

**CONSTITUTION,  
BYLAWS, AND  
CONTINUING RESOLUTIONS  
FOR  
ASCENSION LUTHERAN CHURCH  
OF  
OGDEN, UTAH**

**To Be Presented to the Ascension Congregation for Approval**

**January 2021**

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## REVISION HISTORY

17 JAN 1961	Adopted at the First Annual Meeting of Ascension Lutheran Church, Ogden, Utah
5 FEB 1967	Revised covering parts pertaining to the Financial Secretary and fall Election of Officers.
1 JAN 1975	Revised.
1 MAY 1980	Revised in its entirety.
29 JAN 1988	Revised in its entirety.
1 JAN 1993	Revised to conform to the new model constitution for congregations.
6 DEC 1998	Revised to conform to the model constitution for congregations and to include changes in organization structure (including service teams), and to be effective February 1, 1999.
1 OCT 1999	Approved Continuing Resolutions
3 OCT 2000	Revised selected Continuing Resolutions
29 AUG 2005	Revised selected Continuing Resolutions
20 NOV 2005	Revised to conform to the model constitution for congregations and refinement of selected bylaws, and to be effective February 6, 2006
18 NOV 2007	Revised to conform to the model constitution for congregations (Amended *C8.02. c., *C17.01, *C17.04., *C18.01. and *C18.02.) Revised selected Bylaws (Added C5.04.01.; Deleted C9.11.01. and C9.12.02; Amended C10.01.01. c., C12.05. c., C12.05. d.) Revised selected Continuing Resolutions (Added C11.02.02. and C11.02.03.; Amended C11.02.01)
16 NOV 2008	Revised Bylaw C12.01.04.
15 NOV 2009	Revised to conform to the model constitution for congregations (Added *C6.07. and *C20.04.; Amended *C6.06., *C9.05. a.6. and *C15.02.)
17 JAN 2016	Incorporate 2011 and 2013 changes to Model Constitution for Congregations. Remove Chapter 20. Change C11.02 to Model language.
28 FEB 2016	Change C12.02 to Model language. Bylaws revised heavily to include duties and responsibilities of officers, designate a period for Annual Meeting, and other changes.

JAN 2021	Revised to conform to the model constitution for congregations 2016 and 2019.
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**Codification Explanation:** A numerical codification indicates (a) general subject, (b) constitutional provisions, © bylaws, and (d) continuing resolutions.

- a. Major sections are designated as chapters. The chapter designation becomes the first number in the codification sequence and is followed by a period. Thus, provision in "Chapter 8. Membership" is preceded by "8."
- b. Constitutional provisions are codified with two sets of numbers: the chapter number and a two-digit number preceding the second period in the codification. Thus, one constitutional provision related to "Membership" is codified \*C8.02.
- c. Bylaw provisions are codified with three sets of numbers: the chapter number, the related constitutional provision number, and a two-digit number. Thus, one bylaw provision related to "Membership" would be codified C8.02.01.
- d. This congregation Council may adopt "continuing resolutions," which may provide descriptions of operational patterns or of the ongoing responsibilities of committees or other units within the organizational structure of this congregation. Within the governing documents of a congregation, continuing resolutions are the provisions most easily amended. Unlike constitutional provisions and bylaws, continuing resolutions may be updated regularly by this congregation Council without the necessity of calling a regular or special Congregation Meeting. Continuing resolutions also are codified with three sets of numbers except that the third set is preceded by a capital letter. Thus a continuing resolution might be numbered C13. to designate the chapter; C13.07. to designate the subject matter within the chapter; and the third set might be numbered A03. in the codification C13.07.A03. to indicate by the "A" that it is the first continuing resolution regarding that subject and to indicate by the "03" that it was adopted in 2003.

**Required Provisions:** Sections of this constitution marked by an asterisk [\*] are required when a congregation amends its governing documents. These sections must be used without alteration or amendment of the text in any manner (neither additions nor deletions).

**CONSTITUTION, BYLAWS AND CONTINUING RESOLUTIONS  
FOR  
ASCENSION LUTHERAN CHURCH  
OF  
OGDEN, UTAH**

**\*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 *Ascension Lutheran Church of Ogden, Utah.*
- C1.02.**        For the purpose of this constitution and the accompanying bylaws, this congregation of *Ascension Lutheran Church* is hereinafter designated as "this congregation."
- C1.03.**        This congregation shall be incorporated under the laws of the State of Utah.

**Chapter 2.**  
**CONFESSION OF FAITH**

- \*C2.01.** This congregation confesses the Triune God, Father, Son, and Holy Spirit.
- \*C2.02.** This congregation confesses Jesus Christ as Lord and Savior and the Gospel as the power of God for the salvation of all who believe.

  - a. Jesus Christ is the Word of God incarnate, through whom everything was made and through whose life, death, and resurrection God fashions a new creation.
  - b. The proclamation of God's message to us as both Law and Gospel is the Word of God, revealing judgment and mercy through word and deed, beginning with the Word in creation, continuing in the history of Israel, and centering in all its fullness in the person and work of Jesus Christ.
  - c. The canonical Scriptures of the Old and New Testaments are the written Word of God. Inspired by God's Spirit speaking through their authors, they record and announce God's revelation centering in Jesus Christ. Through them God's Spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.
- \*C2.03.** This congregation accepts the canonical Scriptures of the Old and New Testaments as the inspired Word of God and the authoritative source and norm of its proclamation, faith, and life.
- \*C2.04.** This congregation accepts the Apostles', Nicene, and Athanasian Creeds as true declarations of the faith of this congregation.
- \*C2.05.** This congregation accepts the Unaltered Augsburg Confession as a true witness to the Gospel, acknowledging as one with it in faith and doctrine all churches that likewise accept the teachings of the Unaltered Augsburg Confession.
- \*C2.06.** This congregation accepts the other confessional writings in the Book of Concord, namely, the Apology of the Augsburg Confession, the Smalcald Articles and the Treatise, the Small Catechism, the Large Catechism, and the Formula of Concord, as further valid interpretations of the faith of the Church.
- \*C2.07.** This congregation confesses the Gospel, recorded in the Holy Scripture and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God's mission in the world.

### Chapter 3.

#### NATURE OF THE CHURCH

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

## Chapter 4.

### STATEMENT OF PURPOSE

- \*C4.01.** The Church is a people created by God in Christ, empowered by the Holy Spirit, called and sent to bear witness to God's creative, redeeming, and sanctifying activity in the world.
- \*C4.02.** To participate in God's mission, this congregation as a part of the Church shall:
- a. Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, and service.
  - b. Proclaim God's saving Gospel of justification by grace for Christ's sake through faith alone, according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.
  - c. Carry out Christ's Great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministry with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.
  - d. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity and justice for all people, working for peace and reconciliation among the nations, 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 this congregation's ministry and the ministry the other expressions 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. This congregation Council shall prepare descriptions of the responsibilities of each committee, task force, or other organizational group and shall review their actions.

- C4.04.01.** The organization structure for supporting this congregation's ministry and mission objectives is centered within this congregational Council, which shall be composed of the officers, minister of Word and Sacrament(s), and elected council members at large.
- a. The Council members elected by this congregation will at their first meeting elect the Officers of Council. These Officers shall also serve as Officers of this congregation.
  - b. The council will periodically establish other work groups to carry out the detail aspects of congregational mission and ministry objectives. These may be in the traditional congregational mission areas of Learning, Service, Support, Witness, Worship, and Youth, or another pertinent focus.
  - c. Each work group so established shall have a minimum of a designated chairperson or leader and two members.
  - d. One member of this congregational Council will be designated sponsor for each work group. This sponsor will be responsible for finding a replacement chairperson and with the new chairperson, additional work group members.
  - e. The sponsor will be responsible for fiduciary oversight of the work groups activities, insuring a budget is established, and approving its expenditures in compliance with the Constitution.
  - f. The tasks to be performed by each of these work groups will be designated in writing within a Continuing Resolution. Additional clarifying instructions and information shall be provided as necessary to insure understanding of the scope of assignments by those who have agreed to undertake the tasks and to reduce potential conflicts between work groups.
  - g. Each work group will provide progress reports to this congregational council through its sponsor for inclusion in the minutes, and thereby provide information to this congregation on the assigned tasks.
  - h. Requests by congregation members to create a ministry work group, or to assess the need for a task force, should be directed to a Council

member who will arrange for consideration by this congregational Council.

- i. Note: The generic term 'work group' is used herein to simplify this paragraph and refers to all Committees, Task Forces, Task Groups, Teams, Guilds, Circles, Class, Serving Groups, and other names, which may be used in specific resolutions

**\*C4.05.** This congregation shall adopt and periodically review a mission statement which will provide specific direction for its programs.

**C4.05.01.** This congregation Council shall, after appropriate study and consultation, develop a Mission Statement for this Congregation and submit the Statement in a Continuing Resolution for a vote of this congregation at its next meeting.

**CA.05.A16** Ascension Lutheran Church establishes this Mission Statement for our Congregation, to wit:

*Gathered and gifted to celebrate and share the love of Jesus*

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

**Chapter 5.**

**POWERS OF THIS CONGREGATION**

- \*C5.01.** The powers of this congregation are those necessary to fulfill its purpose.
- \*C5.02.** The powers of this congregation are vested in this congregation Meeting called and conducted as provided in this constitution and bylaws.
- \*C5.03.** Only such authority as is delegated to the Congregational Council or other organizational units in this congregation's governing documents is recognized. All remaining authority is retained by this congregation. This congregation is authorized to:
- a. call a pastor as provided in Chapter 9;
  - b. terminate the call of a minister of Word and Sacrament as provided in Chapter 9;
  - c. call a minister of Word and Service;
  - d. terminate the call of a minister of Word and Service in conformity with the constitution of the Evangelical Lutheran Church in America;
  - e. adopt amendments to the constitution, as provided in Chapter 16 amendments to the bylaws, as specified in Chapter 17, and continuing resolutions, as provided in Chapter 18.
  - f. approve the annual budget;
  - g. acquire real and personal property by gift, devise, purchase, or other lawful means;
  - h. hold title to and use its property for any and all activities consistent with its purpose;
  - i. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
  - j. elect its Congregation Council and require the members of the council to carry out their duties in accordance with the constitution, bylaws, and continuing resolutions; and
  - k. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.
- \*C5.04.** This congregation shall elect from among its voting members laypersons to serve as voting members of the Synod Assembly as well as persons to represent it at meetings of any conference, cluster, coalition, or other area subdivision of which it is a member. The number of persons to be elected by this congregation and other qualifications shall be as prescribed in guidelines established by the Rocky Mountain Synod of the Evangelical Lutheran Church in America.

## Chapter 6.

### CHURCH AFFILIATION

- \*C6.01.** This congregation shall be an interdependent part of the Evangelical Lutheran Church in America or its successor, and of the Rocky Mountain Synod of the Evangelical Lutheran Church in America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America.
- \*C6.02.** This congregation accepts the Confession of Faith and agrees to the Purposes of the Evangelical Lutheran Church in America and shall act in accordance with them.
- \*C6.03.** This congregation acknowledges its relationship with the Evangelical Lutheran Church in America in which:
- a. This congregation agrees to be responsible for its life as a Christian community.
  - b. This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.
  - c. This congregation agrees to call pastoral leadership from the roster of Minister 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 Sacraments of the Evangelical Lutheran Church in America or to contracting for pastoral services with a minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion.
  - d. This congregation agrees to consider ministers of Word and Service for call to other staff positions in this congregation according to the procedures of the Evangelical Lutheran Church in America.
  - e. This congregation agrees to file this constitution and any subsequent changes to this constitution with the synod for review to ascertain that all of its provisions are in agreement with the constitution and bylaws of the Evangelical Lutheran Church in America and with the constitution of the synod.
- \*C6.04.** Affiliation with the Evangelical Lutheran Church in America is 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.

- d. The Rocky Mountain 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. This congregation follows the procedures outlined in \*C6.05.

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

- a. A resolution indicating the intent to terminate its relationship must be adopted at two legally called and conducted special meetings of this congregation by a two-thirds vote 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 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.
- c. If the resolution was adopted by a two-thirds vote of the voting members present at the first meeting, the bishop of the synod and this congregation shall continue in consultation, as specified in paragraph a. above, 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 such consultation, is still considering termination of its relationship with this church, such action may be taken at a legally called and conducted special meeting by a two-thirds vote of the voting members present. Notice of the second meeting shall be sent 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 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, the relationship between the congregation and this church shall be terminated subject to Synod Council approval as required by paragraphs f. and g. below.

- 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 case \*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 in this church.
  - 2) Congregations which had been members of the Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in \*C6.05., to receive 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 foregoing provisions in \*C6.05., to satisfy all financial obligations to this church and receive Synod Council approval before terminating their membership in this church.
- h. If this congregation fails to achieve the required two-thirds vote of voting members present at this congregation's 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.

**\*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.

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

## Chapter 7.

### PROPERTY OWNERSHIP

- \*C7.01.** If this congregation ceases to exist, title to undisposed property shall pass to the Rocky Mountain Synod of the Evangelical Lutheran Church in America.
- \*C7.02.** If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline 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 the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to transfer to another Lutheran church body, title to property shall continue to reside in this congregation, provided the process for termination of relationship in \*C6.05. has been followed. Before this congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of the Rocky Mountain Synod.
- \*C7.04.** If 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 synod, 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.

  - C7.04.01.** This congregation shall dispose of its property as necessary to satisfy any self-accepted indebtedness before this congregation ceases to exist, becomes independent, or relates to another Lutheran church body in accordance with the provisions of Chapter 7.

**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 ELCA congregations who wish to retain such membership but desire to participate in the life and mission of this congregation. These individuals have all the privileges and duties of membership except voting rights or other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.
  - e. **Seasonal** members are voting members of other 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 in, or for membership on the Congregation Council or on a call committee of, this congregation;
    - 2) they shall not have the right to vote on any matter concerning or affecting the call or termination of call of any minister of this congregation;

- 3) they shall not have the right to vote on any matter concerning or affecting the affiliation of this congregation with 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 where they remain voting members.

**C8.02.01.** Admission to Baptized Membership:

- a. Children, one or both of whose parents or guardians are members of this congregation shall, upon being baptized in the name of the Triune God, be thereby received as baptized members of this congregation.
- b. Children, neither of whose parents or guardians are members of this congregation shall, upon being baptized in the name of the Triune God, duly recorded as a ministerial act performed under the auspices of this congregation, thereby be received as baptized members of this congregation unless there is understanding that, for good reason, they will be enrolled as baptized members of another congregation, in which case notice of the baptism shall be given to this congregation in which the child is to be enrolled as a baptized member.
- c. Children baptized in the name of the Triune God in other congregations (and baptized adults mentally incompetent for confirmation) shall be received as baptized members of this congregation upon admission of one or both parents or guardians to membership, or by consent of one or both parents or guardians, or by action of this congregation council.
- d. Unbaptized adults who have received instruction and given evidence of having an adequate understanding and acceptance of the teachings of the Word of God as confessed by the Evangelical Lutheran Church in America, shall, upon confession of faith and baptism in the name of the Triune God duly recorded as a ministerial act performed under the auspices of this congregation, be received as baptized members of this congregation.

**C8.02.02.** Admission to Confirmed Membership:

- a. Baptized adults, not previously members of this congregation, who have received instruction and given evidence of having adequate understanding and acceptance of the teachings of the Word of God as confessed by the Evangelical Lutheran Church in America shall be admitted to confirmed membership through the rite of confirmation or affirmation of baptism.

- b. Adults received as baptized members according to the provisions of C8.02.01.d shall, at the discretion of the minister of Word and Sacrament and congregation council be recognized as confirmed members, whether or not they participate in the rite of confirmation.
- c. Children who are baptized members of this congregation shall be admitted to confirmed membership through preparation for and participation in the rite of confirmation or affirmation of baptism.
- d. Applicants for membership presenting letters of transfer showing them to be confirmed members in good standing in other Lutheran churches shall be admitted to confirmed membership upon acceptance of their letters of transfer by the minister of Word and Sacrament and this congregation council and the report of their names to this congregation.
- e. Applicants for membership who present evidence of confirmation in a Lutheran church but do not have letters of transfer shall be admitted to confirmed membership when this congregation council and the minister of Word and Sacrament have determined that they meet the standards of Christian faith and life indicated in the constitution and bylaws and when they have reaffirmed their faith before this congregation.

**C8.02.03.** Admission to Voting Membership:

- a. This congregation Council shall be responsible for determining the voting membership in accordance with the qualifications specified in the constitution and bylaws.

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

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

- a. make regular use of the means of grace, both Word and sacraments;
- b. live a Christian life in accordance with the Word of God and the teachings of the Lutheran church; and
- c. support the work of this congregation, the synod, and the churchwide organization of the Evangelical Lutheran Church in America through contributions of their time, abilities, and financial support as biblical stewards.

**C8.04.01.** Communion participation:

- a. This congregation invites all of its members, who have been prepared, to receive the Sacrament and participate in Holy Communion.
- b. Participation in Holy Communion shall be open to all in accordance with the teachings of the Scripture.
- c. It shall be made known to prospective participants the belief of this congregation is:

Participation in the Lord's Supper according to Lutheran doctrine is the reception of "the body and blood of our Lord

Jesus Christ given with bread and wine, instituted by Christ himself for us to eat and drink." We hold that a "person is 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."

- \*C8.05.** Membership in this congregation shall be terminated by any of the following:
- a. death;
  - b. resignation;
  - c. transfer or release;
  - d. disciplinary action in accordance with Chapter 20 of the constitution and bylaws of the Evangelical Lutheran Church in America;
  - e. removal from the roll due to inactivity in accordance with the provisions of this constitution and its bylaws.

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

- C8.05.01.** Discontinuance of Membership:
- a. Members who move away shall be encouraged to transfer congregational membership and shall be provided with a letter of transfer. Any confirmed member in good standing desiring to change membership to another Lutheran Church shall, upon request, be entitled to a letter of transfer.
  - b. Any confirmed member who in the judgment of this congregation Council shows no interest in attending church services, or fails to partake of Holy Communion and fails to contribute to this congregational treasury according to this congregation's records, for a period of two years, shall be presumed no longer to desire membership, and shall not be counted in the membership statistics of this congregation. However, their name and record shall be kept on file for a period of five years thereafter. Such persons shall be encouraged to participate in this congregational life, or to transfer elsewhere, as the situation may indicate to be advisable. If they resume activity within the five-year period, they shall be restored to the active membership list; if not, they shall be dismissed from this congregation and notified accordingly, where possible.
  - c. Children, neither of whose parents or guardians are active members of this congregation, after having been invited to attend class for that age group, shall be placed on the inactive baptized membership roll if they fail to participate in the Christian education of this congregation.
  - d. Members who have been suspended, dismissed, resigned, or who have

transferred to other congregations, or who are definitely known to have become members of other congregations without transfer, shall thereby have lost membership in this congregation

**Chapter 9.**  
**ROSTERED MINISTER**

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

**C9.01.01.** This congregation, after it has voted to call a minister of Word and Sacrament, shall issue a letter of call in a form approved by The Evangelical Lutheran Church in America to the minister of Word and Sacrament elect, which shall bear the signatures of the president and secretary of the council, and shall be certified by the signature of the Synod Bishop. Calls to minister of Word and Sacrament to positions of assistance to the minister of Word and Sacrament shall be issued, in consultation with the minister of Word and Sacrament, in accordance with the provisions of this paragraph.

**\*C9.02.** Only a member of the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of Word and Sacrament who has been recommended for this congregation by the synod bishop may be called as a pastor of this congregation.

**\*C9.03.** Consistent with the faith and practice of the Evangelical Lutheran Church in America

a. Every minister of Word and Sacrament shall:

- 1) preach the Word;
- 2) administer the sacraments;
- 3) conduct public worship;
- 4) provide pastoral care;
- 5) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
- 6) impart knowledge of this church and its wider ministry through available channels of effective communication;
- 7) witness to the Kingdom of God in the community, in the nation, and abroad; and
- 8) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.

b. Each pastor with a congregational call shall, within the congregation:

- 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
- 2) relate to all schools and organizations of this congregation;
- 3) install regularly elected members of the Congregation Council;
- 4) with the council, administer discipline;
- 5) endeavor to increase the support given by the congregation to the work of the churchwide organization and of the Rocky Mountain Synod; and

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

**C9.03.01.** Every minister of Word and Sacrament serving this congregation shall have an individual loyalty to the faith and purpose of the Evangelical Lutheran Church in America, according to Chapters 2 and 4 of this constitution. Any question concerning such loyalty shall be adjudicated according to the recommended procedure of the Evangelical Lutheran Church in America.

**C9.03.02.** The minister of Word and Sacrament of this congregation shall not take part in ceremonies which are in conflict with C4.03.01 even if conducted outside the church premises. However, if in the interest of giving a Christian witness, without denying Christ and His Gospel, the minister of Word and Sacrament may at his/her discretion, take part, as a Christian individual but not representing this congregation or implying tacit approval of the Evangelical Lutheran Church in America.

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

**C9.04.01.** Minister of Word and Sacrament qualified according to this constitution may occasionally perform minister of Word and Sacramental functions in this congregation with the approval of this congregation and its minister of Word and Sacrament, or in the case of a vacancy in the minister of Word and Sacrament, with the approval of this congregation and the Synod Bishop.

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

- a. The call of this congregation, when accepted by a minister of Word and Sacrament, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by the pastor'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 minister of Word and Sacrament, which shall become effective, unless otherwise agreed no later than 30 days after the date on which it was submitted;
  - 3) inability to conduct the minister of Word and Sacramental office effectively in this congregation in view of local conditions;
  - 4) physical disability, or mental incapacity of the minister of Word and Sacrament;
  - 5) suspension of the minister of Word and Sacrament through discipline for more than three months;

- 6) resignation or removal of the pastor from the roster of Ministers of Word and Sacrament 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 pastor under paragraph a.4) above, or ineffective conduct of the minister of Word and Sacramental office under paragraph a.3) above, have come to the attention of the bishop of this synod,
- 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
  - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by this 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 pastor's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the pastorate vacant. When the pastorate is declared vacant, the Synod Council shall list the pastor on the roster of Ministers of Word and Sacrament with disability status. Upon removal of the disability and restoration of the minister of Word and Sacrament to health, the bishop shall take steps to enable the minister of Word and Sacrament to resume the ministry, either in this congregation last served or in another appropriate call.
- d. In the case of alleged local difficulties that imperil the effective functioning of the congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the minister of Word and Sacrament and then to this congregation. The recommendations of the bishop's committee must address whether the minister of Word and Sacrament's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by this congregation and by the minister of Word and Sacrament, if appropriate. If the minister of Word and Sacrament and congregation agree to carry out such recommendations, no further action need be taken by the synod.
- e. If either party fails to assent to the recommendations of the bishop's committee concerning the minister of Word and Sacrament's call, this congregation may dismiss the minister of Word and Sacrament only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a 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.
- C9.05.01.** Since the minister of Word and Sacrament ministers to this congregation primarily in the public preaching of the Word and in the administration of the Sacraments, and since both minister of Word and Sacrament and congregation are parties to the call, no minister of Word and Sacrament shall announce his or her decision on any subsequent call without first having consulted with this congregation or at least its Congregation Council. Should the minister of Word and Sacrament thereupon resign to accept another call, his or her resignation shall be presented to this congregation and mutually satisfactory arrangements sought for terminating his or her services, normally within 30 days.
- C9.05.02.** A desire for a change in minister of Word and Sacrament, either by congregation or minister of Word and Sacrament, shall be brought to the attention of the Synod Bishop who shall advise in the matter according to this constitution and the established procedure of the Evangelical Lutheran Church in America.
- \*C9.06.** At a time of minister of Word and Sacramental vacancy, an interim minister of Word and Sacrament shall be appointed by the bishop of the synod with the consent of this congregation or this congregation Council.
- \*C9.07.** During the period of service, an interim minister of Word and Sacrament shall have the rights and duties in this congregation of a regularly called minister of Word and Sacrament and may delegate the same in part to a supply minister of Word and Sacrament with the consent of the bishop of the synod and this congregation or Congregation Council. The interim minister of Word and Sacrament and any rostered minister providing assistance shall refrain from exerting influence in the selection of a pastor. Unless previously agreed upon by the Synod Council, an interim pastor is not available for a regular call to this congregation served.
- \*C9.08.** This congregation shall make satisfactory settlement of all financial obligations to a former minister of Word and Sacrament before calling a successor. A minister of Word and Sacrament shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting.
- \*C9.09.** When a minister of Word and Sacrament is called to serve in company with another minister of Word and Sacrament or minister of Word and Sacraments, the privileges and responsibilities of each minister of Word and Sacrament shall be specified in

documents to accompany the call and to be drafted in consultation involving the minister of Word and Sacraments, this congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.

**\*C9.11.** With the approval of the bishop of the synod, this congregation may depart from \*C9.05.a. and call a minister of Word and Sacrament for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the minister of Word and Sacrament 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 \*C9.05.a.

**\*C9.12.** The minister of Word and Sacrament of this congregation:

- a. shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from this congregation;
- b. shall submit a summary of such statistics annually to the synod; and
- c. shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the minister of Word and Sacrament shall hold membership in one of this congregations.

**\*C9.13.** The minister of Word and Sacrament(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 minister of Word and Sacrament 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 minister of Word and Sacrament before the installation of that minister of Word and Sacrament in call or approval of a request for change in Roster status.

**C9.14.01** The minister of Word and Sacrament shall be responsible for keeping records of membership and of his or her ministerial acts which shall remain the property of this congregation. He or she shall report these statistics to this congregation annually and, when required, to the secretary of The Evangelical Lutheran Church in America. Upon leaving this congregation, the minister of Word and Sacrament shall complete the records of his or her ministry up to the time of his or her departure.

**C9.15** Under special circumstances, subject to the approval of the synod bishop and the concurrence of this congregation, a minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a

relationship of full communion may serve temporarily as pastor of this congregation under a contract between this congregation and the pastor in a form proposed by the synod bishop and approved by this congregation.

**Note:** There is no C9.16 to C9.20 in the Update from the Synod.

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

## Chapter 10.

### CONGREGATION MEETING

**C10.01.** This congregation shall have at least one regular meeting per year. The regular meeting(s) of the congregation shall be held at the time(s) specified in the bylaws. Consistent with the laws of the State of Utah, the bylaws shall designate one regular meeting per year as the annual meeting of this congregation.

**C10.01.01.** Annual Meeting:

- a. The annual meeting of this congregation shall be held within 45 days after the end of the calendar year at such time and place as this congregation Council may designate. If the annual meeting was originally scheduled, it is permissible to delay up to thirty days in postponement for uncontrollable events.
- b. Announcement of the time and place of the annual congregation meeting shall be made two weeks' minimum prior to the meeting.
- c. The purpose of the annual meeting is to elect this congregation Council, adopt the budget, review the annual report, elect Nominating Committee, and select the voting members and alternates to the Synod Assembly, and other business that can legally be considered. The specific agenda for the annual meeting shall be set by the Executive Committee of this congregation Council.
- d. Should the number of candidates for any position(s), including those nominated by the nominating committee and those nominated from the floor, exceed the number of available vacancies, then the voting shall be by written ballot. A valid written ballot shall be one that contains no more votes than the number of declared vacant positions, as determined by this congregation Council prior to the Annual Meeting, but consistent with other requirements in the constitution and bylaws. An invalid ballot will not be counted. In the case of the election of Congregation Council members, the number of vacant positions must be consistent with C12.01.
- e. A candidate or candidates receiving a majority of votes cast shall be declared elected.
- f. Each council member except the minister of Word and Sacrament(s) is to be elected for a term of three years, but elected in such a manner that after the first election, one-third (or approximately one-third) is elected each year.
- g. A proposed budget to be presented for adoption at the annual meeting shall be made available to this congregation at least two Sundays prior to the annual meeting.
- h. The annual report shall be made available to this congregation prior to starting the annual meeting.

- C10.01.02.** For congregation meetings, voting shall be by written ballot in the following cases:
- a. To adopt or amend the articles of incorporation, constitution or bylaws of this congregation;
  - b. To call a minister of Word and Sacrament or to request his or her resignation;
  - c. To suspend a member from this congregation or remove a member from office in this congregation;
  - d. To sever membership in The Evangelical Lutheran Church in America;
  - e. To dispose of, encumber, or purchase real property;
  - f. When so ordered by vote of the voting members present.
- C10.02.** A special Congregation Meeting may be called by the (senior) pastor, this congregation Council, or the president of this congregation, and shall be called by the president of this congregation upon the written request of forty (40) voting members. The president of this congregation Council shall call a special meeting upon request of the synod bishop. The call for each special meeting shall specify the purpose for which it is to be held and no other business shall be transacted.
- C10.03.** Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays and by mail or electronic means, as permitted by state law, to all voting members at least 10 days in advance of the date of the meeting.
- C10.04.** Forty percent (40%) of the voting members shall constitute a quorum.
- C10.05.** Voting by proxy or by absentee ballot shall not be permitted.
- C10.06.** All actions approved by this congregation shall be by majority vote of those voting members present and voting, except as otherwise provided in this constitution, or by state law.
- C10.07.** *Robert's Rules of Order*, latest edition, shall govern parliamentary procedure of all meetings of this congregation.
- C10.08.** This congregation may hold meeting by remote communications, 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, and treasurer.
- a. Duties of the officers shall be specified in the bylaws.
  - b. The officers shall be voting members of this congregation.
  - c. Officers of this congregation shall serve similar offices of this congregation Council and shall be voting members of this congregation Council.
  - d. If this congregation Council elects its officers, the president, vice president, and secretary shall be elected from the elected membership of this congregation Council. If the treasurer is not selected from the elected membership of this congregation Council, the treasurer shall have voice but not vote at the meetings of this congregation Council.
- C11.01.01.** The officers of this congregation are expected to set a good and Christian example to the other members of this congregation by regular participation in divine worship, by hearing God's word, by doing God's work, and by frequently partaking of the Lord's Supper.
- C11.01.02** The President shall be the chief executive officer of this congregation, and it shall be the duty and responsibility of the President to:
- a. Preside at all meetings of this congregation, striving to conduct meetings in a proper and orderly manner in accordance with the Constitution and Bylaws;
  - b. Act as agent for service of process for this congregation;
  - c. Sign and execute (with the Secretary), in the name of this congregation, all authorized deeds, mortgages, notes, bonds, contracts or other necessary instruments;
  - d. Preside at the meetings of this congregation Council.
  - e. Serve this Congregation in leadership and coordination as set forth in the Constitution, Bylaws and Continuing Resolutions of this congregation and otherwise.
  - f. Insure that the Constitution, Bylaws and Continuing Resolutions of this congregation are followed.
  - g. Preside as chair of the Executive Committee, and prepare the agendas of meetings of this congregation, Executive Committee and Congregation Council, in cooperation with the minister of Word and Sacrament(s) of this congregation.
  - h. Provide for the annual review/performance appraisals as described in Constitution paragraph C12.04d.

- C11.01.03** The Vice-President shall have the following duties and responsibilities:
- a. In case of the absence or disqualification of the President for any reason, perform all duties of the President and when so acting the Vice President shall have all the powers of the President.
  - b. Convene, but not chair, the Nominating Committee.
  - c. Convene, but not chair, the Auditing Committee.
  - d. The vice-president shall see to a periodic and timely review of the Constitution, Bylaws and Continuing Resolutions, insuring that no conflicts arise in subservient documents.
  - e. Serve this Congregation in leadership and coordination as set forth in the Constitution, Bylaws and Continuing Resolutions of this congregation and otherwise.

- C11.01.04** The Secretary shall have the following duties and responsibilities:
- a. Keep the minutes of the annual and special meetings of this congregation.
  - b. Keep the minutes of all meetings of this congregation Council and Executive Committee, and direct their publication.
  - c. Sign and execute (with the President), in the name of this congregation, all authorized deeds, mortgages, notes, bonds, contracts or other necessary instruments.
  - d. Certify and submit official correspondence, when required by governing documents, with the Rocky Mountain Synod of the ELCA.
  - e. Issue letters of call on behalf of this congregation upon such terms as might be directed by this congregation or its authorized representatives in the call process.
  - f. Safeguard the minutes of this congregation and preserve its Archives.

- C11.01.05** The Treasurer is the Financial Officer of this congregation and shall be custodian of all funds of this congregation, receiving from the Financial Secretary all contributed funds, and has the following specific duties:
- a. The Treasurer is responsible for timely payment of all bills, invoices and charges, and payroll of employees, and shall oversee the disbursement of all such monies in accordance with the Budget of this congregation and orders of this congregation Council.
  - b. The Treasurer oversees or performs all the bookkeeping functions, including preparing periodic financial reports for church council, and filing all required Federal and State tax submissions.
  - c. The Treasurer is responsible for the church Chart of Accounts, and may establish new revenue, or expense accounts, including establishing separate Funds Accounts, when deemed appropriate and prudent.
  - d. The Treasurer continually monitors the cash position of this congregation, invests excess and special funds as directed by the

church council, and establishes loans for operating cash, when directed by the church council.

- e. The Treasurer prepares annual budget documents and reports, and assists church council in preparing the Annual Budget, and presentation of Budget data to this congregation.
- f. The Treasurer provides this congregation with requested financial information from the church's financial software system, and insures publication of budget and Financial data in the Annual Report of this congregation.
- g. The Treasurer provides materials, records and support for the Annual Audit of Ascension Lutheran Church Financial Records.

**C11.01.06** Signature authority to the financial institution accounts of this congregation is the primary responsibility of the Treasurer of this congregation. The Treasurer may assign another person signature authority with concurrence of Executive Committee to these accounts to ensure timely payments are made, but shall retain such authority and responsibility for such payments. The President, Vice-President, Secretary, all shall have such authority for when the Treasurer is not available to ensure timely payments are made. Specialized checking accounts used for petty cash checking may have a restricted signature authority limited to Treasurer and primary user(s).

**C11.02.** This congregation Council shall elect its officers and they shall be the officers of this congregation. The officers shall be elected by written ballot and shall serve for one year or until their successors are elected. Their terms shall begin at the close of the annual meeting at which they are elected.

**C11.02.01** The election of the officers shall occur at first legally called Congregation Council meeting following this congregation meeting at which council members were elected.

**C11.02.02.** Any newly-elected or continuing member of this congregation Council is eligible for nomination to serve in any office.

**C11.02.03.** Those council members eligible to vote for officers shall be newly-elected and continuing members of the council who will serve on this congregation Council during the coming year.

**C11.03** No officer shall hold more than one office at a time.

**Chapter 12.**

**CONGREGATION COUNCIL**

- C12.01.** The voting membership of this congregation Council shall consist of the minister of Word and Sacrament(s) and not less than 7 or more than 11 members of this congregation. Any voting member of this congregation may be elected, subject only to the limitation on the length of continuous service permitted in that office. A member's place on this 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 meetings of this congregation Council without cause. Consistent with the laws of the state in which this congregation is incorporated, this congregation may adopt procedures for the removal of a member of this congregation Council in other circumstances.
- C12.01.01.** Minister of Word and Service staff members shall be ex-officio, non-voting member(s) of this congregation Council.
- C12.01.02.** Adjustments in the salary of the minister of Word and Sacrament(s) and minister of Word and Service shall be the responsibility of this congregation Council subject to this congregation's approval of the budget.
- C12.01. A05** Reviews of the minister of Word and Sacrament(s) and rostered staff shall be conducted annually in accordance with the most recently adopted policies of this congregation Council.
- C12.02.** The members of this congregation Council except the minister of Word and Sacrament(s) shall be elected by written ballot to serve for three years or until their successors are elected. Such members shall be eligible to serve no more than two full terms consecutively. Their terms shall begin at the close of the annual meeting at which they are elected.
- C12.02.01.** Newly elected Congregation Council members shall be installed during a Sunday worship service following the annual meeting.
- C12.03.** Should a member's place on this congregation Council be declared vacant, this congregation Council shall elect, by majority vote, a successor until the next annual meeting.
- C12.03.01.** The filling of an unexpired term of less than one year shall not be deemed to be a term of office.
- C12.04.** This 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 this 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 rostered minister(s), Associate(s) in Ministry, and staff and help them annually to evaluate the fulfillment of their calling, or employment.
- e. To be examples individually and corporately of the style of life and ministry expected of all baptized persons.
- f. To promote a 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 support of the synod and churchwide organization of the Evangelical Lutheran Church in America as well as cooperation with other congregations, both Lutheran and non-Lutheran, subject to established policies of the synod and the Evangelical Lutheran Church in America.
- I. To recommend and encourage the use of program resources produced or approved by the Evangelical Lutheran Church in America.
- j. To seek out and encourage qualified persons to prepare for the ministry of the Gospel.

**C12.04.01.** It is incumbent upon all members of this congregational Council to make diligent use of the Word of God in the Public Worship, and to attend the Lord's Supper.

**C12.04.02.** Reviews of the minister of Word and Sacrament(s) and rostered staff as well as reviews of all other staff shall be conducted annually.

**C12.05.** This congregation Council shall be responsible for the financial and property matters of this congregation.

- a. This 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 Utah, except as otherwise provided herein.
- b. This congregation Council shall not have the authority to buy, sell, or encumber real property unless specifically authorized to do so by a meeting of this congregation.

- c. This congregation Council may enter into contracts of up to \$4000 for items not included in the budget.
  - d. This 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 additional obligations of more than \$6000 in excess of the anticipated receipts only after approval by a Congregation Meeting. The budget shall include this congregation's full indicated share in support of the wider ministry being carried on in collaboration with the synod and churchwide organization.
  - e. This 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 monies to the synod treasurer.
  - f. This congregation Council shall be responsible for this congregation's investments and its total insurance program.
- C12.05.02.** Two signatures (outside of the same family) shall be required to disperse funds of \$100 or more.
- C12.05.03** This congregation Council shall appoint the Financial Secretary and Assistant Financial Secretary(s) of this Congregation in a Continuing Resolution. The term of office of the Financial Secretary(s) shall be as determined by this congregational Council. The Financial Secretary will be recognized as an appointed officer of this congregation for the purpose of dealing with financial deposit institutions.
- C12.05.04** The Financial Secretary shall have the following duties and responsibilities:
- a. Receive and keep record of all income from contributing members, other contribution sources, and other receipts of bequests and grants, classifying such receipts within reporting requirements of pertinent IRS regulations on contributions.
  - b. Report to the Treasurer the results of each count and deposit, including the breakdown of offerings for each fund income account, and needs for new accounts.
  - c. Provide a contribution statement to all contributors of record at the conclusion of this congregation's fiscal year, and at other times throughout the year as may be appropriate.
  - d. The Financial Secretary(s) with assistance of the Treasurer and the Finance Committee (if existing), is responsible for detailing the procedures for counting and handling of contribution receipts and submitting to Congregation Council for approval as a Continuing Resolution.
  - e. The Financial Secretary, with assistance of the Assistant Financial Secretary, will train those individuals who are involved in the offering counting process.

- f. The Financial Secretary(s) will be a member of the Stewardship Committee and provide support with reports for the annual stewardship and other campaigns.
- g. Provide support to Finance and Budget Committees with reports as appropriate for their activities.
- h. An outgoing Financial Secretary has a responsibility to train the incoming Financial Secretary on all aspects of the contribution receiving process, including use of contributions software, and introduction to contacts at financial depository.

**C12.05.05.** This congregation Council will establish Policy and Procedure for use of the property, facilities, and equipment of Ascension Lutheran Church and publish same in a Continuing Resolution.

**C12.05.06.** All fund-raising activities associated with Ascension Lutheran Church must first be approved by this congregation Council. This congregation Council may publish a policy concerning fund raising in a continuing resolution.

**C12.06.** This congregation Council shall see that the provisions of this constitution, its bylaws, and the continuing resolutions are carried out.

**C12.07.** This congregation Council shall provide for an annual review of the membership roster.

**C12.08.** This congregation Council shall be responsible for the employment and supervision of staff 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.

**C12.08.01.** This congregation Council shall be empowered to secure such help as is needed to carry on the work of this congregation such as organist, choir director, parish worker, minister of Word and Sacrament's secretary, intern, custodian, etc., and shall fix their salaries.

**C12.08.02.** Staff member hiring, termination, and evaluation is the responsibility of this congregation Council, facilitated by the Executive Committee acting as the Personnel Committee. The Minister of Word and Sacrament shall have supervisory authority over all employees of this congregation. During the extended absence of a Minister of Word and Sacrament, such supervisory authority shall reside with the Officers of this congregation.

- C12.08.03.** The (senior) minister of Word and Sacrament will define, with assistance of Congregation Council, the working relationship and responsibilities of the salaried lay workers through written job descriptions or church musician contracts. The Council is responsible for periodic review and update of church musician contracts.
- C12.09.** This congregation Council shall submit a comprehensive report to this congregation at the annual meeting.
- \*\*\*NOTE: The Model Constitution has omitted C12.10.**
- C12.11.** This congregation Council shall normally meet once a month. Special meetings may be called by the minister of Word and Sacrament or the president and shall be called by the president at the request of at least one-half of its members. Notice of each special meeting shall be given to all who are entitled to be present.
- C12.11.01** Meetings of this congregation Council shall be open to all voting members of this congregation unless the meeting, or a portion of the meeting is specifically declared to be in Executive Session by a vote of the majority of this congregation Council. Those attending open meetings who are not duly elected members of this congregation Council shall not have voice unless asked to participate by this congregation Council.
- C12.12.** A quorum for the transaction of business shall consist of a majority of the members of this congregation Council, including the (senior) pastor or interim pastor, except when the (senior) pastor or interim pastor requests or consents to be absent and has given prior approval to the agenda for a particular regular or special meeting, which shall be the only business considered at that meeting. Chronic or repeated absence of the (senior) pastor or interim pastor who has refused approval of the agenda of a subsequent regular or special meeting shall not preclude action by this congregation Council, following consultation with the synod bishop.
- C12.12.01** Voting by proxy or by absentee ballot shall not be permitted during a meeting of this congregation Council.
- C12.13.** This 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 of this congregation and the minister of Word and Sacrament(s) shall constitute the *Executive Committee*.
- C13.01.01** The functions of this committee are to serve as the Personnel Committee, act for this congregation Council between Council meetings, give overview to the total program of this congregation, as well as coordinate the work of the Council.
- a. The Executive Committee shall be empowered to act on all emergency matters and other matters whenever the committee membership considers it necessary or advisable. Decisions will be subject to review of this congregation Council.
  - b. The Executive Committee shall annually evaluate the programs of this congregation and should plan for an annual Congregation Council retreat.
- C13.02.** A *Nominating Committee* of six voting members of this congregation, two of whom, if possible, shall be outgoing members of this 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 reelection.
- C13.02.01.** The duty of the Nominating Committee shall be to prepare a slate of one or more candidates for each office to be filled and synod assembly voting members and alternates and to secure the consent of each candidate/delegate to serve if elected.
- a. The slate of candidates shall be made known to this congregation in conjunction with the announcement of the annual or special meeting at which the election is to take place.
  - b. In addition to the slate of candidates submitted, additional nominations may be made from the floor.
- C13.02.02.** A vacancy occurring in the Nominating Committee shall be filled by appointment by this congregation Council.
- C13.03.** An *Audit Committee* of three voting members shall be elected by this congregation Council. Audit Committee members shall not be members of this congregation Council. Term of office will be three years, with one member elected each year. Members shall be eligible for reelection.
- C13.03.01** The Vice President shall serve as convener for the Audit Committee. The committee may select a chairperson from their membership.
- C13.03.02** The Audit Committee shall make an independent evaluation of the financial reports, records and the internal controls of this congregation for the

purpose of reasonably verifying the reliability of the financial reporting, whether assets are being safeguarded, and whether this congregation is complying with the law and with this congregation's constitution, policies and procedures.

- a. The Audit Committee will make use of this congregational Audit Guide produced by the ELCA Office of the Treasurer which provides comprehensive checklists for the auditing.
- b. The Audit Committee will prepare the detailed audit report for this congregational Council use in correcting discrepancies found during the audit.
- c. The Audit Committee will also prepare a simplified report to be included in this congregation Annual Report.

**C13.03.03** In addition to the Annual Audit task, the Audit Committee may also be asked to review and comment on changes in Accounting Procedures, or changes to Internal Controls, or other revised Financial Procedures, as these updates occur throughout the year to improve financial processes.

**C13.04.** *Mutual Ministry Committee(s)* (in the absence of a mutual ministry committee, the duties shall be fulfilled by the executive committee) shall be appointed jointly by the president (vice president) and rostered minister. Term of office shall be two years, with three members to be appointed in each successive year.

**C13.05.** When a vacancy occurs in a position for which this congregation calls a rostered minister, a *Call Committee* of six voting members shall be elected by this congregation. Term of office will terminate upon installation of the newly called rostered minister.

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

**C13.06.01** A Memorial Committee will be established to oversee the planning for and the expenditure of the Memorial Fund. The Memorial Committee chairperson shall be appointed by this congregation Council. Term of office shall be two years with eligibility for reappointment. The chairperson shall be responsible for selecting committee members and submitting names to this congregation Council. Functions of the committee will be detailed in a Continuing Resolution.

**C13.06.02** A Finance Committee may be established. If so, the membership, structure, and duties will be defined in a Continuing Resolution

**C13.06.03** This congregation Council shall establish a Property Committee and appoint a Property Manager and at least two committee members to serve a 2-year term. The Property Manager shall convene and lead the Property Committee as well as have supervisory authority over property custodian(s) employees or

monitor and inspect work of independent contractors. The Property Committee shall plan, organize, direct/control and execute property repairs, renovations, upgrades, additions and capital projects as approved by this congregation and Congregation Council. The duties and responsibilities of the Committee, Property Manager and committee members shall be specified in a continuing resolution.

**C13.07.** Duties of committees and service teams of this congregation shall be specified in the continuing resolutions.

**C13.07.01.** This congregation Council shall cause to be prepared descriptions of the responsibilities of each committee, service team, task force, or other organizational groups and shall review their actions. Functions of each group will be detailed in a continuing resolution.

**C13.07.D00.** This congregation Council shall appoint a member of this congregation (preferably a member of Council) to serve as Property Maintenance Officer. The term of office will be one year (January 1 - December 31). There is no limit to the number of consecutive terms that an individual may serve. The responsibilities of the Property Maintenance Officer include, but are not limited to:

- a. Overseeing the paid custodial staff. Recommendation regarding hiring, dismissal, or salary shall be presented to the Executive Committee for its consideration. The Executive Committee will then bring those recommendations forward to this congregation Council as appropriate.
- b. Arranging for on-going maintenance of the grounds, including lawn mowing, sprinkler systems, weed control, landscaping, and snow removal.
- c. Organizing short-term volunteer task teams for specific projects, including, but not limited to, painting, minor repairs, sprinkler systems enhancements or maintenance, and spring and fall cleaning events.
- d. Arranging for the services of plumbers, electricians, carpenters, HVAC specialists, roofers, etc. to deal with immediate maintenance concerns.
- e. Making recommendations to the Council (via the Executive Committee) regarding major maintenance expenses (i.e. those not contained within the annual budget).

**\*\*\*NOTE:** Why start with C13.07.D00? I was able to look back as far as 1975 and did not see previous numbers C13.07.A00, B00, and C00. Therefore, it is assumed they were deleted.

**C13.08.** The senior minister of Word and Sacrament 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 THIS CONGREGATION**

- C14.01.** All organizations within this congregation shall exist to aid it in ministering to the members of this congregation and to all persons who can be reached with the Gospel of Christ. As outgrowths and expressions of this congregation's life, the organizations are subject to its oversight and direction. 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 this congregation Council and specified in a continuing resolution.

## Chapter 15.

### DISCIPLINE OF MEMBERS AND ADJUDICATION

- \*C15.01.** Persistent and public denial of the Christian faith, willful or criminal conduct grossly unbecoming a member of the Church of Christ, continual and intentional interference with the ministry of this congregation, or willful and repeated harassment or defamation of member(s) of this congregation is sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation and repentance will be attempted following Matthew 18:15-17, proceeding through these successive steps, as necessary: a) private counsel and admonition by the minister of Word and Sacrament, b) censure and admonition by the minister of Word and Sacrament in the presence of two or three witnesses, c) written referral of the matter by this congregation Council to the vice president of the synod, who will refer it to a consultation panel drawn from the Consultation Committee of the synod, and d) written referral of the matter by the consultation panel to the Committee on Discipline of the synod. If, for any reason, the minister of Word and Sacrament is unable to administer the admonitions required by paragraphs a. and b. hereof, those steps may be performed by another minister of Word and Sacrament chosen by the Executive Committee of this congregation Council.
- \*C15.02.** The process for discipline of a member of this 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 this congregation Council, signed, and submitted to the vice president of the synod. The vice president shall select from the synod's Consultation Committee a panel of five members (three lay persons and two ministers of Word and Sacrament). A copy of the written charges shall be provided to the consultation panel and the accused member(s). The consultation panel, after requesting a written reply to the charges from the accused member(s), shall consider the matter and seek a resolution by means of investigation, consultation, mediation, or whatever other means may seem appropriate. The panel's efforts to reach a mutually agreeable resolution shall continue for no more than 45 days after the matter is submitted to it.
- \*C15.03.** If the consultation panel fails to resolve the matter, that panel shall refer the case in writing, including the written charges and the accused member's reply, to the Committee on Discipline of the synod for a hearing. A copy of the panel's written referral shall be delivered to the vice president of the synod, this 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. This congregation Council and the accused member(s) are the parties to the case.

- \*C15.04.** The discipline hearing panel shall commence and conduct the disciplinary hearing in accordance with the provisions governing discipline of congregation members prescribed in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.
- \*C15.05.** By the vote of at least two-thirds of the members of the discipline hearing panel who are present and voting, one of the following disciplinary sanctions can be imposed:
- a. suspension from the privileges of congregation membership for a designated period of time;
  - b. suspension from the privileges of congregation membership until the minister of Word and Sacrament and Congregation Council receive evidence, satisfactory to them, of repentance and amendment of life;
  - c. termination of membership in this congregation; or
  - d. termination of membership in this congregation and exclusion from the church property and from all congregation activities.
- \*C15.06.** The written decision of the discipline hearing panel shall be sent to the vice president of the synod, the accused member(s), and this 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 this congregation Council and recorded in the minutes of the next council meeting.
- \*C15.07.** No member of this congregation shall be subject to discipline a second time for offenses that a discipline hearing panel has heard previously and decided pursuant to this chapter.
- \*C15.10. Adjudication**
- \*C15.11.** When there is disagreement between or among factions within this congregation on a substantive issue which cannot be resolved by the parties, members of this congregation may petition the synod bishop for consultation after informing the president of this congregation 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, the bishop shall refer the matter to the Consultation Committee of the synod, which shall undertake efforts to find an appropriate solution. If the Consultation Committee's efforts fail to resolve the dispute, the entire matter shall be referred to the Synod Council for adjudication by whatever process the Council deems necessary. The Synod Council's decision shall be final.

**Chapter 16.**  
**AMENDMENTS**

- \*C16.01.** Unless provision \*C16.04. is applicable, those sections of this constitution that are not required, in accord with the *Model Constitution for Congregations of the Evangelical Lutheran Church in America*, may be amended in the following manner. Amendments may be proposed by at least twenty voting members or by this congregation Council. Proposals must be filed in writing with this congregation Council 60 days before formal consideration by this congregation at a regular or special Congregation Meeting called for that purpose. This congregation Council shall notify this congregation's members of the proposal together with the council's recommendations at least 30 days in advance of the meeting. Notification may take place by mail or electronic means, as permitted by state law.
- \*C16.02.** An amendment to this constitution, proposed under \*C16.01., shall:
- a. be approved at any legally called meeting of this congregation by a majority vote of those voting members present and voting;
  - b. be ratified without change at the next regular meeting of this congregation held pursuant to C10.01 by a two-thirds vote of those voting members present and voting; and
  - c. have the effective date included in the resolution and noted in the constitution.
- \*C16.03.** Any amendments to this constitution that result from the processes provided in \*C16.01. and \*C16.02. shall be sent by the secretary of this congregation to the synod. The synod shall notify 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
- \*C16.04.** This constitution may be amended to bring any section into conformity with a section or sections, either required or not required, of the *Model Constitution for Congregations of the Evangelical Lutheran Church in America* as most recently amended by the Churchwide Assembly. Such amendments may be approved by a majority vote of those voting members present and voting at any legally called meeting of this congregation without presentation at a prior meeting of this congregation, provided that this congregation Council has submitted by mail or electronic means, as permitted by state law, notice to this congregation of such an amendment or amendments together with the council's recommendations, at least 30 days prior to the meeting. Upon the request of at least two voting members of this congregation, this 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.

**Chapter 17.**  
**BYLAWS**

- \*C17.01.** This congregation may adopt bylaws. No bylaw may conflict with this constitution.
- \*C17.02.** Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a two-thirds vote of those voting members present and voting.
- \*C17.03.** Changes to the bylaws may be proposed by any voting member, provided that such additions or amendments be submitted in writing to this congregation Council at least 60 days before a regular or special Congregation Meeting called for that purpose. This congregation Council shall notify this congregation's members of the proposal with the council's recommendations at least 30 days in advance of this congregation Meeting. Notification may take place by mail or electronic means, as permitted by state law.
- \*C17.04.** Adopted or amended bylaws shall be sent by the secretary of this congregation to the synod.

## Chapter 18.

### CONTINUING RESOLUTIONS

**\*C18.01.** This congregation in a legally called meeting or this congregation Council may enact continuing resolutions. Such continuing resolutions may not conflict with the constitution or bylaws of this congregation.

**C18.01.01** *"Continuing resolutions are intended to provide descriptions of operational patterns and practices or of the ongoing responsibilities of committees or other units within the organizational structure of this congregation." (From **Introduction to the Model Constitution for Congregations**. Page 2).* Continuing Resolutions, as part of this congregation Governing Documents, are the primary vehicle for establishing longstanding policy and/or procedures by this congregational Council. Continuing Resolutions are useful because of the feature that these resolutions remain in force, spanning council terms of office, until there is a need for update. When update is needed, changes can be accomplished at any legally called council meeting by two-thirds majority vote.

**C18.01.02** The Secretary has the responsibility to assign the numbering for continuing resolutions to assure accuracy of reference, prevent duplication, and to publish and distribute the resolution following its adoption.

- a. Numbering follows the relevant constitutional provision or bylaw to which they refer. Continuing resolutions are codified with three sets of numbers, where the first two are from the Constitution, and the third set is preceded by a capital letter. The final letter and numbers designate continuing resolution position in series for that paragraph followed by the last two digits of the year when the resolution was adopted or updated.
- b. The duties of congregational committees may be specified in bylaws or continuing resolutions. When those duties and responsibilities are more detailed, and likely to be updated from time to time, the continuing resolution provides ease of update.
- c. Continuing resolutions are adopted and amended in accordance with Chapter 18 of Constitution.
- d. When appointments are made by this congregation Council which span terms of current and future councils, the appointments should be made using a continuing resolution which then remains in force and provides continuity in an appointment.
- e. No exact format for Continuing Resolutions is specified beyond title and number. However, the Secretary may gather examples for templates based on previously adopted resolutions and provide those for reference by members who will be creating continuing resolutions for adoption.

- \*C18.02.** Continuing resolutions shall be enacted or amended by a majority vote of a meeting of this congregation or a two-thirds vote of all voting members of this 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.*