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Constitution and Bylaws submitted to this congregation for action

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December 6, 2014

Lutheran Church of the Holy Trinity

- Gathering to worship
- Serving through Christ
- Welcoming All into God's Grace

Constitution,
Bylaws,
and
Continuing Resolutions
of the
Lutheran Church of the Holy
Trinity

CODIFICATION EXPLANATION

Ease of use: The provisions of this congregation's Constitution, Bylaws, and Continuing Resolutions that pertain to the same matter are placed together for clarity and ease in use. This arrangement requires that the three types of material be identified as follows:

- a. All constitutional provisions are printed in bold face type.
- b. All bylaw provisions are printed in light face type.
- c. All continuing resolutions are printed in italic type.

All provisions in the *Model Constitution for Congregations* are prefaced with "C" to distinguish these provisions from comparable ones in the synodical and church-wide constitutions.

Required provisions: Sections of this constitution marked by an asterisk [*] are required when a congregation amends its governing documents. These sections must be used without alteration or amendment of the text in any manner (neither additions nor deletions). This is in keeping with provision 9.52. in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. This provision stipulates that when a congregation of this church "wishes to amend any provision of its governing documents, the governing documents of that congregation shall be so amended to conform to 9.25.b." in the church-wide constitution. The provisions herein marked by an asterisk are those that are indicated as required in ELCA constitutional provision 9.25.b.

Review by synod: In keeping with provisions that apply to all congregations of the church, each congregation is to provide a copy of its governing documents to the synod. As specified by ELCA bylaw 9.53.03. (numbering as listed in 1991 and subsequent editions). All proposed changes in the constitution or incorporation documents of a congregation shall be referred to the synod with which the congregation is affiliated. The synod shall approve or disapprove the proposed changes within 120 days of receipt thereof, and shall notify the congregation of its decision; in absence of a decision the changes shall go into effect.

Numerical sequence: A numerical sequence indicates (a) general subject, (b) constitutional provisions, (c) bylaws, and (d) continuing resolutions.

- a. Major sectors are designated as chapters. The chapter designation becomes the first number in the codification sequence and is followed by a period. Thus, provisions in "Chapter 8. Membership" are preceded by "8."
- b. Constitutional provisions are codified with two sets of numbers: the chapter number and a two-digit number preceding the second period in the codification. Thus, one constitutional provision related to "Membership" is codified *C8.02.
- c. Bylaw provisions are codified with three sets of numbers: the chapter number, the related constitutional provision number, and a two-digit number. Thus, one bylaw provision related to "Membership" would be codified C8.03.01. Each congregation may develop its own bylaws and continuing resolutions, but no such bylaws or continuing resolutions may conflict with this constitution, the constitution and bylaws of the Evangelical Lutheran Church in America, and the constitution of the synod, as indicated in *C6.03.e.
- d. The Congregation Council may adopt "continuing resolutions," which may provide descriptions of operational patterns or of the ongoing responsibilities of committees or other units within the organizational structure of the congregation. Within the governing documents of a congregation, continuing resolutions are the provisions most easily amended. Unlike constitutional provisions and bylaws, continuing resolutions may be updated regularly by the Congregation Council without the necessity of calling a regular or special Congregation Meeting. Continuing resolutions also are codified with three sets of numbers except that the third set is preceded by a capital letter. Thus, a continuing resolution might be numbered C13. to designate the chapter; C13.11. to designate the subject matter within the chapter; and the third set might be numbered A06. in the codification C13.11.A06. to indicate by the "A" that it is the first continuing resolution regarding that subject and to indicate by the "06" that it was adopted in 2006.
- e. When many related provisions are parts of a unit that are considered inseparable, they normally are lettered "a," "b," "c," etc. When related provisions are part of a unit but considered separable, such as a list of duties, they are normally numbered in sequence. If the related provisions cannot be clearly judged to be separable or inseparable, preference will be given to a number sequence.

Missing numbers: You may notice that certain numbers seem to be missing from the numbering sequence in some chapters. That is intentional. In the style followed here, the number ".10." and multiples thereof have been reserved for possible use as section headings in future editions. Therefore, in the sequence, for example, of Chapters 1, 9, and 12, these ".10." numbers do not appear.

References to church: In the governing documents, "Church" with a capital letter is used in references to the one, holy, catholic, and apostolic Church. In references to the Evangelical Lutheran Church in America, the words "church" and "this church" in lower case letters are employed, although, for clarity in this constitution, the full name or "ELCA" normally is used.

***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 Lutheran Church of the Holy Trinity.
- C1.02.** For the purpose of this constitution, and the accompanying bylaws, and continuing resolutions, the congregation of Lutheran Church of the Holy Trinity is hereinafter designated as "this congregation."
- C1.11.** This congregation shall be incorporated under the laws of the State of Hawaii.
- C1.11.01.** The seal of this congregation represents God's creation with sky, land, and sea. A Hawaiian theme is represented by the palm tree, mountains, and the fish, which is intermingled with the Holy Trinity symbol. The seal was designed by Carmen Sapp.



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.
- 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.
 - The proclamation of God's message to us as both Law and Gospel is the Word of God, revealing judgment and mercy through word and deed, beginning with the Word in creation, continuing in the history of Israel, and centering in all its fullness in the person and work of Jesus Christ.
 - The canonical Scriptures of the Old and New Testaments are the written Word of God. Inspired by God's Spirit speaking through their authors, they record and announce God's revelation centering in Jesus Christ. Through them God's Spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.
- *C2.03.** This congregation accepts the canonical Scriptures of the Old and New Testaments as the inspired Word of God and the authoritative source and norm of its proclamation, faith, and life.
- *C2.04.** This congregation accepts the Apostles', Nicene, and Athanasian Creeds as true declarations of the faith of this congregation.
- *C2.05.** This congregation accepts the Unaltered Augsburg Confession as a true witness to the Gospel, acknowledging as one with it in faith and doctrine all churches that likewise accept the teachings of the Unaltered Augsburg Confession.
- *C2.06.** This congregation accepts the other confessional writings in the Book of Concord, namely, the Apology of the Augsburg Confession, the Smalcald Articles and the Treatise, the Small Catechism, the Large Catechism, and the Formula of Concord, as

further valid interpretations of the faith of the Church.

- *C2.07. This congregation confesses the Gospel, recorded in the Holy Scripture and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God's mission in the world.

CHAPTER 3. NATURE OF THE CHURCH

- *C3.01. All power in the Church belongs to our Lord Jesus Christ, its head. All actions of this congregation are to be carried out under his rule and authority.
- *C3.02. The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the Church, and the universal Church exists in and through congregations. The Evangelical Lutheran Church in America, therefore, derives its character and powers both from the sanction and representation of its congregations and from its inherent nature as an expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in the historic continuity of the communion of saints; in breadth, it expresses the fellowship of believers and congregations in our day.
- *C3.03. 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 as a part of the Church shall:
 - a. Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, and service.
 - b. Proclaim God's saving Gospel of justification by grace for Christ's sake through faith alone, according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.
 - c. Carry out Christ's Great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministry with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.
 - d. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity and justice for all people, working for peace and reconciliation among the nations, standing with the poor and powerless, and committing itself to their needs.
 - e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.
 - f. Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity which the Spirit gives.
- *C4.03. To fulfill these purposes, this congregation shall:
 - a. Provide services of worship at which the Word of God is preached and the sacraments are administered.
 - b. Provide pastoral care and assist all members to participate in this ministry.
 - c. Challenge, equip, and support all members in carrying out their calling in their daily lives and in their congregation.

- d. **Teach the Word of God.**
- e. **Witness to the reconciling Word of God in Christ, reaching out to all people.**
- f. **Respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.**
- g. **Motivate its members to provide financial support for the congregation's ministry and the ministry of other parts of the Evangelical Lutheran Church in America.**
- h. **Foster and participate in interdependent relationships with other congregations, the synod, and the church- wide organization of the Evangelical Lutheran Church in America.**
- i. **Foster and participate in ecumenical relationships consistent with churchwide policy.**

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

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

C4.05.01. This congregation's mission statement is:

Lutheran Church of the Holy Trinity:

- Gathering to Worship
- Serving through Christ
- Welcoming All into God's Grace

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

CHAPTER 5. POWERS OF THE CONGREGATION

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

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

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

- a. **call a pastor as provided in Chapter 9;**
- b. **terminate the call of a pastor as provided in Chapter 9;**
- c. **call or terminate the call of associates in ministry, deaconesses, and diaconal ministers in conformity with the applicable policy of the Evangelical Lutheran Church in America;**
- d. **adopt amendments to the constitution, as provided in Chapter 17, amendments to the bylaws, as specified in Chapter 16, and continuing resolutions, as provided in Chapter 18.**
- e. **approve the annual budget;**
- f. **acquire real and personal property by gift, devise, purchase, or other lawful means;**
- g. **hold title to and use its property for any and all activities consistent with its purpose;**
- h. **sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;**

- i. elect its officers, Congregation Council, boards, and committees, and require them to carry out their duties in accordance with the constitution, bylaws, and continuing resolutions; and
- j. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.

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

C5.04.01. A minimum of one male and one female Synod Assembly representatives shall be nominated and elected at the November semi-annual Congregation Meeting.

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

CHAPTER 6. CHURCH AFFILIATION

***C6.01.** This congregation shall be an interdependent part of the Evangelical Lutheran Church in America or its successor, and of the Pacifica Synod of the Evangelical Lutheran Church in America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America.

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

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

- a. This congregation agrees to be responsible for its life as a Christian community.
- b. This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.
- c. This congregation agrees to call pastoral leadership from the clergy roster of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod. These special circumstances are limited either to calling a candidate approved for the roster of ordained ministers of the Evangelical Lutheran Church in America or to contracting for pastoral services with an ordained minister 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 associates in ministry, deaconesses, and diaconal ministers for call to other staff positions in the congregation according to the procedures of the Evangelical Lutheran Church in America.
- e. This congregation agrees to file this constitution and any subsequent changes to this constitution with the synod for review to ascertain that all of its provisions are in agreement with the constitution and bylaws of the Evangelical Lutheran Church in America and with the constitution of the synod.

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

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

d. This congregation follows the procedures outlined in *C6.05.

***C6.05. A congregation may terminate its relationship with this church 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. 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.**
- h. 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.**
- i. 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.**
- j. If a 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 a 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 Pacifica Synod of the Evangelical Lutheran Church in America.
- *C7.02. If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline, title to property shall continue to reside in this congregation.
- *C7.03. If a two-thirds majority of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to transfer to another Lutheran church body, title to property shall continue to reside in this congregation, 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 Pacifica Synod.
- *C7.04. If a two-thirds majority of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to become independent or relate to a non-Lutheran church body 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:
 - a. *Baptized* members are those persons who have been received by the Sacrament of Holy Baptism in this congregation, or, having been previously baptized in the name of the Triune God, have been received by certificate of transfer from other Lutheran congregations or by affirmation of faith.
 - b. *Confirmed* members are baptized persons who have been confirmed in this congregation, those who have been received by adult baptism or by transfer as confirmed members from other Lutheran congregations, or baptized persons received by affirmation of faith.
 - c. *Voting* members are confirmed members. Such confirmed members, during the

current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of the congregation.

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, or persons who wish to retain a relationship with this congregation while being members of other congregations. They have all the privileges and duties of membership except voting rights and eligibility for elected offices or membership on the Congregation Council of this congregation.

C8.02.01. For residents and temporary visitors whose primary residence and church membership is elsewhere, there is a unique nature for these associate members while staying or residing in the Kona community.

a. These associate members are assured the same measure of pastoral care, concern, prayer, and visitation as members. Provision will be made for advisory roles for associate membership on the Congregation Council where the associate membership will have voice but no vote.

b. These associate members will participate regularly in worship and other activities in this congregation, contribute a share of their offerings for the support of the Lutheran Church of the Holy Trinity, serve actively in ministries of this congregation, and notify their home congregations of this relationship thereby supporting a sense of partnership and shared relationship.

c. This congregation encourages the early involvement of these associate members in the many ministries and committees of this congregation while the associate members are living in the Kona community. Such ministry and committee membership (not including Congregation Council) includes both voice and vote.

d. Active communication will be maintained with associate members while the associate members are away from the Kona community via monthly newsletter, Internet, etc.

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

C8.03.01. Applicants shall present their applications to the pastor, who shall counsel with them to determine whether they will join by affirmation, through baptism, or by transfer. The pastor shall present their names to the Congregation Council for acceptance.

C8.03.02. New members shall be received into this congregation as needed with a reception following the service.

***C8.04. It shall be the privilege and duty of members of this congregation to:**

a. make regular use of the means of grace, both Word and sacraments;

b. live a Christian life in accordance with the Word of God and the teachings of the Lutheran church; and

c. support the work of this congregation, the synod, and the churchwide organization of the Evangelical Lutheran Church in America through contributions of their time, abilities, and financial support as biblical stewards.

C8.04.01. All baptized Christians who profess faith in Jesus Christ as Lord and Savior and who believe that Jesus is truly present in the bread and wine are welcome to commune. Visiting Christians who commune at their home parish are also welcome at our table. Our policy is to admit children to communion at an age determined by their parent(s) in consultation with the pastor. If a parent has a child that the parent feels is ready to receive his or her first communion, the parent must contact the pastor. Children who do not commune are encouraged to come to the communion rail for personal blessing.

***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 provision 20.40 and the accompanying bylaws;
- e. removal from the roll due to inactivity as defined in the bylaws. Such persons who have been removed from the roll of members shall remain persons for whom the Church has a continuing pastoral concern.

C8.05.01. A member of this congregation who has not attended worship services and has not made a financial contribution of record or volunteered time and talent to this congregation during a consecutive twenty-four month period without good cause shall be deemed inactive and removed from the roll of members.

CHAPTER 9. THE PASTOR

- *C9.01. Authority to call a pastor shall be in this congregation by at least a two-thirds majority ballot vote of members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by this congregation to recommend the call, shall seek the advice and help of the bishop of the synod.
- *C9.02. Only a member of the clergy roster of the Evangelical Lutheran Church in America or a candidate for the roster of ordained ministers who has been recommended for the congregation by the synodical bishop may be called as a pastor of this congregation.
- *C9.03. Consistent with the faith and practice of the Evangelical Lutheran Church in America,
 - a. Every ordained minister shall:
 - 1) preach the Word;
 - 2) administer the sacraments;
 - 3) conduct public worship;
 - 4) provide pastoral care; and
 - 5) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.
 - b. Each ordained minister with a congregational call shall, within the congregation:
 - 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
 - 2) supervise all schools and organizations of this congregation;
 - 3) install regularly elected members of the Congregation Council; and
 - 4) with the council, administer discipline.
 - c. Every pastor shall:
 - 1) strive to extend the Kingdom of God in the community, in the nation, and abroad;
 - 2) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
 - 3) impart knowledge of this church and its wider ministry through distribution of its periodicals and other publications; and
 - 4) endeavor to increase the support given by the congregation to the work of the churchwide organization of the Evangelical Lutheran Church in America (ELCA) and of the Pacifica Synod of the ELCA.
- *C9.04. The specific duties of the pastor, compensation, and other matters pertaining to the service of the pastor shall be included in a letter of call, which shall be attested by the bishop of the synod.
- *C9.05. a. The call of a congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by death or, following consultation with the synodical bishop, for the following reasons:
 - 1) mutual agreement to terminate the call or the completion of a call for a specific

term;

- 2) resignation of the pastor, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
 - 3) inability to conduct the pastoral office effectively in the congregation in view of local conditions;
 - 4) physical disability or mental incapacity of the pastor;
 - 5) suspension of the pastor through discipline for more than three months;
 - 6) resignation or removal of the pastor from the roster of ordained ministers of this church;
 - 7) termination of the relationship between this church and the congregation;
 - 8) dissolution of the congregation or termination of a parish arrangement; or
 - 9) suspension of the congregation through discipline for more than six months.
- b. When allegations of physical disability or mental incapacity of the pastor under paragraph a.4) above, or ineffective conduct of the pastoral office under paragraph a.3) above, have come to the attention of the bishop of the synod,
- 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two ordained ministers and one layperson, or
 - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of the congregation, the bishop personally shall investigate such conditions together with a committee of two ordained ministers and one layperson.
- c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the pastor's condition. When a disability or incapacity is evident to the committee, the bishop of the synod may declare the pastorate vacant and the pastor shall be listed on the clergy roster as disabled. Upon removal of the disability and restoration of the pastor to health, the bishop shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call.
- d. In the case of alleged local difficulties that imperil the effective functioning of the congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the pastor and then to the congregation. The recommendations of the bishop's committee must address whether the pastor's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by the congregation and by the pastor, if appropriate. If the pastor and congregation agree to carry out such recommendations, no further action need taken by the synod.
- e. If either party fails to assent to the recommendations of the bishop's committee concerning the pastor's call, the congregation may dismiss the pastor only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds majority vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a simple majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
- 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 disciplinary action, the committee shall make recommendations concerning disciplinary action in

accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.

- *C9.06. At a time of pastoral vacancy, an interim pastor shall be appointed by the bishop of the synod with the consent of this congregation or the Congregation Council.
- *C9.07. During the period of service, an interim pastor shall have the rights and duties in the congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or Congregation Council. The interim pastor and any ordained pastor providing assistance shall refrain from exerting influence in the selection of a pastor. Unless previously agreed upon by the Synod Council, an interim pastor is not available for a regular call to the congregation served.
- *C9.08. This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting related to the Evangelical Lutheran Church in America.
- *C9.09. When a pastor is called to serve in company with another pastor or pastors, the privileges and responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted in consultation involving the pastors, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
- *C9.11. With the approval of the bishop of the synod, the congregation may depart from *C9.05.a. and call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the pastor and representatives of the congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of *C9.05.a.
- *C9.12. The pastor of this congregation:
 - a. shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation;
 - b. shall submit a summary of such statistics annually to the synod; and
 - c. shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.
- *C9.13. The pastor(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.
- *C9.14. The parochial records of this congregation shall be maintained by the pastor and shall remain the property of the congregation. The secretary of this congregation shall attest in writing to the bishop of this synod that such records have been placed in his or her hands in good order by a departing pastor before the installation of that pastor in another field of labor or the granting by the synod of retired status to the pastor.
- C9.20. Ecumenical pastoral ministry.
- C9.21. Under special circumstances, subject to the approval of the synodical bishop and the concurrence of this congregation, an ordained minister of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion may serve temporarily as pastor of this congregation under a contract between the congregation and the ordained minister in a form proposed by the synodical bishop and approved by the congregation

CHAPTER 10. CONGREGATION MEETING

C10.01. The semi-annual meetings of this congregation shall be held as specified in the bylaws.

C10.01.01. The Congregation Council secretary is responsible for obtaining, prior to each Congregation Meeting, the current roster of voting members.

C10.01.02. The semi-annual Congregation Meetings shall be held the first Sunday in May and the first Sunday in November.

a. The items of the business at the May Congregation Meeting shall normally include:

1. Opening prayer.
2. Approval of the minutes of the previous Congregation Meeting.
3. Written reports of the pastor, Congregation Council, treasurer, selected committees/ministries, and others.
4. Election of executive officers, members of the Congregation Council, and the Nominating Committee.
5. Unfinished business.
6. New business.
7. Closing prayer.

b. The items of business at the November Congregation Meeting shall normally include:

1. Opening prayer.
2. Approval of the minutes of the previous Congregation Meeting.
3. Approval of the budget for the following calendar year.
4. Election of Synod Assembly representatives.
5. Unfinished business.
6. New business.
7. Closing prayer.

C10.02. A special Congregation Meeting may be called by the pastor, the Congregation Council, or the president of this congregation, and shall be called by the president of the congregation upon the written request of 25% of the voting members. The president of the Congregation Council shall call a special meeting upon request of the synodical bishop. The call for each special meeting shall specify the purpose for which it is to be held, and no other business shall be transacted.

C10.02.01. The Congregation Council secretary is responsible for obtaining, prior to each special Congregation Meeting, the current roster of voting members.

C10.02.02. Items of business at special Congregation Meetings shall include:

- a. Opening prayer.
- b. Special meeting business.
- c. Closing prayer.

C10.03. Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays and by mail or electronic means, as permitted by state law, to all voting members at least 10 days in advance of the date of the meeting.

C10.03.01. While the notice of the meeting shall be given primary emphasis and be the first item in the mailing, other information may be included in this mailing.

C10.03.02. The vote of this congregation shall be by written ballot in the following cases:

- a. To elect the officers and members of the Congregation Council, unless there is only one candidate.
- b. To adopt or amend the Articles of Incorporation, the constitution (C17.02.) or bylaws (C16.02.) of this congregation.
- c. To call a pastor or to request a resignation.
- d. To dismiss a member from this congregation.
- e. To remove a member of the Congregation Council.
- f. To sever membership from the ELCA.

- g. To buy, sell, or encumber real property.
- h. When requested by ten or more voting members present.
- C10.04. 25 voting members shall constitute a quorum.**
- C10.05. Voting by proxy or by absentee ballot shall not be permitted.**
- C10.06. All actions approved by the congregation shall be by majority vote of those members present and voting, except as otherwise provided in this constitution or by state law.**
- C10.07. *Robert's Rules of Order, Newly Revised In Brief*, latest edition, shall govern parliamentary procedure of all meetings of this congregation.**

CHAPTER 11. OFFICERS OF THIS CONGREGATION

- C11.01. The officers of this congregation shall be a president, vice president, secretary, and treasurer.**
 - a. Duties of the officers shall be specified in the bylaws.**
 - b. The officers shall be voting members of the congregation.**
 - c. Officers of this congregation shall serve similar offices of the Congregation Council and shall be voting members of the Congregation Council.**
- C11.01.01. The president shall:
 1. Set the agenda for monthly Congregation Council meetings and meetings of this congregation.
 2. Preside at all meetings of this congregation, Congregation Council, and any other congregation assemblies called for the purpose of conducting the business of this congregation.
 3. Coordinate the work of committees/ministries that are established by the Congregation Council and be an *ex-officio* (non-voting) member of all committees/ministries of this congregation.
 4. Deliver the annual report to this congregation at the May Congregation Meeting.
 5. With Congregation Council approval, appoint committee members to special committees created by the Congregation Council.
 6. Appoint a standing parliamentarian or a parliamentarian *per diem* for meetings of this congregation or Congregation Council.
 7. Execute Letters of Call.
 8. Sign Disbursement Requests and contracts for amounts greater than \$1,000.00.
 9. Have regular communications with this congregation through the newsletter.
- C11.01.02. The vice president shall:
 1. Perform the duties of president in the president's absence, incapacity, or at the president's request.
 2. Provide administrative support to the president as needed.
 3. Perform such duties as assigned by the president or Congregation Council.
 4. Be responsible for and perform such duties as required for long-range planning.
 5. Provide on-going communication and liaison with associate members.
 6. Be expected to succeed the outgoing president.
- C11.01.03. The secretary shall:
 1. Record proceedings of all Congregation Meetings, Congregation Council, and Executive Committee meetings, which shall be preserved permanently in the archives of the congregation.
 2. Keep attendance records of each Congregation Council meeting.
 3. Assist the president on agenda items, calling attention to matters deferred or referred to committees/ministries for further study and recommendations.
 4. Keep a record of this congregation's constitution, bylaws, and continuing resolutions.
 5. Keep a current record of all officers, Congregation Council, and committee/ministry members elected by this congregation together with the respective terms of office.

6. In advance of every Congregation Council meeting, provide members with the draft minutes of the previous meeting.
7. Perform other duties as directed by the president or the Congregation Council.
8. Assure a quorum is present for Congregation Council meetings and Congregation Meetings.
9. Be responsible for obtaining the current roster of voting members prior to each Congregation Meeting.
10. Coordinate the counting of ballots at Congregation Meetings.
11. Responsible for the official correspondence of this congregation, including items specified in *C6.05.b., *C6.05.e., *C9.14., *C16.04., *C17.03., *C17.04.

C11.01.04. The treasurer shall:

1. Maintain and keep accurate records and accounts of this congregation's financial condition in accordance with generally accepted accounting principles.
2. Make payment of all expenses authorized by this congregation or the Congregation Council. The treasurer is empowered to sign all checks on behalf of this congregation. Any Request for Disbursement form that is submitted for an amount greater than \$1,000.00 shall be signed by the requesting individual and the president or any other person designated by the Congregation Council before the treasurer proceeds with check generation.
3. Be empowered to sign purchase contracts on behalf of this congregation up to a limit of \$1,000.00. Any purchase contract above this \$1,000.00 limit shall be signed by the president or any other person so designated by the Congregation Council.
4. Shall assist the Finance Committee in developing the annual budget for this congregation with input from the chairpersons of the congregation committees, ministries, and managers. After discussion and approval of the Congregation Council, the treasurer, or designee, shall present the annual budget at the November Congregation Meeting.
5. Render a full written report of this congregation's financial condition at the monthly Congregation Council meetings and at the May Congregation Meeting.
6. Prepare and submit the financial records to the audit committee at the end of the year.
7. Assure that all specifically designated or restricted funds are distributed properly.
8. Recommend financial policies and procedures in the handling of this congregation's financial records and transactions.
9. Oversee the duties and responsibilities of the financial secretary in the absence of such an office/individual.
10. Open the non-personal financial records of this congregation to inspection by any Congregation Council member.
11. The treasurer shall not participate in the counting of the offering of this congregation.
12. The treasurer may appoint, with the approval of the Congregation Council, an assistant treasurer(s). The assistant treasurer(s) shall act as the treasurer in the treasurer's absence and perform other duties as assigned by the treasurer.
13. Perform any and all other duties as directed or assigned by this congregation or the Congregation Council.

C11.02. The congregation shall elect its officers of the Congregation Council and they shall be the officers of this congregation.

C11.02.01. The election of the officers of the Congregation Council and the terms of office are identified in Chapter 12.

CHAPTER 12. CONGREGATION COUNCIL

C12.01. The voting membership of the Congregation Council shall consist of the four officers of the congregation, and the seven chairpersons of committees/ministries on the Congregation Council as designated in the bylaws. With approval of the Congregation

Council, additional members may include a youth and a young adult. Any voting member of the congregation may be elected, subject only to the limitation on the length of continuous service permitted in that office. A member’s place on the Congregation Council shall be declared vacant if the member a) ceases to be a voting member of this congregation or b) is absent from three successive regular meetings of the Congregation Council without cause. Consistent with the laws of the state in which this congregation is incorporated, this congregation may adopt procedures for the removal of a member of the Congregation Council in other circumstances.

C12.01.A06. A member of the Congregation Council who is absent without cause from two consecutive meetings shall be contacted by the president of this congregation. (Cause shall consist only of physical incapacity—such as accident or illness). If this occurs for a third consecutive month, or if there is absence from a majority of meetings in a twelve-month period, the Congregation Council shall declare the position open. A member may use live audio or video means as a method of attending a meeting of the Congregation Council.

C12.02. The members of the Congregation Council except the pastor shall be elected at the May Congregation Meeting. Their term of office shall be for two years, with the term of office beginning on June 1 and ending on May 31. Newly elected Congregation Council members shall be installed prior to the date they assume office.

C12.02.01. A member of the Congregation Council shall:

a. Be elected for two year terms on a staggered basis as follows:

COUNCIL POSITION	YEAR OF ELECTION
President	Odd Numbered
Vice President	Odd Numbered
Secretary	Even Numbered
Treasurer	Even Numbered
Chairperson of Congregational Life	Even Numbered
Chairperson of Education and Youth	Even Numbered
Chairperson of Evangelism/Outreach	Odd Numbered
Chairperson of Property Management	Even Numbered
Chairperson of Social Ministry	Odd Numbered
Chairperson of Stewardship	Odd Numbered
Chairperson of Worship and Music	Even Numbered

b. Hold no more than one position on the Congregation Council at a time.

c. Serve no more than two (2), two-year terms as an officer or chairperson of the same congregation committee/ministry without a break of at least one year. An exception is made for the treasurer, who may serve three consecutive two-year terms.

d. Serve no more than six (6) consecutive years on the Congregation Council without a break of at least one year.

e. Not be appointed to fill a vacant position on the Congregation Council during the one year break in service from the Congregation Council.

f. Not be a paid employee of this congregation.

C12.02.02. Qualifications for voting membership on the Congregation Council shall include such practical qualifications as are needed in administering the office or committee/ministry.

C12.02.03. The pastor shall be an *ex-officio* (non-voting) member of the Congregation Council.

C12.02.04. Voting by proxy or by absentee ballot shall not be permitted.

C12.02.A06. An unexpired term of less than one year shall not be considered a term of office.

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

- C12.04.** The Congregation Council shall have general oversight of the life and activities of this congregation, and in particular its worship life, to the end that everything be done in accordance with the Word of God and the faith and practice of the Evangelical Lutheran Church in America. The duties of the Congregation Council shall include the following:
- a. To lead this congregation in stating its mission, to do longrange planning, to set goals and priorities, and to evaluate its activities in light of its mission and goals.
 - b. To seek to involve all members of this congregation in worship, learning, witness, service, and support.
 - c. To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.
 - d. To maintain supportive relationships with the pastor(s) and staff and help them annually to evaluate the fulfillment of their calling or employment.
 - e. To be examples individually and corporately of the style of life and ministry expected of all baptized persons.
 - f. To promote a congregation climate of peace and goodwill, and, as differences and conflicts arise, to endeavor to foster mutual understanding.
 - g. To arrange for pastoral service during the sickness or absence of the pastor.
 - h. To emphasize partnership with the synod and churchwide organization of the Evangelical Lutheran Church in America as well as cooperation with other congregations, both Lutheran and non-Lutheran, subject to established policies of the synod and the Evangelical Lutheran Church in America.
 - i. To recommend and encourage the use of program resources produced or approved by the Evangelical Lutheran Church in America.
 - j. To seek out and encourage qualified persons to prepare for the ministry of the Gospel.
- C12.05.** The Congregation Council shall be responsible for the financial and property matters of this congregation.
- a. The Congregation Council shall be the board of directors of this congregation, and as such shall be responsible for maintaining and protecting its property and the management of its business and fiscal affairs. It shall have the powers and be subject to the obligations that pertain to such boards under the laws of the State of Hawaii except as otherwise provided herein.
 - b. The Congregation Council shall not have the authority to buy, sell, or encumber real property unless specifically authorized to do so by a meeting of this congregation.
 - c. The Congregation Council may enter into contracts of up to \$2,500.00 for items not included in the budget.
 - d. The Congregation Council shall prepare an annual budget for adoption by this congregation, shall supervise the expenditure of funds in accordance therewith following its adoption, and may incur obligations of more than \$2,500.00 in excess of the anticipated receipts only after approval by a Congregation Meeting. The budget shall include this congregation's full indicated share in support of the wider ministry being carried on in partnership with the synod and churchwide organization.
 - e. The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of benevolence monies to the synodical treasurer.
 - f. The Congregation Council shall be responsible for this congregation's investments and its total insurance program.

- C12.06. The Congregation Council shall see that the provisions of this constitution, its bylaws, and the continuing resolutions are carried out.**
- C12.06.01. This congregation should encourage the understanding and use of the constitution, bylaws, and continuing resolutions through new member classes, confirmation classes, and any other appropriate means.
- C12.07. The Congregation Council shall provide for an annual review of the membership roster.**
- C12.08. The Congregation Council shall be responsible for the employment and supervision of staff of this congregation. Nothing in this provision shall be deemed to affect the congregation's responsibility for the call, terms of call, or termination of call of any employees who are on a roster of this church.**
- C12.08.01. The authority to hire and terminate employees resides with the Congregation Council, and the Congregation Council shall be involved in all related personnel activities. The Congregation Council delegates to the pastor the responsibility to supervise and recommend hiring, disciplinary, and termination actions of non-ordained staff.
- C12.09. The Congregation Council shall submit a comprehensive report to this congregation at the semi-annual meeting as specified in the bylaws.**
- C12.09.01. The Congregation Council shall make recommendations at the May semi-annual meeting of this congregation relative to its welfare and future program.
- C12.11. The Congregation Council shall normally meet once a month. Special meetings may be called by the pastor or the president, and shall be called by the president at the request of at least one-half of its members. Notice of each special meeting shall be given to all who are entitled to be present.**
- C12.11.01. Meetings of the Congregation Council shall be open to all members of this congregation. Any person who wishes to make a presentation before the Congregation Council should request permission from the president in advance of the meeting. The Congregation Council may also grant the privilege of voice in its proceedings to any member of this congregation.
- C12.11.A07. In the event of an emergency situation or in a situation that requires an immediate vote of the Congregation Council, a vote may take place by either e-mail or telephone. That vote will be ratified in its entirety at the next regular meeting of the Congregation Council and entered into the minutes of that meeting.*
- C12.12. A quorum for the transaction of business shall consist of a majority of the voting members of the Congregation Council.**
- C12.12.01. Congregation Council members who will be absent from a Congregation Council meeting should send a representative to the meeting; the representative will not have voting privileges.
- C12.13. The Congregation Council and its committees may hold meetings by remote communication, including electronically and telephone conference, and, to the extent permitted by state law, notice of all meetings may be provided electronically.**

CHAPTER 13. CONGREGATION COMMITTEES

- C13.01. The officers of this congregation and the pastor shall constitute the *Executive Committee*.**
- C13.01.01. The Executive Committee shall provide executive leadership in the management of the ongoing activities of this congregation.
The Executive Committee shall:
1. Supervise all committees/ministries of this congregation.
 2. Act as personnel committee and mutual ministry committee in the absence of a separate committee for that purpose.
 3. Act as budget and planning committee in the absence of a separate committee for that purpose.

4. Recommend to the Congregation Council salary and benefit adjustments for pastor and staff prior to budget preparation each year.
5. Be authorized, when the Congregation Council is not in session, to transact all regular business of the Congregation Council, with the exception of any matters specifically circumscribed by continuing resolutions of this congregation or the Congregation Council. The Executive Committee shall make a report of all actions taken to the Congregation Council.
6. Recommend revisions to the constitution, bylaws, and continuing resolutions.
7. Evaluate congregation programs, progress toward goals, and congregation problems.
8. Decide on all proposed uses of the property of this congregation to any group or individual outside of this congregation. Their decisions shall be made consistent with community needs and the stated purposes of this congregation. Property Use Agreement forms are available to groups who use the facilities on a regular basis and must be signed by both parties.
9. The pastor is an *ex-officio* (non-voting) member of the *Executive Committee*.
10. Submit to the Finance Committee a budget request for the coming year's work in the appropriate form and at the time requested.

C13.02. A Nominating Committee of four voting members of this congregation, two of whom, if possible, shall be outgoing members of the Congregation Council, shall be elected at the May Congregation Meeting for a term of one year.

C13.02.01. The Nominating Committee shall draft a list of nominees for all positions to be filled by election at the May semi-annual Congregation Meeting.

The Nominating Committee shall:

1. Be convened by the pastor and/or the president in an advisory capacity. Thereafter, a chairperson from their midst will be elected and shall preside at subsequent meetings.
2. With input from the secretary, identify which positions need to be filled, as well as the term of office.
3. Nominate one or more candidates for each office to be filled, including:
 - a. Executive officers: president, vice president, secretary, and treasurer.
 - b. Chairpersons of committees/ministries on the Congregation Council: Congregational Life, Education and Youth, Evangelism/Outreach, Property Management, Social Ministry, Stewardship, and Worship and Music.
 - c. Nominating Committee members (four).
 - d. Other offices which may be specified by the bylaws of this congregation.
4. Ask each candidate to serve the full term of office if elected.
5. Announce the nominees and their qualifications to this congregation with the notice of the May semi-annual Congregation Meeting.
6. Accept nominations from the floor providing that the nominee is present at the meeting to deliver his or her qualifications and consent to serve.

C13.02.02. The Nominating Committee shall nominate a minimum of one male and one female Synod Assembly representatives for election at the November semi-annual Congregation Meeting.

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

C13.03.01. The Audit Committee shall provide oversight review of the congregation's accounting and financial reporting, internal control systems, and audit functions.

The Audit Committee shall:

1. Examine and review accounts and financial records of this congregation.
2. Report its findings in writing to the Congregation Council.
3. Recommend changes and improvements in the handling of cash and financial

transactions.

4. Verify that this congregation complies with Federal and State tax laws and regulations.
5. Examine insurance policies for appropriate coverage.
6. Inspect and examine securities and investments.
7. Recommend to the Finance Committee to secure outside help on a fee basis from an independent accounting firm or auditors if needed.
8. Submit to the Finance Committee a budget request for the coming year's work in the appropriate form and at the time requested.

C13.04. A *Mutual Ministry Committee* (in the absence of a mutual ministry committee, the duties shall be fulfilled by the executive committee) shall be appointed and elected as specified in the bylaws.

C13.04.01. A *Mutual Ministry Committee* may be formed if it is deemed necessary by either the pastor or the Congregation Council. The committee shall include four voting members of the congregation. Two members shall be appointed by the pastor and two members elected by the Congregation Council. Term of appointed shall be determined by mutual agreement between the pastor and the Congregation Council. The committee shall affirm and strengthen the mission of the congregation and the ministry of staff. The committee shall:

1. Listen, confer and dialogue with the pastor and the elected leaders as needed.
2. Facilitate the pastor's relationship with other congregational and committee members.
3. Be a bridge or link to others for the pastor.
4. Be prepared to handle and mediate conflicts in the relationships among the staff or between staff and members of the congregation. Listen to the concerns without input or criticism.
5. Maintain openness, honesty and trust in interpersonal relationships.
6. Provide a platform for dialogue about the ministry and the direction of the congregation.
7. Develop opportunities for open communication about expectations, attitudes and concerns in the congregation, staff and the community at large.
8. Identify early warning signs of misunderstandings.
9. Conduct business in an open and forthright manner, reporting monthly to the Congregation Council.
10. Handle information regarding the congregation and/or its matters respectfully, sensitively and confidently when necessary.
11. Submit to the Finance Committee a budget request for the coming year's work in the appropriate form at the time requested.

C13.05. When a pastoral vacancy occurs, a *Call Committee* of six voting members shall be elected by this congregation. Term of office will terminate upon installation of the newly called pastor.

C13.05.01. The Call Committee shall coordinate the process to call a new pastor for this congregation. The Call Committee shall:

1. Study this congregation's mission and pastoral needs and share the results with the synod.
2. Receive from the transition team descriptive information about this congregation, *i.e.*, history, pictures of this congregation's grounds, directory, map, congregational mission statement, annual reports, and other pertinent information.
3. Receive recommendations of nominees from the bishop for study.
4. Evaluate pastoral candidates by interview and other means; furnish information about this congregation and its mission to each candidate.
5. Recommend one candidate to this congregation at a special Congregation Meeting called for that purpose.
6. Submit to the Finance Committee a budget request for the call process in the appropriate form and as needed.

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

C13.06.A06. A Finance Committee of four voting members shall be appointed by the president and approved by the Congregation Council. Term of appointment shall be for two years and members are eligible for reappointment. The Finance Committee shall support the ministry of this congregation through financial planning and oversight.

The Finance Committee shall:

- 1. Review the receipting and disbursement of congregational funds to make sure they are efficiently conducted.*
- 2. Assist the treasurer in maintaining financial records in accordance with generally accepted accounting principles.*
- 3. Work with appropriate congregation individuals in maintaining an adequate insurance program for this congregation.*
- 4. With input from congregation chairpersons of committees/ministries and managers, prepare the annual budget for this congregation. After review, revision, and approval by the Congregation Council, present the budget at the November semiannual Congregation Meeting.*
- 5. Be responsible for the selection of banking and investment opportunities of this congregation with the approval of the Congregation Council.*
- 6. Maintain a current record of financial policies and procedures.*
- 7. Provide other support as requested by the Congregation Council.*
- 8. Be responsible for the selection of an outside accounting firm or auditors if needed.*

C13.07. Duties of all committees/ministries of this congregation shall be specified in the bylaws and continuing resolutions.

C13.08. The pastor of this congregation shall be *ex officio* a member of all committees and boards of the congregation. The president of the congregation shall be *ex officio* a member of all committees and boards of the congregation, except the Nominating and Mutual Ministry committees.

C13.11. Congregation Council committees/ministries.

The Congregation Council committees/ministries are an integral part of the congregation organization to which are assigned the responsibilities for major, identified ministries of this congregation.

C13.11.01. Each committee/ministry shall be responsible to this congregation and will report to the Congregation Council. The activities of each committee/ministry shall be reviewed by the Congregation Council to assure conformity with the overall mission of this congregation.

C13.11.02. The committees/ministries of the Congregation Council, which shall function in cooperation, coordination, and collaboration, are:

- a. Congregational Life*
- b. Education and Youth*
- c. Evangelism/Outreach*
- d. Property Management*
- e. Social Ministry*
- f. Stewardship*
- g. Worship and Music*

C13.11.03. The purpose and responsibilities of the Congregation Council committees/ministries shall be enumerated in continuing resolutions.

C13.11.A06. Congregational Life

Congregational Life shall be responsible to provide ways to strengthen the fellowship between congregation members spiritually and socially; to integrate new members into the life of this congregation; and the general up-building of mutual cooperation, trust and enjoyment among the members of this congregation.

To fulfill this purpose, Congregational Life shall:

- 1. Plan, supervise, and implement gatherings of this congregation through the year which will further the goals of this congregation and encourage fellowship.*
- 2. Maintain contact with congregation committees/ministries, suggesting to them ways of furthering the work of their committees/ministries through fellowship and requesting from them suggestions for fellowship activities.*
- 3. Maintain an adequate group of willing workers who will help to plan, coordinate, and execute the work necessary for the successful accomplishment of fellowship goals, and coordinate gatherings for funerals and wedding reception.*
- 4. Oversee a team to coordinate the fellowship between Sunday services.*
- 5. Provide for the integration of new members and their families into this congregation through periodic fellowship nights, dinners, etc.*
- 6. Coordinate the reception of new members: secure fresh leis, assure a council member is present at the church service, assure pictures are taken and plan a reception for the new members.*
- 7. Work with the Education and Youth Committee to schedule family oriented activities.*
- 8. Supervise and coordinate the work of the Visitation Team (people in need, sick, and grieving).*
- 9. Maintain a group of workers willing to assist members in need with meals, cleaning, shopping, and general assistance as needed.*
- 10. Submit to the Finance Committee a budget request for the coming year's work in the appropriate form and at the time requested.*
- 11. Responsible for maintaining cleanliness, organization and supplies of the kitchen.*

C13.11.B06. Education and Youth

Education and Youth shall be responsible to provide educational programs to all ages that enable the participants to grow in faith and understanding. To fulfill this purpose, Education and Youth shall:

- 1. Coordinate and promote the educational programs offered by this congregation including Sunday School, confirmation, Vacation Bible School, as well as forums, bible study, and educational workshops.*
- 2. Arrange for a Sunday School superintendent.*
- 3. Encourage the use of teaching and worship materials published or approved by the ELCA and seek to introduce periodicals and books of family devotion into the homes of this congregation.*
- 4. Provide for an adequately supervised nursery during worship and educational events.*
- 5. Supervise and receive reports from the Youth Group Coordinator.*
- 6. Submit to the Finance Committee a budget request for the coming year's work in the appropriate form and at the time requested.*

C13.11.C06. Evangelism/Outreach

Evangelism/Outreach shall be responsible to oversee all evangelism activities of this congregation, i.e., sharing the Good News with the un-churched and inactive church people. To fulfill this purpose, Evangelism/Outreach shall:

- 1. Maintain a visitation program for prospective members as well as inactive members of this congregation.*
- 2. Affirm active members so that their participation in the life of this congregation is noted and appreciated.*
- 3. Develop inclusive ministries that shall reach others with the Gospel of Jesus Christ and invite them to join in the ministries of this congregation.*
- 4. Periodically initiate a study of the surrounding area to develop proper strategies for outreach.*
- 5. Work with Congregational Life to encourage hospitality for the reception, orientation,*

and integration of new members into this congregation.

- 6. Submit to the Finance Committee a budget request for the coming year's work in the appropriate form and at the time requested.*

C13.11.D06. Property Management:

Property Management shall be responsible to manage the maintenance and development activities of this congregation's real property and physical assets. To fulfill this purpose, Property Management shall:

- 1. Supervise the ongoing activities and budgets of subcommittees for property maintenance and property development.*
- 2. Hire contractors for budgeted and authorized maintenance and construction projects. The Property Management chairperson is empowered to sign construction and maintenance contracts on behalf of this congregation up to a limit of \$1,000.00. Any contract above this \$1,000.00 limit must be signed by the president or any other person so designated by the Congregation Council.*
- 3. Perform periodic inspections of congregational properties and equipment and recommend needed repairs, improvements, and replacement to the Congregation Council.*
- 4. Enlist internal work crews for special cleaning, painting, decorating, landscaping, improvements, and other projects.*
- 5. Arrange for immediate repairs of an urgent nature and all normal maintenance and renovations for which budgeted funds have been allocated.*
- 6. Coordinate with the treasurer and Finance Committee on the adequacy of insurance needs for congregational property and equipment.*
- 7. Coordinate with the Executive Committee on proposed uses of congregational property by outside groups.*
- 8. Submit to the Finance Committee a budget request for the coming year's work in the appropriate form and at the time requested.*

C13.11.E06. Social Ministry

Social Ministry shall be responsible to recognize, understand, and respond to the needs of human beings, communities, society, and the whole creation. To fulfill this purpose, Social Ministry shall:

- 1. Encourage and promote the expression of Christian faith in daily living.*
- 2. Spread knowledge of this congregation's local, national, and worldwide ministries.*
- 3. Extend Christian compassion to persons of all ages in need of aid.*
- 4. Encourage the members and organizations of this congregation to be knowledgeable, supportive of, and participate in the social ministries in which we are involved, such as: local food bank, Habitat for Humanity, Good Samaritan program, Pregnancy Center, ELCA World Hunger, domestic and international disaster relief, Lutheran World Relief, other individuals and situations of need, oversight/liaison with outside groups using the facilities.*
- 5. Be responsible for "Share a Ride."*
- 6. Submit to the Finance Committee a budget request for the coming year's work in the appropriate form and at the time requested.*

C13.11.F06. Stewardship

Stewardship shall be responsible to nurture the generous response from this congregation community resulting in a commitment to share our resources of time, talent, and financial support in response and in proportion to our gifts from God. To fulfill this purpose, Stewardship shall:

- 1. Encourage all congregation members to higher levels of proportionate giving for the Lord's work.*
- 2. Lead the annual Every Member Visit or similar type program as well as other*

congregational efforts which lead to informed and grateful giving.

3. *Periodically, or as requested by the Treasurer or the Finance Committee, review the congregation's financial position, especially as it relates to actual and budgeted giving and communicate to the membership significant changes.*
4. *Periodically inventory the interest, time, and talents of the membership. Encourage and monitor utilization of these resources in the mission and programs of this congregation. Disburse the information to the appropriate committee/ministry and pastor.*
5. *Submit to the Finance Committee a budget request for the coming year's work in the appropriate form and at the time requested.*

C13.11.G06. *Worship and Music*

Worship and Music shall be responsible to oversee all worship services of this congregation and all activities directly related to these services in partnership with the pastor and director of music. To fulfill this purpose, Worship and Music shall:

1. *Assist the pastor and Congregation Council in assuring that worship services are conducted regularly and offer a variety of experiences which are in accordance with the liturgical practices of the ELCA.*
2. *Oversee the music program and performance programs of this congregation.*
3. *Support and assist the director of music so that good relationships with pastor and this congregation are developed and maintained.*
4. *Assist in securing a director of music or other musical staff as needed.*
5. *Initiate annual evaluations of the director of music by the pastor, a representative of choir, and a representative from the Executive Committee.*
6. *Recruit supervisors for the following duties: usher, lay assistant, acolyte, altar guild, opening and closing, sound tech, and communion server. Assure supervisors are trained, given an up-to-date list of duties and have signed the appropriate Volunteer Committee/Ministry Worksheet..*
7. *Assure the supervisors in #6 above conduct separate training meetings at least yearly, preferably more often.*
8. *Schedule regular meetings of Worship and Music in order to assure coordination of all aspects of worship.*
9. *In conjunction with the pastor and director of music, explore alternate/new forms of worship, liturgies, and hymns and present to the Congregation Council.*
10. *Make arrangements for supply pastors as needed.*
11. *Submit to the Finance Committee a budget request for the coming year's work in the appropriate form and at the time requested.*

CHAPTER 14. ORGANIZATIONS WITHIN THE CONGREGATION

C14.01. All organizations within this congregation may exist to aid it in ministering to the members of this congregation and to all persons who can be reached with the Gospel of Christ. As outgrowths and expressions of this congregation's life, the organizations are subject to its oversight and direction. This congregation at its meeting may determine their policies, guide their activities, and receive reports concerning their membership, work, and finances.

C14.01.01. A regularly published newsletter shall be mailed or made available by electronic means, as permitted by state law, to all members of this congregation and interested parties.

C14.01.02. Written descriptions of the purpose, duties, and responsibilities of all organizational positions (salaried and voluntary), committees/ministries, subcommittees/sub-ministries, task forces, teams, and other management units shall be developed and maintained. These descriptions shall be located in the central office of this congregation where they shall be readily available and appropriately labeled and filed. The office staff shall ensure the

descriptions are completed and current. Missing or inaccurate descriptions shall be referred to the Executive Committee.

C14.01.03. An organizational chart shall be maintained and updated regularly for this congregation and attached to the end of this document.

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 AND ADJUDICATION

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

***C15.02. The process for discipline of a member of the congregation shall be governed as prescribed by the chapter on discipline in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. If the counseling, censure, and admonitions pursuant to C15.01 do not result in repentance and amendment of life, charges against the accused member(s) that are specific and in writing may be prepared by the Congregation Council, signed, and submitted to the vice president of the synod. The vice president shall elect from the synod's Consultation Committee a panel of five members (three lay persons and two clergy). 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 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 privileges of congregation membership for a designated period of time;
 - b. suspension from the privileges of congregation membership until the pastor and Congregation Council receive evidence, satisfactory to them, of repentance and amendment of life;
 - c. termination of membership in the congregation; or
 - d. termination of membership in the congregation and exclusion from the church property and from all congregation activities.
- *C15.06. The written decision of the discipline hearing panel shall be sent to the vice president of the synod, the accused member(s), and the Congregation Council as required by the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. The decision of the discipline hearing panel shall be implemented by the Congregation Council and recorded in the minutes of the next council meeting.
- *C15.07. No member of the congregation shall be subject to discipline a second time for offenses that a discipline hearing panel has heard previously and decided pursuant to this chapter.
- *C15.10. Adjudication.
- *C15.11. When there is disagreement among factions within this congregation on a substantive issue that cannot be resolved by the parties, members of this congregation shall have access to the synodical bishop for consultation after informing the chair of the Congregation Council of their intent. If the consultation fails to resolve the issue(s), the Consultation Committee of the synod shall consider the matter. If the Consultation Committee of the synod shall fail to resolve the issue(s), the matter shall be referred to the Synod Council, whose decision shall be final.

CHAPTER 16. BYLAWS

- *C16.01. This congregation may adopt bylaws. No bylaw may conflict with this constitution.
- *C16.02. Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a majority vote of those voting members present and voting.
- *C16.03. Changes to the bylaws may be proposed by any voting member provided 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 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 present and voting;
 - b. be ratified without change at the next annual meeting by a two-thirds majority vote of those present and voting; and
 - c. have the effective date included in the resolution and noted in the constitution.
- C17.02.01. This congregation observes two regularly scheduled (semi-annual) Congregation Meetings per year.
- *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 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 shall be enacted or amended by a majority vote of a meeting of the congregation or a two-thirds vote of all voting members of the Congregation Council.
- C18.02.01. Any and all new and/or amended continuing resolutions shall be timely communicated to the members of this congregation by the following methods:
- a. Incorporated in this Constitution, Bylaws, and Continuing Resolutions.
 - b. Published in the minutes of the Congregation Council.
 - c. Included in the next monthly newsletter or made available by electronic means, as permitted by state law.
 - d. Updated on the website document.

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.