

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 to be governed by its provisions. In the name of the Father and of the Son and of the Holy Spirit.

Name and incorporation

C1.01 The name of this congregation shall be Glenwood Lutheran Church.

C1.02 For the purpose of this constitution and the accompanying bylaws, the Glenwood Lutheran Church congregation is hereinafter designated as “this congregation”.

C1.03 This congregation shall be incorporated under the laws of the State of Minnesota.

*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 Glenwood Lutheran Church .

C1.02. For the purpose of this constitution and the accompanying bylaws, the congregation of Glenwood Lutheran Church is hereinafter designated as “this congregation.”

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

GLC Constitution 1998

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 judgement 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 faith in 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 teaching 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.

ELCA Model Constitution

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.

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Notes and Suggestions:

Substitute comma for colon

Correct lower case c in Concord

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. (2014 version) *This church confesses the one, holy, catholic, and apostolic Church and is resolved to serve Christian unity throughout the world.*

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

C3.04 (2014 version) *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 (2014 version) *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 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.

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GLC Constitution 1998

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 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 Sanctified of all.

d. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity, justice and equity for all people, working for peace and reconciliation among the nations, *caring for the marginalized, embracing and welcoming racially and ethnically diverse populations*, and standing in solidarity with the poor and oppressed 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.

ELCA Model Constitution

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, justice, and equity for all people, working for peace and reconciliation among the nations, *caring for the marginalized, embracing and welcoming racially and ethnically diverse populations*, and standing in solidarity with the poor and oppressed 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.

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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 this congregation's ministry and the ministry of the other expressions of the Evangelical Lutheran Church in America.

Comments and Suggestions:

Change Sanctified to Sanctifier

Add "caring for the marginalized, embracing and welcoming racially and ethnically diverse populations" (already in 2014 version)

Change parts to expressions

GLC Constitution 1998

h. Foster and participate in interdependent relationships with other congregations, the synod, and the Evangelical Lutheran Church in America.

j. 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 *board*, committee, task force, or other organizational *groups* and shall review their actions. *[Such descriptions shall be contained in continuing resolutions in the section on the Congregation Boards.]*

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

ELCA Model Constitution

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. [Such descriptions shall be contained in continuing resolutions in the section on the Congregation Committees.]

*C4.05. This congregation shall adopt and periodically review 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.**

Comments and Suggestions:

2014 version includes word “board”; 1998 does not

2014 version is italicized, 1998 version used bylaws instead of continuing resolutions

1998 version does not contain C4.06. This section explains relationships between synod, congregations, and churchwide (national) church units.

GLC Constitution & By-Laws 1998

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 the congregation's governing documents are recognized. All remaining authority is retained by the congregation. The congregation is authorized to:

- A. Call a pastor,
- B. Terminate the call of a pastor,
- C. Appoint or terminate the appointment of associates in ministry in conformity with the applicable policy of the Evangelical Lutheran Church in America
- D. Approve the annual budget
- E. Acquire real and personal property by gift, devise, purchase, or other lawful means
- F. Hold title to and use its property for any and all activities consistent with its purpose
- G. Sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means
- H. elect its officers, board, and committees, and require them to carry out their duties in accordance with the constitution and bylaws
- I. Terminate its relationship with the Evangelical Lutheran Church in America as provided in chapter 6
- J. Enter into contracts, and
- k. Sue and be sued

C5.04 Real property shall not be purchased, disposed of, or encumbered in any manner except by resolution adopted by not less than two-thirds of the voting members present and voting at a legally called meeting of the congregation and that any such sale or encumbrance shall be in accordance with state law. (note: Minnesota State law requires that notice for such a meeting be given for at least four successive Sundays immediately before the meeting, on which the congregation stated meets for public worship)

C5.05 All legal documents shall be signed by the president and secretary of the congregation.

ELCA Model Constitution

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 Evangelical Lutheran Church in America;
- e. **adopt amendments to the constitution, as provided in Chapter 16, 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][,] [and] Congregation Council, [**boards, and committees,**] and require [them] [the members of the council] to carry out their duties in accordance with the constitution[,] [and] 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 elect 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 this congregation and other qualifications shall be as prescribed in guidelines established by the (insert name of synod) of the Evangelical Lutheran Church in America.**

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

Notes and Suggestions::

Add reference to Chapter 9

Add reference to Chapter 9

Add C50.08.c "call a Minister of Word and Service"

Delete "appoint" and change "associates in ministry" to "Minister of Word and Service in conformity with the constitution" to acknowledge new form of rostered ministry

Add "e" to clarify power of congregation to amend constitution, bylaws and continuing resolutions

J. Congregation has leeway in choosing language to name its governing /structural units

Model constitution has no provisions for legal actions such as sue and be sued

The model constitution provides paragraph C5.04 outlining the responsibilities of the congregation to participate in coalitions, clusters, conference and synod activities. The 1998 constitution C5.04 concerns itself with real property.

The 1998 version names signatories for legal documents. The model constitution establishes the mission endowment fund as a part of the general governance of the congregation's umbrella, and states the mission.

GLC Constitution 1998

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 Southwestern Minnesota 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 the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod.

D. This congregation agrees to consider *associates in ministry for appointment* 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.

Model Constitution

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 Southwestern Minnesota 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 **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 **ministers of Word and Service for call** to other staff positions in this congregation according to the procedures of the Evangelical Lutheran Church in America.

e. This congregation agrees to file this constitution and any subsequent changes to this constitution with the synod for review to ascertain that all of its provisions are in agreement with the constitution and bylaws of the Evangelical Lutheran Church in America and with the constitution of the synod.

*C6.04. Affiliation with the Evangelical Lutheran Church in America is 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 or in accordance with provision 9.23. of the constitution and bylaws of the Evangelical Lutheran Church in America.

d. The Southwestern Minnesota Synod takes charge and control of the property of this congregation to hold, manage, and convey the same on behalf of the synod pursuant to †S13.24. of the synod constitution. This congregation shall have the right to appeal the decision to the next Synod Assembly.

e. This congregation follows the procedures outlined in *C6.05.

Comments:

Change reflects redefinition of ministers of Word and Sacrament

Addition reflects clarification of special circumstances for calling or contracting pastoral services with other church bodies we are in full communion with

Change in D reflects name change from associates in ministry to “ministers of Word and Service”

This provision clarifies who hold title to the church property in the event of dissolution, cessation of existence or removal from the membership in the ELCA(?)

GLC Constitution 1998

C6.05 This congregation may terminate its relationship with the Evangelical Lutheran Church in America by the following procedure:

- A. A resolution indicating the desire of this congregation to terminate its relationship must be adopted at a legally called and conducted special meeting of this congregation by a two-thirds majority of the voting members present.
- B. The secretary of this congregation shall submit a copy of the resolution to the syndical bishop 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 consult with this congregation during a period of at least 90 days.
- D. If this congregation, after consultation, still desires to terminate its relationship, such action may be taken at a legally called and conducted special meeting by a two-thirds majority of the voting members present, at which meeting the bishop of the synod or an authorized representative shall be present. Notice of the meeting shall be mailed to all voting members at least 10 days in advance of the meeting.
- E. A certified copy of the resolution to terminate its relationship shall be sent to the syndical bishop, at which time the relationship between this congregation and the ELCA shall be terminated.
- F. Notice of termination shall be forwarded by the syndical bishop to the secretary of this Church and published in the periodical of this Church.

ELCA Model Constitution

*C6.05. This congregation may terminate its relationship with the Evangelical Lutheran Church in America by the following procedure:

- a. A resolution indicating the **intent to terminate** its relationship must be adopted at **two** legally called and conducted special meetings of this congregation by a two-thirds vote of the voting members present **at each meeting. The first 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 this 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 the bishop and/or the bishop's designees are voting members of this congregation, they shall have voice but not vote at the first meeting.**
- b. **Within 10 days after the resolution has been voted upon at the first meeting, 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 send copies of the resolution and certification to voting members of this congregation.**
- c. **If the resolution was adopted by a two-thirds vote of the voting members present at the first meeting, the bishop of the synod and this congregation shall continue in consultation, as specified in paragraph a. above, during a period of at least 90 days after receipt by the bishop of the attestation and certification as specified in paragraph b. above.**
- d. If this congregation, after such consultation, is still considering termination of its relationship with this church, such action may be taken at a legally called and conducted special meeting by a two-thirds vote of the voting members present. Notice of the second meeting shall be sent to all voting members **and to the bishop** at least 10 days in advance of the meeting. **Unless the bishop and/or the bishop's designees are voting members of this congregation, they shall have voice but not vote at the second meeting.**
- e. **Within 10 days after the resolution has been voted upon, the secretary of this congregation shall submit a copy of the resolution to the bishop, attesting that the second special meeting was legally called and conducted and certifying the outcome of the vote, and shall send copies of the resolution and certification to the voting members of the congregation. If the resolution was adopted by a two-thirds vote of the voting members present at the second meeting, the relationship between the congregation and this church shall be terminated subject to Synod Council approval as required by paragraphs f. and g. below.**
- f. **Unless this notification to the bishop also certifies that this congregation has voted to affiliate with another Lutheran denomination, this congregation shall be deemed an independent or non-Lutheran church, in which case *C7.04, shall apply.**

Comments and Suggestions:

This section outlines new policies and procedures for congregations to terminate their relationship with the ELCA

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 synod 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 this congregation's first meeting as specified in paragraph a. above or fails to achieve the required two-thirds vote of voting members present at this 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 the meeting at which the two-thirds vote was not achieved.

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 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 unit of the churchwide organization before any steps are taken leading to such action.

*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 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 taken.

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

Comments:

Underlined sections further outline process for terminate relationship with ELCA, giving additional time for input, comment and discernment

Italicized portion is not in 1998, but in 2014 version. Further outlines steps for terminating relationship with ELCA or synods.

Italicized portion is in 1998, but not in 2014 version. This provision grants oversight to synod in allowing congregations to develop other satellite or outreach sites.

Chapter 7.
Property ownership

C7.01 If this congregation ceases to exist, title to undisposed property shall pass to the Southwestern Minnesota 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 *regularly* 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. Before this congregation takes action to transfer to another Lutheran Church body, it shall consult with representatives of the Southwestern Minnesota synod.

C7.04 If a two-thirds majority of the voting members of this congregation present at a *regularly* called and conducted special meeting of this congregation vote to become independent or relate to a non-Lutheran Church body, title to property of this congregation shall continue to reside in the congregation only with the consent of the synod council. The synod council, after consultation with the 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 the 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 7.
PROPERTY OWNERSHIP

*C7.01. If this congregation ceases to exist, title to undisposed property shall pass to the Southwestern Minnesota 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 **or pursuant to 9.23. of the constitution and bylaws of the Evangelical Lutheran Church in America**, title to property shall continue to reside in this congregation.

*C7.03. If 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 Southwestern Minnesota Synod.

*C7.04. If 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 process established by the synod**, 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. **In neither case does title to this congregation's property transfer to the synod.**

***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 9.71.a. of the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America, this congregation accepts such restrictions and:**

a. Shall not transfer, encumber, mortgage, or in any way burden or impair any right, title, or interest in the property without prior approval of the Synod Council.

b. Shall—upon written demand by the Synod Council, pursuant to †S13.23. of the constitution of the (insert name of synod) —reconvey and transfer all right, title, and interest in the property to the synod.

The rules and procedures for property ownership following congregation dissolution, removal from membership in the ELCA, and disaffiliation have changed. Please read the rules carefully.

GLC Constitution 1998

Chapter 8 Membership

C8.01 Members of the congregation shall be those who are designated as such at the time that this constitution is adopted, and those who are admitted thereafter; and who maintain their membership in accordance with the provisions of the constitution and its bylaws.

C8.02. 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;
- C. Support the work of this congregation and of the Evangelical Lutheran Church in America through contributions of their time, abilities, and financial support as biblical stewards.

ELCA Model Constitution

Chapter 8. MEMBERSHIP

*C8.01. Members of this congregation shall be those baptized persons on the roll of this congregation at the time that this constitution is adopted and those who are admitted thereafter and who have declared and maintain their membership in accordance with the provisions of this constitution and its bylaws.

*C8.02. Members shall be classified as follows:

a. Baptized members are those persons who have been received by the Sacrament of Holy Baptism in this congregation, or, having been previously baptized in the name of the Triune God, have been received by certificate of transfer from other Lutheran congregations or by affirmation of faith.

b. Confirmed members are baptized persons who have been confirmed in this congregation, those who have been received by adult baptism or by transfer as confirmed members from other Lutheran congregations, or baptized persons received by affirmation of faith.

c. Voting members are confirmed members. Such confirmed members, during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of this congregation as well as the other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws. They shall not have voted as a seasonal member of another congregation of this church in the previous two calendar months.

d. Associate members are persons holding membership in other [ELCA] [Lutheran] [Christian] congregations who wish to retain such membership but desire to participate in the life and mission of this congregation. These individuals have all the privileges and duties of membership except voting rights 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 congregations of this church 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 con-

Comments and Suggestions:

C8.02 of Model Constitution defines classes of membership: This is taken up in C8.03 in the 1998 version.

C8.03 Members shall be classified as follows:

A. Baptized members shall be those who, as provided in the bylaws, have been baptized in the name of the Triune God.

B. Confirmed members shall be those baptized members who have been admitted to confirmed membership as provided by the bylaws.

C. Voting members shall be those confirmed members in good standing, except in those cases where a legal voting age is required by civil law. The Congregation Council shall determine the roster of voting members of the congregation in accordance with the provisions of the constitution and by-laws. The "in good standing" shall be defined to include those who:

- 1. Participate in the life and worship of the congregation; and*
- 2. Partake of holy communion at least once a year; and*
- 3. Contribute to the congregational treasury, according to the congregation's record, at least once a year.*

D. Associate members are person holding membership in other Christian congregations who wish to retain such membership but desire to participate in the life and mission of this congregation. They have all the privileges and duties of membership except voting rights and eligibility for elected offices of membership on the Congregation Council of this congregation.

C8.04 All applications for confirmed membership shall be submitted to and shall require the approval of the Congregation Council.

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 church council;
- E. Removal from the roll due to inactivity as defined in the bylaws.

Such persons who have been removed from the roll of members shall remain persons for whom the Church has a continuing pastoral concern.

3) they shall not have the right to vote on any matter concerning or affecting the affiliation of this congregation with this church;

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 church-wide organization of the Evangelical Lutheran Church in America through contributions of their time, abilities, and financial support as biblical stewards.

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

- a. death;
- b. resignation;
- c. transfer or release;
- d. disciplinary action in accordance with Chapter 20 of the constitution and bylaws of the Evangelical Lutheran Church in America; 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.

C8.03 of the 1998 version classifies members; C8.02 of the Model does this.

C8.003 of the Model Constitution outlines applications for membership to Church.

C8.04 of the 1998 version outlines application for membership to church.

C8.04 of the Model Constitution outlines privileges and responsibilities of membership.

D. Clarification of disciplinary procedures referencing chapter 20.

E. Clarification of inactivity, referencing constitution as well as bylaws.

Chapter 9

The pastor

C9.01 Authority to call a pastor shall be in this congregation by at least a two-thirds majority ballot vote of members present and voting at a meeting regularly called for that purpose. Before a call is issued, the officers, or a committee elected by this congregation 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 the Evangelical Lutheran Church in America or who has been recommended by it by the synodical bishop may be called as a pastor of this congregation.

C9.03 Consistent with the faith and practice of the Evangelical Lutheran Church in America, every *ordained minister* shall preach the word, administer the sacraments, conduct public worship, provide pastoral care, and shall speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.

Each ordained minister with a congregational call shall, within the congregation, offer instruction, confirm, marry, visit the sick and distressed, and bury the dead; *supervise* all schools and organizations of the congregation; shall install regularly elected members of the Congregation Council, and with the council administer discipline. Every pastor shall seek out and encourage qualified persons to prepare for the ministry of the Gospel and strive to extend the kingdom of God in the community, in the nation, and abroad; shall impart knowledge of this Church and its wider ministry through distribution of its periodicals and other publications; and shall endeavor to increase the support given by the congregation to the work of the Evangelical Lutheran Church in America and of the 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.

Chapter 9.

ROSTERED MINISTER

*C9.01. Authority to call a pastor 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** [this congregation][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 roster of Ministers of Word and Sacrament** of the Evangelical Lutheran Church in America **or a candidate for the roster of Ministers of Word and Sacrament** who has been recommended for this congregation by the synod 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 **minister of Word and Sacrament shall:**

1) preach the Word;

2) administer the sacraments;

3) conduct public worship;

4) provide pastoral care;

5) seek out and encourage qualified persons to prepare for the ministry of the Gospel;

6) impart knowledge of this church and its wider ministry through available channels of effective communication;

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, advocating dignity, justice, and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, and embracing and welcoming racially and ethnically diverse populations.

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 organizations of this congregation;

3) install regularly elected members of the Congregation

Council;

4) with the council, administer discipline;

5) endeavor to increase the support given by the congregation to the work of the churchwide organization and of the Southwestern Minnesota Synod; and

6) encourage adherence to covenantal relationship with this church as expressed in the Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America.

*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.

*bly.

1998 version is for only one ministry roster, the Model Constitution defines two ministry rosters of the ELCA

Further defines ministry from ordained to minister of Word and Sacrament.

Moves responsibilities from congregational ministers to all ministers of Word and Sacrament

Many of these changes are small and reflect a reordering of the responsibilities.

GLC Constitution 1998

C9.05. a. The call of a congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment which 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, no later than 30 days after the date on which it was submitted;
- 3) inability to conduct the pastoral office effectively in that congeragation 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 ordained ministers of this church;
- 7) termination of the relationship between this church and the congregation;
- 8) dissolution of the congregation or the termination of a parish arrangement; or
- 9) suspension of the congregation through discipline for more than six months.

b. When allegations of physical disability or mental incapacity of the pastor under paragraph a.4) above, or ineffective conduct of the pastoral office under paragraph a.3) above, have come to the attention of the bishop of this synod,

- 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two ordained ministers and one layperson, or
- 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the congregation council or by a petition signed by at least one-third of the voting members of the congregation, the bishop personally shall investigate such conditions together with a committee of two ordained ministers and one layperson.

c. In case of alleged physical or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the pastor's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the pastorate vacant and the pastor shall be listed on the clergy roster as disabled. Upon removal of the disability and 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.

ELCA Model Constitution

*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 this congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by the pastor's death or, following consultation with the synod bishop, for any of 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 this congregation in view of local conditions;
 - 4) **inability to conduct the pastoral office effectively in view of disability or 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 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 disability or 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, who has 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 disability or 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 with disability status.** Upon resumption of the ability to conduct the office effectively, the bishop shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call.

GLC Constitution 1998

d. In the case of alleged local difficulties that imperil the effective functioning of the congregation, all concerned persons shall be heard, after which the bishop of the synod together with the committee described in C9.05.b shall decide on the course of action to be recommended to the pastor and the congregation. If they agree to carry out such recommendations, no further action shall be taken by the synod. If either party fails to assent, the congregation may dismiss the pastor by a two-thirds majority vote of the voting members present at a regularly called meeting after discussion with the bishop.

e. The foregoing procedure shall never be invoked when questions of doctrine, morality, or continued neglect of duty are involved, all such cases being treated as disciplinary matters.

f. If, in the course of proceedings, it should become apparent that the pastoral office cannot be conducted effectively in the congregation 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 without prejudice and with pay provided through a joint churchwide/synod fund and with housing provided by the congregation.

C9.06 At a time of pastoral vacancy, an interim pastor may be appointed by the bishop 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 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 providing assistance shall refrain from exerting influence in the selection of a pastor.

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.

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.

C10.10 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 of years. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of the term, the bishop or a designated representative of the bishop, shall meet with the pastor and representatives of the congregation for a review of the call. Such call may also be terminated before its expiration in accordance with the provisions of C9.05.a.

C9.11 The pastor shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation, and shall submit a summary of such statistics annually to the synod.

C9.12 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.

ELCA Model Constitution

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 pastor and **then** to this 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 this 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, this 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 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 this 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.**

*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 of years. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of the term, the bishop or a designated representative of the bishop, shall meet with the pastor and representatives of the congregation for a review of the call. Such call may also be terminated before its expiration in accordance with the provisions of C9.05.a.

Comments or Suggestions:

Changes reflect change in procedure of handling pastoral difficulties or conflict.

The model constitution has no C9.10.

Model Constitution C9.11 reflects 1998 C9.10

*C9.12. The pastor of this congregation:

- a. shall keep accurate records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from this 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.

This mirrors C9.11 of the 1998 version

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

This mirrors C9.12 of the 1998 version

*C9.14. The records of this congregation shall be maintained by the pastor and shall remain the property of this congregation. The secretary of this congregation shall attest in writing to the bishop of this synod that such records have been placed in the secretary's hands in good order by a departing pastor before the installation of that pastor in another call or approval of a request for change in roster status.

This clarifies responsibility and custody of church records.

C9.15. Under special circumstances, subject to the approval of the synod bishop and the concurrence of this congregation, 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 as pastor of this congregation under a contract between this congregation and the pastor in a form proposed by the synod bishop and approved by this congregation.

This is a provision for ordained ministers from other church bodies in full communion with the ELCA to serve temporarily as pastor, subject to contract.

*C9.21. Authority to call a deacon 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 [this congregation][the Congregation Council] to recommend the call, shall seek the advice and help of the bishop of the synod.

The following provisions C9.21 through C9.31 provide for the calling of a minister of Word and Service or Deacon, should such an occasion arise.

*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 synod 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, advocating dignity, justice, and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, and embracing and welcoming racially and ethnically diverse populations;
- 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 this church 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 this 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 the deacon's death or, following consultation with the synod bishop, for any of 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) inability to conduct the office effectively in view of disability or incapacity of the deacon;

- 4) inability to conduct the office effectively in view of disability or 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 disability or 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, who has 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 disability or 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 with disability status. Upon resumption of the ability to conduct the office effectively, 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. This congregation shall make satisfactory settlement of all financial obligations to a former deacon before calling a successor. A deacon 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.

*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 ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.

All paragraphs relate to calling Ministers of Word and Sacrament or deacons.

Chapter 10. CONGREGATION MEETINGS

C10.01 *The annual meeting of the congregation shall be held in **January**, on a date set by the Congregation Council.*

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

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

C10.04 Seventy –five (75) 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 except as otherwise provided in this constitution.

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

Chapter 10.

CONGREGATION MEETING

C10.01. *The annual meeting of the congregation shall be held in **May**, on a date set by the Congregation Council.*

C10.02. A special Congregation Meeting may be called by the pastor, the Congregation Council, or the president of this congregation, and shall be called **by the president of this congregation** upon the written request of 10% the voting members. **The president of the Congregation Council shall call a special meeting upon request of the synod 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.

C10.04. **4.7% percent (65 members) 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 approved by this 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.

C10.08. This congregation may hold meetings by remote communication, including electronically and by telephone conference, as long as there is an opportunity for simultaneous aural communication or its equivalent. To the extent permitted by state law, notice of all meetings may be provided electronically.

C10.09. “Ex officio” as used herein means membership with full rights of voice and vote unless otherwise expressly limited.

C10.01 Has been voted on once, and because it departs form the Model Constitution, must be voted on a 2nd time at the Annual Congregation Meeting.

C10.02 allows for the Council President to call a meeting upon request of the Synod Bishop. It also allows for electronic notification of meetings, while removing the requirement that all voting members be contacted through regular mail, which can be outdated and costly.

The minimum number for a business quorum has been changed to 65 per the recommendation of the Constitution Committee.

A modern provision for electronic meetings is added, which explains .

An explanation of “ex-officio” helps clarify the right to vote.

1998 Constitution

Chapter 15. DISCIPLINE OF MEMBERS

C15.01 Denial of the Christian faith [as described in this constitution](#), conduct grossly unbecoming a member of the Church of Christ, [or persistent trouble-making in this congregation](#) are sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation will be attempted following Matthew 18:15-17, proceeding through these successive steps: a) private admonition by the pastor, b) admonition by the pastor in the presence of two or three witnesses, and c) [citation to appear before the Congregation Council](#).

C15.02. A member charged with the offense shall appear before the Congregation Council having received a written notice, specifying the exact charges that have been made against the member, at least 10 days prior to the meeting.

C15.03. Should the allegations be sustained by a two-thirds majority of the Congregation Council, the council shall impose one of the following disciplinary actions: censure before the council or congregation; suspension from membership for a definite period of time; or exclusion from membership in this congregation. Disciplinary actions b. and c. shall be delivered to the member in writing.

2022 Model Constitution

Chapter 15. DISCIPLINE OF MEMBERS AND ADJUDICATION

- *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 this congregation, or willful and repeated harassment or defamation of member(s) of this 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 this 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 laypersons and two rostered ministers). 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.** 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.

Comments

The process for Discipline and Adjudication of Members has been moved from a purely congregational matter (pastor/witness/council) to include an independent synodical consultation committee instead of the council. The intent and effect is to remove the matters from the congregation in order to see that the process doesn't create negative congregational dynamics and damage or endanger the unity of the congregation, as well as introduce an element of impartiality through use of an outside party.

1998 Constitution

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.

2022 Model Constitution

***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 this congregation; or
- d. termination of membership in this 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 this 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 between or among factions within this congregation on a substantive issue which cannot be resolved by the parties, members of this congregation may petition the synod bishop for consultation after informing the president [vice president] of this congregation of their intent to do so. The synod bishop shall seek a timely resolution of the dispute. If the issue relates directly to the pastor, the bishop may begin the process in †S14.18.d. In all other matters, if the bishop's consultation fails to resolve the issue, the bishop shall refer the matter to the Consultation Committee of the synod, which shall undertake efforts to find an appropriate solution. If the Consultation Committee's efforts fail to resolve the dispute, the entire matter shall be referred to the Synod Council for adjudication by whatever process the Council deems necessary. The Synod Council's decision shall be final.

Comments

1998 Constitution

Chapter 16. BYLAWS

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

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

C16.03. Changes to the bylaws may be proposed by any voting member provided, however, 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 and that the Congregation Council notify the members of the proposal with its recommendations at least 30 days in advance of the Congregational Meeting.

C16.04. Approved changes to the bylaws shall be sent to the synod.

2022 Model Constitution

Chapter 16.AMENDMENTS

***C16.01. Unless provision *C16.04. 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 _____ 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 this congregation's members of the proposal **together with the council's recommendations** at least 30 days in advance of the meeting. **Notification may take place by mail or electronic means, as permitted by state law.**

*C16.02. An amendment to this constitution, proposed under *C16.01., shall:

a. be approved at any legally called meeting of this congregation by a majority vote of those voting members present and voting; and

b. be ratified without change at the next regular meeting of this congregation by a two-thirds vote of those voting members present and voting.

*C16.03. Any amendments to this constitution **that result from the processes provided in *C16.01. and *C16.02.** shall be sent by the secretary of this congregation to the synod. **The synod shall notify this 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 this congregation without presentation at a prior meeting of this congregation, provided that the Congregation Council has submitted by mail **or electronic means, as permitted by state law,** notice to this congregation of such an amendment or amendments, together **with the council's recommendations,** at least 30 days prior to the meeting. **Upon the request of at least two (2) voting members of this congregation, the Congregation Council shall submit such notice.** Following the adoption of an amendment, the secretary of this congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following the congregation's vote of approval.

Comments:

Chapter 17 Amendments is covered in Chapter 18 of the 1998 Constitution (next page). 2022 additions are noted in RED, while 1998 omissions are noted in BLUE.

1998 Constitution

Chapter 17. AMENDMENTS

C17.01. Amendments [to this constitution](#) may be proposed by at least [75](#) 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 its regular or special meeting called for that purpose. The Congregation Council shall notify the members of the proposal with their recommendations at least 30 days in advance of the meeting.

C17.02. A proposed amendment to this constitution shall: be approved at [a properly called](#) meeting according to this constitution by a majority vote of those present and voting; and be ratified without change at the next annual meeting by a two-thirds majority vote of those present and voting; [and have the effective date included in the resolution and noted in the constitution.](#)

C17.03. Any amendments to this constitution 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 Southwest Minnesota Synod.](#)

C17.04. [Whenever the Model Constitution for Congregations is amended by the Churchwide Assembly,](#) this constitution may be amended to reflect any such amendment by a simple majority vote at any subsequent meeting of the congregation without presentation at a prior meeting of the congregation, provided that the Congregation Council has submitted by mail notice to the congregation of such an amendment or amendments at least 30 days prior to the meeting. Following the adoption of an amendment, the secretary of the congregation shall submit a copy thereof to the synod, consistent with *C17.-3

2022 Model Constitution

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 this [congregation's](#) members of the proposal with the council's recommendations at least 30 days in advance of the Congregation Meeting. [Notification may take place by mail or electronic means, as permitted by state law.](#)

*C17.04. Adopted [or amended](#) bylaws shall be sent [by the secretary of this congregation](#) to the synod.

Comments:

Chapter 17 of the Model deals with Bylaws, which were dealt with in Chapter 16 of the 1998 Constitution. Additions are noted in RED and deletions are noted on the previous page in BLUE.

1998 Constitution

Chapter 18. CONTINUING RESOLUTIONS AND POLICY MANUALS

C18.01. The Congregation Council may enact continuing resolutions and policy manuals which describe the function of the various committees or organizations of this congregation.

C18.02. Continuing resolutions and policy manuals shall be enacted or amended by a two-thirds vote of all voting members of the Congregation Council.

2022 Model Constitution

Chapter 18. CONTINUING RESOLUTIONS

*C18.01. This 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 this congregation or a two-thirds vote of all voting members of the Congregation Council.

*C18.03. Adopted or amended continuing resolutions shall be sent by the secretary of this congregation to the synod.

Chapter 19. INDEMNIFICATION

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

Comments: