

HOLY CROSS EVANGELICAL LUTHERAN CHURCH  
CONSTITUTION

**Table of Contents**

PREAMBLE ..... 1  
Chapter 1. NAME AND INCORPORATION..... 1  
Chapter 2. CONFESSION OF FAITH..... 1  
Chapter 3. NATURE OF THE CHURCH ..... 1  
Chapter 4. STATEMENT OF PURPOSE..... 2  
Chapter 5. POWERS OF THE CONGREGATION ..... 3  
Chapter 6. CHURCH AFFILIATION ..... 4  
Chapter 7. PROPERTY OWNERSHIP ..... 5  
Chapter 8. MEMBERSHIP ..... 6  
Chapter 9. THE PASTOR ..... 7  
Chapter 10. CONGREGATION MEETING ..... 9  
Chapter 11. OFFICERS ..... 10  
Chapter 12. CONGREGATION COUNCIL ..... 10  
Chapter 13. CONGREGATION COMMITTEES..... 12  
Chapter 14. ORGANIZATIONS WITHIN THE CONGREGATION ..... 13  
Chapter 15. DISCIPLINE OF MEMBERS AND ADJUDICATION ..... 13  
Chapter 16. BYLAWS ..... 14  
Chapter 17. AMENDMENTS ..... 15  
Chapter 18. CONTINUING RESOLUTIONS ..... 15  
Chapter 19. INDEMNIFICATION..... 16

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52

**CONSTITUTION AND BYLAWS  
HOLY CROSS EVANGELICAL LUTHERAN CHURCH  
OMAHA, NEBRASKA**

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 Holy Cross Evangelical Lutheran Church.

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

C1.11 This congregation shall be incorporated under the laws of the State of Nebraska.

Chapter 2. CONFSSION 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. This church confesses the one, holy, catholic, and apostolic Church and is resolved to serve Christian Unity throughout the world.

53 \*C3.0203 The Church exists both as an inclusive fellowship and as local congregations gathered  
54 for worship and Christian service. Congregations find their fulfillment in the universal  
55 community of the Church, and the universal Church exists in and through congregations.  
56 The Evangelical Lutheran Church in America, therefore, derives its character and powers  
57 both from the sanction and representation of its congregations and from its inherent  
58 nature as an expression of the broader fellowship of the faithful. In length, it acknowledges  
59 itself to be in the historic continuity of the communion of saints; in breadth, it expresses  
60 the fellowship of believers and congregations in our day.

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

64 \*C3.053. The name Evangelical Lutheran Church in America (ELCA or "this church") as used  
65 herein refers in general references to this whole church, including its three expressions—  
66 congregations, synods, and the churchwide organization. The name Evangelical Lutheran  
67 Church in America is also the name of the corporation of the churchwide organization to  
68 which specific references may be made herein.

#### 70 Chapter 4. STATEMENT OF PURPOSE

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

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

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

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

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

- 105 h. Foster and participate in interdependent relationships with other congregations, the  
 106 synod, and the church-wide organization of the Evangelical Lutheran Church in  
 107 America.
- 108 i. Foster and participate in ecumenical relationships consistent with church-wide policy.
- 109 \*C4.04 This congregation shall develop an organizational structure to be described in the bylaws.  
 110 The Congregation Council shall prepare descriptions of the responsibilities of each  
 111 committee, task force, or other organizational group and shall review their actions. [Such  
 112 descriptions shall be contained in continuing resolutions in the section on the  
 113 Congregation Committees.]
- 114 \*C4.05 This congregation shall, from time to time, adopt a mission statement, which will provide  
 115 specific direction for its programs.
- 116 \*C4.06. References herein to the nature of the relationship between the three expressions of this  
 117 church—congregations, synods, and the churchwide organization—as being  
 118 interdependent or as being in a partnership relationship describe the mutual responsibility  
 119 of these expressions in God’s mission and the fulfillment of the purposes of this church as  
 120 described in this chapter, and do not imply or describe the creation of partnerships, co-  
 121 ventures, agencies, or other legal relationships recognized in civil law.  
 122

123 Chapter 5. POWERS OF THE CONGREGATION

- 124 \*C5.01 The powers of this congregation are those necessary to fulfill its purpose.
- 125 \*C5.02 The powers of this congregation are vested in the Congregation Meeting called and  
 126 conducted as provided in this constitution and bylaws.
- 127 \*C5.03 Only such authority as is delegated to the Congregation Council or other organizational  
 128 units in this congregation's governing documents is recognized. All remaining authority is  
 129 retained by the congregation. The congregation is authorized to:
- 130 a. call a pastor as provided in Chapter 9;
- 131 b. terminate the call of a pastor as provided in Chapter 9;
- 132 c. call a minister of Word and Service;
- 133 e.d. or terminate the call of ~~associates in ministry, deaconesses, and diaconal ministers~~ a  
 134 minister of Word and Service in conformity with the applicable policy constitution of the  
 135 Evangelical Lutheran Church in America;
- 136 ~~e.e.~~ adopt amendments to the constitution, as provided in Chapter 1716, and  
 137 amendments to the bylaws, as specified in Chapter 167, and continuing resolutions,  
 138 as provided in Chapter 18;
- 139 e.f. approve the annual budget;
- 140 f.g. acquire real and personal property by gift, devise, purchase, or other lawful means;
- 141 g.h. hold title to and use its property for any and all activities consistent with its  
 142 purpose;
- 143 h.i. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful  
 144 means;
- 145 i.j. elect its Congregation Council and require the members of the council to carry out  
 146 their duties in accordance with the constitution, bylaws, and continuing resolutions;  
 147 and
- 148 j.k. terminate its relationship with the Evangelical Lutheran Church in America as provided  
 149 in Chapter 6.
- 150 \*C5.04 This congregation shall choose from among its voting members laypersons to serve as  
 151 voting members of the Synod Assembly as well as persons to represent it at meetings of  
 152 any conference, cluster, coalition, or other area subdivision of which it is a member. The  
 153 number of persons to be elected by the congregation and other qualifications shall be as  
 154 prescribed in guidelines established by this synod.
- 155 C5.05 This congregation shall have a mission endowment fund that will operate as specified in  
 156 this congregation's bylaws. The purpose of the mission endowment fund is to provide for

157 mission work beyond the operations budget of this congregation.  
158 C5.06 This congregation shall have a memorial and special gifts fund that will operate as  
159 specified in this congregation's bylaws.  
160

161 Chapter 6. CHURCH AFFILIATION

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

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

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

- 170 a. This congregation agrees to be responsible for its life as a Christian community.
- 171 b. This congregation pledges its financial support and participation in the life and mission  
172 of the Evangelical Lutheran Church in America.
- 173 c. This congregation agrees to call pastoral leadership from the ~~clergy-roster~~ of ministers  
174 of Word and Sacrament of the Evangelical Lutheran Church in America in accordance  
175 with its call procedures except in special circumstances and with the approval of the  
176 bishop of the synod. These special circumstances are limited either to calling a  
177 candidate approved for the roster of ~~ordained~~-ministers of Word and Sacrament of the  
178 Evangelical Lutheran Church in America or to contracting for pastoral services with ~~an~~  
179 ~~ordained~~-minister of Word and Sacrament of a church body with which the Evangelical  
180 Lutheran Church in America officially has established a relationship of full communion.
- 181 d. This congregation agrees to consider ~~associates in ministry, deaconesses, and~~  
182 ~~diaconal~~-ministers of the Word and Service for call to other staff positions in the  
183 congregation according to the procedures of the Evangelical Lutheran Church in  
184 America.
- 185 e. This congregation agrees to file this constitution and any subsequent changes to this  
186 constitution with the synod for review to ascertain that all of its provisions are in  
187 agreement with the constitution and bylaws of the Evangelical Lutheran Church in  
188 America and with the constitution of the synod.

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

- 190 a. This congregation takes action to dissolve.
- 191 b. This congregation ceases to exist.
- 192 c. This congregation is removed from membership in the Evangelical Lutheran Church in  
193 America according to the procedures for discipline of the Evangelical Lutheran Church  
194 in America.
- 195 d. This congregation follows the procedures outlined in \*C6.05.

196 \*C6.05 ~~A~~This congregation may terminate its relationship with ~~this church~~the Evangelical  
197 Lutheran Church in America by the following procedure:

- 198 a. A resolution indicating the intent to terminate its relationship must be adopted at a  
199 legally called and conducted special meeting of the congregation by a two-thirds vote  
200 of the voting members present. Such meeting may be held no sooner than 30 days  
201 after written notice of the meeting is received by the bishop of the synod, during which  
202 time the congregation shall consult with the bishop and the bishop's designees, if any.  
203 The times and manner of the consultation shall be determined by the bishop in  
204 consultation with the congregation council. Unless he or she is a voting member of the  
205 congregation, the bishop and the bishop's designees, if any, shall have voice but not  
206 vote at the meeting.
- 207 b. The secretary of the congregation shall submit a copy of the resolution to the bishop,  
208 attesting that the special meeting was legally called and conducted and certifying the



209 outcome of the vote, and shall mail a copy of the resolution to voting members of the  
210 congregation. This notice shall be submitted within 10 days after the resolution has  
211 been adopted.

212 c. The bishop of the synod and the congregation shall continue in consultation, as  
213 specified in paragraph a. above, during a period of at least 90 days after receipt by the  
214 synod of the notice as specified in paragraph b. above.

215 d. If the congregation, after such consultation, still seeks to terminate its relationship,  
216 such action may be taken at a legally called and conducted special meeting by a two-  
217 thirds vote of the voting members present. Notice of the meeting shall be mailed to all  
218 voting members and to the bishop at least 10 days in advance of the meeting. Unless  
219 he or she is voting member of the congregation, the bishop and the bishop's  
220 designees, if any, shall have voice but not vote at the meeting.

221 e. A copy of the resolution, attesting that the special meeting was legally called and  
222 conducted and certifying the outcome of the vote, shall be sent to the bishop within 10  
223 days after the resolution has been adopted, at which time the relationship between the  
224 congregation and this church shall be terminated subject to paragraphs g., h., and i.  
225 below. Unless this notification to the bishop also certifies that the congregation has  
226 voted by a two-thirds vote to affiliate with another Lutheran denomination, the  
227 congregation will be conclusively presumed to be an independent or non-Lutheran  
228 church.

229 f. Notice of termination shall be forwarded by the bishop to the secretary of ~~this~~  
230 ~~church,~~ the ELCA, who shall report the termination to the Churchwide Assembly.

231 g. This congregation shall abide by these covenants by and among the three  
232 expressions of this church:

233 1) Congregations seeking to terminate their relationship with this church which fail or  
234 refuse to comply with each of the foregoing provisions in \*C6.05., shall be required  
235 to receive Synod Council approval before terminating their membership in this  
236 church.

237 2) ~~h.~~ Congregations which had been members of the Lutheran Church in  
238 America shall be required, in addition to complying with the foregoing provisions in  
239 \*C6.05., to receive synodical approval before terminating their membership in this  
240 church.

241 3) ~~i.~~ Congregations established by the Evangelical Lutheran Church in  
242 America shall be required, in addition to complying with the foregoing provisions in  
243 \*C6.05, to satisfy all financial obligations to this church and receive Synod Council  
244 approval before terminating their membership in this church.

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

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

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

- 261  
262 Chapter 7. PROPERTY OWNERSHIP  
263 \*C7.01 If this congregation ceases to exist, title to indisposed property shall pass to the Nebraska  
264 Synod of the Evangelical Lutheran Church in America.  
265 \*C7.02 If this congregation is removed from membership in the Evangelical Lutheran Church in  
266 America according to its procedure for discipline, title to property shall continue to reside  
267 in this congregation.  
268 \*C7.03 If ~~a two-thirds majority~~ of the voting members of this congregation present at a legally  
269 called and conducted special meeting of this congregation vote to transfer to another  
270 Lutheran church body, title to property shall continue to reside in this congregation,  
271 provided the process for termination of relationship in \*C6.05. has been followed. Before  
272 this congregation takes action to transfer to another Lutheran church body, it shall consult  
273 with representatives of the Nebraska Synod.  
274 \*C7.04 If ~~a two-thirds majority~~ of the voting members of this congregation present at a legally  
275 called and conducted special meeting of this congregation vote to become independent or  
276 relate to a non-Lutheran church body and have followed the process for termination of  
277 relationship in \*C6.05, title to property of this congregation shall continue to reside in this  
278 congregation only with the consent of the Synod Council. The Synod Council, after  
279 consultation with this congregation by the established synodical process, may give  
280 approval to the request to become independent or to relate to a non-Lutheran church  
281 body, in which case title shall remain with the majority of this congregation. If the Synod  
282 Council fails to give such approval, title shall remain with those members who desire to  
283 continue as a congregation of the Evangelical Lutheran Church in America.  
284

285 Chapter 8. MEMBERSHIP

- 286 \*C8.01 Members of this congregation shall be those baptized persons on the roll of this  
287 congregation at the time that this constitution is adopted and those who are admitted  
288 thereafter and who have declared and maintain their membership in accordance with the  
289 provisions of this constitution and its bylaws.  
290 \*C8.02 Members shall be classified as follows:  
291 a. Baptized members are those persons who have been received by the Sacrament of  
292 Holy Baptism in this congregation, or, having been previously baptized in the name of  
293 the Triune God, have been received by certificate of transfer from other Lutheran  
294 congregations or by affirmation of faith.  
295 b. Confirmed members are baptized persons who have been confirmed in this  
296 congregation, those who have been received by adult baptism or by transfer as  
297 confirmed members from other Lutheran congregations, or baptized persons received  
298 by affirmation of faith.  
299 c. Voting members are confirmed members. Such confirmed members, during the  
300 current or preceding calendar year, shall have communed in this congregation and  
301 shall have made a contribution of record to this congregation. Members of this  
302 congregation who have satisfied these basic standards shall have the privilege of  
303 voice and vote at every regular and special meeting of the congregation as well as the  
304 other rights and privileges ascribed to voting members by the provisions of this  
305 constitution and its bylaws.-  
306 d. Associate members are persons holding membership in other [ELCA] [Lutheran]  
307 Christian congregations who wish to retain such membership but desire to participate  
308 in the life and mission of this congregation, ~~or persons who wish to retain a~~  
309 relationship with this congregation while being members of other congregations. They,  
310 These individuals have all the privileges and duties of membership except voting  
311 rights, and eligibility for elected offices or membership on the Congregation Council of  
312 this congregation. Or other rights and privileges ascribed to voting members by the

- 313 provisions of this constitution and its bylaws.  
314 e. Seasonal members are voting members of other ELCA congregations who wish to  
315 retain such membership but desire to participate in the life and mission of this  
316 congregation, including exercising limited voting rights in this congregation. The  
317 Congregation Council may grant seasonal membership to such persons provided that  
318 this congregation is a member of a synod where the Synod Council has approved  
319 seasonal member voting on its territory. Such seasonal members shall have all the  
320 privileges and duties of voting members except that:  
321 1) they shall not be eligible for elected office in, or for membership on the  
322 Congregation Council or on a call committee of, this congregation;  
323 2) they shall not have the right to vote on any matter concerning or affecting the call  
324 or termination of call of any minister of this congregation;  
325 3) they shall not have the right to vote on any matter concerning or affecting the  
326 affiliation of this congregation with the ELCA;  
327 4) they shall not be eligible to serve as voting members from this congregation of  
328 the Synod Assembly or the Churchwide Assembly;  
329 5) they shall not, even if otherwise permitted by this congregation, vote by proxy or  
330 by absentee ballot; and  
331 6) they shall not, within any two calendar month period, exercise voting rights in this  
332 congregation and in the congregation where they remain voting members.

333 d.

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

- 336  
337 \*C8.04 It shall be the privilege and duty of members of this congregation to:  
338 a. make regular use of the means of grace, both Word and sacraments;  
339 b. live a Christian life in accordance with the Word of God and the teachings of the  
340 Lutheran church; and  
341 c. support the work of this congregation, the synod, and the churchwide organization of  
342 the Evangelical Lutheran Church in America through contributions of their time,  
343 abilities, and financial support as biblical stewards.

- 344 \*C8.05 Membership in this congregation shall be terminated by any of the following:  
345 a. death;  
346 b. resignation;  
347 c. transfer or release;  
348 d. disciplinary action in accordance with ELCA constitutional provision 20.4~~10~~ and the  
349 accompanying bylaws or  
350 e. removal from the roll due to inactivity as defined in the bylaws in accordance with the  
351 provisions of this constitution and its bylaws. Such persons who have been removed  
352 from the roll of members shall remain persons for whom the church has a continuing  
353 pastoral concern.

354  
355 Chapter 9. ROSTERED MINISTER~~THE PASTOR~~

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

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

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



- 365 a. Every ~~ordained~~ minister of Word and Sacrament shall:
- 366 1) preach the Word;
- 367 2) administer the sacraments;
- 368 3) conduct public worship;
- 369 ~~4) provide pastoral care; and~~
- 370 5) seek out and encourage qualified persons to prepare for the ministry of the
- 371 Gospel;
- 372 6) impart knowledge of this church and its wider ministry through distribution of its
- 373 communications and publications;
- 374 ~~7) witness to the Kingdom of God in the community, in the nation and abroad;~~
- 375 and
- 376 ~~8) speak publicly to the world in solidarity with the poor and oppressed, calling for~~
- 377 ~~justice and proclaiming God's love for the world.~~
- 378 b. Each ~~ordained minister~~ pastor with a congregational call shall, within the congregation:
- 379 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the
- 380 dead;
- 381 2) supervise ~~relate to~~ all schools and organizations of this congregation;
- 382 3) install regularly elected members of the Congregation Council; ~~and~~
- 383 4) with the council, administer discipline; ~~and~~
- 384
- 385 ~~c. Every pastor shall:~~
- 386 ~~1) strive to extend the Kingdom of God in the community, in the nation, and~~
- 387 ~~abroad;~~
- 388 ~~2) seek out and encourage qualified persons to prepare for the ministry of the~~
- 389 ~~Gospel;~~
- 390 ~~3) impart knowledge of this church and its wider ministry through distribution of its~~
- 391 ~~periodicals and other publications; and~~
- 392 ~~4) endeavor to increase the support given by the congregation to the work of the~~
- 393 ~~ELCA churchwide organization of the Evangelical Lutheran Church in America~~
- 394 ~~(ELCA) and of the Nebraska Synod of the ELCA.~~
- 395 \*C9.04 The specific duties of the pastor, compensation, and other matters pertaining to the
- 396 service of the pastor shall be included in a letter of call, which shall be attested by the
- 397 bishop of the synod.
- 398 \*C9.05 The provisions for termination of the mutual relationship between a minister of Word and
- 399 Sacrament and this congregation shall be as follows:
- 400
- 401 a. The call of ~~a~~ this congregation, when accepted by a pastor, shall constitute a
- 402 continuing mutual relationship and commitment, which, shall be terminated only by
- 403 death or following consultation with the synodical bishop for the following reasons:
- 404 1) mutual agreement to terminate the call or the completion of a call for a specific
- 405 term;
- 406 2) resignation of the pastor, which shall become effective, unless otherwise
- 407 agreed, no later than 30 days after the date on which it was submitted;
- 408 3) inability to conduct the pastoral office effectively in the congregation in view of
- 409 local conditions;
- 410 4) physical disability or mental incapacity of the pastor;
- 411 5) suspension of the pastor through discipline for more than three months;
- 412 6) resignation or removal of the pastor from the roster of ~~ordained~~ ministers of
- 413 Word and Sacrament of this church;
- 414 7) termination of the relationship between this church and the congregation;
- 415 8) dissolution of the congregation or the termination of a parish arrangement; or
- 416 9) suspension of the congregation through discipline for more than six months.

- 417 10) the dissolution of the congregation or the termination of a parish arrangement;  
418 or  
419 11) suspension of the congregation as a result of discipline proceedings.
- 420 b. When allegations of physical disability or mental incapacity of the pastor under  
421 paragraph a.4) above, or ineffective conduct of the pastoral office under paragraph  
422 a.3) above, have come to the attention of the bishop of the synod,  
423 1) the bishop in his or her sole discretion may, investigate such conditions  
424 personally together with a committee of two ~~ordained~~rostered ministers and one  
425 layperson, or  
426 2) when such allegations have been brought to the synod's attention by an official  
427 recital of allegations by the congregation council or by a petition signed by at  
428 least one-third of the voting members of the congregation, the bishop personally  
429 shall investigate such conditions together with a committee of two  
430 ~~ordained~~rostered ministers and one layperson.
- 431 c. In case of alleged physical disability or mental incapacity under paragraph a.4) above,  
432 the bishop's committee shall obtain and document competent medical opinion  
433 concerning the pastor's condition. When a disability or incapacity is evident to the  
434 committee, the bishop of this synod may declare the pastorate vacant ~~and the pastor~~  
435 ~~shall be listed on the clergy roster as disabled.~~ When the pastorate is declared vacant,  
436 the Synod Council shall list the pastor on the roster of ministers of Word and  
437 Sacrament as disabled. Upon removal of the disability and the restoration of the  
438 pastor to health, the bishop shall take steps to enable the pastor to resume the  
439 ministry, either in the congregation last served or in another appropriate call.
- 440 d. In the case of alleged local difficulties that imperil the effective functioning of the  
441 congregation under paragraph a.3) above, the bishop's committee shall endeavor to  
442 hear from all concerned persons, after which the bishop together with the committee  
443 shall present their recommendations first to the pastor and then to the congregation.  
444 The recommendations of the bishop's committee must address whether the pastor's  
445 call should come to an end and, if so, may suggest appropriate severance  
446 arrangements. The committee may also propose other actions that should be  
447 undertaken by the congregation and by the pastor, if appropriate. If the pastor and  
448 congregation agree to carry out such recommendations, no further action need be  
449 taken by the synod.
- 450 e. If either party fails to assent to the recommendations of the bishop's committee  
451 concerning the pastor's call, the congregation may dismiss the pastor only at a legally  
452 called meeting after consultation with the bishop, either (a) by a two-thirds ~~majority~~  
453 vote of the voting members present and voting where the bishop and the committee  
454 did not recommend termination of the call, or (b) by a ~~simple~~-majority vote of the  
455 voting members present and voting where the bishop and the committee  
456 recommended termination of the call.  
457  
458
- 459 f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the  
460 bishop's committee concludes that there may be grounds for ~~disciplinary~~  
461 ~~action~~discipline, the committee shall make recommendations concerning disciplinary  
462 action in accordance with the provisions of this church's constitution, bylaws, and  
463 continuing resolutions.

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

466 \*C9.07 During the period of service, an interim pastor shall have the rights and duties in the  
467 congregation of a regularly called pastor and may delegate the same in part to a supply  
468 pastor with the consent of the bishop of the synod and this congregation or Congregation

469 Council. The interim pastor and any ~~ordained pastor~~rostered minister providing assistance  
470 shall refrain from exerting influence in the selection of a pastor. Unless previously agreed  
471 upon by the Synod Council, an interim pastor is not available for a regular call to the  
472 congregation served.

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

478 \*C9.09 When a pastor is called to serve in company with another pastor or pastors, the privileges  
479 and responsibilities of each pastor shall be specified in documents to accompany the call  
480 and to be drafted in consultation involving the pastors, the Congregation Council, and the  
481 bishop of the synod. As occasion requires, the documents may be revised through a  
482 similar consultation.

483 \*C9.11 With the approval of the bishop of the synod, the congregation may depart from \*C9.05.a  
484 and call a pastor for a specific term. Details of such calls shall be in writing, setting forth  
485 the purpose and conditions involved. Prior to the completion of a term, the bishop or a  
486 designated representative of the bishop shall meet with the pastor and representatives of  
487 the congregation for a review of the call. Such a call may also be terminated before its  
488 expiration in accordance with the provisions of \*C9.05.a.

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

490 a. shall keep accurate parochial records of all baptisms, confirmations, marriages,  
491 burials, communicants, members received, members dismissed, or members  
492 excluded from the congregation.

493 b. shall submit a summary of such statistics annually to the synod; and

494

495 c. shall become a member of this congregation upon receipt and acceptance of the letter  
496 of call. In a parish of multiple congregations, the pastor shall hold membership in one  
497 of the congregations.

498 \*C9.13 The pastor(s) shall submit a report of his or her ministry to the bishop of the synod at least  
499 90 days prior to each regular meeting of the Synod Assembly.

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

505 **C9.15.** Under special circumstances, subject to the approval of the synodical bishop and the  
506 concurrence of this congregation, an ~~ordained~~ minister of Word and Sacrament of a  
507 church body with which the Evangelical Lutheran Church in America officially has  
508 established a relationship of full communion may serve temporarily as pastor of this  
509 congregation under a contract between the congregation and the ~~ordained minister~~ pastor  
510 in a form proposed by the synodical bishop and approved by the congregation.

511 **\*C9.21.** Authority to call a minister of Word and Service shall be in this congregation by at least a  
512 two-thirds vote of voting members present and voting at a meeting legally called for that  
513 purpose. Before a call is issued, the officers, or a committee elected by [this  
514 congregation][the Congregation Council] to recommend the call, shall seek the advice and  
515 help of the bishop of the synod.

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

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

522 a. Be rooted in the Word of God, for proclamation and service;

523 b. Advocate a prophetic diakonia that commits itself to risk-taking and innovative service  
524 on the frontiers of the Church's outreach, giving particular attention to the suffering  
525 places in God's world;

526 c. Speak publicly to the world in solidarity with the poor and oppressed, calling for justice  
527 and proclaiming God's love for the world, witnessing to the realm of God in the  
528 community, the nation, and abroad;

529 d. Equip the baptized for ministry in God's world that affirms the gifts of all people;

530 e. Encourage mutual relationships that invite participation and accompaniment of others  
531 in God's mission;

532 f. Practice stewardship that respects God's gift of time, talents, and resources;

533 g. Be grounded in a gathered community for ongoing diaconal formation;

534 h. Share knowledge of the ELCA and its wider ministry of the gospel, and advocate for  
535 the work of all expressions of this church; and

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

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

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

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

546 1) mutual agreement to terminate the call or the completion of a call for a specific  
547 term;

548 2) resignation of the deacon, which shall become effective, unless otherwise  
549 agreed, no later than 30 days after the date on which it was submitted;

550 3) inability to conduct the ministry of Word and Service effectively in this  
551 congregation in view of local conditions;

552 4) physical disability or mental incapacity of the deacon;

553 5) suspension of the deacon through discipline for more than three months;

554 6) resignation or removal of the deacon from the roster of ministers of Word and  
555 Service of this church;

556 7) termination of the relationship between this church and this congregation;

557 8) dissolution of this congregation or the termination of a parish arrangement; or

558 9) suspension of this congregation through discipline for more than six months.

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

563 1) the bishop in his or her sole discretion may investigate such conditions  
564 personally together with a committee of two rostered ministers and one  
565 layperson, or

566 2) when such allegations have been brought to the synod's attention by an official  
567 recital of allegations by the Congregation Council or by a petition signed by at  
568 least one-third of the voting members of this congregation, the bishop  
569 personally shall investigate such conditions together with a committee of two  
570 rostered ministers and one layperson.

- 571 c. In case of alleged physical disability or mental incapacity under paragraph a.4)  
572 above, the bishop's committee shall obtain and document competent medical  
573 opinion concerning the deacon's condition. When a disability or incapacity is  
574 evident to the committee, the bishop of this synod may declare the office vacant  
575 and the deacon shall be listed on the roster of ministers of Word and Service as  
576 disabled. Upon removal of the disability and the restoration of the deacon to  
577 health, the bishop shall take steps to enable the deacon to resume the ministry,  
578 either in the congregation last served or in another appropriate call.
- 579 d. In the case of alleged local difficulties that imperil the effective functioning of this  
580 congregation under paragraph a.3) above, the bishop's committee shall endeavor  
581 to hear from all concerned persons, after which the bishop together with the  
582 committee shall present their recommendations first to the deacon and then to this  
583 congregation. The recommendations of the bishop's committee must address  
584 whether the deacon's call should come to an end and, if so, may suggest  
585 appropriate severance arrangements. The committee may also propose other  
586 actions that should be undertaken by this congregation and by the deacon, if  
587 appropriate. If the deacon and congregation agree to carry out such  
588 recommendations, no further action need be taken by the synod.
- 589 e. If either party fails to assent to the recommendations of the bishop's committee  
590 concerning the deacon's call, this congregation may dismiss the deacon only at a  
591 legally called meeting after consultation with the bishop, either (a) by a two-thirds  
592 majority vote of the voting members present and voting where the bishop and the  
593 committee did not recommend termination of the call, or (b) by a simple majority  
594 vote of the voting members present and voting where the bishop and the  
595 committee recommended termination of the call.
- 596 f. If, in the course of proceedings described in paragraph c. or paragraph d. above,  
597 the bishop's committee concludes that there may be grounds for discipline, the  
598 committee shall make recommendations concerning disciplinary action in  
599 accordance with the provisions of this church's constitution, bylaws, and continuing  
600 resolutions.
- 601 \*C9.26. The deacon shall make satisfactory settlement of all financial obligations to a former  
602 congregation before:
- 603 a. installation in another field of labor, or  
604 b. the issuance of a certificate of dismissal or transfer.
- 605 \*C9.27. When a deacon is called to serve in company with another rostered minister or other  
606 rostered ministers, the privileges and responsibilities of each rostered minister shall be  
607 specified in documents to accompany the call and to be drafted in consultation  
608 involving the rostered ministers, the Congregation Council, and the bishop of the  
609 synod. As occasion requires, the documents may be revised through a similar  
610 consultation.
- 611 \*C9.28. With the approval of the bishop of the synod, this congregation may depart from  
612 \*C9.25.a. and call a deacon for a specific term. Details of such calls shall be in writing  
613 setting forth the purpose and conditions involved. Prior to the completion of a term, the  
614 bishop or a designated representative of the bishop shall meet with the deacon and  
615 representatives of this congregation for a review of the call. Such a call may also be  
616 terminated before its expiration in accordance with the provisions of \*C9.25.a.
- 617 \*C9.29. The deacon shall become a member of this congregation upon receipt and  
618 acceptance of the letter of call. In a parish of multiple congregations, the deacon shall  
619 hold membership in one of the congregations.
- 620 \*C9.31. The deacon(s) shall submit a report of his or her ministry to the bishop of the synod at  
621 least 90 days prior to each regular meeting of the Synod Assembly.  
622



623 Chapter 10. CONGREGATION MEETING

624 C10.01 The annual Congregation Meeting shall be held at a time specified in the bylaws.

625  
626  
627  
628  
629 C10.02 A special Congregation Meeting may be called by the senior pastor, the Congregation  
630 Council, or the president of this congregation, and shall be called by the president of the  
631 congregation upon the written request of one-tenth of the voting members. The president  
632 of the Congregation Council shall call a special meeting upon request of the synodical  
633 bishop. The call for each special Congregation Meeting shall specify the purpose for  
634 which it is to be held and no other business shall be transacted.

635 C10.03 Notice of Congregation Meetings shall be given at the services of worship on the  
636 preceding two consecutive Sundays and by mail or electronic means, as permitted by  
637 state law to all voting members at least 10 days in advance of the date of the meeting.

638 C10.04 One-tenth of ~~thea~~ voting members shall constitute a quorum.

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

640 C10.06 All actions approved by this congregation shall be by majority vote of those voting  
641 members present and voting, except as otherwise provided in this constitution or by state  
642 law.

643 C10.07 Robert's Rules of Order, latest edition, shall govern parliamentary procedure of all  
644 Congregation Meetings.

645  
646 Chapter 11. OFFICERS

647 C11.01 The officers of this congregation shall be a president, vice president, secretary, treasurer  
648 and financial secretary.

649 a. Duties of the officers shall be specified in the bylaws.

650 b. The officers shall be voting members of the congregation.

651 c. The president and vice president shall be elected from the membership of the  
652 Congregation Council. The secretary, treasurer, and financial secretary shall be  
653 appointed by the Congregation Council from the voting membership of the  
654 congregation at-large and they shall have voice but not vote at all Congregation  
655 Council meetings.

656  
657 C11.02 The president and vice president shall be elected by written ballot at the first regularly  
658 scheduled meeting of the Congregation Council following the annual Congregation  
659 Meeting, and shall serve for one year, until their place on the council is declared vacant,  
660 or until their successors are elected. Should the office of either president or vice  
661 president be declared vacant by the Congregation Council, the Congregation Council  
662 shall elect an eligible replacement by written ballot at the first regularly scheduled  
663 meeting of the Congregation Council. A replacement officer shall serve the remainder of  
664 the term vacated. The secretary, treasurer, and financial secretary shall serve until  
665 resignation or removal from office, at which time the office shall be declared vacant and  
666 the Congregation Council shall appoint an eligible successor.

667 C11.03 No officer shall hold more than one office at a time. The president and vice president  
668 shall not serve more than two full consecutive terms in the same office. The secretary,  
669 treasurer, and financial secretary shall serve until the office is declared vacant.

670  
671 Chapter 12. CONGREGATION COUNCIL

672 C12.01 The voting membership of the Congregation Council shall consist of the pastor(s) and 12  
673 members of the congregation. Any voting member of the congregation may be elected,  
674 subject only to the limitation on the length of continuous service permitted in that office. A

675 member's place on the Congregation Council shall be declared vacant if the member:  
676 a. ceases to be a voting member of this congregation or  
677 b. is absent from four successive regular meetings of the Congregation Council without  
678 cause or  
679 c. is hired as a paid member of the staff.  
680

681 C12.02 The members of the Congregation Council, except the pastor(s), shall be elected by  
682 written ballot at the annual Congregation Meeting. Their term of office shall be for three  
683 years, with the term of office beginning at the next regularly scheduled meeting of the  
684 Congregation Council following the annual Congregation Meeting at which they are  
685 elected, and ending at the first regularly scheduled meeting of the Congregation Council  
686 following the annual Congregation Meeting at which their successors are elected. Such  
687 members shall be eligible to serve no more than two full terms consecutively, exclusive  
688 of partial terms served. Newly elected Congregation Council members shall be installed  
689 at worship within one month of being elected.

690 C12.03 Should a member's place on the Congregation Council be declared vacant, the  
691 Congregation Council shall appoint, by majority vote, a successor until the next annual  
692 Congregation Meeting. If the three-year term in which the vacancy has occurred does not  
693 come up for election at the next annual Congregation Meeting, the congregation shall  
694 elect an eligible member of the congregation, consistent with C12.01, to serve the  
695 remainder of the term. That member shall then be eligible for two additional three-year  
696 terms consistent with C12.02.

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

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

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

- 723 a. The Congregation Council shall be the board of directors of this congregation, and  
724 as such shall be responsible for maintaining and protecting its property and the  
725 management of its business and fiscal affairs. It shall have the powers and be  
726 subject to the obligations that pertain to such boards under the laws of the State of

- 727 Nebraska, except as otherwise provided herein.
- 728 b. The Congregation Council shall not have the authority to buy, sell, or encumber real
- 729 property unless specifically authorized to do so at a Congregation Meeting.
- 730 c. The Congregation Council may enter into contracts for items not included in the
- 731 budget for a fiscal year so long as the total of those contracts does not exceed 5%
- 732 of the annual budget for said fiscal year.
- 733 d. The Congregation Council shall prepare an annual budget for adoption by this
- 734 congregation, shall supervise the expenditure of funds in accordance therewith
- 735 following its adoption, and may incur obligations of more than 5% of the annual
- 736 budget in excess of the anticipated receipts only after approval by a Congregation
- 737 Meeting. The budget shall include this congregation's full indicated share in support
- 738 of the wider ministry being carried on in partnership with the synod and church-wide
- 739 organization.
- 740 e. The Congregation Council shall ascertain that the financial affairs of this
- 741 congregation are being conducted efficiently, giving particular attention to the
- 742 prompt payment of all obligations and to the regular forwarding of benevolence
- 743 monies to the synodical treasurer.
- 744 f. The Congregation Council shall be responsible for this congregation's investments
- 745 and its insurance program.

746 C12.06 The Congregation Council shall see that the provisions of this constitution, its bylaws, and

747 the continuing resolutions are carried out.

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

749 C12.08 The Congregation Council shall be responsible for the employment and supervision of the

750 staff of this congregation. Nothing in this provision shall be deemed to affect the

751 congregation's responsibility for the call, terms of call, or termination of call of any

752 employees who are on a roster of this church.

753 C12.09 The Congregation Council shall submit a comprehensive report to this congregation at

754 the annual Congregation Meeting.

755 C12.11 The Congregation Council shall normally meet once a month. Special meetings may be

756 called by the pastor or the president, and shall be called by the president at the request

757 of at least one-half of its members. Notice of each special meeting shall be given to all

758 who are entitled to be present (all Council members, officers and staff with either voice or

759 vote).

760 C12.12 A quorum for the transaction of business shall consist of a majority of the members of the

761 Congregation Council, including the senior pastor(s) or interim pastor, except when the

762 senior pastor(s) or interim pastor requests or consents to be absent and has given prior

763 approval to the agenda for a particular regular or special meeting, which shall be the only

764 business considered at that meeting. Chronic or repeated absence of the senior

765 pastor(s) or interim pastor who has refused approval of the agenda of a subsequent

766 regular or special meeting shall not preclude action by the Congregation Council,

767 following consultation with the synodical bishop.

768 C12.13. The Congregation Council and its committees may hold meetings by remote

769 communication, including electronically and by telephone conference, and, to the extent

770 permitted by state law, notice of all meetings may be provided electronically.

771

772 Chapter 13. CONGREGATION COMMITTEES

773 C13.01 The Executive Committee shall be made up of the pastor(s), Congregation Council

774 president, vice president, and two other voting members of the council as elected by the

775 council at the first regularly scheduled meeting following the annual congregation

776 meeting.

777 C13.02A Nominating Committee shall be appointed by the Congregation Council.

778 C13.03An Audit Committee of no fewer than three voting members shall be appointed by the

779 Congregation Council. Audit Committee members shall not be members of the  
780 Congregation Council or of the Finance Committee.

781 ~~C13.04A Staff/Congregation Relations Ministry Committee shall be appointed jointly by the~~  
782 ~~Congregation Council president and the called pastors.~~

783 **C13.045. A Mutual Ministry Committee(s) (in the absence of a mutual ministry committee, the**  
784 **duties shall be fulfilled by the executive committee) shall be appointed jointly by the**  
785 **president [vice president<sup>1</sup>] and the pastor rostered minister. Term of office shall be two**  
786 **years, with three members to be appointed each successive year.**

787  
788  
789  
790 C13.05 When a pastoral vacancy occurs, a Call Committee of six voting members shall be elected  
791 by the Congregation Council. Term of office will terminate upon installation of the  
792 newly called pastor.

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

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

796 C13.08 Robert's Rules of Order, latest edition, shall govern parliamentary procedure of all  
797 committees of this congregation.

798  
799 Chapter 14. ORGANIZATIONS WITHIN THE CONGREGATION

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

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

809  
810 Chapter 15. DISCIPLINE OF MEMBERS AND ADJUDICATION

811 \*C15.01. Persistent and public denial of the Christian faith, willful or criminal conduct grossly  
812 unbecoming a member of the Church of Christ, continual and intentional interference  
813 with the ministry of the congregation, or willful and repeated harassment or defamation  
814 of member(s) of the congregation is sufficient cause for discipline of a member. Prior to  
815 disciplinary action, reconciliation and repentance will be attempted following Matthew  
816 18:15–17, proceeding through these successive steps, as necessary:

- 817 a) private counsel and admonition by the pastor,  
818 b) censure and admonition by the pastor in the presence of two or three witnesses,  
819 c) written referral of the matter by the Congregation Council to the vice president of the  
820 synod, who will refer it to a consultation panel drawn from the Consultation Committee  
821 of the synod, and  
822 d) written referral of the matter by the consultation panel to the Committee on Discipline of  
823 the synod. If, for any reason, the pastor is unable to administer the admonitions required  
824 by paragraphs a. and b. hereof, those steps may be performed by another pastor  
825 chosen by the Executive Committee of the Congregation Council.

826 \*C15.02. The process for discipline of a member of the congregation shall be governed as  
827 prescribed by the chapter on discipline in the Constitution, Bylaws, and Continuing  
828 Resolutions of the Evangelical Lutheran Church in America. If the counseling, censure,  
829 and admonitions pursuant to C15.01 do not result in repentance and amendment of life,  
830 charges against the accused member(s) that are specific and in writing may be

831 prepared by the Congregation Council, signed, and submitted to the vice president of  
832 the synod. The vice president shall select from the synod's Consultation Committee a  
833 panel of five members (three lay persons and two clergy ministers of Word and  
834 Sacrament). A copy of the written charges shall be provided to the consultation panel  
835 and the accused member(s). The consultation panel, after requesting a written reply to  
836 the charges from the accused member(s), shall consider the matter and seek a  
837 resolution by means of investigation, consultation, mediation, or whatever other means  
838 may seem appropriate. The panel's efforts to reach a mutually agreeable resolution  
839 shall continue for no more than 45 days after the matter is submitted to it.

840  
841  
842 \*C15.03. If the consultation panel fails to resolve the matter, that panel shall refer the case in  
843 writing, including the written charges and the accused member's reply, to the Committee  
844 on Discipline of the synod for a hearing. A copy of the panel's written referral shall be  
845 delivered to the vice president of the synod, the Congregation Council, and the accused  
846 member(s) at the same time it is sent to the Committee on Discipline of the synod. The  
847 Executive Committee of the Synod Council shall then select six members from the  
848 Committee on Discipline to decide the case, and shall appoint a member of the Synod  
849 Council to preside as nonvoting chair. Those six members plus the nonvoting chair  
850 comprise the discipline hearing panel for deciding the case. The Congregation Council  
851 and the accused member(s) are the parties to the case.

852 \*C15.04. The discipline hearing panel shall commence and conduct the disciplinary hearing in  
853 accordance with the provisions governing discipline of congregation members  
854 prescribed in the Constitution, Bylaws, and Continuing Resolutions of the Evangelical  
855 Lutheran Church in America.

856 \*C15.05. By the vote of at least two-thirds of the members of the discipline hearing panel who are  
857 present and voting, one of the following disciplinary sanctions can be imposed:  
858 a. suspension from the privileges of congregation membership for a designated period of  
859 time;  
860 b. suspension from the privileges of congregation membership until the pastor and  
861 Congregation Council receive evidence, satisfactory to them, of repentance and  
862 amendment of life;  
863 c. termination of membership in the congregation; or  
864 d. termination of membership in the congregation and exclusion from the church property  
865 and from all congregation activities.

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

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

874 \*C15.10 Adjudication

875 \*C15.11 When there is disagreement among factions within this congregation on a substantive  
876 issue that cannot be resolved by the parties, members of this congregation shall have  
877 access to the synodical bishop for consultation after informing the chair of the  
878 Congregation Council of their intent. If the consultation fails to resolve the issue(s), the  
879 Consultation Committee of the synod shall consider the matter. If the Consultation  
880 Committee of the synod shall fail to resolve the issue(s), the matter shall be referred to  
881 the Synod Council, whose decision shall be final.

882



883 Chapter 16. BYLAWS

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

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

887 ~~\*C16.03—Changes to the bylaws may be proposed by any voting member, provided, however,~~  
888 ~~that such additions or amendments be submitted in writing to the Congregation~~  
889 ~~Council at least 60 days before a regular or special Congregation Meeting called for~~  
890 ~~that purpose and that the Congregation Council notify the congregation's members of~~  
891 ~~the proposal with the council's recommendations at least 30 days in advance of the~~  
892 ~~Congregation Meeting. Notification may take place by mail or electronic means, as~~  
893 ~~permitted by state law.~~

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

896  
897 Chapter 167. AMENDMENTS

898 \*C176.01 Unless provision \*C167.04 is applicable, those sections of this constitution that are not  
899 required, in accord with the Model Constitution for Congregations of the Evangelical  
900 Lutheran Church in America, may be amended in the following manner. Amendments  
901 to this constitution may be proposed by at least 5 voting members or by the  
902 Congregation Council. Proposals must be filed in writing with the Congregation  
903 Council 60 days before formal consideration by this congregation at its regular or  
904 special Congregation Meeting called for that purpose. The Congregation Council shall  
905 notify the congregation's members of the proposal with the council's recommendations  
906 at least 30 days in advance of the meeting. Notification may take place by mail or  
907 electronic means, as permitted by state law.

908 \*C176.02 An amendment to this constitution, proposed under \*C167.01 shall:

- 909 a. be approved at a legally called Congregation Meeting according to this constitution  
910 by a majority vote of those voting members present and voting;  
911 b. be ratified without change at the next annual meeting by a two-thirds ~~majority~~ vote  
912 of those voting members present and voting; and  
913 c. have the effective date included in the resolution noted in the constitution. Such an  
914 effective date must be stated in relation to the requirements of \*C17.03. to allow  
915 time for synodical review of the amendment.

916 \*C176.03 Any amendments to this constitution that result from the processes provided in  
917 \*C17.01. and \*C17.02. shall be sent by the secretary of this congregation to the  
918 synod. The synod shall notify the congregation of its decision to approve or  
919 disapprove the proposed changes; the changes shall go into effect upon notification  
920 that the synod has approved them.

921 \*C17.04 This constitution may be amended to bring any section into conformity with a section  
922 or sections, either required or not required, of the Model Constitution for  
923 Congregations of the Evangelical Lutheran Church in America – as most recently  
924 amended by the Churchwide Assembly. Such amendments may be approved by a—  
925 by a simple majority vote of those voting members present and voting at any legally  
926 called meeting of the congregation without presentation at a prior meeting of the  
927 congregation provided that the Congregation Council has submitted by mail or  
928 electronic means, as permitted by state law, notice to the congregation of such an  
929 amendment or amendments, together with the council's recommendations, at least 30  
930 days prior to the meeting. Upon the request of ~~five (5)~~ at least two (2) voting members  
931 of the congregation, the Congregation Council shall submit such notice. Following the  
932 adoption of an amendment, the secretary of the congregation shall submit a copy  
933 thereof to the synod. Such provisions shall become effective immediately following a  
934 vote of approval.

935 **Chapter 17.**

936 **BYLAWS**

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

938 **\*C17.02.** Bylaws may be adopted or amended at any legally called meeting of this congregation  
939 with a quorum present by a ~~majority~~ two-thirds vote of those voting members present  
940 and voting.

941 **\*C17.03.** Changes to the bylaws may be proposed by any voting member, provided that such  
942 additions or amendments be submitted in writing to the Congregation Council at least  
943 60 days before a regular or special Congregation Meeting called for that purpose. The  
944 Congregation Council shall notify this congregation's members of the proposal with  
945 the council's recommendations at least 30 days in advance of the Congregation  
946 Meeting. Notification may take place by mail or electronic means, as permitted by  
947 state law.

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

950

951 Chapter 18. CONTINUING RESOLUTIONS

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

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

958

959

960

961

962

963 Chapter 19. INDEMNIFICATION

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

970

971 **Chapter 20.**

972 **PARISH AUTHORIZATION**

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

974 **C20.01.** This congregation may unite in partnership with one or more other congregations  
975 recognized by the synod named in \*C6.01. to form a parish. Except as provided in  
976 \*C20.02. and \*C20.03., a written agreement, developed in consultation with the synod  
977 and approved by the voting members of each congregation participating in the parish,  
978 shall specify the powers and responsibilities that have been delegated to the Parish  
979 Council. The Parish Agreement shall identify which congregation of the parish issues  
980 calls on behalf of the member congregations or shall establish a process for identifying  
981 which congregation issues calls on behalf of the member congregations.

982 **\*C20.02.** One congregation of a parish shall issue a call on behalf of the member congregations  
983 to a minister of Word and Sacrament or a candidate for the roster of ministers of Word  
984 and Sacrament who has been recommended by the synodical bishop to serve the  
985 congregations of the parish. Such a call shall be approved prior to issuance by a two-  
986 thirds vote at a congregational meeting of each congregation forming the parish. If

- 987 any congregation of the parish should fail to approve the call, the other congregations  
988 of the parish shall have the right to terminate the parish agreement.
- 989 **\*C20.03.** One congregation of a parish may issue a call on behalf of the member congregations  
990 to a minister of Word and Service or a candidate for the roster of ministers of Word  
991 and Service who has been recommended by the synodical bishop to serve the  
992 congregations of the parish. Such a call shall be approved prior to issuance by a two-  
993 thirds vote at a congregational meeting of each congregation forming the parish. If  
994 any congregation of the parish should fail to approve the call, the other congregations  
995 of the parish shall have the right to terminate the parish agreement.
- 996 **\*C20.04.** Any one of the congregations of the parish may terminate their relationship with the  
997 pastor as provided in †S14.18.d. of the synodical constitution of the synod named in  
998 \*C6.01. In such case, the other congregation(s) of the same parish shall have the  
999 right to terminate the parish agreement.
- 1000 **\*C20.05.** Any one of the congregations of the parish may terminate their relationship with a  
1001 minister of Word and Service as provided in †S14.43.d. of the synodical constitution of  
1002 the synod named in \*C6.01. In such case, the other congregation(s) of the same  
1003 parish shall have the right to terminate the parish agreement.
- 1004 **\*C20.06.** Whenever a parish agreement is terminated, the call of any rostered minister serving  
1005 that parish is terminated. Should any congregation that was formerly part of the parish  
1006 agreement desire to issue a new call to that rostered minister, it may do so in  
1007 accordance with the call process of this church.

1010 Constitution updated at the Annual Congregational Meeting, Sunday, January 26, 2014.

1011 Constitution ratified at the Annual Congregational Meeting, Sunday, January 31, 2010.

1012 *Bylaws approved at the Annual Congregational Meeting, Sunday, January 31, 2010.*

1013  
1014 MODEL CONSTITUTION FOR CONGREGATIONS OF THE EVANGELICAL LUTHERAN  
1015 CHURCH IN AMERICA © 2013 by the Evangelical Lutheran Church in America.