

ST. JOHN'S EVANGELICAL
LUTHERAN CHURCH
OF
HAGERSTOWN, MARYLAND

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CONSTITUTION AND BYLAWS

Approved by Congregation
February 28, 2010

Amendments proposed November 2018
Marked up copy—deletions underlined, additions in red

BYLAWS

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**ST. JOHN'S EVANGELICAL LUTHERAN CHURCH OF
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The asterisk sections are required by the Evangelical Lutheran Church in America. (ELCA).

***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 St. John's Evangelical Lutheran Church of Hagerstown, Maryland.
- C1.02.** For the purpose of this constitution and the accompanying bylaws, the St. John's Evangelical Lutheran Church congregation is hereinafter designated as "this congregation."
- C1.03.** This congregation was incorporated under the laws of the State of Maryland, July 19, 1881.
- C1.04.** The seal of this congregation presents the date 1769 in Arabic numerals, between dagger points above and below, surmounted by the word "Organized" and subscribed by the words "Hagerstown, MD." enclosed by a circle of points, surrounded by the words "St. John's Evangelical Lutheran Church" with a five-point star at the bottom, all lettering in block capitals. The outer border of the seal is a circle of twisted rope, 1 15/16 inches in diameter.

C1.04.01. USE AND CUSTODY OF SEAL

A pastor of this congregation shall apply the seal to certificates, the call of a pastor-elect and other legal documents of the congregation.

Upon a pastor's termination of ministry, the seal is delivered into the hands of another pastor of this congregation or, if there is no other pastor to receive the seal, into the custody of the secretary of the congregation who may apply the seal to such documents in the absence of a pastor.

The seal is delivered by the secretary of the congregation into the hands of a called and duly installed pastor of this congregation immediately following installation. Custody and use of the seal is one of the prerogatives of a pastor of this congregation.

Chapter 2. CONFESSION OF FAITH

- *C2.01.** This congregation confesses the Triune God, Father, Son, and Holy Spirit.
- *C2.02.** This congregation confesses Jesus Christ as Lord and Savior and the Gospel as the power of God for the salvation of all who believe.
- a. Jesus Christ is the Word of God incarnate, through whom everything was made and through whose life, death, and resurrection God fashions a new creation.
 - b. The proclamation of God's message to us as both Law and Gospel is the Word of God, revealing judgment and mercy through word and deed, beginning with the Word in creation, continuing in the history of Israel, and centering in all its fullness in the person and work of Jesus Christ.

c. The canonical Scriptures of the Old and New Testaments are the written Word of God. Inspired by God's Spirit speaking through their authors, they record and announce God's revelation centering in Jesus Christ. Through them God's Spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.

- *C2.03. This congregation accepts the canonical Scriptures of the Old and New Testaments as the inspired Word of God and the authoritative source and norm of its proclamation, faith, and life.
- *C2.04. This congregation accepts the Apostles', Nicene, and Athanasian Creeds as true declarations of the faith of this congregation.
- *C2.05. This congregation accepts the Unaltered Augsburg Confession as a true witness to the Gospel, acknowledging as one with it in faith and doctrine all churches that likewise accept the teachings of the Unaltered Augsburg Confession.
- *C2.06. This congregation accepts the other confessional writings in the Book of Concord, namely, the Apology of the Augsburg Confession, the Smalcald Articles and the Treatise, the Small Catechism, the Large Catechism, and the Formula of Concord, as further valid interpretations of the faith of the Church.
- *C2.07. This congregation confesses the Gospel, recorded in the Holy Scripture and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God's mission in the world.

Chapter 3. NATURE OF THE CHURCH

- *C3.01. All power in the Church belongs to our Lord Jesus Christ, its head. All actions of this congregation are to be carried out under his rule and authority.
- *C3.02. This church confesses the one, holy, catholic, and apostolic Church and is resolved to serve Christian unity throughout the world.
- *C3.03. The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in universal community of the Church, and the universal Church exists in and through congregations. The Evangelical Lutheran Church of 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 shall:
 - a. Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness and service.

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

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

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

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

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

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

Chapter 5. POWERS OF THE CONGREGATION

***C5.05.** The powers of this congregation are those necessary to fulfill its purpose.

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

***C5.03.** Only such authority as is delegated to the Congregation Council or other organizational units in this congregation's governing documents is recognized. All remaining authority is retained by the congregation. The congregation is authorized to:

- a. call a pastor; as provided in Chapter 9;
- b. terminate the call of a pastor; as provided in Chapter 9;
- c. call or terminate the call of associates in ministry, deaconesses, and diaconal ministers in conformity with the applicable policy of the Evangelical Lutheran Church in America.
- c. call a minister of Word and Service;
- d. terminate the call of a minister of Word and Service in conformity with the constitution of the Evangelical Lutheran Church in America;
- e. adopt amendments to the constitution, as provided in Chapter 16, and amendments to the bylaws, as specified in Chapter 17, and continuing resolutions, as provided in Chapter 18;
- f. approve the annual budget;
- g. acquire real and personal property by gift, devise, purchase, or other lawful means;
- h. hold title to and use its property for any and all activities consistent with its purpose;
- i. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
- j. elect its officers, Congregation Council, boards, and committees, and require the members of the council to carry out their duties in accordance with the constitution, bylaws, and continuing resolutions; and
- k. 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 Delaware-Maryland Synod of the Evangelical Lutheran Church in America.

Chapter 6. CHURCH AFFILIATION

- *C6.01.** This congregation shall be an interdependent part of the Evangelical Lutheran Church in America or its successor, and of the Delaware-Maryland Synod of the Evangelical Lutheran Church in America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America.
- *C6.02.** This congregation accepts the Confession of Faith and agrees to the Purposes of the Evangelical Lutheran Church in America and shall act in accordance with them.
- *C6.03.** This congregation acknowledges its relationship with the Evangelical Lutheran Church in America in which:
- a. This congregation agrees to be responsible for its life as a Christian community.
 - b. This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.
 - c. This congregation agrees to call pastoral leadership from the clergy roster of **Ministers of Word and Sacrament** of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod. **These special circumstances are limited either to calling a candidate approved for the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or to contracting for pastoral services with a minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion.**
 - d. This congregation agrees to consider associates in ministry, deaconesses, and diaconal ministers **ministers of Word and Service** for call to other staff positions in the congregation according to the procedures of the Evangelical Lutheran Church in America.
 - e. This congregation agrees to file this constitution and any subsequent changes to this constitution with the synod for review to ascertain that all of its provisions are in agreement with the constitution and bylaws of the Evangelical Lutheran Church in America or 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. **Such meeting may be held no sooner than 30 days after written notice of the meeting is received by the bishop of the synod, during which time the congregation shall consult with the bishop and the bishop's designees, if any. The times and manner of the consultation shall be determined by the bishop in consultation with the Congregation Council. Unless he or she is a voting member of the congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the meeting.**
 - b. The secretary of this congregation shall submit a copy of the resolution to the synodical bishop , **attesting that the special meeting was legally called and conducted and certifying the outcome of the vote,** and shall mail a copy of the resolution to voting members of this congregation. This notice shall be submitted within 10 days after the resolution has been adopted.
 - c. The bishop of the synod shall consult with this congregation and the congregation shall continue in consultation, as specified in paragraph a. above, during a period of at least 90 days **after receipt by the synod of the notice as specified in paragraph b. above.**
 - d. If this congregation, after such consultation, still seeks to terminate its relationship, such action may be taken at a legally called and conducted special meeting by a two-thirds vote of the voting members present, at which meeting the bishop of the synod or an authorized representative shall be present. Notice of the meeting shall be mailed to all voting members **and to the bishop** at least 10 days in advance of the meeting. **Unless he or she is a voting member of the congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the meeting.**
 - e. A certified copy of the resolution to terminate its relationship , **attesting that the special meeting was legally called and conducted and certifying the outcome of the vote,** shall be sent to the synodical bishop **within 10 days after the resolution has been adopted,** at which time the relationship between this congregation and the Evangelical Lutheran Church in America shall be terminated. **and this church shall be terminated subject to paragraph g. below. Unless this notification to the bishop also certifies that the congregation has voted by a two-thirds vote to affiliate with another Lutheran denomination, the congregation will be conclusively presumed to be an independent or non-Lutheran church.**
 - f. Notice of termination shall be forwarded by the synodical bishop to the secretary **of the ELCA, who shall report the termination to the Churchwide Assembly.**
 - g. Since this congregation was a member of the Lutheran Church in America, it shall be required, in addition to the foregoing provisions in *C6.05., to receive synodical approval before terminating its membership in the Evangelical Lutheran Church in America.
 - g. **This congregation shall abide by these covenants by and among the three expressions of this church:**
 - 1) **Congregations seeking to terminate their relationship with this church which fail or refuse to comply with each of the foregoing provisions in *C6.05. shall be required to receive Synod Council approval before terminating their membership in this church.**
 - 2) **Congregations which had been members of the Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in *C6.05., to receive 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 first meeting. If this congregation fails to achieve the required two-thirds vote of voting**

members present at the congregation's second meeting as specified in paragraph d. above, another attempt to consider termination of relationship with this church must follow all requirements of *C6.05. and may begin no sooner than six months after that second meeting.

- *C6.06. If this congregation considers relocation, it shall confer with the bishop of the synod in which it is territorially located and the appropriate program unit of the churchwide organization before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is effected.
- *C6.07. If this congregation considers developing an additional site to be used regularly for worship, it shall confer with the bishop of the synod in which it is territorially located and the appropriate program unit of the churchwide organization before any steps are taken leading to such action.

Chapter 7. PROPERTY OWNERSHIP

- *C7.01. If this congregation ceases to exist, title to undisposed property shall pass to the Delaware-Maryland Synod of the Evangelical Lutheran Church in America.
- *C7.02. If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline, title to property shall continue to reside in this congregation.
- *C7.03. If a two-thirds majority of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to transfer to another Lutheran church body, title to property shall continue to reside in this congregation, **provided the process for termination of relationship in *C6.05. has been followed.** . Before this congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of the Delaware-Maryland Synod.
- *C7.04. If a two-thirds majority of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to become independent or relate to a non-Lutheran church body **and have followed the process for termination of relationship in *C6.05.**, title to property of this congregation shall continue to reside in this congregation only with the consent of the Synod Council. The Synod Council, after consultation with this congregation by the established synodical process, may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of this congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America.

Chapter 8. MEMBERSHIP

- *C8.01. Members of this congregation shall be those baptized persons on the roll of the congregation at the time that this constitution is adopted and those who are admitted thereafter and who have declared and maintain their membership in accordance with the provisions of this constitution and its bylaws.
- *C8.02. Members shall be classified as follows:
 - a. **Baptized** members are those persons who have been received by the Sacrament of Holy Baptism in this congregation, or, having been previously baptized in the name of the Triune God, have been received by certificate of transfer from other Lutheran congregations or by affirmation of faith.
 - b. **Confirmed** members are baptized persons who have been confirmed in this congregation, those who have been received by adult baptism or by transfer as confirmed members from other Lutheran congregations, or baptized persons received by affirmation of faith.
 - c. **Voting** members are confirmed members. Such confirmed members, during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of the congregation **as well as the other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws**
 - d. **Associate** members are persons holding membership in other Christian congregations who wish to retain such membership but desire to participate in the life and mission of this congregation, or

persons who wish to retain a relationship with this congregation while being members of other congregations. They **These individuals** have all the privileges and duties of membership except voting rights and eligibility for elected offices or membership on the Congregation Council of this congregation, or other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.

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

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

***C8.04.** It shall be the privilege and duty of members of this congregation to:

- a. make regular use of the means of grace, both Word and sacraments;
- b. live a Christian life in accordance with the Word of God and the teachings of the Lutheran church; and
- c. support the work of this congregation, the synod, and **the churchwide organization** of the Evangelical Lutheran Church in America through contributions of their time, abilities, and financial support as biblical stewards.

***C8.05.** Membership in this congregation shall be terminated by any of the following:

- a. death;
- b. resignation;
- c. transfer or release;
- d. disciplinary action by the Congregation Council **in accordance with ELCA constitutional provision 20.41. and the accompanying bylaws**; or
- e. removal from the roll due to inactivity as defined in the bylaws **in accordance with the provisions of this constitution and its bylaws.** Such persons who have been removed from the roll of members shall remain persons for whom the church has a continuing pastoral concern.

C8.05.01. A member of this congregation may be removed from the roll due to inactivity when, after pastoral or delegated pastoral contact, it is ascertained that the member no longer intends to participate in the worship and life of this congregation.

Chapter 9. THE PASTOR ROSTERED MINISTER

***C9.01.** Authority to call a pastor shall be in this congregation by at least a two-thirds majority ballot vote of **voting** members present and voting at a meeting legally called for that purpose. Before a call is issued, the

officers, or a committee elected by the Congregation Council to recommend the call, shall seek the advice and help of the bishop of the synod.

- *C9.02.** Only a member of the clergy roster of **Ministers of Word and Sacrament** of the Evangelical Lutheran Church in America or a candidate for the roster of ordained ministers **Ministers of Word and Sacrament** who has been recommended for the congregation by the synodical bishop may be called as a pastor of this congregation.
- *C9.03.** Consistent with the faith and practice of the Evangelical Lutheran Church in America,
- a. Every ordained minister of **Word and Sacrament** shall:
 - 1) preach the Word;
 - 2) administer the sacraments;
 - 3) conduct public worship;
 - 4) provide pastoral care; and
 - 5) **seek out and encourage qualified persons to prepare for the ministry of the Gospel;**
 - 6) **impart knowledge of this church and its wider ministry through distribution of its communications and publications;**
 - 7) **witness to the Kingdom of God in the community, in the nation, and abroad; and**
 - 8) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.
 - b. Each ordained minister **pastor** with a congregational call shall, within the congregation:
 - 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
 - 2) supervise **relate to** all schools and organizations of the congregation;
 - 3) install regularly elected members of the Congregation Council; and
 - 4) with the council, administer discipline; **and**
 - 5) **endeavor to increase the support given by the congregation to the work of the ELCA churchwide organization and of the Delaware-Maryland Synod of the ELCA.**
 - c. Every pastor shall:
 - 1) strive to extend the Kingdom of God in the community, in the nation, and abroad;
 - 2) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
 - 3) impart knowledge of this church and its wider ministry through distribution of its periodicals and other publications; and
 - 4) endeavor to increase the support given by the congregation to the work of the churchwide organization of the Evangelical Lutheran Church in America (ELCA) and of the Delaware-Maryland Synod of the ELCA.
- *C9.04.** The specific duties of the pastor, compensation, and other matters pertaining to the service of the pastor shall be included in a letter of call, which shall be attested by the bishop of the synod.
- *C9.05** **The provisions for termination of the mutual relationship between a minister of Word and Sacrament and this congregation shall be as follows:**
- a. The call of a congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which, except in the case of the death of the pastor, shall be terminated only **by death or**, following consultation with the synodical bishop, and for the following reasons:
 - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the pastor, which shall become effective, unless otherwise agreed, **no later than** (30) days after the date on which it was submitted;
 - 3) inability to conduct the pastoral office effectively in the congregation in view of local conditions, without reflection on the competence or the moral and spiritual character of the pastor;
 - 4) the physical or mental incapacity of the pastor;
 - 5) disqualification **suspension** of the pastor through discipline on grounds of doctrine, morality, or

- continued neglect of duty; for more than three months;
- 6) resignation or removal of the pastor from the roster of Ministers of Word and Sacrament of this church;
 - 7) termination of the relationship between this church and the congregation;
 - 8) the dissolution of the congregation or the termination of a parish arrangement; or
- 7) suspension of the congregation as a result of through discipline proceedings for more than six months.
- b. When allegations of physical or mental incapacity of the pastor under paragraph a.4) above, or ineffective conduct of the pastoral office under paragraph a.3) above, have come to the attention of the bishop of this synod, the bishop in his or her sole discretion may, or when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of the congregation, the bishop shall investigate such conditions personally in company with a committee of two ordained ministers and one layperson.
 - 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
 - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of the congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
 - c. In case of alleged physical disability or mental incapacity, competent medical testimony shall be obtained. under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the pastor's condition. When such a disability or incapacity is evident to the committee, the bishop of this synod with the advice of the committee shall may declare the pastorate vacant. When the pastorate is declared vacant, the Synod Council shall list the pastor on the roster of Ministers of Word and Sacrament as disabled Upon removal of the disability and the restoration of a disabled pastor to health, the bishop of the synod shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another field of labor appropriate call.
 - d. In the case of alleged local difficulties that imperil the effective functioning of the congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons shall be heard, after which the bishop of the synod together with the committee described in *C9.05b. shall decide on the course of action to be recommended shall present their recommendations first to the pastor and then to the congregation. The recommendations of the bishop's committee must address whether the pastor's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by the congregation and by the pastor, if appropriate. If they the pastor and congregation agree to carry out such recommendations, no further action shall be taken by the synod.
 - e. If either party fails to assent to the recommendations of the bishop's committee concerning the pastor's call, the congregation may dismiss the pastor only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds majority vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a simple majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
 - f.. If, in the course of proceedings described in *C9.05.d. paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for disciplinary action discipline, the committee shall make recommendations concerning disciplinary action to the synodical bishop, who may bring charges in accordance with the provisions of the this church's constitution and , bylaws, and continuing resolutions. 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. At a time of pastoral vacancy, an interim pastor shall be appointed by the bishop of the synod with the consent of this congregation or the Congregation Council. **The arrangements regarding the interim pastor's tenure and termination or conclusion thereof will be governed by a mutually agreed upon contract created at the outset of the tenure: such a contract will be drafted in consultation with the bishop.**
- *C9.07. During the period of service, an interim pastor shall have the rights and duties in the congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or Congregation Council. The interim pastor and any **ordained pastor rostered minister** providing assistance shall refrain from exerting influence in the selection of a pastor. **Unless previously agreed upon by the Synod Council, an interim pastor is not available for a regular call to the congregation served.**
- *C9.08. This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting related to the Evangelical Lutheran Church in America.
- *C9.09. When a pastor is called to serve in company with another pastor or pastors, the privileges and responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted in consultation involving the pastors, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
- *C9.11. 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 shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the pastor and representatives of the congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of *C9.05.a.
- *C9.12. The pastor of this congregation:
- a. shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation;
 - b. shall submit a summary of such statistics annually to the synod; and
 - c. shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.
- *C9.13. The pastor(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.
- *C9.14. The parochial records of this congregation shall be maintained by the pastor and shall remain the property of the congregation. The secretary of this congregation shall attest in writing to the bishop of this synod that such records have been placed in his or her hands in good order by a departing pastor before the installation of that pastor in another field of labor or the granting by the synod of retired status to the pastor.

C9.20. Ecumenical pastoral ministry

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

- *C9.21.** Authority to call a minister of Word and Service shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by the Congregation Council to recommend the call, shall seek the advice and help of the bishop of the synod.
- *C9.22.** Only a member of the roster of Ministers of Word and Service of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of Word and Service who has been recommended for this congregation by the synodical bishop may be called as a deacon of this congregation.
- *C9.23.** Consistent with the faith and practice of the Evangelical Lutheran Church in America, every minister of Word and Service shall:
- a. Be rooted in the Word of God, for proclamation and service;
 - b. Advocate a prophetic diakonia that commits itself to risk-taking and innovative service on the frontiers of the Church's outreach, giving particular attention to the suffering places in God's world;
 - c. Speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world, witnessing to the realm of God in the community, the nation, and abroad;
 - d. Equip the baptized for ministry in God's world that affirms the gifts of all people;
 - e. Encourage mutual relationships that invite participation and accompaniment of others in God's mission;
 - f. Practice stewardship that respects God's gift of time, talents, and resources;
 - g. Be grounded in a gathered community for ongoing diaconal formation;
 - h. Share knowledge of the ELCA and its wider ministry of the gospel and advocate for the work of all expressions of this church; and
 - i. Identify and encourage qualified persons to prepare for ministry of the gospel.
- *C9.24.** The specific duties of the deacon, compensation, and other matters pertaining to the service of the deacon shall be included in a letter of call, which shall be attested by the bishop of the synod.
- *C9.25.** The provisions for termination of the mutual relationship between a minister of Word and Service and a congregation shall be as follows:
- a. The call of this congregation, when accepted by a deacon, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by death or, following consultation with the synodical bishop, for the following reasons:
 - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the deacon, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
 - 3) inability to conduct the ministry of Word and Service effectively in this congregation in view of local conditions;
 - 4) physical disability or mental incapacity of the deacon;
 - 5) suspension of the deacon through discipline for more than three months;
 - 6) resignation or removal of the deacon from the roster of Ministers of Word and Service of this church;
 - 7) termination of the relationship between this church and this congregation;
 - 8) dissolution of this congregation or the termination of a parish arrangement; or
 - 9) suspension of this congregation through discipline for more than six months.
 - b. When allegations of physical disability or mental incapacity of the deacon under paragraph a.4) above, or ineffective conduct of the office of minister of Word and Service under paragraph a.3) above, have come to the attention of the bishop of this synod,
 - 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
 - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of this congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
 - c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the deacon's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the position vacant. When the position is declared vacant, the Synod Council shall list the

deacon on the roster of Ministers of Word and Service as disabled. Upon removal of the disability and the restoration of the deacon to health, the bishop shall take steps to enable the deacon to resume the ministry, either in the congregation last served or in another appropriate call.

- d. In the case of alleged local difficulties that imperil the effective functioning of this congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the deacon and then to this congregation. The recommendations of the bishop's committee must address whether the deacon's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by this congregation and by the deacon, if appropriate. If the deacon and congregation agree to carry out such recommendations, no further action need be taken by the synod.
 - e. If either party fails to assent to the recommendations of the bishop's committee concerning the deacon's call, this congregation may dismiss the deacon only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
 - f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.
- *C9.26.** The deacon shall make satisfactory settlement of all financial obligations to a former congregation before:
- a. installation in another field of labor, or
 - b. the issuance of a certificate of dismissal or transfer.
- *C9.27.** When a deacon is called to serve in company with another rostered minister or other rostered ministers, the privileges and responsibilities of each rostered minister shall be specified in documents to accompany the call and to be drafted in consultation involving the rostered ministers, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
- *C9.28.** With the approval of the bishop of the synod, this congregation may depart from *C9.25.a. and call a deacon for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the deacon and representatives of this congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of *C9.25.a.
- *C9.29.** The deacon shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the deacon shall hold membership in one of the congregations.
- *C9.31.** The deacon(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.

Chapter 10. CONGREGATIONAL MEETING

C10.01. The Annual Meeting of this congregation shall be held at a time specified in the bylaws.

C10.01.01. The annual meeting of this congregation shall be held on a Sunday in February each year at a specified time and place, unless otherwise scheduled by the Congregation Council, with proper notice to the congregation, as set forth in Section C10.03 of the Constitution.

- C10.02.** A special Congregational Meeting may be called by the pastor, the Congregation Council, or President of this congregation and shall be called by the president of the congregation upon written request of twelve of the voting members. **The president of the Congregation Council shall call a special meeting upon request of the synodical bishop.** The call for each special meeting shall specify the purpose for which it is to be held, and no other business shall be transacted.
- C10.03.** Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays and by mail **or electronic means, as permitted by state law**, to all voting members at least 10 days in advance of the date of the meeting. **Time, place, and purpose of the meeting shall be stated.**
- C10.04.** **Subject to applicable civil law, all who are voting members shall be eligible to vote in all congregational meetings.** Ten percent of the voting members shall constitute a quorum.
- C10.05.** Voting by proxy or by absentee ballot shall not be permitted.
- C10.06.** All actions by the congregation shall be by majority vote **of those voting members present and voting**, except as otherwise provided in this constitution **or by state law**.
- C10.07.** *Robert's Rules of Order*, latest edition, shall govern parliamentary procedure of all meetings of this congregation.

Chapter 11. OFFICERS

- C11.01.** The officers of this congregation shall be a president, vice president, secretary, corresponding secretary and treasurer.
- a. Duties of the officers shall be specified in the bylaws.
 - b. **The officers shall be voting members of the congregation.**
 - c. The president, vice president, secretary and corresponding secretary shall be chosen **selected** from the **elected** membership of the Congregation Council. The treasurer, if not a member of the Congregation Council, shall be accorded the privilege of voice without vote in its meetings.
 - d. If any officer ceases to be a voting member of this congregation, that office shall at once be declared vacant by the Congregation Council, which shall fill the vacancy for the unexpired term.
- C11.02.** The officers shall be elected by the Congregation Council by written ballot, at its last meeting in each year (December). The term shall begin at the conclusion of Old Business of the first meeting in each year (January) and end at the conclusion of the first Congregation Council meeting the following year. **Officers of the Congregation Council shall also serve as the officers of this congregation.**
- C11.03.** No officer shall hold more than one office at a time. **No elected officer shall be eligible to serve more than two consecutive terms in the same office.**

C11.03.01. DUTIES OF OFFICERS

President

The President shall be an elected member of the Congregation Council. The President shall be the presiding officer at all meetings of the Congregation Council and Executive Committee; shall, with the Pastor(s), exercise general supervision over the business of the Congregation; and shall oversee the discharge of the Congregation Council's duties and responsibilities as outlined in Chapter 12 of the Constitution.

Vice President

The Vice President shall be an elected member of the Congregation Council. The Vice-President shall, in the absence, refusal to act, or disqualification of the president, perform all of the duties of the president.

Secretary

The Secretary shall keep accurate minutes of all meetings of the congregation and Congregation Council.

The Secretary shall see that all notices are duly given to the congregation in accordance with the provisions of the Constitution and these Bylaws.

The Secretary shall be the custodian of the records of the congregation and the Seal in the absence of a pastor, and shall see that the Seal is affixed to all documents executed on behalf of the congregation requiring same, and when so affixed may attest to the same; and, in general, shall perform all duties incident to the office of a secretary of a corporation, and such other duties as, from time to time, may be assigned to the Secretary by the Congregation Council or the President.

Corresponding Secretary

The Corresponding Secretary shall be an elected member of the Congregation Council.

The Corresponding Secretary shall transcribe any correspondence initiated by the Executive Committee or Congregation Council.

The Corresponding Secretary shall perform such other duties as directed by the Executive Committee, Congregation Council or the President of the Congregation.

Treasurer

The Treasurer shall keep the books of account of the Congregation.

The Treasurer shall receive all funds, deposit or cause to be deposited such funds in the name of the Corporation, disburse them on proper orders, and make monthly statements to the President and Congregation Council of the financial affairs concerning the congregation.

The Treasurer shall submit to the annual audit of the congregation's financial affairs, and, in general, shall perform all duties incident to the office of a Treasurer of a Corporation, or such other duties as may be assigned by the Congregation Council or the President.

Chapter 12 CONGREGATION COUNCIL

C12.01. The voting membership of the Congregation Council shall consist of the pastor(s) and not more than 12 members of this congregation. Any voting member of the congregation may be elected, subject only to the limitation that such council member shall not be eligible for re-election for at least a one year period. A member's place on the Congregation Council shall be declared vacant if the member a) ceases to be a voting member of this congregation, b) has more than one unexcused absence or two excused absences at regular meetings of the Congregation Council in any one calendar year, or c) is deemed ineligible for other reasons stated in the by-laws. **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.**

C.12.01.01. ATTENDANCE AT MEETINGS

More than one (1) unexcused absence or more than two (2) excused absences in any one (1) calendar year shall result in the member's termination from the Congregation Council.

"Excused absences" shall include but not be limited to:

- a. death or emergency in the member's immediate family, or personal illness or disability unless such illness or disability persists longer than ninety (90) days.
- b. Vacation or other commitment requiring absence from the community, unless such vacation or other commitment requires absence in excess of 14 days per month during a calendar year.

Notice of termination of membership shall be given in writing to the member by the Corresponding Secretary.

The member shall have the right to appeal such action by having the Congregation Council consider the matter at the next regularly-scheduled meeting of the Congregation Council.

A two-thirds (2/3) vote of the members of the Congregation Council present and voting thereat shall be required to continue the membership or reinstate the member to membership on the Congregation Council.

- C12.02.** To the extent possible, at least five four members of the Congregation Council (except the pastor(s)) shall be elected by written ballot at a legally called meeting of the congregation during the month of November. The members' term of office shall be three years with the term of office beginning with orientation at the December meeting and ending with the conclusion of Old Business at the January meeting. All Newly elected members of the Congregation Council shall be installed by the pastor(s) according to the prescribed order of the Church at the next public service following their election or as soon thereafter as convenient.
- C12.03.** Should a member's place on the Congregation Council be declared vacant, the Congregation Council shall elect, by majority vote, a successor to complete the vacating member's term of office.
- C12.04.** The Congregation Council shall have general oversight of the life and activities of this congregation, and in particular its worship life, to the end that everything be done in accordance with the Word of God and the faith and practice of the Evangelical Lutheran Church in America. The duties of the Congregation Council shall include the following:
- a. To lead this congregation in stating its mission, to do long-range planning, to set goals and priorities, and to evaluate its activities in light of its mission and goals.
 - b. To seek to involve all members of this congregation in worship, learning, witness, service, and support.
 - c. To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.
 - d. To maintain supportive relationships with the pastor(s) rostered ministers 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 elect the delegate (s) from the congregation who shall accompany the pastor(s) to the meeting of the conference and synod. The expenses incurred by such delegates in connection with their attendance shall be paid by the congregation.
 - k. to seek out and encourage qualified persons to prepare for the ministry of the Gospel.

- C12.05.** The Congregation Council shall be responsible for the financial and property matters of this congregation.
- a. The Congregation Council shall be the board of directors of this congregation, and as such shall be responsible for maintaining and protecting its property and the management of its business and fiscal affairs. It shall have the powers and be subject to the obligations that pertain to such boards under the laws of the State of Maryland, except as otherwise provided herein.
 - b. The Congregation Council shall not have the authority to buy, sell, or encumber real property unless specifically authorized to do so by prior congregational approval. **a meeting of the congregation.**
 - c. The Congregation Council may enter into contracts of up to \$5,000 for items not included in the budget, unless otherwise provided in the bylaws.
 - d. The Congregation Council shall prepare an annual budget for adoption by this congregation, shall supervise the expenditure of funds in accordance therewith following its adoption. The budget shall include this congregation's contribution in support of the wider ministry being carried on in partnership with the synod and churchwide organization.
 - e. The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently giving particular attention to the prompt payment of all obligations and to the regular forwarding of benevolence monies to the synodical treasurer.
 - f. The Congregation Council shall be responsible for this congregation's investments and its total insurance program.
- C12.06.** The Congregation Council shall see that the provisions of this constitution and its bylaws are carried out.
- C12.07.** The Congregation Council shall provide for an annual review of the membership roster.
- C12.08.** The Congregation Council shall be responsible for the employment and supervision of the salaried lay workers of this congregation. **Nothing in this provision shall be deemed to affect the congregation's responsibility for the call, terms of call, or termination of call of any employees who are on a roster of this church.**
- C12.09.** The Congregation Council shall submit a comprehensive report to this congregation at the annual meeting.
- C12.10.** The Congregation Council shall normally meet once a month. Special meetings may be called by the president, pastor or **and shall be called by the president** at the request of at least one-half of its members. Notice of each special meeting shall be given to all who are entitled to be present.
- C12.11.** A quorum for the transaction of business shall consist of a majority of the members of the Congregation Council, including the pastor or interim pastor, except when the pastor or interim pastor requests or consents to be absent and has given prior approval to the agenda for a particular regular or special meeting, which shall be the only business considered at that meeting. Chronic or repeated absence of the pastor or interim pastor who has refused approval of the agenda of a subsequent regular or special meeting shall not preclude action by the Congregation Council, following consultation with the synodical bishop.
- C12.12.** **The Congregation Council and its committees may hold meetings by remote communication, including electronically and by telephone conference and, to the extent permitted by state law, notice of all meetings may be provided electronically.**

Chapter 13. CONGREGATIONAL COMMITTEES

- C13.01.** The officers, pastor(s) and Past President of the Congregational Council shall constitute the *Executive Committee*.

C13.01.01. The duties of the Executive Committee shall be: to act in behalf of the Congregation Council ad interim; to serve as the committee responsible for personnel policies and practice, which includes yearly appraisal **of staff; to consider such other matters referred to it by the Congregation Council for its recommendation, all such** action by said committee to be subject to the approval of the Congregation Council.

Meetings of the Executive Committee may be called by the President, the pastor(s), or by a majority of the members of said committee. A majority of the Executive Committee members shall constitute a quorum.

C13.02. A *Nominating Committee* of six voting members of this congregation, two of whom, if possible, shall be outgoing members of the Congregation Council, shall be elected at the annual meeting for a term of one year. Members of the Nominating Committee are not eligible for consecutive re-election.

C13.03. An *Audit Committee* of three voting members may be appointed by the Congregation Council on an as needed basis. Audit Committee members shall not be members of the Congregation Council.

C13.04. When a pastoral vacancy occurs, a *Call Committee* of seven voting members of this congregation shall be elected by the Congregation Council. Term of office will terminate upon installation of the newly-called pastor.

C13.04.01. Not more than three (3) of the members of this committee shall be members of the current Congregation Council.

C13.05. A *Mutual Ministry Committee* (in the absence of a mutual ministry committee, their duties shall be fulfilled by the Executive Committee) of six (6) active members shall be appointed jointly by the president of the Congregation Council and the pastor rostered minister. Term of office shall be two years, with three members to be appointed each successive year.

C13.05.01. The purpose of the Mutual Ministry Committee shall be to facilitate communication and cooperation among the pastor(s), the professional staff and the congregation.

This committee shall stimulate open communication concerning attitudes and conditions within the congregation, shall be aware of early warnings of misunderstandings within the congregation, shall be a listening post for staff and congregation, shall provide opportunities for minor conflict resolution, and shall be a sounding board for staff.

This committee shall work in partnership with all committees of the church. It shall be directly accountable to the Congregation Council, reporting and making recommendations to it.

The chairperson shall be appointed by the Congregation Council. The chairperson and other members of the committee shall be approved by the Congregation Council with the advice and consent of the pastor(s).

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

C13.06.01. At its first meeting in each congregational year, the Congregation Council shall appoint as many standing committees as the local and wider concerns of the congregation shall require. Each such committee shall include one or more members of the Congregation Council, and, in addition, other confirmed members of the congregation on the active roll. Although appointed by and responsible to the Congregation Council, these committees shall be recognized as representative of the interests of, and performing essential services for, the congregation as a whole. The pastor(s) shall have voice and vote in all committees.

C13.06.02. FINANCE

This committee shall prepare a budget for the succeeding year, including this congregation's contribution in support of the wider ministry being carried on in its behalf by the Evangelical Lutheran Church in America and the synod, and shall submit such budget to the Congregation Council for its action and later presentation to a congregation meeting. The committee shall oversee all of the financial affairs of the congregation to make sure that they are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of benevolence monies to the synodical treasurer. It shall, subject to the approval of the Congregation Council, be responsible for the congregation's investments, and shall also provide for annual audits of the accounts of the Treasurer, as well as of the accounts of the school(s) and organizations within the congregation. The Treasurer of the congregation shall be a member of this committee.

C13.06.03. CONGREGATION TEAMS

Congregation Teams will be made up of members interested in furthering the mission and vision objectives of the church. Each team will have a minimum of one or more Congregation Council members assigned. Teams should meet on a regular basis, according to the needs of the church, and sub-committees may meet separately, or as part of a team meeting. Actions recommended for wider approval should be sent from the team to the Congregation Council. Timely reports should also be submitted to the Congregation Council.

- a. **Faith Formation Team.** This team will oversee all worship planning, including Christian education, vacation Bible school, and leadership for worship such as ushers, music, choirs, lectors, visual worship aids, flowers, and altar guild volunteers. This team is responsible for:
 1. *Worship Planning* to insure that all services are conducted regularly and in accordance with the liturgy of the Evangelical Lutheran Church in America, with regard for all members' needs for traditional and contemporary worship services and music. The Team is responsible for overseeing ushers, hymnals, choirs, organ, pianos, praise bands, lectors, flowers, acolytes, crucifers, altar guild, banners, and other appropriate worship aids to accomplish the goals of our Lutheran heritage and to remain firmly rooted in the word of Jesus Christ and the mission and vision objectives of St. John's Evangelical Lutheran Church.
 2. *Christian Education* to oversee the conduct of and to promote the school(s) and educational activities of all organizations within the congregation. The team will select and approve teaching and worship materials approved by the ELCA for church schools, as well as materials and publications for home use by members. The Luther Library will also be administered by this team and members will be encouraged in its use.
 3. *Vacation Bible School* to plan for the annual traditional summer school for children and adults.
- b. **Inreach With The Word Team.** This team will oversee member visitations, Bible studies, stewardship (time, talent, treasure) of our members, youth ministry, various men's and women's groups, home communions, and administration of the scholarship fund. Responsibilities include:
 1. *Member Visitations* - shut-in visits, and other methods of contact to show the care our congregation has for all its members. This includes overseeing home communions and contacting inactive members.
 2. *Stewardship* - of time, talents and treasure of all members as an expression of Christian faith in daily living and commitment to God and His church. This team will annually promote stewardship with emphasis on facilitating budgetary goals, and bringing education to our members.
 3. *Youth Ministry, Military and Student Life* - to coordinate all youth activities within the congregation also with Synod, conference cluster and community.
 4. *Bible Study* - to encourage members to be active in Bible studies and to offer group planning to assist with this effort.
 5. *Scholarship Fund* - oversee the administration of proceeds of this fund, if any, on an annual basis, to active members of our congregation who are eligible and who make proper application.

- c. **Outreach With The Word Team.** This team will oversee evangelism activities, social events, relationships with renters of our facilities, social issues in our community, and promoting our church to all. This team will oversee the following:
 - 1. *Evangelism* - activities to reach outside of our congregation to stimulate, educate, and encourage persons having spiritual, social and physical needs, including local, synodical and world-wide efforts for mission and ministry support for hunger and relief appeals, social services and similar ministries.
 - 2. *Social Events* – to include reaching out with community dinners and other activities.
 - 3. *Coordination of Tenants* – to monitor the need and contracts of those organizations renting any part of our facilities.
- d. **Administration and Facility Team.** This team will oversee property matters/planning, archives, fine arts, and the church van (if any). This team is to oversee the following:
 - 1. Property matters from construction to maintenance for all facilities. This team is also responsible for preserving our long and rich heritage through administering all archival items and records, caring for furnishings and fine arts, and maintaining the church van (if any).
- e. **Technology Team.** This team will oversee the church website, and other technical equipment, such as audio/visual and will provide other technical support of our church’s mission and vision. This team is responsible for our congregation’s website and for providing technical support to all those organizations of St. John’s Evangelical Lutheran Church in need of its services.

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

.C13.07.01. The duties of all committees shall be assigned by the Congregation Council, along with such instructions as in its judgment are in the best interests of the congregation. All actions of committees shall be subject to review by the Congregation Council, and in accordance with the existing mission statement of this congregation.

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

Chapter 14. ORGANIZATIONS WITHIN THE CONGREGATION

C14.01. All organizations within this congregation shall exist to aid it in ministering to the members of this congregation and to all persons who can be reached with the Gospel of Christ. As outgrowths and expressions of this congregation’s life, the organizations are subject to its oversight and direction. This congregation at its annual meeting shall receive reports concerning their membership, work, and finances.

C14.02. Special interest groups, other than those of the official organizations of the Evangelical Lutheran Church in America, may be organized only after authorization has been given by the Congregation Council.

Chapter 15. DISCIPLINE OF MEMBERS

***C15.01.** Persistent and public denial of the Christian faith as described in this constitution, willful or criminal conduct grossly unbecoming a member of the Church of Christ, or persistent trouble-making in this congregation continual and intentional interference with the ministry of the congregation, or willful and repeated harassment or defamation of member(s) of the congregation are sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation and repentance shall be attempted following

Matthew 18:15-17, proceeding through these successive steps: a) private **counsel and** admonition by the pastor; (b) **censure and** admonition by the pastor in the presence of two or three witnesses; and c) citation to appear before the Congregation Council. **written referral of the matter by the Congregation Council to the vice president of the synod, who will refer it to a consultation panel drawn from the Consultation Committee of the synod, and d) written referral of the matter by the consultation panel to the Committee on Discipline of the synod.** If, for any reason, the pastor is unable to administer the admonitions required by a. and b. hereof, the president (if not the pastor) or vice president shall administer such admonitions those steps may be performed by another pastor chosen by the Executive Committee of the Congregation Council.

***C15.02.** The process for discipline of a member of the congregation shall be governed as prescribed by the chapter on discipline in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. If discipline against a member proceeds beyond counseling and admonition by the pastor, If the counseling, censure, and admonitions pursuant to *C15.01. do not result in repentance and amendment of life, charges against the accused member(s) that are specific and in writing shall be prepared by member(s) of the congregation who shall sign the charges as the accuser(s). the Congregation Council, signed, and submitted to the vice president of the synod. The written charges shall be filed with the pastor, who shall advise the Congregation Council of the need to issue a written citation to the accused and the accusers that specifies the time and place of the hearing before the written citation that specifies the time and place of the hearing before the Congregation Council and requests the presence of a member charged with the offense shall be sent at least ten days prior to the meeting. If the member charged with the offense fails to appear at the scheduled hearing, the Congregation Council may proceed with the hearing and may pass judgment in the member's absence. The vice president shall select from the synod's Consultation Committee a panel of five members (three laypersons and two ministers of Word and Sacrament). A copy of the written charges shall be provided to the consultation panel and the accused member(s). The consultation panel, after requesting a written reply to the charges from the accused member(s), shall consider the matter and seek a resolution by means of investigation, consultation, mediation, or whatever other means may seem appropriate. The panel's efforts to reach a mutually agreeable resolution shall continue for no more than 45 days after the matter is submitted to it.

***C15.03.** Members of the Congregation Council who participate in the preparation of the written charges or who present evidence or testimony in the hearing before the Congregation Council are disqualified from voting upon the question of the guilt of the accused member. Should the allegations be sustained by a two-thirds majority vote of the members of the Congregation Council who are not disqualified but who are present and voting, and renewed admonition prove ineffectual, the council shall impose one of the following disciplinary actions:

- a. censure before the council or the congregation;
- b. suspension from membership for a definite period of time; or
- c. exclusion from membership in this congregation.

Disciplinary actions b. and c. shall be delivered to the member in writing.

***C15.04.** The member against whom disciplinary action has been taken by the Congregation Council shall have the right to appeal the decision to the Synod Council. Such right may not be abridged and the decision of the Synod council shall be final.

***C15.05.** Disciplinary actions may be reconsidered and revoked by the Congregation Council upon receipt of a) evidence that injustice has been done, or b) evidence of repentance and amendment.

***C15.06.** For disciplinary actions in this congregation, "due process" shall be observed as specified in 20.41.04. in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.

***C15.03.** If the consultation panel fails to resolve the matter, that panel shall refer the case in writing, including the written charges and the accused member's reply, to the Committee on Discipline of the synod for a hearing. A copy of the panel's written referral shall be delivered to the vice president of the synod, the

Congregation Council, and the accused member(s) at the same time it is sent to the Committee on Discipline of the synod. The Executive Committee of the Synod Council shall then select six members from the Committee on Discipline to decide the case and shall appoint a member of the Synod Council to preside as nonvoting chair. Those six members, plus the nonvoting chair, comprise the discipline hearing panel for deciding the case. The Congregation Council and the accused member(s) are the parties to the case.

- *C15.04. The discipline hearing panel shall commence and conduct the disciplinary hearing in accordance with the provisions governing discipline of congregation members prescribed in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.
- *C15.05. By the vote of at least two-thirds of the members of the discipline hearing panel who are present and voting, one of the following disciplinary sanctions can be imposed:
 - a. suspension from the privileges of congregation membership for a designated period of time;
 - b. suspension from the privileges of congregation membership until the pastor and Congregation Council receive evidence, satisfactory to them, of repentance and amendment of life;
 - c. termination of membership in the congregation; or
 - d. termination of membership in the congregation and exclusion from the church property and from all congregation activities.
- *C15.06. The written decision of the discipline hearing panel shall be sent to the vice president of the synod, the accused member(s), and the Congregation Council as required by the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. The decision of the discipline hearing panel shall be implemented by the Congregation Council and recorded in the minutes of the next council meeting.
- *C15.07. No member of a congregation shall be subject to discipline for offenses that the Congregation Council has previously heard and decided, unless so ordered by the Synod Council after an appeal.
- *C15.10. **Adjudication**
- *C15.11. When there is disagreement among factions within this congregation on a substantive issue that cannot be resolved by the parties, members of this congregation shall have access to the synodical bishop for consultation after informing the chair of the Congregation Council of their intent. If the consultation fails to resolve the issue(s), the Consultation Committee of the synod shall consider the matter. If the Consultation Committee of the synod shall fail to resolve the issue(s), the matter shall be referred to the Synod Council, whose decision shall be final.

Chapter 1716 AMENDMENTS

- *C1716.01. Unless provision *C1716.04. is applicable, those sections of this constitution that are not required, in accord with *the Model Constitution for Congregations of the Evangelical Lutheran Church in America*, may be amended in the following manner. Amendments may be proposed by at least 10 voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the congregation's members by mail of the proposal together with the council's recommendations at least 30 days in advance of the meeting. **Notification may take place by mail or electronic means, as permitted by state law.**
- *C1716.02. An amendment to this constitution, proposed under *C1716.01., shall:
 - a. be approved at a legally called Congregation Meeting according to this constitution by a majority vote of those **voting members** present and voting;
 - b. be ratified without change at the next annual meeting by a two-thirds majority vote of those **voting members** present and voting; and
 - c. have the effective date included in the resolution and noted in the constitution.

***C1716.03.** Any amendments to this constitution that result from the processes provided in *C1716.01. and *C1716.02. 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 Delaware-Maryland Synod of the Evangelical Lutheran Church in America. The synod shall notify the congregation of its decision to approve or disapprove the proposed changes; the changes shall go into effect upon notification that the synod has approved them.

***C1716.04.** This constitution may be amended to bring any section into conformity with a section or sections, either required or not required of the *Model Constitution for Congregations of the Evangelical Lutheran Church in America* as most recently amended by the Churchwide Assembly. **Such amendment may be approved** by a simple majority vote of those voting members present and voting at any legally called meeting of the congregation without presentation at a prior meeting of the congregation, provided that the Congregation Council has submitted by mail **or electronic means, as permitted by state law**, notice to the congregation of such an amendment or amendments, together with the council's recommendations, at least 30 days prior to the meeting. Upon the request of 10 at least two (2) voting members of the congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of the congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following a vote of approval.

Chapter 1617 BYLAWS

***C1617.01.** This congregation may adopt bylaws. No bylaw may conflict with this constitution.

***C1617.02.** Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a majority two-thirds vote of those voting members present and voting.

***C1617.03.** Changes to the bylaws may be proposed by any voting member provided, however, that such additions or amendments be submitted in writing to the Congregation Council at least 60 days before a regular or special Congregational Meeting called for that purpose and that the Congregation Council **shall** notify the congregation's members by mail of the proposal with the council's recommendations at least 30 days in advance of the Congregational Meeting. **Notification may take place by mail or electronic means, as permitted by state law.**

***C1617.04.** Approved changes to the bylaws shall be sent by the secretary of this congregation to the synod.

Chapter 18. CONTINUING RESOLUTIONS

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

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

Chapter 19. INDEMNIFICATION

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