~A~~-This congregation may terminate its relationship with ~~this church~~ the Evangelical Lutheran Church in America 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 this congregation by a two-thirds majority 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 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 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 this congregation, after consultation, still seeks 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. 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.

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- f. Notice of termination shall be forwarded by the bishop to the secretary of ~~this church~~ the ELCA, who shall report the termination to the Churchwide Assembly.
- 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.
 - ~~h.~~ 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 synodical approval before terminating their membership in this church.
 - ~~i.~~ 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.
 - jh. If ~~a-this~~ 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-this~~ 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.

***C6.06.** If this congregation is considering 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 Central States Synod of the Evangelical Lutheran Church in America.

***C7.02.** If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline, title to property shall 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 Central States 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, may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of this congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America.

Chapter 8. MEMBERSHIP

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- *C8.01. Members of this congregation shall be those baptized persons on the roll of this congregation at the time that this constitution is adopted and those who are admitted thereafter and who have declared and maintain their membership in accordance with the provisions of this constitution and its bylaws.
- *C8.02. Members shall be classified as follows:
- a. **Baptized** members are those persons who have been received by the Sacrament of Holy Baptism in this congregation, or, 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 as well as the other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.
 - 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~~ These individuals 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.~~
 - e. **Seasonal** members are voting members of other ELCA congregations 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:
 - 1) they shall not be eligible for elected office in, or for membership on the Congregation Council or on a call committee of, this congregation;
 - 2) 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;
 - 3) they shall not have the right to vote on any matter concerning or affecting the affiliation of this congregation with the ELCA;
 - 4) they shall not be eligible to serve as voting members from this congregation of the Synod Assembly or the Churchwide Assembly;
 - 5) they shall not, even if otherwise permitted by this congregation, vote by proxy or by absentee ballot; and
 - 6) 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.
- *C8.04. It shall be the privilege and duty of members of this congregation to:
- a. make regular use of the means of grace, both Word and sacraments;
 - b. live a Christian life in accordance with the Word of God and the teachings of the Lutheran church; and
 - c. support the work of this congregation, the synod, and the churchwide organization of the Evangelical Lutheran Church in America through contributions of their time, abilities, and financial support as biblical stewards.

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- *C8.05. Membership in this congregation shall be terminated by any of the following:
- death;
 - resignation;
 - transfer or release;
 - disciplinary action in accordance with ELCA constitutional provision 20.4041, and the accompanying bylaws; or
 - removal from the roll due to inactivity as defined in the bylaws in accordance with the provisions of this constitution and its 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. Membership Roster.

Members who have not maintained their voting status may be removed from the membership roster by the Council or a committee following personal contact from such committee or the Pastor.

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 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 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 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,
- Every ordained minister of Word and Sacrament shall:
 - 1) preach the Word;
 - 2) administer the sacraments;
 - 3) conduct public worship;
 - 4) provide pastoral care;
 - 5) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
 - 6) impart knowledge of this church and its wider ministry through distribution of its communications and publications;
 - 7) witness to the Kingdom of God in the community, in the nation, and abroad; and
 - 8) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.
 - 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;
 - 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;
 - 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 ELCA churchwide organization of the Evangelical Lutheran Church in America (ELCA) and of the Central States 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.** The provisions for termination of the mutual relationship between a minister of Word and Sacrament and this congregation shall be as follows:
- a. The call of ~~a~~-this 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 reflection on the competence or the moral and spiritual character of the pastor;
 - 4) the physical or mental incapacity of the pastor;
 - 5) disqualification of the pastor through discipline on grounds of doctrine, morality, or continued neglect of duty;
 - 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 congregation;
 - 8) dissolution of the congregation, or the termination of a parish arrangement, or
 - 9) suspension of the congregation through discipline for more than six months.
 - b. When allegations of physical disability or mental incapacity of the pastor under paragraph a.4) above, or ineffective conduct of the pastoral office under paragraph a.3) above, have come to the attention of the bishop of this synod,
 - 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two ~~ordained-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 the congregation, the bishop personally shall investigate such conditions together with a committee of two ~~ordained-rostered~~ 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 Sacrament as disabled. Upon removal of the disability and the restoration of the pastor to health, the bishop shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call.
 - d. In the case of alleged local difficulties which imperil the effective functioning of the congregation, all concerned persons shall be heard, after which the bishop of the synod together with the committee described in *C9.05b 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 vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
 - e. If either party fails to assent to the recommendations of the bishop's committee concerning the pastor's call, the congregation may dismiss the pastor only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds ~~majority~~ vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a simple majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
 - f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's

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committee concludes that there may be grounds for ~~disciplinary action~~ discipline, 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 the time of a pastoral vacancy, an interim pastor may be appointed by the bishop of the synod with the consent of this congregation or the Congregation Council.
- *C9.07.** During the period of service, an interim pastor shall have the rights and duties in the congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or Congregation Council. The interim pastor and any ~~ordained pastor~~ rostered minister providing assistance shall refrain from exerting influence in the selection of a pastor. Unless previously agreed upon by the Synod Council, an interim pastor is not available for a regular call to the congregation served.
- *C9.08.** This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting related to the Evangelical Lutheran Church in America.
- *C9.09.** When a pastor is called to serve in company with another pastor or pastors, the privileges and responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted in consultation involving the pastors, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
- C9.10.** [reserved]
- *C9.11** With the approval of the bishop of the synod the congregation may depart from 9.05.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 call may also be terminated before its expiration in accordance with the provisions of *C9.05.a.
- *C9.12.** The pastor of this congregation:
- shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation;
 - shall submit a summary of such statistics annually to the synod; and
 - shall become a member of this congregation upon receipt and acceptance of the letter of call.
- *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.~~

C9.15. 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 under contract as pastor of this congregation.

- *C9.21.** Authority to call a minister of Word and Service 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 the Congregation Council 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 synodical 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, calling for justice and proclaiming God's love for the world, witnessing to the realm of God in the community, the nation, and abroad;
 - 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;
 - 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 the ELCA 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 a congregation shall be as follows:
- a. The call of a congregation, when accepted by a deacon, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by death or, following consultation with the synodical bishop, for the following reasons:
 - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the 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) physical disability or mental 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 physical disability or mental 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 in his or her 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 physical disability or mental 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 as disabled. Upon removal of the disability and the restoration of the deacon to health, 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 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 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.** The deacon shall make satisfactory settlement of all financial obligations to a former congregation before:

- a. installation in another field of labor, or
- b. the issuance of a certificate of dismissal or transfer.

***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 his or her 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. The annual meeting of this congregation shall be held at a time specified in the bylaws.

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C10.01.01. Annual Meeting of Congregation.

- a. The annual meeting of the congregation shall be held no later than the last Sunday in February.
- b. In all elections, if the number of nominees is less than or equal to the number of vacancies to be filled, it will not be necessary to have a written ballot. Rather, said nominees may be elected by a voice vote. However, if the number of nominees is greater than the number of vacancies to be filled, a written ballot must be cast. In all elections, the names of persons receiving the highest number of votes but not elected on the preceding ballot shall be entered on the next ballot to the number of 2 for each vacancy unfilled. A majority of the votes cast is required for election.

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

C10.03. Notice of all meetings of this congregation shall be given at the services of worship on the preceding one or two consecutive Sundays and by posting mail or electronic communication to all voting members at least 10 (ten) days in advance of the date of the meeting, duly sent to the last known mailing address or electronic address of such members shall be sufficient.

C10.04. Ten (10) per cent of the voting members shall constitute a quorum. The number of voting members shall be determined from the last official report to the synod.

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

C10.06. All actions by the congregation shall be by majority vote except as otherwise permitted in this constitution.

C10.07. Robert's Rules of Order, latest edition, shall govern parliamentary procedure of all meetings of this congregation.

Chapter 11. OFFICERS

C11.01. The officers shall be a president, a vice-president, a secretary, a treasurer and a financial secretary who will serve both the Congregation Council and the congregation in their respective capacities.

C11.01.01. Officers

- a. The **president** shall preside at meetings of the congregation and the Congregation Council and shall be an ex officio member of all committees. In the event of the president's inability to serve, the vice-president shall preside.
- b. The **president, vice-president, secretary and financial secretary** shall be chosen from the membership of the Congregation Council. The treasurer, if not a member of the Council, shall be accorded the privilege of voice without vote in its meetings.
- c. **All officers** shall be voting members of the congregation. If any of them cease to be such, that office shall at once be declared vacant by the Council, which shall fill the vacancy for the unexpired term.
- d. The **secretary** shall keep accurate minutes of all meetings of the congregation and of the Congregation Council in a volume provided by the congregation, which shall be preserved permanently in its archives. These minutes shall be approved by the Congregation Council.
- e. The **financial secretary** shall receive and keep record of all income from contributing members and other sources.
- e. The **treasurer** shall keep the books of account of the congregation and shall receive all funds and disburse them on proper orders, making regular remittance of benevolence receipts to the treasurer of the synod.
- f. The **treasurer** shall make written report of all financial transactions to the Congregation Council monthly, and to the congregation, together with a satisfactory audit, at its annual meetings. All financial officers shall give corporate surety, in amounts determined by the Congregation Council,

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for which premiums shall be paid by the congregation. Fidelity coverage provided by the Evangelical Lutheran Church in America shall be deemed a fulfillment of this requirement.

C11.02. The officers shall be elected by the Congregation Council at its first meeting in the congregational year. Their terms shall begin at the close of the meetings at which they are elected.

C11.03. No officer shall hold more than one office at a time.

Chapter 12. CONGREGATION COUNCIL

C12.01. The voting membership of the Congregation Council shall consist of the pastor(s) and 12-18 members of the congregation (the exact number to be determined by the Council). Any voting member of the congregation may be elected, subject only to the length of continuous service permitted on the Council. A member's place on the Congregation Council shall be declared vacant if the member i) ceases to be a voting member of this congregation or ii) is absent from four successive regular meetings of the Congregation Council without cause, or iii) resigns.

C12.02. The members of the Congregation Council except the pastor(s) shall be elected to serve 3 years or until their successors are installed or appointed. Their tenure shall be arranged so that one-third of their terms expire annually. With respect to serving unexpired terms, a member who serves 2 years or more shall be considered to have served a full term. A member shall be eligible to serve no more than 2 full terms consecutively. A member who serves 2 full consecutive terms shall not serve on the Council during the next two years. The terms of members shall begin following their installation at worship on a Sunday following the annual meeting at which they are elected.

C12.03. Should a member's place on the Congregation Council be declared vacant, the Congregation Council may 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 personally participate in and 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~~ 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 units of the Evangelical Lutheran Church in America as well as cooperation with other congregations, both Lutheran and non-Lutheran, subject to established policies of the synod and the Evangelical Lutheran Church in America.
- i. To recommend and encourage the use of program resources produced or approved by the Evangelical Lutheran Church in America.
- j. To seek out and encourage qualified persons to prepare for the ministry of the gospel.

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

- a. The Congregation Council shall be the board of 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 Missouri, except as otherwise provided herein.
- b. The Congregation shall have the sole authority by an affirmative two-thirds vote at a regular or specially called meeting, to sell any real property owned by the Church, and, except with respect to acquisition financing secured solely by property to be acquired, shall have the sole authority to encumber any property owned by the Church.
 - c. The Congregation Council or its Executive Committee shall have the authority to buy real property for the purpose of enhancing the Congregation's future growth potential in the neighborhood; provided that the Church's annual debt service incurred from such purchase(s) shall not exceed five percent (5%) of the Church's current annual operating budget in any year. The debt service would exclude all gifts and pledge commitments for the acquisition and projected income from the property. The Congregation Council or its Executive Committee shall have the authority to encumber any property which is to be acquired. The Congregation Council shall inform the Congregation of any such purchase following the closing on a purchase contract(s).
 - d. The Congregation Council may enter into separate contracts of up to 10 per cent of the budget for items not included in the budget nor funded by other reserves.
 - e. 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 more than 10 percent in excess of the anticipated receipts only after approval by a Congregational Meeting. The budget shall include this congregation's full indicated share in support of the wider ministry being carried on in partnership with the synod and churchwide organization.
 - f. 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.
 - g. The Congregation Council shall be responsible for this congregation's total insurance program and its investments (except for the Endowment Trust Fund which is otherwise controlled).

C12.05.01. Reserve Fund

The Congregation Council shall maintain a Regular Reserve Fund equal to 5 percent of the current budget to be used for emergency purposes beyond the financial capability of the budget and other organizational accounts. Funds held in the Endowment Trust Fund shall be considered all or part of the Regular Reserve Fund. At any regular or special meeting, the Congregation Council shall have power and authority to direct distribution from such funds upon the affirmative vote of at least two thirds of a quorum.

- C12.06.** The Congregation Council shall see that the provisions of this constitution, its bylaws and the continuing resolutions are carried out.
- C12.07.** The Congregation Council shall provide for an annual review of the membership roster.
- C12.08.** The Congregation Council shall be responsible for the appointment and supervision of 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. The pastor shall be the administrative manager of all employees.
- C12.09.** The Congregation Council shall submit a comprehensive report to this congregation at the annual meeting.
- C12.10.** The Congregation Council shall normally meet once a month. Special meetings may be called by the pastor or the president, and shall be called at the request of at least one-half of its members. Notice of each special meeting shall be given to all who are entitled to be present.
- C12.11.** A quorum for the transaction of business shall consist of a majority of the members of the ~~Church~~ **Congregation** Council, including the **[senior]** pastor or interim pastor, except when the **[senior]** pastor or interim pastor requests or consents to be absent and has given prior approval to the agenda for a

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particular regular or special meeting, which shall be the only business considered at that meeting. Chronic or repeated absence of the [senior] 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.

- C12.12.** Any officer may be removed by a two-thirds vote of all voting members of the Congregation Council upon the gross neglect of duties, conduct grossly unbecoming a member of the Church of Christ, persistent trouble making in this congregation or actions inconsistent with and outside the directions of the Congregation Council. The appeal process provided in Chapter 15 shall apply.
- C12.13.** The Congregation Council and its committees may hold meetings by remote communication, including electronically and by telephone conference, and notice of all meetings may be provided electronically.

Chapter 13. CONGREGATIONAL COMMITTEES

- C13.01.** The officers of this congregation and the pastor shall constitute the Executive Committee. It shall act for and on behalf of the Congregation Council between Council meetings for all matters except (1) pastoral call, (2) buying real estate other than in accordance with Section 12.05.b. above, (3) selling and encumbering real estate and (4) invading Endowment Trust Fund principal.
- C13.02.** There shall be a Nominating Committee of at least 3 and no greater than 6 voting members selected from the congregation at large, with at least 1 member from the Congregation Council. Members are elected at the annual meeting for a term of 1 year. Members of the Committee (other than the council representative(s)) are not eligible for consecutive terms.
- C13.03.** An Audit Committee of 6 voting members shall be elected by the Congregation. Committee members shall not be members of the Congregation Council. Term of office will be 2 years, with 3 members elected each year. Members shall be eligible for re-election.
- C13.04.** There shall be a Mutual Ministry Committee, consisting of 6 members of the congregation, which shall exist to mutually support the congregation and called staff in attending to the spiritual care of members and the mission of the congregation. The chairperson of the Mutual Ministry Committee shall be appointed by the Congregation Council and that chairperson shall appoint the remaining committee members after consultation with called staff.
- a. Called staff responsibilities and priorities are reviewed at least annually. Committee members also serve as spokespersons for the spiritual needs of individual members and are available to the called staff as counsel, critic and supporter.
 - b. Terms shall be for 2 years with no more than 2 consecutive terms of service for any one member. Terms of office shall be staggered so that normally 2 members will be elected each year. In the event of a vacancy, the committee chair will make an appointment to complete the term.
 - c. In the event of the installation of a new pastor, the pastor shall consult with the existing Committee and the individual Committee members shall continue their terms for 6 months following the pastor's installation, and then the entire Committee shall resign at which time a Committee will be selected. If this timing results in the election of such Committee at a date other than the normal time for election of such members, the Committee members shall be deemed to have served a full 2 year term if 18 months have elapsed since their election.
- C13.05.** When a pastoral vacancy occurs, a Call Committee of 10-14 voting members shall be appointed by the Congregation Council. Term of office will terminate at installation of the newly-called pastor.
- C13.06.** Other congregational committees may be formed as the need arises, by decision of the Congregation Council.
- C13.07.** Duties of congregational committees may be specified in the bylaws and/or continuing resolutions.

C13.07.01. Committees of the Congregation.

- a. A **Personnel Committee** shall consist of the President, at least one council member and at least two voting members from the congregation at large, appointed by the Council at its first regular meeting after the annual meeting. At large members shall serve no longer than three consecutive years. The Personnel Committee will report to the Executive Committee.
 - 1) The Committee shall apply and be available to all staff persons and the pastor. Each employee may have an opportunity to speak with the full Congregation Council should there be a special concern not addressed by the Committee.
 - 2) The Committee shall review and update all staff job descriptions as needed and shall conduct review interviews with each staff person at least once each year. Where applicable, the committee chairperson working closest with the specific staff member's function will be an ex officio member of the committee for that review. The president shall select the committee member(s) to conduct the interview.
- b. There shall be a **Committee on Christian Education**. This Committee, in association with the pastor, shall oversee the conduct and promotion of all educational matters and activities within the congregation. The Christian Education Committee oversees the development of programs and opportunities related to Christian growth and learning for all church members. The Committee work includes oversight of Sunday School, confirmation, Alleluia Music & Arts, and Adult Education. It maintains the following support subcommittees: the Sunday School Committee and the Adult Education Task Force.
- c. There shall be a **Finance Committee**, of which the treasurer shall be a member ex officio. It shall prepare a draft budget for the succeeding year, including this congregation's full indicated share in support of the wider ministry being carried on in its behalf by the Evangelical Lutheran Church in America and the synod, and shall submit such a draft budget to the Congregation Council for its action and later presentation to a Congregational Meeting. The committee shall exercise oversight of all the financial affairs of the congregation to make sure that they are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of benevolence monies to the synod. It shall, subject to the approval of the Congregation Council, be responsible for the congregation's total insurance program and its investments (except for the Endowment Trust Fund which is otherwise controlled). It shall also provide for annual audits of the accounts of the treasurer and the financial secretary unless otherwise approved by the Congregation Council.
- d. There shall be a **Committee on Social Ministry**. The Social Ministry Committee supports the congregational impulse to demonstrate acts of love that enrich the lives of others. We celebrate Christ's own generous life as the basis for our commitment to address human needs, social ills and world concerns. This committee is the catalyst for organizing, educating, and sensitizing the congregation to stretch in mission and enjoy the experience. The benevolence portion of the congregational budget assists ministries both in the community and at a distance. These ministries and many others also benefit from congregational members who enhance the community through board service, in-kind donations, and advocacy.
- e. There shall be a **Committee on Stewardship** of which the Financial Secretary shall be a member ex officio. The mission of the Stewardship Committee is to promote the expression of faith in our daily living, while helping church members see the relationship between whole-life stewardship and a life of discipleship. Committee members explore ways to teach the Christian use of time, talents and money and lead church members to higher levels of proportionate giving for the Lord's work. The Stewardship Committee coordinates the Fall Stewardship Brunch and pledge drive. They work in conjunction with the Finance Committee to establish a thoughtful and realistic budget reflecting the mission of the congregation.
- f. There shall be a **Committee on Worship and the Arts**. The Worship & the Arts Committee assists the Congregation Council in seeing that the worship services of the congregation are conducted regularly and uphold the tradition of Christian liturgy consistent with Lutheran heritage. Worship participants, including ushers, acolytes, lay readers, assisting ministers, and communion assistants, are recruited and trained. The committee works closely with the Altar Guild for the care of paraments, vestments, and other worship supplies and preparations. Committee members may work with the Pastor and the worship staff in seasonal planning of worship and music, long range vision

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setting, and the coordination of special services. The Worship & the Arts Committee may appoint other special sub-committees to fulfill its mission.

- g. There shall be a **Memorials Commission** consisting of up to 3 members from the congregation for 3 years staggered terms and at least 1 member appointed from the Congregation Council by the Council. The Memorial Fund is to receive memorial gifts from a source other than a will, trust or estate with a value under \$1,500.00, unless otherwise directed by the Congregation Council. Examples of such gifts would be memorial gifts in lieu of flowers or hymnals given in memory of, or in honor of, someone. Any undesignated contributions from a will, trust or estate should be deposited in the Endowment Trust Fund and any undesignated memorial contribution from a source other than a will, trust or estate with a value of more than \$1,500.00 should be deposited in the Endowment Trust Fund, unless otherwise directed by the Congregation Council. The Memorials Commission distributes such gifts consistent with the donor's intent, if any. The committee may receive requests for specific items from other congregational committees as it disperses undesignated funds. The Memorials Commission is to publicize its purpose and uses of such gifts, and to acknowledge their receipt. The Congregation Council may also specify appropriate uses of the Memorials Commission assets.
- h. The **Property Committee** oversees all issues and finances related to the proper care, custodial maintenance and upkeep of the congregation's property. The committee meets at least quarterly and coordinates congregational property workdays and ongoing maintenance projects and planned future facility improvements.

C13.07.02. The composition of the standing committees shall be established by the Congregation Council:

- a. At its first meeting in each congregational year, the Congregation Council shall appoint as many standing committees as the local and wider concerns of the congregation shall require. Each such committee shall be composed of 1 or more members of the Council and, in addition, other voting members of the congregation. Although appointed by and responsible to the Congregation Council, these committees shall be recognized as representative of the interests of, and performing essential services for, the congregation as a whole.
- b. Except as provided in Chapter 13 of the Constitution, the duties of all committees shall be assigned by the Congregation Council, along with such instructions as in its judgment are in the best interests of the congregation. All actions of committees shall be subject to review by the Council.
- c. There may be other temporary ad hoc committees formed from time to time (such as Long Range Planning or Decorating). The members of these committees shall be appointed by the Council President with approval by the Congregation Council. The purpose, duties and estimated duration of committee activity shall be clearly stated at the committee's formation and recorded in the Congregation Council minutes.

C13.08. The [senior] pastor is an ex officio member of all committees.

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. Comprehensive reports of the organizational activities shall be made at the annual meeting.

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.

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 successive steps: a) private admonition by the pastor, b) admonition by the

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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 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 ministers of Word and Sacrament**). 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.** 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:
- censure before the council or congregation;
 - suspension from membership for a definite period of time; or
 - 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 the consultation fails to resolve the issue(s), the Consultation Committee of the synod shall consider the matter. If the Consultation Committee of the synod shall fail to resolve the issue(s), the matter shall be referred to the Synod Council, whose decision shall be final.

Chapter 16. BYLAWS

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

As recommended by the Congregation Council on 12.20.16

~~*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 that such additions or amendments be submitted in writing to the Congregation Council at least 60 days before a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the congregation's members of the proposal with the council's recommendations at least 30 days in advance of the Congregation Meeting. Notification may take place by mail or electronic means, as permitted by state law.~~

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

Chapter 17. AMENDMENTS

***C17.01.** 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 10% of the voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at 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 **voting members** present and voting;
- be ratified without change at the next annual meeting by a two-thirds **majority** vote of those **voting members** present and voting; and
- have the effective date included in the resolution¹¹ 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 ~~_____~~ **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.

Chapter 17. BYLAWS

***C17.01.** **This congregation may adopt bylaws. No bylaw may conflict with this constitution.**

¹ *Such an effective date must be stated in relation to the requirements of *C16.03. to allow time for synodical review of the amendment.*

As recommended by the Congregation Council on 12.20.16

***C17.02.** 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.

***C17.03.** 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 this 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.

***C17.04.** Approved changes to the bylaws shall be sent by the secretary of this congregation to the synod.

Chapter 18. CONTINUING RESOLUTIONS ADMINISTRATION

***C18.01.** The congregation in a legally called meeting or the Congregation Council may enact continuing resolutions which describe the function of the various committees or organizations of this congregation.

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

Chapter 19. INDEMNIFICATION

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

***C19.01.01. Indemnification**

The congregation shall provide to its Council members and officers, employees, agents such indemnification as it is required to provide pursuant to the provisions of the Missouri Nonprofit Corporation Act. The congregation shall indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending or completed action, suit, or proceeding, whether civil, criminal, administrative, or investigative, other than an action by or in the right of the congregation, by reason of the fact that such person is or was a Council member, officer, employee, or agent of the corporation, or is or was serving at the request of the congregation as a director, officer, employee, or agent of another organization, against expenses and against judgments, fines, and amounts paid in settlement actually and reasonably incurred by such person in connection with such action, suit, or proceeding if such person acted in good faith and in a manner such person reasonably believed to be in or not opposed to the best interests of the congregation, and, with respect to any criminal action or proceeding, had no reasonable cause to believe his or her conduct was unlawful. The termination of any action, suit, or proceeding by judgment, order, settlement, conviction, or upon a plea of nolo contendere or its equivalent shall not, of itself, create a presumption that the person did not act in good faith and in a manner which such person reasonably believed to be in or not opposed to the best interests of the congregation, and, with respect to any criminal action or proceeding, had reasonable cause to believe that his or her conduct was unlawful. Any such indemnification, unless ordered by a court, shall be made by the congregation only as authorized in the specific case upon a determination that indemnification of the Council member, officer, employee, or agent is proper in the circumstances because such person has met the applicable standard of conduct set forth above. Such determination shall be made by a majority vote of the Council members at a meeting with a quorum consisting of members who were not parties to the action, suit, or 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 responsibilities that have been delegated to the 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.
- *C20.02.** One congregation of a parish shall issue a call on behalf of the member congregations to a minister of Word and Sacrament or a candidate for the roster of Ministers of Word and Sacrament who has been recommended by the synodical bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregational 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.** 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 synodical bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregational 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.
- *C20.04.** Any one of the congregations of the parish may terminate their relationship with the pastor as provided in †S14.18.d. of the synodical 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.
- *C20.05.** Any one of the congregations of the parish may terminate their relationship with a minister of Word and Service as provided in †S14.43.d. of the synodical 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.
- *C20.06.** Whenever a parish agreement is terminated, the call of any rostered minister serving that parish is terminated. Should any congregation that was formerly part of the parish agreement desire to issue a new call to that rostered minister, it may do so in accordance with the call process of this church.