

**CONSTITUTION, BYLAWS AND CONTINUING RESOLUTIONS OF  
TEMPLE LUTHERAN CHURCH OF BROOKLINE  
HAVERTOWN, PA**

Effective January 22, 2023

**Numbering System**

Cx.xx Constitution

Cx.xx.xx Bylaws, with the first two sets of numbers corresponding to the appropriate section of the Constitution

Cx.xx.A90 Continuing Resolutions, with the first two sets of numbers corresponding to the appropriate section of the Constitution, the last two numbers indicating the year the resolution was adopted, and the letter indicating which resolution of a given year.

The indentation within the document also helps to differentiate between the Constitution, the Bylaws and the Continuing Resolutions.

**Notes**

\* Indicates required sections, in the exact wording provided in the model constitution.

Cx.10 In the model constitution, Cx.10 and multiples thereof have been reserved for possible use as section headings in future editions.

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43 **\*PREAMBLE**

44  
45 We, baptized members of the Church of Christ, responding in faith to the call of the Holy Spirit through the Gospel,  
46 desiring to unite together to preach the Word, administer the sacraments, and carry out God's mission, do hereby  
47 adopt this constitution and solemnly pledge ourselves to be governed by its provisions. In the name of the Father  
48 and of the Son and of the Holy Spirit.  
49

50 **Chapter 1. NAME AND INCORPORATION**

51  
52 C1.01. The name of this congregation shall be Temple Lutheran Church of Brookline.

53  
54 C1.02. For the purpose of this constitution and the accompanying bylaws, the congregation of Temple  
55 Lutheran Church of Brookline is hereinafter designated as ``this congregation."  
56

57 C1.11. This congregation shall be incorporated under the laws of the Commonwealth of Pennsylvania.  
58

59 **Chapter 2. CONFESSION OF FAITH**

60  
61 \*C2.01. This congregation confesses the Triune God, Father, Son, and Holy Spirit.  
62

63 \*C2.02. This congregation confesses Jesus Christ as Lord and Savior and the Gospel as the power of God for  
64 the salvation of all who believe.

65 a. Jesus Christ is the Word of God incarnate, through whom everything was made and through whose  
66 life, death, and resurrection God fashions a new creation.

67 b. The proclamation of God's message to us as both Law and Gospel is the Word of God, revealing  
68 judgment and mercy through word and deed, beginning with the Word in creation, continuing in the  
69 history of Israel, and centering in all its fullness in the person and work of Jesus Christ.

70 c. The canonical Scriptures of the Old and New Testaments are the written Word of God. Inspired by  
71 God's Spirit speaking through their authors, they record and announce God's revelation centering in  
72 Jesus Christ. Through them God's Spirit speaks to us to create and sustain Christian faith and  
73 fellowship for service in the world.  
74

75 \*C2.03. This congregation accepts the canonical Scriptures of the Old and New Testaments as the inspired  
76 Word of God and the authoritative source and norm of its proclamation, faith, and life.  
77

78 \*C2.04. This congregation accepts the Apostles', Nicene, and Athanasian Creeds as true declarations of the faith  
79 of this congregation.  
80

81 \*C2.05. This congregation accepts the Unaltered Augsburg Confession as a true witness to the Gospel,  
82 acknowledging as one with it in faith and doctrine all churches that likewise accept the teachings of the  
83 Unaltered Augsburg Confession.  
84

85 \*C2.06. This congregation accepts the other confessional writings in the Book of Concord, namely, the Apology  
86 of the Augsburg Confession, the Smalcald Articles and the Treatise, the Small Catechism, the Large  
87 Catechism, and the Formula of Concord, as further valid interpretations of the faith of the Church.  
88

89 \*C2.07. This congregation confesses the Gospel, recorded in the Holy Scripture and confessed in the ecumenical  
90 creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for  
91 God's mission in the world.  
92

93 **Chapter 3. NATURE OF THE CHURCH**

94  
95 \*C3.01. All power in the Church belongs to our Lord Jesus Christ, its head. All actions of this congregation are  
96 to be carried out under his rule and authority.  
97

- 98 \*C3.02. This church confesses the one, holy, catholic, and apostolic Church and is resolved to serve Christian  
99 unity throughout the world.
- 100
- 101 \*C3.03. The Church exists both as an inclusive fellowship and as local congregations gathered for worship and  
102 Christian service. Congregations find their fulfillment in the universal community of the Church, and  
103 the universal Church exists in and through congregations. The Evangelical Lutheran Church in  
104 America, therefore, derives its character and powers both from the sanction and representation of its  
105 congregations and from its inherent nature as an expression of the broader fellowship of the faithful. In  
106 length, it acknowledges itself to be in the historic continuity of the communion of saints; in breadth, it  
107 expresses the fellowship of believers and congregations in our day.
- 108
- 109 \*C3.04. This church, inspired and led by the Holy Spirit, participates in The Lutheran World Federation as a  
110 global communion of churches, engaging in faithful witness to the gospel of Jesus Christ and in service  
111 for the sake of God's mission in the world.
- 112
- 113 \*C3.05. The name Evangelical Lutheran Church in America (ELCA or "this church") as used herein refers in  
114 general references to this whole church, including its three expressions - congregations, synods, and  
115 the churchwide organization. The name Evangelical Lutheran Church in America is also the name of  
116 the corporation of the churchwide organization to which specific references may be made herein.
- 117

#### 118 **Chapter 4. STATEMENT OF PURPOSE**

119

- 120 \*C4.01. The Church is a people created by God in Christ, empowered by the Holy Spirit, called and sent to bear  
121 witness to God's creative, redeeming, and sanctifying activity in the world.
- 122
- 123 \*C4.02. To participate in God's mission, this congregation as a part of the Church shall:
- 124 a. Worship God in proclamation of the Word and administration of the sacraments and through lives  
125 of prayer, praise, thanksgiving, witness, and service.
- 126 b. Proclaim God's saving Gospel of justification by grace for Christ's sake through faith alone,  
127 according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel  
128 faithfully to future generations.
- 129 c. Carry out Christ's Great Commission by reaching out to all people to bring them to faith in Christ  
130 and by doing all ministry with a global awareness consistent with the understanding of God as  
131 Creator, Redeemer, and Sanctifier of all.
- 132 d. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating  
133 dignity justice, and equity for all people, working for peace and reconciliation among the nations,  
134 caring for the marginalized, embracing and welcoming racially and ethnically diverse populations  
135 standing in solidarity with the poor and oppressed, and committing itself to their needs.
- 136 e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life  
137 as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for  
138 their life together and for their calling in the world.
- 139 f. Manifest the unity given to the people of God by living together in the love of Christ and by joining  
140 with other Christians in prayer and action to express and preserve the unity which the Spirit gives.
- 141
- 142 \*C4.03. To fulfill these purposes, this congregation shall:
- 143 a. Provide services of worship at which the Word of God is preached and the sacraments are  
144 administered.
- 145 b. Provide pastoral care and assist all members to participate in this ministry.
- 146 c. Challenge, equip, and support all members in carrying out their calling in their daily lives and in  
147 their congregation.
- 148 d. Teach the Word of God.
- 149 e. Witness to the reconciling Word of God in Christ, reaching out to all people.
- 150 f. Respond to human need, work for justice and peace, care for the sick and the suffering, and  
151 participate responsibly in society.
- 152 g. Motivate its members to provide financial support for this congregation's ministry and the ministry  
153 of 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. The Congregation Council shall prepare descriptions of the responsibilities of each committee, task force, or other organizational group and shall review their actions. Such descriptions shall be contained in continuing resolutions in the section on the Congregation Committees.

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

C4.05.01 The mission of Temple Lutheran Church is To Know Christ and Make Christ Known.

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

## **Chapter 5. POWERS OF THE CONGREGATION**

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

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

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

- a. call a pastor as provided in Chapter 9;
- b. terminate the call of a pastor as provided in Chapter 9;
- c. call 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 Southeastern Pennsylvania Synod of the Evangelical Lutheran Church in America.

C5.04.01 Additional Information:

- 1) If not elected at the Annual Meeting, the Congregation Council shall elect the voting members identified in \*C5.04.

- 209 2) The congregation shall pay the expenses incurred by those elected under this section in  
210 connection with their attendance.  
211 3) Those attending the Synod Assembly on behalf of the congregation shall report on such  
212 meetings to the congregation and Congregation Council, either verbally or in writing.  
213

## 214 **Chapter 6. CHURCH AFFILIATION**

215

- 216 \*C6.01. This congregation shall be an interdependent part of the Evangelical Lutheran Church in America or  
217 its successor, and of the Southeastern Pennsylvania Synod of the Evangelical Lutheran Church in  
218 America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America.  
219
- 220 \*C6.02. This congregation accepts the Confession of Faith and agrees to the purposes of the Evangelical  
221 Lutheran Church in America and shall act in accordance with them.  
222
- 223 \*C6.03. This congregation acknowledges its relationship with the Evangelical Lutheran Church in America in  
224 which:  
225 a. This congregation agrees to be responsible for its life as a Christian community.  
226 b. This congregation pledges its financial support and participation in the life and mission of the  
227 Evangelical Lutheran Church in America.  
228 c. This congregation agrees to call pastoral leadership from the roster of Ministers of Word and  
229 Sacrament of the Evangelical Lutheran Church in America in accordance with its call procedures  
230 except in special circumstances and with the approval of the bishop of the synod. These special  
231 circumstances are limited either to calling a candidate approved for the roster of Ministers of Word  
232 and Sacrament of the Evangelical Lutheran Church in America or to contracting for pastoral services  
233 with a minister of Word and Sacrament of a church body with which the Evangelical Lutheran  
234 Church in America officially has established a relationship of full communion.  
235 d. This congregation agrees to consider ministers of Word and Service for call to other staff positions  
236 in this congregation according to the procedures of the Evangelical Lutheran Church in America.  
237 e. This congregation agrees to file this constitution and any subsequent changes to this constitution  
238 with the synod for review to ascertain that all of its provisions are in agreement with the constitution  
239 and bylaws of the Evangelical Lutheran Church in America and with the constitution of the synod.  
240
- 241 \*C6.04. Affiliation with the Evangelical Lutheran Church in America is terminated as follows:  
242 a. This congregation takes action to dissolve.  
243 b. This congregation ceases to exist.  
244 c. This congregation is removed from membership in the Evangelical Lutheran Church in America  
245 according to the procedures for discipline of the Evangelical Lutheran Church in America or in  
246 accordance with provision 9.23. of the constitution and bylaws of the Evangelical Lutheran Church  
247 in America.  
248 d. The Southeastern Pennsylvania Synod takes charge and control of the property of this congregation  
249 to hold, manage, and convey the same on behalf of the synod pursuant to †S13.24. of the synod  
250 constitution. This congregation shall have the right to appeal the decision to the next Synod  
251 Assembly.  
252 e. This congregation follows the procedures outlined in \*C6.05.  
253
- 254 \*C6.05. This congregation may terminate its relationship with the Evangelical Lutheran Church in America by  
255 the following procedure:  
256 a. A resolution indicating the intent to terminate its relationship must be adopted at two legally called  
257 and conducted special meetings of this congregation by a two-thirds vote of the voting members  
258 present at each meeting. The first such meeting may be held no sooner than 30 days after written  
259 notice of the meeting is received by the bishop of the synod, during which time this congregation  
260 shall consult with the bishop and the bishop's designees, if any. The times and manner of the  
261 consultation shall be determined by the bishop in consultation with the Congregation Council.  
262 Unless the bishop and/or the bishop's designees are voting members of this congregation, they shall  
263 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 the bishop and/or the bishop's designees are voting members of this congregation, they 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 Southeastern Pennsylvania 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 Southeastern Pennsylvania 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.
- \*C7.05. Notwithstanding the provisions of \*C7.02. and \*C7.03. above, where this congregation has received property from the synod pursuant to a deed or other instrument containing restrictions under provision 9.71.a. of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*, this congregation accepts such restrictions and:
- Shall not transfer, encumber, mortgage, or in any way burden or impair any right, title, or interest in the property without prior approval of the Synod Council.
  - Shall—upon written demand by the Synod Council, pursuant to †S13.23. of the constitution of the Southeastern Pennsylvania Synod—reconvey and transfer all right, title, and interest in the property to the synod.

## Chapter 8. MEMBERSHIP

- \*C8.01. Members of this congregation shall be those baptized persons on the roll of this congregation at the time that this constitution is adopted and those who are admitted thereafter and who have declared and maintain their membership in accordance with the provisions of this constitution and its bylaws.
- \*C8.02. Members shall be classified as follows:
- 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.
  - 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.
  - 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.
  - Associate** members are persons holding membership in other Christian congregations who wish to retain such membership but desire to participate in the life and mission of this congregation. 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.

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

C8.03.01 The names of new members shall be publicly announced and they shall be received into the congregation at a Sunday morning service.

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

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

\*C8.05. 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; or
- e. removal from the roll due to inactivity in accordance with the provisions of this constitution and its bylaws.

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

C8.05.01 Inactivity shall be defined as not maintaining voting membership for two consecutive years.

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



- \*C9.02. Only a member of the roster of Ministers of Word and Sacrament 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, advocating dignity, justice, and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, and embracing and welcoming racially and ethnically diverse populations.
  - 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 Southeastern Pennsylvania 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*.
- \*C9.04. The specific duties of the pastor, compensation, and other matters pertaining to the service of the pastor shall be included in a letter of call, which shall be attested by the bishop of the synod.
- \*C9.05. The provisions for termination of the mutual relationship between a minister of Word and Sacrament and this congregation shall be as follows:
- a. The call of this congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment which shall be terminated only by the pastor's death or, following consultation with the synod bishop, for any of the following reasons:
    - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
    - 2) resignation of the pastor, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
    - 3) inability to conduct the pastoral office effectively in this congregation in view of local conditions;
    - 4) inability to conduct the pastoral office effectively in view of disability or incapacity of the pastor;
    - 5) suspension of the pastor through discipline for more than three months;
    - 6) resignation or removal of the pastor from the roster of 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 or incapacity of the pastor under paragraph a.4) above, or ineffective conduct of the pastoral office under paragraph a.3) above, have come to the attention of the bishop of this synod,
    - 1) the bishop, who has sole discretion, may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or

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

- c. In case of alleged disability or 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 resumption of the ability to conduct the office effectively, the bishop shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call.
- d. In the case of alleged local difficulties that imperil the effective functioning of 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 pastor and then to this congregation. The recommendations of the bishop's committee must address whether the pastor's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by this congregation and by the pastor, if appropriate. If the pastor and congregation 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 pastor's call, this congregation may dismiss the pastor 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.

\*C9.06. At a time of pastoral vacancy, an interim pastor shall be appointed by the bishop of the synod with the consent of this congregation or the Congregation Council.

\*C9.07. During the period of service, an interim pastor shall have the rights and duties in this congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or Congregation Council. The interim pastor and any rostered minister providing assistance shall refrain from exerting influence in the selection of a pastor. Unless previously agreed upon by the Synod Council, an interim pastor is not available for a regular call to the congregation served.

\*C9.08. This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting.

\*C9.09. When a pastor is called to serve in company with another pastor or pastors, the privileges and responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted in consultation involving the pastors, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.

\*C9.11. With the approval of the bishop of the synod, this congregation may depart from \*C9.05.a. and call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and

- 544 conditions involved. Prior to the completion of a term, the bishop or a designated representative of the  
545 bishop shall meet with the pastor and representatives of this congregation for a review of the call. Such  
546 a call may also be terminated before its expiration in accordance with the provisions of \*C9.05.a.  
547
- 548 \*C9.12. The pastor of this congregation:  
549 a. shall keep accurate records of all baptisms, confirmations, marriages, burials, communicants,  
550 members received, members dismissed, or members excluded from this congregation;  
551 b. shall submit a summary of such statistics annually to the synod; and  
552 c. shall become a member of this congregation upon receipt and acceptance of the letter of call. In a  
553 parish of multiple congregations, the pastor shall hold membership in one of the congregations.  
554
- 555 \*C9.13. The pastor(s) shall submit a report of ministry to the bishop of the synod at least 90 days prior to each  
556 regular meeting of the Synod Assembly.  
557
- 558 \*C9.14. The records of this congregation shall be maintained by the pastor and shall remain the property of this  
559 congregation. The secretary of this congregation shall attest in writing to the bishop of this synod that  
560 such records have been placed in the secretary's hands in good order by a departing pastor before the  
561 installation of that pastor in another call or approval of a request for change in roster status.  
562
- 563 C9.15. Under special circumstances, subject to the approval of the synod bishop and the concurrence of this  
564 congregation, a minister of Word and Sacrament of a church body with which the Evangelical Lutheran  
565 Church in America officially has established a relationship of full communion may serve temporarily  
566 as pastor of this congregation under a contract between this congregation and the pastor in a form  
567 proposed by the synod bishop and approved by this congregation.  
568
- 569 \*C9.21. Authority to call a deacon shall be in this congregation by at least a two-thirds vote of voting members  
570 present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a  
571 committee elected by the Congregation Council to recommend the call, shall seek the advice and help  
572 of the bishop of the synod.  
573
- 574 \*C9.22. Only a member of the roster of Ministers of Word and Service of the Evangelical Lutheran Church in  
575 America or a candidate for the roster of Ministers of Word and Service who has been recommended for  
576 this congregation by the synod bishop may be called as a deacon of this congregation.  
577
- 578 \*C9.23. Consistent with the faith and practice of the Evangelical Lutheran Church in America, every minister  
579 of Word and Service shall:  
580 a. Be rooted in the Word of God, for proclamation and service;  
581 b. Advocate a prophetic diakonia that commits itself to risk-taking and innovative service on the  
582 frontiers of the Church's outreach, giving particular attention to the suffering places in God's world;  
583 c. Speak publicly to the world in solidarity with the poor and oppressed, advocating dignity, justice,  
584 and equity for all people, working for peace and reconciliation among the nations, caring for the  
585 marginalized, and embracing and welcoming racially and ethnically diverse populations;  
586 d. Equip the baptized for ministry in God's world that affirms the gifts of all people;  
587 e. Encourage mutual relationships that invite participation and accompaniment of others in God's  
588 mission;  
589 f. Practice stewardship that respects God's gift of time, talents, and resources;  
590 g. Be grounded in a gathered community for ongoing diaconal formation;  
591 h. Share knowledge of this church and its wider ministry of the gospel, and advocate for the work of  
592 all expressions of this church; and  
593 i. Identify and encourage qualified persons to prepare for ministry of the gospel.  
594
- 595 \*C9.24. The specific duties of the deacon, compensation, and other matters pertaining to the service of the  
596 deacon shall be included in a letter of call, which shall be attested by the bishop of the synod.  
597
- 598 \*C9.25. The provisions for termination of the mutual relationship between a minister of Word and Service and  
599 a congregation shall be as follows:

- a. The call of a congregation, when accepted by a deacon, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by the deacon's death or, following consultation with the synod bishop, for any of 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) inability to conduct the office effectively in view of disability or 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 disability or 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, who has sole discretion, may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
  - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of this congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
- c. In case of alleged disability or incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the deacon's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the position vacant. When the position is declared vacant, the Synod Council shall list the deacon on the roster of Ministers of Word and Service with disability status. Upon resumption of the ability to conduct the office effectively, the bishop shall take steps to enable the deacon to resume the ministry, either in the congregation last served or in another appropriate call.
- d. In the case of alleged local difficulties that imperil the effective functioning of this congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the deacon and then to this congregation. The recommendations of the bishop's committee must address whether the deacon's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by this congregation and by the deacon, if appropriate. If the deacon and congregation agree to carry out such recommendations, no further action need be taken by the synod.
- e. If either party fails to assent to the recommendations of the bishop's committee concerning the deacon's call, this congregation may dismiss the deacon only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
- e. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.

- \*C9.26. This congregation shall make satisfactory settlement of all financial obligations to a former deacon before calling a successor. A deacon shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting
- \*C9.27. When a deacon is called to serve in company with another rostered minister or other rostered ministers, the privileges and responsibilities of each rostered minister shall be specified in documents to accompany the call and to be drafted in consultation involving the rostered ministers, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
- \*C9.28. With the approval of the bishop of the synod, this congregation may depart from \*C9.25.a. and call a deacon for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the deacon and representatives of this congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of \*C9.25.a.
- \*C9.29. 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 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 Commonwealth of Pennsylvania, the bylaws shall designate one regular meeting per year as the annual meeting of this congregation
- C10.01.01 The preferred date for the Annual Congregation Meeting is the fourth Sunday in January.
- C10.01.02 At this Annual Meeting, reports of the Pastor(s), Secretary, Treasurer, and the various committees, auxiliaries, schools, and organizations within the congregation shall be submitted in writing.
- C10.01.03 The fiscal year of this congregation shall start on January 1 and end on the following December 31.
- C10.02. A special Congregation Meeting may be called by the senior pastor, the Congregation Council, or the president of this congregation, and shall be called by the president of this congregation upon the written request of ten percent (10%) of the voting members. The president of the 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 confirmed members at least 10 days in advance of the date of the meeting.
- C10.04. Twenty percent (20%) 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.

- 710 C10.07. *Robert's Rules of Order*, latest edition, shall govern parliamentary procedure of all meetings of this  
711 congregation.  
712
- 713 C10.08. This congregation may hold meetings by remote communication, including electronically and by  
714 telephone conference, as long as there is an opportunity for simultaneous aural communication or its  
715 equivalent. To the extent permitted by state law, notice of all meetings may be provided electronically.  
716
- 717 C10.09 “*Ex officio*” as used herein means membership with full rights of voice and vote unless otherwise  
718 expressly limited.  
719

720 **Chapter 11. OFFICERS**  
721

- 722 C11.01. The officers of this congregation shall be a president, vice-president, secretary, treasurer, financial  
723 secretary and, if desired by the Congregation Council, assistant treasurer.  
724 a. Duties of the officers shall be specified in the bylaws.  
725 b. The officers shall be voting members of this congregation. If any officer ceases to be such, the  
726 office shall at once be declared vacant by the Congregation Council, which shall fill the vacancy  
727 for the unexpired term.  
728
- 729 C11.01.01 The duties of the officers are:  
730 a. President:  
731 1) Be the lay leader of the congregation;  
732 2) Assume non-pastoral duties of the pastor(s) in the absence of the pastor(s);  
733 3) Set agenda for Congregation Council Meetings;  
734 4) Conduct Congregation Council Meetings  
735 5) Preside over Congregation Meetings and, with Congregation Council, set the agenda;  
736 6) Be responsible for the seal of the congregation and sign official documents for the congregation  
737 (seal to be kept in the Church office); and  
738 7) Be responsible for annual Congregation Council report to the Congregation.  
739
- 740 b. Vice-President:  
741 1) Assume duties of the president in the absence of the president;  
742 2) Conduct Congregation Council Meetings as requested by the president; and  
743
- 744 c. Secretary:  
745 1) Take minutes at regular and special Congregation Council Meetings and Congregation  
746 Meetings;  
747 2) Distribute written minutes to Congregation Council and prepare a summary of the minutes for  
748 publication in the *Evangel*;  
749 3) Receive and respond to Congregation Council correspondence;  
750 4) Sign official documents;  
751 5) Place approved minutes of all Congregation Council Meetings and Congregation Meetings in a  
752 volume provided by the congregation, which shall be preserved permanently in its archives; and  
753
- 754 d. Treasurer:  
755 1) Upon approval by appropriate individual, write checks to pay bills incurred by the congregation  
756 and staff salaries in a timely manner;  
757 2) Maintain a yearly calendar of regular transactions and payment dates;  
758 3) Make monthly remittance of benevolence and special offerings to the synod;  
759 4) Maintain accurate financial records of the congregation;  
760 5) Transfer funds between the various accounts of the congregation as necessary;  
761 6) Provide a written report summarizing transactions at all regular Congregation Council Meetings  
762 and the Annual Congregation Meeting;  
763 7) Be present at and provide records for the annual audit; and  
764 8) Be ex officio member of the Financial Management Team.  
765

- e. Financial Secretary:
- 1) Receive and keep records of all income from members and non-members;
  - 2) Provide to each giving unit a written record of the unit's contributions three times a year;
  - 3) Receive and record individual estimates of giving and provide a report to the Congregation Council as requested; and
  - 4) Maintain confidentiality of giving records.
- f. Assistant Treasurer:
- 1) Assist the Treasurer, with the duties to be divided by mutual agreement of the two officers; and
  - 2) Be ex officio member of the Financial Management Team.
- C11.02 Officers of this congregation shall serve similar offices of the Congregation Council.
- a. At its first meeting after the Annual Congregation Meeting, the Congregation Council shall elect the officers. The president, vice-president and secretary shall be chosen from the elected members of the Congregation Council.
  - b. The officers shall serve for one year and may succeed themselves.
- C11.03. No officer shall hold more than one office at a time.

## **Chapter 12. CONGREGATION COUNCIL**

- C12.01. The voting membership of the Congregation Council shall consist of the pastor(s), the deacons, at least nine (9) and no more than twelve (12) elected members of this congregation, at least one of whom shall be a youth when available and willing to serve and at least one of whom shall be a young adult when available and willing to serve, and any other officers. Any voting member of this congregation may be elected, subject only to the limitation on the length of continuous service permitted in that office. An elected member's place on the Congregation Council shall be declared vacant if the elected member:
- a. ceases to be a voting member of this congregation, or
  - b. is absent from four successive regular meetings of the Congregation Council without cause.
- Consistent with the laws of Pennsylvania, this congregation may adopt procedures for the removal of a member of the Congregation Council in other circumstances.
- C12.01.A11 For this purpose, "youth" means a voting member who has not reached the age of 18 at the time of election and the term "young adult" means a voting member at least 18 years of age and not yet 30 at the time of election.
- C12.02. The elected members of the Congregation Council shall be elected by written ballot to serve for three years or until their successors are elected.
- a. Such members shall be eligible to serve no more than two full terms consecutively.
  - b. Their terms shall begin at the close of the annual meeting at which they are elected.
  - c. Their tenure shall be so arranged that one third of the terms expire annually.
  - d. All elected members and officers shall be installed by the pastor(s) at worship at a time appointed by the Congregation Council.
- C12.02.01 The Nominating Committee shall nominate at the Annual Meeting the number of candidates necessary to equal at least the minimum number of vacancies on the Congregation Council.
- C12.02.02 The Congregation may submit further nominations from the floor of the Annual Meeting.
- C12.02.03 The election of members of the Congregation Council shall be by ballot and the result duly recorded by the Secretary. However, should those nominated equal the number of Council members needed and the nominations are legally closed, the Secretary shall cast a written favorable Ballot of Election, and a written ballot by the congregation thereby not being necessary.

- 822 C12.03. Should an elected member's place on the Congregation Council be declared vacant, the Congregation  
823 Council shall elect, by majority vote, a successor until the next annual meeting. At that annual meeting,  
824 a successor shall be elected to complete the unexpired term.  
825
- 826 C12.04. The Congregation Council shall have general oversight of the life and activities of this congregation,  
827 and in particular its worship life, to the end that everything be done in accordance with the Word of  
828 God and the faith and practice of the Evangelical Lutheran Church in America. The duties of the  
829 Congregation Council shall include the following:  
830 a. To lead this congregation in stating its mission, to do long-range planning, to set goals and priorities,  
831 and to evaluate its activities in light of its mission and goals.  
832 b. To seek to involve all members of this congregation in worship, learning, witness, service, and  
833 support.  
834 c. To oversee and provide for the administration of this congregation to enable it to fulfill its functions  
835 and perform its mission.  
836 d. To maintain supportive relationships with the rostered minister(s) and staff and help them annually  
837 to evaluate the fulfillment of their calling or employment.  
838 e. To be examples individually and corporately of the style of life and ministry expected of all baptized  
839 persons.  
840 f. To promote a congregational climate of peace and goodwill and, as differences and conflicts arise,  
841 to endeavor to foster mutual understanding.  
842 g. To arrange for pastoral service during the sickness or absence of the pastor(s).  
843 h. To emphasize support of the synod and churchwide organization of the Evangelical Lutheran  
844 Church in America as well as cooperation with other congregations, both Lutheran and non-  
845 Lutheran, subject to established policies of the synod and the Evangelical Lutheran Church in  
846 America.  
847 i. To recommend and encourage the use of program resources produced or approved by the  
848 Evangelical Lutheran Church in America.  
849 j. To seek out and encourage qualified persons to prepare for the ministry of the Gospel.  
850 k. To elect officers and appoint committees and require them to carry out their duties in accordance  
851 with the constitution, bylaws, and continuing resolutions of this congregation.  
852
- 853 C12.05. The Congregation Council shall be responsible for the financial and property matters of this  
854 congregation.  
855 a. The Congregation Council shall be the board of trustees of this congregation, and as such shall be  
856 responsible for maintaining and protecting its property and the management of its business and fiscal  
857 affairs. It shall have the powers and be subject to the obligations that pertain to such boards under  
858 the laws of the Commonwealth of Pennsylvania, except as otherwise provided herein.  
859  
860 b. The Congregation Council shall not have the authority to buy, sell, or encumber real property unless  
861 specifically authorized to do so by a meeting of this congregation.  
862  
863 c. The Congregation Council may enter into contracts of up to ten percent (10%) of the annual budget  
864 for items not included in the budget.  
865  
866 d. The Congregation Council shall prepare an annual budget for adoption by this congregation, and  
867 shall supervise the expenditure of funds in accordance therewith following its adoption, and may  
868 incur obligations of more than 10% in excess of the anticipated receipts only after approval by a  
869 Congregation Meeting. The budget shall include this congregation's agreed upon support of the  
870 wider ministry being carried on in collaboration with the synod and churchwide organization.  
871  
872 e. The Congregation Council shall ascertain that the financial affairs of this congregation are being  
873 conducted efficiently, giving particular attention to the prompt payment of all obligations and to the  
874 regular forwarding of mission support monies to the synod.  
875  
876 f. The Congregation Council shall be responsible for this congregation's investments and its total  
877 insurance program.



- C12.05.01 There are two components of the church's financials: Financial Accounts and the Temple Lutheran Church Fund.
- a. The **Financial Accounts** include a checking account and an investment account.
    - 1) The checking account will be in an FDIC-insured financial institution which provides for convenient access for routine banking needs.
    - 2) The investment account will be in a reputable, low-cost brokerage firm. The Finance Team will arrange for a financial advisor to assist in developing our investment goals and manage changes in our investment portfolio.
    - 3) The Treasurer and Finance Team Leader will coordinate transfers between the checking account and investment account to be able to have funds available to pay the bills.
  - b. The **Temple Lutheran Church Fund**, comprised of the funds listed below, is established to maximize the growth and income of the fund so that the mission of Temple Lutheran Church may prosper and increase, the benevolent concerns of Temple Lutheran Church locally and beyond may expand, and program possibilities may be encouraged, especially within the congregation:
    - 1). The **Operating Fund** is designed to meet the ongoing operation of the congregation. The fund must be able to meet the current month's expenses and have sufficient cash reserve available in the account to meet the average expenses of a second month.
    - 2) The **Designated Funds** include funds which have been designated for a specific item or intended to be of a short or medium term. Unless otherwise designated, expenditures from these funds (other than the Escrow Fund) may be approved by majority vote of the Congregation Council. These funds include:
      - a) **Escrow Fund** are those monies on deposit from the rental agreements for use of the property. These funds are the funds of lessee or others, under contract with Temple Lutheran Church, subject to contractual rights therein, and are to be invested in an insured fund or account.
      - b) The **Youth Ministry Fund** is used for youth work in the congregation
      - c) The **Food Pantry Fund** is to support the needs of the congregation in reducing hunger insecurity in the community.
      - d) Other special funds may be identified over time for specific purposes and should be used as designated.
    - 3). **Special Funds** are those with a long-term horizon and are frequently without a designated purpose.
      - a) The **Memorial Endowment Fund** contains contributions made in memory/honor of individuals. The Office Administrator shall maintain a separate record of all contributions received for this Memorial Endowment Fund.
        - i) When, in the opinion of the Congregation Council, circumstances are such that the use of principal is deemed necessary or appropriate, the Congregation Council may, upon a majority vote, recommend such authorizing action for use of principal to the congregation. The approval of the congregation shall be by a two-thirds vote at a legally called congregational meeting.
        - ii) Gifts for special purposes which are allocated to this Fund shall be so designated and administered by the Congregation Council and, subject to Congregation approval, shall be applied to fulfill the purposes indicated by the donor(s). If approval is not given, the gift shall be returned.

- b) The ***Benevolence Fund*** is funded by tithes from bequests and major undesignated gifts. A major gift is a single non-unified contribution of \$3000.00 or more. The fund is intended to be used for benevolent acts and causes. The expenditure of this fund during a fiscal year, as administered by the Congregation Council, is intended to be no greater than ten percent (10%) of the fund value at the end of the preceding year. No expenditure in excess of \$3,000 shall be approved and paid to one donee without three (3) weeks advance notice to the congregation. Expenditures in excess of ten percent (10%) of this fund require approval by a two-thirds vote of the Congregation Council.
- c) The ***Boyer Fund*** is comprised of the gifts to Temple Lutheran Church from the estate and trust of Donald Boyer. When, in the opinion of the Congregation Council, circumstances are such that the use of principal is deemed necessary or appropriate, the Congregation Council may, upon a majority vote, recommend such authorizing action for use of principal to the congregation. The approval of the congregation shall be by a two-thirds vote at a legally called congregational meeting.
- d) The ***Capital Improvement/Building Fund*** is funded by special capital campaigns. Should there be funds remaining from an insurance loss, excess funds should be added to this fund. The fund is intended to provide a funding source for large cost items that can be identified as major improvements to the congregation properties and/or specific items of property for use by the congregation. Approval for the expenditure of funds shall be by a majority vote of the Congregation Council.
- e) The ***Cookenbach Memorial Fund*** was funded by a bequest from the Cookenbach family. Expenditures from the Fund may be approved by majority vote of the Congregation Council.
- f) The ***Dorice Scott Memorial Fund*** was funded by a bequest from the Scott family, to be used for social outreach purposes of the congregation. Expenditures from the Fund may be approved by majority vote of the Congregation Council.
- g) The ***Bequests and Special Gifts Fund*** is funded as undesignated bequests or special gifts are received. Expenditures from the Fund may be approved by majority vote of the Congregation Council.

4.) The ***Investment Earnings*** include the gains or losses from the investment brokerage account. Expenditures from Investment Earnings may be approved by majority vote of the Congregation Council.

c. Two officers of the congregation shall have authorization to create loans among any of the funds (except the Escrow Fund) when it is deemed in the best interest of the congregation subject to ratification by Church Council at its next regular meeting.

d. A written report of the Temple Lutheran Church Fund shall be submitted to the Congregation Council on a regular basis and at the Annual Congregation Meeting.

g. The Congregation Council shall manage the use of the property and may enter into agreements to make the space available to other groups for lease.

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

C12.07. The Congregation Council shall provide for an annual review of the membership roster.

- 989 C12.08. The Congregation Council shall be responsible for the employment and supervision of the staff of this  
990 congregation. Nothing in this provision shall be deemed to affect this congregation's responsibility for  
991 the call, terms of call, or termination of call of any employees who are on a roster of this church.  
992
- 993 C12.09. The Congregation Council shall submit a comprehensive report to this congregation at the annual  
994 meeting.  
995
- 996 C12.11. The Congregation Council shall normally meet once a month. Special meetings may be called by either  
997 the pastor or the president, and shall be called by the president at the request of at least one-half of its  
998 members. Notice of each special meeting shall be given to all who are entitled to be present.  
999
- 1000 C12.11.01 The Congregation Council shall hold regular monthly meetings, except in the months of July and  
1001 August.  
1002
- 1003 C12.12. A quorum for the transaction of business shall consist of a majority of the elected members of the  
1004 Congregation Council. In addition, the senior pastor or interim pastor shall be present, except when  
1005 the senior pastor or interim pastor requests or consents to be absent and has given prior approval to the  
1006 agenda for a particular regular or special meeting which shall be the only business considered at that  
1007 meeting. Chronic or repeated absence of the senior pastor or interim pastor who has refused approval  
1008 of the agenda of a subsequent regular or special meeting shall not preclude action by the Congregation  
1009 Council, following consultation with the synod bishop.  
1010
- 1011 C12.13. The Congregation Council and its committees may hold meetings by remote communication, including  
1012 electronically and by telephone conference, as long as there is an opportunity for simultaneous aural  
1013 communication or its equivalent. To the extent permitted by state law, notice of all meetings may be  
1014 provided electronically.  
1015

### 1016 **Chapter 13. CONGREGATION COMMITTEES**

1017

- 1018 C13.01. The officers of this congregation and the pastor(s) shall constitute the *Executive Committee*.  
1019
- 1020 C13.02. A *Nominating Committee* of six voting members of the congregation shall be elected at the annual  
1021 meeting for a term of one year. If possible, two of the members of the Nominating Committee shall  
1022 be outgoing members of the Congregation Council. Members of the Nominating Committee are not  
1023 eligible for consecutive reelection.  
1024
- 1025 C13.03. An *Audit Committee* of at least three voting members shall be appointed by the Congregation Council.  
1026 Not more than two Audit Committee members shall be members of the Congregation Council. Term  
1027 of office will be three years, with one member appointed each year. Members shall be eligible for  
1028 appointment to a second consecutive term. At least three members of the Audit Committee must be  
1029 present to conduct the audit.  
1030
- 1031 C13.04. A *Mutual Ministry Committee* of six members shall be appointed jointly by the Council and the  
1032 rostered minister. Term of office shall be two years, with three members to be appointed each  
1033 successive year. The Committee will select a Committee Chair from its members. At least one, but no  
1034 more than three, members of the Mutual Ministry Committee shall be from the Congregation Council.  
1035 A member of the Mutual Ministry Committee shall not serve for more than two consecutive terms.  
1036
- 1037 C13.05. When a vacancy occurs in a position for which this congregation calls a rostered minister, a *Call*  
1038 *Committee* of six voting members of the congregation shall be elected by the Congregation Council.  
1039 Term of office will terminate upon installation of the newly-called rostered minister.  
1040
- 1041 C13.06. Other committees of this congregation may be formed as the need arises, by decision of the  
1042 Congregation Council.  
1043

- 1044 C13.07. Duties and composition of committees of this congregation shall be specified in the bylaws or  
1045 continuing resolutions.  
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1047 C13.08. The pastor and president of this congregation shall be *ex officio* members of all committees and boards  
1048 of this congregation, except the Nominating Committee.  
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1050 **Chapter 14. ORGANIZATIONS WITHIN THIS CONGREGATION**  
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- 1052 C14.01. All organizations within this congregation shall exist to aid it in ministering to the members of this  
1053 congregation and to all persons who can be reached with the Gospel of Christ. As outgrowths and  
1054 expressions of this congregation's life, the organizations are subject to its oversight and direction. Each  
1055 organization shall develop its policies and activities and submit reports concerning its membership,  
1056 work, and finances to the congregation, all of which are subject to oversight by the Council and/or the  
1057 Congregation.  
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1059 C14.02. Special interest groups, other than those of the official organizations of the Evangelical Lutheran  
1060 Church in America, may be organized only after authorization has been given by the Congregation  
1061 Council and specified in a continuing resolution.  
1062

1063 **Chapter 15. DISCIPLINE OF MEMBERS AND ADJUDICATION**

- 1064 \*C15.01. Persistent and public denial of the Christian faith, willful or criminal conduct grossly unbecoming a  
1065 member of the Church of Christ, continual and intentional interference with the ministry of this  
1066 congregation, or willful and repeated harassment or defamation of member(s) of this congregation is  
1067 sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation and repentance  
1068 will be attempted following Matthew 18:15–17, proceeding through these successive steps, as  
1069 necessary: a) private counsel and admonition by the pastor, b) censure and admonition by the pastor in  
1070 the presence of two or three witnesses, c) written referral of the matter by the Congregation Council to  
1071 the vice president of the synod, who will refer it to a consultation panel drawn from the Consultation  
1072 Committee of the synod, and d) written referral of the matter by the consultation panel to the Committee  
1073 on Discipline of the synod. If, for any reason, the pastor is unable to administer the admonitions required  
1074 by paragraphs a. and b. hereof, those steps may be performed by another pastor chosen by the Executive  
1075 Committee of the Congregation Council.  
1076  
1077 \*C15.02. The process for discipline of a member of this congregation shall be governed as prescribed by the  
1078 chapter on discipline in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical*  
1079 *Lutheran Church in America*. If the counseling, censure, and admonitions pursuant to \*C15.01. do not  
1080 result in repentance and amendment of life, charges against the accused member(s) that are specific and  
1081 in writing may be prepared by the Congregation Council, signed, and submitted to the vice president  
1082 of the synod. The vice president shall select from the synod's Consultation Committee a panel of five  
1083 members (three laypersons and two rostered ministers). A copy of the written charges shall be provided  
1084 to the consultation panel and the accused member(s). The consultation panel, after requesting a written  
1085 reply to the charges from the accused member(s), shall consider the matter and seek a resolution by  
1086 means of investigation, consultation, mediation, or whatever other means may seem appropriate. The  
1087 panel's efforts to reach a mutually agreeable resolution shall continue for no more than 45 days after  
1088 the matter is submitted to it.  
1089  
1090 \*C15.03. If the consultation panel fails to resolve the matter, that panel shall refer the case in writing, including  
1091 the written charges and the accused member's reply, to the Committee on Discipline of the synod for a  
1092 hearing. A copy of the panel's written referral shall be delivered to the vice president of the synod, the  
1093 Congregation Council, and the accused member(s) at the same time it is sent to the Committee on  
1094 Discipline of the synod. The Executive Committee of the Synod Council shall then select six members  
1095 from the Committee on Discipline to decide the case and shall appoint a member of the Synod Council  
1096 to preside as nonvoting chair. Those six members, plus the nonvoting chair, comprise the discipline  
1097 hearing panel for deciding the case. The Congregation Council and the accused member(s) are the  
1098 parties to the case.

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- \*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 pastor and Congregation Council receive evidence, satisfactory to them, of repentance and amendment of life;
  - c. termination of membership in this congregation; or
  - d. termination of membership in this congregation and exclusion from the church property and from all congregation activities.
- \*C15.06. The written decision of the discipline hearing panel shall be sent to the vice president of the synod, the accused member(s), and the Congregation Council as required by the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. The decision of the discipline hearing panel shall be implemented by the Congregation Council and recorded in the minutes of the next council meeting.
- \*C15.07. No member of 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.

C15.08 through C15.09 Intentionally Omitted

#### \*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 twelve (12) voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify 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; and
  - b. be ratified without change at the next regular meeting of this congregation by a two-thirds vote of those voting members present and voting.
- C16.02.01 The Congregation Meeting in C16.02.a, at which the first vote on the amendment occurs, must occur a minimum of 30 days prior to the Annual Meeting in C16.02.b.

C16.02.02 Amendments to the proposed amendments can be made at the first Congregation Meeting without requiring additional notification or meetings, as long as the amendments are within the scope of the original amendments.

\*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 the 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 (2) voting members of this congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of this congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following the congregation's 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 the Congregation Council at least 60 days before a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify this congregation's members of the proposal with the council's recommendations at least 30 days in advance of the Congregation Meeting. Notification may take place by mail or electronic means, as permitted by state law.

\*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 the Congregation Council may enact continuing resolutions. Such continuing resolutions may not conflict with the constitution or bylaws of this congregation.

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

\*C18.03. Adopted or amended continuing resolutions shall be sent by the secretary of this congregation to the synod.

## **Chapter 19. INDEMNIFICATION**

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

threatened, pending, or completed civil, criminal, administrative, arbitration, or investigative proceeding.

## **Chapter 20. PARISH AUTHORIZATION**

*[\* Required provisions when congregation is part of a parish]*

**\*C20.01.** This congregation may unite with one or more other congregations recognized by the synod named in \*C6.01. to form a parish. Except as provided in \*C20.02. and \*C20.03., a written agreement, developed in consultation with the synod and approved by the voting members of each congregation participating in the parish, shall specify the powers and responsibilities that have been delegated to the Parish Council. The Parish Agreement shall identify which congregation of the parish issues calls on behalf of the member congregations or shall establish a process for identifying which congregation issues calls on behalf of the member congregations.

**\*C20.02.** One congregation of a parish shall issue a call on behalf of the member congregations to a minister of Word and Sacrament or a candidate for the roster of Ministers of Word and Sacrament who has been recommended by the synod bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregation meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.

**\*C20.03.** One congregation of a parish may issue a call on behalf of the member congregations to a minister of Word and Service or a candidate for the roster of Ministers of Word and Service who has been recommended by the synod bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregation meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.

**\*C20.04.** Any one of the congregations of the parish may terminate their relationship with the pastor as provided in †S14.18.d. of the synod constitution of the synod named in \*C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.

**\*C20.05.** Any one of the congregations of the parish may terminate their relationship with a minister of Word and Service as provided in †S14.43.d. of the synod constitution of the synod named in \*C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.

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