

## **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 Resurrection Lutheran Church.

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

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

### **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 all the canonical books of the Old and New Testaments as a whole and in all their parts as the divinely inspired and revealed Word of God and submits to this as the only authority in all matters of 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 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. This church, 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.

## **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 ministries 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 Evangelical Lutheran Church in America.
- i. Foster and participate in ecumenical relationships consistent with church wide 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 groups and shall review their actions. (Such description shall be contained in continuing resolutions of the Congregational Council.)

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

## **Chapter 5**

### **POWERS OF THE CONGREGATION**

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

C5.02 The powers of this congregation are vested in the Congregation Meeting called and conducted as provided in this constitution and bylaws.

C5.03 Only such authority as is delegated to the Congregation Council or other organizational units in the congregation's governing documents is recognized. All remaining authority is retained by the congregation. The congregation is authorized to:

- a. call a pastor;
- b. terminate the call of a pastor;
- c. appoint or terminate the appointment of associates in ministry in conformity with the applicable policy of the Evangelical Lutheran Church in America.
- d. approve the annual budget;
- e. acquire real and personal property by gift, devise, purchase, or other lawful means;
- f. hold title to and use its property for any and all activities consistent with its purpose;
- g. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
- h. elect its (officers), Congregation Council, boards, and committees, and require them to carry out their duties in accordance with the constitution (and) bylaws, (and continuing resolutions); and
- i. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.

## **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 Grand Canyon Synod of the Evangelical Lutheran Church in America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America.

C6.02 This congregation accepts the Confession of Faith and agrees to the Purposes of the Evangelical Lutheran Church in America and shall act in accordance with them.

C6.03 This congregation acknowledges its relationship with the Evangelical Lutheran Church in America in which:

- a. This congregation agrees to be responsible for its life as a Christian community.
- b. This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.
- c. This congregation agrees to call pastoral leadership from the clergy roster of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod.
- d. This congregation agrees to consider associates in ministry for appointment to other staff positions in the congregation according to the procedures of the Evangelical Lutheran Church in America.

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

- a. This congregation takes action to dissolve.

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

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

- a. A resolution indicating the desire of this congregation to terminate its relationship must be adopted at a legally called and conducted special meeting of this congregation by a two-thirds majority of voting members of the congregation.
- b. The secretary of this congregation shall submit a copy of the resolution to the synodical bishop and shall mail a copy of the resolution to voting members of the congregation. This notice shall be submitted within 10 days after the resolution has been adopted.
- c. The bishop of the synod shall consult with this congregation during a period of at least 90 days.
- d. If this congregation, after consultation, still desires to terminate its relationship, such action may be taken at a legally called and conducted special meeting by a two-thirds majority of the voting members. At this special meeting the bishop of the synod or an authorized representative shall be present. Notice of the meeting shall be mailed to all voting members at least 10 days in advance of the meeting.
- e. A certified copy of the resolution to terminate its relationship shall be sent to the synodical bishop, at which time the relationship between this congregation and ELCA shall be terminated.
- f. Notice of termination shall be forwarded by the synodical bishop to the secretary of this church and published in the periodical of this church.

C6.06 If this congregation is considering relocation, it shall confer with the bishop of the synod before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is affected.

## **Chapter 7**

### **PROPERTY OWNERSHIP**

C7.01 If this congregation ceases to exist, title to undisposed property shall pass to the Grand Canyon 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 at a regularly called and conducted special meeting of this congregation vote to transfer to another Lutheran church body, title to property shall continue to reside in this congregation. Before this congregation takes action to transfer to another Lutheran Church body, it shall consult with representatives of the Grand Canyon Synod.

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

## **Chapter 8**

### **MEMBERSHIP**

C8.01 Members of this congregation shall be those baptized persons on the roll of the 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 in good standing.
- d. ASSOCIATE members are persons holding membership in other Lutheran (Christian) congregations who wish to retain such membership but desire to participate in the life and mission of this congregation. 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 Pastor.

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 and of the Evangelical Lutheran Church in America through contribution of their time, abilities, and financial support as biblical steward.

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 A pastor of the congregation shall be a person whose soundness in the faith, aptness to teach, and educational qualifications have been examined and approved by the church, and who has been properly ordained; who accepts and adheres to the Confession of Faith of the Evangelical Lutheran Church in America and of the congregation; and who strives in life and conduct to be above reproach.

C9.02 Authority to call a pastor shall be in this congregation by at least a two-thirds majority ballot vote of voting members present and voting at a meeting regularly called for that purpose. Before a call is issued, the officers, or a committee elected by this congregation to recommend the call, shall seek the advice and help of the bishop of the synod.

C9.03 Only a member of the clergy roster of the Evangelical Lutheran Church in America or who has been recommended for it by the synodical bishop may be called as a pastor of this congregation.

C9.04 Consistent with the faith and practice of the Evangelical Lutheran Church in America, every ordained minister shall preach the Word, administer the sacraments, conduct public worship, provide pastoral care, and shall speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world. Each ordained minister with a congregational call shall, within the congregation, offer instruction, confirm, marry, visit the sick and distressed, and bury the dead; supervise all schools and organizations of the congregation; shall install regularly elected members of the Congregation Council, and with the council administer discipline. Every pastor shall seek out and encourage qualified persons to prepare for the ministry of the Gospel and strive to extend the Kingdom of God in the community, in the nation, and abroad; shall impart knowledge of this church and its wider ministry through distribution of its periodicals and other publications; and shall endeavor to increase the support given by the congregation to the work of the Evangelical Lutheran Church in America and of the synod of the ELCA.

C9.05 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.

C9.06 a. The call of a congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment which, except in this 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 of year;
  - 2) resignation of the pastor;
  - 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; or
  - 6) the dissolution of the congregation.
- b. In the case of alleged defect in doctrine or conduct or alleged physical or mental incapacity of the pastor or ineffective conduct of the pastoral office, it shall be the responsibility of the bishop of the synod, when such difficulties are personally known or 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, to 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 which 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 C9.06.b shall decide on the course of action to be recommended to the pastor and the congregation. If they agree to carry out such recommendations, no further action shall be taken by the synod. If either party fails to assent, the congregation may dismiss the pastor by a two-thirds majority vote of the voting members present at a regularly called meeting after consultation with the bishop.
- e. If in the course of the proceedings, it should become apparent that the pastoral office cannot be conducted effectively in the congregation being served by the ordained minister due to local conditions, the bishop of the synod may temporarily suspend the pastor from service in the congregation without prejudice and with pay provided through a joint churchwide/synod fund and with housing provided by the congregation.

C9.07 At a time of pastoral vacancy, an interim pastor may be recommended by the bishop of the synod for approval of this congregation or the Congregation Council.

C9.08 During the period of service, an interim pastor shall have the rights and duties of a regularly called pastor and may delegate the same part to a supply pastor with the consent of the bishop of the synod and this congregation or Congregation Council. The interim pastor and any ordained pastor providing assistance shall refrain from exerting influence in the selection of a pastor.

C9.09 This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation.

C9.10 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 The pastor shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation, and shall submit a summary of such statistics annually to the synod.

C9.12 The pastor(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each meeting of the Synod Assembly.

## **Chapter 10**

### **CONGREGATION MEETING**

C10.01 The annual (semi-annual, quarterly) meeting of this congregation shall be held at a time specified in the bylaws.

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%) 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 as provided in the bylaws.

C10.04 Voting members present shall constitute a quorum at a special congregational meeting...

C10.05 Voting by proxy or by absentee ballot shall not be permitted.

C10.06 All actions by the congregation shall be by majority vote except as otherwise provided in this constitution.

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

## **Chapter 11**

### **OFFICERS**

C11.01 The officers of this congregation shall be a president, vice-president, secretary, and treasurer.

a. Duties of the officers shall be specified in the bylaws.

b. The officers shall be voting members of the congregation.

c. Officers of this congregation shall serve similar offices of the Congregation Council and shall be voting members of the Congregation Council.

C11.02 The Congregation shall elect its officers and they shall be the officers of the congregation. The officers shall serve for one year or until their successors are elected. Their terms shall begin at the close of the annual meeting at which they are elected.

C11.03 No officer shall hold more than one office at a time. No elected officer shall be eligible to serve more than two consecutive terms in the same office.

## Chapter 12 CONGREGATION COUNCIL

C12.01 The voting membership of the Congregation Council shall consist of officers of the congregation and other members of the council. 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.

C12.02 The members of the Congregation Council except the pastor(s) shall be elected by written ballot to serve for two or three years or until their successors are elected. Such members shall be eligible to serve no more than two full terms consecutively. The members of the Congregation Council (except the pastor(s) shall elected at a legally called meeting of the congregation during the month of January. Their term of office shall be for two or three years with the term of office beginning immediately following their installation. Newly elected Congregation Council members shall be installed at worship the Sunday prior to the date they assume office.

C12.03 Should a member's place on the Congregation Council be declared vacant, the Congregation Council shall elect, by majority vote, a successor until the next annual meeting.

C12.04 The Congregation Council shall have general oversight of the life and activities of this Congregation, and in particular its worship life, to the end that everything be done in accordance with the Word of God and the faith and practice of the Evangelical Lutheran Church in America. The duties of the Congregation Council shall include the following:

- a. To lead this congregation in stating its mission, to do long-range planning, to set goals and priorities, and to evaluate its activities in light of its mission and goals.
- b. To seek to involve all members of this congregation in worship, learning, witness, service, and support.
- c. To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.
- d. To maintain supportive relationships with the pastor(s) and staff and help them annually to evaluate the fulfillment of their calling, 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 church wide 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.

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 (trustees/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 Arizona, 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 this congregation, shall supervise the expenditure of funds in accordance therewith following its adoption, and may incur obligations of more than 1% in excess of the budget only after approval by a Congregation Meeting. The budget shall include this congregation's full indicated share in support of the wider ministry being carried on in partnership with the synod and churchwide organization.

- 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.
- e. The Congregation Council shall be responsible for this congregation's investment and its total insurance program.

C12.06 The Congregation Council shall see that the provisions of this constitution (and) 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 approval of proposed compensation packages for the 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 as provided in the bylaws.

C12.11 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 such person requests or consents to be absent and has given prior approval to an agenda of routine matters which shall be the only business of the meeting.

## **Chapter 13**

### **CONGREGATIONAL COMMITTEES**

C13.01 The officers of this congregation and the pastor shall constitute the EXECUTIVE COMMITTEE.

C13.02 A NOMINATING COMMITTEE shall be made up of the outgoing council members whose terms have expired.

C13.03 A STAFF SUPPORT COMMITTEE (in the absence of a staff support committee, their duties shall be fulfilled by the executive committee) shall be appointed jointly by the president in consultation with the pastor.

C13.04 When a pastoral vacancy occurs, a CALL COMMITTEE of six voting members shall be appointed by the Congregation Council. Term of office will be terminate at installation of the newly-called pastor.

C13.05 Other congregation committees may be formed as the need arises, by decision of the Congregation Council.

C13.06 Duties of congregation committees shall be specified in the bylaws (continuing resolutions).

## **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. This congregation at its meeting shall determine their policies, guide their activities, and receive reports concerning their membership, work, and finances.

C14.02 Outside 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) and will be reviewed annually.

## **Chapter 15**

### **DISCIPLINE OF MEMBERS**

C15.01 Denial of the Christian faith as described in this constitution, conduct grossly unbecoming a member of the Church of Christ, or persistent trouble-making in this congregation are sufficient cause for discipline of a members. Prior to disciplinary action, reconciliation will be attempted following Matthew 18:15-17, proceeding through these successive steps: a) private admonition by the pastor, 2) admonition by the pastor in the presence of two or three witnesses, and c) citation to appear before the Congregation Council.

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

C15.03 Should the allegations be sustained by a two-thirds majority vote of the Congregation Council, 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 congregation.

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.

## **Chapter 16**

### **BYLAWS**

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

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

C16.03 Changes to the bylaws may be proposed by any voting member provided, however, that such additions or amendments be submitted in writing to the Congregation Council at least 60 days before a regular or special Congregation Meeting called for that purpose and that the Congregation Council notify the members of the proposal with its recommendations at least 30 days in advance of the Congregation Meeting.

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

## **Chapter 17**

### **AMENDMENTS**

C17.01 Amendments to this constitution may be proposed by a majority of the council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at its regular or special meeting called for that purpose. The Congregation Council shall notify the members of the proposal with their recommendations at least 30 days in advance of the meeting.

C17.02 A proposed amendment to this constitution shall:

- a. be approved at a properly called 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 present vote of those present and voting; and

c. have the effective date included in the resolution and noted in the constitution.

C17.03 Any amendments to this constitution shall be sent by the secretary of this congregation to the synod.

## **Chapter 18**

### **CONTINUING RESOLUTIONS**

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

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

## **BYLAWS**

### **Resurrection Lutheran Church**

#### **SECTION 1 -- PARTICIPATION IN THE SACRAMENT OF HOLY COMMUNION**

1. This congregation invites all of its members, who have been prepared to receive the Sacrament, to participate regularly in Holy Communion.
2. Preparation for Holy Communion will be provided through the general communion program of the church.
3. Participation in Holy Communion shall be open to members of other congregations who accept the Lutheran teaching in regards to this Sacrament.
4. It shall be made known to prospective participants that the belief of this congregation is:  
Participation in the Lord's Supper is the reception of "the body and blood of our Lord Jesus Christ given with bread and wine, instituted by Christ Himself for us to eat and drink."

We hold that a "person is well prepared and worthy who believes these words, 'given and shed for you for the remission of sins'. But anyone who does not believe these words, 'for you' require simply a believing heart."

#### **SECTION II -- CONFLICTING LOYALTIES**

1. This congregation rejects all fellowship with organizations, secret or open which are avowedly religious or 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 thus teach salvation by works.
2. Ceremonies of lodges or other such organizations shall not be permitted in the church building or on the church premises of this congregation.
3. The pastor of this congregation shall not take part in any such ceremonies even if conducted outside of the church premises.

#### **SECTION III -- MEMBERSHIP**

##### **A. ADMISSION TO BAPTIZED MEMBERSHIP**

1. Children, one or both of whose parents or guardians are members of this congregation, shall, upon receiving Christian baptism, be thereby received as baptized members of this congregation.

2. Children, neither of whose parents or guardians are members of this congregation, shall, upon Christian baptism duly recorded as a ministerial act performed under the auspices of this congregation, thereby be received as baptized members of this congregation unless there is understanding that, for good reason, they will be enrolled as baptized members of another congregation, in which case notice of the baptism shall be given to the congregation in which the child is to be enrolled as a baptized member.

3. Children baptized in other congregations (and baptized adults mentally incompetent for confirmation) shall be received as baptized members of this congregation upon admission of one or both guardians to membership, or by consent of one or both parents or guardians, or by action of the church council.

4. Unbaptized adults who have received instruction and given evidence of having an adequate understanding and acceptance of the teachings of the Word of God as confessed by the Lutheran Church, shall, upon confession of faith and Christian Baptism duly recorded as a ministerial act performed under the auspices of this congregation, thereby be received as baptized members of this congregation.

## **B. ADMISSION TO CONFIRMED MEMBERSHIP**

1. Baptized adults, not previously members of the congregation, who have received instruction and given evidence of having adequate understanding and acceptance of the teachings of the Word of God as confessed by the Lutheran Church shall be admitted to confirmed membership through the rite of confirmation.

2. However, adults received as baptized members according to the provisions of Section III, A, 4, of the Bylaws shall be recognized as confirmed members, whether or not, at the discretion of the pastor, they participate in the rite of confirmation.

3. Children who are baptized members of the congregation shall be admitted to confirmed membership through preparation for the participation in the rite of confirmation.

4. Applicants for membership presenting letters of transfer showing them to be confirmed members in good standing in other Lutheran Churches shall be admitted to confirmed membership upon acceptance of their letters of transfer by the Pastor and the report of their names to the congregation.

5. Applicants for membership who present evidence of confirmation in a Lutheran Church but do not have letters of transfer shall be admitted to confirmed membership when the church council has determined that they meet the standards of Christian faith and life indicated in the Constitution and Bylaws and when they have reaffirmed their faith before the congregation.

## **C. ADMISSION TO VOTING MEMBERSHIP**

1. The church council shall be responsible for determining the voting membership in accordance with the qualifications specified in the Constitution and Bylaws. Any doubtful cases shall be decided by the congregation.

## **D. ADMISSION TO ASSOCIATE MEMBERSHIP**

1. Persons shall be admitted to associate membership in the congregation by approval of the Pastor.

## **E. DISCONTINUANCE OF MEMBERSHIP**

1. Members who move away shall be encouraged to transfer. Any confirmed member in good standing desiring to change membership to another Lutheran Church shall, upon request, be entitled to a letter of transfer.

2. Any confirmed member, who in the judgment of the church council shows no interest in attending church services, or fails to partake of communion and fails to contribute the congregational treasury according to the congregation's records, for a period of two years, shall be presumed to no longer desire membership, shall lose the right to vote, and shall not be counted in the membership statistics of the congregation. However, their name and record shall be kept on file for a period of five years thereafter. Such a person shall be encouraged to participate in the congregational life, or to transfer elsewhere, as the situation may indicate to be advisable. If they resume activity within the five year period, they shall be restored to the active membership list; if not, they shall be dismissed from the congregation and notified accordingly, where possible. Associate members who become inactive for a period of one year shall be dismissed from membership, and notified accordingly where possible.
3. Children, neither of whose parents or guardians are active members of this congregation, shall be dropped from the baptized membership roll if they fail to participate in the Christian education program of the congregation.
4. Members who have been excommunicated, dismissed, or who have resigned, and members who have transferred to other Lutheran congregations, or who are definitely known to have become members of other congregations without transfer, shall thereby have lost membership in this congregation and all rights appertaining thereto.

#### **SECTION IV -- THE PASTORAL CALL**

1. The congregation, after it has voted to call a pastor by at least a two-thirds majority vote present, shall issue a letter of call in a form approved by the Evangelical Lutheran Church in America, to the pastor elect, which shall bear the signatures of the chairman and secretary of the call committee, and shall be certified by the signature of the synod bishop. Calls to one of the clergy to positions of assistance to the pastor shall be issued, in consultation with the pastor, in accordance with the provisions of this paragraph.
2. The call shall normally be for an indefinite time, except that calls for a limited time may be issued to pastors who are qualified for emeritus status and are otherwise eligible for call.
3. Since the pastor ministers to the congregation primarily in the public preaching of the Word and in the administration of the Sacraments, and since both pastor and congregation are parties to the call, no pastor shall announce a decision on any subsequent call without first having consulted with the congregation or at least with its church council. Should the pastor thereupon resign to accept another call, the resignation shall be presented to the congregation and mutually satisfactory arrangements sought for terminating the pastor's services.
4. A desire for a change in pastorate, either by congregation or pastor, shall be brought to the attention of the synod bishop, who shall advise in the matter according to Chapter 9 of the Constitution and the established procedure of the Church.
5. Every pastor serving this congregation shall have an undivided loyalty to the faith and purpose of the Church -- according to Chapter 2 and 4 of the Constitution. Any question concerning such loyalty shall be adjudicated according to the recommended procedure of the Church.

#### **SECTION V -- THE ANNUAL MEETING**

1. Announcement of the time and place of the annual meeting of the congregation shall be made at two public services immediately preceding the annual meeting in January, said services to be at least a week apart, and in such publications as the congregation or the pastor may periodically issue; or by special written notice to the voting members mailed at least ten days in advance.
2. The current roster of voting members shall be determined prior to each annual meeting.
3. A quorum for the conduct of business at annual meeting shall consist of those voting members present.

4. The order of business at the annual meeting shall be set by the council and posted at least the Sunday before the meeting.
5. In the following cases voting shall be by ballot:
  - (a) to elect the church council;
  - (b) to adopt or amend the Articles of Incorporation, Constitution or Bylaws of the congregation;
  - (c) to call a pastor or to request the pastor's resignation;
  - (d) to excommunicate a member of the congregation;
  - (e) to sever membership in The Evangelical Church in America;
  - (f) to dispose of, encumber, or purchase real property;
  - (g) when requested by one or more voting members present;
  - (h) to accept the budget.
6. Except as otherwise provided in the Constitution and Bylaws, all matters shall be decided by majority vote of those present and voting.
7. No one shall be declared elected unless they have received a majority of the votes cast.
8. If more than one ballot is required in an election, it shall be in order by proper motion to limit the balloting after the first ballot to the three candidates receiving the highest number of votes of the first ballot, and after the second ballot to limit the balloting to the two candidates receiving the highest number of votes.
9. In all matters not specifically provided for herein, procedure shall be according to the current edition of Robert's "Rules of Order."

## **SECTION VI -- THE CHURCH COUNCIL**

### **A. MEMBERSHIP AND MEETINGS OF THE CHURCH COUNCIL**

1. The church council shall consist of seven to twelve members, each to be elected for a term of two or three years. Terms shall be staggered so that approximately one-third are elected each year.
2. No member of the church council shall be eligible to succeed themselves more than once. The filling of an unexpired term of less than one year shall not be deemed a term of office. Elections may be held at the annual meeting to fill unexpired terms.
3. In addition to the requirements of congregational membership stated in Chapter VIII of the Constitution, qualifications for membership on the church council shall include such ability as is needful in promoting the various interests of the congregation as outlined in the duties of the various committees of the council. Since it is incumbent upon all members of the congregation, according to Chapter VIII of the Constitution, to make diligent use of the Word of God in the public worship as well as the Sacraments, officers or board members who neglect these privileges, shall forfeit the right to serve in their elected or appointed capacities.
4. The congregation shall elect its officers and service committee chairmen from a slate of candidates prepared for the annual meeting by the nominating committee. Council shall inform the nominating committee of the offices to be filled each year. Additional candidates for each position may be nominated from the floor. The council may appoint a treasurer who need not necessarily be members of the council.
  - (a) The president shall preside over meetings of the church council and of the congregation unless the meeting decides otherwise.
  - (b) The vice president shall preside in the absence of the president, unless the meeting decides otherwise.
  - (c) The secretary shall keep the minutes of the council and of the congregation and shall preserve its archives.

(d) The bookkeeper shall be bonded and shall be custodian of all funds of the congregation and shall disburse all such funds in accord with the mission of the congregation. The treasurer shall present a financial report to the annual meeting and such other reports to the church council as may be requested. The treasurer shall be a member of the finance committee.

(e) The bookkeeper shall record the pledges and gifts of the members and deposit them into church accounts.

5. The Church Council shall be empowered to fill a vacancy occurring on the church council by appointment until the next annual meeting. A vacancy may occur by resignation or may be imposed if in the judgment of the Church Council a member is not fulfilling those duties which have been bestowed upon him or her by the Council.

6. No church council business shall be transacted unless a majority of the members is present.

7. The church council shall meet monthly.

8. Special meetings may be called by the pastor or the president or two members of the church council.

## **B. COMMITTEES OF THE CHURCH COUNCIL**

1. The church council shall appoint from the voting membership of the congregation such committees as may be necessary to further the mission of the church. The church council shall retain all rights to review and approve specific program criteria as deemed necessary.

2. The church council shall at least once a year invite the full membership of its regular committees together with representatives chosen by the organizations of the congregation to review the entire program of the congregation.

## **C. OTHER RESPONSIBILITIES OF THE CHURCH COUNCIL**

1. The church council shall be empowered to secure such help as is needed to carry on the work of the congregation such as organist, choir director, parish worker, pastor's secretary, office secretary, intern pastor, custodian, etc., and shall approve their salaries based on recommendations from the Staff Support team..

2. Adjustments in the salary of the pastor shall be the responsibility of the church council, subject to the congregation's approval of the budget.

3. The church council shall as far as possible operate within the limits of the approved budget of the congregation.

4. An auditing committee composed of two or more persons shall be appointed annually by the president with the approval of the church council. The auditing committee shall audit all financial records of the congregation proper, and present its report to the annual meeting in writing. The auditing committee shall carefully examine all insurance policies to determine the amount and kind of insurance in force and include this report in its statement.

5. Use of the Church properties.

(a) The property of the congregation shall be for the use of the congregations in its normal function as a Lutheran Church and shall not be used in any way not in harmony with the purpose of the congregation.

(b) Buildings which are the property of the congregation shall not be lent or rented to any group or individual not affiliated with the congregation or with The Evangelical Lutheran Church in America unless application for such use has been approved by the church council by a two-thirds majority in the case of a request for occasional use, or by a two-thirds majority vote of the council and confirmed by a majority present vote of the congregation in the case of a request for regular use.

## **SECTION VII -- COMMITTEES**

## **A. NOMINATING COMMITTEE**

1. The Nominating Committee shall be composed of the outgoing council members whose terms have expired and the pastor shall serve as convener and as an advisory member.
2. The Nominating Committee shall nominate one or more candidates for each office to be filled and shall secure the consent of each candidate to serve, if elected.
3. The candidates of the Nominating Committee shall be made known to the congregation in conjunction with the announcement of the annual meeting at which the election is to take place.
4. In addition to the candidates submitted by the Nominating Committee, additional nominations may be made from the floor.
5. A vacancy in the congregationally elected membership of the Nominating Committee shall be filled by appointment by the church council.

## **B. ENDOWMENT COMMITTEE**

### **BYLAWS TO IMPLEMENT THE PLAN OF OPERATION**

#### **1. THE COMMITTEE**

- a. "The committee shall consist of five members, all of whom shall be voting members of Resurrection Lutheran Church. Except as herein limited, the term of each member shall be three (3) years. Upon adoption of this resolution by the congregation, it shall elect five (5) members to the COMMITTEE: two (2) for a term of three (3) years; two (2) for a term of two (2) years; and one (1) for a term of one (1) year. Thereafter, at each annual meeting, the congregation shall elect the necessary number for a term of three (3) years. No member shall serve more than two consecutive three (3) year terms. After a lapse of one (1) year, former COMMITTEE members may be re-elected. The senior pastor and the president of the Congregation Council shall be non-voting, advisory members of the COMMITTEE. The Congregation Council of the congregation shall nominate for the COMMITTEE and report at the annual congregational meeting in the same manner as for other offices and committees. In the event of a vacancy on the COMMITTEE, the Congregation Council shall appoint a member to fill the vacancy until the next annual meeting of the congregation, at which time the congregation shall elect a member to fulfill the term of the vacancy.
- b. The COMMITTEE shall meet at least quarterly, or more frequently as deemed by it in the best interest of the FUND.
- c. A quorum shall consist of three (3) members. When only three (3) members are present a unanimous vote shall be required to carry any motion or resolution.
- d. The COMMITTEE shall elect from its membership a chairperson, recording secretary and financial secretary. The chairperson, or member designated by the chairperson, shall preside at all committee meetings.
- e. The recording secretary of the COMMITTEE shall maintain complete and accurate minutes of all meetings and supply a copy thereof to each member of the COMMITTEE. Each member shall keep a complete copy of minutes to be delivered to his or her successor. The recording secretary shall also supply a copy of the minutes to the Congregation Council.
- f. The financial secretary of the COMMITTEE shall maintain and coordinate complete and accurate accounts for the FUND. All checks and other documents transferring or expending any funds or assets in the Fund shall be authorized by the financial secretary of the COMMITTEE and signed by the Treasurer of the congregation. The books shall be audited annually by a certified public accountant or other appropriate person who is

not a member of the COMMITTEE.

- g.** The COMMITTEE shall report on a quarterly basis to the Congregation Council and, at each annual or duly called special meeting of the congregation, shall render a full and complete audited account of the administration of the FUND during the preceding year.
- h.** The COMMITTEE may request other members of the congregation to serve as advisory members and, at the expense of FUND income, may provide for such professional counseling on investments or legal matters as it deems to be in the best interest of the FUND.
- i.** Members of the COMMITTEE shall not be liable for any losses which may be incurred upon the investments of the assets of the FUND except to the extent such losses shall have been caused by bad faith or gross negligence. No member shall be personally liable as long as he/she acts in good faith and with ordinary prudence. Each member shall be liable only for his/her own willful misconduct or omissions, and shall not be liable for the acts or omissions of any other member. No member shall engage in any self-dealing or transactions with the FUND in which the member has direct or indirect financial interest and shall at all times refrain from any conduct in which his/her personal interests would conflict with the interest of the FUND.
- j.** All assets are to be held in the name of the Resurrection Mission Endowment Fund.
- k.** Decisions to hold, sell, exchange, rent, lease, transfer, convert, invest, reinvest, and in all other respects to manage and control the assets of the FUND, including stocks, bonds, debentures, mortgages, notes, or other securities, as in their judgment and discretion they deem wise and prudent, are to be made by the COMMITTEE. If the Congregation needs to borrow funds in order to purchase tangible assets or repair tangible assets, the Congregation Council may recommend that Fund income or principle be used, as collateral only, to acquire a loan.
- l.** Decisions to accept a gift or bequest, as in their judgment and discretion they deem wise and prudent, are to be made by the COMMITTEE. The COMMITTEE has the authority to accept or reject designated or undesignated gifts to the congregation that impose special terms, limits of investment, and conditions of sale and/or liquidation. Gifts of tangible assets that are not immediately useful in or for the ministry of Resurrection Lutheran Church are to be sold, liquidated, converted to cash, or returned to the donor or the donor's estate. At the discretion of the COMMITTEE, advice and/or approval of the Congregation Council may be sought.
- m.** When gifts of real property are offered, the COMMITTEE is restricted to accept them conditionally until the following criteria are met.

  - i.** The donor must provide a certified appraisal that establishes the market value of the property within 90 days of the gift date.
  - ii.** If the appraisal does not include an environment impact evaluation, one must be done separately, and provided by the donor.
  - iii.** In the rare instance where an environmental impact study by a qualified engineer is called for, it must be done at the expense of the donor.

#### **DISTRIBUTION OF INCOME**

- 1.** The COMMITTEE shall determine what is principal and income according to accepted accounting procedures. Gifts and bequests to the fund shall accumulate and the income generated from the investment of the principal shall be expended.
- 2.** The FUND shall distribute at least annually a percentage of the market value of the fund determined on the last business day of the Fund's fiscal year. The distribution percentage shall be determined by the Fund Committee but shall not exceed 5 percent of the fund market value or 50 percent of the fund income for the previous year, whichever amount shall be greater.

3. Distributions from the Fund as calculated in #2 above shall be made annually. Such distributions may be made in a lump sum or in periodic payments during the year as deemed necessary and/or feasible to accomplish the following purposes:
  - a. To support Christian outreach in our community including individuals as well as social service agencies, institutions, and special programs designed to assist individuals in our community in spiritual or economic need.
  - b. To support ministries within RLC that have a demonstrated need not provided for in their respective budgets.
  - c. To support capital improvements, debt service, or capital campaigns of RLC.
  - d. In support of grants to Christian schools, colleges, seminaries as well as individual students attending such schools.
  - e. To support staff skill enhancement and team building through training and development activities including pastoral staff.
  - f. The proportion given to any of the above designated purposes shall be in the sole discretion of the COMMITTEE, subject to Church Council approval as outlined below.
4. In making its recommendations for distribution the committee shall seek the input from RLC's pastoral staff. The committee may seek further input from church staff and the general congregation.
5. The final recommendations for distribution shall be submitted to the Church council. Upon approval of the Church council the COMMITTEE may proceed to complete the distributions.
6. In determining if any proposed distribution or recipient meets the criterion outlined in section 3 above the COMMITTEE is granted the widest discretion within the bounds of prudence and that carries out the Mission/Vision of RLC as it may exist from time to time. The future is unknown and the FUND is designed to meet the needs of RLC, our community, and the world in an ever changing environment.
7. Programs, causes and individual requests for support shall be submitted by the Congregation Council to the COMMITTEE for funding according to the guidelines established by the congregation.
8. Disbursement of income from the FUND need not occur annually if programs, causes and individual requests have not been approved by the COMMITTEE sufficient to utilize total income available, or if in the judgment of the COMMITTEE total annual disbursement of income is not recommended.”

### **DISTRIBUTION OF PRINCIPAL**

“When, in the opinion of the COMMITTEE circumstances are so dire and of such an emergency nature that the future of the congregation is at stake, and that the only recourse seems to be the use of the FUND principal, or when the principal exceeds \$500,000, the COMMITTEE may, upon a two-thirds majority vote, recommend such authorizing action to the congregation. The congregation may then, upon a two-thirds majority vote, authorize expenditure of the fund principal.”

### **AMENDING THE RESOLUTION**

“BE IT FURTHER RESOLVED that any amendments to this resolution, which will change, alter or amend the purpose for which the FUND is established shall be adopted by a two-thirds vote of the members present at an annual meeting of the congregation or at a special meeting called specifically for the purpose of amending this resolution.”

### **DISPOSITION OF TRANSFER OF FUND**

“BE IT FURTHER RESOLVED that in the event Resurrection Lutheran Church ceases to exist either through merger or dissolution, disposition or transfer of the FUND shall be at the discretion of the Congregation Council in conformity with the approved congregational constitution and in consultation with the bishop of the synod to which this congregation belongs at such time. Consultation with the Evangelical Lutheran Church in America may be desirable for continuation of Resurrection Mission Endowment Fund obligations.”

### **C. STAFF SUPPORT COMMITTEE**

1. The staff support committee shall consist of no less than three (3) and no more than seven (7) members of the congregation as appointed by the pastor under advice from council.
2. The Staff Support Committee shall perform human resource services and support to the church staff.

### **SECTION VIII - REPORTS OF COMMITTEES AND ORGANIZATIONS**

All committees and organizations shall submit reports of activities to the congregation. Organizations with treasuries shall also submit a financial report.

### **SECTION IX -- MINISTERIAL RECORDS**

The pastor shall be responsible for keeping accurate records of membership and of ministerial acts on forms provided by the congregation and which shall remain the property of the congregation. The pastor shall report these statistics to the congregation annually, and, when required, to the secretary of The Evangelical Lutheran Church in America. Upon leaving the congregation, the pastor shall complete the records of ministry up to the time of departure.

### **SECTION X -- REVIEW OF THE CONSTITUTION**

The Constitution of this congregation shall be reviewed by the members of the church council at the November meeting prior to the first annual business meeting after adoption and triennially thereafter.