

Evangelical United Lutheran Church  
5945 Fremont Street  
Lincoln, Nebraska 68507-1623

## **CONSTITUTION BYLAWS AND CONTINUING RESOLUTIONS**

(ELCA Model Constitution Copyright 1997 by the Evangelical Lutheran Church in America, as amended IAW 1999 Amendments as approved by 1999 Churchwide Assembly of the ELCA, Denver, CO., August 16-22, 1999.); 2001 amendments as approved by the 2001 Churchwide Assembly of the ELCA, Indianapolis, Indiana (August 8-14, 2001) and 2003 amendments as approved by 2003 Churchwide Assembly of the ELCA, Milwaukee, WI (August 11-17, 2003).

### **\*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 Evangelical United Lutheran Church.

**C1.02** For the purpose of this constitution and the accompanying bylaws, the congregation of (Evangelical United Lutheran Church) is hereinafter designated as "this congregation."

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

### **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** 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.

### **Chapter 4.** **STATEMENT OF PURPOSE**

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

**\*C4.02** To participate in God's mission, this congregation as a part of the Church shall:

- a.** Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, and service.
- b.** Proclaim God's saving Gospel of justification by grace for Christ's sake through faith alone, according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.
- c.** Carry out Christ's Great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministry with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.
- d.** Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity and justice for all people, working for peace and reconciliation among the nations, and standing with the poor and powerless, and committing itself to their needs.
- e.** Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.
- f.** Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity which the Spirit gives.

**\*C4.03** To fulfill these purposes, this congregation shall:

- a.** Provide services of worship at which the Word of God is preached and the sacraments are administered.
- b.** Provide pastoral care and assist all members to participate in this ministry.
- c.** Challenge, equip, and support all members in carrying out their calling in their daily lives and in their congregation.
- d.** Teach the Word of God.
- e.** Witness to the reconciling Word of God in Christ, reaching out to all people.
- f.** Respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.
- g.** Motivate its members to provide financial support for the congregation's ministry and the ministry of other parts of the Evangelical Lutheran Church in America.
- h.** Foster and participate in interdependent relationships with other congregations, the synod, and the church wide organization of 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 group and shall review their actions. Such descriptions shall be contained in continuing resolutions in the section on the Congregation Council.

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

## **Chapter 5. POWERS OF THE CONGREGATION**

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

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

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

- a. call a pastor as provided in Chapter 9;
- b. terminate the call of a pastor as provided in Chapter 9;
- c. call or terminate the call of associates in ministry, deaconesses, and diaconal ministers in conformity with the applicable policy of the Evangelical Lutheran Church in America;
- d. adopt amendments to the constitution, as provided in Chapter 17, and amendments to the bylaws, as specified in Chapter 16;
- e. approve the annual budget;
- f. acquire real and personal property by gift, devise, purchase, or other lawful means;
- g. hold title to and use its property for any and all activities consistent with its purpose;
- h. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
- i. elect its Congregation Council, and require the members of the council to carry out their duties in accordance with the constitution, bylaws, and continuing resolutions; and

j. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.

**\*C5.04** This congregation shall choose from among its voting members laypersons to serve as voting members of the Synod Assembly as well as persons to represent it at meetings of any conference, cluster, coalition, or other area subdivision of which it is a member. The number of persons to be elected by the congregation and other qualifications shall be as prescribed in guidelines established by the Nebraska Synod of the Evangelical Lutheran Church in America.

**C5.04.01** Reasonable and ordinary expenses incurred by such delegates in connection with their attendance at the Synod Assembly and the above-stated meetings shall be paid for by the congregation.

**C5.05** This congregation shall have a mission endowment fund that will operate as specified in this congregation's continuing resolutions. The purpose of the mission endowment fund is to provide for mission work beyond the operational budget of this congregation.

## **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 Nebraska 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, deaconesses, and diaconal ministers for call to other staff positions in the congregation according to the procedures of the Evangelical Lutheran Church in America.
- e. This congregation agrees to file this constitution and any subsequent changes to this constitution with the synod for review to ascertain that all of its provisions are in agreement with the constitution and bylaws of the Evangelical Lutheran Church in America and with the constitution of the synod.

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

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

**\*C6.05** 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 the voting members present.
- 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 this 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 present, at which 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 the Evangelical Lutheran Church in America 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.
- g. Since this congregation was a member of the Lutheran Church in America, it shall be required, in addition to the foregoing provisions in \*C6.05., to receive synodical approval before terminating its membership in the Evangelical Lutheran Church in America.
- h. Since this congregation was established by the Evangelical Lutheran Church in America, it shall be required, in addition to the foregoing provisions in \*C6.05., to receive synodical approval before terminating its membership in the Evangelical Lutheran Church in America.

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

## **Chapter 7. PROPERTY OWNERSHIP**

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

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

**\*C7.03** If a two-thirds majority of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to transfer to another Lutheran church body, title to property shall continue to reside in this congregation. Before this congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of the Nebraska Synod.

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

**C7.05.** Notwithstanding the provisions of \*C7.02. and \*C7.03. above, where this congregation has received property from the synod pursuant to a deed or other instrument containing restrictions under provision 9.71.a. of the Constitution, Bylaws and Continuing Resolutions of the Evangelical Lutheran Church in America, this congregation accepts such restrictions and:

**a.** Shall not transfer, encumber, mortgage, or in any way burden or impair any right, title, or interest in the property without prior approval of the Synod Council.

**b.** Shall—upon written demand by the Synod Council, pursuant to S13.23. of the constitution of the Nebraska Synod, ELCA—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.

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

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

**C8.03.01** The approval of the Congregation Council shall be based on the prospective member's willingness to fulfill the duties of members of this congregation as set forth in \*C8.04 of this constitution.

**C8.03.02** In the event that the Congregation Council refuses to approve an application for membership, the applicant shall be notified in writing of the reason for the council's action and the procedure for appeal which shall be as provided in \*C15.04 of this constitution.

**\*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, synod, and the church wide 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 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.

**C8.05.01** Inactivity shall be defined as the failure to receive Holy Communion and to make a contribution of record for a period of two consecutive calendar years. Such inactive persons may be removed from the roll of members by the congregation council. This procedure will take place only when there is a pastor under call to serve this congregation or with the approval of the Bishop of the Nebraska Synod and after such members have been counseled, if they can be located, about the matter.

## **Chapter 9. THE PASTOR**

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

**C9.01.01** It shall be the practice of this congregation that the "Call Committee" elected by the council will consist of voting members of the congregation, with at least one and no more than two members of the congregation council. The composition of this committee will be three male and three female members, with diverse age and cultural representation.

**\*C9.02** Only a member of the clergy roster of the Evangelical Lutheran Church in America or a candidate for the roster of ordained ministers who has been recommended for the congregation by the synodical bishop may be called as a pastor of this congregation.

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

**a.** Every ordained minister shall:

1. preach the Word;
2. administer the sacraments;
3. conduct public worship;
4. provide pastoral care; and

5. speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.

**b.** Each ordained minister with a congregational call shall, within the congregation:

1. offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
2. supervise all schools and organizations of this congregation;
3. install regularly elected members of the Congregation Council; and
4. with the council, administer discipline.

**c.** Every pastor shall:

1. strive to extend the Kingdom of God in the community, in the nation, and abroad;
2. seek out and encourage qualified persons to prepare for the ministry of the Gospel;
3. impart knowledge of this church and its wider ministry through distribution of its periodicals and other publications; and
4. endeavor to increase the support given by the congregation to the work of the church wide organization of the Evangelical Lutheran Church in America (ELCA) and of the Nebraska Synod of the ELCA.

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

**\*C9.05**

**a.** The call of a congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which, except in the case of the death of the pastor, shall be terminated only following consultation with the synodical bishop and for the following reasons:

1. mutual agreement to terminate the call or the completion of a call for a specific term;
2. resignation of the pastor, which shall become effective, unless otherwise agreed, 30 days after the date on which it was submitted;
3. inability to conduct the pastoral office effectively in the congregation in view of local conditions, without reflection on the competence or the moral and spiritual character of the pastor;
4. the physical or mental incapacity of the pastor;
5. disqualification of the pastor through discipline on grounds of doctrine, morality, or continued neglect of duty;
6. the dissolution of the congregation; or
7. suspension of the congregation as a result of discipline proceedings.

**b.** When allegations of physical or mental incapacity of the pastor or ineffective conduct of the pastoral office have come to the attention of the bishop of the synod, the bishop in his or her sole discretion may, or when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of the congregation, the bishop shall, investigate such conditions personally in company with a committee of two ordained ministers and one layperson.

**c.** In case of alleged physical or mental incapacity, competent medical testimony shall be obtained. When such disability is evident, the bishop of the synod with the advice of the committee shall declare the pastorate vacant. Upon the restoration of a disabled pastor to health, the bishop of the synod shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another field of labor.

**d.** In the case of alleged local difficulties that imperil the effective functioning of the congregation, all concerned persons shall be heard, after which the bishop of the synod together with the committee described in \*C9.05.b. shall decide on the course of action to be recommended to the pastor and the congregation. If they agree to carry out such recommendations, no further action shall be taken by the synod. If either party fails to assent, the congregation may dismiss the pastor at a legally called meeting after consultation with the bishop, either (a) by a two-thirds majority vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a simple majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.

**e.** If, in the course of proceedings described in \*C9.05.d., the committee concludes that there may be grounds for disciplinary action, the committee shall make recommendations concerning disciplinary action to the synodical bishop who may bring charges, in accordance with the provisions of the constitution and bylaws of the Evangelical Lutheran Church in America and the constitution of this synod.

f. If, following the appointment of the committee described in \*C9.05.b. or d., it should become apparent that the pastoral office cannot be conducted effectively in the congregation(s) being served by the ordained minister due to local conditions, the bishop of the synod may temporarily suspend the pastor from service in the congregation(s) without prejudice and with pay provided through a joint synodical and church wide fund and with housing provided by the congregation(s).

**C9.05.01** In the event of a pastor's physical or mental incapacity, as outlined in C9.05.c., the congregation shall continue to be responsible for salary, housing and benefits until the ELCA Board of Pensions disability benefits commence.

**\*C9.06** At a time of pastoral vacancy, an interim pastor shall be appointed by the bishop of the synod with the consent of this congregation or the Congregation Council.

**\*C9.07** During the period of service, an interim pastor shall have the rights and duties in the congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or Congregation Council. The interim pastor and any ordained pastor providing assistance shall refrain from exerting influence in the selection of a pastor.

**\*C9.08** This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting related to the Evangelical Lutheran Church in America.

**\*C9.09** When a pastor is called to serve in company with another pastor or pastors, the privileges and responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted in consultation involving the pastors, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.

**\*C9.11** With the approval of the bishop of the synod, the congregation may depart from \*C9.05.a. and call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the pastor and representatives of the congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of \*C9.05.a.

**\*C9.12** The pastor of this congregation:

a. shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation;

b. shall submit a summary of such statistics annually to the synod; and

c. shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.

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

**\*C9.20** Ecumenical pastoral ministry.

**\*C9.21** Under special circumstances, subject to the approval of the synodical bishop and the concurrence of this congregation, an ordained minister of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion may serve temporarily as pastor of this congregation under a contract between the congregation and the ordained minister in a form proposed by the synodical bishop and approved by the congregation.

## **Chapter 10. CONGREGATION MEETING**

**C10.01** The annual meeting of this congregation shall be held at a time specified in the continuing resolutions.

**C10.01.A01** The annual congregational meeting shall be held on a date in January as set by the Congregation Council.

**C10.01.B01** At the annual meeting, the pastor(s) the Secretary and the Treasurer of the congregation shall each submit a written report. Each organization and/or committee shall also submit a written report.

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

**C10.03** Notification of Congregation Meetings:

**a.** Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays.

**b.** Notice of special 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 first class postage affixed or paid, sent to the last known address of such members shall be sufficient.

**C10.04** Ten percent of the voting members shall constitute a quorum.

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

**C10.06** All actions approved by the congregation shall be by majority vote of those voting members present and voting, except as otherwise provided in this constitution or by state law.

**C10.07** Robert's Rules of Order, 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.
- d. Officers of this congregation shall be selected from the elected membership of Congregation Council.

**C11.01.01** Duties of the officers of this congregation shall be as follows:

- a. The President of the congregation shall preside at all meetings of the congregation, the Congregation Council and the Executive Board.
- b. The Vice President of the congregation shall assist the President of the congregation in the accomplishment of his/her duties and responsibilities. The Vice President will preside at meetings of the congregation, Congregation Council and the Executive Board in the absence of the President of this congregation.
- c. The Secretary of this congregation and the Congregation Council shall be responsible to record accurate minutes of all meetings of the congregation, the Congregation Council and the Executive Board. All Minutes will be placed in a volume provided by the congregation which shall be preserved permanently in its archives. Printed copies of the minutes of the monthly meetings of the Congregation Council or any meetings of the Executive Board shall be provided at the subsequent meeting of the Congregation Council. Printed copies of the minutes of the Annual Meeting or any special meetings of the Congregation shall be provided as part of the bulletin of reports for the subsequent annual meeting of the Congregation.
- d. The Treasurer of the Congregation shall represent the Congregation Council, serving as an active member of the Finance Committee and shall represent the Finance Committee at all meetings of the Congregation Council. He/she shall present and explain written reports rendered from the congregational bookkeeper/accountant, at monthly Congregation Council meetings, and to the congregation at its annual meetings.

**C11.02** The Congregation Council shall elect its officers and they shall be the officers of the congregation. The officers shall be elected by written ballot and shall serve for one year or until their successors are elected. Their terms shall begin at the

close of the 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 the pastor(s), the officers of the congregation, and not more than 8 nor fewer than 3 members of the congregation. Any voting member of the congregation may be elected, subject only to the limitation on the length of continuous service permitted in that office. A member's place on the Congregation Council shall be declared vacant if the member a) ceases to be a voting member of this congregation or b) is absent from four successive regular meetings of the Congregation Council without cause. Consistent with the laws of the state of Nebraska, in which the congregation is incorporated, the congregation may adopt procedures for the removal of a member of the Congregation Council in other circumstances.

**C12.02** The members of the Congregation Council except the pastor(s) shall be elected by written ballot to serve for three years or until their successors are elected. Such members shall be eligible to serve no more than two full terms consecutively. Their terms shall begin at the close of the annual meeting at which they are elected. When two terms have been served, that member shall not be eligible to serve another term until at least three years have passed. Newly elected Congregation Council members shall be installed at a subsequent Sunday worship service.

**C12.02.01** One third of the membership of the Congregation Council will be elected to three year terms, each year.

**C12.03** Should a member's place on the Congregation Council be declared vacant, the Congregation Council shall elect, by majority vote, a successor until the next annual meeting. Individuals who have served less than one-half of a regular term shall be eligible for nomination and possible election to a full term.

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

- a.** To lead this congregation in stating its mission, to do long-range planning, to set goals and priorities, and to evaluate its activities in light of its mission and goals.
- b.** To seek to involve all baptized members of this congregation in worship, learning, witness, service, and support.
- c.** To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.

- d.** To maintain supportive relationships with the pastor(s) and staff and help them annually to evaluate the fulfillment of their calling or employment.
- e.** To be examples individually and corporately of the style of life and ministry expected of all baptized persons.
- f.** To promote a congregational climate of peace and goodwill, and, as differences and conflicts arise, to endeavor to foster mutual understanding.
- g.** To arrange for pastoral service during the sickness or absence of the pastor.
- h.** To emphasize partnership with the synod and church wide organization of the Evangelical Lutheran Church in America as well as cooperation with other congregations, both Lutheran and non-Lutheran, subject to established policies of the synod and the Evangelical Lutheran Church in America.
- i.** To recommend and encourage the use of program resources produced or approved by the Evangelical Lutheran Church in America.
- j.** To seek out and encourage qualified persons to prepare for the ministry of the Gospel.

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

- a.** The Congregation Council shall be the board of trustees 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 Nebraska, except as otherwise provided herein.
- b.** The Congregation Council shall not have the authority to buy, sell, or encumber real property unless specifically authorized to do so by a meeting of the congregation.
- c.** The Congregation Council may enter into contracts of up to 5% of the approved budget for items not included in the budget.
- d.** The Congregation Council shall prepare an annual budget for adoption by this congregation, shall supervise the expenditure of funds in accordance therewith following its adoption, and may incur obligations of more than 5% of the approved budget in excess of the anticipated receipts only after approval by a Congregation Meeting. The budget shall include this congregation's full indicated share in support of the wider ministry being carried on in partnership with the synod and church wide organization.
- e.** The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of benevolence monies to the synodical treasurer.

f. The Congregation Council shall be responsible for this congregation's investments and its total insurance program.

**C12.05.01** The Congregation Council shall be responsible for the establishment and maintenance of a Covenant and/or Endowment Fund which will be held in the name of the congregation to receive bequests in wills, charitable remainder and other trusts, charitable gift annuities, assignment of life insurance, and transfers of property, such as cash, stocks, bonds and real estate. This fund shall be placed in an interest bearing account, and only the earnings will be distributed.

**C12.05.02** The Congregational Council shall be responsible for the establishment and maintenance of a Scholarship Fund which will be held in the name of the congregation for the purpose of providing scholarships to any members of the congregation who have been accepted to attend any recognized institution of higher education. This fund shall be funded by a designated amount that is approved by the congregation at their annual meeting each year, gifts from individuals designated to the Scholarship Fund, and any funds received from the congregations' Endowment Fund. This Scholarship Fund shall be invested and managed the Finance Committee of this congregation. Any funds withdrawn from this account (other than necessary to accomplish investment requirements), must be approved by written request of the Scholarship Committee and forwarded to the Congregation Council for approval.

**C12.05.A01** To assist the Congregation Council with its responsibilities regarding financial matters of the congregation there shall be:

a. A Finance Committee: The Finance Committee shall be composed of voting members of the congregation, the Congregational Treasurer and the bookkeeper. This committee shall be responsible to the council, as follows:

1. to regularly review all accounts and investments of the congregation and make reports and recommendations to the council regarding such funds.

2. to regularly review all of the congregation's insurance programs and make reports and recommendations to the council regarding these programs.

3. oversee the procedures for the handling of all receipts of the congregation, and make recommendations to the council regarding these procedures.

4. Draft a proposed plan of spending, annually, and present to the congregation Council for recommendation to the congregation at its annual meeting.

b. Worship Coordinators, who shall collect all offerings of the congregation, and secure all receipts at a bank, for holding until it can be properly counted and deposited.

c. A Teller Committee, composed of voting members of the congregation, under the supervision of paid staff, on the first bank business day of each week, shall obtain the offering from the bank; count the funds; ensure that they are properly accounted for on a "teller's report", placing funds in proper budget accounts; and properly deposit in the bank.

d. A Financial Secretary, a paid, part-time position, shall be responsible to the Congregation Council for the following:

1. Using the congregation's computer software and data base, enter all receipts of the congregation and maintain records of giving for all members of the congregation, and identified visitors, using giving envelopes and Teller Reports, forwarded by the teller committee, on a weekly basis.

2. Submit reports of giving, on a semiannual basis (July & January) to all who have made contributions to this congregation. For income tax purposes, such reports rendered at year end, will be mailed using first class mail by January 31.

3. Safeguard all individual giving information to ensure that the confidentiality of such information is not breached.

4. Work closely with the Congregational Bookkeeper to balance the books on a monthly basis.

5. Submit statistical information to the Stewardship Committee, Finance Committee, pastors, or Congregation Council, upon request.

e. A Congregational Bookkeeper, a paid, part-time position, shall be responsible to the Congregation Council for the following:

1. Maintain the accounts of the congregation using the computer software and data base of the congregation.

2. Disburse funds, on behalf of the congregation when properly authorized, and make monthly distribution of benevolence receipts to the treasurer of the Nebraska Synod, ELCA, and to other benevolent entities for which the funds are received.

3. Submit the books of accounts of the congregation to the Audit Committee, annually and upon request.

4. Submit a monthly report of accounts to the Treasurer of the congregation for presentation at regular meetings of the Congregation Council.

5. Submit an annual report of accounts to the Treasurer of the congregation for presentation at the annual meeting of the congregation.

6. File all payment authorizations, billings and invoices in a proper manner.

7. Maintain the payroll records for pastors and employees of the congregation, paying salaries/wages in a timely manner, and ensure that all federal and state income taxes withheld, and employer taxes are submitted to the city, state and federal revenue departments, if required. Ensure that W2 forms are placed in the hands of all concerned, prior to the 31st day of January each year.

8. Serve as a member of the Finance Committee of the congregation.

f. A Memorial Committee: This committee shall consist of one (1) congregational council member and six (6) voting members of the congregation, all of which shall be elected by the congregational council, in such a manner that two (2) are elected each year to serve a 3 year term. Members of this committee may only serve two (2) consecutive terms. The responsibilities of this committee shall be:

1. Meet periodically to take action regarding suggestions received from members of the congregation for Memorial Fund expenditures. Such suggestions shall be presented to the Memorial Committee, in writing.

2. All suggestions and recommendations regarding expenditure of Memorial Funds shall be sent on to the Congregation Council. Such recommendations shall be for either approval or disapproval, and will include the rationale for the committee's decision. The final action regarding such suggestions and recommendations shall be determined by the Congregation Council. Only expenditures which benefit the congregation, shall be authorized by the Congregation Council.

g. An Endowment Committee, shall be composed of five voting members of the congregation, elected by the Congregation, at its annual meeting. Two members shall be elected each year, except that every third year, only one shall be elected. The term of office for each member shall be 3 years, limited to no more than two consecutive terms. The President of the congregation shall be a non-voting member of this committee. This committee shall be responsible to the Congregation Council for the governance and operational procedures with regard to the Covenant and/or Endowment Funds of the congregation, and the written operational guidelines regarding this fund, shall be established by the congregation council and shall be on file in the church office.

h. A Scholarship Committee, shall be composed of the following people:

1. The Senior Pastor
2. The Associate Pastor
3. The Congregation President
4. The Chairperson of the Finance Committee
5. The Chairperson of the Christian Education Committee
6. The Chairperson of the Endowment Committee

The written operational guidelines regarding the Scholarship Fund shall be established by the congregation council and shall be on file in the church office.

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

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

**C12.08** The Congregation Council shall be responsible for the employment and supervision of the salaried lay workers of this congregation.

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

**C12.11** The Congregation Council shall normally meet once a month. Special meetings may be called by the pastor or the president, and shall be called by the president at the request of at least one-half of its members. Notice of each special meeting shall be given to all who are entitled to be present.

**C12.12** A quorum for the transaction of business shall consist of a majority of the members of the Congregation Council, including the pastor or interim pastor, except when the pastor or interim pastor requests or consents to be absent and has given prior approval to the agenda for a particular regular or special meeting, which shall be the only business considered at that meeting. Chronic or repeated absence of the pastor or interim pastor who has refused approval of the agenda of a subsequent regular or special meeting shall not preclude action by the Congregation Council, following consultation with the synodical bishop.

**C12.12.A01** With the written approval of the Senior Pastor, the authority set forth in C12.11 and C12.12 will rest with the Associate Pastor, in the absence of the Senior Pastor.

### **Chapter 13.**

#### **CONGREGATION COMMITTEES**

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

**C13.01.A01** The duties of the Executive Committee of this congregation is to act on behalf of the congregation council, only when emergency situations arise, or until a special council meeting can be called.

**C13.02** A Nominating Committee of six voting members of this congregation, shall be elected at the annual meeting for a term of one year. Members of the Nominating Committee may serve no more than two consecutive terms.

**C13.02.A01** The Nominating Committee meets once in December and twice in January each year prior to the Annual Congregational Meeting. Their duty is to seek out and build a slate of candidates for the elected positions within the congregation. Members of this committee will also serve at the Annual Meeting of the congregation, by counting the ballots for congregational elections and reporting election results to the Congregation.

**C13.03** An Audit Committee of three voting members shall be elected by the Congregation Council. Audit Committee members shall not be members of the Congregation Council. Term of office shall be three years, with one member elected each year. Members shall be eligible for reelection.

**C13.03.A01** Prior to the annual meeting of the congregation, the audit committee (composed of at least three persons) will audit all accounts of the congregation and submit either a written or oral report to the congregation.

**C13.04** A Mutual Ministry Committee shall be appointed jointly by the president and the senior pastor. Term of office shall be two years, with three members to be appointed each successive year

**C13.04.A01** The Mutual Ministry Committee is organized to provide staff support; clarify expectations of staff and congregation members; clarify the role of each paid staff person through the creation of position descriptions; pick up on early warning signs of dissatisfaction in the congregation regarding staff; review salary and make recommendations to the Congregation Council; and in general, to provide a sounding board for the entire United community.

**C13.05** When a pastoral vacancy occurs, a Call Committee of six voting members shall be elected by the Congregation Council. Term of office will terminate upon installation of the newly called pastor. (See C9.01.01)

**C13.06** Other committees of this congregation may be formed, as the need arises, by decision of the Congregation Council.

**C13.06.A01** Committees shall be established within the congregation for the purpose of ensuring that the provisions of Chapter 4 of this Constitution are met. The committees listed below shall be established:

- a. # Worship Committee
- b. # Christian Education Committee
- c. # Evangelism Committee
- d. # Social Ministry Committee
- e. # Stewardship Committee
- f. # Property Committee
- g. # Youth & Family Ministry Committee
- h. Funeral Ministry Committee
- i. Altar Guild
- j. # Finance (See C12.05)
- k. Memorial (See C12.05)
- l. Endowment (See C12.05)

**C13.07** Duties of committees of this congregation shall be specified in the Continuing Resolutions. Operational Guidelines for such committees shall be on file in the Congregation Office and shall be reviewed and updated by each committee, annually at year's end.

**C13.07.A01** Committees indicated above by a pound sign (#) shall meet on the fourth Monday of each month, at 7:00 p.m. All other committees shall meet as needed. Each committee shall submit written reports of their monthly meetings, to the Congregation Council and reports of their yearly activities and projects to the congregation, through the Annual Meeting Bulletin of Reports.

**C13.07.B01** Worship Committee: The Worship Committee shall be responsible for the worship and music programs of the congregation. Duties of the Worship Committee shall include:

- a. Assist the pastors and paid staff in the planning of all worship and holy communion services.
- b. Assist the Altar Guild with “The Hanging of the Greens” prior to the First Sunday in Advent, and with the removal of the greens, prior to the First Sunday of Epiphany.
- c. The procurement and display of seasonal flowers (poinsettias, Easter lilies), at the appropriate times.
- d. Coordination and training of laypersons to serve as Worship Coordinators, Greeters, Ushers, Acolytes, Cantors, Lectors and Communion Assistants.
- e. The selection and supervision of the Director of Music, Organists and Accompanists.
- f. The approval of all music used at wedding services held in the sanctuary or chapel of this congregation, and in accordance to the congregation’s Wedding Guidelines.
- g. Supervise the Altar Guild, in matters regarding worship.
- h. The maintenance of choir robes including procurement, cleaning and repair of such garments.
- i. The maintenance of the sanctuary organ, hand chime set and all pianos owned by the congregation.
- j. The administration of the Taped Ministry Program of the congregation, including the production, reproduction and mailing of taped worship services to those who request them and the recovery and recycling of such worship tapes after users are finished with them.

**C13.07.C01** Christian Education Committee shall be responsible for the educational ministry of the Sunday Church School, confirmation ministry program, adult Christian education, “Head to the Heart” program, “Logos” program, Vacation Bible School and the Knaub Memorial Library.

**C13.07.D01** Evangelism Committee shall be responsible for the evangelism and outreach program of the congregation, including the reception and integration of new members, establishing contact with visitors informing them of the activities of this congregation and assisting the pastors with new member orientation classes.

**C13.07.E01 Social Ministry Committee** shall be responsible for the social ministry program within the congregation and the community. The responsibilities of the Social Ministry Committee shall include:

- a. Collection and delivery of food and other dry goods for the Lincoln Lutheran Metro Parish Food Pantry.
- b. Select, promote and advertise special opportunities to support community and church wide causes to help those in need. Such causes include, but are not limited to: a “Farmer’s Market” within the congregation, Annual Lutheran World Relief In-gathering, Lincoln Lutheran Food Pantry, Habitat for Humanity, People’s City Mission, and UNICEF.
- c. Collect, package and deliver items collected for the annual “in-gathering” for Lutheran World Relief.
- d. Collect, package and ship Campbell’s Soup Labels for the “Labels for Education Program” for Martin Luther Homes.
- e. Seek ways to promote and enhance the safety of members of the congregation at home, while traveling and at worship.

**C13.07.F01 Stewardship Committee** shall be responsible for the stewardship education of the members of the congregation, emphasizing stewardship values and principles regarding time, talent and funds. Major duties of this committee are as follows:

- a. Conduct an annual program for stewardship of funds, encouraging the members of the congregation make a conscious effort to make a “plan of giving” and then commit to that plan each year, striving toward a goal to be tithers.
- b. Conduct an annual program for stewardship of time and talent, encouraging every member of the congregation (grade 6 and older) to become a worker within the congregation by completing and turning in a “Time and Talent Sheet” each year, indicating where they would like to use their talents in the ministry at this congregation.

**C13.07.G01 Property Committee** shall be responsible for the care and maintenance of the congregation facilities, property, equipment and motor vehicles. These responsibilities include:

- a. Advising the congregation council as to the major needs regarding the maintenance of the congregations property.
- b. Advising the congregation council regarding the insurance program ensuring that adequate coverage is established for all property, facilities, vehicles and equipment.
- c. Contacting, with proper authority, for maintenance and repairs and to inspect for proper accomplishment of such work.
- d. Organizing and conducting work days and cleanup days using volunteers within the congregation to accomplish needed cleaning and/or repair.

**C13.07.H01** Youth and Family Ministry Committee shall be responsible to provide guidance for the congregation's youth ministry program. The Youth Committee shall plan and conduct youth age appropriate activities, designed to nurture the youth of this congregation through a balance of activities, such as service projects to the congregation and/or the community, social and Christian learning experiences, worship experiences, Bible studies, fun outings, church summer camps, and taking part in the youth activities and gatherings of the Nebraska Synod and the Evangelical Lutheran Church in America.

**C13.07.I01** Funeral Ministry Committee to be present for members of the congregation, at times of the death of loved ones. This committee shall:

- a. Ensure that there are at least two ushers present to assist family, friends and mortuary personnel during funerals.
- b. Tape all funeral services, and provide the tape to the family of the deceased.
- c. Contact members of the congregation to provide food for funeral luncheons or receptions at the church fellowship hall, when requested by the family.
- d. Prepare and serve the food for funeral luncheons or receptions for the family and friends. A minimal payment will be charged to cover expenses.
- e. Set up prior to a funeral luncheon/reception and cleanup the after such receptions or luncheons.

**C13.07.J01** Altar Guild is a committee of twelve members of Evangelical United Lutheran Church, elected by the congregation at its annual meeting in January of each year. Altar Guild members serve for a three-year term and no member may be elected for more than two consecutive terms. Terms of service are staggered, so that the terms of four members expire each January. Nominations to serve on the Altar Guild are made by the nominating committee. Nominations may also be made at the annual meeting of the congregation, if the nominee has given approval. Any time an Altar Guild member is unable to continue with her/his duties, has moved, or for any reason removes their name from the committee, the vacancy will be filled until the next annual meeting of the congregation, by agreement of the Altar Guild and the Congregation Council.

- a. The President of the Altar Guild is elected from among its twelve members. The President is responsible for the functioning of the Altar Guild for a one year period.
- b. The Altar Guild shall be accountable to the Pastors and the Worship Committee in areas of mutual concern and responsibility. The Altar Guild responsibilities include:
  1. Care and cleaning of all paraments and liturgical vestments.
  2. Care for and changing all sanctuary and chapel paraments as the liturgical calendar may dictate.

3. Preparation of the elements for the celebration of Holy Communion, and cleaning up after Holy Communion.

4. Changing and maintaining candles on the altar of the sanctuary and chapel, as necessary.

5. Contacting volunteers who have signed up to provide flowers, and notifying the church office as to how the bulletin should read.

6. Caring for and maintaining all chrismons and other special seasonal decorations.

7. Taking part in the "Hanging of the Greens" prior to the season of Advent, and removing of the Christmas decorations prior to the season of Epiphany.

8. Baking or purchasing communion bread, as needed.

9. Caring for and maintaining the silver service, tablecloths, snack sets, punch bowl and other items used when serving at receptions or other celebrations.

10. Taking part in serving at receptions and/or birthday/anniversary celebrations at the church.

11. Preparing for baptisms and cleaning up afterward.

12. Maintaining the albs/robes used by the pastors, cantors, acolytes and communion assistants.

13. Striping of the Altar at the End of the Maundy Thursday Evening, in accordance with published procedures.

## **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 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** Denial of the Christian faith as described in this constitution, conduct

grossly unbecoming a member of the Church of Christ, or persistent trouble-making in this congregation are sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation will be attempted following Matthew 18:15-17, proceeding through these successive steps: a) private admonition by the pastor, b) admonition by the pastor in the presence of two or three witnesses, and c) citation to appear before the Congregation Council. If for any reason, the pastor is unable to administer the admonitions required by a. and b. hereof, the president (if not the pastor) or vice president shall administer such admonitions.

**\*C15.02** The process for discipline of a member of the congregation shall be governed as prescribed by the chapter on discipline in the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America. If discipline against a member proceeds beyond counseling and admonition by the pastor, charges against the accused member(s) that are specific and in writing shall be prepared by member(s) of the congregation who shall sign the charges as the accuser(s). The written charges shall be filed with the pastor, who shall advise the Congregation Council of the need to issue a written citation to the accused and the accusers that specifies the time and place of the hearing before the Congregation Council. The written charges shall accompany the written citation to the accused. A member charged with the offense shall appear before the Congregation Council after having received a written citation, at least ten days prior to the meeting. If the member charged with the offense fails to appear at the scheduled hearing, the Congregation Council may proceed with the hearing and may pass judgment in the member's absence.

**\*C15.03** Members of the Congregation Council who participate in the preparation of the written charges or who present evidence or testimony in the hearing before the Congregation Council are disqualified from voting upon the question of the guilt of the accused member. Should the allegations be sustained by a two-thirds majority vote of the members of the Congregation Council who are not disqualified but who are present and voting, and renewed admonition prove ineffectual, the council shall impose one of the following disciplinary actions:

- a. censure before the council or congregation;
- b. suspension from membership for a definite period of time; or
- c. exclusion from membership in this congregation. Disciplinary actions b. and c. shall be delivered to the member in writing.

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

**\*C15.05** Disciplinary actions may be reconsidered and revoked by the Congregation Council upon receipt of a) evidence that injustice has been done or b) evidence of repentance and amendment.

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

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

**\*C15.10** Adjudication

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

## **Chapter 16. 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 congregation’s members by mail of the proposal with the council’s recommendations at least 30 days in advance of the Congregation Meeting.

**\*C16.04** Approved changes to the bylaws shall be sent by the secretary of this congregation to the synod.

## **Chapter 17. AMENDMENTS**

**\*C17.01.** 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 5 voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the congregation’s members by mail of the proposal

together with the council's recommendations at least 30 days in advance of the meeting.

**\*C17.02.** An amendment to this constitution, proposed under \*C17.01., shall:

**a.** be approved at a legally called Congregation Meeting according to this constitution by a majority vote of those present and voting;

**b.** be ratified without change at the next annual meeting by a two-thirds majority vote of those present and voting; and

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

[#Note: Such an effective date must be stated in relation to the requirements of \*C17.03. to allow time for synodical review of the amendment.]

**\*C17.03** Any amendments to this constitution that result from the processes provided in \*C17.01. and \*C17.02. shall be sent by the secretary of this congregation to the synod. The amendment shall become effective within 120 days from the date of the receipt of the notice by the synod unless the synod informs this congregation that the amendment is in conflict with the constitution and bylaws of the Evangelical Lutheran Church in America or the constitution of the Nebraska Synod of the ELCA.

**\*C17.04** Whenever the Model Constitution for Congregations is amended by the Churchwide Assembly, this constitution may be amended to incorporate any such amendment by a simple majority vote of those members present and voting at any subsequent meeting of the congregation without presentation at a prior meeting of the congregation, provided that the Congregation Council has submitted by mail notice to the congregation of such an amendment or amendments, together with the council's recommendations, at least 30 days prior to the meeting. Following the adoption of an amendment, the secretary of the congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following a vote of approval.

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## **Chapter 18. CONTINUING RESOLUTIONS**

**\*C18.01.** 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 two-thirds vote of all voting members of the Congregation Council.

**Chapter 19.**  
**INDEMNIFICATION**

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

**Chapter 20.**  
**PARISH AUTHORIZATION**

[\*Required provisions when congregation is part of a parish]

**\*C20.01** This congregation may unite in partnership 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 a Parish Council.

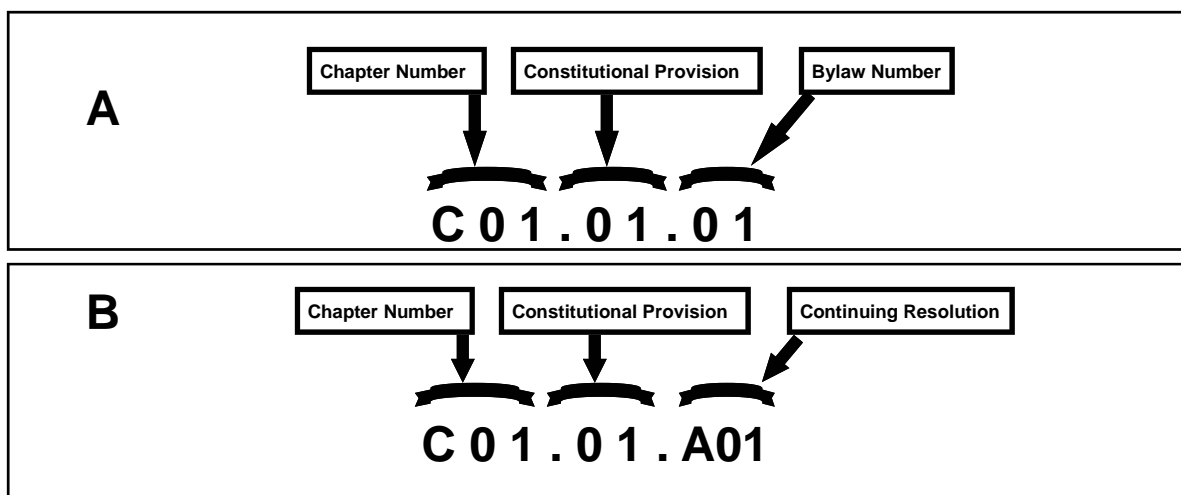
**\*C20.02** Whenever a letter of call is being recommended for extension to an ordained minister of the Evangelical Lutheran Church in America or a candidate for the roster of ordained ministers who has been recommended to the congregation by the synodical bishop to serve the congregations of a parish, such letter of call shall be first approved by a two-thirds vote at congregational meetings of each of the congregations forming the parish. If any congregation of the parish should fail to approve extending this call, the other congregation(s) in the same parish shall have the right to terminate the parish arrangement.

**\*C20.03** Any one of the congregations of a parish may terminate the call of a pastor as provided in S14.13.d. of the Synod Constitution of the synod named in \*C6.01. In such case, the other congregation(s) in the same parish shall have the right to terminate the parish arrangement.

## Preface

### Explanation of terms and symbols

1. All provisions of this constitution are prefaced with the letter “C” to distinguish these provisions from comparable ones in the synodical and church wide constitutions.
2. An asterisk [ \* ] preceding the “C” indicates that the provision is a required one, by the ELCA, the wording of which cannot be changed at congregation level.
3. Bylaws: Bylaws may be adopted or amended by the congregation at any legally called meeting of the congregation with a quorum present by a majority vote of those voting members present.
4. Continuing Resolutions: The Congregation Council may enact continuing resolutions which, in general, describe the function of various committees or organizations of the congregation. Continuing Resolutions shall be enacted or amended by a two-thirds majority vote of all voting members of the Congregation Council.
5. Numeric Codification (or coding) of constitutional provisions, bylaws and continuing resolutions. (Example)



**Explanation:**

In Example A, above:

“C01”

indicates Chapter 1 of the constitution

“C01.01”

indicates the 1st Provision of Chapter 1 of the constitution

“C01.01.01”

indicates the 1st bylaw (adopted by the congregation) to the 1st provision of Chapter 1 of the constitution.

In Example B, above:

“C01”

indicates Chapter 1 of the constitution

“C01.01”

indicates the 1st Provision of Chapter 1 of the constitution

“C01.01.A01”

indicates the first continuing resolution to the first provision of Chapter 1 of the constitution enacted by the congregation council, in the year 2001)

**CONSTITUTION, BYLAWS AND CONTINUING RESOLUTIONS**  
**Evangelical United Lutheran Church (ELCA)**  
**5945 Fremont Street**  
**Lincoln, Nebraska 68507-1623**

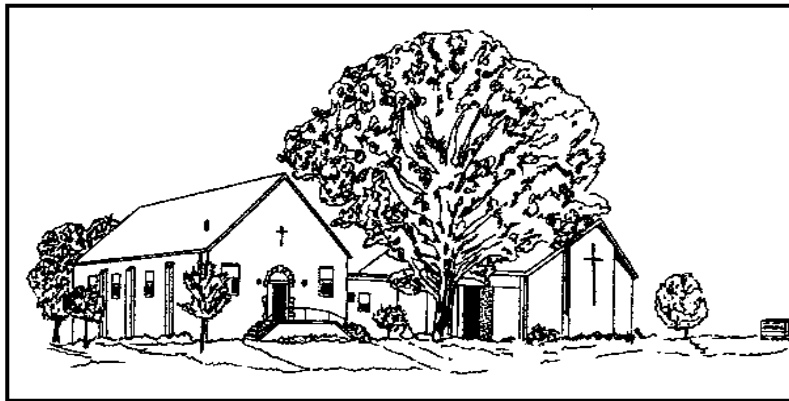
**Table of Contents**

<u>Chapter Number</u>	<u>Chapter Title</u>	<u>Page Number</u>
1	NAME AND INCORPORATION	1
2	CONFESSION OF FAITH	1
3	NATURE OF THE CHURCH	2
4	STATEMENT OF PURPOSE	2
5	POWERS OF THE CONGREGATION	4
6	CHURCH AFFILIATION	5
7	PROPERTY OWNERSHIP	7
8	MEMBERSHIP	8
9	THE PASTOR	9
10	CONGREGATION MEETING	13
11	OFFICERS	14
12	CONGREGATION COUNCIL	15
13	CONGREGATION COMMITTEES	20
14	ORGANIZATIONS WITHIN THE CONGREGATION	25
15	DISCIPLINE OF MEMBERS AND ADJUDICATION	25
16	BYLAWS	27
17	AMENDMENTS	27
18	CONTINUING RESOLUTIONS	28
19	INDEMNIFICATION	29
20	PARISH AUTHORIZATION	29

# **CONSTITUTION, BYLAWS, & CONTINUING RESOLUTIONS**

## **EVANGELICAL UNITED LUTHERAN CHURCH**

**5945 Fremont Street  
Lincoln, Nebraska 68507-1623**



The History of this Constitution & Bylaws  
for Evangelical United Lutheran Church

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