

LORD OF LIFE LUTHERAN CHURCH CONSTITUTION

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CONSTITUTION

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**CONSTITUTION
BYLAWS AND CONTINUING RESOLUTIONS
of the
Lord of Life Lutheran Church
BISMARCK, NORTH DAKOTA**

***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 Lord of Life Lutheran Church.
- C1.02.** For the purpose of this constitution and the accompanying bylaws, the Lord of Life Lutheran Church congregation is hereinafter designated as "this congregation."
- C1.03.** This congregation shall be incorporated under the laws of the State of North Dakota.

Chapter 2. CONFESSION OF FAITH

- *C2.01.** This congregation confesses the Triune God, Father, Son, and Holy Spirit.
- *C2.02.** This congregation confesses Jesus Christ as Lord and Savior and the Gospel as the power of God for the salvation of all who believe.
- a. Jesus Christ is the Word of God incarnate, through whom everything was made and through whose life, death, and resurrection God fashions a new creation.
 - b. The proclamation of God's message to us as both Law and Gospel is the Word of God, revealing judgment and mercy through word and deed, beginning with the Word in creation, continuing in the history of Israel, and centering in all its fullness in the person and work of Jesus Christ.
 - c. The canonical Scriptures of the Old and New Testaments are the written Word of God. Inspired by God's Spirit speaking through their authors, they record and announce God's revelation centering in Jesus Christ. Through them God's Spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.
- *C2.03.** This congregation accepts the canonical Scriptures of the Old and New Testaments as the inspired Word of God and the authoritative source and norm of its proclamation, faith, and life.

- *C2.04.** This congregation accepts the Apostles', Nicene, and Athanasian Creeds as true declarations of the faith of this congregation.
- *C2.05.** This congregation accepts the Unaltered Augsburg Confession as a true witness to the Gospel, acknowledging as one with it in faith and doctrine all churches that likewise accept the teachings of the Unaltered Augsburg Confession.
- *C2.06.** This congregation accepts the other confessional writings in the Book of Concord, namely, the Apology of the Augsburg Confession, the Smalcald Articles and the Treatise, the Small Catechism, the Large Catechism, and the Formula of Concord, as further valid interpretations of the faith of the Church.
- *C2.07.** This congregation confesses the Gospel, recorded in the Holy Scriptures and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God's mission in the world.

Chapter 3. NATURE OF THE CHURCH

- *C3.01.** All power in the Church belongs to our Lord Jesus Christ, its head. All actions of this congregation are to be carried out under his rule and authority.
- *C3.02.** This church confesses the one, holy, catholic, and apostolic Church and is resolved to serve Christian unity throughout the world.
- *C3.03.** The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the Church, and the universal Church exists in and through congregations. The Evangelical Lutheran Church in America, therefore, derives its character and powers both from the sanction and representation of its congregations and from its inherent nature as an expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in the historic continuity of the communion of saints; in breadth, it expresses the fellowship of believers and congregations in our day.
- *C3.04.** This church, inspired and led by the Holy Spirit, participates in The Lutheran World Federation as a global communion of churches, engaging in faithful witness to the gospel of Jesus Christ and in service for the sake of God's mission in the world.
- *C3.05.** The name Evangelical Lutheran Church in America (ELCA or "this church") as used herein refers in general references to this whole church, including its three expressions: congregations, synods, and the churchwide organization. The name Evangelical Lutheran Church in America is also the name of the corporation of the churchwide organization to which specific references may be made herein.

Chapter 4. STATEMENT OF PURPOSE

- *C4.01.** The Church is a people created by God in Christ, empowered by the Holy Spirit, called and sent to bear witness to God's creative, redeeming, and sanctifying activity in the world.
- *C4.02.** To participate in God's mission, this congregation as a part of the Church shall:
 - a. Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, and service.
 - b. Proclaim God's saving Gospel of justification by grace for Christ's sake through faith alone, according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.
 - c. Carry out Christ's Great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministry with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.
 - d. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity, justice, and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, embracing and welcoming racially and ethnically diverse populations, and standing in solidarity with the poor and oppressed, and committing itself to their needs.
 - e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.
 - f. Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity which the Spirit gives.
- *C4.03.** To fulfill these purposes, this congregation shall:
 - a. Provide services of worship at which the Word of God is preached and the sacraments are administered.
 - b. Provide pastoral care and assist all members to participate in this ministry.
 - c. Challenge, equip, and support all members in carrying out their calling in their daily lives and in their congregation.
 - d. Teach the Word of God.

- e. Witness to the reconciling Word of God in Christ, reaching out to all people.
- f. Respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.
- g. Motivate its members to provide financial support for this congregation's ministry and the ministry of the other expressions 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.

C4.03.A23. Communion participation.

- a. Holy Communion is celebrated weekly. All are welcome. This is the Lord's table. He is the host. We are his guests. Those who come to receive the gifts of Christ's body and blood for the strengthening of their faith and the forgiveness of their sins are welcome to eat and drink. Baptism generally precedes communion; however, all are welcome at the calling of the Spirit. Children are welcome to commune as soon as the parent(s) agree to begin that practice; this may occur as early as when a child can receive solid food. Instruction about Baptism and Communion is woven throughout all our teachings to parents, children and adults. Appreciation of the sacraments is a lifelong journey to which all are invited to participate.
- *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.
 - *C4.05.** This congregation shall adopt and periodically review a mission statement which will provide specific direction for its programs.
 - *C4.06.** References herein to the nature of the relationship between the three expressions of this church—congregations, synods, and the churchwide organization—as being interdependent or as being in a partnership relationship describe the mutual responsibility of these expressions in God's mission and the fulfillment of the purposes of this church as described in this chapter, and do not imply or describe the creation of partnerships, co-ventures, agencies, or other legal relationships recognized in civil law.

Chapter 5. POWERS OF THE CONGREGATION

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

- *C5.02.** The powers of this congregation are vested in the Congregation Meeting called and conducted as provided in this constitution and bylaws.
- *C5.03.** Only such authority as is delegated to the Congregation Council or other organizational units in this congregation's governing documents is recognized. All remaining authority is retained by this congregation. This congregation is authorized to:
- a. call a pastor as provided in Chapter 9;
 - b. terminate the call of a pastor as provided in Chapter 9;
 - c. call a minister of Word and Service;
 - d. terminate the call of a minister of Word and Service in conformity with the constitution of the Evangelical Lutheran Church in America;
 - e. adopt amendments to the constitution, as provided in Chapter 16, amendments to the bylaws, as specified in Chapter 17, and continuing resolutions, as provided in Chapter 18.
 - f. approve the annual budget;
 - g. acquire real and personal property by gift, devise, purchase, or other lawful means;
 - h. hold title to and use its property for any and all activities consistent with its purpose;
 - i. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
 - j. elect its officers, Congregation Council, Teams, and committees, and require them to carry out their duties in accordance with the constitution, bylaws, and continuing resolutions; and
 - k. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.
- *C5.04.** This congregation shall elect from among its voting members laypersons to serve as voting members of the Synod Assembly as well as persons to represent it at meetings of any conference, cluster, coalition, or other area subdivision of which it is a member. The number of persons to be elected by this congregation and other qualifications shall be as prescribed in guidelines established by the Western North Dakota 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 Western North Dakota Synod of the Evangelical Lutheran Church in America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America.
- *C6.02.** This congregation accepts the Confession of Faith and agrees to the purposes of the Evangelical Lutheran Church in America and shall act in accordance with them.
- *C6.03.** This congregation acknowledges its relationship with the Evangelical Lutheran Church in America in which:
 - a. This congregation agrees to be responsible for its life as a Christian community.
 - b. This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.
 - c. This congregation agrees to call pastoral leadership from the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod. These special circumstances are limited either to calling a candidate approved for the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or to contracting for pastoral services with a minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion.
 - d. This congregation agrees to consider ministers of Word and Service for call to other staff positions in this congregation according to the procedures of the Evangelical Lutheran Church in America.
 - e. This congregation agrees to file this constitution and any subsequent changes to this constitution with the synod for review to ascertain that all of its provisions are in agreement with the constitution and bylaws of the Evangelical Lutheran Church in America and with the constitution of the synod.
- *C6.04.** Affiliation with the Evangelical Lutheran Church in America is terminated as follows:
 - a. This congregation takes action to dissolve.
 - b. This congregation ceases to exist.
 - c. This congregation is removed from membership in the Evangelical Lutheran Church in America according to the procedures for discipline of the Evangelical

Lutheran Church in America or in accordance with provision 9.23. of the constitution and bylaws of the Evangelical Lutheran Church in America.

- d. The Western North Dakota Synod takes charge and control of the property of this congregation to hold, manage, and convey the same on behalf of the synod pursuant to S13.24. of the synod constitution. This congregation shall have the right to appeal the decision to the next Synod Assembly.
- e. This congregation follows the procedures outlined in C6.05.

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

- a. A resolution indicating the intent to terminate its relationship must be adopted at two legally called and conducted special meeting of this congregation by a two-thirds vote of the voting members present at each meeting. The first such meeting may be held no sooner than 30 days after written notice of the meeting is received by the bishop of the synod, during which time this congregation shall consult with the bishop and the bishop's designees, if any. The times and manner of the consultation shall be determined by the bishop in consultation with the Congregation Council. Unless the bishop and/or the bishop's designees are voting members of this congregation, they shall have voice but not vote at the first meeting.
- b. Within 10 days after the resolution has been voted upon at the first meeting, the secretary of this congregation shall submit a copy of the resolution to the bishop, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, and shall send copies of the resolution and certification to voting members of this congregation.
- c. If the resolution was adopted by a two-thirds vote of the voting members present at the first meeting, the bishop of the synod and this congregation shall continue in consultation, as specified in paragraph a. above, during a period of at least 90 days after receipt by the bishop of the attestation and certification as specified in paragraph b. above.
- d. If this congregation, after such consultation, is still considering termination of its relationship with this church, such action may be taken at a legally called and conducted special meeting by a two-thirds vote of the voting members present. Notice of the second meeting shall be sent to all voting members and to the bishop at least 10 days in advance of the meeting. Unless is the bishop and/or the bishop's designees are voting members of this congregation, they shall have voice but not vote at the second meeting.
- e. Within 10 days after the resolution has been voted upon, the secretary of this congregation shall submit a copy of the resolution to the bishop, attesting that the

second special meeting was legally called and conducted and certifying the outcome of the vote, and shall send copies of the resolution and certification to the voting members of the congregation. If the resolution was adopted by a two-thirds vote of the voting members present at the second meeting, the relationship between the congregation and this church shall be terminated subject to Synod Council approval as required by paragraphs f. and g. below.

- f. Unless this notification to the bishop also certifies that this congregation has voted to affiliate with another Lutheran denomination, this congregation shall be deemed an independent or non-Lutheran church, in which case C7.04. shall apply.
 - g. This congregation shall abide by these covenants by and among the three expressions of this church:
 - 1) Congregations seeking to terminate their relationship with this church which fail or refuse to comply with each of the foregoing provisions in C6.05. shall be required to receive Synod Council approval before terminating their membership in this church.
 - 2) Congregations which had been members of the Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in C6.05., to receive synod approval before terminating their membership in this church.
 - 3) Congregations established by the Evangelical Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in *C6.05., to satisfy all financial obligations to this church and receive Synod Council approval before terminating their membership in this church.
 - h. If this congregation fails to achieve the required two-thirds vote of voting members present at this congregation's first meeting as specified in paragraph a. above, or fails to achieve the required two-thirds vote of voting members present at this congregation's second meeting as specified in paragraph d. above, another attempt to consider termination of relationship with this church must follow all requirements of C6.05. and may begin no sooner than six months after the meeting at which the two-thirds vote was not achieved.
- *C6.06.** If this congregation considers relocation, it shall confer with the bishop of the synod in which it is territorially located and the appropriate unit of the churchwide organization before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is taken.
- *C6.07.** If this congregation considers developing an additional site to be used regularly for worship, it shall confer with the bishop of the synod in which it is territorially located and the appropriate unit of the churchwide organization before any steps are taken leading to such action.

Chapter 7. PROPERTY OWNERSHIP

- *C7.01.** If this congregation ceases to exist, title to undisposed property shall pass to the Western North Dakota Synod of the Evangelical Lutheran Church in America.
- *C7.02.** If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline or pursuant to 9.23 of the constitution and bylaws of the Evangelical Lutheran Church in America, title to property shall continue to reside in this congregation.
- *C7.03.** If the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to transfer to another Lutheran church body, title to property shall continue to reside in this congregation, provided the process for termination of relationship in *C6.05. has been followed. Before this congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of the Western North Dakota Synod.
- *C7.04.** If the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to become independent or relate to a non-Lutheran church body and have followed the process for termination of relationship in C6.05., title to property of this congregation shall continue to reside in this congregation only with the consent of the Synod Council. The Synod Council, after consultation with this congregation by the process established by the synod, may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of this congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America. In neither case does title to this congregation's property transfer to the synod.
- *C7.05.** Notwithstanding the provisions of *C7.02. and *C7.03. above, where this congregation has received property from the synod pursuant to a deed or other instrument containing restrictions under provision 9.71.a. of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*, this congregation accepts such restrictions and:

 - a. Shall not transfer, encumber, mortgage, or in any way burden or impair any right, title, or interest in the property without prior approval of the Synod Council.
 - b. Shall—upon written demand by the Synod Council, pursuant to S13.23. of the constitution of the Western North Dakota Synod—reconvey and transfer all right, title, and interest in the property to the synod.

Chapter 8. MEMBERSHIP

- *C8.01.** Members of this congregation shall be those baptized persons on the roll of this congregation at the time that this constitution is adopted and those who are admitted

thereafter and who have declared and maintain their membership in accordance with the provisions of this constitution and its bylaws.

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

- a. **Baptized** members are those persons who have been received by the Sacrament of Holy Baptism in this congregation, or, having been previously baptized in the name of the Triune God, have been received by certificate of transfer from other Lutheran congregations or by affirmation of faith.
- b. **Confirmed** members are baptized persons who have been confirmed in this congregation, those who have been received by adult baptism or by transfer as confirmed members from other Lutheran congregations, or baptized persons received by affirmation of faith.
- c. **Voting** members are confirmed members. Such confirmed members, during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of this congregation as well as the other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws. They shall not have voted as a seasonal member of another congregation of this church in the previous two calendar months.
- d. **Associate** members are persons holding membership in other Lutheran congregations who wish to retain such membership but desire to participate in the life and mission of this congregation. These individuals have all the privileges and duties of membership except voting rights or other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.
- e. **Seasonal** members are voting members of other congregations of this church who wish to retain such membership but desire to participate in the life and mission of this congregation, including exercising limited voting rights in this congregation. The Congregation Council may grant seasonal membership to such persons provided that this congregation is a member of a synod where the Synod Council has approved seasonal member voting on its territory. Such seasonal members shall have all the privileges and duties of voting members except that:
 - 1) they shall not be eligible for elected office in, or for membership on the Congregation Council or on a call committee of, this congregation;
 - 2) they shall not have the right to vote on any matter concerning or affecting the call or termination of call of any minister of this congregation;
 - 3) they shall not have the right to vote on any matter concerning or affecting the affiliation of this congregation with this church;

4) they shall not be eligible to serve as voting members from this congregation of the Synod Assembly or the Churchwide Assembly;

5) they shall not, even if otherwise permitted by this congregation, vote by proxy or by absentee ballot; and

6) they shall not, within any two calendar month period, exercise voting rights in this congregation and in the congregation where they remain voting members.

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

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

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

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

- a. death;
- b. resignation;
- c. transfer or release;
- d. disciplinary action in accordance with Chapter 20 of the constitution and bylaws of the Evangelical Lutheran Church in America; or
- e. removal from the roll due to inactivity in accordance with the provisions of this constitution and its bylaws.

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

C8.05.A23. Discontinuance of Membership.

- a. This congregation shall in the event a member moves from the community it serves, encourage the member to request a transfer to a Lutheran congregation which can serve the member effectively. If the member fails to request a transfer, a Lutheran congregation in the community of the member's residence shall be notified.
- b. A confirmed member in good standing desiring to change his membership to another Lutheran congregation shall, upon request, receive a Letter of Transfer.
- c. Pastors and office staff shall conduct an annual evaluation of all communicant members to determine if each is to be classified "active" or "inactive." All decisions required to change the status of members shall be forwarded to the Council for action.

- d. Prepare annually a list of members placed on the inactive list.

Chapter 9. THE PASTOR

- *C9.01.** Authority to call a pastor shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by this congregation to recommend the call, shall seek the advice and help of the bishop of the synod.
- *C9.02.** Only a member of the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of Word and Sacrament who has been recommended for this congregation by the synod bishop may be called as a pastor of this congregation.
- *C9.03.** Consistent with the faith and practice of the Evangelical Lutheran Church in America,
 - a. Every minister of Word and Sacrament shall:
 1. preach the Word;
 2. administer the sacraments;
 3. conduct public worship;
 4. provide pastoral care;
 5. seek out and encourage qualified persons to prepare for the ministry of the Gospel;
 6. impart knowledge of this church and its wider ministry available channels of effective communication;
 7. witness to the Kingdom of God in the community, in the nation, and abroad; and
 8. speak publicly to the world in solidarity with the poor and oppressed, advocating dignity, justice, and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, and embracing and welcoming racially and ethnically diverse populations.
 - b. Each pastor with a congregational call shall, within the congregation:
 1. offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
 2. relate to all schools and organizations of this congregation;
 3. install regularly elected members of the Congregation Council;
 4. with the council, administer discipline;

5. endeavor to increase the support given by the congregation to the work of the churchwide organization and of the Western North Dakota Synod; and
6. encourage adherence to covenantal relationship with this church as expressed in the *Constitutions, Bylaws and Continuing Resolutions of the Evangelical Lutheran Church in America*.

***C9.04.** The specific duties of the pastor, compensation, and other matters pertaining to the service of the pastor shall be included in a letter of call, which shall be attested by the bishop of the synod.

***C9.05.** The provisions for termination of the mutual relationship between a minister of Word and Sacrament and this congregation shall be as follows:

a. The call of this congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by the pastor's death or, following consultation with the synod bishop, for any of the following reasons:

1. mutual agreement to terminate the call or the completion of a call for a specific term;
2. resignation of the pastor, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
3. inability to conduct the pastoral office effectively in this congregation in view of local conditions;
4. inability to conduct the pastoral office effectively in view of disability or incapacity of the pastor;
5. suspension of the pastor through discipline for more than three months;
6. resignation or removal of the pastor from the roster of Ministers of Word and Sacrament of this church;
7. termination of the relationship between this church and this congregation;
8. dissolution of this congregation or the termination of a parish arrangement; or
9. suspension of this congregation through discipline for more than six months.

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

1. the bishop, who has sole discretion, may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
2. when such allegations have been brought to the synod's attention by an

official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of this congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.

- c. In case of alleged disability or incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the pastor's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the pastorate vacant. When the pastorate is declared vacant, the Synod Council shall list the pastor on the roster of Ministers of Word and Sacrament with disability status. Upon resumption of the ability to conduct the office effectively, the bishop shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call.
 - d. In the case of alleged local difficulties that imperil the effective functioning of this congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the pastor and then to this congregation. The recommendations of the bishop's committee must address whether the pastor's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by this congregation and by the pastor, if appropriate. If the pastor and congregation agree to carry out such recommendations, no further action need be taken by the synod.
 - e. If either party fails to assent to the recommendations of the bishop's committee concerning the pastor's call, this congregation may dismiss the pastor only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
 - f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.
- C9.05.01.** When the congregation has voted to call a Pastor, it shall issue a Letter of Call to the Pastor-Elect, in a form approved by The Evangelical Lutheran Church in America. It shall be signed by the Chairperson and the Secretary of the meeting at which the Call was voted, and shall be attested by the signature of the Bishop of the Western North Dakota Synod. A Call to a minister of Word and Sacrament to be an Associate Pastor shall be issued, in consultation with the Pastor of this congregation, and in accordance with the provisions of this paragraph.

- C9.05.02.** The Call shall normally be for an indefinite time. A Call issued to an Associate Pastor may be for a definite time.
- C9.05.03** If a Pastor receives a Call to another ministry, the Pastor shall consult the Council, or, if the Pastor desires, the congregation, before reaching a decision. The Pastor shall announce the decision as quickly as possible, normally within three weeks. The Pastor shall notify the Bishop of the Western North Dakota Synod of his decision.
- *C9.06.** At a time of pastoral vacancy, an interim pastor shall be appointed by the bishop of the synod with the consent of this congregation or the Congregation Council.
- *C9.07.** During the period of service, an interim pastor shall have the rights and duties in this congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or Congregation Council. The interim pastor and any rostered minister providing assistance shall refrain from exerting influence in the selection of a pastor. Unless previously agreed upon by the Synod Council, an interim pastor is not available for a regular call to the congregation served.
- *C9.08.** This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting.
- *C9.09.** When a pastor is called to serve in company with another pastor or pastors, the privileges and responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted in consultation involving the pastors, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
- *C9.11.** With the approval of the bishop of the synod, this 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 records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from this congregation;
 - b. shall submit a summary of such statistics annually to the synod; and
 - c. shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold

membership in one of the congregations.

C9.12.01. Congregation records.

- a. The records of the congregation shall be and remain the property of the congregation. The Pastor shall be responsible for the maintenance of the records. Upon the termination of the Pastor's service to the congregation, the Pastor shall have brought the records up to date prior to their departure. The records shall consist of:
 1. The roster of baptized and confirmed members.
 2. The ministerial acts performed by the Pastor.
 3. The minutes and reports of the District and the Handbook of The Evangelical Lutheran Church in America.
 4. The minutes of the meetings of the Congregation and the Council, for which the Secretary of the congregational shall be responsible.
 5. The financial records of the congregation, for which the treasurer of the congregation shall be responsible.
- b. The Pastor shall report to the Secretary of The Evangelical Lutheran Church in America such statistics as may be required and shall annually report to the congregation a summary of the Pastor's ministerial acts.

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

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

***C9.15.** Under special circumstances, subject to the approval of the synod bishop and the concurrence of this congregation, a minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion may serve temporarily as pastor of this congregation under a contract between this congregation and the pastor in a form proposed by the synod bishop and approved by this congregation.

***C9.21.** Authority to call a deacon shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by this congregation to recommend the call, shall seek the advice and help of the bishop of the synod.

***C9.22.** Only a member of the roster of Ministers of Word and Service of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of Word and

Service who has been recommended for this congregation by the synod bishop may be called as a deacon of this congregation.

***C9.23.** Consistent with the faith and practice of the Evangelical Lutheran Church in America, every minister of Word and Service shall:

- a. Be rooted in the Word of God, for proclamation and service;
- b. Advocate a prophetic diakonia that commits itself to risk-taking and innovative service on the frontiers of the Church's outreach, giving particular attention to the suffering places in God's world;
- c. Speak publicly to the world in solidarity with the poor and oppressed, advocating dignity, justice, and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, and embracing and welcoming racially and ethnically diverse populations;
- d. Equip the baptized for ministry in God's world that affirms the gifts of all people;
- e. Encourage mutual relationships that invite participation and accompaniment of others in God's mission;
- f. Practice stewardship that respects God's gift of time, talents, and resources;
- g. Be grounded in a gathered community for ongoing diaconal formation;
- h. Share knowledge of this church and its wider ministry of the gospel and advocate for the work of all expressions of this church; and
- i. Identify and encourage qualified persons to prepare for ministry of the gospel.

***C9.24.** The specific duties of the deacon, compensation, and other matters pertaining to the service of the deacon shall be included in a letter of call, which shall be attested by the bishop of the synod.

***C9.25.** The provisions for termination of the mutual relationship between a minister of Word and Service and a congregation shall be as follows:

a. The call of this congregation, when accepted by a deacon, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by the deacon's death or, following consultation with the synod bishop, for any of the following reasons:

- 1) mutual agreement to terminate the call or the completion of a call for a specific term;

- 2) resignation of the deacon, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
- 3) inability to conduct the ministry of Word and Service effectively in this congregation in view of local conditions;
- 4) inability to conduct the office effectively in view of disability or incapacity of the deacon;
- 5) suspension of the deacon through discipline for more than three months;
- 6) resignation or removal of the deacon from the roster of Ministers of Word and Service of this church;
- 7) termination of the relationship between this church and this congregation;
- 8) dissolution of this congregation or the termination of a parish arrangement; or
- 9) suspension of this congregation through discipline for more than six months.

b. When allegations of disability or incapacity of the deacon under paragraph a.4) above, or ineffective conduct of the office of minister of Word and Service under paragraph a.3) above, have come to the attention of the bishop of this synod,

- 1) the bishop, who has sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or

- 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of this congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.

c. In case of alleged disability or incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the deacon's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the position vacant. When the position is declared vacant, the Synod Council shall list the deacon on the roster of Ministers of Word and Service with disability status. Upon resumption of the ability to conduct the office effectively, the bishop shall take steps to enable the deacon to resume the ministry, either in the congregation last served or in another appropriate call.

d. In the case of alleged local difficulties that imperil the effective functioning of this congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the deacon and then to this

congregation. The recommendations of the bishop's committee must address whether the deacon's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by this congregation and by the deacon, if appropriate. If the deacon and congregation agree to carry out such recommendations, no further action need be taken by the synod.

e. If either party fails to assent to the recommendations of the bishop's committee concerning the deacon's call, this congregation may dismiss the deacon only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.

f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.

- *C9.26.** This congregation shall make satisfactory settlement of all financial obligations to a former deacon before calling a successor. A deacon shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting.
- *C9.27.** When a deacon is called to serve in company with another rostered minister or other rostered ministers, the privileges and responsibilities of each rostered minister shall be specified in documents to accompany the call and to be drafted in consultation involving the rostered ministers, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
- *C9.28.** With the approval of the bishop of the synod, this congregation may depart from *C9.25.a. and call a deacon for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the deacon and representatives of this congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of *C9.25.a.
- *C9.29.** The deacon shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the deacon shall hold membership in one of the congregations.
- *C9.31.** The deacon(s) shall submit a report of ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.

Chapter 10. CONGREGATION MEETING

C10.01. This congregation shall have at least one regular meeting per year. The regular meeting(s) of the congregation shall be held at the time(s) specified in the bylaws. Consistent with the laws of the State of North Dakota, the bylaws shall designate one regular meeting per year as the annual meeting of this congregation.

C10.01.01. The annual meeting of the congregation shall be held in the month of January. Notice of the meeting shall be given as provided in Chapter 10.03 of the Constitution.

C10.01.02. Conduct of the annual meeting.

- a. The annual meeting shall receive reports from all Teams and organizations of the congregation. Such reports shall be submitted in writing to the Council not less than 15 days before such meeting.
- b. The business at the annual meeting shall include:
 1. Opening devotion
 2. Approval of minutes of the previous meeting
 3. Reports of President, Pastor(s), Teams, special committees and others
 4. Unfinished or old business
 5. Approval of budget
 6. Elections
 7. New Business
 8. Closing prayer
- c. The list of nominees for officers, council members and team chairpersons shall be announced to the congregation in conjunction with the announcements of the meeting of the congregation at which the elections are to take place.
- d. In addition to the candidates submitted by the nominating committee, additional nominations may be made from the floor.

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

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

- C10.04.** 10 percent of total voting members shall constitute a quorum.
- C10.05.** Voting by proxy or by absentee ballot shall not be permitted.
- C10.06.** All actions approved by this congregation shall be by majority vote of those members present and voting, except as otherwise provided in this constitution or by state law.
- C10.07.** Robert's Rules of Order, latest edition, shall govern parliamentary procedure of all meetings of this congregation.
- C10.08.** This congregation may hold meetings by remote communication, including electronically and by telephone conference, as long as there is an opportunity for simultaneous oral communication or its equivalent. To the extent permitted by state law, notice of all meetings may be provided electronically.
- C10.09.** “Ex officio” as used herein means membership with full rights of voice and vote unless otherwise expressly limited.
- C10.10.** The current roster of voting, confirmed, and baptized members shall be available at each meeting of the congregation.

Chapter 11. OFFICERS AND TEAMS

- C11.01.** The congregation shall have three elected officers – the President, Vice President, and Secretary, which together comprise the executive team – and up to eight council members, who may serve as a liaison to the various teams as determined by the Congregational Council.
- C11.02.** The Executive Team is a team of succession in which the Secretary advances to become Vice President at the annual meeting, who in turn advances to become the President at the next annual meeting. Each successor role shall transition annually at the annual meeting without having to stand for election, provided that the office of Secretary must be elected annually.
- C11.03** Council members shall be elected by the congregation in staggered three-year terms. The chairs of the various teams established by the Congregational Council shall also be elected in staggered three-year terms.
- C11.04.** No elected officer shall hold more than one office at a time. No elected officer shall serve consecutive terms in the same office. No elected officer during an elected term shall simultaneously serve as Chair of a team.
- C11.05.** The President, Vice-President and Secretary are vested with the authority to represent the corporate body of the congregation.

- C11.06.** If a vacancy is created in the Office of President or any Team Chairperson, the Vice-President or Vice-Chairperson of the respective Team shall fill that vacancy for the remainder of that year. If that person moving into the vacated position serves for six or more months to complete the remainder of the year, this shall be considered a full term of office and shall be succeeded by the Vice-President or respective Team Vice-Chairperson.
- C11.07.** The Pastor(s) and the President shall be ex-officio members of each Team. The Pastor(s) shall also be (an) ex-officio member(s) of the Council.
- C11.08.** The President shall not be eligible for re-election to the Council within one year of his or her current expired term.
- C11.09.** Appointed Officers of the congregation shall be the Treasurer and the Financial Secretary. They will be appointed by and serve at the pleasure of the Congregation Council. Appointed officers are not voting members of the Congregation Council.
- C11.10.** Duties of the elected Officers, Team members and appointed Officers shall be specified in the bylaws and continuing resolutions.

C11.10.01 Duties of Elected Officers and Others Appointed by the Council

1. The President shall preside at meetings of the Council and of the congregation. The President shall also:
 - a. Prepare agenda in conference with the Pastor(s) and Vice President.
 - b. Be responsible for the annual report to the congregation.
 - c. Be chairman of the Executive Team.
2. The Vice President shall preside at the meetings of the Council and of the congregation in the absence of the President. The Vice President shall also:
 - a. Be vice chairman of the Executive Team.
3. The Secretary shall prepare the minutes of Council and congregational meetings. The Secretary shall also:
 - a. Be responsible for safe preservation of secretarial records, archives of the congregation, and a record of all continuing resolutions.
 - b. Be responsible for advising Council members of all Council meetings.
 - c. Be a member of the Executive Team
 - d. Provide a summary of the Council minutes for the newsletter.
4. 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 or the Council. The Treasurer shall also:

- a. Prepare a monthly statement of income and disbursements for the Team of Financial Stewardship.
 - b. Maintain such ledgers as are necessary to account for receipts and disbursements.
 - c. Be responsible for the custody of all deeds, bonds, mortgages and securities owned by the congregation.
- 5. The Financial Secretary shall maintain records of all contributions and make reports to the Council and to the members as required by the Council.

C11.10.02. Duties of the Executive Team

- 1. Organization and Composition:
 - a. The Team shall be composed of the congregation President, Vice President and Secretary.
 - b. Senior pastor is ex-officio member of the Executive Team at the call of the President.
- 2. Duties are:
 - a. Be responsible for the supervision of the senior pastor.
 - b. Conduct an annual performance evaluation of the senior pastor and review the written evaluations by the senior pastor of each associate pastor and salaried lay worker.
 - c. In November, report to the Team of Financial Stewardship salary recommendations for the annual budget.
 - d. Develop and review annually personnel policies related to salary, benefits, hiring and firing, grievance procedures, sexual harassment and other policies relating to personnel and present recommendations to Council for approval.
 - e. Annually, consult with Council members to assign liaison duties to Teams.

Chapter 12. CONGREGATION COUNCIL

- C12.01** The voting membership of the Congregation Council shall consist of not more than 8 elected council members of this congregation and the three elected officers of the congregation.
- a. A member's place on this Congregation Council shall be declared vacant if the member ceases to be a voting member of this congregation or may be declared vacant by a vote of this Congregation Council if absent from three successive meetings of the Congregation Council.
 - b. Any council person can resign for personal reasons provided each resignation is declared before the council in a letter of resignation.
 - c. Council will fill vacant positions on the Council.

C12.02 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, appointment, 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. Exercise discipline in accordance with the provisions of this constitution and its bylaws.
- k. Choose delegates to attend or participate in any group or meeting at which the congregation is entitled to representation.

C12.03 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 North Dakota, 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 shall prepare an annual budget for adoption by the congregation, shall supervise the expenditure of funds in accordance therewith

following its adoption and receive reports regularly from the treasurer to ascertain that the expenditures are within the budget approved by the congregation. Any expenditures in excess of the total voted budget must have prior approval by the congregation.

- d. 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 synod.
- e. The Congregation Council shall be responsible for this congregation's investments and its total insurance program and shall assure that the treasurer and others who have access to congregational funds are adequately bonded.

C12.03.01 While the buildings of this congregation shall be open to all people to share in its worship, instruction, pastoral care, and fellowship, the congregation rejects all fellowship with organizations, secret or open, which are avowedly religious or which practice forms of religion without confessing faith in the Triune God and in Jesus Christ as the eternal Son of God incarnate to be our only Savior from Sin, and which thus teach salvation by works.

C12.03.02 Ceremonies of lodges or other such organizations shall not be permitted in the buildings or premises of this congregation.

C12.04 Appoint the treasurer and financial secretary as required.

- a. Provide for annual audits of the accounts of the treasurer and the financial secretary; as well as schools and organizations of the congregation, if necessary.

C12.05 Review annually the Letter(s) of Call and the performance and salaries of all paid personnel and make salary adjustments within the limits of the budget approved by the congregation.

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

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

C12.08 The Congregation Council shall appoint and the Senior Pastor shall supervise salaried and hourly lay workers of this congregation.

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

C12.10 The Congregation Council shall normally meet once a month. Special meetings may be called by the pastor or the president, and shall be called 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.

C12.11 A quorum for the transaction of business shall consist of a majority of the members of the Congregation Council.

- C12.13** The Congregation Council and its committees may hold meetings by remote communication, including electronically and by telephone conference, as long as there is an opportunity for simultaneous aural communication or its equivalent. To the extent permitted by state law, notice of all meetings may be provided electronically.

Chapter 13. CONGREGATION COMMITTEES

- C13.01** Certain works of the congregation may be carried out by committees. They may be standing committees or committees with special assignments. Unless otherwise specified in the constitution or bylaws, the committee members will be appointed by the President with the approval of the Congregation Council.

- C13.02** Examples of congregational committees are:

- a. Audit Committee
- b. Call Committee
- c. Long Range Planning Committee
- d. Constitution Revision Committee

- C13.03** Other committees may be formed as the need arises, by decision of the Congregation Council.

- C13.04** Duties of congregational committees shall be specified in the bylaws or in continuing resolutions of the Congregation Council.

[Note: duties of the following teams are currently in bylaws and are now proposed continuing resolutions.]

C13.04.A23 Membership and Meeting of the Teams

1. Voting members of each team shall be composed of the elected members plus the number of lay persons sufficient to perform the duties of the board as determined by the council.
2. All teams shall meet monthly.
3. Each Council member representing a Team will provide a report at each Council meeting of the Team's activities and recommendations that may be considered by the Council.
4. Each Team may appoint such necessary subcommittees as needed to fulfill its duties.

C13.04.B23 Duties of the Team of Property Maintenance

1. Organization and Composition:
 - a. The Team shall be composed of one elected Chairperson, at least one elected Council member plus the number of lay persons sufficient to perform the duties of the Team.
 - b. The Team will also include the Chairperson of the Building Committee, when that committee is in active status.
2. Duties are:
 - a. Administer the Council's overall policies regarding congregational property.

- b. Provide for the proper care and protection of the physical property of the congregation.
- c. Assure that property is not used for any purpose contrary to its intended character.
- d. Draft rules and regulations, subject to the approval of Council, governing property usage and approve all organizations desiring the use of the property and facilities.
- e. Make frequent inspections of the condition and use of all property.
- f. Report to Council on a regular basis on the condition and use of property and recommend improvements and renovations as needed.
- g. Report to Council as to the needs, duties and recommended compensation for all materials and personnel related to the repair and maintenance of property with the exception of property under the specific jurisdiction of other Teams.
- h. Submit recommendations of adequate property insurance protection to Council.
- i. Be responsible for the proper expenditure of funds allocated to the Team.
- j. When requested, identify next year's proposed activities and an annual budget for this team and submit it as directed by the Executive Team..

C13.04.C23 Duties of Education Team

1. Organization and Composition:

- a. The Team shall be composed of the one elected Chairperson, at least one elected Council member, Church School Superintendent(s), plus the number of lay persons sufficient to perform the duties of the Team such as librarian, and chairpersons of other educational groups.

2. Duties are:

- a. Provide for, maintain, promote and coordinate all of the educational ministries of the congregation, such as Church School, Vacation Bible School, Children's Christmas program and Adult Education.
- b. Seek the assistance of the Worship and Music Team in working out a music program for the Church School.
- c. Recruit Church School Superintendent(s) annually. They shall receive duties from, and be responsible to, the Education Team.
- d. Recruit all Church School and Vacation Bible School teachers and teacher helpers. Select educational materials.
- e. Provide a teacher orientation program, including review of the safe haven policy.
- f. Be responsible for obtaining with the Property Maintenance Team, the necessary classrooms for all programs under the team's jurisdiction and the necessary instructional equipment.
- g. Be responsible for the operation and function of the library.

- h. Be responsible for the proper expenditure of funds allocated to this Team.
- i. When requested, identify next year's proposed activities and propose an annual budget for this Team and submit as directed by the Executive Team.

C13.04.D23 Duties of the Financial Stewardship Team

1. Organization and Composition:
 - a. The Team shall be composed of one elected Chairperson, one elected Council member, plus the number of lay persons sufficient to perform the duties of the Team.
2. Duties are:
 - a. Responsible for the planning and promotion of a financial stewardship program involving youth and adults of the congregation.
 - b. Introduce all new members to the financial stewardship program.
 - c. Review regularly the financial records to determine and carry out the necessary follow-up needed to aid the members of the congregation in their financial stewardship commitments.
 - d. Be responsible for the proper expenditure of funds allocated to the Team.
 - e. Annually, assist the Executive Team in assembling a draft annual budget of the needs identified by all Teams and present it to the Council for its action and later present the budget at the annual meeting.

C13.04.E23 Duties of the Team of Worship and Music

1. Organization and Composition:
 - a. The Team shall be composed of one elected Chairperson, one elected Council member, plus the number of lay persons sufficient to conduct the duties of the Team, such as the choir directors, organists and a representative of the Altar Guild.
2. Duties are:
 - a. Provide for an orderly, effective, and meaningful worship service.
 - b. Provide music leaders.
 - c. Organize, train, and supervise ushers, acolytes, assistant ministers and communion assistants.
 - d. Be responsible for the acquisition and care of hymnals, Bibles, and other materials and equipment used for congregational worship in accordance with copyright laws.
 - e. Supervise operations of the audiovisual system in conjunction with the Team of Property Maintenance.
 - f. Maintain records of worship service attendance.

- g. Organize worship themes for special services such as Easter, Thanksgiving, and Christmas.
- h. Oversee the functions of the altar guild.
- i. Direct all audiovisual and music personnel and their involvement in the worship service and other musical programs.
- j. Aid the music and audiovisual personnel in recruiting volunteers from the congregation.
- k. Subject to the approved budget, the Team will procure, maintain, and dispose of all music, musical instruments, equipment and property.
- l. When requested, identify next year's proposed activities and propose an annual budget for the Team and submit as directed by the Executive Team.

C13.04.F23 Duties of the Team of Congregational Care and Outreach

- 1. Organization and Composition:
 - a. The Team shall be composed of the one elected chairperson, one elected Council member, plus the number of lay persons sufficient to perform the duties of the Team.
- 2. Duties are:
 - a. Organize and conduct a program of outreach of Christian faith to those in the community.
 - b. Promote programs that focus on outreach and social concerns.
 - c. Welcome new members in the life of the congregation.
 - d. Seek ways to reconnect the inactive members back into the life of the congregation.
 - e. Disseminate information on the Congregation's local, national, and worldwide ministries.
 - f. Plan and promote programs to increase participation of members in the work and activities of the congregation.
 - g. Develop and maintain an ongoing file of talents and hobbies of individuals in the congregation and share the findings with the appropriate boards and committees.
 - h. The Team shall identify all kitchen and greeter service group leaders.
 - i. Provide fellowship activities and special events for the congregation.
 - j. Periodically provide for a congregational photo directory.
 - k. Be responsible for the proper expenditure of funds allocated to this Team.
 - l. When requested, identify next year's proposed activities and benevolences and propose an annual budget for this Team and submit it as directed by the Executive Team.

C13.04.G23 Duties of the Team of Youth and Family

- 1. Organization and Composition:

- a. The Team shall be composed of one elected Chairperson, one elected Council member, plus the number of lay persons sufficient to perform the duties of the Team, including youth and adult representatives.
2. Duties:
 - a. Build relationships with youth and parents to draw them closer to Christ and the church through personal contact, activities, youth gatherings and events.
 - b. Provide opportunities for youth to develop relationships with other Christian youth through youth gatherings and events.
 - c. Develop and manage a Christ-centered Confirmation and youth ministry in coordination with and responsive to the direction of the congregation, pastors, and ministry staff.
 - d. Develop a team of adults and youth who will work together to achieve the Youth Team goals.
 - e. Disciple youth and train them to witness and reach out to others.
 - f. Provide opportunities for youth to grow as servants and to be of service to their peers, church and community.
 - g. Provide opportunities and support for families to become involved in ministry of Lord of Life.
 - h. When requested, identify next year's proposed activities and propose an annual budget for this Team and submit it as directed by the Executive Team.

C13.04.H23 Duties of the Team of Nominations and Placement

1. Organization and Composition:
 - a. The Team shall be composed of one elected Chairperson, one elected Council member and 3 additional elected members.
 - b. Members of the Team shall not be nominated for any elected office of the Executive Team during their terms.
2. Duties:
 - a. Provide nominations to the congregation for vacating positions of the Council and Team chairpersons.
 - b. Recommend to the Council replacements to fill vacant Council and team chairperson position.
 - c. When requested, assist each team chairperson and Council team liaison to recruit additional congregational members for teams.
 - d. When requested by the executive team, contact and nominate congregational members for special committees.
 - e. Serve as election coordinators at the annual and special meetings of the congregation to ensure proper procedure.

C13.04.I23 Special Committees of the Congregation

1. A Building Committee shall be activated by Congregational action on the recommendation of Council but not for the purpose of purchasing furniture or furnishings.
 - a. Members shall be nominated by the Team of Nominations and Placement and approved by the congregation.
 - b. Members of the Building Committee shall select their own chairperson and that person shall serve on the Team of Property Maintenance.

Chapter 14. ORGANIZATIONS WITHIN THIS CONGREGATION

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

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

Chapter 15. DISCIPLINE OF MEMBERS AND ADJUDICATION

***C15.01.** Persistent and public denial of the Christian faith, willful or criminal conduct grossly unbecoming a member of the Church of Christ, continual and intentional interference with the ministry of this congregation, or willful and repeated harassment or defamation of member(s) of this congregation is sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation and repentance will be attempted following Matthew 18:15–17, proceeding through these successive steps, as necessary: a) private counsel and admonition by the pastor, b) censure and admonition by the pastor in the presence of two or three witnesses, c) written referral of the matter by the Congregation Council to the vice president of the synod, who will refer it to a consultation panel drawn from the Consultation Committee of the synod, and d) written referral of the matter by the consultation panel to the Committee on Discipline of the synod. If, for any reason, the pastor is unable to administer the admonitions required by paragraphs a. and b. hereof, those steps may be performed by another pastor chosen by the Executive Team of the Congregation Council.

***C15.02.** The process for discipline of a member of this congregation shall be governed as prescribed by the chapter on discipline in the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America. If the counseling, censure, and admonitions pursuant to *C15.01. do not result in repentance and amendment of life, charges against the accused member(s) that are specific and in writing may be prepared by the Congregation Council, signed, and submitted to the vice president of the synod. The vice president shall select from the synod's

- Consultation Committee a panel of five members (three laypersons and two rostered ministers). A copy of the written charges shall be provided to the consultation panel and the accused member(s). The consultation panel, after requesting a written reply to the charges from the accused member(s), shall consider the matter and seek a resolution by means of investigation, consultation, mediation, or whatever other means may seem appropriate. The panel's efforts to reach a mutually agreeable resolution shall continue for no more than 45 days after the matter is submitted to it.
- *C15.03.** If the consultation panel fails to resolve the matter, that panel shall refer the case in writing, including the written charges and the accused member's reply, to the Committee on Discipline of the synod for a hearing. A copy of the panel's written referral shall be delivered to the vice president of the synod, the Congregation Council, and the accused member(s) at the same time it is sent to the Committee on Discipline of the synod. The Executive Team of the Synod Council shall then select six members from the Committee on Discipline to decide the case and shall appoint a member of the Synod Council to preside as nonvoting chair. Those six members, plus the nonvoting chair, comprise the discipline hearing panel for deciding the case. The Congregation Council and the accused member(s) are the parties to the case.
 - *C15.04.** The discipline hearing panel shall commence and conduct the disciplinary hearing in accordance with the provisions governing discipline of congregation members prescribed in the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America.
 - *C15.05.** By the vote of at least two-thirds of the members of the discipline hearing panel who are present and voting, one of the following disciplinary sanctions can be imposed:

 - a. suspension from the privileges of congregation membership for a designated period of time;
 - b. suspension from the privileges of congregation membership until the pastor and Congregation Council receive evidence, satisfactory to them, of repentance and amendment of life;
 - c. termination of membership in this congregation; or
 - d. termination of membership in this congregation and exclusion from the church property and from all congregation activities.
 - *C15.06.** The written decision of the discipline hearing panel shall be sent to the vice president of the synod, the accused member(s), and the Congregation Council as required by the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America. The decision of the discipline hearing panel shall be implemented by the Congregation Council and recorded in the minutes of the next council meeting.
 - *C15.07.** No member of this congregation shall be subject to discipline a second time for offenses that a discipline hearing panel has heard previously and decided pursuant to this chapter.

***C15.10. Adjudication**

- *C15.11.** When there is disagreement between or among factions within this congregation on a substantive issue which cannot be resolved by the parties, members of this congregation may petition the synod bishop for consultation after informing the president of this congregation of their intent to do so. The synod bishop shall seek a timely resolution of the dispute. If the issue relates directly to the pastor, the bishop may begin the process in †S14.18.d. In all other matters, if the bishop's consultation fails to resolve the issue, the bishop shall refer the matter to the Consultation Committee of the synod, which shall undertake efforts to find an appropriate solution. If the Consultation Committee's efforts fail to resolve the dispute, the entire matter shall be referred to the Synod Council for adjudication by whatever process the Council deems necessary. The Synod Council's decision shall be final.

Chapter 16. AMENDMENTS

- *C16.01.** Unless provision C16.04 is applicable, those sections of this constitution that are not required, in accord with the *Model Constitution for Congregations of the Evangelical Lutheran Church in America*, may be amended in the following manner. Amendments may be proposed by at least 11 voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify this congregation's members of the proposal together with the council's recommendations at least 30 days in advance of the meeting. Notification may take place by mail or electronic means, as permitted by state law.
- *C16.02.** An amendment to this constitution, proposed under *C16.01., shall:
- a. be approved at any legally called meeting of this congregation by a majority vote of those voting members present and voting; and
 - b. be ratified without change at the next regular meeting of this congregation by a two-thirds vote of those voting members present and voting
- .
- *C16.03.** Any amendments to this constitution that result from the processes provided in *C16.01. and *C16.02. shall be sent by the secretary of this congregation to the synod. The synod shall notify this congregation of its decision to approve or disapprove the proposed changes; the changes shall go into effect upon notification that the synod has approved them.
- *C16.04.** This constitution may be amended to bring any section into conformity with a section or sections, either required or not required, of the *Model Constitution for Congregations of the Evangelical Lutheran Church in America* as most recently amended by the Churchwide Assembly. Such amendments may be approved by a majority vote of those voting members present and voting at any legally called meeting of this congregation without presentation at a prior meeting of this congregation, provided that the Congregation Council has submitted by mail or electronic means, as permitted by state law, notice to this congregation of such an

amendment or amendments, together with the council's recommendations, at least 30 days prior to the meeting. Upon the request of at least two (2) voting members of this congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of this congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following the congregation's vote of approval.

Chapter 17. BYLAWS

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

Chapter 18. CONTINUING RESOLUTIONS

- *C18.01.** This congregation in a legally called meeting or the Congregation Council may enact continuing resolutions. Such continuing resolutions may not conflict with the constitution or bylaws of this congregation.
- *C18.02.** Continuing resolutions shall be enacted or amended by a majority vote of a meeting of this congregation or a two-thirds vote of all voting members of the Congregation Council.
- C18.03.** Adopted or amended continuing resolutions shall be sent by the secretary of this congregation to the synod.

Chapter 19. INDEMNIFICATION

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

Chapter 20. PARISH AUTHORIZATION

- *C20.01.** This congregation may unite with one or more other congregations recognized by the synod named in *C6.01. to form a parish. Except as provided in *C20.02. and

- *C20.03., a written agreement, developed in consultation with the synod and approved by the voting members of each congregation participating in the parish, shall specify the powers and responsibilities that have been delegated to the Parish Council. The Parish Agreement shall identify which congregation of the parish issues calls on behalf of the member congregations or shall establish a process for identifying which congregation issues calls on behalf of the member congregations.
- *C20.02.** One congregation of a parish shall issue a call on behalf of the member congregations to a minister of Word and Sacrament or a candidate for the roster of Ministers of Word and Sacrament who has been recommended by the synod bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregation meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.
- *C20.03.** One congregation of a parish may issue a call on behalf of the member congregations to a minister of Word and Service or a candidate for the roster of Ministers of Word and Service who has been recommended by the synod bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregation meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.
- *C20.04.** Any one of the congregations of the parish may terminate their relationship with the pastor as provided in †S14.18.d. of the synod constitution of the synod named in *C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.
- *C20.05.** Any one of the congregations of the parish may terminate their relationship with a minister of Word and Service as provided in †S14.43.d. of the synod constitution of the synod named in C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.
- *C20.06.** Whenever a parish agreement is terminated, the call of any rostered minister serving that parish is terminated. Should any congregation that was formerly part of the parish agreement desire to issue a new call to that rostered minister, it may do so in accordance with the call process of this church.

History:

December 6, 2020 – The draft constitution document was approved by Synod Attorney Murray Sagsveen.

January 24, 2021 – The congregation approved the constitution.

September 17, 2022 – Synod Attorney Sagsveen incorporated amendments to the *Model Constitution for Congregations* that were approved by the 2022 Churchwide Assembly.

January 29, 2023 – The congregation approved the constitution.

March 1, 2023 – Synod Attorney Murray Sagsveen approved, on behalf of the Western North Dakota Synod, the constitution approved on January 29, 2023.

November 21, 2023—The council approved amendments to continuing resolutions (C4.03.A23., C8.05.A23., and CRs in C13.04).