

2018

Constitution of Living Word Evangelical Lutheran Church of the Evangelical Lutheran Church in America



CONSTITUTION LIVING WORD EVANGELICAL LUTHERAN CHURCH

Ratified on January 28, 2018

***PREAMBLE**

We, the 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. Amen.

CHAPTER 1

NAME AND INCORPORATION

- C1.01. The name of this congregation shall be Living Word Evangelical Lutheran Church of Katy, Texas.
- C1.01.01. The seal of this congregation presents a Bible overlaid with a cross and on the outer circle these words: Living Word Evangelical Lutheran Church of Katy, Texas.
- C1.01.02. The Lead Pastor shall be the custodian of the seal of this congregation.
- C1.02. For the purpose of this constitution and accompanying bylaws, the Living Word Evangelical Lutheran Church congregation is hereinafter designated as "this congregation".
- C1.03. This congregation shall be incorporated under the laws of the state of Texas.

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 Confessions 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 Confessions, 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 the Lutheran confessional writings, as the power of God to create and sustain the Church for God's mission in this world.

CHAPTER 3

NATURE OF THE CHURCH

- *C3.01. All power in the Church belongs to our Lord Jesus Christ, its head. All actions of this congregation are to be carried out under his rule and authority.
- *C3.02. This Church confesses the one holy catholic and apostolic Church and is resolved to serve Christian unity throughout the world.
- *C3.03. The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the Church, and the universal Church exists in and through congregations. The Evangelical Lutheran Church in America, therefore, derives its character and powers both from 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 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 the 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 the apostolic witness in the Holy Scriptures, 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 for 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 callings in their daily lives and in their congregation.
 - d. Teach the Word of God.
 - e. Witness to the reconciling Word of God in Christ by 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 ELCA.
 - i. Foster and participate in ecumenical relationships consistent with churchwide policy.
- *C4.04. This congregation shall develop an organizational structure to be described in the bylaws. The Congregation Council shall prepare descriptions of the responsibilities of each committee, task force, or other organizational group and shall review their actions. Such descriptions shall be contained in continuing resolutions in the section on the Congregation Committees.

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

C.4.05.01. The mission of Living Word Lutheran Church is to be a faith community that Welcomes All, Equips All and Sends All.

A Welcoming Church: extending the love of Jesus through hospitality and service.

An Equipping Church: partnering with individuals and families to build and model faith.

A Sending Church: going into the world to be the hands and feet of Jesus.

*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

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

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

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

- a. call a pastor as provided in Chapter 9;
- b. terminate the call of a pastor as provided in Chapter 9;
- c. call a Minister of Word and Service;
- d. terminate the call of a Minister of Word and Service in conformity with the constitution of the ELCA;
- 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 Congregation Council and require it to carry out their duties in accordance with the constitution, bylaws, and any and all continuing resolutions then in effect; and
- k. terminate its relationship with the ELCA 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 Texas-Louisiana Gulf Coast Synod of the Evangelical Lutheran Church in America.

- C5.05. This congregation may establish and maintain either or both: (i) an internal mission endowment fund; (ii) a separate tax-exempt organization that will operate as specified in this congregation's bylaws and/or continuing resolutions. The purpose of the mission endowment fund and/or separate tax-exempt organization is to provide for mission and ministry work beyond, and in the case of a separate tax exempt organization, independent of, the operational budget of this congregation.

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 Texas-Louisiana Gulf Coast Synod of the Evangelical Lutheran Church in America. This congregation is subject to the discipline of the ELCA.
- *C6.02. This congregation accepts the Confession of Faith and agrees to the Purposes of the ELCA and shall act in accordance with them.
- *C6.03. This congregation acknowledges its relationship with the ELCA in which:
- a. This congregation agrees to be responsible for its life as a Christian community.
 - b. This congregation pledges its financial support to and participation in the life and mission of the ELCA.
 - c. This congregation agrees to call pastoral leadership from the roster Ministers of word and Sacrament of the ELCA 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 ELCA or to contracting for pastoral services with a Minister of Word and Sacrament of a church body with which the ELCA officially has established a relationship of full communion.
 - d. This congregation agrees to consider Ministers of Word and Service for call to other staff positions in the congregation according to the procedures of the ELCA.
 - 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 ELCA and with the constitution of the synod.
- *C6.04. Affiliation with the ELCA 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 ELCA according to procedures for discipline of the ELCA.
 - d. This congregation follows the procedures outlined in *C6.05.
- *C6.05. This congregation may terminate its relationship with the ELCA by the following procedure:
- a. A resolution indicating the intent to terminate its relationship must be adopted at a legally called and conducted special meeting of the congregation by a two-thirds vote of the voting members present. Such meeting may be held no sooner than 30 days after written notice of the meeting is received by the bishop of the synod, during which time the congregation shall consult with the bishop and the bishop's designees, if any. The times and manner of the consultation shall be determined by the bishop in consultation with the Congregation Council.

Unless he or she is a voting member of the congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the meeting.

- b. The secretary of this congregation shall submit a copy of the resolution to the bishop, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, and shall mail a copy of the resolution to voting members of the congregation. This notice shall be submitted within 10 days after the resolution has been adopted.
- c. The bishop of the synod 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 the congregation, after such consultation, still desires to terminate its relationship, such action may be taken at a legally called and conducted special meeting by two-thirds vote of the voting members present. Notice of the meeting shall be mailed to all voting members and to the bishop at least 10 days in advance of the meeting. Unless he or she is a voting member of the congregation, the bishop and the bishop's designees, if any, shall have a voice but not vote at the meeting.
- e. A copy of the resolution, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, shall be sent to the bishop within 10 days after the resolution has been adopted, at which time the relationship between the congregation and this church shall be terminated subject to paragraphs g., h., and i. below. Unless this notification to the bishop also certifies that the congregation has voted by a two-thirds vote to affiliate with another Lutheran denomination, the congregation will be conclusively presumed to be an independent or non-Lutheran Church.
- f. Notice of termination shall be forwarded by the bishop to the secretary of the ELCA, who shall report the termination to the Churchwide Assembly.
- g. This congregation shall abide by these covenants by and among the three expressions of this church:
 - 1) Congregations seeking to terminate their relationship with this church which fail or refuse to comply with each of the foregoing provisions in *C6.05., shall be required to receive Synod Council approval before terminating their membership in this church.
 - 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 ELCA 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 a 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 affected.

- *C.6.07. If this congregation considers developing an additional site to be used regularly for worship, it shall confer with the bishop of the synod in which it is territorially located and the appropriate unit of the churchwide organization before any steps are taken leading to such action.

CHAPTER 7

PROPERTY OWNERSHIP

- *C7.01. If this congregation ceases to exist, title to undisposed property shall pass to the Texas-Louisiana Gulf Coast Synod of the ELCA.
- *C7.02. If this congregation is removed from membership in the ELCA according to its procedure for discipline, title to property shall continue to reside in this congregation.
- *C7.03. If two-thirds of the votes of eligible congregation members 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 the 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 Texas-Louisiana Gulf Coast Synod.
- *C7.04. If two-thirds of the voting members of this congregation present at a legally called and conducted special meeting of the 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 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 in those members who desire to continue as a congregation of the ELCA.
- *C7.05. Notwithstanding the provisions of *C7.02. and *C7.03. above, where this congregation has received property from the synod pursuant to a deed or other instrument containing restrictions under provision C9.71.a. of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*, this congregation accepts such restrictions and:
 - a. Shall not transfer, encumber, mortgage, or in any way burden or impair any right, title, or interest in the property without the prior approval of the Synod Council.
 - b. Shall—upon written demand by the Synod Council, pursuant to †S13.23 of the constitution of the Texas-Louisiana Gulf Coast Synod — reconvey and transfer all right, title, and interest in the property to the synod.

CHAPTER 8

MEMBERSHIP

- *C8.01. Members of this congregation shall be those baptized persons on the roll of 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 congregation 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 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 memberships but desire to participate in the life and mission of this congregation. These individuals have all the privileges and duties of memberships except voting rights or the 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 Congregational 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 in 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 ELCA 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 in accordance with ELCA constitutional provision 20.41. and the accompanying bylaws; or
 - e. removal from the roll due to inactivity 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.

CHAPTER 9

ROSTERED MINISTER

- *C9.01. Authority to call a pastor shall be in this congregation by at least a two-thirds of the 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 advice and help of the bishop of the synod.
- C9.01.01. There shall be only one Lead Pastor position. Other pastor positions as are called in accordance with the constitution shall be subordinate to the Lead Pastor and shall be designated herein as Associate or Assistant Pastors.
- C9.01.02. The Congregation Council is empowered to hire, on a contract basis, ordained pastors to serve specific roles as necessary and on terms and conditions adopted by the Congregation Council.
- C9.01.03. The Lead Pastor shall:
- a. Be the spiritual leader of this congregation, discerning God's will for the church and interpreting theology.
 - b. Be responsible for the well-being of the congregation.
 - c. Be responsible for and manage the church's relationship with the ELCA, as defined in the constitution.
 - d. Be responsible for and manage the church's relationship with the local community.
 - e. Propose changes to this congregation's mission, vision and values.
 - f. Propose the long-term strategic plan for the church.
 - g. Initiate informal affiliations and relationships with other organizations.
 - h. Hire, terminate, direct, supervise, manage and evaluate the performance of non-pastor staff, and determine their compensation to be proposed in the annual

budget. For Associate or Assistant Pastors (including pastors retained in accordance with Section 9.01.02. of these bylaws, terminate, direct, supervise, manage and evaluate the performance of the pastors, and determine their compensation to be proposed in the annual budget.

*C9.02. Only a member of the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of the 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 ELCA,

a. Every Minister of Word and Sacrament shall:

- 1) preach the Word;
- 2) administer the sacraments;
- 3) conduct public worship;
- 4) provide pastoral care;
- 5) seek 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 Pastor with a congregational call shall, within the congregation:

- 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
- 2) relate to all schools and other organizations of this congregation;
- 3) install regularly elected members of the Congregation Council;
- 4) with the Congregation 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 Texas-Louisiana Gulf Coast 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 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 pastor, which shall become effective, unless otherwise agreed, 30 days after the date on which it was submitted;
- 3) inability to conduct the pastoral office effectively in the congregation in view of local conditions;
- 4) physical disability or mental incapacity of the pastor;
- 5) suspension of the pastor through discipline 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) dissolution of the congregation or the termination of a parish arrangement; or
 - 9) suspension of the congregation through discipline for more than six months.
- b. When allegations of physical disability or mental incapacity of the pastor under paragraph a.4) above, or ineffective conduct of the pastoral office under paragraph a.3) above, have come to the attention of the bishop of this synod,
 - 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two 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 under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the pastor's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the pastorate vacant. When the pastorate is declared vacant, the Synod Council shall list the pastor on the roster of Ministers of Word and Sacrament as disabled. Upon removal of the disability and the restoration of the pastor to health, the bishop shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call.
 - d. In the case of alleged local difficulties 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, after which the bishop together with the committee 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 the pastor 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 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 vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a simple majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
 - f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.
- *C9.06. 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.
- *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 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 ELCA.
- *C9.09. When a pastor is called to serve in the 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 similar consultation.
- *C9.11. With the approval of the bishop of this 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 this congregation for a review of the call. Such call may also be terminated before its expiration in accordance with the provision 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 or at the direction of 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 of the synod of retired status to the pastor.
- C9.15. Under special circumstances, subject to approval of the synodical bishop and the concurrence of the congregation, a Minister of Word and Sacrament of a church body with which the ELCA officially has established a relationship of full communion may serve temporarily as pastor of the congregation under a contract between the congregation and 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 a congregation, when accepted by a deacon, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by death or, following consultation with the synodical bishop, for the following reasons:
 - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the deacon, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
 - 3) inability to conduct the ministry of Word and Service effectively in this congregation in view of local conditions;
 - 4) physical disability or mental incapacity of the deacon;
 - 5) suspension of the deacon through discipline for more than three months;
 - 6) resignation or removal of the deacon from the roster of Ministers of Word and Service of this church;
 - 7) termination of the relationship between this church and this congregation;
 - 8) dissolution of this congregation or the termination of a parish arrangement; or
 - 9) suspension of this congregation through discipline for more than six months.
 - b. When allegations of physical disability or mental incapacity of the deacon under paragraph a.4) above, or ineffective conduct of the office of Minister of Word and Service under paragraph a.3) above, have come to the attention of the bishop of this synod,

- 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
 - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of this congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
- c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the deacon's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the position vacant. When the position is declared vacant, the Synod Council shall list the deacon on the roster of Ministers of Word and Service as disabled. Upon removal of the disability and the restoration of the deacon to health, the bishop shall take steps to enable the deacon to resume the ministry, either in the congregation last served or in another appropriate call.
 - d. In the case of alleged local difficulties that imperil the effective functioning of this congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the deacon and then to this congregation. The recommendations of the bishop's committee must address whether the deacon's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by this congregation and by the deacon, if appropriate. If the deacon and congregation agree to carry out such recommendations, no further action need be taken by the synod.
 - e. If either party fails to assent to the recommendations of the bishop's committee concerning the deacon's call, this congregation may dismiss the deacon only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds 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

CONGREGATION MEETING

C10.01. The regular Congregation Meetings of this congregation consist of two types. The first type is a general business meeting. Any business of this congregation may be transacted during the general business meeting. The second type of regular Congregation Meeting is a regular election meeting. The election of the members of the Congregation Council shall be the only business conducted at the regular election meeting. The regular Congregation Meetings of this congregation shall be held at a time specified in the by-laws.

C10.01.01. The regular election meeting of this congregation shall be held annually during the months of April or May.

C10.01.02. The specific dates for each regular Congregation Meeting shall be selected each year by the Congregation Council.

C10.02. A special Congregation Meeting may be called by the Lead Pastor, the Congregation Council, or the president of this congregation. A special Congregation Meeting shall also be called at the written request of ten percent of the voting members. The call for each special Congregation 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 email transmission to all voting members at least 10 days in advance of the date of the meeting. Where there is no record of an email address for a voting member or such email notification is returned as undelivered, the posting of such notice in the regular mail, with the regular postage affixed or paid, sent to the last known address of such member(s) shall be sufficient.

C10.04. Ten percent of the count of voting members recorded in this congregation's most recent annual report approved by this congregation shall constitute a quorum.

C10.05. The method of permissible voting at a meeting, as determined from time to time by the Congregation Council, shall be set forth in the notice for such meeting, and may include (but shall not be limited to) one or more of the following: voice vote, paper and/or electronic ballot, proxy ballot, or absentee ballot, provided that: (i) in the event of voice voting, no proxy or absentee ballot shall be permitted, and in the event that the result of such voice vote is not clearly

determinable a paper and/or electronic ballot shall be required; (ii) any proxy or absentee ballot may be obtained solely at the conclusion of an announced information session prior to such meeting and shall clearly identify the member to whom it is issued; and (iii) any electronic ballot shall require prior confirmation by the Congregation Council of technical and technological capabilities therefor.

C10.06. All actions approved by this congregation shall be by majority vote, except as otherwise provided in this constitution or required by state law.

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

CHAPTER 11

OFFICERS

C11.01. The officers of this congregation shall include a president, vice-president, and secretary/treasurer.

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

C11.01.01. The president is the chief officer of this congregation and the Congregation Council. The president shall preside at all meetings of this congregation and Congregation Council. The president, in consultation with the Executive Committee, shall set all agendas for the Congregation Meetings and the Congregation Council meetings. The president, with the approval of the Congregation Council, shall appoint the recording secretary and parliamentarian for all Congregation meetings and the chairpersons of all teams.

C11.01.02. The vice president assumes the responsibilities of the president in the event of the absence or incapacity of the president. The vice president shall undertake such duties and responsibilities as the president may assign.

C11.01.03. The Secretary-Treasurer shall be responsible for seeing that accurate minutes of all Congregational Meetings and all Congregation Council Meetings are kept by the recording secretary. The minutes of such meetings shall be kept in a volume which shall be preserved in the congregational archives. The secretary-treasurer shall be responsible for seeing that the books of account of this congregation are kept by the financial secretary. The secretary-treasurer shall be responsible for ensuring that all funds received by the congregation are disbursed on proper orders. The secretary-treasurer shall be a member of the Finance Advisory Committee. The secretary-treasurer shall be responsible for preparing and providing a written report of all financial transactions to the congregation at the general business meeting.

b. The officers shall be adult voting members of this congregation who have attained the age of 21.

c. Officers of this congregation shall serve similar offices of the Congregation Council and shall be voting members of the Congregation Council.

d. The pastor(s) shall not serve as an officer of this congregation.

C11.02. The Congregation Council shall elect its officers from its membership, by majority vote, and they shall be the officers of this congregation. The officers shall serve for one year or until their successors are elected. Members of the Congregation Council and officers shall be installed the first Sunday in June or as soon thereafter as reasonably possible.

- 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.
- C11.04. An office is declared vacant if the officer ceases to be a voting member of this congregation, resigns from office, has disciplinary action imposed on him/her by the Congregation Council, or is absent from three regular meetings of the Congregation Council, without cause and/or without advance notice, in a calendar year.
- C11.05. Should an office be declared vacant, the Congregation Council shall elect, by majority vote, a successor for the unexpired term.
- C11.06. The Officers and the Lead Pastor shall constitute the Executive Committee of the Congregation Council with such duties and authority as set forth in the bylaws.

CHAPTER 12

CONGREGATION COUNCIL

- C12.01. The voting membership of the Congregation Council shall consist of the pastor(s), the officers of the congregation, and not more than 7 other members of the congregation. Any voting member of the congregation may be elected, subject only to the limitation on the length of continuous service permitted in that office. A member's place on the Congregation Council shall be declared vacant if the member (a) ceases to be a voting member of this congregation, (b) resigns from the Congregation Council, (c) has disciplinary action imposed on him/her by the Congregation Council, or (d) is absent from four successive regular meetings of the Congregation Council without cause.
- C12.01.01. Members of this congregation who are employed as paid staff by the congregation or who have members of their immediate family employed as paid staff by the congregation shall not be eligible for election to the Congregation Council. This section does not apply to the pastor(s) serving as a member of the Congregation Council.
- C12.02. The members of the Congregation Council except the pastor(s) shall be elected in accordance with the terms of Section C12.01. hereof to serve for two years or until their successors are elected. The election shall take place at a properly called and conducted regular election meeting of this congregation. Such members shall be eligible to serve no more than three full terms consecutively. Their term shall begin on June 1 of the year in which they are elected. Their tenure shall be so arranged that approximately half of the terms expire annually.
- C12.03. Should a member's place on the Congregational Council be declared vacant, the Congregation Council may elect (and in the event the number of remaining members is less than five, shall elect), by majority vote, a successor until the next regular election meeting.
- C12.04. The Congregation Council shall have a 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 ELCA. The duties of the Congregation Council shall include the following:

- a. To lead this congregation in partnership with the Lead Pastor in developing, approving and 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, fellowship, 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 receive a report on organizational changes initiated by the Lead Pastor.
- e. To maintain supportive relationships with the pastor(s) and staff and help them annually to evaluate the fulfillment of their calling or employment.
- f. To direct, supervise, manage and evaluate the performance of the Lead Pastor, and determine the compensation of the Lead Pastor to be proposed in the annual budget.
- g. To be examples individually and corporately of the style of life and ministry expected of all baptized persons.
- h. To promote a congregational climate of peace and goodwill, and, as differences and conflicts arise, to endeavor to foster mutual understanding.
- i. To arrange for pastoral service during sickness or absence of the pastor.
- j. To emphasize partnership with the synod and churchwide organization of the ELCA as well as cooperation with other congregations, both Lutheran and non-Lutheran, subject to established policies of the synod and the ELCA.
- k. To recommend and encourage the use of program resources produced or approved by the ELCA.
- l. To seek out and encourage qualified persons to prepare for the ministry of the Gospel.
- m. To evaluate, manage and safeguard against legal and other liabilities, both actual and contingent, impacting this congregation.
- n. For all called pastors, approve or disapprove the recommendation of the Call Committee, and forward the approved candidates to the congregation for approval.

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

- a. The Congregation Council shall be the board of trustees of this congregation, and as such shall be responsible for maintaining and protecting its property and the management of its business and fiscal affairs. It shall have the powers and be subject to the obligations that pertain to such boards under the laws of the state of Texas, except as otherwise provided herein.
- b. The Congregational Council shall not have the authority to buy, sell, or encumber real property unless specifically authorized to do so by a meeting of the congregation.
- c. The Congregation Council may enter into contracts or incur obligations of up to 5% of the total operating budget approved for that year by the congregation, for items not included in such budget, without the separate consent of the congregation.
- d. The Congregation Council shall supervise the preparation of an annual budget for adoption by this congregation, to be approved by the congregation in the month of January in the year to which the budget relates, shall supervise the expenditure of funds in accordance therewith following its adoption, and prior to such adoption may expend no more than one month of such budgeted expenses for such year. The budget shall include this congregation's share 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 timely payment of all obligations and forwarding of benevolence monies to the synodical treasurer or other designated recipient.
- f. The Congregation Council shall be responsible for this congregation's investments and for the assessment of and adequacy and prudence of insurance against identified risks, including but not limited to risks described in Section 19.01 hereof.
- g. The Congregational Council shall provide for a periodic audit of all accounts of this congregation, the frequency of which audits shall be at least as frequently as may be required under applicable law.
- h. The Congregation Council may reallocate budgeted funds from one category to another category as required to achieve the ministry and mission of this congregation.

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

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

C12.08. The Congregation Council shall consult with one or more of the pastors, as deemed appropriate by the pastor and the Congregation Council, in support of such pastor's appointment and supervision of the salaried lay workers of this congregation.

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

C12.10. The Congregation Council shall normally meet once a month. Congregational Council members may attend such meetings by telephone upon advance notice to the president or the secretary treasurer, who shall make reasonable efforts to facilitate such participation. Special meetings may be called by the pastor or the president and shall be called by the president at the request of at least one-half of the members of the Congregation Council. Notice of each special meeting shall be given to all who are entitled to be present.

C12.10.01. Special meetings of the Congregation Council shall be held upon 10 days' notice by first- class mail or 48 hours' notice given personally or by telephone, email transmission, or other similar means of communication. Any such notice shall be addressed or delivered to each Congregation Council member at such person's address as it is shown upon the records of the corporation or as may have been given to the corporation by the Congregation Council member for purposes of notice, or if such address is not shown on such records or is not readily ascertainable, at the place in which the meetings of the Congregation Council are regularly held. Notice by mail shall be deemed to have been given at the time a written notice is deposited in the United States mail, postage prepaid. Any other written notice shall be deemed to have been given at the time it is personally delivered to the recipient or is delivered to a common carrier for transmission, or actually transmitted by the person giving the notice by electronic means, to the recipient. Oral notice shall be deemed to have been given at the time it is communicated, in person or by telephone or wireless, to the recipient or

to a person at the office of the recipient who the person giving the notice has reason to believe will promptly communicate it to the recipient.

- C12.10.02. Members of the Congregation Council may participate in a meeting through use of conference telephone or similar communications equipment, so long as all members participating in such meeting can hear one another.
- C12.10.03. Any action required or permitted to be taken by the Congregation Council may be taken without a meeting if all members of the Congregation Council shall individually or collectively consent in writing, including by email transmission, to such action. Such written consent or consents shall have the same effect as a unanimous vote of the Congregation Council and shall be filed with the minutes of the proceedings of the Congregation Council.
- C12.10.04. Indemnity. Subject to the limitations provided in the Articles of Incorporation or these bylaws, the congregation shall indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative by reason of the fact that such person is or was a Lead Pastor, Associate Pastor, in staff positions, Congregation Council member or officer or member of any Team or committee of the congregation to the fullest extent permitted by Texas law against expenses (including attorneys' fees), judgments, fines, penalties and amounts paid in settlement, actually and reasonably incurred, by such person in connection with such action, suit or proceeding. The congregation shall advance payment of expenses to the fullest extent permitted by Texas law. To the extent permitted by law, the congregation shall indemnify a Congregation Council member or officer for liability for any action taken, or any failure to take any action, as a Congregation Council member or officer, except liability for any of the following: (i) receipt of a financial benefit received by a Congregation Council member or officer to which the Congregation Council member or officer is not entitled; (ii) an intentional infliction of harm on the congregation or its members; (iii) a violation of any criminal law. Any repeal or modification of this provision by members of the congregation shall be prospective only and shall not adversely affect any indemnification obligations of this congregation with respect to any state of facts existing or prior to the time of such repeal or modification.
- C12.11. A quorum for the transaction of business shall consist of a majority of the members of the Congregation Council, including the called pastor(s) or interim pastor, except when the called pastor(s) or interim pastor requests or consents to be absent and has given prior approval to the agenda for such meeting, provided however that in the event of such prior approval, the actions specified on such agenda shall be the only business of such meeting. Two or more consecutive absences of a pastor or interim pastor combined with a corresponding refusal to approve the agenda of such meetings, without the consent of the Congregation Council, shall not preclude action by the Congregation Council, following consultation with the synodical bishop.
- C12.12. The Congregation Council, in consultation with the called pastor(s), shall choose from among the congregation's voting lay members to serve as voting members of the Synod Assembly as well as persons to represent this congregation at meetings of any conference, cluster, coalition, or other area subdivision of which it is a member. The number of persons to be selected to represent this congregation and other qualifications shall be as prescribed in guidelines established by the synod.

C12.13. The Congregation Council and its committees may hold meetings and vote 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

CONGREGATION COMMITTEES

C13.01. The officers of this congregation and the pastor (or, in the event of multiple pastors, the Lead Pastor) shall constitute the **Executive Committee**.

C13.01.01. The Executive Committee shall consist of the president, vice president, secretary-treasurer and Lead Pastor. The Executive Committee shall be responsible for the preparation of the annual report and budget and shall present the report and the budget to the Congregation Council for approval. Thereafter, the Congregation Council shall present the report and the budget to the congregation at the general business meeting.

C13.01.02. The Executive Committee shall meet on an 'as needed basis' to conduct emergency matters where the meeting of the full Congregation Council is not practicable. All actions taken by the Executive Committee shall be ratified at the next regularly scheduled meeting of the Congregation Council.

C13.02. The **Nominating Committee** is to solicit interest and secure candidates for nomination to various vacant council and committee positions.

C13.03. The **Audit Committee** is to lead an overview of church financial health and accounting practices ensuring they align with ELCA and non-profit accounting standards.

C13.04. When a pastoral vacancy occurs, a **Call Committee** will screen, interview, and recommend candidates to the congregation council.

C13.05. The **Finance Advisory Committee** is to recommend and oversee accounting policies and procedures; propose an annual budget; review the financial statements of the church; review the annual audit; report the church's financial condition and make recommendations to the Council.

C13.06. The **Personnel Advisory Committee** is responsible for assisting the Congregation Council oversee personnel related activities of Living Word and making recommendations to the Council to ensure that the pastors and staff are properly supported.

C13.07. The **Stewardship Committee** shall be tasked with setting annual or ongoing efforts to help lead ministerial goals through a regular program of outreach and education focused on the giving of members' time, talent and financial gifts.

C13.08. The Learning Center shall maintain a **TLC Advisory Board** to act in accordance with the church's ministry, regulated educational standards and accreditation, providing guidance and oversight to the operations and mission of the Center.

C13.09. The **Endowment Committee** is to create and foster a culture of giving that builds financial capacity for the future; leaving legacy gifts for the mission and the ministries of Living Word Lutheran Church.

C13.10. Other committees of this congregation may be formed, as the need arises, by decision of the Congregation Council.

C13.10.01. The Congregation Council may adopt charters and appoint such advisory teams as it deems necessary to assist the Congregation Council in various matters. The charters of each team shall set forth the guidelines as to duties and membership.

C13.10.02. The purpose of the organizational structure of this congregation is to fulfill the functions of this congregation, to satisfy the needs of this congregation and to carry out this congregation's ministries in the community and the world.

C13.10.03. Teams are differentiated from committees, which require Council representatives, formal agendas and minutes, and follow Robert's Rules of Orders as prescribed in C10.07.

C13.10.04. This structure shall be reviewed by the Congregation Council annually. New teams may be added by the Congregation Council on terms and durations as necessary for the fulfillment of C13.10.01. By way of example, new teams could be comprised of building and special fund-raising teams.

C13.10.05. While the existence of standing or creation of new teams is not required, members of those teams that do exist shall be appointed by the Lead Pastor or Congregation Council.

C13.11. Duties of committees of this congregation shall be specified in the bylaws or continuing resolutions.

C13.11.01 Committees, as defined in Chapter 13, shall adhere to and follow Council's requirements. Among them are:

- a. All committee members are appointed by Council;
- b. To create and refresh the committee's charter every two years;
- c. To meet a minimum of once per quarter;
- d. To develop and archive a formal agenda and minutes of each meeting, which are then distributed to the Council;
- e. Committee structure requires an elected chair, vice chair and secretary as the leadership component for the committee;
- f. Committee meetings will follow the same voting structure and Robert's Rules of order as prescribed in C10.07.

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 this congregation's oversight and direction. This congregation or Congregation Council at its meetings shall determine their policies, guide their activities, and receive reports concerning their membership, work and finances.

C14.02. Special interest groups, other than those of the official organization of the ELCA, 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, willful or criminal conduct grossly unbecoming a member of the Church of Christ, continual and intentional interference with the ministry of the congregation, or willful and repeated harassment or defamation of member(s) of the congregation is sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation and repentance will be attempted following Matthew 18:15–17, proceeding through these successive steps, as necessary: a) private counsel and admonition by the pastor, b) censure and admonition by the pastor in the presence of two or three witnesses, c) 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 paragraphs a. and b. hereof, 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 the counseling, censure, and admonitions pursuant to *C15.01. do not result in repentance and amendment of life, charges against the accused member(s) that are specific and in writing may be prepared by the Congregation Council, signed, and submitted to the vice president of the synod. The vice president shall select from the synod's Consultation Committee a panel of five members (three lay persons and two 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.
- C15.02.01. A member who has failed to remain identified as a registered, active participant in worship, appeared at a church-sanctioned function, acknowledges they have not received Holy Communion or has not made a financial contribution of record for a period of two consecutive years is considered inactive.
- C15.02.02. Before a member is declared inactive, counseling and/or contact shall be made with that person if possible.
- *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 the congregation shall be subject to discipline a second time for offenses that a discipline hearing panel has heard previously and decided pursuant to this chapter.

*C15.10. **Adjudication**

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

CHAPTER 16

AMENDMENTS

*C16.01. Unless provisions *C16.04. is applicable, those sections of this constitution that are not required, in accord with the *Model Constitution for Congregations of the ELCA*, may be amended in the following manner. Amendments may be proposed by at least 10 percent voting members or by the Congregation Council. Proposals must be filed in writing by mail or email with the Congregation Council 60 days before formal consideration by this congregation at a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the congregation's members of the proposal, together with the council's recommendations at least

30 days in advance of the meeting. Notifications may take place by mail or electronic means, as permitted by state law.

- *C16.02. An amendment to this constitution proposed under Article *C16.01. 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 vote of those voting members present and voting; and
 - c. have the effective date included in the resolution¹ and noted in the constitution.
- *C16.03. Any amendments to this constitution that result from the processes provided under *C16.01. and *C16.02. shall be sent by the secretary of this congregation to the synod. The synod shall notify the congregation of its decision to approve or disapprove the proposed changes; the changes shall go into effect upon notification that the synod has approved them.
- *C16.04. This constitution may be amended to bring any section into conformity with a section or sections, either required or not required, of the *Model Constitution for Congregations of the Evangelical Lutheran Church in America* as most recently amended by the Churchwide Assembly. Such amendments may be approved by a 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 recommendation, at least 30 days prior to the meeting. Upon the request of at least two (2) voting members of this congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of the congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following a vote of approval.

CHAPTER 17

BYLAWS

- *C17.01. This congregation may adopt bylaws. No bylaw may conflict with this constitution.
- *C17.02. Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a two-thirds vote of those voting members present and voting.
- *C17.03. Changes to the bylaws may be proposed by any voting member, provided that such additions or amendments be submitted in writing to the Congregation Council at least 60 days before a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the congregation's members of the proposal with the council's recommendations at least 30 days in advance of the Congregation Meeting. Notification may take place by mail or electronic means, as permitted by state law.

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

*C17.04. 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 provision of the laws under which this congregation is incorporated, this congregation may adopt provisions providing indemnification for each person who, by reason of the fact that such person is or was a Congregation Council member, officer, employee, agent, or other member of any committee of this congregation, was or is threatened, to be made a party to any threatened, pending, or completed civil, criminal, administrative, arbitration, or investigative proceeding.

CHAPTER 20

PARISH AUTHORIZATION

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

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

*C20.02. One congregation of a parish shall issue a call on behalf of the member congregations to a minister of Word and Sacrament or a candidate for the roster of Ministers of Word and Sacrament who has been recommended by the synodical bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregational meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.

*C20.03. One congregation of a parish may issue a call on behalf of the member congregations to a minister of Word and Service or a candidate for the roster of Ministers of Word and Service who has been recommended by the synodical bishop to serve the congregations of the parish.

Such a call shall be approved prior to issuance by a two-thirds vote at a congregational meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.

- *C20.04. Any one of the congregations of the parish may terminate their relationship with the pastor as provided in †S14.18.d. of the synodical constitution of the synod named in *C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.
- *C20.05. Any one of the congregations of the parish may terminate their relationship with a minister of Word and Service as provided in †S14.43.d. of the synodical constitution of the synod named in *C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.
- *C20.06. Whenever a parish agreement is terminated, the call of any rostered minister serving that parish is terminated. Should any congregation that was formerly part of the parish agreement desire to issue a new call to that rostered minister, it may do so in accordance with the call process of this church.

*NOTE: * indicates language is required by the Synod.*