



**TRIUMPHANT**  
LUTHERAN CHURCH



Growing  
People  
in Christ

**CONSTITUTION,  
BY-LAWS AND  
CONTINUING RESOLUTIONS**  
of  
**Triumphant Lutheran Church**  
a ministry of the the  
**Evangelical Lutheran Church in America**

as adopted during a  
Congregational Meeting  
November 12, 2017

Key to reading this document:

**All constitutional provisions are printed in “bold face” type.**

All bylaw provisions are printed in “light face” type.

*All continuing resolutions are printed in “italic” type.*

**CONSTITUTION AND BYLAWS  
For  
TRIUMPHANT LUTHERAN CHURCH  
COMAL COUNTY, TEXAS**

**\*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 Triumphant Lutheran Church.**
- C1.02. For the purpose of this Constitution and the accompanying Bylaws, the Triumphant Lutheran Church congregation is hereinafter designated as "this congregation."**
- C1.03 This congregation shall be incorporated under the laws of the State of Texas.**

**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 the 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 HOLY CHRISTIAN 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 power both from the sanction and representation of its congregations and from its inherent nature as an expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in the historic continuity of the communion of saints; in breadth, it expresses the fellowship of believers and congregations in our day.
- \*C3.03.** The name Evangelical Lutheran Church in America (ELCA or “this church”) as used herein refers in general references to this whole church, including its three expressions: congregations, synods, and the churchwide organization. The name Evangelical Lutheran Church in America is also the name of the corporation of the churchwide organization to which specific references may be made herein.

**Chapter 4.  
STATEMENT OF PURPOSE**

- \*C4.01.** The Church is a people created by God in Christ, empowered by the Holy Spirit, called and sent to bear witness to God's creative, redeeming, and sanctifying activity in the world.
- \*C4.02.** To participate in God's mission, this congregation shall:

  - a. Worship God in the proclamation of the Word and the 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, 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 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. (See Bylaws)**
- b. **Provide pastoral care, assist and encourage 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 this congregation.**
- d. **Teach the Word of God.**
- e. **Witness to the reconciling Word of God in Christ, reaching out to all people.**
- f. **Respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.**
- g. **Motivate its members to provide financial support for this congregation's ministry and the ministry of 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.**

C4.03.01 This congregation invites all of its members who have been prepared to receive the Sacrament, to participate regularly in Holy Communion.

C4.03.02 Preparation for Holy Communion will normally be provided for persons as young as ten years of age.

C4.03.03 Participation in Holy Communion shall be open to all who accept the Lutheran teaching in regard to this Sacrament.

C4.03.04 It shall be made known to prospective participants that the belief of this congregation is as follows:

Participation in the Lord's Supper is the reception of "the body and blood of our Lord Jesus Christ given with bread and wine, instituted by Christ himself for us to eat and drink."

We hold that a "person is worthy and well prepared who believes these words, 'given and shed for you for the remission of sins.' But anyone who does not believe these words, or doubts them, is neither prepared nor worthy, for the words 'for you' require simply a believing heart."

**\*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 THIS 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 Congregational Meeting called and conducted as provided in Chapter 10 of this Constitution.
- \*C5.03.** Only such authority as is delegated to the congregation council or other organizational units in this congregation's governing document is recognized. All remaining authority is retained by this congregation. This congregation is authorized to:
- a. Call a minister of Word and Sacrament as provided in Chapter 9;
  - b. Terminate the call of a minister of Word and Sacrament as provided in Chapter 9;
  - c. Call a of ministers of Word and Service as provided in Chapter 9;
  - d. Terminate the call of ministers of Word and Service in conformity with the applicable policy of the Evangelical Lutheran Church in America;
  - e. Adopt amendments to the constitution, as provided in Chapter 17, amendments to the bylaws, as specified in Chapter 16, and continuing resolutions, as provided in Chapter 18.
  - f. Approve the annual budget;
  - g. Acquire real and personal property by gift, devise, purchase, or other lawful means;
  - h. Hold title to and use its property for any and all activities consistent with its purpose;
  - i. Sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
  - j. Elect its officers and committee coordinators and require them to carry out their duties in accordance with this Constitution, its 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 is authorized to accept or reject the resignation of the President.
- \*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 Southwestern Texas 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 Southwestern Texas 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 and agrees
- a. This congregation agrees to be responsible for its life as a Christian community.
  - b. This congregation agrees to pledge its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.
  - c. To call pastoral leadership from the ministers of Word and Sacrament roster of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod. These special circumstances are limited either to calling a candidate approved for the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or to contracting for pastoral services with a minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion.
  - d. This congregation agrees to consider ministers of Word and Service for call to other staff positions in this congregation according to the procedures of the Evangelical Lutheran Church in America.
  - e. This congregation agrees to file this Constitution and any subsequent changes to this Constitution with the synod for review to ascertain that all of its provisions are in agreement with the Constitution and Bylaws of the Evangelical Lutheran Church in America and with the Constitution of the Southwestern Texas 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 this church, 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 Southwestern Texas 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 meeting of this congregation vote to transfer to another Lutheran church body, title to property shall continue to reside in this congregation, provided the process for termination of relationship in \*C6.05. has been followed. Before this congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of the Southwestern Texas 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.**

**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 and as defined in the Bylaws**
  - 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 shall be those who are members in good standing, as provided in the Bylaws, and who have been confirmed; however, when a vote involves any legal transaction, then only those members who have attained majority under the laws of the State of Texas are entitled to vote.**
- d. Associate members are persons holding membership in other Lutheran congregations who wish to retain such membership but desire to participate in the life and mission of this congregation. They have all the privileges and duties of membership except voting rights and eligibility for elected positions on the Congregational Council of this congregation.**

C8.02.01 Baptized Members

- a. A child, one or both of whose parents or guardians are members of is congregation, shall, upon receiving baptism, become a baptized member.
- b. A child, neither of whose parents or guardians is a member of this congregation, shall, upon receiving baptism, become a baptized member of this congregation; unless for good reason the child is to be a baptized member of another congregation, in which case membership shall be transferred to that congregation.
- c. A child baptized in another congregation shall be received as a baptized member in this congregation when a transfer has been received.
- d. An unbaptized adult who has received instruction and has given evidence of an adequate understanding and acceptance of the teachings of the Word of God as confessed by the Evangelical Lutheran Church in America, shall, upon confession of faith and baptism, become a baptized member of this congregation.
- e. When one or both parents of baptized children are received into the membership of this congregation, such children will be received as baptized members with the consent of the member parent or parents.
- f. Where a baptized child is an orphan or a ward of someone and these people move into the area served by this congregation, the child may be received as a baptized member when it is commended to the care of this congregation by the congregation which baptized the child or the last congregation where the child held membership.
- g. When the parents of a baptized child are not themselves members of the Evangelical Lutheran Church in America but move into the area served by this congregation and desire to have their child put within the pastoral care of this congregation, the child may be received as a baptized member.

C8.02.02 Confirmed Members

- a. A baptized adult, not previously a confirmed member of a Lutheran Congregation, shall become a confirmed member of this congregation after having received instruction, having given evidence of adequate understanding of the teachings of the Word of God as confessed by the Evangelical Lutheran Church in America, and having publicly affirmed his faith.

- b. A baptized member of this congregation shall become a confirmed member through the rite of confirmation; except that an adult who has become a baptized member in accordance with the provisions of C8.02a.01D of this Part of the Bylaws shall be considered a confirmed member without participation in the rite of confirmation.
- c. An applicant for membership who presents a Letter of Transfer which certifies that the applicant is a confirmed member in good standing of a Lutheran Congregation shall become a confirmed member of this congregation upon approval by the congregation council. The acceptance of the applicant shall be reported to this congregation in the newsletter.
- d. An applicant for membership who presents evidence of confirmation in a Lutheran Congregation but does not have a Letter of Transfer shall be admitted to confirmed membership when it has been determined that the applicant meets the standards of Christian faith and life indicated in our Constitution and Bylaws and has reaffirmed that faith before this congregation.

C8.02.03 Voting Members

The congregation council shall determine the roster of voting members of this congregation in accordance with the provisions of the Constitution and Bylaws. The roster of voting members shall be available at all meetings of this congregation. The term "in good standing" shall be defined to include those who partake of Holy Communion, and/or those who contribute to the congregational treasury according to the congregation's record, and/or those who participate in the life and worship of this congregation.

**\*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, synod, and the churchwide organization of the Evangelical Lutheran Church in America through contributions of their time, abilities, and financial assets 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 this congregation has a continuing pastoral concern.**

C8.05.01 A confirmed member who does not, for a period of one year, partake of Holy Communion or support the church with his or her offerings or does not appear to desire to participate in the life and worship of this congregation shall be visited by the minister(s) of Word and Sacrament and one of the congregation's officers and encouraged by them to active membership. If, after the second year, the confirmed member does not actively participate as described above, a letter inquiring of their continued interest in membership shall be sent. If there is no positive response that member's name shall be removed from the membership roster of this congregation. The name however shall be retained on a responsibility list.

C8.05.02 A Responsibility List shall be maintained of members who have not been active for a period of two to five years. While on the responsibility List their names shall be retained on the mailing list and referred to the Prayer Chain in the months of January and July.

C8.05.02 A91

*This list shall be maintained by the Vice President and furnished to the Prayer Chain during the months designated in the Bylaws.*

## **Chapter 9. ROSTERED MINISTER**

**\*C9.01. Authority to call a minister of Word and Sacrament 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 the call committee shall seek the advice and help of the bishop of the synod. (See Bylaws)**

C9.01.01 When this congregation has voted to call a minister of Word and Sacrament, it shall issue a Letter of Call to the minister of Word and Sacrament-elect, in a form approved by the Evangelical Lutheran Church in America. It shall be signed by the chairman and the secretary of the meeting at which the Call was voted, and shall be attested by the signature of the Bishop of the Synod. A call to a member of the ministers of Word and Sacrament to be an assistant/associate minister of Word and Sacrament shall be issued only with the concurrence of the minister of Word and Sacrament of this congregation and in accordance with the provisions of this paragraph.

C9.01.02 The Call shall normally be for an indefinite time. A Call issued to an assistant/associate minister of Word and Sacrament may be for a definite period of time.

C9.01.03 If a minister of Word and Sacrament receives a Call to another ministry, the minister of Word and Sacrament shall consult the congregation council, or, if desired, this congregation, before reaching a decision. The minister of Word and Sacrament shall announce a decision as quickly as possible, normally within three weeks. The minister of Word and Sacrament shall notify the Bishop of the Synod when a decision has been reached. When a Call has been accepted, the minister of Word and Sacrament's ministry in this congregation shall be terminated as soon as feasible, normally within a month.

**\*C9.02. Only a member of the roster of Ministers of Word and Sacrament roster 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;**

\* Required provision

2. **Administer the Sacraments;**
  3. **Conduct public worship;**
  4. **Provide pastoral care for the members of this congregation as defined in the Bylaws;**
  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 this congregation:**
1. **Offer instruction, baptize, 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 congregation council, administer discipline;**
  5. **Endeavor to increase the support given by this congregation to the work of the ELCA churchwide organization and of the Southwestern Texas Synod of the ELCA.**
- C9.03.01 In the event a member moves from the community the minister of Word and Sacrament shall encourage the member to request a transfer to a Lutheran Congregation which can serve the member effectively. Should the member fail to request a transfer, a Lutheran Congregation in the community of the member's new residence shall be notified.
- C9.03.02 A confirmed member in good standing desiring to change his membership to another Lutheran Congregation shall, upon request, receive a Letter of Transfer.
- C9.03.03 A child, neither of whose parents or guardians is a member of this congregation may be removed from the roster of baptized members if that child fails to participate in the life and worship of this congregation.
- C9.03.04 Every minister of Word and Sacrament shall live an exemplary Christian life.
- \*C9.04. The specific duties of the minister(s) of Word and Sacrament, compensation, and other matters pertaining to the service of the minister(s) of Word and Sacrament 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 minister of Word and Sacrament, 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 minister of Word and Sacrament, 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 that congregation in view of local conditions;**
  - 4) physical or mental incapacity of the minister of Word and Sacrament;**
  - 5) suspension of the minister of Word and Sacrament through discipline for more than three months;**
  - 6) resignation or removal of the minister of Word and Sacrament 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 minister of Word and Sacrament 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 of Word and Sacrament 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 of Word and Sacrament 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 minister of Word and Sacrament'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 restoration of the minister of Word and Sacrament to health, the bishop shall take steps to enable the minister of Word and Sacrament 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 minister of Word and Sacrament and then to the congregation. The recommendations of the bishop's committee must address whether the minister of Word and Sacrament'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 minister of Word and Sacrament, if appropriate. If the minister of Word and Sacrament 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 minister of Word and Sacrament's call, the congregation may dismiss the minister of Word and Sacrament 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 simple 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 minister of Word and Sacrament may 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 minister of Word and Sacrament shall have the rights and duties in this congregation of a regularly called minister of Word and Sacrament and may delegate the same in part to a supply minister of Word and Sacrament with the consent of the bishop of the synod and this congregation or the congregation council. The interim minister of Word and Sacrament and any rostered minister providing assistance shall refrain from exerting influence in the selection of a minister of Word and Sacrament. Unless previously agreed upon by the Synod Council, an interim minister of Word and Sacrament 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 minister(s) of Word and Sacrament before calling a successor. A minister(s) of Word and Sacrament 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 minister(s) of Word and Sacrament is called to serve in company with another minister(s) of Word and Sacrament or ministers of Word and Sacrament, the privileges and responsibilities of each minister(s) of Word and Sacrament shall be specified in documents to accompany the call and to be drafted in consultation involving the ministers of Word and Sacrament, the congregation council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
- \*C9.11. With the approval of the bishop of the synod, this congregation may depart from C9.05.a. and call a minister(s) of Word and Sacrament 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 minister(s) of Word and Sacrament and representatives of this congregation for a review of the call. Such call may also be terminated before its expiration in accordance with the provisions of C9.05.a.
- \*C9.12. The minister of Word and Sacrament 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 minister of Word and Sacrament shall hold membership in one of the congregations.**

C9.12.01 The minister(s) of Word and Sacrament shall serve as ex-officio member of all congregational committees, except the staff support committee.

C9.12.02 Should this congregation be dissolved, the official records of this congregation shall be deposited in the archives of the Evangelical Lutheran Church in America or its successor.

C9.12.03 Records of participation in Holy Communion shall be maintained by the minister(s) of Word and Sacrament. If a member of another Lutheran Congregation communes, notice shall be sent to the minister(s) of Word and Sacrament of that congregation. Notice shall also be sent if requested by members of other denominations.

C9.12.04 The minister(s) of Word and Sacrament shall report to the general secretary of the Evangelical Lutheran Church in America such statistics as may be requested and shall annually report to this congregation a summary of ministerial acts.

**\*C9.13. The minister(s) of Word and Sacrament 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 minister of Word and Sacrament 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 minister of Word and Sacrament before the installation of that minister of Word and Sacrament in another field of labor or the granting by the synod of retired status to the minister of Word and Sacrament.**

C9.14.01 The records shall consist of:

- a. The roster of baptized, confirmed, voting, associate, and inactive members; for which the minister of Word and Sacrament shall be responsible;
- b. The ministerial acts performed by the minister(s) of Word and Sacrament; for which the minister of Word and Sacrament shall be responsible;
- c. The minutes and reports of the Synod and the Handbook of the Evangelical Lutheran Church in America; for which the minister of Word and Sacrament shall be responsible;
- d. The minutes of the meetings of this congregation and the congregation council, for which the secretary of this congregation shall be responsible;
- e. The financial records of this congregation, for which the treasurer of this congregation shall be responsible.

**\*C9.15. 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 the Congregation Council to recommend the call, shall seek the advice and help of the bishop of the synod.**

- \*C9.16. 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.**
- \*C9.17. 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.**
- \*C9.18. 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.**
- \*C9.19. 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.

- \*C9.20. 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.
- \*C9.21. 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.
- \*C9.22. With the approval of the bishop of the synod, this congregation may depart from \*C9.19.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 \*C9.19.a.
- \*C9.23. 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.
- \*C9.24. 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 CONGREGATIONAL MEETINGS

- C10.01 The following applies to all meetings:
  - a. The day and time for each meeting shall be set by the congregation council at least thirty days prior to the date of the meeting.
  - b. Notice to voting members shall be as follows:
    - 1) The date and place shall be posted on the church bulletin board at least twenty one days prior to the date of the meeting.
    - 2) Announcement of the meeting shall be made at the services of worship on the preceding two consecutive Sundays.
    - 3) Notice shall be mailed or sent by electronic means, as permitted by state law, to all voting members at the last known address at least ten days in advance of the date of the meeting.
  - c. The rosters of voting members shall be available at each meeting of this congregation. (See Bylaws; duties of the Secretary)
  - d. Normally voting shall be by voice or hand count, but in the following cases, the vote shall be by ballot:

- 1) **To elect any officers, coordinators of standing committees and congregational representatives;**
  - 2) **To adopt, repeal, change or amend the Articles of the Constitution or Bylaws;**
  - 3) **To call a minister(s) of Word and Sacrament or to sever official connection with the minister(s) of Word and Sacrament;**
  4. **To suspend or dismiss any officer of this congregation;**
  - 5) **At the request of any voting member.**
- e. **In general, the meetings of this congregation shall deal with such matters as are presented by the congregation council.**
- C10.02 The annual meeting of this congregation shall be held in November. Specifically the meeting shall deal with:**
- a. **Election of this congregation's officers, coordinators of standing committees of this congregation and congregational representatives;**
  - b. **Congregational consideration and adoption of a budget for the following year as submitted by the congregation council or as amended during the meeting;**
  - c. **Reading the Church's Mission Statement;**
  - d. **Other business as submitted by the congregation council;**
  - e. **Any old or new business introduced from the floor.**
- C10.03. Special meetings of this congregation may be called:**
- a. **By the minister(s) of Word and Sacrament;**
  - b. **By the president of this congregation;**
  - c. **By the congregation council;**
  - d. **By petition signed by at least two percent of the voting members of this congregation (with a minimum of ten); or**
  - e. **At the request of the Bishop of the Synod.**
- C10.04. The call for each special meeting shall specify the purpose for which it is to held and no other business shall be transacted.**
- C10.05. Ten percent of the voting members shall constitute a quorum.**
- C10.06. Voting by proxy or by absentee ballot shall not be permitted.**
- C10.07. All actions by this congregation shall be by majority vote except as otherwise provided in this Constitution.**

- C10.08. Robert's Rules of Order, latest edition, shall govern parliamentary procedure of all meetings of this congregation.**

**Chapter 11  
CONGREGATION COUNCIL**

- C11.01. The membership of the congregation council shall consist of the minister(s) of Word and Sacrament, this congregation's Officers and the Coordinators of the Standing Committees. Any voting member of this congregation may be elected to the congregation council, subject only to the limitations stated in the Bylaws. 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 four successive regular meetings of the congregation council without cause.**
- c. Fails to perform their duties outlined in the Bylaws or the Continuing Resolutions as applicable.**

- C11.01.01 Congregation Council Membership Limitations

- a. All members of the church council shall have attained the age of majority under the laws of the State of Texas.
- b. A minimum of one year prior service on the Church council shall be a prerequisite for nomination to the office of President.
- c. One year of membership in this congregation shall be a prerequisite for the nomination of all other officers of this congregation. (Vice-President, Secretary, Treasurer and Financial Secretary)
- d. Any member in good standing as defined by the Constitution and Bylaws may be nominated as a committee coordinator.
- e. The maximum number of consecutive years that any person [excluding the minister(s) of Word and Sacrament] may serve on the congregation council shall be four years. Time accrued during unexpired terms shall not be counted. Any person having served a maximum number of four consecutive years may be re-elected to the congregation council after being out of office for a period of one year.
- f. In the event of the death, resignation, or disqualification of any member of the congregation council during the member's term of office, the remaining members of the congregation council shall have the power to elect a person to fill the vacancy until the next regular meeting of this congregation at which time the successor shall be elected to serve the unexpired term. This applies to all members except the minister of Word and Sacrament and president.

- C11.02. The congregation council is authorized to accept the resignation of any of its members, except for the minister of Word and Sacrament.**

- C11.03. Should a member's place on the congregation council be declared vacant, the congregation council shall elect, by majority vote, a successor to serve until the next regular congregational meeting.**

- C11.04. 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 those outlined in the Bylaws and the following:**
- a. Lead this congregation in stating its mission, be responsible for long-range planning, set goals and priorities, and annually review its activities in light of its mission and goals.**
  - b. Seek to involve all members of this congregation in worship, learning, witness, service, and support.**
  - c. Oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.**
  - d. Maintain supportive relationships with the rostered minister(s) and staff and help them annually to evaluate the fulfillment of their calling, appointment, or employment.**
  - e. Be examples individually and corporately of the style of life and ministry expected of all baptized persons.**
  - f. Promote a congregational climate of peace and goodwill and, as differences and conflicts arise, to endeavor to foster mutual understanding.**
  - g. Arrange for pastoral service during the sickness or absence of the minister(s) of Word and Sacrament.**
  - h. Emphasize partnership with the synod and churchwide units of the Evangelical Lutheran Church in America as well as cooperation with other congregations, both Lutheran and non-Lutheran, subject to established policies of the synod and the Evangelical Lutheran Church in America.**
  - i. Recommend and encourage the use of program resources produced or approved by the Evangelical Lutheran Church in America.**
  - j. Develop an organizational structure to be approved by this congregation and included in the Bylaws.**
  - k. Prepare descriptions of the responsibilities of each standing committee, ad hoc committees, and may prepare them for other organizational groups. Such descriptions shall be contained in the Continuing Resolutions.**
- C11.04.01 The members of the congregation council shall set a good and Christian example for the other members of this congregation by regular participation in the Divine Service, by hearing and doing God's Word, and by regularly partaking of the Lord's Supper.
- C11.04.02 In addition to the duties and responsibilities provided in the constitution the congregation council shall:
- a. Approve and secure necessary staff other than the minister(s) of Word and Sacrament, such as administrative assistant, Christian day school teacher, business administrator, church musician, parish education director, parish secretary, parish worker, youth worker, intern, custodian, etc., and fix and review their salaries annually.

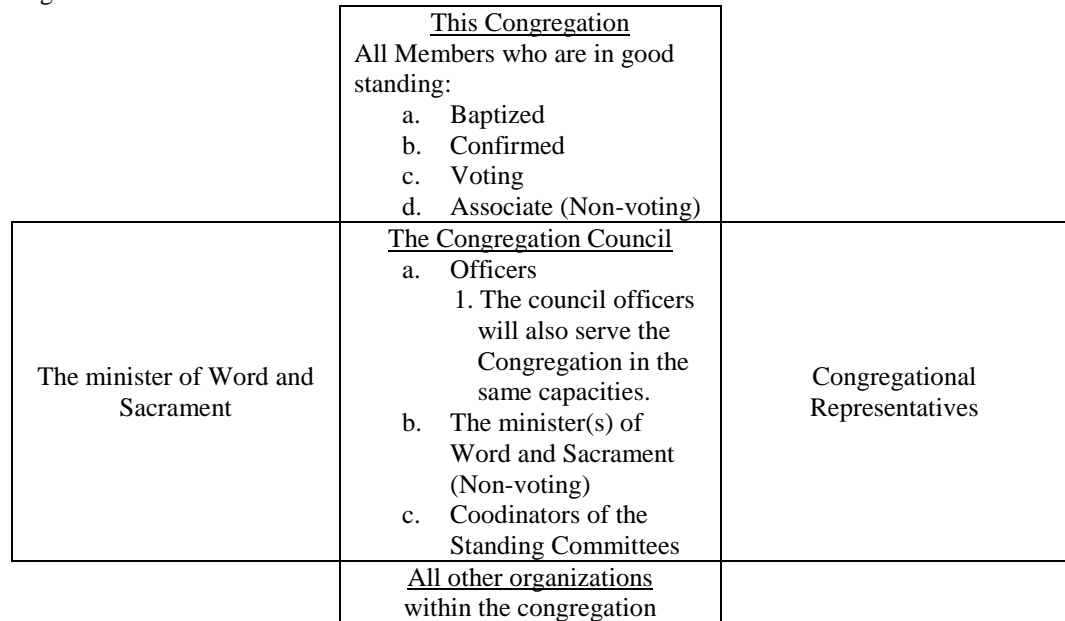
- b. Annually review and approve the salary of the minister(s) of Word and Sacrament and make adjustments from time to time as recommended by the Resource coordinator within the limits of the budget approved by this congregation.
- c. Elect a nominating committee in March composed of three persons and designate one of them to be the chairperson.
- d. Review, amend if desired, and approve the budget proposed by the Resource Coordinator and submit the same to this congregation.
- e. Have the prerogative to change line items in the budget so long as they do not exceed the total amount approved by this congregation. Any proposed expenditures in excess of the total approved budget must be approved by this congregation.
- f. Appoint the Sunday School Superintendent in August, upon the recommendation of the Worship & Learning Coordinator.
- g. Establish the function and jurisdiction of the standing committees and supervise their work.
- h. Exercise discipline in accordance with the provisions of this constitution and its Bylaws. (See Bylaws, Discipline)
- i. Appoint adhoc committees as needed.
- j. Be responsible for the buildings and premises of this congregation and insure their proper maintenance and care. Functions of this congregation shall always have priority as to the use of the buildings and premises. When groups or individuals not associated with this congregation desire to use this congregation's property or facilities, application shall be made to the congregation council for its approval. The council may set fees and/or service charges for the use of congregational property.
- k. Attend the council retreat each year. (See Continuing Resolutions)
- l. At the end of the year, with the exception of the secretary, prepare a written report for inclusion in the Church's Annual Report.
- m. Share the responsibility of any vacant council position.

*C11.04.02 A91*

*Congregation Council Retreat*

- A. *The congregation council retreat shall be held as soon as feasible after the new officers and coordinators are elected.*
- B. *At the retreat, the congregation council shall:*
  - 1. *Review and evaluate last year's activities in light of the congregation's mission and goals and plan the goals, work plan and activities for the coming year.*
  - 2. *Review this church's governing documents and determine if any amendments are necessary.*

C11.04j.01 Organizational Structure



C11.04.01 A14

*The Standing Committees of the congregation are:*

- A. *Congregational Life.*
- B. *Discipleship.*
- C. *Early Childhood Programs Board.*
- D. *Evangelism.*
- E. *Ministry Support.*
- F. *Property.*
- G. *Servant Outreach.*
- H. *Stewardship.*
- I. *Worship/Music.*

**C11.05. The congregation council shall be responsible for the financial and property matters of this congregation and be responsible for maintaining and protecting its property and the efficient management of its business and fiscal affairs.**

*C11.05 A14 Budget Preparation*

- A. *Each Standing Committee will prepare and approve a recommended budget for its portion of the congregation's programs and general support. The recommended budget will also be coordinated with the Property Team if property matters or requests are contained in the budget.*
- B. *Each Standing Committee will then submit its recommended budget to the Ministry Support Team, in accordance with the instructions, guidance, and timelines from that team.*
- C. *The Ministry Support Team will then consolidate each of the Standing Committee's recommended budgets with the total draft budget which will then be submitted to the congregation council.*
- D. *At the congregational level each Committee's budget shall have a ministry-level budget line and additional subcategories within the overall church budget sufficient to properly*

\* Required provision



*summarize the mission and scope of its financial operations. At the committee level the Standing Committee's draft budgets will contain more detailed budget worksheets for internal use that show a specific spending plan for fulfilling its ministry goals.*

**C11.05 A19 Building Fund Financial Management** (Approved 6/10/2019)

1. Overall Goal for Managing the Mortgage: *It is the goal of the Council to pay off the existing mortgage as quickly as congregational giving and prudent financial planning allow, balancing the need for a sufficient Building Fund (BF) Reserve while also avoiding interest payments where possible. It is the central purpose of this CR, along with prescribing the necessary procedures and reporting requirements regarding the Use and Management of Building Fund Monies which follow, to define the needed BF Reserve so that all other BF monies can then be applied to paying off the mortgage. (Our intent is to pay ahead of schedule to avoid as much interest payment as possible.)*
2. Use of Building Fund Monies:
  - a. *All BF donations will be applied to paying the existing mortgage, either directly, or in maintaining a BF Reserve. Only these monies (and not funds from General Operating or other non-building fund designated offering) will be used for mortgage payments or to fund the BF Reserve. Near the end of the mortgage, when the loan balance approximately matches the BF Reserve level, the entire BF Reserve will be applied to paying off the remaining mortgage.*
  - b. Building Fund Reserve: *A BF Reserve will be maintained in order to ensure mortgage payments can be made in the event monthly BF monies do not suffice to cover the monthly mortgage payment. Following a study of this matter, the BF Reserve will hereafter be maintained at 5 months of the current required mortgage payment, an amount that allows using a "50/10" reserve strategy. That is, the reserve is designed to continue to make minimum monthly mortgage payments even if monthly BF monies drop to 50% of the level required to make the monthly payment for a period of 10 months in a row. This 10-month period is "protected" to allow Council to make alternate financial arrangements (e.g. refinancing the mortgage, conducting a giving campaign, restructuring congregational finances, etc.) in the face of reduced giving.*
3. Monthly Management of Building Fund Monies: *Each month, collected BF monies will be used to make the following monthly mortgage payment.*
  - a. *In the event monthly BF donations do not suffice to cover the monthly mortgage payment, funds from the BF Reserve will be used to top-off donations in order to make the required on-time payment.*
  - b. *In the event monthly BF donations are greater than the monthly mortgage payment:*
    - i. *If the Building Fund Reserve is below the required 50/10 level, excess BF monies will be applied to the Reserve until it is replenished to that level.*
    - ii. *If the Building Fund Reserve is at the required level, excess BF monies may be paid ahead as an extra principle payment. These advance payments can be made monthly, or aggregated as quarterly payments, at the discretion of the Finance Team.*
4. Reporting on the Building Fund Reserve Level: *The Treasurer will make a monthly report to Council on the BF Reserve level, and will make a special report to Council if the BF Reserve level remains below the required level for four months or longer.*
5. Changes to the Building Fund Reserve Level: *Should the Finance Team determine that a different BF Reserve level is warranted, they will provide a report and recommendation to Council. If Council decides to change the BF reserve level temporarily, this will be recorded in Council meeting minutes. In this event, the procedures of paragraphs 3-5 will be adhered to for that new level. If this new level is expected to be maintained for an extended period, this Continuing Resolution should be updated to reflect that level.*

*C11.05 B14 Financing the Early Childhood Programs*

- A. *The Early Childhood Programs Board (ECPB) will receive and review draft budget recommendations from each Director during the annual budget process of the church as a whole. These drafts should include, as a minimum, the derivation of tuition, payroll, supplies, and operations amounts.*
- B. *The defined budget income, including the tuition, supply fees, and registration fees, will be sufficient to properly pay the Directors, teachers, and other staff of the Preschool and MDO, as well as projected ordinary operations and supplies of the Preschool and MDO.*
  - 1. *Preschool: Tuition rates and the various fees will also be set to provide a Net Income of at least one-third of Total Income. This will be used to offset costs the church covers on the Preschool's behalf.*
  - 2. *MDO: Tuition rates and the various fees will be set to provide a Net Income of at least one-fifth of Total Income. This will be used to offset costs the church covers on the MDO's behalf.*
- C. *A standing Preschool Reserve, to be used for non-facility capital projects, large item purchases or replacement, Preschool equipment including classroom items or supplies, and in general for the greater good of the Preschool, will be supported up to a level of \$10,000.*
  - 1. *The ECPB (or the Preschool itself, if approved by the ECPB), through the use of fund raisers or other initiatives, may raise the level of the reserve beyond \$10,000 as seems prudent, but it will only be supported by the church up to the \$10,000 level.*
  - 2. *The Preschool will not use the reserve for annually budgeted items such as payroll (including bonuses), supplies, and operations unless specifically approved by the Board and the church council.*
- D. *A standing MDO Reserve, to be used for non-facility capital projects, large item purchases or replacement, MDO equipment including classroom items or supplies, and in general for the greater good of the MDO, will be supported up to a level of \$5,000.*
  - 1. *The ECPB (or the MDO itself, if approved by the ECPB), through the use of fund raisers or other initiatives, may raise the level of the reserve beyond \$5,000 as seems prudent, but it will only be supported by the church up to the \$5,000 level.*
  - 2. *The MDO will not use the reserve for annually budgeted items such as payroll (including bonuses), supplies, and operations unless specifically approved by the Board and the church council.*
- E. *The following specific reserve inputs and reimbursements to Triumphant Lutheran Church from Preschool Net Income and MDO Net Income shall be paid each month they are in session, until further notice:*
  - 1. *An amount of \$250 into the Preschool Reserve, when that reserve is under \$10,000.*
  - 2. *An amount of \$100 into the MDO Reserve, when that reserve is under \$5,000.*
  - 3. *All remaining monthly Preschool Net Income and all remaining MDO Net Income, will go to the church's General Operations, partially as reimbursement for church support costs and otherwise as needed to support the ministries of this church.*

- C11.06. The congregation council shall see that the provisions of this Constitution, its Bylaws and the Continuing Resolutions are carried out.**
- C11.07. The congregation council shall provide for an annual review of the membership roster.**
- C11.08. The congregation council shall normally meet once a month. Special meetings may be called by the minister of Word and Sacrament, the president or at the request of one-half of its members. Notice of each special meeting shall be given to all members at least five (5) days before the meeting. In special cases polling of members may be made by phone.**
- C11.09. A quorum for the transaction of business shall consist of a majority of the members of the congregation council.**
- C11.10. The Congregation Council and its committees may hold meetings by remote communication, including electronically and by telephone conference, and, to the extent permitted by state law, notice of all meetings may be provided electronically.**

## **Chapter 12 OFFICERS**

- C12.01. The officers of this congregation shall be a president, vice-president, secretary, treasurer, and financial secretary.**
- a. The officers shall be voting members of this congregation.**
  - b. Officers of this congregation shall serve similar offices in the congregation council and shall be voting members of the congregation council.**
  - c. All officers of the congregation council shall have attained the age of majority under the laws of the State of Texas.**
  - d. Duties of the officers shall be those specified in the Bylaws.**
- C12.01.01 Duties of the President:
- a. It shall be the duty of the president to call and preside at all congregational and council meetings.
  - b. The president shall be a member of the Resource Committee and a member ex-officio of all other standing committees of this congregation.
  - c. Meet with the coordinators of the standing committees and the minister(s) of Word and Sacrament to assist in the selection of committee members. (See Continuing Resolutions - Duties of the Coordinators)
  - d. Review and insure that the duties of the council as a whole and as individual officers and coordinators fulfill their responsibilities as outlined in the Constitution, Bylaws and Continuing Resolutions.
- C12.01.02 Duties of the Vice-President
- a. It shall be the duty of the vice-president to assist the president in the performance of that officer's duties and assume the duties of the president in the absence of that officer.

- b. In the case of a vacancy in the president's office, the vice-president shall immediately fill that position.
- c. Inactive members shall be the vice-presidents special concern. (See C8.05e.02)
- d. The vice-president shall be a member of the Congregation Outreach and Congregation Life Committees.
- e. The vice president shall organize and supervise special events, such as the Easter Sunrise Service, the anniversary barbecue, the annual chili supper and the like.
- f. The vice president shall serve as the Historian for this congregation.

C12.01.03 Duties of the Secretary

- a. The secretary shall keep a record of those in attendance at the congregation council and congregational meetings. The secretary shall also take accurate minutes of all council and congregational meetings and submit them in writing for approval at the next meeting. The approved minutes shall be filed in the permanent records of this congregation.
- b. It shall be the duty of the secretary to keep an accurate roll of all voting members.
- c. It shall be the duty of the secretary to see that all congregation council and congregational meetings are properly announced.
- d. It shall be the duty of the secretary to handle all congregation council correspondence as directed by the congregation council.

C12.01.04 Duties of the Treasurer

- a. It shall be the duty of the treasurer to record all funds deposited by the financial secretary and to disburse them according to the instructions of the congregation council and this congregation.
- b. A monthly report covering the receipts, itemized disbursements and current balances shall be made at each monthly council meeting and a report covering the receipts, itemized disbursements and balances for the year shall be included in the Church's Annual Report.
- c. The treasurer shall be a member of the Resources Committee.
- d. The treasurer shall be responsible for filing all required governmental forms.

C12.01.05 Duties of the Financial Secretary

- A. It shall be the duty of the financial secretary to keep an accurate record of all receipts properly itemized according to the system adopted by the congregation council.
- B. This officer shall be a member of the Resources Committee.
- C. This officer shall prepare quarterly statements and deliver them to individual members of this congregation to show their financial support of this congregation.
- D. This officer shall deposit all monies received in accordance with the system adopted by the congregation council.

- C12.02. The officers shall be elected by this congregation by written ballot at the annual meeting of this congregation and shall serve for a term of one year. The term shall begin on January 1st following their election.**
- C12.03. 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.**
- C12.04. This congregation's officers shall be the board of directors of this congregation. The board shall have the powers and be subject to the obligations that pertain to such boards under the laws of the State of Texas, except as otherwise provided herein.**
- C12.05. This congregation's officers shall not have the authority to buy, sell, or encumber real property unless specifically authorized to do so in a meeting of this congregation.**
- C12.06. This congregation's officers shall be responsible for supervising this congregation's investments and its total insurance program.**

**Chapter 13**  
**CONGREGATION COMMITTEES**

**C13.01. The Coordinators of the Standing Committees and the Congregational Representatives shall be elected by written ballot at the annual meeting of this congregation and shall serve for a term of two (2) years or until their successors are elected. Such members shall be eligible to serve no more than two (2) full terms consecutively. Their terms shall begin on January 1st following their election. (See Continuing Resolutions)**

C13.01.01 A majority vote is required for election to fill each position.

*C13.01.01 A91*

*The terms of Coordinators of the Standing Committees of this congregation shall be arranged so that not more than one-half of the terms shall expire in any given year.*

C13.01.02 The new officers, coordinators and congregational representatives shall be installed during a worship service in the month they assume office.

*C13.01 A14 The Coordinators of the Standing Committees (ministry teams) serve as liaisons between the various ministry teams and the congregation council. They provide a conduit for clear and timely communication. This is accomplished by being a member of the ministry team they represent; attending the annual council retreat; attending the monthly council meetings; reporting on current activities of his/her committee and indicating any needs to accomplish their goals; promoting the best interests of the programs of their ministry team; and seeking to integrate the work of their ministry team with the wider work of the church.*

*A. After the congregation's annual meeting the coordinators in consultation with the president and the minister(s) of Word and Sacrament shall appoint the members of their standing committees. The committees shall generally have no less than five members. As a rule these appointments shall be for two year terms with no limit on the number of years that a person can serve.*

*C13.01 B14 The Coordinators of the Standing Committees may serve as Chairs of their committees. Each committee may, however, choose another member to Chair its committee in coordination with the Congregation Council.*

*A. Chairpersons shall call and conduct periodic meetings of his/her committee as appropriate, providing an agenda if possible, to the members in advance.*

**C13.02. The officers of this congregation and the minister of Word and Sacrament shall constitute the Executive Committee.**

**C13.03. A Nominating Committee of three voting members of this congregation shall be elected by the Congregation Council as outlined in the Bylaws (cf. C11.04.02.c)**

C13.03.01 The nominating committee shall nominate one or more candidates for each officer of this congregation, coordinator of congregational standing committees and congregational representatives which shall become vacant at the end of the calendar year. The committee shall obtain prior consent of each candidate to serve if elected. The list of nominees shall be announced to this congregation in conjunction with the announcement of the annual meeting. Additional nominations may be made from the floor providing that prior consent to serve if elected has been obtained from the new candidate.

- C13.03.02 The nominating committee shall prepare a ballot, setting forth the nominees for each position with allowed spaces for recording nominations from the floor. The ballot shall be made public a minimum of one week prior to the election.
- C13.04. An Audit Committee of three voting members of this congregation shall be appointed by the Coordinator of the Resources Committee as outlined in the Continuing Resolutions (PP. C11.04K A91 B4). Term of office will be one year. Members shall be eligible for re-appointment.**
- C13.05. A Staff Support Committee of three members shall be appointed jointly by the president and the rostered minister. Term of office will be by mutual consent. Committee members will hold no other office in the congregation during their term. The committee will be accountable to the congregation council.**
- C13.06. When a pastoral vacancy occurs, a Call Committee of six voting members shall be appointed by the Congregation Council. Term of office will terminate at the installation of the newly called minister of Word and Sacrament.**
- C13.07. Other Congregational Committees may be formed as the need arises, by a majority vote of the Congregation Council.**
- C13.08. Duties of the congregational committees shall be specified in the Continuing Resolutions.**
- C13.08 A14 Each Standing Committee, or ministry team, is responsible for certain aspects of our life together. Each has representation on the church council through its Coordinator of the Standing Committee. Those teams and responsibilities include:*
- Congregational Life - This ministry team is responsible for promoting fellowship and enhancing relationships within the congregation. This is accomplished by coordinating celebrations, meals and activities.*
- Discipleship - This ministry team is responsible for coordinating non-worship activities that help members achieve individual spiritual growth. This is accomplished through Sunday school, VBS, Bible studies, devotions, and other Christian education. This includes training members of the congregation for leadership. In addition, this ministry team coordinates with the Youth Director for resourcing youth programs.*
- Early Childhood Programs Board – This ministry team is responsible for maintaining the viability and month-to-month oversight of the operations of the Preschool and Mother’s Day Out Programs. It receives reports from each of the individual program’s directors, reports such matters as are necessary for the council to be reasonably informed, and makes recommendations on matters that are the council’s purview like policy and facility issues.*
- Evangelism - This ministry team, with the minister(s) of Word and Sacrament, will supervise and coordinate activities that minister to visitors, inactive members and shut-ins. This is accomplished by conducting community outreach, shepherding new members, and sharing God’s word by welcoming the community into our congregation.*
- Ministry Support - This ministry team is responsible for maintaining the ongoing functions of the church including finances, staff support and technology. This is accomplished through the Finance team, Automation team and other business-related functions.*
- The Finance team is responsible for all financial aspects of the church operations including, but not limited to, budgets, insurance, debt, and contracts.*
  - The Automation team is responsible for supporting the information technology systems of the church.*

Property - This ministry team is responsible for maintenance and repairs of the church buildings and grounds. This is accomplished by coordinating volunteer resources and contractors with skills to address the issues that arise. Upon request, this ministry team shall arrange for the retrieval, set-up and storage of event equipment. In addition, this ministry team coordinates with the Sexton for ongoing property maintenance.

Servant Outreach - This ministry team provides opportunities for members to minister outside of the congregation. This is accomplished by providing financial, material and volunteer support for local, national and global concerns.

Stewardship - This ministry team is responsible for advancing the management of God's gifts in the faith life of all congregants. This is accomplished through educating, equipping and empowering people to care for their time, talents and treasure in coordination with the other ministries of the church.

Worship and Music - This ministry team is responsible for all elements of congregational worship. This is accomplished by coordinating with the minister(s) of Word and Sacrament, Director of Music and other worship leaders to plan the worship service and prepare the worship space.

#### **C13.08 B14 Role of the Early Childhood Programs Board**

- A. *The Early Childhood Programs Board (ECPB) will consist of a Chair, the Director of the Preschool Program, the Director of the Mother's Day Out Program (MDO), the Coordinator of the ECPB and several at large members. The ECPB should have at least five at large members counting the Chair. All ECPB members will have voice and vote. The Senior Minister of Word and Sacrament will also be an ex officio board member, with voice but no vote. The ECPB may further organize itself by having at large members be generally responsible for functions useful to its oversight mission, such as a parent's liaison, a financial team liaison, etc.*
  1. *All ECPB members, except the two Directors, must be members of Triumphant Lutheran Church.*
- B. *The Chair is appointed by the Congregation Council to a two year term and may be reappointed without term limits at the pleasure of the Council. In addition to setting the agenda for and presiding over the regular ECPB meetings, the Chair may serve as an advisor to the Congregation Council with voice but no vote.*
- C. *The Coordinator of the ECPB is the elected representative for the ECPB on the Congregation Council and is not required to be the Chair. They fulfill the role outlined in C13.01 A14.*
- D. *The ECPB will generally receive and approve reports such as monthly Director's Reports and will also approve requests for new positions or the filling of a personnel vacancy. The ECPB will receive the annual budget request by each Director and recommend approval in whole or in part to the council. Additionally, the ECPB may request information on any topic deemed appropriate for good oversight.*
- E. *The Senior Minister of Word and Sacrament is the direct day to day supervisor of both directors. After the ECPB approves a personnel vacancy for fill, the Senior Minister of Word and Sacrament may approve the specific hire based on the recommendation of a Director or may delegate that call to each Director at his/her prerogative.*
- F. *The role, responsibilities, and authority of each Director will be defined in a Job Description specific to each Director's position and may not conflict with the guidance in this continuing resolution or other written church policy. Where new requirements are made known, this document and each Director's Job Description must be reviewed and updated appropriately.*



1. *The Director of the Preschool and the Director of the MDO Programs --- whether members or non-members of the church --- will both be ex officio voting members of the ECPB.*
  2. *Neither Director may make a motion, second a motion, or vote on any matter pertaining solely to his/her own program. They may provide information, make recommendations, etc. pertaining to their program in general and state their desired outcome of a specific action or request.*
- G. *A parent's advisory group consisting of parents of Preschool and/or Mother's Day Out children, whether members or non-members, may also be established at the discretion of the ECPB.*
- H. *Triumphant Lutheran Church will be responsible for providing and maintaining the facilities in which the Preschool and MDO operate.*

#### **Chapter 14 ORGANIZATIONS WITHIN THIS CONGREGATION**

- C14.01.** All organizations within this congregation shall exist to aid it in ministering to the members of this congregation and to all persons who can be reached with the Gospel of Christ. As outgrowths and expressions of this congregation's life, the organizations are subject to its oversight and direction. Each organization shall prepare a written report of its activities and finances to be included in the Church's Annual Report.
- 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.

#### **Chapter 15 DISCIPLINE OF MEMBERS**

- \*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 minister of Word and Sacrament, b) censure and admonition by the minister of Word and Sacrament 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 minister of Word and Sacrament is unable to administer the admonitions required by paragraphs a. and b. hereof, those steps may be performed by another minister of Word and Sacrament 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 lay persons

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 minister of Word and Sacrament 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.
- \*C15.08. 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 two-thirds vote of those voting members present and voting.

- \*C16.03.** Changes to the bylaws may be proposed by any voting member, provided that such additions or amendments be submitted in writing to the Congregation Council at least 60 days before a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the congregation's members 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.
- \*C16.04.** Approved changes to the bylaws shall be sent by the secretary of this congregation to the synod.

## Chapter 17 AMENDMENTS

- \*C17.01.** Unless provision **\*C17.04.** is applicable, those sections of this constitution that are not required, in accord with the Model Constitution for Congregations of the Evangelical Lutheran Church in America, may be amended in the following manner. Amendments may be proposed by at least 25% of the 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.
- \*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 voting members present and voting;
  - b. be ratified without change at the next annual meeting by a two-thirds vote of those voting members present and voting; and
  - c. have the effective date included in the resolution and noted in the constitution.
- \*C17.03.** Any amendments to this constitution 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 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.
- \*C17.04.** This constitution may be amended to bring any section into conformity with a section or sections, either required or not required, of the Model Constitution for Congregations of the Evangelical Lutheran Church in America as most recently amended by the Churchwide Assembly. Such amendments may be approved by a simple majority vote of those voting members present and voting at any legally called meeting of the congregation without presentation at a prior meeting of the congregation, provided that the Congregation Council has submitted by mail 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 25 % of the voting members of the congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of the congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following a vote of approval.

## Chapter 18 CONTINUING RESOLUTIONS

- \*C18.01.** The congregation in a legally called meeting or the Congregation Council may enact continuing resolutions. Such continuing resolutions may not conflict with the constitution or bylaws of this congregation.
- \*C18.02.** Continuing Resolutions may 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.

**Chapter 20.  
PARISH AUTHORIZATION**

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

**desire to issue a new call to that rostered minister, it may do so in accordance with the call process of this church.**