

# Draft Constitution of \_\_\_\_\_ Lutheran Church

## Preamble

It is the will of our Lord Jesus Christ that His disciples should preach the gospel to the whole world (Mark 16:16, Matthew 23:18-20, Acts 1:8). Therefore we have organized to be a mission, which deliberately seeks to connect people with Jesus.

## Article I Name

The legal name of this congregation shall be “\_\_\_\_\_ Lutheran Church”. *(If the congregation is also known by a second language name add:)* The other name of the congregation for use in ministry shall be \_\_\_\_\_. The congregation is located in \_\_\_\_\_; \_\_\_\_\_. *(If the congregation is incorporated, add the following: \_\_ (Name of Congregation) \_\_\_\_\_ is incorporated under the laws of the State of \_\_\_\_\_ (or: the District of Columbia). (If the congregation is not incorporated, add the following: (Name of the Congregation) is not incorporated.*

## Article II Purpose

The purposes for which this congregation is formed are:

1. To establish and maintain the Office of the Christian Ministry in our midst.
2. To facilitate spreading the Christian faith in our community and around the world.
3. To establish and maintain Christian education and training of youth and adults.
4. To foster Christian fellowship and charity.

## Article III Confession of Faith

This congregation accepts without reservation:

1. The Scriptures of the Old and the New Testament as the written Word of God and the only rule and norm of faith and of practice;
2. All the Symbolical Books of the Evangelical Lutheran Church as a true and unadulterated statement and exposition of the Word of God, to wit: The three Ecumenical Creeds (the Apostles' Creed, the Nicene Creed, the Athanasian Creed), The Unaltered Augsburg Confession, The Apology of the Augsburg Confession, The Smalcald Articles, The Large Catechism of Luther, The Small Catechism of Luther, and The Formula of Concord.

## Article IV Denominational Affiliation

This congregation shall be with a member congregation of The Lutheran Church—Missouri Synod (henceforth, LCMS) as long as the confessions and constitution of the Synod are in accord with the confessions and constitution of this congregation as laid down in Article III.

## Article V Membership

The membership of this congregation includes the Baptized Members, Confirmed Members, and Voting Members as defined in the Bylaws.

## **Article VI Organization**

### **A. Voters' Assembly**

The Voters' Assembly is a meeting of the Voting Members of the congregation assembled to transact the business of the congregation. The congregation, through the Voters' Assembly, shall have final authority in managing its internal and external affairs.

### **B. Church Council**

The Church Council shall see to it that all activities of the church reflect the purpose and faith of the congregation. It shall concern itself with establishing all policies governing the activities of the congregation and with the implementation of the mission, vision, budget, and plans adopted by the Voters' Assembly. The Church Council may appoint any entity needed. It shall oversee and have authority over all other boards, committees, task forces, action teams, or other entities of the congregation. The Church Council shall be the governing body of the congregation and shall have plenary authority to transact all the affairs of the congregation except the following matters, which are reserved to the Voters' Assembly:

1. Call or remove a called worker.
2. Encumber, purchase or sell real property, including buildings
3. Incur a non-budgeted expense, including emergency expenses, of over 5% of the annual expense budget of the congregation.
4. Adopt the congregation's budget.
5. Dissolve the congregation or terminating the congregation's membership in the LCMS.

### **C. Officers and Boards**

The officers of this congregation shall be such officers as the Bylaws of this Constitution prescribe.

## **Article VII Property Rights**

### **A. Division within the congregation**

If, at any time, a separation shall take place within this congregation, efforts shall be made to resolve differences in a God-pleasing manner. If, despite all efforts to resolve differences in peace and love, a division into factions of the congregation shall occur, the advice of the President of the Southeastern District shall be sought and the property of the congregation and all benefits connected shall remain with that faction designated by a three person panel chosen by the SED Board of Directors.

### **B. Dissolution of the congregation**

If the congregation is dissolved, after settling all debts, the remaining assets shall be transferred to the Southeastern District -- LCMS.

## **Article VIII Decisions**

All congregational matters decided by the Voters' Assembly shall be decided by a simple majority of the Voting Members present at a properly convened meeting of the Voters' Assembly, except as otherwise provided in this Constitution and Bylaws. Procedural questions will be decided by following *Robert's Rules of Order*.

## **Article IX Amendments**

This Constitution may be amended by a two-thirds majority of the votes cast in a meeting of the Voters' Assembly. The Bylaws may be amended by a simple majority of the votes cast in a meeting of the Voters' Assembly. The wording of the amended Constitution and Bylaws shall be distributed to all members in a mailing as far in advance as possible, but no fewer than two Sundays in advance. In addition, the revisions will be distributed to the congregation assembled for worship on two different Sundays prior to the date upon which the amendment is presented for action.

# **Bylaws of \_\_\_\_\_ Lutheran Church**

## **Article 1 Baptized Membership**

Baptized Members are all persons within the congregation who have been baptized in the name of the Triune God and come under the pastoral care of this congregation. It is expected that all baptized members will:

1. Attend worship services faithfully and regularly.
2. Lead a Christian life as taught in Galatians 5:19-26.
3. Out of Christian love, submit to brotherly admonition, according to Matthew 18, when having erred or offended.
4. Contribute, as God has blessed them, of their time, talents and treasure toward the maintenance of the congregation and the extension of the church at large.
5. In due time, take a course of instruction in preparation for confirmed membership in this congregation.

## **Article 2 Confirmed Membership**

Confirmed Members are all baptized persons within the congregation who have completed a course of instruction in Christian doctrine that meets with the approval of the Church Council. Persons seeking to attain confirmed membership shall make that fact known to the Senior Pastor or any other delegated pastor. The pastor shall ascertain the understanding of and commitment to the purpose and theological commitment contained in Article III. The pastor will determine if additional instruction is needed and the appropriate method for that instruction. The pastor is authorized to extend confirmed membership to the person and shall announce that in a public service.

In addition to the duties of Baptized Members, it is expected of all Confirmed Members that they:

1. Accept the confessions of faith listed in Article III of the constitution.
2. Familiarize themselves with the doctrines of The Lutheran Church—Missouri Synod
3. Partake of the Lord's Supper.
4. Participate in continuing Christian education.
5. Provide for the Christian training of their children by making use of the educational agencies of the congregation to equip parents to be the spiritual teachers of their children and to nurture faith in children.

## **Article 3 Voting Membership**

Voting Members are Communicant Members who have reached the age of \_\_\_\_, attend a Voters' meeting, and sign the Constitution.

## **Article 4 Termination of Membership**

### **A. Transfers**

A member desiring transfer to another congregation shall make that fact known to the Senior Pastor. The Senior Pastor shall cause the creating and mailing of a letter of transfer to the receiving congregation.

- B. Whereabouts unknown or moved  
The names of members whose whereabouts are unknown or who have moved from the area may be removed from membership after a period of one year.
- C. Discipline  
All discipline in this congregation shall be administered in accordance with Matthew 18:15-20. The purpose of any disciplinary action is to renew a member's relationship with the Lord and with the church. A member shall be considered self-excluded when unresponsive to the witness and ministry of the church.

## **Article 5 Voters' Assembly**

- A. The Voters' Assembly shall meet at least once a year. The day and hour of the annual meeting shall be set by the Church Council and publicized at least one month in advance. The notification shall contain an agenda of items to be considered as well as the slate of nominees for election.
- B. The Voters' Assembly may meet at other times of the year subject to a call by the Church Council or at the request of any three voting members of the congregation. Notice of any such special meeting shall be publicized as far in advance as possible but no less than one week in advance. The notice shall contain an agenda of items to be considered. No agenda items may be added once notification of any meeting is publicized. The Chairperson, Vice Chairperson, or their designated Church Council member shall preside at all Voters' Assembly meetings.
- C. A quorum of 25% of voting members must be present to conduct the business of the Voters' Assembly. If a quorum is not present, the chairperson will suspend the meeting for a period of not less than one week. When the meeting is resumed, the quorum shall be all those in attendance at the resumed meeting.

## **Article 6 Church Council**

- A. Membership  
The Church Council shall consist of three Voting Members, elected at large by the Voters' Assembly, plus the four congregation officers listed in Article VII. The Senior Pastor is a non-voting member.
- B. Term of Office  
The term of office shall be two years, with at least one member of the Church Council being elected each year. Group members shall serve no more than two full successive terms in that position without a break of at least one year.
- C. Meetings  
The Church Council shall meet at least quarterly and may be called more frequently at the request of the Chairperson or any three Church Council members. An elected officer shall be present and preside with three members of the Church Council to constitute a quorum for any meeting. Notice of each meeting shall be posted. The minutes shall fully disclose all actions taken and be signed by the Chairperson and Secretary. Minutes of the meetings shall be available to voting members upon request.

## **Article 7 Called Workers**

- A. Called Workers
  1. Calls will only be issued to such candidates who are approved by the LCMS.
  2. After authorization is received from the Voters' Assembly, the Church Council shall appoint a Call Committee. No more than one-third of the Call Committee members may be members of the Church Council.
  3. The Call Committee shall consult with the Southeastern District, LCMS as part of their efforts to secure the names of candidates.

4. The Call Committee will present a final list of candidates to the Voters' Assembly for voting. A two-thirds majority is required.
- B. Removal from Office of Called Workers  
Any Called Worker may be removed from office by the Voters' Assembly by a three fourths majority vote because of: persistent adherence to false doctrine, scandalous life, neglect of duties, or inability to perform the duties of the office.

## **Article 8 Officers**

- A. Chairperson:
  1. Preside at all meetings of the Voters' Assembly and the Church Council.
  2. Enforce the Constitution and Bylaws.
  3. Perform the general duties as are common for the office, including such additional duties as may be directed by the Voters' Assembly from time to time.
- B. Vice Chairperson:
  1. Perform all of the duties of the Chairperson in the latter's absence and such other additional duties which may be directed by the Voters' Assembly or by the Chairperson from time to time.
  2. Chair and appoint a Nominating Committee with the advice and consent of the Church Council.
- C. Secretary:
  1. The duties shall be those commonly required of that office, especially the keeping and preserving of accurate records of all Voters' Assembly meetings, and handling such correspondence as the congregation may require.
  2. Keep and make available minutes of all Church Council meetings.
- D. Treasurer:
  1. Keep and preserve the accurate records of all receipts and disbursements, and submit a written report of them at all regular meetings of the Voters' Assembly.
  2. Assure accuracy and propriety of all financial transactions of the congregation.
- E. Term of Office  
Each officer shall serve for a term of two years and shall serve no more than two full successive terms in that position without a break of at least one year.

## **Article 9 Election, Removal from Office, and Vacancies**

- A. Nomination  
The Vice Chairperson of the Church Council shall annually appoint a Nominating Committee whose responsibility will be to develop a slate of candidates for officers and Church Council members to be elected each year. The committee shall contain a majority who are not on the Church Council members, shall function for one year only, and shall report their nominations to the election meeting of the Voters' Assembly. The Senior Pastor shall be a non-voting member of the Nominating Committee.

All nominees shall be Voting Members noted for their Christian knowledge, zeal, and experience in the spiritual work in the Kingdom. The specific criteria for elected officials shall be outlined by the Nominating Committee prior to accepting any nominations. In addition to the Nominating Committee's slate of candidates, any Voting Member may nominate candidates. A call for nominations will be distributed to the congregation no fewer than two months prior to the election meeting. The list of nominations will be closed at the time that the meeting agenda and slate of candidates is distributed.

Those elected by the Voters may not receive compensation from the congregation and may not lead any group that reports directly to the Church Council, except a Call Committee or the Nominations Committee.

- B. Election  
Nominees who receive a majority of the ballots cast at the Voters' Assembly shall be the elected.
- C. Taking office  
All elected officials will begin their term of office on the second Sunday of the month following election.
- D. Vacancy  
The Church Council shall be authorized to appoint a person to fill an unexpired term of an officer.
- E. Removal from Office of Elected Officials  
Any elected officer, who is unable to perform his duties or who neglects his duties, may be removed from office by a two-thirds majority vote of the Voters' Assembly. Such action shall be initiated by the Church Council.