

**CONSTITUTION
FOR THE
CONGREGATION
OF
THE
MESSIAH LUTHERAN CHURCH**



2012

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INTRODUCTION

This document was constructed following the provisions of the Model Constitution for Congregations of the Evangelical Lutheran Church in America, (ELCA), as originally adopted by the Constitutional Convention of this church in Columbus, Ohio, on April 30, 1987, and incorporating all changes up to and including the Amendments as approved by the 2011 Church-wide Assembly as prepared by the Office of the Secretary, ELCA, dated September 16, 2011.

References to church: Throughout this document, “Church” with a capital letter is used in references to the one, holy, catholic, and apostolic Church. In references to the ELCA, the words “church” and “this church” in lower case letters are used, although, for clarity and simplicity in this constitution, “ELCA” normally is used for the Evangelical Lutheran Church in America.

References to the congregation: The congregation as identified in C1.02., is referenced as “this congregation” and “the congregation.”

Required provisions: Sections of this constitution that are marked by an asterisk [*] are required when a congregation amends its governing documents. These sections were used without alteration or amendment of the text in any manner and are done so keeping with the provisions in the Constitution, Bylaws, and Continuing Resolutions of the ELCA.

Review by synod: All proposed changes in the constitution or incorporation documents of this congregation shall be referred to the synod identified in *C6.01, and referenced as “the synod.” In keeping with provisions that apply to all congregations of this church, this congregation will provide a copy of its governing documents to the synod, as specified by ELCA bylaws. The synod shall approve or disapprove the proposed changes within 120 days of receipt thereof, and shall notify the congregation of its decision; in the absence of a decision, the changes shall go into effect.

Codification explanation: A standard numerical arrangement exists that is in keeping with the provisions as outlined by the ELCA and indicates (a) general subject, (b) constitutional provisions, (c) bylaws, and (d) continuing resolutions contained herein.

a. **Major sectors are designated as chapters.** The chapter designation becomes the first number in the codification sequence and is followed by a period. Ex., provisions in “Chapter 8, Membership” are preceded by “8.”

b. **Constitutional provisions are codified with two sets of numbers:** The chapter number and a two-digit number preceding the second period in the codification. Thus, one constitutional provision related to “Membership” is codified *C8.02.

c. **Bylaw provisions are codified with three sets of numbers:** the chapter number, the related constitutional provision number, and a two-digit number. Thus, one bylaw provision related to “Membership” would be codified C8.02.01. Bylaws and Continuing Resolutions are specifically related to details of each congregation’s organization, operation, and life. As allowed by the ELCA, each congregation may develop its own bylaws and continuing resolutions, but no such bylaws or continuing resolutions may conflict with this constitution, the constitution and bylaws of the ELCA, and the constitution of the synod, as indicated in *C6.03.e.

d. The Congregation Council may adopt “**continuing resolutions**,” which may provide descriptions of operational patterns or of the ongoing responsibilities of committees or other units within the organizational structure of the congregation. Within the governing documents of a congregation, continuing resolutions are the provisions most easily amended. Unlike

constitutional provisions and bylaws, continuing resolutions may be updated regularly by the Congregation Council without the necessity of calling a regular or special Congregation Meeting. **Continuing resolutions also are codified with three sets of numbers except that the third set is preceded by a capital letter.** Thus, a continuing resolution might be numbered C13. to designate the chapter; C13.07. to designate the subject matter within the chapter; and the third set might be numbered A07. in the codification C13.07.A11., to indicate by the “A” that it is the first continuing resolution regarding that subject and to indicate by the “11” that it was adopted in 2011.

**CONSTITUTION
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***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 the Messiah Lutheran Church.

C1.01.01. The congregation shall be located in Reynoldsburg, Ohio, at 1200 Waggoner Road, 43068-7267.

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

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

C1.21. This congregation shall have a seal that is representative of our commitment to the Church and our confession of faith.

C1.21.01.A11. The seal of this congregation will be a shadowed cross with a stained glass background enclosed by a circle with the words "Messiah Lutheran Church" prominently offset to the right:



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.

* Required provision

- 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. 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.
 - 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 Council.
- *C4.05.** This congregation shall, from time to time, adopt a mission statement which will

provide specific direction for its programs.

- *C4.06.** References herein to the nature and relationship between the three expressions of the church – congregations, synods, and the churchwide organization – as being interdependent or as being in a partnership relationship described 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.
- C4.07.** This congregation shall develop mission and values statements or listings, and to cause such mission and values to be broadly published.
- C4.07.01.A11.** The mission statement of this congregation shall be: “Loving God....Loving Each Other.”
- C4.07.01.B11.** The Values of this congregation shall be: Welcome, Worship, Teach, Grow, Serve, Respect, Empower.

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;
 - 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, 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 Southern Ohio 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 Southern Ohio 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 relationship of full communion.
 - 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 this congregation by a two-thirds majority of the voting members present. Such meeting may be held no sooner than 30 days after written notice of the meeting is received by the bishop's designees, if any. The times and manner of the consultation shall be determined by the bishop in consultation with the congregational council. Unless he or she is a voting member of the congregation, the bishop and the bishop's designees, if any, shall have a voice but not vote at the meeting.

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 this 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 the bishop at least 10 days in advance of the meeting. Unless he or she is a voting member of the congregation, the bishop and the bishop's designees, if any, shall have a voice but not vote at the meeting.

e. A copy of the resolution, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, shall be sent to the bishops within 10 days after the resolution has been adopted, at which time the relationships 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 and published 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 have been members of the Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in *C6.05., receive Synod Council 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 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 the 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 the 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 Southern Ohio 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 Southern Ohio 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.
- C7.05. Notwithstanding the provisions of *C7.02. and *C.7.03. 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 Southern Ohio Synod, re-convey 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.

d. **Associate** members are persons holding membership in other Christian congregations who wish to retain such membership but desire to participate in the life and mission of this congregation, or persons who wish to retain a relationship with this congregation while being members of other congregations. They have all the privileges and duties of membership except voting rights and eligibility for elected offices or membership on the Congregation Council of this congregation.

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

C8.03.01. a. Persons who wish to be received into this congregation by transfer of membership from another Lutheran congregation, or by renewal of membership, or by application, shall make their desire known to the pastor(s), who shall bring the matter to the attention of council. Upon approval of the council, the names of such persons shall be announced to the congregation and such persons thereby admitted to membership.

b. Persons who wish to be received into this congregation who are not members of a Lutheran Church shall be instructed in the faith and life of the Lutheran Church; their names shall be presented to the Congregation Council, and they shall then be received into membership in this congregation upon profession of faith.

***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.

C8.04.01. Transfer of membership. Persons wishing to transfer his membership from this congregation to another Lutheran congregation shall make his/her desire known to the pastor(s). The pastor shall determine the standing in the congregation of the person desiring such transfer, and on the basis of his determination and the recommendation of the Congregation Council, take appropriate action on the request.

C8.04.02. Release of membership. Persons wishing to be released from this congregation in order to establish membership with another Christian congregation shall make his/her desire known to the pastor(s), who shall bring the matter to the attention of the Congregation Council. The Congregation Council shall determine the standing in the congregation of the person desiring such a release. On the basis of the Congregation Council's determination the person may be granted a release to unite with another Christian congregation.

C8.04.03. Annual Membership listing and dropped from the rolls. Members shall be subject to annual listing by the council. Members shall have communed and made a contribution of record during the current or preceding year. Members shall attend worship, and in the judgment of the pastor and the council have reasonable fulfilled the duties defined in C8.02.c. and C8.04., unless hindered by sickness or other circumstances beyond their control. Members, resident or nonresident, who have not fulfilled the requirements for membership unless hindered by circumstances beyond their control shall be dropped from the roll of membership and be notified by letter.

a. A member shall be contacted by the pastor or other representative of the congregation prior to being dropped from the roll. The member shall be encouraged to participate.

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

- a. death;
- b. resignation;
- c. transfer or release;
- d. disciplinary action by the Congregation Council; 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.

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][the Congregation Council] to recommend the call, shall seek the advice and help of the bishop of the synod.

***C9.02.** Only a member of the clergy roster of 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 Southern Ohio 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, either in 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 *C9.05.b. shall decide on the course of action to be recommended to the pastor and the congregation. If they agree to carry out such recommendations, no further action shall be taken by the synod. If either party fails to assent, the congregation may dismiss the pastor 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 *C9.05.b. or d., it should become apparent that the pastoral office cannot be conducted effectively in the congregation(s) being served by the ordained minister due to local conditions, the bishop of the synod may temporarily suspend the pastor from service in the congregation(s) without prejudice and with pay provided through a joint synodical and churchwide fund and with housing provided by the congregation(s).

- *C9.06. At a time of pastoral vacancy, an interim pastor shall be appointed by the bishop of the synod with the consent of this congregation or the Congregation Council.
- *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 a call may also be terminated before its expiration in accordance with the provisions of *C9.05.a.
- *C9.12. The pastor of this congregation:
 - a. shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation;
 - b. shall submit a summary of such statistics annually to the synod; and
 - c. shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.
- *C9.13. The pastor(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.
- *C9.14. The parochial records of this congregation shall be maintained by the pastor and shall remain the property of the congregation. The secretary of this congregation shall attest in writing to the bishop of this synod that such records have been placed in his or her hands in good order by a departing pastor before the installation of that pastor in another field of labor or the granting by the synod of retired status to the pastor.
- C9.20. Ecumenical pastoral ministry. 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.
- C10.01.01.** The annual meeting of this congregation shall be held no less than ten months and no more than fourteen months from the date of the previous annual congregational meeting.
- C10.01.02.** The annual meeting shall be held with the intent of the election of members to the Congregational Council and other routine congregational business as required.
- 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 at least twenty-five 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. To the greatest extent possible, the notice shall be included in the regularly published monthly congregational publication. Electronic notice of meetings may be provided in addition to notice by regular mail.
- C10.04.** The voting members present shall constitute a quorum. The total votes counted during any congregational meeting shall include members present and those voting by duly provided absentee ballots.
- C10.05.** Voting by proxy at all meeting 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, by laws or by state law.
- C10.06.01.** All voting members are eligible to vote at all meetings by absentee ballots. Absentee ballots will be available, for those members unable to attend a duly called meeting, at the public services on two consecutive Sundays immediately preceding the date of the meeting. Absentee ballots will not be mailed.
- C10.06.A11.** Absentee ballots shall be distributed by Congregational Council members or duly designated individuals.
- C10.06.B11.** Absentee ballots shall be designed in such a way to preserve the integrity of the voting process and to avoid confusion. Colored paper with the congregation seal and a numbering system will be used to the greatest extent possible.
- C10.06.C11.** All completed absentee ballots must be returned to the church no later than the beginning of the congregational meeting. Absentee ballots received after the commencement of the meeting will not be considered. Mail in ballots will be accepted consistent with this provision.
- C10.07.** The results of all voting will be provided to the congregation prior to the closing of the meeting.

C10.08. *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, 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.
- d. The Congregation Council shall elect its officers and they shall be selected from the elected membership of the Congregation Council.
- e. If the secretary and/or the treasurer is not selected from the elected membership of the Congregation Council, either of which shall have a voice but not a vote at the meetings of the Congregation Council.

C11.02. The Congregation Council 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 first Congregational Council meeting at which they are elected.

C11.03. No officer shall hold more than one office at a time.

C11.04. Officer Term Limits: No officer should serve more than four consecutive years.

C11.04.01. The Secretary and Treasurer may serve additional terms, without limits, with the consent of the Pastor and unanimous approval of the Congregational Council.

C11.05. Duties of the Officers:

C11.05.01. The President shall preside over meetings of the Congregation Council and of the congregation. In the event of the president's absence the Senior Pastor shall preside. As soon as possible after election, the president, with the approval of the council, shall appoint either from the Council or from the congregation, a Secretary and a Treasurer.

C11.05.02. The president of the congregation shall have the privilege of serving as ex-officio member on all the various committees and ministries identified in Chapter 13. The Standing liaisons for the various committees and ministries necessary to effectively carry out the mission of the congregation shall be reviewed by the president and approved with the Council at the first meeting of the newly elected members.

C11.05.03. The president, subject to the approval of council, shall appoint a statutory agent whose duties it shall be to represent the church body in all legal matters, pursuant to Section 1701.01 (D), 1702.06 (D) Revised Code of the State of Ohio.

C11.05.04. The council president and the treasurer shall be the trustees of the congregation. They shall represent the congregation in all legal matters and shall obtain the approval of council for their actions in all leadership.

C11.05.04.A11. The President shall arrange for an annual audit of the treasurer's books using the ELCA's audit guidelines.

C11.05.05. The Pastor shall function as the President in the event of the president's absence.

C11.05.06. The Secretary shall keep a permanent record of the minutes of the council and congregational meetings and shall preserve its archives.

C11.05.07. The Secretary shall be responsible for all correspondence to the Synod as required

by this constitution.

- C11.05.08.** Treasurer Duties and Guidelines: The treasurer shall serve as a trustee and record all monies received and disbursed. The treasurer shall disburse by check only in accordance with the decision of the council and/or the congregation, and shall report monthly to the council and annually to the congregation.
- C11.05.08.A11.** All checks require the signature of any two of the following officers: the Treasurer, the President; and/or the Accounts Payable Clerk.
- C11.05.08.B11.** The Treasurer is responsible for the supervision and execution of the duties of the Accounts Payable Clerk.
- C11.05.08.C11.** The Accounts Payable Clerk is responsible for paying all obligations, less payroll and payroll taxes that may be incurred by the congregation. The Accounts payable Clerk will be guided in the execution of said duties under the direction of the Accounts Payable Policy and is authorized by such to be a signatory to checks written on behalf of this congregation.

Chapter 12.

CONGREGATION COUNCIL

- C12.01.** The voting membership of the Congregation Council shall consist of the pastor or pastors, the officers of the congregation, as described in C11.01.e., and not more than seven (7) nor fewer than five (5) additional members of the congregation. At least one of whom should be a young adult. Any voting member of the congregation may be elected, subject only to the limitation on the length of continuous service permitted in that office as described in C11.04. 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 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 pastor(s) shall be elected by written ballot to serve for two 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 on the first of the month following their election and ending after their replacements have been duly elected and installed. Congregational Council members shall be installed at worship at the Sunday prior to the date they assume office.
- C12.02.01.** Election of Council Members:
- a. Voting members in good standing who are at least 18 years of age shall be eligible for election to the Congregation Council.
 - b. To ensure continuity of leadership, three members of council shall be elected to a two-year term annually.
 - c. An informal nomination committee consisting of the Congregation Council shall identify prospective members at least two months in advance of the election meeting. The Council should nominate two more candidates than the number of vacancies to be filled. The Council shall cause to be published and declared a list of the candidates at least two weeks prior to the election meeting. Additional nominations may be made from the floor only with the consent of the nominee.
 - d. Of the candidates for council, the 3 receiving the greatest number of the votes cast shall be elected for a full two-year term. If at any given election there are additional vacancies to be filled, the candidates, equal in number to such vacancies receiving the next greatest number of votes cast shall be elected to the specified or

unexpired term of such vacancies.

e. At the first meeting following election, the Congregation Council shall convene for purpose of organization. A president shall be elected by written ballot. The balloting for the office shall be continued until one nominee has a majority of votes.

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.

C12.03.01. If the President of the Congregation Council is unable to complete his/her term in office, the Council shall elect from their membership a President that will serve through December of that year. The Congregation Council will also fill the vacancy on Council in accordance with C12.03.

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 ELCA. 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 organization of the ELCA as well as cooperation with other congregations, both Lutheran and non-Lutheran, subject to established policies of the synod and the ELCA.

i. To recommend and encourage the use of program resources produced or approved by the ELCA.

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 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 Ohio, 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 \$2,000.00 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 \$24,000 in excess of the anticipated receipts only after approval by a Congregation Meeting. The budget should 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 of the call, or terms of call, or termination of call of any employees who are on a roster of this church.

C12.08.01. The Congregational Council may give responsibility to supervise the staff of the congregation to the Pastor(s) or other designees.

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 pastor or interim pastor, except when the pastor or interim pastor requests or consents to be absent and has given prior approval to the agenda for a particular regular or special meeting, which shall be the only business considered at that meeting. Chronic or repeated absence of the pastor or interim pastor who has refused approval of the agenda of a subsequent regular or special meeting shall not preclude action by the Congregation Council, following consultation with the synodical bishop.

Chapter 13.

CONGREGATION COMMITTEES AND MINISTRIES

C13.01. The officers of this congregation and the pastor shall constitute the *Executive Committee*.

C13.02. An *Audit Committee* of three voting members shall be selected by the Congregation Council. Audit Committee members shall not be members of the Congregation Council. The term of office shall be for the period required to accomplish an audit of the financial records of the congregation.

C13.03. A *Mutual Ministry* (or equivalent staff support committee) of three voting members of the congregation shall be appointed jointly by the president and the pastor and approved by the Congregation Council. In the absence of this committee, their duties shall be fulfilled by the executive committee. Once established, the term of office shall be two years, with one new member to be appointed each successive year.

C13.04. When a pastoral vacancy occurs, a *Call Committee* of voting members shall be elected by the Congregation Council. The term of office will conclude following the installation of a newly called pastor.

C13.04.01. When it becomes necessary for this congregation to issue a pastoral call, a Pastoral Call Committee shall be formed by the Council. It shall be comprised of at least one council member and no less than six other church members, of good standing, not holding council membership. They shall seek the advice, help and direction of the Bishop of the Synod and shall submit their recommendations to the council president.

C13.05. Duties of committees and ministries of this congregation shall be specified in the bylaws and continuing resolutions.

C13.06. The pastor(s) and President of this congregation shall be *ex officio* a member of all committees and boards of the congregation.

C13.07. Other committees or Ministries of this congregation may be formed, as the need arises, by decision of the Congregation Council.

C13.07.01. Committees or Ministries not identified above will operate on annual terms beginning July 1 of each year.

C13.07.02. The President, with approval of the Congregation Council, shall appoint chairpersons for each committee or ministry, who shall serve continuously in that position until, a) resignation; or b) asked to resign by Council.

C13.07.03. The objectives, responsibilities and authorities of any Committees or Ministries not identified herein shall be specified in writing by the Council at the time of their appointment or creation.

C13.07.04. All Committees or Ministries actions requiring Congregational Council approval shall be submitted to the Council in writing.

C13.08. Committees and Ministry Duties.

C13.08.01. The *Community Outreach Ministry* will serve others by maintaining sub-ministries dedicated to serving others listed in the below continuing resolution.

- C13.08.01.A11.**
- a. Joseph's Coat clothing and furniture ministry
 - b. Faith on Eight
 - c. Rebecca's Place
 - d. YMCA Family Center
 - e. Food Panty operations and support
 - f. Other activities designed to support the lives and faith of those in our community

C13.08.02. The *Education Ministry* will serve others through teaching, encouraging and empowerment to help all people grown in faith with activities listed in the below continuing resolution.

- C13.08.02.A11.**
- a. Children's and Adult Sunday School
 - b. High School Youth Program
 - c. Vacation Bible School
 - d. Confirmation Classes
 - e. Messiah Night activities
 - f. Special events and activities designed to stimulate and increase the faith-based education of all peoples of this congregation and our

community

C13.08.03. The *Fellowship and Hospitality Ministry* will serve others through promoting a sense of community that encourages all to grow together in Grace, share our experiences, strengthen each other and celebrate the life of Christ and this congregation with activities listed in the below continuing resolution.

- C13.08.03.A11.**
- a. Messiah Night Meals
 - b. Fellowships before and after services
 - c. Special activities designed to promote participation among our members
 - d. Organize and arrange for special congregational events

C13.08.04. The *Property and Landscaping Ministry* will serve to maintain, improve and enhance the congregation's buildings and grounds. Making the best use of our times, talents and resources with activities listed in the below continuing resolution.

- C13.08.04.A11.**
- a. Maintain a custodial process
 - b. Oversee utilities and trash removal, grounds maintenance and snow removal
 - c. Effect repairs, modifications and improvements to the congregation's buildings and grounds
 - d. Oversee the maintenance, repair and operations of the Parsonage
 - e. Budget for Insurance, HVAC, Inspections and purchases for the various properties
 - f. Execute special activities designed to improve and maintain the various properties and stimulate participation on the part of all peoples of this congregation and our community

C13.08.05. The *Stewardship Ministry* will serve to promote financial support and encourage participation in the operations and ministries of this congregation by making the best use of our times, talents and resources with activities listed in the below continuing resolution.

- C13.08.05.A11.**
- a. Maintain a continuing program of Ministry development and involvement
 - b. Oversee the distribution of giving envelopes, pledge cards and informational items to promote the financial health and well-being of the congregation and ministries
 - c. Assist the President in the execution of an annual audit of the congregation's finances
 - d. Execute special activities designed to improve and maintain the financial stability of the congregation and stimulate participation on the part of all peoples of this congregation and our community

C13.08.06. The *Welcome Committee Ministry* will serve to welcome all who come through the doors of this congregation and to educate all peoples to the mission of Messiah with activities listed in the below continuing resolution.

- C13.08.06.A11.**
- a. Maintain a program of education in the community about this congregation
 - b. Maintain a greeter program
 - c. Develop visitor information resources, collect and record visitor

information, conduct visitor follow-ups

- d. Assists in consistent, enthusiastic pastoral support in the community
- e. Execute special activities designed to improve and maintain the growth of the congregation and stimulate participation on the part of all peoples of this congregation and our community

C13.08.07. The *Worship and Music Ministry* will serve to sustain, promote and enrich the worship experience for all members and visitors of this congregation with activities listed in the below continuing resolution.

- C13.08.07.A11.**
- a. Provide meaningful worship services that enriches all members and attracts visitors and new members in the community to this congregation
 - b. Maintain an easy and orderly flow to our worship services that is welcoming
 - c. Develop and maintain enthusiasm about our services and promotes a sense and desire to return and stay with this congregation
 - d. Execute special activities designed to improve and maintain the worship experience of the congregation and stimulate participation on the part of all peoples of this congregation and our community

C13.08.08. The *Finance Ministry* will serve to promote the financial well-being of the Congregation through oversight and development of financial plans and activities listed in the below continuing resolution.

- C13.08.08.A11.**
- a. Oversee the Treasurer of the Congregation
 - b. Assist in the preparation of the Annual Budget
 - c. Assist in the preparation of monthly financial statements
 - d. Develop and maintain a banking and investment strategy and conduct all bank and investment statement reconciliations
 - e. Execute special activities designed to improve and maintain the financial stability of the congregation and stimulate participation on the part of all peoples of this congregation and our community

C13.08.09. The *Messiah Christian Preschool* will provide Christian-based, early childhood education for children of the Congregation and the community through day to-date classes. The general organization structure of the Preschool is as follows:

- C13.08.09.A11.**
- a. Organized and administered by a *Preschool Director*
 - b. Overseen by a *Preschool Board*, with a designated board *President*
 - c. Be assisted in administration by a *Preschool Treasurer*
 - d. Overarching control and ultimate responsibility of the Preschool is a responsibility of the *Congregational Council*
 - e. The *Pastor(s)* are to provide encouragement and support, council and vision to the Preschool Director and Board. And, will ensure that the vision of the church is carried out through the vision of the Preschool.
 - f. The *Congregational Council* will ensure that the appropriated documents, vision, mission, organizational structure, and operations of the Preschool are properly completed and executed.

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 ELCA, 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.** 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, 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 accusers 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 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 an appeal.
- *C15.10. **Adjudication**
- *C15.11. When there is disagreement among factions within this congregation on a substantive issue that cannot be resolved by the parties, members of this congregation shall have access to the synodical bishop for consultation after informing the chair of the Congregation Council of their intent. If the consultation fails to resolve the issue(s), the Consultation Committee of the synod shall consider the matter. If the Consultation Committee of the synod shall fail to resolve the issue(s), the matter shall be referred to the Synod Council, whose decision shall be final.

Chapter 16.

BY LAWS

- *C16.01. This congregation may adopt bylaws. No bylaw may conflict with this constitution.
- *C16.02. By laws 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 of the proposal 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 this 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 three (3) 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, (such an effective date must

be stated in relation to the requirements of *C17.03. to allow time for a synod review of the amendment) 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 Southern Ohio Synod of the ELCA.
- *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 in 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 twenty-five (25) 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 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.