

# **CONSTITUTION**

**MESSIAH EVANGELICAL LUTHERAN CHURCH  
FORT WAYNE, INDIANA**

**UPDATED 2018**

**CONSTITUTION**

## **Messiah Evangelical Lutheran Church of Fort Wayne, Indiana, Inc.**

### **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 will be Messiah Evangelical Lutheran Church of Fort Wayne, Indiana, Inc.

**C1.02.** For the purpose of this constitution, the accompanying bylaws and continuing resolutions, the congregation of Messiah Evangelical Lutheran Church of Fort Wayne, Indiana Inc. is hereinafter designated as "this congregation."

**C1.11.** This congregation will be incorporated under the laws of the State of Indiana.

### **Chapter 2.**

#### **CONFESSION OF FAITH**

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

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

- a. Jesus Christ is the Word of God incarnate, through whom everything was made and through whose life, death, and resurrection God fashions a new creation.
- b. The proclamation of God's message to us as both Law and Gospel is the Word of God, revealing judgment and mercy through word and deed, beginning with the Word in creation, continuing in the history of Israel, and centering in all its fullness in the person and work of Jesus Christ.
- c. The canonical Scriptures of the Old and New Testaments are the written Word of God. Inspired by God's Spirit speaking through their authors, they record and announce God's revelation centering in Jesus Christ. Through them God's Spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.

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

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

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

**C2.06.** This congregation accepts the other confessional writings in the Book of Concord, namely, the Apology of the Augsburg Confession, the Smalcald Articles and the Treatise, the Small Catechism, the Large Catechism, and the Formula of Concord, as further valid

interpretations of the faith of the Church.

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

### **Chapter 3.**

#### **NATURE OF THE CHURCH**

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

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

**C3.02.** 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, 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.

**C3.05.** The name Evangelical Lutheran Church in America (ELCA or "this church") as used herein refers in general references to this whole church, including its three expressions: congregations, synods, and the churchwide organization. The name Evangelical Lutheran Church in America is also the name of the corporation of the churchwide organization to which specific references may be made herein.

### **Chapter 4.**

#### **STATEMENT OF PURPOSE**

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

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

- a. Worship God in proclamation of the Word and administration of the Sacraments and through lives of prayer, praise, thanksgiving, witness, and service.
- b. Proclaim God's saving Gospel of justification by grace for Christ's sake

through faith alone, according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.

- c. Carry out Christ's Great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministry with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.
- d. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity and justice 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 will:

- 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 the congregation.
- d. Teach the Word of God.
- e. Witness to the reconciling Word of God in Christ, reaching out to all people.
- f. Respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.
- g. Motivate its members to provide financial support for the congregation's ministry and the ministry of other parts of the Evangelical Lutheran Church in America.
- h. Foster and participate in interdependent relationships with other congregations, the synod, and the church wide organization of the Evangelical Lutheran Church in America.
- i. Foster and participate in ecumenical relationships consistent with church wide policy.

**C4.04.** This congregation shall develop an organization structure to be described in the bylaws. The ~~Congregational Council~~ **Senior Pastor** shall prepare descriptions of the responsibilities of each ministry team, task force, or other organizational group 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 described the creation of partnerships, co-

ventures, agencies, or other legal relationships recognized in civil law.

## **Chapter 5.**

### **POWERS OF THE CONGREGATION**

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

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

**C5.03.** Only such authority as is delegated to the ~~Congregational Council~~ **Board of Directors** 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 21 ~~17~~, and amendments to the bylaws, as specified in Chapter 20 ~~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 ~~Congregational Council~~ **Board of Directors** and require the members of the ~~council~~ **Board** 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 as prescribed in guidelines established by the Indiana-Kentucky Synod of the Evangelical Lutheran Church in America.

**C5.05.** This congregation shall have a mission endowment fund that will operate as specified in this congregation's bylaws. The purpose of the mission endowment fund is to provide for mission work beyond the operational budget of this congregation.

## **Chapter 6.**

### **CHURCH AFFILIATION**

**C6.01.** This congregation will be an interdependent part of the Evangelical Lutheran Church in America or its successor, and of the Indiana-Kentucky Synod of the Evangelical Lutheran Church in America or its successor. 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 will 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 will submit a copy of the resolution to the synodical bishop and will mail a copy of the resolution to voting members of this congregation. This notice will be submitted within 10 days after the resolution has been adopted.
- c. The bishop of the synod will 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 will be present. Notice of the meeting will 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 will be sent to the synodical bishop, at which time the relationship between this congregation and the Evangelical Lutheran Church in America will be

- terminated.
- f. Notice of termination will be forwarded by the synodical bishop to the secretary of this church and published in the periodical of this church.
  - 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 requires to received Synod Council approval before terminating their membership in this church.**
    - 2. **Congregations which had been members of the Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in \*C6.05., to receive synodical approval before terminating their membership in this church.**
    - 3. **Congregations established by the Evangelical Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in \*C6.05., to satisfy all financial obligations to this church and receive Synod Council approval before terminating their membership in this church.**
  - h. **If this congregation fails to achieve the required two-thirds vote of voting members present at 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 meeting. If this congregation fails to achieve the required two-thirds vote of voting members present at the second congregational 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 will confer with the bishop of the synod in which it is territorially located and the appropriate unit of the churchwide organization before any steps are taken leading to such action. The approval of the Synod Council will be received before any such action is affected.

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

## **Chapter 7.**

### **PROPERTY OWNERSHIP**

**C7.01.** If this congregation ceases to exist, title to undisposed property will pass to the Indiana-Kentucky Synod of the Evangelical Lutheran Church in America or its successor.

**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 will 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 will continue to reside in this congregation. Before this congregation takes action to transfer to another Lutheran church body, it will consult with

representatives of the 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 will 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 will remain with the majority of this congregation. If the Synod Council fails to give such approval, title will 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 \*C7.03. above, where this congregation has received property from the synod pursuant to a deed or other instrument containing restrictions under provisions 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 Indiana-Kentucky Synod – re-convey and transfer all right, title, and interest in the property to the synod.

## Chapter 8.

### MEMBERSHIP

**C8.01.** Members of this congregation will be those baptized persons on the role 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 will 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 or other rights and constitution and its bylaws.
- d. **Associate** members are persons holding membership in other [ELCA] [Lutheran] [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 ~~Congregational Council~~ **Board of Directors** of this congregation.

- 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 Board of Directors 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:
- a) They shall not be eligible for elected office in, or for membership on the Board of Directors or on a ministry team of, this congregation;
  - b) 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 congregations;
  - c) They shall not have the right to vote on any matter concerning or affecting the affiliation of this congregation with the ELCA;
  - d) They shall not be eligible to serve as voting members from this congregation of the Synod Assembly or the Churchwide Assembly;
  - e) They shall not, even if otherwise permitted by this congregation, vote by proxy or by absentee ballot; and
  - f) 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 will be submitted to and will require the approval of the ~~Congregational Council~~ **Board of Directors**.

**C8.04.** It will 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 church wide 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 can be terminated by any of the following:

- a. death;
- b. resignation;
- c. transfer or release;
- d. disciplinary action by the ~~Congregational Council~~ **Board of Directors**; or
- e. removal from the roll due to inactivity as defined in **8.02c**.

**C8.06.** Such persons who have been removed from the role of members will remain persons for whom the Church has a continuing pastoral concern.

## **Chapter 9.**

### **THE PASTOR**

**C9.01.** Authority to call a pastor will 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 ~~Congregational Council~~ **Board of Directors** to recommend the call, will 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 will:
  - 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 will, 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 ~~Congregational Council~~ **Board of Directors**; and
  - 4) with the board ~~council~~, administer discipline.
- c. Every pastor will:
  - 1) strive to extend the Kingdom of God in the community, in the nation, and in the world;
  - 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 church wide organization of the Evangelical Lutheran Church in America (ELCA) and of the Indiana/Kentucky Synod of the ELCA.

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

**C9.05.**

- a. The call of a congregation, when accepted by a pastor, will constitute a continuing mutual relationship and commitment, which, except in the case of the death of the pastor, will 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 will 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; the physical or mental incapacity 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
  - 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 ~~Congregational Council~~ **Board of Directors** or by a petition signed by at least one-third of the voting members of the congregation, the bishop will, investigate such conditions personally in company with a committee of two ordained ministers and one layperson.
  - c. In case of alleged physical or mental incapacity, competent medical testimony will be obtained. When such disability is evident, the bishop of the synod with the advice of the committee will declare the pastorate vacant. Upon the restoration of a disabled pastor to health, the bishop of the synod will 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 will be taken by the synod. If either party fails to assent, the congregation may dismiss the pastor by a two-thirds majority vote of the voting members present and voting at a legally called meeting after consultation with the bishop.
  - 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 will 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 and with housing provided by the congregation(s).

**C9.06.** (Formally C13.05) When a pastoral vacancy occurs, a Call Ministry Committee of six voting members will be elected by the ~~Congregational Council~~ **Board of Directors**. Term of office will terminate upon installation of the newly called pastor.

**C9.07.** At a time of pastoral vacancy, an interim pastor will be appointed by the bishop of the synod with the consent of this congregation or the ~~Congregational Council~~ **Board of Directors**.

**C9.08.** During the period of service, an interim pastor will 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 ~~Congregational Council~~

**Board of Directors.** The interim pastor and any ordained pastor providing assistance will refrain from exerting influence in the selection of a pastor.

**C9.09.** 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.

**C9.10.** When a pastor is called to serve in company with another pastor or pastors, the privileges and responsibilities of each pastor will be specified in documents to accompany the call and to be drafted in consultation involving the pastors, the ~~Congregational Council~~ **Board of Directors**, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.

**C9.11.** With the approval of the bishop of the synod, the congregation may depart from C9.05.a. and call a pastor for a specific term. Details of such calls will 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 will 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. will keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation;
- b. will submit a summary of such statistics annually to the synod; and
- c. will become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor will hold membership in one of the congregations.

**C9.13.** The pastor(s) will 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.** Ecumenical pastoral ministry: 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.

**C9.15.** 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 or retired status to the pastor.

**C9.16.** Authority to call a minister of Word and Service shall be in this congregation by at least a two-thirds vote by voting members present and voting a meeting legally called for that purpose. Before a call is issued, the Board, or a committee elected by [this congregation] to recommend the call, shall seek the advice and help of the bishop of the synod.

## ~~Chapter 10-~~

### ~~CONGREGATION MEETING~~

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

~~C10.02. A special Congregation Meeting may be called by the pastor(s), the Congregation Council, or the president of this congregation, and will be called by the president of the congregation upon the written request of 10% of the voting members. The call for each special meeting will specify the purpose for which it is to be held and no other business will be transacted.—~~

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

~~C10.04. 50 voting members will constitute a quorum.—~~

~~C10.05. Voting by proxy or by absentee ballot will not be permitted.—~~

~~C10.06. All actions by the congregation will be by majority vote except as otherwise provided in this constitution.—~~

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

## **Chapter 10**

### **ORGANIZATIONAL STRUCTURE**

**C10.01.** To aid Messiah Lutheran Church (referred to as the Church) in accomplishing its mission, the organizational structure shall keep the roles of Senior Pastor, Board of Directors (referred to as the Board), Staff, and Congregation distinct and effective for church health, church growth, and church multiplication.

- a. The role of the Congregation is to serve as the primary ministers of the Church.
- b. The role of the Board of Directors is to establish Guiding Principles for the Senior Pastor's leadership.
- c. The role of the Senior Pastor is to lead the Church to accomplish its mission.
- d. The role of the Staff is to manage the ministries of the Church, directed by the Senior Pastor.

**C10.02.** This constitution shall be reviewed annually by the Board of Directors for any changes to the structure that may increase the effectiveness of the Senior Pastor and the Church.

## **Chapter 11**

### **OFFICERS**

~~C11.01. The officers of this congregation and Congregation Council will be a president, vice-president, secretary, and treasurer.—~~

- ~~a. Duties of the officers will be specified in the bylaws.—~~
- ~~b. The officers will be voting members of the congregation.—~~
- ~~c. The Congregation Council will elect a President and Vice President from the elected membership of the Congregation Council.—~~
- ~~d. The Congregation Council will appoint a Secretary, Treasurer and Financial Secretary of the congregation. The Secretary and Financial Secretary will serve one year terms that may be renewed consecutively. The Treasurer will serve a two year term that may not be renewed.—~~

e. ~~The Secretary, Financial Secretary and Treasurer will be voting members of the congregation but not voting members of the Congregation Council.~~

~~C11.02. The Congregation Council will elect its President and Vice President and they will be officers of the congregation. These officers will be elected by written ballot and will serve for one year or until their successors are elected. Their terms will begin at the beginning of the calendar year following the annual meeting.~~

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

## **Chapter 11**

### **THE CONGREGATIONAL ROLE**

**C11.01.** The primary role of the Congregation Members shall be to serve as the ministers of the Church: reaching out to unchurched people first and also caring for the needs of one another within the Church.

**C11.02.** The following decisions of the Church shall require the approval of the Congregation's Voters' Assembly:

- a. Calling or dismissing a called Senior Pastor or Principal.
- b. Amending the Articles of Incorporation, Constitution or Bylaws.
- c. Selecting Members to serve on the Board of Directors and the Messiah Lutheran Church Covenant ~~Endowment~~ Fund Committee.
- d. Dismissing a Member of the Board of Directors.
- e. Ratifying the annual budget.
- f. Purchasing, significantly changing, or selling the primary Church facilities.
- g. Dissolving the corporation.
- h. Excommunication of a communicant member.

**C11.03.** The Congregation shall be given at least two weeks' notice of any vote by announcement at worship services. The Senior Pastor or the Board of Directors may also bring to the Congregation decisions not listed above for a nonbinding vote or a less formal expression of support, as they deem appropriate. Meetings of the Congregation for voting shall occur annually and at special times as needed when called by the Senior Pastor, the Board of Directors or 25 Voting Members of the Congregation.

**C11.04.** The Board Secretary shall keep a permanent set of minutes for each Voters' Assembly meeting and such minutes shall be the property of the congregation.

## **Chapter 12 (formerly Ch. 10)**

### **CONGREGATION MEETING**

**C12.01.** The annual meeting of this congregation will be held at a time specified in the bylaws.

**C12.02.** A special Congregation Meeting may be called by the pastor(s), the ~~Congregational Council~~ Board of Directors, or the ~~president~~ chairperson of this congregation, and will be called by the ~~president~~ chairperson of the congregation upon the written request of 10% of the voting members. The call for each special meeting will specify the purpose for which it is to be held and no other business will be transacted.

**C12.03.** Notice of all meetings of this congregation will be given at the services of worship on the preceding two consecutive Sundays and by mail to all voting members at least 10 days in advance of the date of the meeting. The posting of such notice in the regular mail, with the regular postage affixed or paid, sent to the last known address of such members will be



sufficient.

**C12.04.** 50 voting members will constitute a quorum.

**C12.05.** Voting by proxy or by absentee ballot will not be permitted.

**C12.06.** All actions by the congregation will be by majority vote except as otherwise provided in this constitution.

**C12.07.** *Robert's Rules of Order*, latest edition, will govern parliamentary procedure of all meetings of this congregation.

## **Chapter 11**

### **~~OFFICERS~~**

**~~C11.01.~~** ~~The officers of this congregation and Congregation Council will be a president, vice-president, secretary, and treasurer.~~

~~a. Duties of the officers will be specified in the bylaws.~~

~~b. The officers will be voting members of the congregation.~~

~~c. The Congregation Council will elect a President and Vice President from the elected membership of the Congregation Council.~~

~~d. The Congregation Council will appoint a Secretary, Treasurer and Financial Secretary of the congregation. The Secretary and Financial Secretary will serve one year terms that may be renewed consecutively. The Treasurer will serve a two year term that may not be renewed.~~

~~e. The Secretary, Financial Secretary and Treasurer will be voting members of the congregation but not voting members of the Congregation Council.~~

**~~C11.02.~~** ~~The Congregation Council will elect its President and Vice President and they will be officers of the congregation. These officers will be elected by written ballot and will serve for one year or until their successors are elected. Their terms will begin at the beginning of the calendar year following the annual meeting.~~

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

## **Chapter 13 (formerly Ch. 11)**

### **BOARD OF DIRECTORS OFFICERS**

**C13.01.** Annually, the Board Members shall elect a Chairperson, Vice Chairperson, Secretary, and Treasurer from the elected Members of the Board. These four people will be the Officers of the congregation. The Officers will be the official and legal representatives of the congregation in all business matters.

a. Duties of the officers will be specified in the bylaws.

b. The officers will be voting members of the congregation.

c. A term for an officer is one year.

**C13.02.** No officer will hold more than one office at a time. No elected officer will be eligible to serve more than two consecutive full terms in the same office.

## **Chapter 12**

### **~~CONGREGATION COUNCIL~~**

**~~C12.01.~~** ~~The voting membership of the Congregation Council will consist of the pastor(s) and 12 members of the congregation. Any voting member of the congregation may be elected, subject~~

only to the limitation on the length of continuous service permitted in that office. A member's place on the Congregation Council will be declared vacant if the member a) ceases to be a voting member of this congregation or b) is absent from four successive regular meetings of the Congregation Council without cause. Consistent with the laws of the state in which this congregation is incorporated, the congregation may adopt procedures for the removal of a member of the Congregation Council in other circumstances.—

**C12.02.** The members of the Congregation Council except the pastor(s) will be elected at a legally called annual meeting of the congregation. Their term of office will be for 3 years, with the term of office beginning on January 1 and ending on December 31. Newly elected Congregation Council members will be installed at a worship service within one month of the date they assume office. Terms shall be staggered so that at least four terms expire and four members elected each year.—

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

**C12.04.** The Congregation Council will 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 will include the following:—

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

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

- a.— The Congregation Council will be the board of directors of this congregation, and as such will be responsible for maintaining and protecting its property and the management of its business and fiscal affairs. It will have the powers and be subject to the obligations that pertain to such boards under the laws of the State of Indiana, except as otherwise provided herein.—



- ~~b. The Congregation Council will not have the authority to buy, sell, or encumber real property unless specifically authorized to do so by a meeting of the congregation.—~~
- ~~c. The Congregation Council will review and approve an annual budget for presentation to and adoption by this congregation and will supervise the expenditure of funds in accordance therewith following its adoption. The budget will 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 will 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 will be responsible for this congregation's investments and its total insurance program.—~~

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

~~C12.07. The Congregation Council will provide for an annual review of the membership roster.—~~

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

~~C12.09. The Congregation Council will submit a comprehensive report to this congregation at the annual meeting.—~~

~~C12.10. The Congregation Council will normally meet once a month. Special meetings may be called by the pastor or the president, and will be called by the president at the request of at least one-half of its members. Notice of each special meeting will be given to all who are entitled to be present.—~~

~~C12.11. A quorum for the transaction of business will 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 will 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 will not preclude action by the Congregation Council, following consultation with the synodical bishop.—~~

## **Chapter 14. (formerly Ch. 12)**

### **BOARD OF DIRECTORS**

#### **C14.01. Board of Directors Membership**

The Board shall consist of six (6) members plus the Senior Pastor, who shall be the only Staff person on the Board. There shall be no other church and/or school Staff on the Board. The Senior Pastor shall be a voting member of the Board.

#### **C14.02. Nominating Procedure**

- a. Starting in September of each year, the Board Chairperson and Board Secretary, along with the Senior Pastor, shall serve as the Nominating Committee.
- b. The Nominating Committee shall prepare a list of candidates drawn from among communicant members of the congregation, who are 18 years of age or over, either male or female. This list shall then be made available to communicant members of the congregation.
- c. Following the publication of the Nominating Committee's list, any communicant

- member of the congregation may submit in writing to the committee additional names for inclusion on the list. The Nominating Committee shall inform the congregation of the nominating process and provide the appropriate information which shall include Board Member qualifications, Board responsibilities, and the nomination form.
- d. Names received from communicant members of the congregation shall be placed in nomination by the committee along with the candidates already chosen, provided that the Nominating Committee, through consultation with the Senior Pastor, shall have investigated the proposed candidates and found them eligible for office and willing to serve. In preparing the list of candidates, the Nominating Committee shall also guarantee that: (1) no spouse of Senior Staff members of the Senior Pastor and Principal shall serve on the Board (Senior Staff includes any professional church workers and office staff), (2) no teacher shall serve on the Board, (3) no individual from any given family with less than two degrees of separation (parents, children, siblings, aunts/uncles, nieces/nephews or in-laws of same, grandparents) shall serve on the Board at the same time, and (4) no individual shall serve on the Board and as the Leader of a Ministry Team at the same time.
  - e. Potential Board Members must successfully complete a training course taught by the Senior Pastor covering the mission, vision, and structure of the congregation. Potential Board Members must agree to uphold the mission, vision, and core values of the congregation with the highest standards of participation, service, supportiveness, and giving. The Senior Pastor shall then present to the Board a selection of candidates to be certified by the Board as qualified to serve as Board Members.
  - f. The Nominating Committee, at least ten days before the date of the November Voters' meeting, shall post conspicuously in the church bulletin the list of candidates for Board Members that has been certified by the Board.

**C14.03. Election Procedure**

From the list of candidates certified by the Board, the Voting Membership shall, at its November meeting each year, elect by ballot and simple majority, the Board Members to the number required to complete the membership of the Board.

**C14.04. Term of Office and Term Limits**

- a. The Term of Office for the Board Members shall be three years. Terms of office shall be staggered so two of the Board Members will be elected each year to assure continuity of service and experience on the Board.
- b. Board Members may not serve more than two consecutive elected terms and if elected to fill a vacancy, may not stand for re-election if another term would extend their consecutive years of service to more than seven years. A former Board Member may stand for re-election after a lapse of 12 months following completion of his previous term.

**C14.05. Vacancies**

Any Board Member submitting his resignation shall provide a two-week written notice to the Board Chairperson and Senior Pastor. Any replacement to fill a vacancy of members of the Board who are unable to complete their term will be selected by the remaining Board members.

**C14.06. Installation / Terms Begin End**

The newly elected Board Members will be installed on a Sunday in the month of January. Terms shall officially expire on December 31 and new terms shall begin

on January 1.

## **Chapter 15**

### **BOARD OF DIRECTORS ROLE**

**C15.01.** The primary role of the Board shall be to provide accountability and support for the Senior Pastor by writing concise Guiding Principles in three categories:

- A. Mission Principles shall define for the Senior Pastor what ends the Church exists to achieve.
- B. Boundary Principles shall define for the Senior Pastor what means may not be used in pursuit of achieving those ends.
- C. Accountability Principles shall define for the Board Chairperson how the Board is to establish the Guiding Principles and to monitor the Senior Pastor's compliance with them.

**C15.02.** The Board shall determine the compensation of the Senior Pastor based on achieving the mission principles and respecting the boundary principles. The Board shall influence all other operating and financial decisions through written policy in the Guiding Principles. The Board shall leave the leadership of the Church to the Senior Pastor and shall leave the management of the Church to the Staff under the direction of the Senior Pastor. Action of the Board shall be by simple majority of all Board Members, whether or not present and voting.

**C15.03.** Board meetings shall occur quarterly and at other special times as needed when called by the Senior Pastor or the Board Chairperson. Board Members shall be prepared for and regularly attend Board meetings. All Board Members shall be sent at least 24 hours' notice of every meeting by electronic, verbal, or written means. However, such notice may be waived by unanimous consent of Board Members. The Board Secretary shall keep a permanent set of minutes for each Board Meeting and such minutes shall be the property of the congregation.

## **Chapter 16**

### **SENIOR PASTOR ROLE**

**C16.01.** The role of the Senior Pastor is to lead the Church to accomplish its mission. The Senior Pastor shall lead the Congregation by teaching biblical truth, casting vision, and advancing the mission. The Senior Pastor shall serve the Board by guiding its discussion of mission and boundary principles. The Senior Pastor shall lead the Staff by directing them in their management of all Church operations. With regard to the performance of his duties and compensation based on job performance, the Senior Pastor shall be accountable to the Board. With regard to job retention, the Senior Pastor shall be accountable to the Congregation. [The Board shall not be authorized to dismiss the Senior Pastor.] The Senior Pastor shall hire, direct, compensate, and terminate any and all Church Staff in compliance with the Guiding Principles and Salary Policy established by the Board.

**C16.02.** The senior pastor of this congregation shall be ex officio a member of all teams and boards of the congregation.

**C16.03.** The Senior Pastor shall not prevent a Staff member from expressing a grievance to the Board. After internal procedures have been exhausted, a Staff member may express a grievance to the Board Chairperson if a Staff member alleges either that the Guiding Principles have been violated to his detriment or that the Guiding Principles do not adequately protect his rights. The Board will determine by a majority vote if the grievance is worthy of an investigation. If such grievance is investigated by the Board, the Senior Pastor must recuse himself from the Board regarding this matter until it is sufficiently resolved.

## **Chapter 17**

### **CHURCH STAFF**

**C17.01.** A Staff person appointed by the Senior Pastor shall manage each area of Church operation, including property and finance. The term 'Staff' shall apply to all ministry leaders appointed for this management purpose, whether they are unpaid, part-time, or full-time with regard to compensation. Among these appointments shall be an Executive Administrator to process receipts and pay bills. Staff positions shall be created, filled, vacated, or discontinued based on how effectively they accomplish designated parts of the Mission Principles within the means allowed by the Boundary Principles. All such decisions are the responsibility and prerogative of the Senior Pastor, who must answer to the Board for the effectiveness of the Staff.

**C17.02.** The Senior Pastor may appoint an Executive Administrator to assist in the management of Church operations. The Executive Administrator shall be accountable to the Senior Pastor. The Executive Administrator shall:

- A. Discover, mobilize, and align resources used through assigned Ministry Teams to accomplish the mission and vision of the congregation.
- B. Assist Leaders with developing goals for assigned Ministry Teams that accomplish the mission and vision of the congregation.
- C. Perform other duties as assigned by the Senior Pastor.

## **Chapter 13**

### **CONGREGATION COMMITTEES**

~~**C13.01.** The President and Vice President of this congregation and the senior pastor will constitute the Executive Committee.~~

~~**C13.02.** A Nominating Committee of five voting members of this congregation, two of whom, if possible, will be the immediate outgoing members of the Congregation Council, with an additional three to be elected at the annual meeting for a term of one year. Members of the Nominating Team are not eligible for consecutive reelection.~~

~~**C13.03.** An Audit Committee of three voting members will be elected by the Congregation Council. Audit Team members will not be members of the Congregation Council. Term of office will be three years, with one member elected each year. Members will be eligible for reelection.~~

~~**C13.04.** A Mutual Ministry Committee (in the absence of a mutual ministry team, the duties will be fulfilled by the executive committee) will be appointed jointly by the president and the senior pastor. Term of office will be two years, with three members to be appointed each successive year.~~

~~**C13.05.** When a pastoral vacancy occurs, a Call Ministry Committee of six voting members will be elected by the Congregation Council. Term of office will terminate upon installation of the newly called pastor.~~

~~**C13.06.** Other ministry teams of this congregation may be formed, as the need arises, by decision of the Congregation Council.~~

~~**C13.07.** Duties of ministry teams of this congregation will be specified in a continuing resolution.~~

~~**C13.08.** The senior pastor of this congregation shall be ex officio a member of all teams and boards of the congregation.~~

## **Chapter 18 (formerly Ch. 14)**

### **ORGANIZATIONS WITHIN THE CONGREGATION**

**C18.01.** All organizations within this congregation will exist to aid it in ministering to the members of this congregation and to all persons who can be reached with the Gospel of Christ. As outgrowths and expressions of this congregation's life, the organizations are subject to its oversight and direction. This congregation at its annual meeting will determine their policies, guide their activities, and receive reports concerning their membership, work, and finances.

**C18.02.** 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 ~~Congregational Council~~ **Senior Pastor**.

## **Chapter 19 (formerly Ch. 15)**

### **DISCIPLINE OF MEMBERS AND ADJUDICATION**

**C19.01.** Persistent and public denial of the Christian faith, willful or criminal conduct grossly unbecoming a member of the Church of Christ, continual and intentional interference with the ministry of the congregation, or willful and repeated harassment or defamation of member(s) of the congregation is sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation and repentance will be attempted following Matthew 18:15-17, proceeding through these successive steps as necessary: a) private admonition by the pastor, b) censure and admonition by the pastor in the presence of two or three witnesses, c) written citation to appear before the ~~Congregational Council~~ **Board of Directors**. If for any reason, the pastor is unable to administer the admonitions required by a. and b. hereof, the ~~president (if not the pastor)~~ **Board Chairperson** or ~~vice president~~ **Board Vice Chairperson** will administer such admonitions.

**C19.02.** The process for discipline of a member of the congregation will 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 \*C19.01. 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 ~~Congregational Council~~ **Board of Directors**, 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 laypersons and two ministers of the Word and Sacrament). A copy of the written replay 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.

**C19.03.** Members of the ~~Congregational Council~~ **Board of Directors** who participate in the preparation of the written charges or who present evidence or testimony in the hearing before the ~~Congregational Council~~ **Board of Directors** 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 ~~Congregational Council~~ **Board of Directors** who are not disqualified but who are present and voting, and renewed admonition prove ineffectual, the council will 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. will be delivered to the member in writing.

**C19.04.** The member against whom disciplinary action has been taken by the ~~Congregational Council~~ **Board of Directors** will have the right to appeal the decision to the Synod Council. Such right may not be abridged and the decision of the Synod Council will be final.

**C19.05.** Disciplinary actions may be reconsidered and revoked by the ~~Congregational Council~~ **Board of Directors** upon receipt of a) evidence that injustice has been done or b) evidence of repentance and amendment.

**C19.06. Adjudication:** When there is disagreement among factions within this congregation on a substantive issue that cannot be resolved by the parties, members of this congregation will have access to the synodical bishop for consultation after informing the chair of the ~~Congregational Council~~ **Board of Directors** of their intent. If the consultation fails to resolve the issue(s), the Consultation Committee of the synod will 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 20 (formerly Ch. 16)**

### **BYLAWS**

**C20.01.** This congregation may adopt bylaws. No bylaw may conflict with this constitution.

**C20.02.** 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.

**C20.03.** Changes to the bylaws may be proposed by any voting member provided, however, that such additions or amendments be submitted in writing to the ~~Congregational Council~~ **Board of Directors** at least 60 days before a regular or special Congregation Meeting called for that purpose and that the ~~Congregational Council~~ **Board of Directors** notify the members of the proposal with its recommendations at least 30 days in advance of the Congregation Meeting.

**C20.04.** Approved changes to the bylaws will be sent by the secretary of this congregation to the synod.

## **Chapter 21 (formerly Ch. 17)**

### **AMENDMENTS**

**C21.01.** 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 to this constitution may be proposed by at least 50 voting members or by the ~~Congregational Council~~ **Board of Directors**. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at its regular or special Congregation Meeting called for that purpose. The ~~Congregational Council~~ **Board of Directors** will 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.

**C21.02.** A proposed amendment to this constitution, proposed under C21.01., shall:

- a. be approved at a legally called Congregation Meeting according to this constitution by a majority vote of those present and voting;
- b. be ratified without change at the next annual meeting by a two-thirds majority vote of those present and voting; and
- c. have the effective date included in the resolution (See Footnote) and



noted in the constitution.

**C21.03.** Any amendments to this constitution that result from the processes provided in \*C21.01. and \*C21.02. 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 Indiana-Kentucky Synod of the ELCA.

**C21.04.** Whenever the *Model Constitution for Congregations is amended by the Church wide Assembly*, this constitution may be amended to incorporate any such amendment by a simple majority vote of those members present and voting at any subsequent meeting of the congregation without presentation at a prior meeting of the congregation, provided that the ~~Congregational Council~~ **Board of Directors** has submitted by mail notice to the congregation of such an amendment or amendments at least 30 days prior to the meeting. Following the adoption of an amendment, the secretary of the congregation shall submit a copy thereof to the synod. Such provision shall become effective immediately following a vote of approval.

Footnote: *Such an effective date must be stated in relation to the requirements of C21.03. to allow time for synodical review of the amendment.*

## **Chapter 22 (formerly Ch. 18)**

### **CONTINUING RESOLUTIONS**

**C22.01.** The ~~Congregational Council~~ **Board of Directors** may enact continuing resolutions which describe the function of the various Teams or organizations of this congregation.

**C22.02.** Continuing resolutions will be enacted or amended by a two-thirds vote of all voting members of the ~~Congregational Council~~ **Board of Directors**.

## **Chapter 23 (formerly Ch. 19)**

### **INDEMNIFICATION**

**C23.01.** 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 ~~Congregational Council~~ **Board of Directors** member, officer, employee, agent, or other member of any committee/team 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 24 (formerly Ch. 20)**

### **PARISH AUTHORIZATION**

**C24.01.** 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 \*C24.02. and \*C24.03., a written agreement, developed in consultation with the synod and approved by the voting members of each congregation participating in the church, will specify the powers and responsibilities that have been delegated to the ~~Congregational Council~~ **Board of Directors**. 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.

**C24.02.** 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 will 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 will have the right to terminate the parish arrangement.

**C24.03.** 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.