

THE CONSTITUTION

OF

OUR SAVIOUR'S LUTHERAN CHURCH
300 Logan Street
Merrill, Wisconsin

(UPDATED January 26, 2012)

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Of
Our Saviour's Lutheran Church
Merrill, Wisconsin**

January 26, 2005

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 Our Saviour's Lutheran Church.
- C1.02.** For the purpose of this constitution and the accompanying bylaws, the Our Saviour's Lutheran Church congregation is hereinafter designated as "this congregation."
- C1.03.** This congregation shall be incorporated under the laws of the State of Wisconsin.

Chapter 2.

CONFESSION OF FAITH

- C2.01.** This congregation confesses the Triune God, Father, Son and Holy Spirit.
- C2.02.** This congregation confesses Jesus Christ as Lord and Savior and the Gospel as the power of God for the salvation of all who believe.
- a. Jesus Christ is the Word of God incarnate, through whom everything was made and through whose life, death and resurrection God fashions a new creation.
 - b. The proclamation of God's message to us as both Law and Gospel is the Word of God, revealing judgment and mercy through word and deed, beginning with the Word in creation, continuing in the history of Israel and centering in all its fullness in the person and work of Jesus Christ.

- c. The canonical Scriptures of the Old and New Testaments are the written Word of God. Inspired by God's Spirit speaking through their authors, they record and announce God's revelation centering in Jesus Christ. Through them God's Spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.

- C2.03.** This congregation accepts the canonical Scriptures of the Old and New Testaments as the inspired Word of God and the authoritative source and norm of its proclamation, faith and life.
- C2.04.** This congregation accepts the Apostles', Nicene and Athanasian Creeds as true declarations of the faith of this congregation.
- C2.05.** This congregation accepts the Unaltered Augsburg Confession as a true witness to the Gospel, acknowledging as one with it in faith and doctrine all churches that likewise accept the teachings of the Unaltered Augsburg Confession.
- C2.06.** This congregation accepts the other confessional writings in the Book of Concord, namely, the Apology of the Augsburg Confession, the Smalcald Articles and the Treatise, the Small Catechism, the Large Catechism, and the Formula of Concord, as further valid interpretations of the faith of the Church.
- C2.07.** This congregation confesses the Gospel, recorded in the Holy Scriptures and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God's mission in the world.

Chapter 3.

NATURE OF THE CHURCH

- C3.01.** All power in the Church belongs to our Lord Jesus Christ, its head. All actions of this congregation are to be carried out under his rule and authority.
- C3.02.** This church confesses the one, holy catholic, and apostolic Church and is resolved to serve Christian unity throughout the world
- C3.023.** The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the Church, and the universal Church exists in and through congregations. The Evangelical Lutheran Church in America, therefore, derives its character and powers both from the sanction and representation of its congregations and from its inherent nature as an expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in the historic continuity of the communion of saints; in breadth, it expresses the fellowship of believers and congregations in our day.
- C3.04.** This church, inspired and led by the Holy Spirit, participates in The Lutheran World Federation as a global communion of churches, engaging in faithful witness

to the gospel of Jesus Christ and in service for the sake of God's mission in the world.

C3.05. The name Evangelical Lutheran Church in America (ELCA or "this church") as used herein refers in general references to this whole church, including its three expressions: congregations, synods, and the churchwide organization. The name Evangelical Lutheran Church in America is also the name of the corporation of the churchwide organization to which specific references may be made herein.

Chapter 4.

STATEMENT OF PURPOSE

- C4.01.** The Church is a people created by God in Christ, empowered by the Holy Spirit, called and sent to bear witness to God's creative, redeeming and sanctifying activity in the world.
- C4.02.** To participate in God's mission, this congregation as a part of the Church shall:
- a. Worship God in proclamation of the Word and administration for 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 ministries with a global awareness consistent with the understanding of God as Creator, Redeemer and Sanctifier of all.
 - d. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity and justice for all people, working for peace and reconciliation among the nations and standing with the poor and powerless and committing itself to their needs.
 - e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.

- f. Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity which the Spirit gives.

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

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

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

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

C4.06. References herein to the nature of the relationship between the three expressions of this church – congregations, synods, and the churchwide organization – as being in a partnership relations describe the mutual responsibility of these expressions in God's mission and the fulfillment of the purposes of this church as described in the 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 a minister of Word and Service associates in ministry, deaconesses and diaconal ministers in conformity with the constitution applicable policy of the Evangelical Lutheran Church in America;
 - ~~e.d.~~ adopt amendments to the constitution, as provided in Chapter 16, amendments to the bylaws, as specified in Chapter 17, and continuing resolutions, as provided in Chapter 18;
 - ~~e.e.~~ approve the annual budget;
 - ~~e.f.~~ acquire real and personal property by gift, devise, purchase or other lawful means;
 - ~~f.g.~~ hold title to and use its property for any and all activities consistent with its purpose;
 - ~~g.h.~~ sell, mortgage, lease, transfer or otherwise dispose of its property by any lawful means;
 - ~~h.i.~~ elect its ~~secretary~~, Congregation Council, nominating committee and delegates as designated in the bylaws and require them to carry out their duties in accordance with the constitution, bylaws and continuing resolutions; and
 - ~~i.j.~~ terminate its relationship with Evangelical Lutheran Church in America as provided in Chapter 6.

C5.04. This congregation ~~may~~ shall choose from among its voting member's 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 East Central Synod of Wisconsin of the Evangelical Lutheran Church in America.

Chapter 6.

CHURCH AFFILIATION

C6.01. This congregation shall be an interdependent part of the Evangelical Lutheran Church in America or its successor, and of the East Central Synod of Wisconsin 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 Ministers of Word and Sacrament of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod. These special circumstances are limited either to calling a candidate approved for the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or to contracting for pastoral services with a minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion.
- d. This congregation agrees to consider ministers of Word and Service associated 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 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 or in accordance with provision 9.23. of the constitution and bylaws of the Evangelical Lutheran Church in America.
- e.d. The East Central Wisconsin Synod takes charge and control of the property of this congregation to hold, manage, and convey the same on behalf of the synod pursuant to S13.24. of the synod constitution. This congregation shall have the right to appeal the decision to the next Synod Assembly.
- e.e. This congregation follows the procedures outlined in C6.05.

C6.05. This congregation may terminate its relationship with the Evangelical Lutheran Church in America by the following procedure:

- a. A resolution indicating the desire of this congregation to terminate its relationship must be adopted at atwo legally called and conducted special meetings of this congregation by a two-thirds majorityvote of the voting members present at each meeting. The first 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 this 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 this congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the first meeting.
- b. Within 10 days after the resolution has been voted upon at the first meeting, ~~the~~ secretary of this congregation shall submit a copy of the resolution to the ~~synodical~~ bishop attesting that the special meeting was legally called and

conducted and certifying the outcome of the vote, and shall send copies of the resolution and certification to voting members of this congregation. and shall mail a copy of the resolution to voting members of this congregation. This notice shall be submitted within 10 days after the resolution has been adopted.

- c. If the resolution was adopted by a two-thirds vote of the voting members present at the first meeting, ~~T~~the bishop of the synod and this congregation shall continue in consultation, as specified in paragraph a. above ~~with this congregation~~ during a period of at least 90 days after receipt by the bishop of the attestation and certification as specified in paragraph b. above.
- d. If this congregation, after consultation, is still ~~considering desires to~~ termination of its relationship with this church, its relationship, such action may be taken at a legally called and conducted special meeting by a two-thirds majority of the voting members present, ~~at which meeting the bishop of the synod or an authorized representative shall be present.~~ Notice of the meeting shall ~~be sent 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 this congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the second meeting.
- e. Within 10 days after the resolution has been voted upon, the secretary of this congregation shall submit ~~a~~ certified copy of the resolution to the bishop, attesting that the second special meeting was legally called and conducted and certifying the outcome of the vote, and shall send copies of the resolution and certification to the voting members of the congregation. If the resolution was adopted by a two thirds vote of the voting members present at the second meeting, ~~to terminate its relationship shall be sent to the synodical bishop, at which time~~ the relationship between this congregation and this church shall be terminated subject to Synod Council approval as required by paragraphs f. and g. below. ~~the Evangelical Lutheran Church in America shall be terminated.~~
- f. Unless this notification to the bishop also certifies that this congregation has voted to affiliate with another Lutheran denomination, this congregation shall be deemed an independent or non-Lutheran church, in which *C7.04. shall apply.
- g. This congregation shall abide by these covenants by and among the three expressions of this church:
 - 1) Congregations seeking to terminate their relationship with this church which fail or refuse to comply with each of the foregoing provisions in *C6.05. shall be required to receive Synod Council approval before terminating their membership with this church.
 - 2) Congregations which had been members of the Lutheran Church in America shall be required in addition to complying with the foregoing

provisions in *C6.05. to receive synod approval before terminating their membership in this church.

3) Congregations established by the Evangelical Lutheran Church in America shall be required, in addition to complying with the forgoing provisions in *C6.05. to satisfy all financial obligations to this church and receive Synod Council approval before terminating their membership in this church.

~~f.h. If this congregation fails to achieve the required two-thirds vote of voting members present at this congregations first meeting as specified in paragraph a above or fails to achieve the required two-thirds vote of voting members present at this 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 the meeting at which the two-thirds vote was not achieved. Notice of termination shall be forwarded by the synodical bishop to the secretary of this church and published in the periodical of this church.~~

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 ~~taken.~~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 OF OWNERSHIP

C7.01. If this congregation ceases to exist, title to undisposed property shall pass to the East Central Synod of Wisconsin 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 or pursuant to 9.23. of the constitution and bylaws of the Evangelical Lutheran Church in America, 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 the 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 East Central Synod of Wisconsin.

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 process established by the sSynodical 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. In neither case does title to this congregation's property transfer to the synod.

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

- a. Shall not transfer, encumber, mortgage, or in any way burden or impair any right, title, or interest in the property without prior approval of the Synod Council.
- b. Shall - upon written demand by the Synod Council, pursuant to †S13.23. of the constitution of the East Central Synod of Wisconsin – reconvey and transfer all right, title, and interest in the property to the synod.

Chapter 8.

MEMBERSHIP

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

C8.02. Members shall be classified as follows:

- a. **Baptized** members are those persons who have been received by the Sacrament of Holy Baptism in this congregation or having been previously baptized in the name of the Triune God, have been received by certificate of transfer from other Lutheran congregations or by affirmation of faith.
- b. **Confirmed** members are baptized persons who have been confirmed in this congregation, those who have been received by adult baptism or by transfer as

confirmed members from other Lutheran congregations or baptized persons received by affirmation of faith.

- c. **Voting** members are confirmed members. Such confirmed members, during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of this congregation as well as the other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws. They shall not have voted as a seasonal member of another congregation of this church in the previous two calendar months.
- d. **Associate** members are persons holding membership in other Christian congregations who wish to retain such membership but desire to participate in the life and mission of this congregation ~~or persons who wish to retain a relationship with this congregation while being members of other congregations.~~ These individuals have all the privileges and duties of membership except voting rights or other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws and eligibility for elected offices or membership on the Congregation Council of this congregation.
- e. Seasonal members are voting members of other congregations of this church who wish to retain such membership but desire to participate in the life and mission of this congregation, including exercising limited voting rights in this congregation. The Congregation Council may grant seasonal membership to such persons provided that this congregation is a member of a synod where the Synod Council has approved seasonal member voting on its territory. Such seasonal members shall have all the privileges and duties of voting members except that:
- 1) they shall not be eligible for elected office I, or for membership on the Congregation Council or on a call committee of, this congregation;
 - 2) they shall not have the right to vote on any matter concerning or affecting the call or termination of call of any minister of this congregation;
 - 3) they shall not have the right to vote on any matter concerning or affecting the affiliation of this congregation with this church;
 - 4) they shall not be eligible to serve as voting members from this congregation of the Synod Assembly or the Churchwide Assembly;
 - 5) they shall not, even if otherwise permitted by this congregation, vote by proxy or by absentee ballot; and
 - 6) they shall not, within any two calendar month period, exercise voting rights in this congregation and in the congregation to where they remain voting members.
- e.

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

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

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

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

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

C8.05. Membership in this congregation shall be terminated by any of the following:

~~b.a.~~ death;

~~d.b.~~ resignation;

~~f.c.~~ transfer or release;

~~h.d.~~ disciplinary action in accordance with Chapter 20 of the constitution and bylaws of the Evangelical Lutheran Church in America by the Congregation Council; or

~~j.e.~~ removal from the roll due to inactivity in accordance with the provisions of this constitution and its 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.

Chapter 9.

~~ROSTERED MINISTER~~THE PASTOR

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

C9.02. Only a member of the roster of Ministers of Word and Sacrament ~~clergy roster~~ of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of Word and Sacrament ~~ordained ministers~~ who has been recommended

for ~~thise~~ 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:

~~b.a.~~ Every minister of Word and Sacrament ~~ordained minister~~ shall:

~~2)1)~~ preach the Word;

~~4)2)~~ administer the sacraments;

~~6)3)~~ conduct public worship;

~~4)~~ provide pastoral care;

~~5)~~ seek out and encourage qualified persons to prepare for the ministry of the Gospel;

~~6)~~ impart knowledge of this church and its wider ministry through available channels of effective communication;

~~8)7)~~ witness to the Kingdom of God in the community, in the nation, and abroad; and

~~10)8)~~ speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.

~~d.b.~~ Each pastor ~~ordained minister~~ with a congregational call shall, within the congregation;

~~2)1)~~ offer instruction, confirm, marry, visit the sick and distressed and bury the dead;

~~4)2)~~ ~~relate to supervise~~ all schools and organizations of this congregation;

~~6)3)~~ install regularly elected members of the Congregation Council; ~~and~~

~~4)~~ with the council, administer discipline.

~~5)~~ 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 the East Central Synod of Wisconsin.

~~8)6)~~ encourage adherence to covenantal relationship with the church as expressed in the *Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America.*

~~b.~~ Every pastor shall:

~~4) strive to extend the Kingdom of God in the community, in the nation, and abroad;~~

~~6) seek out and encourage qualified persons to prepare for the ministry of the Gospel;~~

~~8) impart knowledge of this church and its wider ministry through distribution of its periodicals and other publications; and~~

~~10) 1) 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 the East Central Synod of Wisconsin 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. The provisions for termination of the mutual relationship between a minister of Word and Sacrament and this congregation shall be as follows:

a. The call of this congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which, ~~except in the case of the death of the pastor,~~ shall be terminated only by the pastor's death or, following consultation with the synod~~ical~~ bishop and for the following reasons:

~~2) 1) _____~~ mutual agreement to terminate the call or the completion of a call for a specific term;

~~4) 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;

~~6) 3) _____~~ inability to conduct the pastoral office effectively in this congregation in view of local conditions; ~~without reflection on the competence or the moral and spiritual character of the pastor.~~

~~8) 4) _____~~ ~~the~~ physical disability or mental incapacity of the pastor;

~~5) suspension disqualification~~ of the pastor through discipline for more than three months ~~on ground of doctrine, morality or continued neglect of duty;~~

~~6) resignation or removal of the pastor from the roster of Ministers of Word and Sacrament of this church;~~

~~10) 7) _____~~ termination of the relationship between this church and this congregation;

~~12) 8) _____~~ ~~the~~ dissolution of this congregation or the termination of a parish arrangement; or

14)9) _____ suspension of thise congregation ~~throughs a result of~~ discipline for more than six months~~proceedings~~.

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~~may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or

~~b.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 thise congregation, the bishop personally shall, investigate such conditions personally in company with committee of two rostered ~~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. ~~testimony shall be obtained~~. When asuch disability or incapacity is evident to the committee, the bishop of thise synod may, ~~with advice of the committee, shall~~ declare the pastorate vacant. When the pastorate is declared vacant, the Synod Council shall list the pastor on the roster of Ministers of Word and Sacrament with disability status. Upon removal of the disability and the restoration of ~~thea disabled~~ pastor to health, the bishop ~~of the synod~~ shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call~~field of labor~~.

d. In the case of alleged local difficulties that imperil the effective functioning of thise congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons ~~shall be heard~~, after which the bishop ~~of the synod~~ together with the committee ~~described in C9.05.b~~ shall present their recommendations first to the pastor and then to this 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 this congregation and by the pastor, if appropriate. If the pastor and congregation decide on the course of action to be recommended to the pastor and the congregation. ~~If they~~ agree to carry out such recommendations, no further action shall be taken by the synod.

~~d.e.~~ If either party fails to assent to the recommendations of the bishop's committee concerning the pastor's call, thise congregation may dismiss the pastor only at a legally called meeting after consultation with 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 committee recommended termination of the call.

~~e.f.~~ If, in the course of proceedings described in paragraph c. or paragraph d. above C9.05.d., the bishop's committee concludes that there may be grounds for disciplinary ~~action~~, the committee shall make recommendations concerning disciplinary action to the synodical bishop who may bring charges, in accordance with provisions of this church's constitution, ~~and~~ bylaws and continuing resolutions of the Evangelical Lutheran Church in America and the constitution of this synod.

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

- 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 this congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or Congregation Council. The interim pastor and any rostered minister~~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.
- *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 C9.05a. 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 C9.05a.

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 this 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 call or approval of a request for change in roster status.

C9.1520. ~~Ecumenical pastoral ministry:~~

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

C9.21. Authority to call a deacon shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by the Congregation Council to recommend the call, shall seek the advice and help of the bishop of the synod.

C9.22. Only a member of the roster of Ministers of Word and Service of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of Word and Service who has been recommended for this congregation by the synod bishop may be called as a deacon of this congregation.

- C9.23. Consistent with the faith and practice of the Evangelical Lutheran Church in America, every minister of Word and Service shall:
- a. Be rooted in the Word of God, for proclamation and service;
 - b. Advocate a prophetic diakonia that commits itself to risk-taking and innovative service on the frontiers of the Church's outreach, giving particular attention to the suffering places in God's world;
 - c. Speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world, witnessing to the realm of God in the community, the nation, and abroad;
 - d. Equip the baptized for ministry in God's world that affirms the gifts of all people;
 - e. Encourage mutual relationships that invite participation and accompaniment of others in God's mission;
 - f. Practice stewardship that respects God's gift of time, talents, and resources;
 - g. Be grounded in a gathered community for ongoing diaconal formation;
 - h. Share knowledge of this church and its wider ministry of the gospel and advocate for the work of all expressions of this church; and
 - i. Identify and encourage qualified persons to prepare for ministry of the gospel.

C9.24. The specific duties of the deacon, compensation, and other matters pertaining to the service of the deacon shall be included in a letter of call, which shall be attested by the bishop of the synod.

- C9.25. The provisions for termination of the mutual relationship between a minister of Word and Service and a congregation shall be as follows:
- a. The call of this congregation, when accepted by a deacon, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by the deacon's death or, following consultation with the synod bishop, for the following reasons:
 - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the deacon, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
 - 3) inability to conduct the ministry of Word and Service effectively in this congregation in view of local conditions;
 - 4) physical disability or mental incapacity of the deacon;
 - 5) suspension of the deacon through discipline for more than three months;
 - 6) resignation or removal of the deacon from the roster of Ministers of Word and Service of this church;
 - 7) termination of the relationship between this church and this congregation;
 - 8) dissolution of this congregation or the termination of a parish arrangement; or

9) suspension of this congregation through discipline for more than six months.

b. When allegations of physical disability or mental incapacity of the deacon under paragraph a.4) above, or ineffective conduct of the office of minister of Word and Service under paragraph a.3) above, have come to the attention of the bishop of this synod,

1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or

2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of this congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.

c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the deacon's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the position vacant. When the position is declared vacant, the Synod Council shall list the deacon on the roster of Ministers of Word and Service with disability status. Upon removal of the disability and the restoration of the deacon to health, the bishop shall take steps to enable the deacon to resume the ministry, either in the congregation last served or in another appropriate call.

d. In the case of alleged local difficulties that imperil the effective functioning of this congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the deacon and then to this congregation. The recommendations of the bishop's committee must address whether the deacon's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by this congregation and by the deacon, if appropriate. If the deacon and congregation agree to carry out such recommendations, no further action need be taken by the synod.

e. If either party fails to assent to the recommendations of the bishop's committee concerning the deacon's call, this congregation may dismiss the deacon only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.

f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.

C9.26. This congregation shall make satisfactory settlement of all financial obligations to a former deacon before calling a successor. A deacon 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.

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

C9.28. With the approval of the bishop of the synod, this congregation may depart from *C9.25.a. and call a deacon for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the deacon and representatives of this congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of *C9.25.a.

C9.29. With the approval of the bishop of the synod, this congregation may depart from *C9.25.a. and call a deacon for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the deacon and representatives of this congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of *C9.25.a.

C9.30. The deacon(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.

Chapter 10.

CONGREGATION MEETING

C10.01. The annual meeting of this congregation shall be held a time specified in the bylaws.

C10.02. A special Congregation Meeting may be called by the pastor, the Congregation Council, or the president of this congregation, and shall be called by the president of the congregation upon the written request of 10 percent of the voting members. The call for each special meeting shall specify the purpose for which it is to be held and no other business shall be transacted.

C10.03. Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays and by mail to all [voting] members at least 10 days in advance of the date of the meeting. The posting of such notice in the regular mail, with the regular postage affixed or paid, sent to the last known address of such members shall be sufficient.

C10.04. Five percent voting members shall constitute a quorum.

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

C10.06. All actions by the congregation shall be by majority vote except as otherwise provided in this constitution.

C10.07. Robert's Rules of Order, latest edition, shall govern parliamentary procedure of all meeting of this congregation.

C10.08. This congregation may hold meetings by remote communication, including electronically and by telephone conference, as long as there is an opportunity for simultaneous aural communication. To the extent permitted by state law, notice of all meetings may be provided electronically.

Chapter 11.

OFFICERS

C11.01. The officers of this congregation shall be a president, vice president, secretary.

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.

e-d. If the Congregation Council elects its officers, the president, vice president, and secretary shall be selected from the elected membership of the Congregation Council.

C11.02. The Congregation Council shall elect the president, ~~and~~ vice president and secretary who shall serve for one year or until their successors are elected. ~~The~~

~~secretary shall be elected by the congregation and shall serve for three years or until a successor is elected.~~ The officers shall be elected by written ballot. Their terms shall begin at the close of the meeting at which they are elected.

- C11.03.** No officer shall hold more than one office at a time. No elected officer shall be eligible to serve more than two consecutive terms in the same office.

Chapter 12.

CONGREGATION COUNCIL

- C12.01.** The voting membership of the Congregation Council shall consist of the pastor(s) and not more than ~~twelve~~~~eighteen~~ nor less than eight members of the congregation and the officers of the congregation. Any voting member of the congregation may be elected, subject only to the limitation on the length of continuous service permitted in that office. A member's place on the Congregation Council shall be declared vacant if the member a) ceases to be a voting member of this congregation or b) is absent from four successive regular meeting of the Congregation Council without cause. Consistent with the laws of the state in which this congregation is incorporated, the congregation any adopt procedures for the removal of a member of the Congregation Council in other circumstances.
- C12.02.** The members of the Congregation Council except the pastor(s) shall be elected by written ballot to serve for ~~two~~~~three~~ years or until their successors are elected. Such members shall be eligible to serve no more than ~~three~~~~two~~ full terms consecutively. Their terms shall begin at the close of the annual meeting at which they are elected.
- C12.03.** Should a member's place on the Congregation Council be declared vacant, the Congregation Council shall elect, by majority vote, a successor until the next annual meeting.
- C12.04.** The Congregation Council shall have general oversight of the life and activities of this congregation, and in particular its worship life, to the end that everything be done in accordance with the Word of God and the faith and practice of the Evangelical Lutheran Church in America. The duties of the Congregation Council shall include the following:
- a. To lead this congregation in stating its mission, to do long-range planning, to set goals and priorities and to evaluate its activities in light of its mission and goals.
 - b. To seek to involve all 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 appointment or employment.
- e. To be examples individually and corporately of the style of life and ministry expected of all baptized persons.
- f. To promote a congregational climate of peace and goodwill and as differences and conflicts arise, to endeavor to foster mutual understanding.
- g. To arrange for pastoral service during the sickness or absence of the pastor.
- h. To emphasize partnership with the synod and 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 appoint delegates to the Annual Synod Assembly when regularly elected delegates or their alternates are unable to serve.
- k. 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 Wisconsin, except as otherwise provided herein.
 - b. The Congregation Council shall not have the authority to buy, sell or encumber real property unless specifically authorized to do so by a meeting of the congregation. When so authorized, the Congregation Council may act through its Executive Committee.
 - c. The Congregation Council may enter into contracts of up to ten percent of the total of the approved budget for items not included in the budget.

d. The Congregation Council shall prepare an annual budget for adoption by this congregation, shall supervise the expenditure of funds in accordance therewith following its adoption, and may incur obligations of more than five percent in excess of the approved budget 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 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 mission support benevolence monies to the synodical treasurer.

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

g. The Business Office Administrator ~~Congregation Council shall annually appoint a treasurer who~~ shall maintain financial records of this congregation, report regularly to the council and annually to the congregation. The treasurer shall disburse funds under the supervision of the Congregation Council and shall may receive a salary.

h. The Congregation Council shall annually appoint a financial secretary who shall maintain the financial contribution records of the congregation membership and may receive a salary.

i. The Congregation Council shall annually appoint from within the council a liaison to each standing committee. The liaison shall serve as a communicator between the committee and the Congregational Council and would ideally become involved with the work of the committee.

C12.06. The Congregation Council shall see that the provisions of this constitution, its bylaws and the continuing resolutions are carried out and remain in accordance with the current edition of the model constitution of the Evangelical Lutheran Church of America.

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 the staff salaried lay workers of this congregation. Nothing in this provision shall be deemed to affect this congregation's responsibility for the call, terms of call, or termination of call of any employees who are on a roster of this church

- C12.09.** The Congregation Council shall submit a comprehensive report to the congregation at the annual meeting.
- C12.11.** The Congregation Council shall normally meet once a month. Special meetings may be called by the pastor or the president and shall be called by the president at the request of at least one-half of ~~it~~the council's members. Notice of each special meeting shall be given to all who are entitled to be present.
- C12.12.** A quorum for the transaction of business shall consist of a majority of the members of the Congregation Council, including the pastor or interim pastor, except when the pastor or interim pastor requests or consents to be absent and has given prior approval to an agenda of routine matters which shall be the only business of the meeting. Chronic or repeated absence of the pastor or interim pastor who has refused approval of the agenda of a subsequent regular or special meeting shall not preclude action by the Congregation Council, following consultation with the synod bishop.
- C12.13.** The Congregation Council and its committees may hold meetings by remote communication, including electronically and by telephone conference and, to the extent permitted by state law, notice of all meetings may be provided electronically.

Chapter 13.

CONGREGATION COMMITTEES

- C13.01.** The ~~officers~~president, vice resident, secretary and two voting members of the Congregation Council ~~elected by the council of this congregation~~ and the pastor shall constitute the Executive Committee. ~~The Executive Committee shall have the rights and duties of "trustees" as specified in Chapter 187 of the Wisconsin Statutes.~~
- C13.02.** A Nominating Committee of up to six voting members of this congregation, two of whom shall be if possible, outgoing members of the Congregation Council, shall be elected at the annual meeting for a term of one year. Members of the Nominating Committee are not eligible for consecutive re-election.
- C13.03.** An Audit Committee of three voting members shall be ~~appointed~~deleted by the Congregation Council. Audit Committee members shall not be members of the Congregation Council. Term of office will be three years, with one member ~~appointed~~deleted each year. Members shall be eligible for re-~~appointment~~election. Appointment shall not be for more than 3 consecutive terms
- C13.04.** Mutual Ministry Committee (in the absence of a mutual ministry committee, the duties shall be fulfilled by the executive committee) may be appointed jointly by the president, vice president and the rostered minister. Term of office shall be two

~~years, with three members to be appointed each successive year. A Staff Support Committee (in the absence of a Staff Support Committee, their duties shall be fulfilled by the Executive Committee) shall be appointed jointly by the president and the pastor. Term of office shall be two years, two members to be appointed each successive year. Committee members shall not be Congregation Council members during their term.~~

C13.05. When a pastoral vacancy occurs, a Call Committee of five to nine voting members shall be elected by this Congregation Council. Term of office will terminate at installation of the newly-called pastor.

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

C13.07. Duties of committees of this congregation shall be specified in the bylaws.

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

Chapter 14.

ORGANIZATIONS WITHIN THE CONGREGATION

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

C14.02. Special interest groups, other than those of the official organizations of the Evangelical Lutheran Church in America, may be organized only after authorization has been given by the Congregation Council and specified in a continuing resolution.

Chapter 15.

DISCIPLINE OF MEMBERS AND ADJUDICATION

C15.01. Persistent and public dDenial of the Christian faith willful or criminal as described in this constitution, conduct grossly unbecoming a member of the Church of ChristChrist, continual and intentional interference will the ministry of this congregation, or willful and repeated harassment or defamation of member(s) of this congregation or persistent trouble making in this congregation are 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, ~~and~~ 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. ~~citation to appear before the Congregation Council.~~ If for any reason, the pastor is unable to administer the admonitions required by a. and b. hereof, those steps may be performed by another pastor chosen by the Executive Committee of the Congregation Council ~~the president (if not the pastor) or vice president shall administer such admonitions.~~

C15.02. The process for discipline of a member of the congregation shall be governed as prescribed by the chapter on discipline in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. . If the counseling, censure, and admonitions pursuant to *C15.01. do not result in repentance and amendment of life, charges against the accused member(s) that are specific and in writing may be prepared by the Congregation Council, signed, and submitted to the vice president of the synod. The vice president shall select from the synod's Consultation Committee a panel of five members (three laypersons and two ministers of Word and Sacrament). A copy of the written charges shall be provided to the consultation panel and the accused member(s). The consultation panel, after requesting a written reply to the charges from the accused member(s), shall consider the matter and seek a resolution by means of investigation, consultation, mediation, or whatever other means may seem appropriate. The panel's efforts to reach a mutually agreeable resolution shall continue for no more than 45 days after the matter is submitted to it. ~~A member charged with the offense shall appear before the Congregation Council after having received a written notice, at least ten days prior to the meeting, specifying the exact charges that have been made against the member. If the member charged with the offense fails to appear at the scheduled hearing, the Congregation Council may proceed with the hearing and may pass judgment in the member's absence.~~

C15.03. If the consultation panel fails to resolve the matter, that panel shall refer the case in writing, including the written charges and the accused member's reply, to the Committee on Discipline of the synod for a hearing. A copy of the panel's written referral shall be delivered to the vice president of the synod, the Congregation Council, and the accused member(s) at the same time it is sent to the Committee on Discipline of the synod. The Executive Committee of the Synod Council shall then select six members from the Committee on Discipline to decide the case and shall appoint a member of the Synod Council to preside as nonvoting chair. Those six members, plus the nonvoting chair, comprise the discipline hearing panel for deciding the case. The Congregation Council and the accused member(s) are the

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

~~e. Censure before the council or congregation;~~

~~e. Suspension from membership for a definite period of time; or~~

~~g. Exclusion from membership in this congregation. Disciplinary actions b. and c. shall be delivered to the member in writing.~~

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

C15.05. ~~By the vote of at least two-thirds of the members of the discipline hearing panel who are present and voting, one of the following disciplinary sanctions can be imposed:~~

- ~~a. suspension from the privileges of congregation membership for a designated period of time;~~
- ~~b. suspension from the privileges of congregation membership until the pastor and Congregation Council receive evidence, satisfactory to them, of repentance and amendment of life;~~
- ~~c. termination of membership in this congregation; or~~
- ~~d. termination of membership in this congregation and exclusion from the church property and from all congregation activities. Disciplinary actions may be reconsidered and revoked by the Congregation Council upon receipt of a) evidence that injustice has been done or b) evidence of repentance and amendment.~~

C15.06. ~~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. For disciplinary actions in this congregation, "due process" shall be observed as specified in 20.41.03, in the Constitution,~~

Bylaws and Continuing Resolutions of the Evangelical Lutheran Church in America.

C15.07. No member of a congregation shall be subject to discipline a second time for offenses that a discipline hearing panel ~~the Congregation Council~~ has previously heard and decided pursuant to this chapter, ~~unless so ordered by the Synod Council after an appeal.~~

C15.10. Adjudication:

~~b.~~

C15.11. When there is disagreement between or among factions within this congregation on a substantive issue that cannot be resolved by the parties, members of this congregation may petition ~~shall have access to~~ the synodical bishop for consultation after informing the president ~~chair~~ of this Congregation ~~Council~~ of their intent to do so. The synod bishop shall seek a timely resolution of the dispute. If the issue relates directly to the pastor, the bishop may begin the process in †S14.18.d. In all other matters, if the bishop's consultation fails to resolve the issue(s), the bishop shall refer the matter to the Consultation Committee of the synod, which shall undertake efforts to find an appropriate solution. ~~consider the matter.~~ If the Consultation Committee ~~s of the synod shall~~ efforts fail to resolve the ~~dispute~~ issue(s), the entire matter shall be referred to the Synod Council for adjudication by whatever process the Council deems necessary. The Synod Council's, ~~whose~~ decision shall be final.

~~Chapter 16.~~

~~BYLAWS~~

~~**C16.01.** The congregation may adopt bylaws. No bylaw may conflict with this constitution.~~

~~**C16.02.** Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a majority vote of those voting members present and voting.~~

~~**C16.03.** Changes to the bylaws may be proposed by any voting member provided, however, that such additions or amendments be submitted in writing to the Congregation Council at least 60 days before a regular or special Congregation Meeting called for that purpose and that the Congregation Council notify the members of the proposal with its recommendations at least 30 days in advance of the Congregation Meeting.~~

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

Chapter 176.

AMENDMENTS

- C176.01.** Unless provision *C16.04. is applicable, those sections of this constitution that are not required, in accord with the *Model Constitution for Congregations of the Evangelical Lutheran Church in America*, may be amended in the following manner. Amendments ~~to this constitution~~ may be proposed by at least 25 ten percent of the voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at its regular or special meeting called for that purpose. The Congregation Council shall notify the members of the proposal 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.
- C167.02.** An ~~proposed~~ amendment to this constitution, proposed under C16.01., shall:
- a. be approved at a legally called meeting ~~of this congregation according to this constitution~~ by a majority vote of those voting members present and voting;
 - b. be ratified without change at the next ~~regular annual~~ meeting of this congregation held pursuant to C10.01. by a two-thirds ~~majority~~-vote of those voting members present and voting; and
 - c. have the effective date included in the resolution and noted in the constitution.
- C167.03.** Any amendments to this constitution ~~that result from the processes provided in C16.01. and C16.02~~ shall be sent by the secretary of this congregation to the synod. The synod shall notify this 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. The amendment shall become effective within 120 days from the date of the receipt of the notice by the synod unless the synod informs this congregation that the amendment is in conflict with the constitution and bylaws of the Evangelical Lutheran Church in America or the constitution of the East Central Synod of Wisconsin of the ELCA.
- C167.04.** Whenever the *Model Constitution for Congregations* is amended by the ~~Churchwide Assembly,~~ this constitution may be amended to bring 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. ~~reflect any~~ Such amendments may be approved by a ~~simple~~ majority vote of those voting members present and voting at any legally called meeting of this congregation without presentation at a prior meeting of this congregation, at any subsequent meeting of the congregation

~~without presentation at a prior meeting of the congregation,~~ provided that the Congregation Council has submitted by mail or electronic means, as permitted by state law, notice to the congregation of such an amendment or amendments at least 30 days prior to the meeting. Upon the request of at least two (2) voting members of this congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of ~~this~~ congregation shall submit a copy thereof to the Synod. Such provisions shall become effective immediately following a vote of approval. consistent with *C17.03.

Chapter 167.

BYLAWS

- C167.01. The congregation may adopt bylaws. No bylaw may conflict with this constitution.
- C176.02. Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a ~~majority~~ two thirds majority vote of those voting members present and voting.
- C176.03. Changes to the bylaws may be proposed by any voting member, provided, however, that such additions or amendments be submitted in writing to the Congregation Council at least 60 days before a regular or special Congregation Meeting called for that purpose. ~~and that t~~The Congregation Council shall notify this 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.
- C176.04. Adopted or amended ~~proved~~ changes to the bylaws shall be sent by the secretary of this congregation to the synod.

Chapter 18.

CONTINUING RESOLUTIONS

- C18.01. This ~~se~~ 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~~ two thirds vote of a meeting or this congregation or a two-thirds vote of all voting members of the Congregation Council.
- C18.03. Adopted or amended continuing resolutions shall be sent by the secretary of this congregation to the synod...

Chapter 19.

INDEMNIFICATION

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

Chapter 20.

PARISH AUTHORIZATION

- *C20.01. This congregation may unite with one or more other congregations recognized by the synod named in *C6.01. to form a parish. Except as provided in *C20.02. and *C20.03., a written agreement, developed in consultation with the synod and approved by the voting members of each congregation participating in the parish, shall specify the powers and responsibilities that have been delegated to the Parish Council. The Parish Agreement shall identify which congregation of the parish issues calls on behalf of the member congregations or shall establish a process for identifying which congregation issues calls on behalf of the member congregations.
- *C20.02. One congregation of a parish shall issue a call on behalf of the member congregations to a minister of Word and Sacrament or a candidate for the roster of Ministers of Word and Sacrament who has been recommended by the synod bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregational meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.
- *C20.03. One congregation of a parish may issue a call on behalf of the member congregations to a minister of Word and Service or a candidate for the roster of Ministers of Word and Service who has been recommended by the synod bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregational meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.
- *C20.04. Any one of the congregations of the parish may terminate their relationship with the pastor as provided in †S14.18.d. of the synod constitution of the synod named in *C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.
- *C20.05. Any one of the congregations of the parish may terminate their relationship with a minister of Word and Service as provided in †S14.43.d. of the synod constitution of the synod named in *C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.

*C20.06. Whenever a parish agreement is terminated, the call of any rostered minister serving that parish is terminated. Should any congregation that was formerly part of the parish agreement desire to issue a new call to that rostered minister, it may do so in accordance with the call process of this church.

DRAFT
for
REVIEW

BYLAWS

Chapter 1.

NAME AND INCORPORATION (No bylaw)

Chapter 2.

CONFESSION OF FAITH

B2.02 d. While buildings of the congregation shall be open to all people to share in its worship, instruction, pastoral care, and fellowship, the congregation does not have unity with organizations, secret or open, which are avowedly religious or which practice forms of religion without confessing faith in the Triune God and in Jesus Christ as the eternal Son of God incarnate to be our only Savior from sin.

e. Ceremonies of ~~lodges or~~ other such organizations shall not be permitted in the buildings or premises of the congregation; nor shall its pastor(s) or lay assistant(s) take part in any such ceremonies wherever they are conducted.

Chapter 3.

NATURE OF THE CHURCH

B3.03 The congregation shall, from time to time, adopt an identity statement which will provide specific direction for defining our mission.

Chapter 4.

STATEMENT OF PURPOSE

B4.02 f. (X-Ref B6.07)

B4.04 This congregation shall maintain an organizational structure, which shall carry out the mission of Our Saviour's Lutheran Church through standing committees ~~and boards,~~ task forces ~~and ad-hoc committees.~~ (X-Ref C. 12.04, C. 13., and C. 14.)

a. Standing Committees: Standing committees carry out the mission of Our Saviour's Lutheran Church. Members shall be ~~recognized~~ approved at the Congregation Council's organizational meeting and shall serve a two year term beginning March 1. Committee members may succeed themselves up to three terms. There shall be a minimum of five members on each committee. *Unexpired vacancies shall be filled by the ~~Congregation Council upon recruitment and recommendation from the Volunteerism Committee.~~* Each committee shall: 1) In ~~March~~ December, evaluate their past year's activity and submit to the Congregation Council a plan of goals and meeting dates; for the next 12 months, 2) ~~By~~ In

October ~~31~~, present a budget request to the Finance ~~Committee~~Board, and 3) By ~~January~~ December-5, present a written Annual Report indicating achievements and goals to the church office. The specific number of standing committees and their responsibilities shall be established by the Congregation Council in the Continuing Resolutions of the congregation. (X-Ref B4.04 d and C12.04)

~~b.Boards: Boards shall be appointed for special purposes by the Congregation Council. These boards may be ongoing.~~

~~e.b.Ad hoc committees and t~~Task Forces: ~~Ad hoc committees and~~ task forces shall be appointed for special purposes by the Congregation Council and will. ~~These committees, by definition,~~ disband when their task is completed.

~~e.c.~~Meeting schedules, responsibilities and detailed position descriptions of all of the above committees and task forces shall be contained in the continuing resolutions of the constitution.

~~e.d.~~From time to time an organization flow chart shall be developed. It will be subject to continuing resolution rules and will be attached to these bylaws for convenient reference only.

Chapter 5.

POWERS OF THE CONGREGATION

- B5.03** h.Elections as specified in C5.03 shall be by written ballot. Delegates to Homme Home for the Aging, Inc. and Crossways Lutheran Camping Ministries shall be elected at the Annual Meeting. Delegates to the Wisconsin River Valley~~ausau~~ Conference and the East Central Synod of Wisconsin of the Evangelical Lutheran Church in America are elected for a term of one year and may succeed themselves. Alternates shall also be elected for all delegate positions. (X-Ref B6.01 and C 12.04 j)

Chapter 6.

CHURCH AFFILIATION

- B6.01** The congregation shall elect representatives or delegates and alternates to conventions and assemblies of all expressions of the Evangelical Lutheran Church in America in accordance with the recognized practice of the East Central Synod of Wisconsin of the Evangelical Lutheran Church in America. The pastors of the congregation are expected to attend all properly called conference and synod conventions and assemblies and are strongly encouraged to attend events offered by the conference, or the synod intended for the clergy (and spouses). The congregation shall reimburse all elected and appointed representatives, delegates

and pastors (and spouses when indicated) for reasonable expenses incurred while attending these events. (X-Ref B5.03 h and C13.02)

- B6.07** Ecumenical relationships: While remaining steadfast in the confession faith of the Evangelical Lutheran Church in America (X-Ref C2), the congregation encourages the members to foster and participate in ecumenical events of worship and ministry. (X-Ref C4.02 f and C4.03 i and C8.04 a)

Chapter 7.

PROPERTY OWNERSHIP (No bylaw)

Chapter 8.

MEMBERSHIP

- B8.02** a.(X-Ref B8.04 a)
- b.Preparation shall be provided regularly for those seeking confirmed membership in the congregation.

- B8.04** a. 1.) Preparation will be provided regularly for those planning first Communion and for those requesting adult baptism and for parents bringing infants to baptism.
- 2.) Participation in Holy Communion shall be open to members of other Christian congregations who accept the Lutheran teaching in regard to this sacrament. It shall be made known to prospective participants that the belief of this congregation is: "Participation in the Lord's Supper is the reception of the "the body and blood of our Lord Jesus Christ given with bread and wine, instituted by Christ himself for us to eat and drink". We hold that a person is well prepared and worthy who believes these words "Given and shed for you for the remission of sins." But anyone who does not believe these words, or doubts them, is neither prepared nor worthy, for the words "for you" require simply a believing heart." (Luther's Small Catechism) ~~Record of participation in Holy Communion shall be maintained. If a member of another congregation communes, notice shall if possible be sent to the pastor of that person's congregation.~~ (X-Ref B6.07 and C15)

c.At the end of each calendar year, a list of all confirmed members who do not qualify according to C8.02 c to vote shall be presented to the Congregation Council. The Congregation Council shall decide on the appropriate pastoral care to be extended to those members. Members appearing on this list for two or more successive years may be removed to a Responsibility List. (X-Ref 8.05 e and C12.07)

B8.05 (X-Ref C 15)

c. The congregation shall, in the event of the removal of a member from the community it serves, encourage the member to request a transfer to an Evangelical Lutheran Church in America congregation which can serve the member effectively. Should the member fail to request a transfer, an Evangelical Lutheran Church in America congregation in the community of the member's new residence shall be notified. A confirmed member desiring to change membership to another Christian congregation shall, upon request, receive a letter of transfer.

e. Before removal from the congregation, confirmed members who do not qualify according to C8.02 c to vote shall in some way be contacted and encouraged to assume a more active role in the congregation. If, following that first contact, the confirmed member does not actively participate with a reasonable time, the Congregation Council shall decide on appropriate action, ministry or removal to the Responsibility List. The Responsibility List is defined as a list of those persons who are not members of this congregation, but for whom the church has continuing pastoral concern. Former member records shall be kept in archive files. (X-Ref C8.04 c and C12.07)

Chapter 9

THE PASTOR

- B9.01** When a pastor is called by the congregation, the letter of call shall be signed by the available members of the Executive Committee of the Congregation Council. A call to be an associate pastor shall be issued only with the concurrence of the senior pastor of the congregation and in accordance with the constitution and bylaws. (X-Ref C9.09)
- B9.04** The duties, performance and compensation of all pastor(s) as defined in their letter of call and other documents properly agreed upon by pastor(s), ~~Staff Support Committee~~ and Executive Committee shall be reviewed annually by the ~~Staff Support Committee who will report their recommendations to the~~ Executive Committee of the Congregation Council.
- B9.09** When the congregation is served by more than one pastor, a senior pastor shall be determined by the call process. In all references to "pastor" in the constitution and bylaws the senior pastor shall have authority. In the absence of the senior pastor the duties and the responsibilities of pastor shall be assigned and determined by the Congregation Council in consultation with the bishop.
- B9.12** The pastor shall be responsible for the maintenance of the records, except for those assigned to the secretary (X-Ref B11.01) and the Congregation Council (treasurer) (X-Ref 12.05). Upon the termination of the pastor's service, the records shall be

brought up to date prior to the pastor's departure. The records shall be and remain the property of the congregation. The records shall consist of:

- 1)the rosters as required in C8.02 and approved by the Congregation Council,
- 2)the ministerial sets performed in the congregation,
- 3)records distributed by the synod and the Evangelical Lutheran Church in America
- 4)reports of the treasurer and secretary to be forwarded to the synod office.

The pastor shall report any and all of the records requested by the synod.

Chapter 10.

CONGREGATION MEETING

B10.01 The Congregation Council shall establish and announce the time, date and location of the Annual Meeting of the congregation to all voting members. The Annual Meeting shall convene as soon as practical after the close of the fiscal (calendar) year.

B10.02 (X-Ref C12.07 and B8.04 c)

B10.08 Remote Participation

- a. Voting Members attending remotely will be allowed to vote provided they have registered in advance and are assigned an individual identification number unique to them for determining quorum, remote (electronic or telephone conference) participation and voting.
- b. Special rules may be implemented regarding items such as the number of and length of time someone may speak. Speakers must keep comments germane to the agenda item being discussed.

Chapter 11.

OFFICERS

B11.01 a.The duties of the officers of this congregation are:

President: The president shall preside at meetings of the Congregation Council, Executive Committee and of the congregation. The president may act as ex-officio member of all boards and committees of the congregation, but shall not have voice or vote on the Nominating Committee, Audit Committee and Call Committee (unless duly elected) ~~and Staff Support Committee~~. The president is encouraged to attend all Conference and Synod Conventions and Assemblies either as an elected delegate (X-Ref B6.01) or as a registered

visitor at the congregation's expense (X-Ref B6.01). When the Conference of Synod offers opportunities for training or inspiration for presidents of congregations, the president shall make a reasonable effort to participate at the congregation's expense.

Vice-President: The vice-president shall preside at meetings of the Congregation Council, Executive Committee and congregation in the absence of the president. The vice-president may be asked to represent the president on occasions when the president is unable to attend.

Secretary: The secretary shall keep the minutes of the Congregation Council ~~and Executive committee meetings, as well as the annual and special congregational meetings, and of the congregation, and shall have custody of the archives of the congregation.~~ The minutes, records and archives shall be and remain the property of the congregation. The secretary shall report records as required to the churchsynod office.

B11.03 (X-Ref C12.01)

Chapter 12.

CONGREGATION COUNCIL

B12.01 (X-Ref C11.03)

B12.04 The Congregation Council shall carry out the general oversight of the life and activities of this congregation through the work of standing committees, ~~boards,~~ task forces, ~~ad-hoc committees~~ and organizational groups as provided for in C4.04. This organization shall be outlined in the continuing resolutions of the congregation.

B12.05 ~~g. The Evangelical Lutheran Church in America provides bonding for all duly elected or appointed treasurers. Should this provision change, bonding shall be considered immediately by the Congregation Council.~~ All financial recordsbooks shall be and remain the property of the congregation.

B12.07 The Congregation Council shall make changes in the membership list~~roster~~ each month as new members are received or members are removed.

B12.13 1. Remote Participation

a. Voting Members attending remotely will be allowed to vote provided they have registered in advance and are assigned an individual identification number unique to them for determining quorum, remote (electronic or telephone conference) participation and voting.

- b. Special rules may be implemented regarding items such as the number of and length of time someone may speak. Speakers must keep comments germane to the agenda item being discussed.
- c. Notice of a remote meeting and the proposed agenda should be given along with information on how to access the meeting. Notice should be made at least 24 hours in advance of the meeting.

2 Official Action by Common Consent

Any action required or permitted to be taken at a meeting of the congregation council or any committee of the council may be taken without a meeting if all the members entitled to vote on such action consent thereto in writing and the written consents are filed with records of the congregation council.
The Congregation Council shall make changes in the membership list each month as new members are received or members are removed.

Chapter 13.

CONGREGATIONAL COMMITTEES

- B13.01** The Executive Committee may be convened by the pastor, congregation president or any two members of the Executive Committee. The Executive Committee shall act as support committee for the lay staff and hear grievances from staff, lay or clergy ~~or from the Staff Support Committee~~ and shall address any matters in which confidentiality is desirable. Grievance conclusions reached by the Executive Committee may be appealed to the Congregation Council (X-Ref C15). The Executive Committee may meet in closed session and may, at their discretion, omit written minutes. The members of the Executive Committee shall act as trustees and sign all documents of the congregation as prescribed in the constitution and bylaws.
- B13.02** The Nominating Committee shall be convened by the pastor. If necessary, the congregation president shall act in the pastor's absence. The Nominating Committee shall name one or more nominees for each elective position as prescribed in the constitution and bylaws (X-Ref B5.03 h). All nominees shall be voting members of the congregation (X-Ref C8.02 c) who have given their consent to serve if elected. The Nominating Committee shall submit to the church office a brief vita of each nominee ~~twelve~~fourteen (14) days prior to the election. ~~The Nominating Committee may at times be asked to offer assistance to Conference or Synod Nominating Committees.~~
- B13.03** The Audit Committee shall ~~begin as soon as possible to~~ perform an reasonable audit of the financial ~~records~~matters of the congregation at the conclusion of the fiscal year, including the congregation financial books and records. A report shall be submitted in writing to the Annual Meeting of the congregation. Other audits may be requested by the Congregation Council.

~~**B13.04** The Staff Support Committee shall be convened at any time by a pastor or any Staff Support Committee member. The committee shall meet at least three times a year. The Staff Support Committee shall provide counsel and support to the clergy staff and shall make recommendations to the Executive Committee annually concerning the duties, performance and compensation of the pastor(s) of the congregation as described B9.04.~~

B13.05 A Call Committee shall be elected by open ballot at a meeting of the congregation called for that purpose. (X-Ref C9). If possible, the synod bishop or the bishop's representative shall be present at that meeting.

Chapter 14.

ORGANIZATIONS WITHIN THE CONGREGATION (No bylaw)

Chapter 15.

DISCIPLINE OF MEMBERS

(X-Ref C4.04 and C4.05)

Chapter 16.

BYLAWS (No bylaw)

Chapter 17.

AMENDMENTS (No bylaw)