

Review and Amendment of the Trinity Lutheran Church Constitution

As you followed the Church Council Meeting Minutes this past year, you read about the effort to update the Trinity constitution. The ELCA Churchwide Assemblies in 2013 and 2016 adopted a number of changes to the *Model Constitution for Congregations*. TLC is required to amend its constitution to include ELCA Churchwide Assembly changes. Those proposed amendments are outlined in a separate document.

Specific changes proposed by TLC Council in 2017

Along with the effort to update the TLC Constitution with amendments from the Churchwide Assemblies, the TLC Council decided to examine other aspects of the Constitution and Bylaws to update those as well. With regard to the Bylaw proposed changes, those may be amended at any legally called meeting of the congregation with a quorum present by a majority vote of those voting members present and voting. The Council has notified the congregation members at least 30 days in advance of the meeting. **The Council recommends adoption of the following proposed changes:**

Additions are underlined. Deletions are ~~struck through~~ in the text.

Bylaw:

- B8.02.22 – d **Associate** members are persons holding membership in other Lutheran Christian congregations who wish to retain such membership but desire to participate in the life and mission of this congregation, or persons who wish to retain a relationship with this congregation while being members of other congregations. They have all the privileges and duties of membership except voting rights and eligibility for elected offices or membership on the Congregation Council of the congregation.
- B8.05.06 The ~~pastor(s)~~ Minister/s of Word and Sacrament and/or members of the Congregation Council, ~~shall visit~~ will make an effort to contact confirmed members who in the past year have not participated in the Lord's Supper, supported the congregation according to the financial records of the congregation, or given evidence of a desire to participate in the life and worship of the congregation to encourage them to active membership. If, during the second year, the confirmed members do not actively participate in the life of the congregation, their names shall be removed from the membership roster of the congregation but be retained on a responsibility list as people who are in special need of this congregation's prayer and concern.
- B10.01.01 The annual meeting shall be held ~~in January~~ at a date and time designated by the Congregation Council. The Congregation Council will notify the members of the congregation of the annual meeting at least 60 days in advance. Notification of all congregational meetings shall be sent to the destination on record that has been designated by the member.
- B12.05.08 Purchases of no more than ~~\$200~~ \$500 may be made without prior approval of the Congregation Council. (Amended January 2011 Effective July 2011)

Below is one change to the TLC Constitution proposed by the Council. As with the other proposed changes, this one requires the same 30-day advance notification to the congregation, along with the Council's recommendation, prior to the 2018 meeting. Unlike the other changes outlined above, this amendment requires a majority vote at a legally called congregation meeting *plus* it must be ratified at the next following annual meeting by a two-thirds majority vote.

Additions are underlined. Deletions are ~~struck through~~ in the text.

Constitutional:

- C13.04 A **Mutual Ministry Committee** (in the absence of a Mutual Ministry committee, the duties shall be fulfilled by the Executive Committee) shall be appointed jointly by the president and the pastor. Term of office shall be ~~two~~ three years, with three members to be appointed each successive year.

Questions and comments related to the proposed changes may be directed to the Church Council of Trinity Lutheran Church. The full text of the TLC Constitution with changes as proposed by the 2017 TLC Council is shown below.

RESTATED CONSTITUTION

Adopted: August, 1995
Amended: January, 2011
Amended: January, 2012

TRINITY LUTHERAN CHURCH of Detroit Lakes, Minnesota

Amendments proposed by 2017 TLC Council.

Additions are underlined. Deletions are ~~struck through~~ in the text.

*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 the Son and the Holy Spirit.

Chapter 1.

NAME AND INCORPORATION

- C1.01 The name of this congregation shall be Trinity Lutheran Church of Detroit Lakes, Minnesota.
- C1.02 For the purpose of this constitution and the accompanying bylaws, the congregation of Trinity Lutheran Church of Detroit Lakes, Minnesota is hereinafter designated as "this congregation."
- C1.03 This congregation was originally incorporated in Becker County, Minnesota in 1897, and was incorporated under the laws of Minnesota in 1996.

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

- *C2.02 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 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.
- *C3.03 The name Evangelical Lutheran Church in America (ELCA or “this church”) as used herein refers in general references to this whole church, including its three expressions – congregations, synods and the churchwide organization. The name Evangelical Lutheran Church in America is also the name of the corporation of the churchwide organization to which specific references may be made herein.

Chapter 4

STATEMENT OF PURPOSE

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

- *C4.02 To participate in God's mission, this congregation as a part of the Church shall:
- a. Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, and service.
 - b. Proclaim God's saving Gospel of justification by grace for Christ's sake through faith alone, according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.
 - c. Carry out Christ's Great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministry with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.
 - d. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity and justice for all people, working for peace and reconciliation among the nations, and standing with the poor and powerless, and committing itself to their needs.
 - e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.
 - f. Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity which the Spirit gives.
- *C4.03 To fulfill these purposes, this congregation shall:
- a. Provide services of worship at which the Word of God is preached and the sacraments are administered.
 - b. Provide pastoral care and assist all members to participate in this ministry.
 - c. Challenge, equip, and support all members in carrying out their calling in their daily lives and in their congregation.
 - d. Teach the Word of God.
 - e. Witness to the reconciling Word of God in Christ, reaching out to all people.
 - f. Respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.
 - g. Motivate its members to provide financial support for the congregation's ministry and the ministry of other parts of the Evangelical Lutheran Church in America.
- *C4.03
- 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 the continuing resolutions of the Congregation Council.
- *C4.05 This congregation shall, from time to time, adopt a mission statement which

will provide specific direction for its programs.

- B4.05.01 The mission statement of this congregation shall be printed in the annual report.
- *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 or terminate the call of associates in ministry, deaconesses, and diaconal ministers in conformity with the applicable policy of the Evangelical Lutheran Church in America;
 - d. adopt amendments to the constitution, as provided in Chapter 17, amendments to the bylaws, as specified in Chapter 16, and continuing resolutions, as provided in Chapter 18.
 - e. approve the annual budget;
- *C5.03
- f. acquire real and personal property by gift, devise, purchase, or other lawful means;
 - g. hold title to and use its property for any and all activities consistent with its purpose;
 - h. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
 - i. **elect** its Congregation Council, boards, and committees, and require them to carry out their duties in accordance with the constitution, bylaws, and continuing resolutions; and
 - j. 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 Northwestern Minnesota Synod of the Evangelical Lutheran Church in America.

Chapter 6

CHURCH AFFILIATION

- *C6.01 This congregation shall be an interdependent part of the Evangelical Lutheran Church in America or its successor, and of the Northwestern Minnesota Synod of the Evangelical Lutheran Church in America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America.
- *C6.02 This congregation accepts the Confession of Faith and agrees to the Purposes of the Evangelical Lutheran Church in America and shall act in accordance with them.
- *C6.03 This congregation acknowledges its relationship with the Evangelical Lutheran Church in America in which:
- a. This congregation agrees to be responsible for its life as a Christian community.
 - b. This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.
 - c. This congregation agrees to call pastoral leadership from the clergy roster of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod. These special circumstances are limited either to calling a candidate approved for the roster of ordained ministers of the Evangelical Lutheran Church in America or to contracting for pastoral services with an ordained minister of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion.
- *C6.03
- d. This congregation agrees to consider associates in ministry, deaconesses, and diaconal ministers 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 A congregation may terminate its relationship with this church 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

*C6.05

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 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 this church, who shall report the termination to the Churchwide Assembly.
- g. 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.
- h. 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.
- i. 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.

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

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

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

Chapter 7

PROPERTY OWNERSHIP

*C7.01 If this congregation ceases to exist, title to undisposed property shall pass to the Northwestern Minnesota Synod of the Evangelical Lutheran Church in America.

*C7.02 If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline, title to property shall continue to reside in this congregation.

*C7.03 If a two-thirds majority of the voting members of this congregation present at a 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 Northwestern Minnesota Synod.

*C7.04 If a two-thirds majority of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to become independent or relate to a non-Lutheran church body and have followed the process for termination of relationship in *C6.05, title to property of this congregation shall continue to reside in this congregation only with the consent of the Synod Council. The Synod Council, after consultation with this congregation by the established synodical process, may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of this congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America.

Chapter 8

MEMBERSHIP

- *C8.01 Members of the 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.
- B8.02.01 This congregation shall, through the sacrament of holy baptism, receive into its baptized membership, children of parents or guardians who are members of this congregation.
- B8.02.02 When this congregation baptizes children whose parents or guardians are not members of this congregation, this congregation shall add the newly baptized to its roster of baptized members. If the parents intend to maintain their membership in another congregation, this congregation shall encourage the parents to transfer the membership of the newly baptized to that congregation.
- B8.02.03 This congregation shall receive children baptized in another congregation into its baptized membership by Letter of Transfer.
- B8.02.04 This congregation shall receive into its baptized membership unbaptized adults through baptism and confession of faith. Before baptizing the adults, this congregation shall provide instruction in the Christian faith and the adult shall give evidence of understanding and accepting the teaching of the Word of God as confessed by the Lutheran Church.
- B8.02.05 When this congregation receives parents into its membership, it shall also, with the consent of the parents, receive their baptized children into membership.
- B8.02.06 When the parents or guardians of a baptized child are not themselves members of this congregation, but desire their child to participate in the life and fellowship of this congregation, this congregation may receive the child as a baptized member.
- *C8.02 **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.
- B8.02.11 This congregation shall receive into its confirmed membership baptized adults who have not previously been confirmed members of a Lutheran congregation when they have received instruction, given evidence of understanding of the teachings of the Word of God as confessed by the Lutheran Church, and publicly affirmed their faith.
- B8.02.12 This congregation shall receive baptized members of this congregation into confirmed membership through the rite of confirmation. This congregation shall consider adults who become a member of this congregation according to B8.02.04 as confirmed members of this congregation.

- B8.02.13 This congregation shall receive confirmed members of other Lutheran congregations who present a Letter of Transfer from that congregation into confirmed membership upon approval by the Congregation Council.
- B8.02.14 This congregation shall receive into confirmed membership people who give evidence of having been confirmed in a Lutheran congregation but are unable to obtain a Letter of Transfer from that congregation when the Congregation Council has determined that the applicant meets the standards of Christian faith and life set forth in this constitution and bylaws.
- *C8.02 c. *Voting* members are confirmed members. Such confirmed members during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of this congregation.
- B8.02.21 When this congregation has no record of a member having communed in the current or preceding year but the member claims to have communed, this congregation shall accept the word of the member as meeting the communion requirements of this provision.
- B8.02.22 This congregation shall consider members who have contributed to the congregational treasury according to the records of this congregation or participated in the life and worship of the congregation during the current or preceding calendar year as members who have made a contribution of record.
- d. *Associate* members are persons holding membership in other Lutheran Christian congregations who wish to retain such membership but desire to participate in the life and mission of this congregation, or persons who wish to retain a relationship with this congregation while being members of other congregations. They have all the privileges and duties of membership except voting rights and eligibility for elected offices or membership on the Congregation Council of the congregation.
- *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;

- B8.05.01 This congregation shall encourage members who move to other communities to transfer to a Lutheran congregation in the community in which they live.
- B8.05.02 When members move to other communities, this congregation shall notify a Lutheran congregation serving that community that the member has moved into their community.
- B8.05.03 When a member of this congregation requests a Letter of Transfer to another Christian congregation, this congregation shall grant to the new congregation a Letter of Transfer and give to the new congregation this congregation's record of the member's baptism, first communion, confirmation, and marriage.
- B8.05.04 When former members of this congregation request a Letter of Transfer to another Christian congregation, this congregation shall grant to the new congregation a certificate indicating the member was at one time a member of this congregation and, from the stand point of this congregation, is free to join another congregation. This congregation shall give to the new congregation this congregation's record of that member's baptism, first communion, confirmation, and marriage.
- B8.05.05 This congregation shall remove from its roster members who have joined another congregation. When requested, this congregation shall give to the new congregation this congregation's record of that member's baptism, first communion, confirmation, and marriage.
- *C8.05 d. disciplinary action by the Congregation Council;
or
e. removal from the roll due to inactivity as defined in the bylaws. Such persons who have been removed from the roll of members shall remain persons for whom the church has a continuing pastoral concern.
- B8.05.06 The pastor(s) Minister/s of Word and Sacrament and/or members of the Congregation Council, shall visit will make an effort to contact confirmed members who in the past year have not participated in the Lord's Supper, supported the congregation according to the financial records of the congregation, or given evidence of a desire to participate in the life and worship of the congregation to encourage them to active membership. If, during the second year, the confirmed members do not actively participate in the life of the congregation, their names shall be removed from the membership roster of the congregation but be retained on a responsibility list as people who are in special need of this congregation's prayer and concern.
- B8.05.07 This congregation may remove from the roster of baptized members, children whose parents or guardians are not members of this congregation if those children do not participate in the life of the congregation.

Chapter 9

THE PASTOR

- *C9.01 Authority to call a pastor shall be in this congregation by at least a two-thirds majority ballot vote of members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by this congregation to recommend the call, shall seek the advice and help of the bishop of the synod. (Amended January 2005 Effective September 2010)

- *C9.02 Only a member of the clergy roster of the Evangelical Lutheran Church in America or a candidate for the roster of ordained ministers who has been recommended for the congregation by the synodical bishop may be called as a pastor of this congregation.
- *C9.03 Consistent with the faith and practice of the Evangelical Lutheran Church in America,
- a. Every ordained minister shall:
 - 1) preach the Word;
 - 2) administer the sacraments;
 - 3) conduct public worship;
 - 4) provide pastoral care; and
 - 5) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.
 - b. Each ordained minister with a congregational call shall, within the congregation:
 - 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
 - 2) supervise all schools and organizations of this congregation;
 - 3) install regularly elected members of the Congregation Council; and
 - 4) with the Council, administer discipline.
 - c. Every pastor shall:
 - 1) strive to extend the Kingdom of God in the community, in the nation, and abroad;
 - 2) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
 - 3) impart knowledge of this church and its wider ministry through distribution of its periodicals and other publications; and
 - 4) endeavor to increase the support given by the congregation to the work of the churchwide organization of the Evangelical Lutheran Church in America (ELCA) and of the Northwestern Minnesota 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 a. The call of a congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment which, except in the case of the death of the pastor, shall be terminated only following consultation with the synodical bishop and for the following reasons:
 - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the pastor, which shall become effective, unless otherwise agreed, 30 days after the date on which it was submitted;
 - 3) inability to conduct the pastoral office effectively in the congregation in view of local conditions, without reflection on the competence or the

- moral and spiritual character of the pastor;
- 4) the physical or mental incapacity of the pastor;
- 5) disqualification of the pastor through discipline on grounds of doctrine, morality, or continued neglect of duty;
- 6) the dissolution of the congregation or the termination of a parish arrangement; or
- 7) suspension of the congregation as a result of discipline proceedings.

- b.** When allegations of physical or mental incapacity of the pastor or ineffective conduct of the pastoral office have come to the attention of the bishop of the synod, the bishop in his or her sole discretion may, or when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of the congregation, the bishop shall, investigate such conditions personally in company with a committee of two ordained ministers and one layperson.
- c.** In case of alleged physical or mental incapacity, competent medical testimony shall be obtained. When such disability is evident, the bishop of the synod with the advice of the committee shall declare the pastorate vacant. Upon the restoration of a disabled pastor to health, the bishop of the synod shall take steps to enable the pastor to resume the ministry, within the congregation last served or in another field of labor.
- d.** In the case of alleged local difficulties that imperil the effective functioning of the congregation, all concerned persons shall be heard, after which the bishop of the synod together with the committee described in *C9.05b. shall decide on the course of action to be recommended to the pastor and the congregation. If they agree to carry out such recommendations, no further action shall be taken by the synod. If either party fails to assent, the congregation may dismiss the pastor at a legally called meeting after consultation with the bishop, either (a) by a two-thirds majority vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call or (b) by a simple majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
- e.** If, in the course of proceedings described in *C9.05.d., the committee concludes that there may be grounds for disciplinary action, the committee shall make recommendations concerning disciplinary action to the synodical bishop, who may bring charges, in accordance with the provisions of the constitution and bylaws of the Evangelical Lutheran Church in America and the constitution of this synod.
- f.** If, following the appointment of the committee described in *C9.06.b. or d., it should become apparent that the pastoral office cannot be conducted effectively in the congregation being served by the ordained minister due to local conditions, the bishop of the synod may temporarily suspend the pastor from service in the congregation without prejudice and with pay provided through a joint synodical and churchwide fund and with housing provided by the congregation(s).

*C9.05

- B9.05.01 Housing provided by the congregation under *C9.05.f. will normally be limited to ninety days.
- *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 ordained pastor 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 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 the congregation upon receipt and acceptance of the Letter of Call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.
- *C9.13 The pastor(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.
- *C9.14 The parochial records of this congregation shall be maintained by the pastor and shall remain the property of the congregation. The secretary of this congregation shall attest in writing to the bishop of this synod that such records have been placed in his or her hands in good order by a departing pastor before the installation of that pastor in another field or the granting by the synod of retired status to the pastor.

- C9.21 Under special circumstances, subject to the approval of the synodical bishop and the concurrence of this congregation, an ordained minister 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 ordained minister in a form proposed by the synodical bishop and approved by the congregation.

Chapter 10

CONGREGATION MEETING

- C10.01 The annual meeting of this congregation shall be held at a time specified in the bylaws.
- B10.01.01 The annual meeting shall be held ~~in January~~ at a date and time designated by the Congregation Council. The Congregation Council will notify the members of the congregation of the annual meeting at least 60 days in advance. Notification of all congregational meetings shall be sent to the destination on record that has been designated by the member.
- C10.02 A special Congregation Meeting may be called by the pastor, the Congregation Council, or the president of this congregation, and shall be called by the president of the congregation upon the written request of ten percent of the voting members. The call for each special meeting shall specify the purpose for which it is to be held and no other business shall be transacted.
- C10.03 Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays and by mail to all voting members at least ten days in advance of the date of the meeting. The posting of such notice in the regular mail, with the regular postage affixed or paid, sent to the last known address of such members shall be sufficient. Electronic notice of meetings may be provided in addition to notice by regular mail.
- B10.03.01 The current roster of voting members, as of the preceding Congregation Council meeting, shall be available at each meeting of the congregation.
- C10.04 Ten percent of all 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 this congregation.

Chapter 11

OFFICERS

- C11.01 The officers of this congregation shall be a president, vice-president, and secretary.
- a. Duties of the officers shall be specified in the bylaws.
 - b. The officers shall be voting members of this congregation.

- c. Officers of this congregation shall serve similar offices of the congregation council and shall be voting members of the Congregation Council.
- B11.01.01 The president shall preside at meetings of the Congregation Council and the congregation.
- B11.01.02 The vice-president shall preside at meetings of the Congregation Council and the congregation in the absence of the president.
- B11.01.03 The secretary shall keep minutes of the Congregation Council and of the congregation meetings and shall see that such records be placed in the permanent archives of the congregation.
- C11.02 The Congregation Council shall elect its officers from the Council membership 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
- C11.02 elected. Their terms shall begin at the close of the 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.

Chapter 12

CONGREGATION COUNCIL

- C12.01 The voting membership of the Congregation Council shall consist of those elected to the Congregation Council by the congregation. Any voting member of the congregation may be elected to the Congregation Council, subject only to the limitation on the length of continuous service permitted in that office. A member's place on the Congregation Council may be declared vacant if the member
 - a. Ceases to be a voting member of this congregation or
 - b. Is absent from three 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.
- B12.01.01 The number of elected Congregation Council members shall be thirteen (13). One of the thirteen shall be from the high school age youth of the congregation. B12.01.02 The pastor(s) of this congregation shall have voice but no vote in all matters that come before the Congregation Council. (Amended 2005 Effective July 2011)
- B12.01.03 The pastor(s) of this congregation shall have voice and vote in all Congregational Meetings as a regular member of the congregation. (Amended January 2005 Effective July 2011)
- B12.01.04 The pastor(s) of this congregation shall attend all Congregational Council meetings except when the pastor or pastors request to be absent and have been given approval by the Chair of the Council. (Amended January 2005 Effective July 2011)

- B12.01.05 Chronic or repeated requests to be absent by the pastor or pastors from Congregational Council meetings will result in a consultation with the synodical bishop. (Amended January 2005 Effective July 2011)
- C.12.02 The members of the Congregation Council shall be elected by written ballot to serve for three years or until their successors are elected. Such members shall be eligible to serve no more than two full terms consecutively. Their terms shall begin at the close of the annual meeting at which they are elected. All lay members of the Congregation Council shall be installed by the pastor at the next public service following their election or as soon thereafter as convenient. (Amended January 2005 Effective September 2010)
- 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.
- C12.04 The Congregation Council shall have general oversight of the life and activities of this congregation, and in particular its worship life, to the end that everything be done in accordance with the Word of God and the faith and practice of the Evangelical Lutheran Church in America. The duties of the Congregation Council shall include the following:
- a. To lead this congregation in stating its mission, to do long-range planning, to set goals and priorities, and to evaluate its activities in light of its mission and goals.
 - b. To seek to involve all members of this congregation in worship, learning, witness, service, and support.
 - c. To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.
 - d. To maintain supportive relationships with the pastor(s) 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 units 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.

(Amended January 2005 Effective September 2010)

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

- a. The Congregation Council shall be the Board of Directors of this congregation and as such shall be responsible for maintaining and protecting its property and the management of its business and fiscal affairs. It shall have the powers and be subject to the obligations that pertain to such boards under the laws of the State of Minnesota, except as otherwise provided herein.

B12.05.01 The Congregation Council shall each year elect a treasurer who need not be a member of the Congregation Council but shall be a voting member of the congregation and who will have voice without vote at Congregation Council meetings. The treasurer shall have custody of all funds of the congregation, shall receive and disburse such funds, in accordance with the decisions of the congregation and the Congregation Council, and shall make written reports of all transactions monthly to the Congregation Council and to the Congregation at its annual meeting.

B12.05.02 The Congregation Council shall, each year, elect a financial secretary who need

not be a member of the Congregation Council but shall be a voting member of the congregation. The financial secretary shall maintain records of all contributions and shall make regular reports to the Congregation Council and to members as required by the Congregation Council.

B12.05.03 The Congregation Council shall be responsible for the buildings, properties and

premises of the congregation so that their use is normally limited to the functions of the congregation and appropriate community use on a non-interfering basis. The Congregation Council shall establish continuing resolutions regarding the use of the property by groups or individuals not associated with the congregation.

meeting

- b. The Congregation Council shall not have the authority to buy, sell, or encumber real property unless specifically authorized to do so by a

of the congregation.

- c. The Congregation Council may enter into contracts for items not included in the budget, as subject to the bylaws.

B12.05.04 The Congregation Council may secure loans up to \$6,000 total for the year by means of a line of credit to pay obligations in full on a monthly basis.

- B12.05.05 Otherwise, the Congregation Council is limited to contracts up to \$6,000 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 \$6,000 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 organizations.
- B12.05.06 The Congregation Council may incur obligations of more than \$3,000 in excess of anticipated receipts for the year only after approval by a congregation meeting.
- 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.
- B12.05.07 The Finance Committee shall review all requests for funds on a monthly basis and present their recommendations to the Congregation Council for final approval or action. Requests for funds already approved with the adoption of the yearly congregational budget shall carry the recommendation of approval, providing the funds are available to pay for the request. (Amended January 2011 Effective July 2011.)
- B12.05.08 Purchases of no more than \$200 \$500 may be made without prior approval of the Congregation Council. (~~Amended January 2011 Effective July 2011~~)
- B12.05.09 Non-budgeted purchases in excess of \$1,000 require two or more written bids before the purchase is approved by the Congregation Council, following the recommendation of the initiating committee and the Finance Committee. Consideration for the purchase will include identification of the location of funds to be disbursed (i.e., money in savings or budgeted funds). (Amended January 2011 Effective July 2011)
- C12.05 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 appointment and supervision of 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(s) 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. (Amended – January 30, 2005 Effective September 2010)

CHAPTER 13

CONGREGATION COMMITTEES

- C13.01 The officers of this congregation and the pastor(s) shall constitute the **Executive Committee**.
- B13.01.01 The Executive Committee shall act for the Congregation Council between meetings of the Congregation Council, supervise council and congregation committees and oversee communication between the Congregation Council and the Congregation.
- B13.01.02 The authority of the Executive Committee is subject to the limitations placed upon it by the Congregation Council.
- B13.01.03 The Executive Committee shall make the day to day decisions in the ministry of the congregation during a pastoral vacancy.
- C13.02 A **Nominating Committee** of this congregation shall be elected at the annual meeting for a term of one year. Members of the Nominating Committee are not eligible for consecutive reelection.
- B13.02.01 The Nominating Committee shall consist of six voting members of the congregation, two of whom, if possible, shall be outgoing members of the Congregation Council. The Nominating Committee shall elect its own chairperson.
- B13.02.02 The Nominating Committee shall seek recommendations from the Congregation Council in regard to skills and qualifications needed to form a well balanced Congregation Council, nominate one or more candidates for each office to be filled by the congregation at the annual meetings, assure themselves that the nominees are qualified for and understand the responsibilities of the office for which they are nominated, secure the consent of each candidate, and provide ballots for the elections.
- B13.02.03 The Nominating Committee shall see that the list of nominees is announced to the congregation before the annual meeting.
- B13.02.04 In addition to the candidates submitted by the Nominating Committee, additional nominations may be made from the floor.
- B13.02.05 The Congregation Council shall fill vacancies on the Nominating Committee.

- C13.03 An **Audit Committee** of three 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 years, with one member elected each year. Members shall be eligible for reelection.
- B13.03.01 The Audit Committee shall audit the financial records of the congregation treasurer, the financial secretary, Women of the ELCA, Men's Club, and Memorial Fund and report its findings to the congregation at the annual meeting.
- B13.03.02 The Audit Committee shall conduct an audit at least once a year to assure the congregation that its funds are being managed according to generally accepted accounting principles and the financial reports reflect an accurate picture of the congregation's financial condition. It shall review the insurance coverage of the congregation and make recommendations to the Congregation Council, advise the Congregation Council when financial records require a qualified opinion, and make recommendations for improving the management of congregational funds.
- C13.04** A **Mutual Ministry Committee** (in the absence of a Mutual Ministry committee, the duties shall be fulfilled by the Executive Committee) shall be appointed jointly by the president and the pastor. Term of office shall be **two** **three** years, with three members to be appointed each successive year.
- C13.05 When a pastoral vacancy occurs, a **Call Committee** shall be elected by the Congregation. Term of office will terminate upon installation of the newly called pastor. (Amended January 2005 - Effective July 2011)
- B13.05.01 The Call Committee shall consist of seven voting members of the congregation none of whom shall be staff members. (Amended January 2005 Effective July 2011)
- B13.05.02 Candidates for the Call Committee shall be nominated by the current Nominating Committee of the congregation for election by the congregation along with any nominations from the floor. Election shall be by simple majority of the quorum of the congregation meeting. (Amended January 2005 Effective July 2011)
- B13.05.03 The elected Call Committee shall consult with the bishop of the synod and with the Congregation Council to set guidelines for the call process. (Amended January 2005 Effective July 2011)
- B13.05.04 When the Call Committee selects a candidate the name shall be forwarded to the Congregation Council for preparation of a compensation and benefits package and a Letter of Call to be presented to the congregation for consideration. (Amended January 2005 Effective July 2011)
- C13.06 Other committees of this congregation may be formed as the need arises, by decision of the Congregation Council. At its first meeting of the year, the

new Congregation Council shall appoint such standing committees as the local and wider concerns of the congregation require. Each such committee will include a liaison representative from the Congregation Council and other confirmed members as required. Although appointed by and responsible to the Congregation Council, these committees shall be recognized to be representative of the interests of the congregation as a whole.

- C13.07 Duties of the committees of the congregation shall be specified in the continuing resolutions.
- 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 Nomination Committee.

Chapter 14

ORGANIZATIONS WITHIN THE CONGREGATION

- C14.01 All organizations within this congregation shall exist to aid it in ministering to the members of this congregation and to all persons who can be reached with the Gospel of Christ. As outgrowths and expressions of this congregation's life, the organizations are subject to its oversight and direction. This congregation at its 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 Congregation Council and specified in a continuing resolution.

Chapter 15

DISCIPLINE OF MEMBERS AND ADJUDICATION

- *C15.01 Denial of the Christian faith as described in this constitution, conduct grossly unbecoming a member of the Church of Christ, or persistent trouble-making in this congregation are sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation will be attempted following Matthew 18:15-17 proceeding through these successive steps;
- a. private admonition by the pastor,
 - b. admonition by the pastor in the presence of two or three witnesses,
- and
- c. citation to appear before the Congregation Council.
- If, for any reason, the pastor is unable to administer the admonitions required by a. and b. hereof, the president (if not the pastor) or vice president shall administer such admonitions.
- *C15.02 The process for discipline of a member of the congregation shall be governed as prescribed by the chapter on discipline in the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America If

discipline against a member proceeds beyond counseling and admonition by the pastor, the charges against the accused member(s) that are specific and in writing shall be prepared by member(s) of the congregation who shall sign the charges as the accuser(s). The written charges shall be filed with the pastor, who shall advise the Congregation Council of the need to issue a written citation to the accused and the accuser(s) that specifies the time and place of the hearing before the Congregation Council. The written charges shall accompany the written citation to the accused. The written citation that specifies the time and place of the hearing before the Congregation Council and

*C15.02 requests the presence of a member charged with the offense shall be sent at least ten days prior to the meeting. If the member charged with the offense fails to appear at the scheduled hearing, the Congregation Council may proceed with the hearing and may pass judgment in the member's absence.

*C15.03 Members of the Congregation Council who participate in the preparation of the written charges or who present evidence or testimony in the hearing before the Congregation Council are disqualified from voting upon the question of the guilt of the accused member. Should the allegations be sustained by a two-

thirds majority vote of the members of the Congregation Council who are not disqualified but who are present and voting, and renewed admonition prove ineffectual, the Council shall impose one of the following disciplinary actions:

a. censure before the Council or congregation;

b. suspension from membership for a definite period of time;

or

c. exclusion from membership in this congregation.

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

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

*C15.05 Disciplinary actions may be reconsidered and revoked by the Congregation Council upon receipt of:

a. evidence that injustice has been done;

or

b. evidence of repentance and amendment.

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

*C15.07 No member of a congregation shall be subject to discipline for offenses that the Congregation Council has previously heard and decided, unless so ordered by the Synod Council after appeal.

*C15.10 ADJUDICATION

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

synod shall consider the matter. If the Consultation Committee of the synod shall fail to resolve the issue(s), the matter shall be referred to the Synod Council, whose decision shall be final.

Chapter 16

BYLAWS

- *C16.01 This congregation may adopt bylaws. No bylaw may conflict with this constitution.
- *C16.02 Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a majority vote of those voting members present and voting.
- *C16.03 Changes to the bylaws may be proposed by any voting member provided, 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 by mail with the Council's recommendations at least 30 days in advance of the Congregation Meeting.
- *C16.04 Approved changes to the bylaws shall be sent by the secretary of the congregation to the synod.

Chapter 17

AMENDMENTS

- *C17.01 Unless provision *C17.04 is applicable, those sections of this constitution that are not required, in accord with the Model Constitution for congregations of the Evangelical Lutheran Church in America, may be amended in the following manner. Amendments may be proposed by at least 10% of the voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the congregation's members by mail of the proposal together with the Council's recommendations at least 30 days in advance of the meeting.
- *C17.02 An amendment to this constitution, proposed under *C17.01 shall:
 - a. be approved at a legally called congregation meeting according to this constitution by a majority vote of those present and voting;
 - b. be ratified without change at the next annual meeting by a two-thirds majority vote of those present and voting;and
 - c. have the effective date included in the resolution and noted in the constitution.
- *C17.03 Any amendments to this constitution that result from the processes provided in *C17.01. and *C17.02 shall be sent by the secretary of this congregation to the synod. The amendment shall become effective within 120 days from the date of the receipt of the notice by the synod unless the synod informs this congregation that the amendment is in conflict with the constitution and bylaws of the

Evangelical Lutheran Church in America or the constitution of the Northwestern Minnesota Synod.

- *C17.04 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 of America as most recently amended by the Churchwide Assembly. Such amendments may be approved by a simple majority vote of those voting members present and voting at any legally called meeting of the Congregation without presentation at a prior meeting of the congregation, provided that the Congregation Council has submitted by mail 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 ten per cent of the 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 synod. Such provisions shall become effective immediately following a vote of approval.

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 the 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 the 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.

END OF DOCUMENT.