

# CONSTITUTION BYLAWS and CONTINUING RESOLUTIONS

United in Faith Lutheran Church  
Chicago, Illinois  
A congregation of the  
Evangelical Lutheran Church in America

## \*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.** Located on the northwest side of Chicago, IL, the name of this congregation shall be United in Faith Lutheran Church.
- C1.02.** For the purpose of this constitution and the accompanying bylaws, United in Faith Lutheran Church is hereinafter designated as "this congregation."
- C1.11.** This congregation shall be incorporated under the laws of the State of Illinois.

## 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 Scripture and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God's mission in the world.

### **Chapter 3: NATURE OF THE CHURCH**

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

### **Chapter 4: STATEMENT OF PURPOSE**

- \*C4.01. The Church is a people created by God in Christ, empowered by the Holy Spirit, called and sent to bear witness to God's creative, redeeming, and sanctifying activity in the world.
- \*C4.02. To participate in God's mission, this congregation as a part of the Church shall:
  - a. Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, and service.

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

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

- a. Provide services of worship at which the Word of God is preached and the sacraments are administered.
- b. Provide pastoral care and assist all members to participate in this ministry.
- c. Challenge, equip, and support all members in carrying out their calling in their daily lives and in their congregation.
- d. Teach the Word of God.
- e. Witness to the reconciling Word of God in Christ, reaching out to all people.
- f. Respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.
- g. Motivate its members to provide financial support for the congregation's ministry and the ministry of other parts of the Evangelical Lutheran Church in America.
- h. Foster and participate in interdependent relationships with other congregations, the synod, and the churchwide organization of the Evangelical Lutheran Church in America.
- i. Foster and participate in ecumenical relationships consistent with churchwide policy.

**\*C4.04.** This congregation shall develop an organizational structure to be described in the bylaws. The Congregation Council shall prepare descriptions of the responsibilities of each committee, task force, or other organizational group and shall review their actions.

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

**\*C4.06.** References herein to the nature of the relationship between the three expressions of this church—congregations, synods, and the churchwide organization—as being interdependent or as being in a partnership relationship describe the mutual responsibility of these expressions in God's mission and the fulfillment of the purposes of this church as described in this chapter, and do not imply or describe the creation of partnerships, co-ventures, agencies, or other legal relationships recognized in civil law

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

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

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

- \*C5.03.** Only such authority as is delegated to the Congregation Council or other organizational units in this congregation's governing documents is recognized. All remaining authority is retained by the congregation. The congregation is authorized to:
- a. call a pastor as provided in Chapter 9;
  - b. terminate the call of a pastor as provided in Chapter 9;
  - c. call a minister of Word and Service;
  - d. terminate the call of a minister of Word and Service in conformity with the constitution of the Evangelical Lutheran Church in America;
  - e. adopt amendments to the constitution, as provided in Chapter 16, amendments to the bylaws, as specified in Chapter 17, and continuing resolutions, as provided in Chapter 18;
  - f. approve the annual budget;
  - g. acquire real and personal property by gift, devise, purchase, or other lawful means;
  - h. hold title to and use its property for any and all activities consistent with its purpose;
  - i. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
  - j. elect its Congregation Council, and require the members of the council to carry out their duties in accordance with the constitution, and bylaws, and continuing resolutions; and
  - k. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.
- C5.03.01.** This congregation shall keep at its registered office the Articles of Incorporation as amended, this constitution, a record of members (including names, addresses, and classifications of membership), correct and adequate record of accounts and finances, and a record of the names and addresses of officers and members of the Congregation Council. Records may be written or electronic, if capable of being converted into writing. The records, except for personal financial giving records, shall be open at any reasonable time to inspection by any voting member.
- \*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 Metropolitan Chicago Synod of the Evangelical Lutheran Church in America.

## **Chapter 6: CHURCH AFFILIATION**

- \*C6.01.** This congregation shall be an interdependent part of the Evangelical Lutheran Church in America or its successor, and of the Metropolitan Chicago Synod of the Evangelical Lutheran Church in America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America.
- \*C6.02.** This congregation accepts the Confession of Faith and agrees to the purposes of the Evangelical Lutheran Church in America and shall act in accordance with them.
- \*C6.03.** This congregation acknowledges its relationship with the Evangelical Lutheran Church in America in which:
- a. This congregation agrees to be responsible for its life as a Christian community.
  - b. This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.
  - c. This congregation agrees to call pastoral leadership from the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod. These special circumstances are limited either to calling a candidate approved for the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or to contracting for pastoral services with a minister of Word and Sacrament of a

church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion.

- d. This congregation agrees to consider ministers of Word and Service for call to other staff positions in 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 intent to terminate its relationship must be adopted at a legally called and conducted special meeting of the congregation by a two-thirds vote of the voting members present. Such meeting may be held no sooner than 30 days after written notice of the meeting is received by the bishop of the synod, during which time the congregation shall consult with the bishop and the bishop's designees, if any. The times and manner of the consultation shall be determined by the bishop in consultation with the Congregation Council. Unless he or she is a voting member of the congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the meeting.
- b. The secretary of the congregation shall submit a copy of the resolution to the bishop, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, and shall mail a copy of the resolution to voting members of the congregation. This notice shall be submitted within 10 days after the resolution has been adopted.
- c. The bishop of the synod and the congregation shall continue in consultation, as specified in paragraph a. above, during a period of at least 90 days after receipt by the synod of the notice as specified in paragraph b. above.
- d. If the congregation, after such consultation, still seeks to terminate its relationship, such action may be taken at a legally called and conducted special meeting by a two-thirds vote of the voting members present. Notice of the meeting shall be mailed to all voting members and to the bishop at least 10 days in advance of the meeting. Unless he or she is a voting member of the congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the meeting.
- e. A copy of the resolution, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, shall be sent to the bishop within 10 days after the resolution has been adopted, at which time the relationship between the congregation and this church shall be terminated subject to paragraphs g., h., and i. below. Unless this notification to the bishop also certifies that the congregation has voted by a two-thirds vote to affiliate with another Lutheran denomination, the congregation will be conclusively presumed to be an independent or non-Lutheran church.
- f. Notice of termination shall be forwarded by the bishop to the secretary of the ELCA, who shall report the termination to the Churchwide Assembly.
- g. This congregation shall abide by these covenants by and among the three expressions of this church:
  - 1) Congregations seeking to terminate their relationship with this church which fail or refuse to comply with each of the foregoing provisions in \*C6.05. shall be required to receive Synod Council approval before terminating their membership in this church.

- 2) Congregations which had been members of the Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in \*C6.05., to receive synodical approval before terminating their membership in this church.
  - 3) Congregations established by the Evangelical Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in \*C6.05., to satisfy all financial obligations to this church and receive Synod Council approval before terminating their membership in this church.
- h. If this congregation fails to achieve the required two-thirds vote of voting members present at the congregation's first meeting as specified in paragraph a. above, another special meeting to consider termination of relationship with this church may be called no sooner than six months after that first meeting. If this congregation fails to achieve the required two-thirds vote of voting members present at the congregation's second meeting as specified in paragraph d. above, another attempt to consider termination of relationship with this church must follow all requirements of \*C6.05. and may begin no sooner than six months after that second meeting.

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

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

## **Chapter 7: PROPERTY OWNERSHIP**

**\*C7.01.** If this congregation ceases to exist, title to undisposed property shall pass to the Metropolitan Chicago 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 two-thirds of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to transfer to another Lutheran church body, title to property shall continue to reside in this congregation, provided the process for termination of relationship in \*C6.05. has been followed. Before this congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of Metropolitan Chicago Synod.

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

**C7.05.** Notwithstanding the provisions of \*C7.02. and \*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 Metropolitan Chicago Synod — reconvey and transfer all right, title, and interest in the property to the synod.

## Chapter 8: MEMBERSHIP

**\*C8.01.** Members of this congregation shall be those baptized persons on the roll of this congregation at the time that this constitution is adopted and those who are admitted thereafter and who have declared and maintain their membership in accordance with the provisions of this constitution and its bylaws.

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

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

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

- \*C8.04. It shall be the privilege and duty of members of this congregation to:
  - a. make regular use of the means of grace, both Word and sacraments;
  - b. live a Christian life in accordance with the Word of God and the teachings of the Lutheran church; and
  - c. support the work of this congregation, the synod, and the churchwide organization of the Evangelical Lutheran Church in America through contributions of their time, abilities, and financial support as biblical stewards.
- \*C8.05. Membership in this congregation shall be terminated by any of the following:
  - a. death;
  - b. resignation;
  - c. transfer or release;
  - d. disciplinary action in accordance with ELCA constitutional provision 20.41. and the accompanying bylaws; or
  - e. removal from the roll due to inactivity in accordance with the provisions of this constitution and its bylaws.

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

*C8.05.01.A98 A member who moves from the area served by this congregation shall be encouraged and supported in requesting a transfer to another congregation.*

### **Chapter 9: ROSTERED MINISTER**

- \*C9.01. Authority to call a pastor shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by this congregation to recommend the call, shall seek the advice and help of the bishop of the synod.
- \*C9.02. Only a member of the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of Word and Sacrament who has been recommended for 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 minister of Word and Sacrament shall:
    - 1) preach the Word;
    - 2) administer the sacraments;
    - 3) conduct public worship;
    - 4) provide pastoral care;
    - 5) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
    - 6) impart knowledge of this church and its wider ministry through distribution of its communications and publications;
    - 7) witness to the Kingdom of God in the community, in the nation, and abroad; and
    - 8) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.
  - b. Each pastor with a congregational call shall, within the congregation:
    - 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
    - 2) relate to all schools and organizations of this congregation;
    - 3) install regularly elected members of the Congregation Council;
    - 4) with the council, administer discipline; and
    - 5) endeavor to increase the support given by the congregation to the work of the ELCA churchwide organization and of the Metropolitan Chicago Synod of the ELCA.



**C9.03.01.A98** Pastoral Staff Relationships and Policies are as follows:

a) *Titles and Assignments*

- 1) *Pastoral titles shall refer to function, not rank.*
- 2) *The pastoral ministry is a shared responsibility of the called pastors.*
- 3) *Administrative and supervisory oversight will be assigned the pastors.*
- 4) *Each pastor's job description defines responsibilities for areas of ministry and supervision of this congregation's salaried lay workers.*

b) *Fees and gifts for pastoral services are as follows:*

- 1) *No fees shall be required for presiding at sacraments or other rites and ceremonies, which are a part of worship events.*
- 2) *No fees are required of members for officiating at baptisms, weddings, and funerals.*

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

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

- a. The call of this congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by death or, following consultation with the synodical bishop, 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, no later than 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;
  - 4) physical disability or mental incapacity of the pastor;
  - 5) suspension of the pastor through discipline for more than three months;
  - 6) resignation or removal of the pastor from the roster of Ministers of Word and Sacrament of this church;
  - 7) termination of the relationship between this church and the congregation;
  - 8) dissolution of the congregation or the termination of a parish arrangement; or
  - 9) suspension of the congregation through discipline for more than six months.
- b. When allegations of physical disability or mental incapacity of the pastor under paragraph a.4) above, or ineffective conduct of the pastoral office under paragraph a.3) above, have come to the attention of the bishop of this synod,
  - 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
  - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of the congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
- c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the pastor's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the pastorate vacant. When the pastorate is declared vacant, the Synod Council shall list the pastor on the roster of Ministers of Word and Sacrament as disabled. Upon removal of the disability and the restoration of the pastor to health, the bishop shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call.
- d. In the case of alleged local difficulties that imperil the effective functioning of the congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall

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

- e. If either party fails to assent to the recommendations of the bishop's committee concerning the pastor's call, the congregation may dismiss the pastor only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
- f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.

- \*C9.06.** 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 rostered minister providing assistance shall refrain from exerting influence in the selection of a pastor. Unless previously agreed upon by the Synod Council, an interim pastor is not available for a regular call to the congregation served.
- \*C9.08.** This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting related to the Evangelical Lutheran Church in America.
- \*C9.09.** When a pastor is called to serve in company with another pastor or pastors, the privileges and responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted in consultation involving the pastors, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
- \*C9.11.** With the approval of the bishop of the synod, the congregation may depart from \*C9.05.a. and call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the pastor and representatives of the congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of \*C9.05.a.
- \*C9.12.** The pastor of this congregation:
  - a. shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation;
  - b. shall submit a summary of such statistics annually to the synod; and
  - c. shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.
- \*C9.13.** The pastor(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.

- \*C9.14.** The parochial records of this congregation shall be maintained by the pastor and shall remain the property of the congregation. The secretary of this congregation shall attest in writing to the bishop of this synod that such records have been placed in his or her hands in good order by a departing pastor before the installation of that pastor in another field of labor or the granting by the synod of retired status to the pastor.
- C9.15.** Under special circumstances, subject to the approval of the synodical bishop and the concurrence of this congregation, a minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion may serve temporarily as pastor of this congregation under a contract between the congregation and the pastor in a form proposed by the synodical bishop and approved by the congregation.
- \*C9.21.** Authority to call a minister of Word and Service shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by this congregation to recommend the call, shall seek the advice and help of the bishop of the synod.
- \*C9.22.** Only a member of the roster of Ministers of Word and Service of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of Word and Service who has been recommended for this congregation by the synodical bishop may be called as a deacon of this congregation.
- \*C9.23.** Consistent with the faith and practice of the Evangelical Lutheran Church in America, every minister of Word and Service shall:
- a. Be rooted in the Word of God, for proclamation and service;
  - b. Advocate a prophetic diakonia that commits itself to risk-taking and innovative service on the frontiers of the Church's outreach, giving particular attention to the suffering places in God's world;
  - c. Speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world, witnessing to the realm of God in the community, the nation, and abroad;
  - d. Equip the baptized for ministry in God's world that affirms the gifts of all people;
  - e. Encourage mutual relationships that invite participation and accompaniment of others in God's mission;
  - f. Practice stewardship that respects God's gift of time, talents, and resources;
  - g. Be grounded in a gathered community for ongoing diaconal formation;
  - h. Share knowledge of the ELCA and its wider ministry of the gospel and advocate for the work of all expressions of this church; and
  - i. Identify and encourage qualified persons to prepare for ministry of the gospel.
- \*C9.24.** The specific duties of the deacon, compensation, and other matters pertaining to the service of the deacon shall be included in a letter of call, which shall be attested by the bishop of the synod.
- \*C9.25.** The provisions for termination of the mutual relationship between a minister of Word and Service and a congregation shall be as follows:
- a. The call of a congregation, when accepted by a deacon, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by death or, following consultation with the synodical bishop, 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 deacon, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
    - 3) inability to conduct the ministry of Word and Service effectively in this congregation in view of local conditions;
    - 4) physical disability or mental incapacity of the deacon;

- 5) suspension of the deacon through discipline for more than three months;
  - 6) resignation or removal of the deacon from the roster of Ministers of Word and Service of this church;
  - 7) termination of the relationship between this church and this congregation;
  - 8) dissolution of this congregation or the termination of a parish arrangement; or
  - 9) suspension of this congregation through discipline for more than six months.
- b. When allegations of physical disability or mental incapacity of the deacon under paragraph a.4) above, or ineffective conduct of the office of minister of Word and Service under paragraph a.3) above, have come to the attention of the bishop of this synod,
    - 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
    - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of this congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
  - c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the deacon's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the position vacant. When the position is declared vacant, the Synod Council shall list the deacon on the roster of Ministers of Word and Service as disabled. Upon removal of the disability and the restoration of the deacon to health, the bishop shall take steps to enable the deacon to resume the ministry, either in the congregation last served or in another appropriate call.
  - d. In the case of alleged local difficulties that imperil the effective functioning of this congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the deacon and then to this congregation. The recommendations of the bishop's committee must address whether the deacon's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by this congregation and by the deacon, if appropriate. If the deacon and congregation agree to carry out such recommendations, no further action need be taken by the synod.
  - e. If either party fails to assent to the recommendations of the bishop's committee concerning the deacon's call, this congregation may dismiss the deacon only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
  - f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.

**\*C9.26.** The deacon shall make satisfactory settlement of all financial obligations to a former congregation before:

- a. installation in another field of labor, or
- b. the issuance of a certificate of dismissal or transfer.

**\*C9.27.** When a deacon is called to serve in company with another rostered minister or other rostered ministers, the privileges and responsibilities of each rostered minister shall be specified in documents to accompany the call and to be drafted in consultation involving the rostered ministers, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.

- \*C9.28.** With the approval of the bishop of the synod, this congregation may depart from \*C9.25.a. and call a deacon for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the deacon and representatives of this congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of \*C9.25.a.
- \*C9.29.** The deacon shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the deacon shall hold membership in one of the congregations.
- \*C9.31.** The deacon(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.

### **Chapter 10: CONGREGATION MEETING**

- C10.01.** The annual meeting of this congregation shall be held at a time specified in the bylaws.
- C10.01.01.**
  - a. The annual meeting shall be held in February at a time and place determined by the Congregation Council.
  - b. The order of the annual Congregation Meeting shall include devotions, a declaration that a quorum is present, a statement of the purpose of the meeting, the reports of the pastor(s), secretary and treasurer, presentation of the proposed budget, unfinished business, new business, and elections.
  - c. The congregation shall receive reports from the organizations, committees and ministries of the congregation. Such reports, including a financial statement where applicable, a review of activities, and proposals for future plans, shall be submitted in writing to the Executive Committee one month before such meeting and shall be made available to the members at church or sent to the members electronically. If requested, annual reports may be mailed to voting members.
- C10.01.02.** The fiscal year of this congregation shall be January 1 through December 31.
- 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 10% of the voting members. The president of the Congregation Council shall call a special meeting upon request of the synodical bishop. The call for each special meeting shall specify the purpose for which it is to be held and no other business shall be transacted.
- C10.03.** Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays and shall be made available to voting members at church or sent to voting members electronically. Notifications not picked up at will be mailed to all voting members at least 10 days in advance of the date of the meeting. The posting of such notice in the regular mail, with the regular postage affixed or paid, sent to the last known address of such members shall be sufficient. A written notice shall be posted on the premises.
- C10.04.** 10% of voting members shall constitute a quorum.
- C10.05.** Voting by proxy or by absentee ballot shall not be permitted.
- C10.05.01.** Voting by written ballot shall be required to:
  - a. Fill the elective offices of this congregation, except if there is but one nominee, the voting may be by voice.
  - b. Adopt or amend the Articles of Incorporation and the Constitution of this congregation.

- c. Call or dismiss a pastor.
- d. Suspend or dismiss from office any person holding an elective office of the congregation with cause.
- e. Purchase or sell real property.

**C10.06.** All actions by the congregation shall be by simple 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 shall serve similar offices of the Congregation Council.
- d. The Congregation Council shall elect the President and Vice President from the elected leadership of the Congregation Council.
- e. All officers are authorized to sign checks for this congregation. Two signatures are required on all checks.

**C11.01.01.** The duties of the officers shall be as follows:

- a. The president shall:
  - 1) Preside at all meetings of the congregation and the Congregation Council.
  - 2) Prepare, with the Executive Committee, the agenda for each Congregation Council meeting and for congregation meetings.
  - 3) Determine that an annual audit is made of the financial records of this congregation.
  - 4) Sign documents for this congregation, with the secretary.
- b. The vice-president shall:
  - 1) Preside at meetings of this congregation or Congregation Council in the absence of or inability of the president or when asked to do so by the president.
  - 2) Be acquainted with the duties of the president as stated in C11.01.01a.
  - 3) Sign documents for this congregation, in the absence or inability of the president.
- c. The secretary shall:
  - 1) Be responsible for safekeeping all permanent minutes, past and present, of this congregation.
  - 2) Record in permanent records all minutes of the Executive Committee, Congregation Council, and congregation meetings.
  - 3) Keep an accurate attendance record of all meetings of the Congregation Council and congregation meetings.
  - 4) Give proper notice of all meetings of this congregation;
  - 5) Supply a synopsis of meetings for the congregation newsletter and other publications as requested.
  - 6) Supply congregational organizations, committees, ministries and Council members with information as recorded in a timely manner,
  - 7) Sign documents for this congregation, with the president.
- d. The treasurer shall:
  - 1) Maintain accurate financial records for this congregation.

- 2) Receive from the financial secretary accountings of all funds received and assure disbursement on proper orders, making timely payment of benevolences and other financial obligations.
  - 3) Supply the congregational organizations, ministries, committees and Congregation Council members with information recorded in the financial records in a timely manner.
  - 4) Determine that financial contributions from members are recorded and statements distributed.
- C11.01.02.** The financial secretary, elected by the Council yearly, shall be responsible to the treasurer for:
- 1) Receiving and keeping accurate records of all income from contributing members and other sources;
  - 2) Making a written report, with the treasurer, of all financial transactions, to the Congregation Council monthly; and
  - 3) Providing regular reports, with the treasurer, of contributions, to individual members of the congregation.
- C11.01.03.** The treasurer and financial secretary shall be members who are automatically listed on the bank signatory cards. The Congregational Council may authorize other members to be added to the bank signatory cards and also may remove other members from the bank signatory cards.
- C11.02.** The Congregation Council shall elect its officers. The officers shall be elected at the first council meeting after the annual meeting. Their terms shall begin upon election. They shall serve for one year or until their successors 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 Congregational Council shall consist of 8 voting members of the congregation, one of whom shall be representative of the Ministry Directors, plus the Treasurer and Secretary if such officers were elected from outside the elected leadership of the Congregational Council. The pastors shall be ex-officio members of the council, with voice but not vote. 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.
  - b. Is absent from three regular meetings of the Congregation Council without cause.
  - c. Becomes a paid employee of the Congregation.
- Consistent with the laws of the State of Illinois, the congregation may adopt procedures for the removal of a member of the Congregation Council in other circumstances.
- C12.02.** Terms of office for the Congregational Council, excluding a Treasurer and Secretary elected from outside the elected leadership of the Congregational Council, are two years. One-half of the terms will expire each year. Council members are elected at the annual congregational meeting. A member who has served at least one-half of one term shall be considered to have served a full term. 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.
- C12.02.01.** The outgoing president shall convene an organizational meeting of the newly elected and continuing Council members directly following the annual meeting.
- 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:

- C12.04.A98**
- a. *Provide leadership to this congregation in stating its mission, in strategic planning, and in evaluating activities in light of its mission, vision and core values.*
  - b. *Review matters recommended to the Congregational Council by the congregational organizations, committees, ministries, congregational members, and pastor(s).*
  - c. *Shall provide for the employment and supervision of the salaried lay workers.*
  - d. *Maintain supportive relationships with the rostered minister(s) and staff and help them annually to evaluate the fulfillment of their calling or employment.*
  - e. *May make the premises of this congregation available to organizations that are not affiliated with this congregation.*
  - f. *Promote a congregational climate of peace and goodwill. Foster mutual understanding and conflict resolution as differences and conflicts arise.*
  - g. *Arrange for pastoral care during the illness or absence of the pastor.*
  - h. *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. *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 and shall include the following:

- a. The Congregation Council shall be responsible for maintaining and protecting the congregation's property and the management of its business and fiscal affairs. It shall have the power and be subject to the obligations that pertain to such boards under the laws of the State of Illinois, except as otherwise provided herein.
- b. The Congregational Council has the authority to buy, sell, or encumber real property upon authorization by a meeting of this congregation.
- c. The Congregation Council may enter into contracts up to \$5,000 for items not included in the budget.
- d. The Congregational Council is authorized to expend up to 5% of the annual budget in the event of an emergency, to preserve and protect the property.
- e. The Congregational Council prepares an annual budget for adoption by this congregation and supervises the expenditure of funds in accordance therewith. Obligations of more than 5% in excess of the budget may be incurred only after approval at a congregational meeting. The budget shall include the congregation's share in support of wider ministry being carried out in partnership with the synod and the ELCA.
- f. The Congregational Council shall receive and review the annual report of the Audit Committee.

**C.12.06.** The Congregation Council shall determine that the provisions of this constitution, bylaws and continuing resolutions are carried out.

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

**C12.08.** In order to reach out to all people, as set forth in the Statement of Purpose of this constitution, and specifically in this congregation's Mission Statement, the Congregation Council agrees to uphold this congregation's commitment to affirmative action for staff diversity, namely, that this congregation:

- a. Will not discriminate against any employee or applicant for employment and will take affirmative action to ensure that applicants are employed and are treated during employment



without regard to, race, color, sex, age, marital status, sexual orientation, political ideology, ancestry, national origin, or the presence of any sensory, mental or physical handicap, unless based upon a bona fide occupational qualification.

- b. Will practice the foregoing to include, but not limited to, employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship.

**C12.09.** The Congregation Council shall normally meet once a month. Special meetings may be called by the pastor(s) or the president, and shall be called by the president at the request of at least one-half of its members. Notice of each special meeting shall be given to all who are entitled to be present, at least three (3) days prior to such meetings.

**C12.10.** A quorum for the transaction of business shall consist of a majority of the voting members of the Congregation Council.

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

### **Chapter 13: CONGREGATION COMMITTEES and MINISTRIES**

**C13.01.** *The Executive Committee* shall be composed of the president, vice-president, secretary, treasurer, and the pastor(s).

**C13.01.01.** The Executive Committee shall:

- a. Exercise such authority as is delegated to it by the constitution, the by-laws and the resolutions of the congregation, and the Congregational Council.
- b. Act for the Congregational Council when matters of an urgent nature require attention and there is insufficient time to convene the Council. Any such decisions or actions taken shall be reported to the Congregational Council at their next meeting for approval, amendment, or rejection.
- c. Be authorized to conduct a meeting electronically and vote electronically (i.e. by phone, email, texting, messaging, or other online applications) when matters of an urgent nature require immediate attention and there is insufficient time to convene the Executive Committee, but only if all members of the Executive Committee agree to conduct a meeting electronically and to vote electronically to address the matters at hand. The minutes of the meeting shall be the documentation of the communication threads by the secretary.
- d. “Be the Personnel Committee and Human Resource Committee of the congregation. They are responsible for the hiring and firing of personnel and for the evaluation of the pastor(s). They will also review the pastoral evaluation of the staff.”

**C13.02.** *The Nominating Committee*, composed of at least three but not more than five voting members of this congregation, one of whom shall be an outgoing member of the Congregation Council, shall be elected at the annual meeting of the congregation for a term of one year. Members of the Nominating Committee shall not be eligible for consecutive reelection. The Nominating Committee shall:

- a. Nominate one or more candidates to fill each vacancy on the Congregational Council, Voting Members to the Synod Assembly, and persons to serve on the next Nominating Committee, and shall secure the consent of each candidate prior to election.
- b. Nominate one candidate to fill each vacancy on the Call Committee, to be elected by this congregation when a pastoral vacancy occurs.
- c. Include the pastor(s) in committee meetings with voice but not vote.

**C13.03.** *The Audit Committee*, composed of three voting members, shall be elected by the Congregational Council and shall not be a member who is authorized to sign checks or a family member of one who is authorized to sign checks or one who lives in the same household of one who is authorized to sign checks. Terms of office will be two years, with one member elected in even numbered years and two members elected in odd-numbered years. Members shall be eligible to serve no more than two (2) terms consecutively. The Audit Committee shall:

- a. Audit financial records of this congregation at least annually.
- b. Submit a report to the Council prior to the annual meeting and to the Congregation at the annual meeting.

**C13.04.** *A Mutual Ministry Committee*, composed of 4 voting members, shall be recommended for appointment by the Executive Committee to the Congregation Council. The term shall be 2 years, with two members to be appointed each successive year. The Mutual Ministry Committee shall have duties provided by the by-laws.

**C13.04.01.** The purpose of the Mutual Ministry Committee shall be to affirm and strengthen both the mission of the congregation and the ministry of the staff by:

- a. Meeting regularly in order to build relationships between committee members and staff members so that the mission of the congregation and the ministry of leaders are strengthened
- b. Meeting regularly with staff members for mutual sharing of concerns, problems, challenges, and expectations.
- c. Listening and clarifying, sharing and communicating in regular congregational activities, providing feedback to the staff when appropriate, so that the mutual ministry of the congregation and pastor will be uplifted.
- d. Mutual Ministry is an activity where confidences are honored, where the "truth can be spoken in love" by committee members and rostered leader.
- e. Facilitating open communication among the staff, and between staff and congregation.
- f. Mutual Ministry is not a Personnel Committee or Human Resource Committee therefore issues of conflict are addressed by Executive Committee and Council.

**C13.05.** *The Call Committee*, composed of not more than seven voting members, of which at least two shall be members of the Congregation Council and of which at least two shall be members of the congregation who are not on council, shall be elected by this congregation when a pastoral vacancy occurs. Should a Call Committee vacancy occur, the council shall elect, by majority vote, a voting member to fill the vacant position. Term of office will terminate at the installation of the newly called pastor.

**C13.06.** *The Education Endowment and Scholarship Committee* composed of 4 voting members shall be appointed by the council. The term of office shall be two years, with a maximum of three consecutive terms, with two members appointed each year. A member who has served at least one-half of one term shall be considered to have served a full term. Terms of office will begin on September 1, following their appointment.

**C13.06.01.** The duties of the committee are:

- a. To determine eligibility for educational assistance from the education endowment for student congregational members attending Christian pre-school through high school, and for those

attending Lutheran and non-Lutheran post secondary schools or those who have special educational needs or gifts at any level of their education.

- b. To develop criteria and guidelines, which will be reviewed yearly for Education Endowment programs.

**C13.07.** Terms of office shall be 2 years for Standing Committee members and 3 years for Ministry Directors. The Council may re-appoint Standing Committee members for another 2 years. The committees shall elect their chairperson.

**C13.08.** *The Finance Committee will:*

- a. Oversee the financial operations of the congregation to ensure they are being conducted efficiently, giving particular attention to prompt payment of all obligations, including benevolence funds to the Synod.
- b. Prepare a draft budget for succeeding year, including the full indicated share in support of the wider ministry carried out on its behalf by the Evangelical Lutheran Church in America and the Metropolitan Chicago Synod, and submit such drafts for action to the Congregation Council and subsequent presentation to the annual Congregation Meeting.
- c. Review annually the total insurance program of the congregation. Make recommendations for adequate insurance coverage to the Congregation Council.
- d. Review at least annually the congregation's investment portfolio. If necessary, seek professional advice. Report status and make recommendations to the Congregation Council.

**C.13.09.** *The Property Committee will:*

- a. Oversee the proper management, including maintenance and protection of all property of the congregation, and direct that the same is properly utilized and kept in good repair.
- b. Submit to the Congregation Council for approval, estimated costs of maintenance, repairs, and purchases that exceed the annual budget item.

**C.13.10.** Congregational Ministries

In addition to the Standing Committees, Ministries will be formed to carry out the mission, vision, and core values of this congregation.

**C.13.10.01.** A leadership team of Ministry Directors, consisting of one representative from each ministry, shall exist to support and carry out planning, programming and mission initiatives of this congregation.

The Ministry Directors shall:

- a. Coordinate programs and activities among ministries which adhere to the mission, vision and core values of this congregation and which include the use of shared resources, such as space, staff and finances. Decisions are carried out through a process of spiritual group discernment (asking what is God calling us to do).
- b. Have authority to approve new ministries that do not fall under specific ministry areas of this congregation.
- c. Insure that the gifts of all participants of this congregation are used in carrying out the mission, vision and core values.
- d. Do short and long range planning, set goals and priorities and evaluate activities in light of the mission, vision and core values.

**C13.11.** *A Mission Endowment Fund Committee* composed of (four) congregational voting members, one of whom shall be a member of the Council, shall be elected by the Congregational Council. The term of office shall be three years for those elected from the congregation, with the first slate of members serving staggered terms. The council member's term of office shall be two years. Each year following the initial election, one member will be elected to a three-year term. All members can serve two consecutive terms. A pastor of the congregation shall be an ex-officio member of the committee, with voting privileges. The treasurer of the congregation shall maintain the account of

the Mission Endowment Fund. The purpose of the committee shall be to implement the guidelines of the Mission Endowment Fund.

**C13.11.01.** Guidelines of the Mission Endowment Funds:

Whereas, whole-life Christian stewardship involves management of all assets God has entrusted to His people, including abilities, time, income, appreciated assets and possessions; and

Whereas, members of this congregation can fulfill their privilege as stewards of assets God has entrusted to them by giving to the work of the church through, for example, bequests in wills, assignments of life insurance, charitable gift annuities, charitable remainders trusts, assignments of certificates of deposit, transfers of property such as cash, stock, bonds and real estate; etc, and

Whereas, this congregation would like to encourage and receive these gifts to be utilized for ministry and administrated through the Mission Endowment Fund;

Therefore be it resolved, that the United in Faith Lutheran Church Mission Endowment Fund Guidelines are as follows:

1. The purpose of the Mission Endowment Fund is to provide annual distributions beyond the operating budget of this congregation to ministry expressions as stated below:
  - a. For outreach into local community or synod;
  - b. For ELCA Church-wide ministries;
  - c. For extraordinary programs or other ministry initiatives within the congregation;
  - d. Education, Youth or Senior Citizen programs within the congregation or local community;
  - e. Capital projects within the congregation; and
  - f. Local, regional and world mission projects.
2. The Mission Endowment Fund can make distributions when the fund contains at least \$100,000.00. Annual distribution will range from 5% to 25% of the Fund corpus.
3. The committee shall determine how the Fund assets will be invested. The committee shall furnish, at least quarterly to the Council, any and all activity within the Fund. Current balance, additions, distributions, and any other activity shall be reported. Annual accounting and a report of Ministry support by the Fund shall be given to the congregation at its annual meeting.

All investments shall be invested by outside investors, such as in the ELCA Endowment Fund Pooled Trust and/or InFaith Community Foundation, as determined by the committee. No committee member shall invest the assets in a way that would bring private inurnment to that individual.

4. Upon the recommendation of the Council and with the support of the Mission Endowment Committee, assets shall be used in the event of a catastrophe or dire need. The congregation will be informed as soon as possible by the Council when such an emergency occurs, and Mission Endowment Funds are used.
5. 50% of gifts such as bequests, life insurance proceeds and remainders from life income agreements that are otherwise undesignated shall be immediately placed in the Mission Endowment Fund, and 50% of such undesignated gifts shall be placed immediately in the congregation's reserve funds. Unless the donor specifies the gift is to remain anonymous the summary to the congregation shall include the name of the donor and the amount of the gift.

6. In the event the incorporated body known as UNITED IN FAITH LUTHERAN CHURCH or its successor(s) cease to exist, then UNITED IN FAITH LUTHERAN Endowment Mission Fund and all other funds which have been created over time and are held by the Endowment Fund, shall be allocated to mission activities of the ELCA, Synod or Charities supported by the Synod or its successor. If there is no successor to the ELCA, Synod or Charities, then the funds held in the Endowment Fund shall continue as a permanent fund for the unrestricted charitable purpose of the Endowment Fund.

**C13.11.02.** Mission Endowment Committee Job Description

The responsibilities of the committee are:

- a. To create fund/s as may be needed to fulfill the specific requirements of donors i.e. General Endowment Fund, Outreach Fund.
- b. To determine and fulfill procedures and policies for the soliciting, processing, and dispositions of grant requests in accordance with fund requirements and limitations.
- c. To educate the congregation members about the Fund/s, promote the Funds and solicit donations in an appropriate manner.
- d. To report to the congregation at least annually new gifts, investments returns earned, size of the Fund/s, list of all grant requests and disposition on request and details of specific grants given.
- e. To assist donors in the process of making gifts to the Fund/s.
- f. To establish policies and procedures for accepting or rejecting proposed gifts by donors.
- g. To act as the designated adviser of the Mission Endowment Fund with respect to all operational matters, including requests for distribution from the Fund/s.

**Chapter 14: ORGANIZATIONS WITHIN THIS CONGREGATION**

**C14.01.** All organizations within this congregation, as outgrowths and expression of its mission, vision and core value, 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.

**C14.01.01.** United in Faith openly welcomes, affirms and values every person who walks through our doors, regardless of race, nationality and ethnic origin, age, gender, sexual orientation and gender identity, marital status, social and economic situation, ability, cultural reality, and need. Further, United in Faith supports efforts to share with all: God's gifts of love, acceptance, and grace; invites all people, uniquely created by God, to experience the word of God, communion, and promise of the risen Christ; and encourages all people to participate fully in the ministries of this congregation, which are based on its Purpose and Guiding Principles.

**Chapter 15: DISCIPLINE OF MEMBERS and ADJUDICATION**

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

- \*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 the counseling, censure, and admonitions pursuant to \*C15.01. do not result in repentance and amendment of life, charges against the accused member(s) that are specific and in writing may be prepared by the Congregation Council, signed, and submitted to the vice president of the synod. The vice president shall select from the synod's Consultation Committee a panel of five members (three laypersons and two ministers of Word and Sacrament). A copy of the written charges shall be provided to the consultation panel and the accused member(s). The consultation panel, after requesting a written reply to the charges from the accused member(s), shall consider the matter and seek a resolution by means of investigation, consultation, mediation, or whatever other means may seem appropriate. The panel's efforts to reach a mutually agreeable resolution shall continue for no more than 45 days after the matter is submitted to it.
- \*C15.03.** If the consultation panel fails to resolve the matter, that panel shall refer the case in writing, including the written charges and the accused member's reply, to the Committee on Discipline of the synod for a hearing. A copy of the panel's written referral shall be delivered to the vice president of the synod, the Congregation Council, and the accused member(s) at the same time it is sent to the Committee on Discipline of the synod. The Executive Committee of the Synod Council shall then select six members from the Committee on Discipline to decide the case and shall appoint a member of the Synod Council to preside as nonvoting chair. Those six members, plus the nonvoting chair, comprise the discipline hearing panel for deciding the case. The Congregation Council and the accused member(s) are the parties to the case.
- \*C15.04.** The discipline hearing panel shall commence and conduct the disciplinary hearing in accordance with the provisions governing discipline of congregation members prescribed in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.
- \*C15.05.** By the vote of at least two-thirds of the members of the discipline hearing panel who are present and voting, one of the following disciplinary sanctions can be imposed:
- a. suspension from the privileges of congregation membership for a designated period of time;
  - b. suspension from the privileges of congregation membership until the pastor and Congregation Council receive evidence, satisfactory to them, of repentance and amendment of life;
  - c. termination of membership in the congregation; or
  - d. termination of membership in the congregation and exclusion from the church property and from all congregation activities.
- \*C15.06.** The written decision of the discipline hearing panel shall be sent to the vice president of the synod, the accused member(s), and the Congregation Council as required by the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. The decision of the discipline hearing panel shall be implemented by the Congregation Council and recorded in the minutes of the next council meeting.
- \*C15.07.** No member of the congregation shall be subject to discipline a second time for offenses that a discipline hearing panel has heard previously and decided pursuant to this chapter.
- \*C15.10.** Adjudication
- \*C15.11.** When there is disagreement 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: AMENDMENTS

- \*C16.01.** Unless provision \*C16.04. is applicable, those sections of this constitution that are not required, in accord with the *Model Constitution for Congregations of the Evangelical Lutheran Church in America*, may be amended in the following manner. Amendments may be proposed by at least ten (10) 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 of the proposal together with the council's recommendations at least 30 days in advance of the meeting. Notification may take place by mail or electronic means, as permitted by state law.
- \*C16.02.** An amendment to this constitution, proposed under \*C16.01., shall:
- be approved at a legally called Congregation Meeting according to this constitution by a majority vote of those voting members present and voting;
  - be ratified without change at the next annual meeting by a two-thirds vote of those voting members present and voting; and
  - have the effective date included in the resolution<sup>1</sup> and noted in the constitution.
- \*C16.03.** Any amendments to this constitution that result from the processes provided in \*C16.01. and \*C16.02. shall be sent by the secretary of this congregation to the synod. The synod shall notify the congregation of its decision to approve or disapprove the proposed changes; the changes shall go into effect upon notification that the synod has approved them.
- \*C16.04.** This constitution may be amended to bring any section into conformity with a section or sections, either required or not required, of the *Model Constitution for Congregations of the Evangelical Lutheran Church in America* as most recently amended by the Churchwide Assembly. Such amendments may be approved by a majority vote of those voting members present and voting at any legally called meeting of the congregation without presentation at a prior meeting of the congregation, provided that the Congregation Council has submitted by mail or electronic means, as permitted by state law, notice to the congregation of such an amendment or amendments, together with the council's recommendations, at least 30 days prior to the meeting. Upon the request of at least two (2) voting members of the congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of the congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following a vote of approval.

## Chapter 17: BYLAWS

- \*C17.01.** This congregation may adopt bylaws. No bylaw may conflict with this constitution.
- \*C17.02.** Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a two-thirds vote of those voting members present and voting.
- \*C17.03.** Changes to the bylaws may be proposed by any voting member, provided that such additions or amendments be submitted in writing to the Congregation Council at least 60 days before a regular or special Congregation Meeting called for that purpose. The Congregation Council

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<sup>1</sup> *Such an effective date must be stated in relation to the requirements of \*C16.03. to allow time for synodical review of the amendment.*

shall notify the congregation's members of the proposal with the council's recommendations at least 30 days in advance of the Congregation Meeting. Notification may take place by mail or electronic means, as permitted by state law.

- \*C17.04. Approved changes to the bylaws shall be sent by the secretary of this congregation to the synod.

### **Chapter 18: CONTINUING RESOLUTIONS**

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

### **Chapter 19: INDEMNIFICATION**

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

Adoption of Constitution November 8, 1998

Amendment C13..06.01 Adopted February 21, 1999

Amendments \*C6.05.g., \*C6.05.h., \*C9.05.d., C9.20., C9.21., \*C20.02. Adopted August 16-22, 1999 by Churchwide Assembly of the Evangelical Lutheran Church in America

Amendment C11.01.01d.4 Adopted February 20, 2000

Amendment C13.05 Adopted February 20, 2000

Amendments C5.04. c6.06.8.02.c.C08.02.d. \*C9.05.d. C15.02. C15.06. \*C15.07. C18.01.adopted August 8-14, 2001 by Churchwide Assembly of the Evangelical Lutheran Church in America

Amendments C8.05.A98 C.9.02.01 delete C9.03.01.A98.a.3,a.4 C10.01.01 b, cC10.01.02. C10.01.03. C11.01.e. C11.01.01.a.2-9.C11.01.01.b.3-4. C11.01.01.c 7-8. C11.01.01.d.2,4,5. C.11.01.03. C11.02. C12.01.b,c C12.02. C12.02.01 C12.04.A98 a-f. C12.05 b,f,g,h. C12.05.01. C12.08. C12.08.01. C12.09. C12.09.01. C12.09.02. C12-11. C12-12.C13.01.01.c. C13.02.01.A98. C13.03. C.13.04.01.d. C13.06.C13.07. C13.06.01.C13.07. C13.08. C13.09. C13.10. C13.10.01. C14.01.C14.01.01. C14.01.02. Adopted October 21,2001

Amendments C13.11. C13.11.01, C13.11.02 Adopted February 24, 2002

Amendments C13.06.01.a, C13.11.01,5 Adopted February 24, 2008

Amendments C13.11.01.5 Adopted February 22, 2015

Amendments C3.02., C3.03., C3.04., C03.05., C05.03 c-k., C6.03 c-d., C6.05., f-h., C7.03., C7.04., C8.02 c-e., C8.05., a-e., C9., C9.01., C9.02., C9.03.a-c., C9.05., C9.05 a-c,e-f., C9.07., C9.15., C9.21.-31., C10.02, C10.04., C12.04 d., C12.12., C13.04., C15.02., C16.01.-04., C17.01.-04., C20.01.-06. adopted August 17, 2016 by Churchwide Assembly of the Evangelical Lutheran Church in America

Amendments \*C3.02., \*C3.04., \*C3.05., \*C4.04., \*C4.06., \*C5.03.c-e., \*C6.03.c., \*C6.05.a-h., \*C6.06., \*C6.07., \*C7.03., \*C7.04., C7.05., \*C8.01., \*C8.02.c-e., \*C8.04.c., \*C8.05.d-e., \*C9.01-03., \*C9.05.a-f., \*C9.07., \*C9.08., \*C9.14., C9.15., \*C9.21-29., \*C9.31., C10.01.01.c., C10.02., C10.03., C10.06., C13.01.01.c-d., C13.02.a., C13.04.01., C13.06.01.b-c., C13.11.01.1.a-d., C13.11.01.2, C13.11.01.3, C14.01.01., \*C15.01-07., \*C16., \*C17., \*C18., \*C19. Adopted February 25, 2018

Amendments C11.01.03., C13.03. Adopted February 25, 2024

## **EXPLANATION OF CODIFICATION:**

Sections marked with an asterisk (\*) are required by the Evangelical Lutheran Church in America, and must appear without alteration or amendment.

Major sections are designated as chapters. Constitutional provisions are codified with two sets of numbers: the chapter number, and the related two-digit constitutional provision number, and a two-digit number. Continuing resolutions (which may provide descriptions of operational patterns or of the ongoing responsibilities of committees or other units within the organization structure of the congregation, are codified with three sets of numbers, with the third set being preceded by a Capital letter and then an indication of the year in which it was adopted.

Therefore, C10.04.02.A99 would mean:

C10 = Chapter 10

C10.04 = Chapter 10, constitutional provision number 4.

C10.04.02 = Chapter 10, Constitutional provision number 4. bylaw provision number 2

C10.04.02.A99 = Chapter 10, constitutional provision number 4, bylaw provision number 2, continuing resolution adopted in 1999.

Missing numbers – some numbers are missing from the numbering sequence in some chapters, within the Model Constitution. This is intentional. The missing numbers have been reserved by the ELCA, for possible use as section headings in future editions.