

First Lutheran Church  
Geneseo, Illinois

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# Constitution, Bylaws, and Continuing Resolutions

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As amended January 28, 2018

## **\*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 First Lutheran Church, Geneseo, Illinois.
- C1.02.** For the purpose of this constitution and the accompanying bylaws, the congregation of First Lutheran Church, Geneseo, Illinois is hereinafter designated as "this congregation."
- C1.03.** This congregation shall be incorporated under the laws of the State of Illinois.

## **Chapter 2**

### **CONFESSION OF FAITH**

- \*C2.01.** This congregation confesses the Triune God, Father, Son, and Holy Spirit.
- \*C2.02.** This congregation confesses Jesus Christ as Lord and Savior and the Gospel as the power of God for the salvation of all who believe.
  - a. Jesus Christ is the Word of God incarnate, through whom everything was made and through whose life, death, and resurrection God fashions a new creation.
  - b. The proclamation of God's message to us as both Law and Gospel is the Word of God, revealing judgment and mercy through word and deed, beginning with the Word in creation, continuing in the history of Israel, and centering in all its fullness in the person and work of Jesus Christ.
  - c. The canonical Scriptures of the Old and New Testaments are the written Word of God. Inspired by God's Spirit speaking through their authors, they record and announce God's revelation centering in Jesus Christ. Through them God's Spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.
- \*C2.03.** This congregation accepts the canonical Scriptures of the Old and New Testaments as the inspired Word of God and the authoritative source and norm of its proclamation, faith, and life.
- \*C2.04.** This congregation accepts the Apostles', Nicene, and Athanasian Creeds as true declarations of the faith of this congregation.
- \*C2.05.** This congregation accepts the Unaltered Augsburg Confession as a true witness to the Gospel, acknowledging as one with it in faith and doctrine all churches that likewise accept the teachings of the Unaltered Augsburg Confession.
- \*C2.06.** This congregation accepts the other confessional writings in the Book of Concord, namely, the Apology of the Augsburg Confession, the Smalcald Articles and the Treatise, the Small Catechism, the Large Catechism, and the Formula of Concord, as further valid interpretations of the faith of the Church.
- \*C2.07.** This congregation confesses the Gospel, recorded in the Holy Scripture and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God's mission in the world.

## **Chapter 3**

### **NATURE OF THE CHURCH**

- \*C3.01.** All power in the Church belongs to our Lord Jesus Christ, its head. All actions of this congregation are to be carried out under his rule and authority.
- \*C3.02.** This church confesses the one, holy, catholic, and apostolic Church and is resolved to serve Christian unity throughout the world.
- \*C3.03.** The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the Church, and the universal Church exists in and through congregations. The Evangelical Lutheran Church in America, therefore, derives its character and powers both from the sanction and representation of its congregations and from its inherent nature as an expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in the historic continuity of the communion of saints; in breadth, it expresses the fellowship of believers and congregations in our day.

- \*C3.04. This church, inspired and led by the Holy Spirit, participates in The Lutheran World Federation as a global communion of churches, engaging in faithful witness to the gospel of Jesus Christ and in service for the sake of God’s mission in the world.
- \*C3.05. The name Evangelical Lutheran Church in America (ELCA or “this church”) as used herein refers in general references to this whole church, including its three expressions: congregations, synods, and the churchwide organization. The name Evangelical Lutheran Church in America is also the name of the corporation of the churchwide organization to which specific references may be made herein.

## Chapter 4

### STATEMENT OF PURPOSE

- \*C4.01. The Church is a people created by God in Christ, empowered by the Holy Spirit, called and sent to bear witness to God’s creative, redeeming, and sanctifying activity in the world.
- \*C4.02. To participate in God’s mission, this congregation as a part of the Church shall:
  - a. Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, and service.
  - b. Proclaim God’s saving Gospel of justification by grace for Christ’s sake through faith alone, according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.
  - c. Carry out Christ’s Great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministry with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.
  - d. Serve in response to God’s love to meet human needs, caring for the sick and the aged, advocating dignity and justice for all people, working for peace and reconciliation among the nations, standing with the poor and powerless, and committing itself to their needs.
  - e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.
  - f. Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity which the Spirit gives.
- \*C4.03. To fulfill these purposes, this congregation shall:
  - a. Provide services of worship at which the Word of God is preached and the sacraments are administered.
  - b. Provide pastoral care and assist all members to participate in this ministry.
  - c. Challenge, equip, and support all members in carrying out their calling in their daily lives and in their congregation.
  - d. Teach the Word of God.
  - e. Witness to the reconciling Word of God in Christ, reaching out to all people.
  - f. Respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.
  - g. Motivate its members to provide financial support for the congregation’s ministry and the ministry of other parts of the Evangelical Lutheran Church in America.
  - h. Foster and participate in interdependent relationships with other congregations, the synod, and the churchwide organization of the Evangelical Lutheran Church in America.
  - i. Foster and participate in ecumenical relationships consistent with churchwide policy.
- \*C4.04. This congregation shall develop an organizational structure to be described in the bylaws. The Congregation Council shall prepare descriptions of the responsibilities of each committee, task force, or other organizational group and shall review their actions. Such descriptions shall be contained in continuing resolutions in the section on the Congregation Committees.
  - C4.04.01. The powers of this congregation originate with the members of the congregation and are administered through the calling of Minister(s) of Word and Sacrament and Minister(s) of Word and Service and through the election of not more than fourteen (14) lay members to form the remainder of the Congregation Council. The Congregation Council shall provide oversight for all committees and boards of this congregation.
- \*C4.05. This congregation shall, from time to time, adopt a mission statement which will provide specific direction for its programs.
  - C4.05.A18. The mission statement of this congregation shall be “Sharing Christ’s Love.”
- \*C4.06. References herein to the nature of the relationship between the three expressions of this church—congregations, synods, and the churchwide organization—as being interdependent or as being in a partnership relationship describe the mutual responsibility of these expressions in God’s mission and the fulfillment of the purposes of this church as

described in this chapter, and do not imply or describe the creation of partnerships, co-ventures, agencies, or other legal relationships recognized in civil law.

## **Chapter 5**

### **POWERS OF THE CONGREGATION**

- \*C5.01.** The powers of this congregation are those necessary to fulfill its purpose.
- \*C5.02.** The powers of this congregation are vested in the Congregation Meeting called and conducted as provided in this constitution and bylaws.
- \*C5.03.** Only such authority as is delegated to the Congregation Council or other organizational units in this congregation's governing documents is recognized. All remaining authority is retained by the congregation. The congregation is authorized to:
  - a. call a pastor as provided in Chapter 9;
  - b. terminate the call of a pastor as provided in Chapter 9;
  - c. call 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 Congregation Council, and require the members of the council to carry out their duties in accordance with the constitution, bylaws, and continuing resolutions; and
  - k. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.
- \*C5.04.** This congregation shall choose from among its voting members laypersons to serve as voting members of the Synod Assembly as well as persons to represent it at meetings of any conference, cluster, coalition, or other area subdivision of which it is a member. The number of persons to be elected by the congregation and other qualifications shall be as prescribed in guidelines established by the Northern Illinois Synod of the Evangelical Lutheran Church in America.
- C5.05.** This congregation shall have a mission endowment fund that will operate as specified in this congregation's bylaws. The purpose of the mission endowment fund is to provide for mission work beyond the operational budget of this congregation.
- C5.05.01.** The mission endowment committee shall consist of five members/all of whom shall be voting members of First Lutheran Church, Geneseo, Illinois. Except as herein limited, the term of each members shall be three (3) years. Upon adoption of this resolution by the congregation, it shall elect five (5) members to the committee: two (2) for a term of three (3) years; two (2) for a term of two (2) years; and one (1) for a term of one (1) year. Thereafter, at each annual meeting, the congregation shall elect the necessary number for a term of three (3) years. No member shall serve more than two consecutive three (3) year terms. After a lapse of one (1) year, former committee members may be re-elected. The senior pastor and the president or vice president of the Congregation Council shall be advisory members of the committee, having voice but not vote at all meetings of the committee. The Congregation Council shall nominate for the committee and report at the annual congregational meeting in the same manner as for other offices and committees. In the event of a vacancy on the committee, the Congregation Council shall appoint a member to fill the vacancy until the next Annual meeting of the congregation, at which time the congregation shall elect a member to fulfill the term of the vacancy.
  - a. The committee shall meet at least quarterly, or more frequently as deemed by it in the best interest of the fund.
  - b. A quorum shall consist of three (3) members. When only three (3) members are present a unanimous vote shall be required to carry any motion or resolution.
  - c. The committee shall elect from its membership a chairperson, recording secretary and financial secretary. The chairperson, or member designated by the chairperson, shall preside at all committee meetings.
  - d. The recording secretary of the committee shall maintain complete and accurate minutes of all meetings and supply a copy thereof to each member of the committee. Each member shall keep a complete copy of the minutes to be delivered to his or her successor. The recording secretary shall also supply a copy of the minutes to the Congregation Council.
  - e. The financial secretary of the committee shall work with the congregation's treasurer in maintaining and coordinating complete and accurate accounts for the fund and shall countersign checks and all other necessary

financial documents on behalf of the congregation in furtherance of the purposes of the fund. The books shall be audited annually by the Audit Committee of the congregation.

- f. The committee shall report on a quarterly basis to the Congregation Council and, at each annual or duly called special meeting of the congregation, shall render a full and complete audited account of the administration of the fund during the preceding year.
- g. The committee may request other members of the congregation to serve as advisory members upon approval of the Congregation Council, (and, at the expense of fund income, may provide for such professional counseling on investments or legal matters as it deems to be in the best interests of the fund.) Advisory members shall have voice but not vote at meetings of the committee.
- h. Members of the committee shall not be liable for any losses which may be incurred upon the investments of the assets of the fund except to the extent such losses shall have been caused by bad faith or intentional misconduct. No member shall be personally liable as long as he/she acts in good faith and with ordinary prudence. Each member shall be liable only for his/her own intentional misconduct, or omissions, and shall not be liable for the acts or omissions of any other member. No member shall engage in any self dealing or transactions with the fund in which the member has direct or indirect financial interest and shall at all times refrain from any conduct in which his/her personal interests would conflict with the interest of the fund.
- i. All assets are to be held in the name of the First Lutheran Church Mission Endowment Fund.
- j. Recommendations to hold, sell, exchange, rent, lease, transfer, convert, invest, reinvest, and in all other respects to manage and control the assets of the fund, including stocks, bonds, debentures, mortgages, notes, or other securities, as in their judgment and discretion they deem wise and prudent, are to be made by the committee for approval by the Congregation Council, with subsequent execution by the delegated member of the committee.

**C5.05.02.** The committee shall determine what is principal and income according to accepted accounting procedures. Gifts and bequests to the fund shall accumulate until principal amount of ten thousand dollars (\$10,000) is achieved, after which the income generated from the Investment of the principal shall be expended, except as otherwise provided herein.

- a. Income from the fund shall be distributed annually and at such times as deemed necessary and/or feasible to accomplish the following purposes: No less than twenty percent (20%) nor more than sixty percent (60%) for outreach into the community and synod, including, but not limited to, grants to ELCA seminaries, colleges, or students attending such schools, social service agencies, institutions and agencies to which this congregation relates, and to special programs designed for those persons in our parish area who are in spiritual and/or economic need. No less than twenty percent (20%) nor more than sixty percent (60%) for missions of the Evangelical Lutheran Church in America in this continent or worldwide, including, but not limited to, grants to the Evangelical Lutheran Church in America for new congregational development in North America, professional leadership, educational ministries, global mission, ecumenism, evangelism, social ministries, and capital financing. No less than twenty percent (20%) nor more than sixty percent (60%) for capital improvements, debt reduction, or a building program of First Lutheran Church.
- b. Programs for support shall be recommended by the committee and approved by the Congregation Council for funding according to the guidelines established by the congregation.
- c. Disbursement of income from the fund need not occur annually in the event causes and programs have not been approved by the committee sufficient to utilize total income available, or if in the judgment of the committee total annual disbursement of income is not recommended.

**C5.05.03.** When, in the opinion of the committee circumstances are so dire and of such an emergency nature that the future of the congregation is at stake, and that the only recourse seems to be the use of the fund principal, the committee may, upon a two-thirds majority vote, recommend to the congregation that monies from the fund be used for the benefit of the congregation. The congregation may approve such expenditures at a legally called special meeting of the congregation with a two-thirds majority vote.

**C5.05.04.** Any amendment to this resolution, which will change, alter or amend the purpose for which the fund is established shall be adopted by a two-thirds vote of the members present at an annual meeting of the congregation or at a special meeting called specifically for the purpose of amending this resolution.

**C5.05.05.** In the event First Lutheran Church, Geneseo, Illinois, ceases to exist either through merger or dissolution, disposition or transfer of the fund shall be at the discretion of the Congregation Council in conformity with the approved congregational constitution and in consultation with the bishop of the synod to which this congregation belongs at such time. Consultation with the Evangelical Lutheran Church in America may be desirable for continuation of Mission Endowment Fund obligations.

**C5.06.** This congregation shall have a Building Fund.

- C5.06.01.** The purpose of the building fund is to provide for the care of the physical church and ground. The physical church shall include all structures and land owned by First Lutheran Church, Geneseo, Illinois. The fund shall not be used for expenses included in the annual operating budget of the congregation.
- C5.06.02.** All assets are to be held in the name of the First Lutheran Church Building Fund.
- C5.06.03.** In the event First Lutheran Church, Geneseo, Illinois, ceases to exist either through merger or dissolution, disposition or transfer of the fund shall be at the discretion of the Congregation Council in conformity with the approved congregational constitution and in consultation with the bishop of the synod to which this congregation belongs at such time. Consultation with the Evangelical Lutheran Church in America may be desirable for continuation of Building Fund obligations.
- C5.07.** This congregation shall have a Memorial Fund.
- C5.07.01.** The purpose of the Memorial Fund is to enhance the ministry of First Lutheran Church apart from the general operation of the congregation. No portion of the fund shall be used for the annual operating budget of the congregation.
- C5.07.02.** Monies entrusted to the fund in memory of a friend or loved one must be used as designated by the donor. Monies entrusted to the fund without designation may be used by the Finance Ministry as they deem suitable. Money paid out in this fashion may be used for any purpose that Finance feels “church appropriate.”
- C5.07.03.** In the event First Lutheran Church, Geneseo, Illinois, ceases to exist either through merger or dissolution, disposition or transfer of the fund shall be at the discretion of the Congregation Council in conformity with the approved congregational constitution and in consultation with the bishop of the synod to which this congregation belongs at such time. Consultation with the Evangelical Lutheran Church in America may be desirable for continuation of Memorial Fund obligations.
- C5.08.** This congregation shall have an Organ and Bell Fund.
- C5.08.01.** The purpose of this fund is to provide for the maintenance and upkeep of the church organ(s) and bells of the bell choir. Maintenance and upkeep shall be limited to the organ(s) and all of their workings. Maintenance and upkeep shall be limited to the bells of the bell choir. The assets of the fund shall not be used for expenses included in the annual operating budget of the congregation.
- C5.08.02.** All assets are to be held in the name of the First Lutheran Church Organ and Bell Fund.
- C5.08.03.** In the event First Lutheran Church, Geneseo, Illinois, ceases to exist either through merger or dissolution, disposition or transfer of the fund shall be at the discretion of the Congregation Council in conformity with the approved congregational constitution and in consultation with the bishop of the synod to which this congregation belongs at such time. Consultation with the Evangelical Lutheran Church in America may be desirable for continuation of Organ and Bell Fund obligations.
- C5.09.** This congregation shall have a Scholarship Fund.
- C5.09.01.** The purpose of the Scholarship Fund is to provide financial assistance to members of the congregation pursuing a college education. The assets of the fund shall not be used for capital improvements, nor used for the annual operating budget of the congregation.
- C5.09.02.** All assets are to be held in the name of the First Lutheran Scholarship Fund.
- C5.09.03.** Applicants must apply by submitting an application form to the Scholarship Committee at First Lutheran Church on or before April 30 of each year. All applications will be screened by the Scholarship Committee. The committee shall consist of three members of the congregation in good standing nominated by the nominating committee and elected by the congregation at the annual meeting.
- C5.09.04.** Only the interest earned on the principal may be used for scholarships. The committee may choose not to award any scholarships. Any unused earnings will be added to and considered to be principal henceforth.
- C5.09.05. Guidelines for Awarding Scholarships.** The committee may choose to give special consideration to
- a. those interested in the Christian Ministry and associated fields;
  - b. those who have demonstrated their care about faith and life in their Church and community;
  - c. those who have reasonable financial need;
  - d. those who plan to attend or are attending Lutheran Colleges;
  - e. those who may have interest in service careers such as teaching, nursing, etc... Future careers will not be the only guideline as all applications will be considered.
  - f. Applicant must be accepted to the school he or she wishes to attend.
  - g. Applicant is a member of First Lutheran Church and a high school graduate.
  - h. Awards may be announced at the regular Worship Services on Baccalaureate Sunday.
- C5.09.06.** In the event First Lutheran Church, Geneseo, Illinois, ceases to exist either through merger or dissolution, disposition or transfer of the fund shall be at the discretion of the Congregation Council in conformity with the approved congregational constitution and in consultation with the bishop of the synod to which this congregation belongs at such time. Consultation with the Evangelical Lutheran Church in America may be desirable for continuation of Scholarship Fund obligations.

**C5.10.** This congregation shall have a Music and Arts Fund.

**C5.10.01.** The purpose of the Music and Arts Fund is to provide for the supplemental funding of the church Fine Arts programs. The fund shall be used for expenses not directly provided for in the annual budget.

**C5.10.02.** All assets are to be held in the name of the First Lutheran Church Music and Arts Fund.

**C5.10.03.** Supplemental Funding shall be limited to the needs listed: sheet music, stage and prop supplies, special performance fees, expenses associated with special performances, seminars at First Lutheran, puppets, items not listed that the Director of Worship & Music and the Pastor agree qualify. The assets of the fund shall not be used for anything covered by the Organ and Bell Fund, nor be used for the annual operating budget of the congregation.

**C5.10.04.** Request for funds must be made by the Director of Worship & Music and the Pastor.

**C5.10.05.** In the event First Lutheran Church, Geneseo, Illinois, ceases to exist either through merger or dissolution, disposition or transfer of the fund shall be at the discretion of the Congregation Council in conformity with the approved congregational constitution and in consultation with the bishop of the synod to which this congregation belongs at such time. Consultation with the Evangelical Lutheran Church in America may be desirable for continuation of Music and Arts Fund obligations.

**C5.11.** This congregation shall have a Capital Projects Fund.

**C5.11.01.** The purpose of the Capital Projects Fund is to provide a foundation for any capital project entered into by the congregational council and/or the congregation. The money in this fund shall come from year-end surplus and designated monies.

**C5.12.** This congregation shall have an Unbudgeted Projects Fund.

**C5.12.01.** The purpose of the Unbudgeted Projects Fund is to pay for projects not foreseen in the current year's annual budget. This money is to be used for any project only once. The continuation of any such project must be provided for in future annual budgets. The money in this fund shall come from year-end surplus. Once a ceiling of twenty-five thousand dollars (\$25,000) has been reached, it is to be maintained and the excess is to go to the Capital Project Fund.

**C5.13.** This congregation shall have a Budget Surplus Allocation Policy.

**C5.13.01.** Terms are defined as follows:

- a. Total Operating Expenses – the total for general fund expenses in the annual report, including benevolence.
- b. Surplus – the year-end amount to which the general fund Total Income exceeds Total Expenses & Benevolence
- c. Capital Projects Fund – see **C5.11.**
- d. Unbudgeted Projects Fund – see **C5.12.**
- e. Building Fund – see **C5.06.**

**C5.13.02.** The allocation of surplus will be as follows:

- a. Twenty five percent (25%) of the surplus will be given as additional benevolence. The congregational council will determine the recipient(s).
- b. Twenty five percent (25%) of the surplus will be given to the operating cash reserve. Once a ceiling of 20% of the actual Total Operating Expenses has been reached, it is to be maintained and the excess is to go to the Capital Project Fund.
- c. Twenty five percent (25%) of the surplus is to go towards debt reduction. When the church is free of debt the money is to go to the Capital Project Fund.
- d. Twenty five percent (25%) of the surplus will be given to the Unbudgeted Projects Fund. Once a ceiling of \$10,000 has been reached, it is to be maintained and the excess is to go to the Building Fund.

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

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

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

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

- a. A resolution indicating the intent to terminate its relationship must be adopted at a legally called and conducted special meeting of the congregation by a two-thirds vote of the voting members present. Such meeting may be held no sooner than 30 days after written notice of the meeting is received by the bishop of the synod, during which time the congregation shall consult with the bishop and the bishop's designees, if any. The times and manner of the consultation shall be determined by the bishop in consultation with the Congregation Council. Unless he or she is a voting member of the congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the meeting.
- b. The secretary of the congregation shall submit a copy of the resolution to the bishop, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, and shall mail a copy of the resolution to voting members of the congregation. This notice shall be submitted within 10 days after the resolution has been adopted.
- c. The bishop of the synod and the congregation shall continue in consultation, as specified in paragraph a. above, during a period of at least 90 days after receipt by the synod of the notice as specified in paragraph b. above.
- d. If the congregation, after such consultation, still seeks to terminate its relationship, such action may be taken at a legally called and conducted special meeting by a two-thirds vote of the voting members present. Notice of the meeting shall be mailed to all voting members and to the bishop at least 10 days in advance of the meeting. Unless he or she is a voting member of the congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the meeting.
- e. A copy of the resolution, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, shall be sent to the bishop within 10 days after the resolution has been adopted, at which time the relationship between the congregation and this church shall be terminated subject to paragraphs g., h., and i. below. Unless this notification to the bishop also certifies that the congregation has voted by a two-thirds vote to affiliate with another Lutheran denomination, the congregation will be conclusively presumed to be an independent or non-Lutheran church.
- f. Notice of termination shall be forwarded by the bishop to the secretary of the ELCA, who shall report the termination to the Churchwide Assembly.
- g. This congregation shall abide by these covenants by and among the three expressions of this church:
  - 1) Congregations seeking to terminate their relationship with this church which fail or refuse to comply with each of the foregoing provisions in \*C6.05. shall be required to receive Synod Council approval before terminating their membership in this church.
  - 2) Congregations which had been members of the Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in \*C6.05., to receive synodical approval before terminating their membership in this church.
  - 3) Congregations established by the Evangelical Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in \*C6.05., to satisfy all financial obligations to this church and receive Synod Council approval before terminating their membership in this church.
- h. If this congregation fails to achieve the required two-thirds vote of voting members present at the congregation's first meeting as specified in paragraph a. above, another special meeting to consider termination of relationship with this church may be called no sooner than six months after that first meeting. If this congregation fails to achieve the required two-thirds vote of voting members present at the congregation's



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

- \*C6.06. If this congregation considers relocation, it shall confer with the bishop of the synod in which it is territorially located and the appropriate 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.

## Chapter 7.

### PROPERTY OWNERSHIP

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

## Chapter 8.

### MEMBERSHIP

- \*C8.01. Members of this congregation shall be those baptized persons on the roll of 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 the congregation as well as the other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.

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

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

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

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

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

- a. death;
- b. resignation;
- c. transfer or release;
- d. disciplinary action in accordance with ELCA constitutional provision 20.41. and the accompanying bylaws; or
- e. removal from the roll due to inactivity in accordance with the provisions of this constitution and its bylaws.

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

## **Chapter 9.**

### **ROSTERED MINISTER**

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

**\*C9.02.** Only a member of the 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 the congregation by the synodical bishop may be called as a pastor of this congregation.

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

- a. Every 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 distribution of its communications and publications;
  - 7) witness to the Kingdom of God in the community, in the nation, and abroad; and

- 8) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.
  - b. Each pastor with a congregational call shall, within the congregation:
    - 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
    - 2) relate to all schools and organizations of this congregation;
    - 3) install regularly elected members of the Congregation Council;
    - 4) with the council, administer discipline; and
    - 5) endeavor to increase the support given by the congregation to the work of the ELCA churchwide organization and of the Northern Illinois Synod of the ELCA.
- \*C9.04.** The specific duties of the pastor, compensation, and other matters pertaining to the service of the pastor shall be included in a letter of call, which shall be attested by the bishop of the synod.
- \*C9.05.** The provisions for termination of the mutual relationship between a minister of Word and Sacrament and this congregation shall be as follows:
- a. The call of this congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by death or, following consultation with the synodical bishop, for the following reasons:
    - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
    - 2) resignation of the pastor, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
    - 3) inability to conduct the pastoral office effectively in the congregation in view of local conditions;
    - 4) physical disability or mental incapacity of the pastor;
    - 5) suspension of the pastor through discipline for more than three months;
    - 6) resignation or removal of the pastor from the roster of Ministers of Word and Sacrament of this church;
    - 7) termination of the relationship between this church and the congregation;
    - 8) dissolution of the congregation or the termination of a parish arrangement; or
    - 9) suspension of the congregation through discipline for more than six months.
  - b. When allegations of physical disability or mental incapacity of the pastor under paragraph a.4) above, or ineffective conduct of the pastoral office under paragraph a.3) above, have come to the attention of the bishop of this synod,
    - 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
    - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of the congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
  - c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the pastor's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the pastorate vacant. When the pastorate is declared vacant, the Synod Council shall list the pastor on the roster of Ministers of Word and Sacrament as disabled. Upon removal of the disability and the restoration of the pastor to health, the bishop shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call.
  - d. In the case of alleged local difficulties that imperil the effective functioning of the congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the pastor and then to the congregation. The recommendations of the bishop's committee must address whether the pastor's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by the congregation and by the pastor, if appropriate. If the pastor and congregation agree to carry out such recommendations, no further action need be taken by the synod.
  - e. If either party fails to assent to the recommendations of the bishop's committee concerning the pastor's call, the congregation may dismiss the pastor only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
  - f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning

disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.

- \*C9.06.** At a time of pastoral vacancy, an interim pastor shall be appointed by the bishop of the synod with the consent of this congregation or the Congregation Council.
- \*C9.07.** During the period of service, an interim pastor shall have the rights and duties in the congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or Congregation Council. The interim pastor and any rostered minister providing assistance shall refrain from exerting influence in the selection of a pastor. Unless previously agreed upon by the Synod Council, an interim pastor is not available for a regular call to the congregation served.
- \*C9.08.** This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting related to the Evangelical Lutheran Church in America.
- \*C9.09.** When a pastor is called to serve in company with another pastor or pastors, the privileges and responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted in consultation involving the pastors, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
- \*C9.11.** With the approval of the bishop of the synod, the congregation may depart from \*C9.05.a. and call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the pastor and representatives of the congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of \*C9.05.a.
- \*C9.12.** The pastor of this congregation:
  - a. shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation;
  - b. shall submit a summary of such statistics annually to the synod; and
  - c. shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.
- \*C9.13.** The pastor(s) shall submit a report of his or her ministry to the bishop of the synod at least ninety (90) days prior to each regular meeting of the Synod Assembly.
- \*C9.14.** The parochial records of this congregation shall be maintained by the pastor and shall remain the property of the congregation. The secretary of this congregation shall attest in writing to the bishop of this synod that such records have been placed in his or her hands in good order by a departing pastor before the installation of that pastor in another field of labor or the granting by the synod of retired status to the pastor.
- C9.15.** Under special circumstances, subject to the approval of the synodical 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 the congregation and the pastor in a form proposed by the synodical bishop and approved by the congregation.
- \*C9.21.** Authority to call a minister of Word and Service shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by the Congregation Council to recommend the call, shall seek the advice and help of the bishop of the synod.
- \*C9.22.** Only a member of the roster of Ministers of Word and Service of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of Word and Service who has been recommended for this congregation by the synodical bishop may be called as a deacon of this congregation.
- \*C9.23.** Consistent with the faith and practice of the Evangelical Lutheran Church in America, every minister of Word and Service shall:
  - a. Be rooted in the Word of God, for proclamation and service;
  - b. Advocate a prophetic diakonia that commits itself to risk-taking and innovative service on the frontiers of the Church's outreach, giving particular attention to the suffering places in God's world;
  - c. Speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world, witnessing to the realm of God in the community, the nation, and abroad;
  - d. Equip the baptized for ministry in God's world that affirms the gifts of all people;
  - e. Encourage mutual relationships that invite participation and accompaniment of others in God's mission;
  - f. Practice stewardship that respects God's gift of time, talents, and resources;
  - g. Be grounded in a gathered community for ongoing diaconal formation;

- h. Share knowledge of the ELCA and its wider ministry of the gospel and advocate for the work of all expressions of this church; and
- i. Identify and encourage qualified persons to prepare for ministry of the gospel.
- \*C9.24.** The specific duties of the deacon, compensation, and other matters pertaining to the service of the deacon shall be included in a letter of call, which shall be attested by the bishop of the synod.
- \*C9.25.** The provisions for termination of the mutual relationship between a minister of Word and Service and a congregation shall be as follows:
  - a. The call of a congregation, when accepted by a deacon, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by death or, following consultation with the synodical bishop, for the following reasons:
    - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
    - 2) resignation of the deacon, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
    - 3) inability to conduct the ministry of Word and Service effectively in this congregation in view of local conditions;
    - 4) physical disability or mental incapacity of the deacon;
    - 5) suspension of the deacon through discipline for more than three months;
    - 6) resignation or removal of the deacon from the roster of Ministers of Word and Service of this church;
    - 7) termination of the relationship between this church and this congregation;
    - 8) dissolution of this congregation or the termination of a parish arrangement; or
    - 9) suspension of this congregation through discipline for more than six months.
  - b. When allegations of physical disability or mental incapacity of the deacon under paragraph a.4) above, or ineffective conduct of the office of minister of Word and Service under paragraph a.3) above, have come to the attention of the bishop of this synod,
    - 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
    - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of this congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
  - c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the deacon's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the position vacant. When the position is declared vacant, the Synod Council shall list the deacon on the roster of Ministers of Word and Service as disabled. Upon removal of the disability and the restoration of the deacon to health, the bishop shall take steps to enable the deacon to resume the ministry, either in the congregation last served or in another appropriate call.
  - d. In the case of alleged local difficulties that imperil the effective functioning of this congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the deacon and then to this congregation. The recommendations of the bishop's committee must address whether the deacon's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by this congregation and by the deacon, if appropriate. If the deacon and congregation agree to carry out such recommendations, no further action need be taken by the synod.
  - e. If either party fails to assent to the recommendations of the bishop's committee concerning the deacon's call, this congregation may dismiss the deacon only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
  - f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.
- \*C9.26.** The deacon shall make satisfactory settlement of all financial obligations to a former congregation before:
  - a. installation in another field of labor, or
  - b. the issuance of a certificate of dismissal or transfer.

- \*C9.27. When a deacon is called to serve in company with another rostered minister or other rostered ministers, the privileges and responsibilities of each rostered minister shall be specified in documents to accompany the call and to be drafted in consultation involving the rostered ministers, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
- \*C9.28. With the approval of the bishop of the synod, this congregation may depart from \*C9.25.a. and call a deacon for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the deacon and representatives of this congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of \*C9.25.a.
- \*C9.29. The deacon shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the deacon shall hold membership in one of the congregations.
- \*C9.31. The deacon(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.

## **Chapter 10.**

### **CONGREGATION MEETING**

- C10.01. The annual meeting of this congregation shall be held at a time specified in the bylaws.
- C10.01.01. The Annual Meeting of the Congregation shall normally be held on the fourth Sunday of January at a time called by the Congregation Council.
- C10.02. A special Congregation Meeting may be called by a pastor, the Congregation Council, or the president of this congregation, and shall be called by the president of the congregation upon the written request of fifty (50) voting members. The president of the Congregation Council shall call a special meeting upon request of the synodical bishop. The call for each special meeting shall specify the purpose for which it is to be held, and no other business shall be transacted.
- C10.03. Notice of all meetings of this congregation shall be given at the services of worship on the preceding two (2) consecutive Sundays and by mail or electronic means, as permitted by state law, to all voting members at least ten (10) days in advance of the date of the meeting.
- C10.04. Ten percent (10%) 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 the congregation shall be by majority vote of those voting members present and voting, except as otherwise provided in this constitution or by state law.
- C10.07. *Robert's Rules of Order*, latest edition, shall govern parliamentary procedure of all meetings of this congregation.

## **Chapter 11.**

### **OFFICERS**

- C11.01. The officers of this congregation shall be a president, vice president, secretary, and treasurer.
  - a. Duties of the officers shall be specified in the bylaws.
  - b. The officers shall be voting members of the congregation.
  - c. Officers of this congregation shall serve similar offices of the Congregation Council and shall be voting members of the Congregation Council.
- C11.02. The Congregation Council shall elect its officers and they shall be the officers of the congregation. The officers shall be elected by written ballot and shall serve for one year or until their successors are elected. Their terms shall begin at the close of the annual meeting at which they are elected.
- C11.03. No officer shall hold more than one office at a time. No elected officer shall be eligible to serve more than two consecutive terms in the same office.
  - C11.03.01. The president shall preside at meetings of the congregation and the Congregation Council. In the event of the president's inability to serve, the vice president shall preside.
  - C11.03.02. The secretary shall keep accurate minutes of all meetings of the congregation and of the council in a volume provided by the congregation, which shall be preserved permanently in its archives.
  - C11.03.03. The treasurer shall review the records of account of the congregation. The treasurer shall make written report of all financial transactions to the Congregation Council monthly and to the congregation together with a satisfactory audit, at its annual meetings. The treasurer shall direct the parish accountant to receive all funds and disburse them on proper orders, making regular remittance of benevolence receipts to the treasurer of the synod.
  - C11.03.04. All financial officers shall give corporate surety, in amounts determined by the Congregation Council, for which the premium shall be paid by the congregation.

## Chapter 12.

### CONGREGATION COUNCIL

- C12.01.** The voting membership of the Congregation Council shall consist of the called Rostered Leaders and not more than fourteen (14) members of the congregation. Any voting member of the congregation may be elected, subject only to the limitation on the length of continuous service permitted in that office. A member's place on the Congregation Council shall be declared vacant if the member a) ceases to be a voting member of this congregation or b) is absent from four (4) successive regular meetings of the Congregation Council without cause. Consistent with the laws of the state in which this congregation is incorporated, the congregation may adopt procedures for the removal of a member of the Congregation Council in other circumstances.
- C12.02.** The members of the Congregation Council except the called Rostered Leaders shall be elected by written ballot to serve for two (2) years or until their successors are elected. Such members shall be eligible to serve no more than three (3) full terms consecutively. Their terms shall begin at the close of the annual meeting at which they are elected.
- C12.03.** Should a member's place on the Congregation Council be declared vacant, the Congregation Council shall elect, by majority vote, a successor until the next annual meeting. Individuals who have served less than one-half of a regular term shall be eligible for nomination and possible election to a full term.
- C12.04.** The Congregation Council shall have general oversight of the life and activities of this congregation, and in particular its worship life, to the end that everything be done in accordance with the Word of God and the faith and practice of the Evangelical Lutheran Church in America. The duties of the Congregation Council shall include the following:
- a. To lead this congregation in stating its mission, to do long-range planning, to set goals and priorities, and to evaluate its activities in light of its mission and goals.
  - b. To seek to involve all members of this congregation in worship, learning, witness, service, and support.
  - c. To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.
  - d. To maintain supportive relationships with the rostered minister(s) and staff and help them annually to evaluate the fulfillment of their calling or employment.
  - e. To be examples individually and corporately of the style of life and ministry expected of all baptized persons.
  - f. To promote a congregational climate of peace and goodwill and, as differences and conflicts arise, to endeavor to foster mutual understanding.
  - g. To arrange for pastoral service during the sickness or absence of the pastor.
  - h. To emphasize partnership with the synod and churchwide organization of the Evangelical Lutheran Church in America as well as cooperation with other congregations, both Lutheran and non-Lutheran, subject to established policies of the synod and the Evangelical Lutheran Church in America.
  - i. To recommend and encourage the use of program resources produced or approved by the Evangelical Lutheran Church in America.
  - j. To seek out and encourage qualified persons to prepare for the ministry of the Gospel.
- C12.05.** The Congregation Council shall be responsible for the financial and property matters of this congregation.
- a. The Congregation Council shall be the board of directors of this congregation and, as such, shall be responsible for maintaining and protecting its property and managing its business and fiscal affairs. It shall have the powers and be subject to the obligations that pertain to such boards under the laws of the State of Illinois, except as otherwise provided herein.
  - b. The Congregation Council shall not have the authority to buy, sell, or encumber real property unless specifically authorized to do so by a meeting of the congregation.
  - c. The Congregation Council may enter into contracts of up to fifteen thousand dollars (\$15,000) for items not included in the budget.
  - d. The Congregation Council shall prepare an annual budget for adoption by this congregation, shall supervise the expenditure of funds in accordance therewith following its adoption, and may incur obligations of more than five thousand dollars (\$5,000) in excess of the anticipated receipts only after approval by a Congregation Meeting. The budget shall include this congregation's full indicated share in support of the wider ministry being carried on in partnership with the synod and churchwide organization.
  - e. The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of benevolence monies to the synodical treasurer.
  - f. The Congregation Council shall be responsible for this congregation's investments and its total insurance program.

- C12.06.** The Congregation Council shall see that the provisions of this constitution, its bylaws, and the continuing resolutions are carried out.
- C12.07.** The Congregation Council shall provide for an annual review of the membership roster.
- C12.08.** The Congregation Council shall be responsible for the employment and supervision of the staff of this congregation. Nothing in this provision shall be deemed to affect the congregation's responsibility for the call, terms of call, or termination of call of any employees who are on a roster of this church.
- C12.09.** The Congregation Council shall submit a comprehensive report to this congregation at the annual meeting.
- C12.11.** The Congregation Council shall normally meet once a month. Special meetings may be called by the pastor or the president, and shall be called by the president at the request of at least one-half of its members. Notice of each special meeting shall be given to all who are entitled to be present.
- C12.12.** A quorum for the transaction of business shall consist of a majority of the members of the Congregation Council, including the senior pastor or interim pastor, except when the senior pastor or interim pastor requests or consents to be absent and has given prior approval to the agenda for a particular regular or special meeting, which shall be the only business considered at that meeting. Chronic or repeated absence of the senior pastor or interim pastor who has refused approval of the agenda of a subsequent regular or special meeting shall not preclude action by the Congregation Council, following consultation with the synodical bishop.
- C12.13.** The Congregation Council and its committees may hold meetings by remote communication, including electronically and by telephone conference and, to the extent permitted by state law, notice of all meetings may be provided electronically.

**Chapter 13.**

**CONGREGATION COMMITTEES**

- C13.01.** A *Cabinet* shall be composed of the President, Vice-President, Secretary, Treasurer, Pastor(s), and one (1) other member of the Congregation Council. The non-officer member shall be elected by the Congregation Council at the same meeting at which officers are elected and shall serve for a term of one (1) year.
- C13.02.** A *Nominating Committee* of six (6) voting members of this congregation, two (2) of whom, if possible, shall be outgoing members of the Congregation Council, shall be elected at the annual meeting for a term of one (1) year. Members of the Nominating Committee are not eligible for consecutive re-election.
- C13.03.** An *Audit Committee* of three (3) voting members shall be elected by the Congregation Council. Audit Committee members shall not be members of the Congregation Council. Term of office shall be three (3) years, with one (1) member elected each year. Members shall be eligible for re-election.
- C13.04.** *Mutual Ministry Committee(s)* (in the absence of a mutual ministry committee, the duties shall be fulfilled by the Cabinet) shall be appointed jointly by the president and the rostered minister. Term of office shall be two (2) years, with three (3) members to be appointed each successive year
- C13.05.** When a pastoral vacancy occurs, a *Call Committee* of six (6) voting members shall be elected by the Congregation Council. Term of office will terminate upon installation of the newly called pastor.
- C13.06.** Other committees of this congregation may be formed, as the need arises, by decision of the Congregation Council.
- C13.07.** Duties of committees of this congregation shall be specified in the continuing resolutions.
- C13.07.A18.** There shall be a Ministry known as Worship and Music Ministry. The duties of Worship and Music Ministry may include:
  - a. Weekend Worship Services
    - 1) recruit and train ushers;
    - 2) recruit and train lectors;
    - 3) recruit and train acolytes;
    - 4) recruit and train communion assistants;
    - 5) provide for liturgical variety;
    - 6) provide and care for hymnals and other devotional materials;
    - 7) arrange for the care of paraments and vestments; support the Altar Guild
    - 8) review worship schedule;
  - b. Special Services
    - 1) develop plans for the three major festivals in the church year;
    - 2) develop plans for special events such as Advent, Christmas, Thanksgiving, Lent, Holy Week and whole congregational celebrations;



c. Worship Arts

- 1) arrange for the care of existing banners;
- 2) create or acquire new banners for festivals and seasons of the church year;
- 3) decorate sanctuary for festivals;
- 4) design bulletin covers for some of the special services;
- 5) incorporate/explore different art forms in worship

d. Music Expression

- 1) furnish music supplies appropriate for use in the worship of a congregation of an Evangelical Lutheran Church in America after Consultation with the pastor(s), choir director(s), and organist;
- 2) provide for broad based music ministry utilizing all age groups of the congregation;
- 3) encourage new membership of the various music programs of the congregation;
- 4) encourage the use of ensembles, groups, and instrumental variation to augment the worship life.

**C13.07.B18.** There shall be a Ministry known as Social Ministry. The duties of the Social Ministry may include:

a. Local community needs

- 1) study social conditions in order to bring the cleansing and healing light of the Christian truth to be upon critical problems through thoughtful Christian discussion of facts and issues.
- 2) Support local organizations through financial contributions
- 3) encourage membership participation in local needs such as clothing, household goods, transportation for needy and household repairs.

b. National and World-wide issues and needs

- 1) support Lutheran Social Services of Illinois agencies and institutions
- 2) bring the work of World Hunger to the attention of the congregation
- 3) develop educational and responsive measures to issues of global perspective.

**C13.07.C18.** There shall be a Ministry known as Evangelism Ministry. The duties of Evangelism Ministry may include:

a. Fully support the mission emphasis of First Lutheran Church.

b. Develop a team of members for each worship service which will:

- 1) receive training in how best to welcome guests and returning members;
- 2) greet guests, learn about them, invite them to Fellowship and offer them a gift;
- 3) model and encourage a welcoming presence at all services
- 4) introduce guests to other members and pastors.

c. Coordinate Fellowship refreshments, and a theme when appropriate, on Saturday evening and Sunday morning

d. Assist the pastors with new member classes and new member receptions, and help new members and transfers as they integrate into the life and mission of First Lutheran Church.

e. Encourage the continuation of current small groups and the formation of new small groups within the congregation. These groups will provide members with an opportunity to build relationships around caring, learning, fellowship and support, and foster relationships that provide members with a sense of belonging and a sense of purpose in our community of believers in Christ.

f. With improved communication, promote a better understanding of First Lutheran's mission and ministries and small groups, and recognize the good work being done by so many of our members.

**C13.07.D18.** There shall be a Ministry known as Stewardship Ministry. The duties of Stewardship Ministry may include:

- a. educate the congregation as to our stewardship needs and responsibilities;
- b. stress percentage giving;
- c. conduct a formal stewardship campaign each year.

**C13.07.E18.** There shall be a Ministry known as Finance Ministry. The Treasurer of the congregation shall be a member of the Finance Ministry. The Parish Accountant shall be an advisory member of the Finance Ministry, and shall have voice but not vote at all meetings of the ministry. The duties of Finance Ministry shall include:

- a. ensure solid financial base and fiscal responsibility;
- b. oversee fiscal policy and procedures;
- c. establish an on-going goal for benevolence;
- d. define the budget and allocation process and review the auditing procedures.

- C13.07.F18.** There shall be a Ministry known as Property and Grounds Ministry. The duties of Property and Grounds Ministry may include:
- a. ensure that all church properties are maintained in excellent condition;
  - b. monitor the needs of our church in terms of space and equipment and recommend action when necessary;
  - c. work to reduce energy costs through replacement and/or repair.
- C13.07.G18.** There shall be a Ministry known as Christian Education Ministry. The duties of Christian Education Ministry include:
- a. Children's Church
    - 1) provide for the selection and review of curriculum;
    - 2) develop leadership in the Children's Church and encourage volunteer participation;
    - 3) promote and encourage regular worship attendance;
  - b. Faithtime
    - 1) provide for the selection and review of curriculum;
    - 2) encourage volunteer participation;
    - 3) offer enrichment activities;
    - 4) utilize our physical resources to the optimum use;
    - 5) promote and encourage regular worship attendance;
    - 6) establish learning standards for students in Faithtime;
  - c. Vacation Bible School
    - 1) conduct a Vacation Bible School during the summer time;
    - 2) foster an ecumenical community-wide participation in Vacation Bible School;
    - 3) investigate options of variety and format of Vacation Bible School;
  - d. First Communion
    - 1) offer First Communion preparation to youth and parents;
    - 2) create systems for those who have not participated or who are new to the congregation who are older than third grade;
    - 3) develop opportunities for parents to be involved in the learning process;
  - e. Confirmation
    - 1) conduct a meaningful confirmation ministry program for seventh and eighth grade youth, including learning, service, and fellowship;
    - 2) develop standards of learning and participation;
    - 3) provide avenues for parental participation;
    - 4) create opportunities for Confirmation students to participate in the life of the Church;
  - f. High School & Adult Education
    - 1) provide and encourage participation in comprehensive high school and adult education programs;
    - 2) develop opportunities for retreat and learning experiences;
    - 3) cooperate with community and area churches to develop ecumenical learning opportunities;
    - 4) create forums and arenas to discuss and debate issues and concerns pertinent to the congregation;
    - 5) nurture and equip parents through classes and workshops;
  - g. Milestone Ministry
    - 1) provide Story Bibles to kindergarten students;
    - 2) provide instruction and NRSV Bibles to third grade students;
    - 3) provide fellowship opportunities for families and support for worship planners as the congregation celebrates the rites of First Communion and Confirmation
- C13.07.H18.** There shall be a Ministry known as Youth Ministry. The duties of Youth Ministry may include:
- a. provide for an intentional program for youth of the congregation;
  - b. seek to encourage the participation of youth in all dimensions of the ministry of the congregation;
  - c. develop leadership of youth and adults;
  - d. maintain and enhance the attitude of openness and support of youth ministry;
  - e. create opportunities to express a servanthood posture to the congregation, community, and world;
  - f. enable fellowship, recreation, and support groups for youth and adults who work with youth;
  - g. encourage participation in events of the larger expression of the Church through Conference, Synod and ELCA;
  - h. foster a consideration of vocation planning and encourage full-time work in the Church;
  - i. monitor, build and promote community assets as growing resources for teens.
- C13.07.I18.** There shall be a Ministry known as Congregational Life Ministry. The duties of Congregational Life Ministry may include:

- a. promote fellowship through organized activities and events;
- b. develop several learning, growth, and fellowship opportunities through small groups, in conjunction with other ministries;
- c. provide fellowship and worship opportunities for First Friends participants.

**C13.07.J18.** There shall be a Ministry known as Spirituality & Wellness Ministry. The duties of Spirituality & Wellness Ministry may include:

- a. provide resources and opportunities to support and encourage the prayer life of members of the congregation, such as prayer vigils, devotional books, and maintenance of Lifelines Prayer List;
- b. provide resources and opportunities to encourage healthy living, consonant with God's desire for God's people. Attention will be given to all aspects of healthy living, including physical, emotional, relational, and spiritual health.
- c. organization of or partnership with recovery groups and support groups related to the congregation or meeting at the church.

**C13.07.K18.** There shall be a Committee known as Personnel Committee. The Personnel Committee is commissioned by, and responsible to, the Congregation Council to advise it on personnel matters.

- a. Appointments of the members of the Personnel Committee shall be made annually by the President of the Council with the advice and consent of the Council.
- b. The Committee shall include the Pastor(s) and four members in good standing of the congregation.
- c. The members shall be appointed to alternating two-year terms, with no member to serve more than three consecutive terms. Terms shall begin on April 1 of each year.
- d. Responsibilities of the Personnel Committee shall include:
  - 1) Provide personnel policy recommendations to the Congregation Council.
  - 2) When requested by the Council President, Pastor, or Congregation Council, provide policy advice in the areas of training, employee benefits, employee relations, legal issues relating to employees, recruitment, interviewing, selection procedures, annual reviews, and the like.
  - 3) Review the staffing pattern for the coming year and annually submit recommendations to the Congregation Council as part of the budgeting process.
  - 4) Report to the Congregation Council on a regular basis.

**C13.08.** The pastor(s) of this congregation shall be *ex officio* a member of all committees and boards of the congregation. The president of this congregation shall be *ex officio* a member of all committees and boards of the congregation, except the Nominating Committee. As an *ex officio* member, the pastor(s) and president of this congregation shall have voice but not vote at all meetings of committees and boards of the congregation.

## **Chapter 14.**

### **ORGANIZATIONS WITHIN THE CONGREGATION**

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

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

## **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 the congregation, or willful and repeated harassment or defamation of member(s) of the congregation is sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation and repentance will be attempted following Matthew 18:15–17, proceeding through these successive steps, as necessary: a) private counsel and admonition by the pastor, b) censure and admonition by the pastor in the presence of two or three witnesses, c) written referral of the matter by the Congregation Council to the vice president of the synod, who will refer it to a consultation panel drawn from the Consultation Committee of the synod, and d) written referral of the matter by the consultation panel to the Committee on Discipline of the synod. If, for any reason, the pastor is unable to administer the admonitions required

by paragraphs a. and b. hereof, those steps may be performed by another pastor chosen by the Executive Committee of the Congregation Council.

- \*C15.02.** The process for discipline of a member of the congregation shall be governed as prescribed by the chapter on discipline in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. If the counseling, censure, and admonitions pursuant to \*C15.01. do not result in repentance and amendment of life, charges against the accused member(s) that are specific and in writing may be prepared by the Congregation Council, signed, and submitted to the vice president of the synod. The vice president shall select from the synod's Consultation Committee a panel of five members (three laypersons and two ministers of Word and Sacrament). A copy of the written charges shall be provided to the consultation panel and the accused member(s). The consultation panel, after requesting a written reply to the charges from the accused member(s), shall consider the matter and seek a resolution by means of investigation, consultation, mediation, or whatever other means may seem appropriate. The panel's efforts to reach a mutually agreeable resolution shall continue for no more than 45 days after the matter is submitted to it.
- \*C15.03.** If the consultation panel fails to resolve the matter, that panel shall refer the case in writing, including the written charges and the accused member's reply, to the Committee on Discipline of the synod for a hearing. A copy of the panel's written referral shall be delivered to the vice president of the synod, the Congregation Council, and the accused member(s) at the same time it is sent to the Committee on Discipline of the synod. The Executive Committee of the Synod Council shall then select six members from the Committee on Discipline to decide the case and shall appoint a member of the Synod Council to preside as nonvoting chair. Those six members, plus the nonvoting chair, comprise the discipline hearing panel for deciding the case. The Congregation Council and the accused member(s) are the parties to the case.
- \*C15.04.** The discipline hearing panel shall commence and conduct the disciplinary hearing in accordance with the provisions governing discipline of congregation members prescribed in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.
- \*C15.05.** By the vote of at least two-thirds of the members of the discipline hearing panel who are present and voting, one of the following disciplinary sanctions can be imposed:
- a. suspension from the privileges of congregation membership for a designated period of time;
  - b. suspension from the privileges of congregation membership until the pastor and Congregation Council receive evidence, satisfactory to them, of repentance and amendment of life;
  - c. termination of membership in the congregation; or
  - d. termination of membership in the congregation and exclusion from the church property and from all congregation activities.
- \*C15.06.** The written decision of the discipline hearing panel shall be sent to the vice president of the synod, the accused member(s), and the Congregation Council as required by the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. The decision of the discipline hearing panel shall be implemented by the Congregation Council and recorded in the minutes of the next council meeting.
- \*C15.07.** No member of the congregation shall be subject to discipline a second time for offenses that a discipline hearing panel has heard previously and decided pursuant to this chapter.
- \*C15.10. Adjudication**
- \*C15.11.** When there is disagreement among factions within this congregation on a substantive issue that cannot be resolved by the parties, members of this congregation shall have access to the synodical bishop for consultation after informing the chair of the Congregation Council of their intent. If the consultation fails to resolve the issue(s), the Consultation Committee of the synod shall consider the matter. If the Consultation Committee of the synod shall fail to resolve the issue(s), the matter shall be referred to the Synod Council, whose decision shall be final.

## **Chapter 16.**

### **AMENDMENTS**

- \*C16.01.** Unless 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 50 voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the congregation's members 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 a legally called Congregation Meeting according to this constitution by a majority vote of those voting members present and voting;
  - b. be ratified without change at the next annual meeting by a two-thirds vote of those voting members present and voting; and
  - c. have the effective date included in the resolution and noted in the constitution.
- \*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 the congregation of its decision to approve or disapprove the proposed changes; the changes shall go into effect upon notification that the synod has approved them.
- \*C16.04.** This constitution may be amended to bring any section into conformity with a section or sections, either required or not required, of the Model Constitution for Congregations of the Evangelical Lutheran Church in America as most recently amended by the Churchwide Assembly. Such amendments may be approved by a majority vote of those voting members present and voting at any legally called meeting of the congregation without presentation at a prior meeting of the congregation, provided that the Congregation Council has submitted by mail or electronic means, as permitted by state law, notice to the congregation of such an amendment or amendments, together with the council's recommendations, at least 30 days prior to the meeting. Upon the request of at least two (2) voting members of the congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of the congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following a vote of approval.

## **Chapter 17.**

### **BYLAWS**

- \*C17.01.** This congregation may adopt bylaws. No bylaw may conflict with this constitution.
- \*C17.02.** Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a two-thirds vote of those voting members present and voting.
- \*C17.03.** Changes to the bylaws may be proposed by any voting member, provided that such additions or amendments be submitted in writing to the Congregation Council at least 60 days before a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the congregation's members of the proposal with the council's recommendations at least 30 days in advance of the Congregation Meeting. Notification may take place by mail or electronic means, as permitted by state law.
- \*C17.04.** Approved changes to the bylaws shall be sent by the secretary of this congregation to the synod.

## **Chapter 18.**

### **CONTINUING RESOLUTIONS**

- \*C18.01.** The congregation in a legally called meeting or the Congregation Council may enact continuing resolutions. Such continuing resolutions may not conflict with the constitution or bylaws of this congregation.
- \*C18.02.** Continuing resolutions shall be enacted or amended by a majority vote of a meeting of the congregation or a two thirds vote of all voting members of the Congregation Council.

## **Chapter 19.**

### **INDEMNIFICATION**

- \*C19.01.** Consistent with the 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.