

**CONSTITUTION
FOR
TRINITY LUTHERAN CHURCH
MADISON, SOUTH DAKOTA
OF THE
EVANGELICAL LUTHERAN
CHURCH IN AMERICA**



CODIFICATION EXPLANATION

The Constitution and Bylaws of Trinity Lutheran Church have been placed together in this document. Constitutional provisions are preceded by a “C” and two numbers, for example C4.01. Constitutional provisions preceded by an asterisk * are required provisions under the ELCA churchwide constitution, provisions 9.21 and 9.22. These asterisked provisions cannot be amended. Bylaw provisions are preceded with a “B” and three sets of numbers, for example B10.01.01.

Certain chapters are marked reserved and some section numbers are omitted. This is to allow for future amendments.

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***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 Trinity Lutheran Church.

C1.11. This congregation shall be incorporated under the laws of the State of South Dakota.

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.

* Required provision

Chapter 3.

NATURE OF THE CHURCH

- *C3.01. All power in the Church belongs to our Lord Jesus Christ, its head. All actions of this congregation are to be carried out under his rule and authority.
- *C3.02. The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the Church, and the universal Church exists in and through congregations. The Evangelical Lutheran Church in America, therefore, derives its character and powers both from the sanction and representation of its congregations and from its inherent nature as an expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in the historic continuity of the communion of saints; in breadth, it expresses the fellowship of believers and congregations in our day.

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.
- B4.02.01. This congregation invites all of its members and others, who are prepared to receive the Sacrament, to participate in Holy Communion.
- B4.02.02. Preparation for Holy Communion will normally be provided for persons as young as ten years of age.
- B4.02.03. Participation in Holy Communion shall be open to members of other Christian congregations who accept the Lutheran teaching in regard to this Sacrament.
- B4.02.04. It shall be made known to prospective participants that the belief of this congregation is:
 - a. Participation in the Lord's Supper 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"¹
 - b. 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

¹ *From The Small Catechism in Contemporary English, C1968 Augsburg Publishing House and Fortress Press.

words FOR YOU require simply a believing heart."*

B4.02.05. Record of participation in Holy Communion shall be maintained. If a member of another congregation communes, notice shall be sent to his/her congregation.

- 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 the congregation's ministry and the ministry of other parts of the Evangelical Lutheran Church in America.
- h. Foster and participate in interdependent relationships with other congregations, the synod, and the churchwide organization of the Evangelical Lutheran Church in America.
- i. Foster and participate in ecumenical relationships consistent with churchwide policy.

B4.03.01. As an expression of the unity of the church in Christ the congregation recognizes the desirability of conforming to the practices of other member congregations in using such forms of worship, including liturgies and hymn books, as are recommended by the Evangelical Lutheran Church in America. Only such variations as are authorized by the congregation shall be permitted.

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

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

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

 - a. call a pastor as provided in Chapter 9;
 - b. terminate the call of a pastor as provided in Chapter 9;
 - c. call or terminate the call of associates in ministry, deaconesses, and diaconal ministers in conformity with the applicable policy of the Evangelical Lutheran Church in America;
 - d. adopt amendments to the constitution, as provided in Chapter 17, and amendments to the bylaws, as specified in Chapter 16.
 - e. approve the annual budget;
 - f. acquire real and personal property by gift, devise, purchase, or other lawful means;
 - g. hold title to and use its property for any and all activities consistent with its purpose;
 - h. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
 - i. elect its officers, Congregation Council, and boards for the exercise of their powers and authority, and require them to carry out their duties in accordance with the constitution, and bylaws, and continuing resolutions; and
 - j. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.
- *C5.04.** This congregation shall choose from among its voting members laypersons to serve as voting members of the Synod Assembly as well as persons to represent it at meetings of any conference, cluster, coalition, or other area subdivision of which it is a member. The number of persons to be elected by the congregation and other qualifications shall be as prescribed in guidelines established by the South Dakota 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 South Dakota Synod of the Evangelical Lutheran Church in America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America.
- *C6.02.** This congregation accepts the Confession of Faith and agrees to the Purposes of the Evangelical Lutheran Church in America and shall act in accordance with them.
- *C6.03.** This congregation acknowledges its relationship with the Evangelical Lutheran Church in America in which:

 - a. This congregation agrees to be responsible for its life as a Christian community.
 - b. This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.

- c. This congregation agrees to call pastoral leadership from the clergy roster of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod.
- d. This congregation agrees to consider associates in ministry, deaconesses, and diaconal ministers for call to other staff positions in the congregation according to the procedures of the Evangelical Lutheran Church in America.
- e. This congregation agrees to file this constitution and any subsequent changes to this constitution with the synod for review to ascertain that all of its provisions are in agreement with the constitution and bylaws of the Evangelical Lutheran Church in America and with the constitution of the synod.

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

- a. This congregation takes action to dissolve.
- b. This congregation ceases to exist.
- c. This congregation is removed from membership in the Evangelical Lutheran Church in America according to the procedures for discipline of the Evangelical Lutheran Church in America.
- d. This congregation follows the procedures outlined in *C6.05.

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

- a. A resolution indicating the desire of this congregation to terminate its relationship must be adopted at a legally called and conducted special meeting of this congregation by a two-thirds majority of the voting members present.
- b. The secretary of this congregation shall submit a copy of the resolution to the synodical bishop and shall mail a copy of the resolution to voting members of this congregation. This notice shall be submitted within 10 days after the resolution has been adopted.
- c. The bishop of the synod shall consult with this congregation during a period of at least 90 days.
- d. If this congregation, after consultation, still desires to terminate its relationship, such action may be taken at a legally called and conducted special meeting by a two-thirds majority of the voting members present, at which meeting the bishop of the synod or an authorized representative shall be present. Notice of the meeting shall be mailed to all voting members at least 10 days in advance of the meeting.
- e. A certified copy of the resolution to terminate its relationship shall be sent to the synodical bishop, at which time the relationship between this congregation and the Evangelical Lutheran Church in America shall be terminated.
- f. Notice of termination shall be forwarded by the synodical bishop to the secretary of this church and published in the periodical of this church.

***C6.06.** If this congregation considers relocation, it shall confer with the bishop of the synod in which it is territorially located before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is effected.

Chapter 7.

PROPERTY OWNERSHIP

***C7.01.** If this congregation ceases to exist, title to undisposed property shall pass to South Dakota Synod of the Evangelical Lutheran Church in America.

***C7.02.** If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline, title to property shall continue to reside in this congregation.

- *C7.03.** If a two-thirds majority of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to transfer to another Lutheran church body, title to property shall continue to reside in this congregation. Before this congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of the South Dakota Synod.
- *C7.04.** If a two-thirds majority of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to become independent or relate to a non-Lutheran church body, title to property of this congregation shall continue to reside in this congregation only with the consent of the Synod Council. The Synod Council, after consultation with this congregation by the established synodical process, may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of this congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America.

Chapter 8.

MEMBERSHIP

- *C8.01.** Members of this congregation shall be those baptized persons on the roll of this congregation at the time that this constitution is adopted and those who are admitted thereafter and who have declared and maintain their membership in accordance with the provisions of this constitution and its bylaws.
- *C8.02.** Members shall be classified as follows:
- a. ***Baptized*** members are those persons who have been received by the Sacrament of Holy Baptism in this congregation, or, having been previously baptized in the name of the Triune God, have been received by certificate of transfer from other Lutheran congregations or by affirmation of faith.
- B8.02.01.** A child, one or both of whose parents or guardians are members of the congregation, shall, upon receiving Baptism, become a baptized member.
- B8.02.02.** A child, neither of whose parents or guardians are members of the congregation, shall upon receiving Baptism, become a baptized member of the congregation; unless for good reason he/she is to be a baptized member of another congregation, in which case his/her membership shall be transferred to that congregation.
- B8.02.03.** A child baptized in another congregation shall be received as a baptized member in the congregation when a transfer has been received.
- B8.02.04.** An unbaptized adult who has received instruction and has given evidence of an understanding and acceptance of the teachings of the Word of God as confessed by the Lutheran Church, shall, upon confession of faith and Baptism, become a baptized member of the congregation.
- B8.02.05.** When one or both parents of baptized children are received into the membership of the congregation, such children should be received as baptized members with the consent of the member parent or parents.

B8.02.06. Where a baptized child is an orphan or a ward of someone and these people move into the area served by this congregation, the child may be received as a baptized member when he/she is commended to the care of this congregation by the congregation which baptized the child.

B8.02.07. When the parents of a baptized child are not themselves members of the Lutheran Church but move into the area served by this congregation and desire to have their child put within the pastoral care of this congregation, the child may be received as a baptized member.

- 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.

B8.02.11. A baptized adult, not previously a confirmed member of a Lutheran congregation, shall become a confirmed member of this congregation after having received instruction, having given evidence of understanding of the teachings of the Word of God as confessed by the Lutheran Church, and having publicly affirmed his/her faith.

B8.02.12. A baptized member of the congregation shall become a confirmed member through the rite of confirmation; except that an adult who has become a baptized member in accordance with the provisions of Section 8.02.04 of the bylaws shall be considered a confirmed member without participation in the rite of confirmation.

B8.02.13. An applicant for membership who presents a Letter of Transfer which certifies that he/she is a confirmed member in good standing of a Lutheran congregation shall become a confirmed member of the congregation upon approval by the Congregation Council. The acceptance shall be reported to the congregation.

B8.02.14. A applicant for membership who presents evidence of confirmation in a Lutheran congregation but does not have a Letter of Transfer shall be admitted to confirmed membership when the Congregation Council has determined that he/she meets the standards of Christian faith and life indicated in the constitution and bylaws and when he/she has re-affirmed his/her faith before the congregation.

- c. ***Voting*** members are confirmed members. Such confirmed members, during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of the congregation.

B8.02.15 In matters concerning transfer or acceptance of real property, a voting member shall be one who has attained the legal voting age in the State of South Dakota.

- d. *Associate* members are persons holding membership in other Lutheran congregations who wish to retain such membership but desire to participate in the life and mission of this congregation, or persons who wish to retain a relationship with this congregation while being members of other congregations. They have all the privileges and duties of membership except voting rights and eligibility for elected offices or membership on the Congregation Council of this congregation.

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

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

- 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 by the Congregation Council; or
- e. removal from the roll due to inactivity as defined in the bylaws.

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

B8.05.01. The congregation shall, in the event of the removal of a member from the community it serves, encourage the member to request a transfer to a Lutheran congregation which can serve him/her effectively. Should the member fail to request a transfer, a Lutheran congregation in the community of his/her residence shall be notified.

B8.05.02. A confirmed member in good standing desiring to change his/her membership to another Christian congregation shall, upon request, receive a Letter of Transfer.

B8.05.03. A confirmed member who does not, for a period of one year, partake of Holy Communion, support the church with his/her offerings, and does not appear to desire to participate in the life and worship of the congregation shall be visited by the pastor and the congregation's officers and encouraged by them to active membership. If, during the second year, the confirmed member does not actively participate, his/her name shall be removed from the membership roster of the congregation by action of the Congregation Council but be retained on a responsibility list as one who is in special need of the congregation's prayer and concern. He/she shall be notified of the Council's action.

B8.05.04. A child, neither of whose parents or guardians is a member of the congregation, may be removed from the roster of baptized members if he/she fails to participate in the life and worship of the congregation including Sunday School and Confirmation ministry. Whenever possible, the parents (guardians) shall be notified of the Congregation Council's action.

Chapter 9. **THE PASTOR**

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

- 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the pastor, which shall become effective, unless otherwise agreed, 30 days after the date on which it was submitted;
 - 3) inability to conduct the pastoral office effectively in the congregation in view of local conditions, without reflection on the competence or the moral and spiritual character of the pastor;
 - 4) the physical or mental incapacity of the pastor;
 - 5) disqualification of the pastor through discipline on grounds of doctrine, morality, or continued neglect of duty;
 - 6) the dissolution of the congregation; or
 - 7) suspension of the congregation as a result of discipline proceedings.
- b. When allegations of physical or mental incapacity of the pastor or ineffective conduct of the pastoral office have come to the attention of the bishop of the synod, the bishop in his or her sole discretion may, or when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of the congregation, the bishop shall, investigate such conditions personally in company with a committee of two ordained ministers and one layperson.
 - c. In case of alleged physical or mental incapacity, competent medical testimony shall be obtained. When such disability is evident, the bishop of the synod with the advice of the committee shall declare the pastorate vacant. Upon the restoration of a disabled pastor to health, the bishop of the synod shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another field of labor.
 - d. In the case of alleged local difficulties that imperil the effective functioning of the congregation, all concerned persons shall be heard, after which the bishop of the synod together with the committee described in *C9.05.b. shall decide on the course of action to be recommended to the pastor and the congregation. If they agree to carry out such recommendations, no further action shall be taken by the synod. If either party fails to assent, the congregation may dismiss the pastor at a legally called meeting after consultation with the bishop, either (a) by a two-thirds majority vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a simple majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
 - e. If, in the course of proceedings described in *C9.05.d., the committee concludes that there may be grounds for disciplinary action, the committee shall make recommendations concerning disciplinary action to the synodical bishop, who may bring charges in accordance with the provisions of the constitution and bylaws of the Evangelical Lutheran Church in America and the constitution of this synod.
 - f. If, following the appointment of the committee described in *C9.05.b. or d., it should become apparent that the pastoral office cannot be conducted effectively in the congregation(s) being served by the ordained minister due to local conditions, the bishop of the synod may temporarily suspend the pastor from service in the congregation(s) without prejudice and with pay provided through a joint synodical and churchwide fund and with housing provided by the congregation(s).

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

***C9.07.** During the period of service, an interim pastor shall have the rights and duties in the congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or

Congregation Council. The interim pastor and any ordained pastor providing assistance shall refrain from exerting influence in the selection of a pastor.

- *C9.08.** This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting related to the Evangelical Lutheran Church in America.
- *C9.09.** When a pastor is called to serve in company with another pastor or pastors, the privileges and responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted in consultation involving the pastors, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
- *C9.11.** With the approval of the bishop of the synod, the congregation may depart from *C9.05.a. and call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the pastor and representatives of the congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of *C9.05.a.
- *C9.12.** The pastor of this congregation:

 - a. shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation;
 - b. shall submit a summary of such statistics annually to the synod; and
 - c. shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.
- *C9.13.** The pastor(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.
- *C9.14.** The parochial records of this congregation shall be maintained by the pastor and shall remain the property of the congregation. The secretary of this congregation shall attest in writing to the bishop of this synod that such records have been placed in his or her hands in good order by a departing pastor before the installation of that pastor in another field of labor or the granting by the synod of retired status to the pastor.

Chapter 10.

CONGREGATION MEETING

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

B10.02.01. The annual meeting of the congregation shall be held during the month of January, the date to be set by the congregation council.

C10.02. A special Congregation Meeting may be called by the pastor(s), the Congregation Council, by action of the congregation at a duly called regular or special meeting or the president of this congregation, and shall be called by the president of the congregation or upon the written

request of ten (10) percent of the voting members. The call for each special meeting shall specify the purpose for which it is to be held and no other business shall be transacted.

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

C10.04. Ten (10) percent of the voting members shall constitute a quorum.

B10.04.01. The current roster of voting, confirmed, and baptized members shall be available at each meeting of the congregation.

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

C10.06. All actions approved by the congregation shall be by majority vote of those 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.

Chapter 11. OFFICERS

C11.01. The officers of this congregation shall be a president, vice president, secretary. The treasurer and financial secretary are to be appointed by the Executive Committee and are not officers but ex officio to the Board of Trustees and congregation council.

- a. Duties of the officers shall be specified in the bylaws.
- b. The officers shall be voting members of the congregation.
- c. Officers of this congregation shall serve similar offices of the Congregation Council and shall be voting members of the Congregation Council.

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

C11.03. No officer shall hold more than one office at a time. No president or vice-president shall be eligible to serve more than two consecutive terms in the same office. Secretary may serve more than two consecutive terms.

B11.01.01. The President shall:

- a. Preside at all meetings of the congregation, the congregation council, and executive committee.
- b. Coordinate the work of the committees (boards) and be an ex officio member without vote.

- c. Carry out the will of the congregation as ordered by this constitution, bylaws, and resolutions of the congregation.
- d. Deliver an annual report to the congregation.
- e. Appoint members of the staff support committees.
- f. Execute letters of call and sign any other instruments or documents which may be necessary as a result of legal action by the congregation or congregation council.
- g. Serve as an active member of the Committee on Stewardship.

B11.01.02. The vice-president (president elect) shall:

- a. Perform the duties of the president in the president's absence, incapacity, or at the president's request.
- b. Vice-President shall serve on the Foundation Commission, not chair the Commission.
- c. Select council members to lead liturgy (devotions) for each council meeting.
- d. Serve as an active member of the Committee on Stewardship.

B11.01.03. The secretary shall:

- a. Record proceedings of the congregation and congregation council.
- b. Keep attendance record of each council meeting.
- c. Assist president on agenda items, calling to attention matters deferred or referred to committees for further study and recommendations.
- d. Maintain a register of congregation and congregation church council resolutions and policies.
- e. Execute letters of call to pastors on behalf of the congregation.
- f. Oversee the distribution of the annual report of the congregation and the congregation report (parochial) to the

Evangelical Lutheran Church in America.

- g. Notify the nominating committee of all offices to be filled 90 days prior to the annual meeting where elections are to take place, and be the convenor of the first meeting.

B11.01.04. The treasurer shall:

- a. Supervise the financial procedures, records, and investments of the congregation. Serve as either a member of the Congregation, or be an agent of an outside firm, as recommended by the Trustees and approved by the Congregational Council.
- b. Render a monthly statement of income and expense compared to budget to the congregation council.
- c. All checks of the congregation require two signatures. Those named on the signature card are to be approved by the Executive Committee.
- d. Deliver an annual financial report to the congregation.
- e. Serve as an active member of the Committee on Stewardship.

B11.01.05. The financial secretary shall:

- a. Direct the counting, depositing, and recording of all contributions, fees collected, gifts and bequests received.
- b. Reconcile each deposit to contributors' records.
- c. Issue quarterly statements to contributors.
- d. Keep individual giving records confidential.
- e. Prepare annual report to the congregation and stewardship committee.

Chapter 12.

CONGREGATION COUNCIL

C12.01. The voting membership of the Congregation Council shall consist of the pastor(s), the officers of the congregation, and fifteen (15) members of the congregation. Any voting member of the congregation may be elected, subject only to the limitation on the length of continuous service permitted in that office. A member's place on the Congregation Council shall be declared vacant if the member a) ceases to be a voting member of this congregation or b) is absent from four successive regular meetings of the Congregation Council without cause. Consistent with the laws of the state in which this congregation is

incorporated, the congregation may adopt procedures for the removal of a member of the Congregation Council in other circumstances. A member shall be elected to a specified position on the Congregation Council, with duties specified in the bylaws.

- C12.02.** The members of the Congregation Council except the pastor(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 one full term on the same Board. Their terms shall begin at the close of the annual meeting at which they are elected.
- C12.03.** Should a member's place on the Congregation Council be declared vacant, the Executive Committee shall appoint a successor until the next annual meeting. Individuals who have served less than one-half of a regular term shall be eligible for nomination and possible election to a full term.
- C12.04.** The Congregation Council shall have general oversight of the life and activities of this congregation, and in particular its worship life, to the end that everything be done in accordance with the Word of God and the faith and practice of the Evangelical Lutheran Church in America. The duties of the Congregation Council shall include the following:
- a. To lead this congregation in stating its mission, to do long-range planning, to set goals and priorities, and to evaluate its activities in light of its mission and goals.
 - b. To seek to involve all members of this congregation in worship, learning, witness, service, and support.
 - c. To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.
 - d. To maintain supportive relationships with the pastor(s) and staff and help them annually to evaluate the fulfillment of their calling or employment.
 - e. To be examples individually and corporately of the style of life and ministry expected of all baptized persons.
 - f. To promote a congregational climate of peace and goodwill, and, as differences and conflicts arise, to endeavor to foster mutual understanding.
 - g. To arrange for pastoral service during the sickness or absence of the pastor.
 - h. To emphasize partnership with the synod and churchwide organization of the Evangelical Lutheran Church in America as well as cooperation with other congregations, both Lutheran and non-Lutheran, subject to established policies of the synod and the Evangelical Lutheran Church in America.
 - i. To recommend and encourage the use of program resources produced or approved by the Evangelical Lutheran Church in America.
 - j. To seek out and encourage qualified persons to prepare for the ministry of the Gospel.
 - k. To oversee the operation of the Board of Deacons, the Board of Trustees and the Board of Parish Education.

- l. The Congregation Council shall not have the authority to buy, sell, or encumber real property unless specifically authorized to do so by a meeting of the congregation.
- m. The Congregation Council may enter into contracts of up to 5% of the total approved budget for items not included in the budget.
- n. The Congregation Council shall prepare an annual budget for adoption by this congregation.
- o. The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of benevolence monies to the synodical treasurer.
- p. The Congregation Council shall be responsible for this congregation's investments.

C12.05. The Congregation Council shall see that the provisions of this constitution and bylaws, and the continuing resolutions of the Congregation Council are carried out.

C12.06. The Congregation Council shall provide for an annual review of the membership roster.

C12.08. The Congregation Council shall submit a comprehensive report to this congregation at the annual meeting.

C12.09. The Congregation Council shall meet regularly, normally once a month. Special meetings may be called by the pastor(s) or the president, and shall be called by the president at the request of at least one-half of Council members. Notice of each special meeting shall be given to all who are entitled to be present.

C12.10. A quorum for the transaction of business shall consist of a majority of the members of the Congregation Council, including the pastor(s) or interim pastor, except when the pastor(s) 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 pastor(s) or interim pastor who has refused approval of the agenda of a subsequent regular or special meeting shall not preclude action by the Congregation Council, following consultation with the synodical bishop.

B12.01.01 The Board of Deacons: There shall be a Board of Deacons of five (5) members. The pastor(s) shall be an advisory member by virtue of his/her office but without vote. The duties and responsibilities of the Board of Deacons shall be to provide spiritual leadership in the congregation, working with the pastor(s), to guide the work, witness, worship, and service of the congregation in the world.

A. The congregation shall elect five members to the Board of Deacons to positions set forth below. The Board will elect their chairperson and secretary at their first meeting following the annual meeting.

- a. Sacraments and Services. This deacon shall work with the Alter Guild, assist the volunteer coordinator with the ushering program,

"assisting ministers" at Baptism, Holy Communion, acolytes and other worship services and worship opportunities for the congregation, and develop programs that meet the needs of the lonely and shut-in.

- b. Worship and Music. This deacon shall chair the worship committee and coordinate the Music Program including the choirs, cantors, organists and other matters relating to our worship and music program.
- c. Evangelical Outreach. This deacon shall initiate and implement programs to welcome visitors at worship, oversee the orientation for new members, and reach out to others in the community.
- d. Life and Growth. This deacon shall initiate and implement programs to welcome the new members into congregational life, promote and encourage fellowship within the congregation, and coordinate service groups.
- e. Mission Momentum. This deacon shall promote World, Synod, and local mission concerns, oversee the missionary sponsorship program, and assist the pastor(s) in informing the congregation of work being done through the Evangelical Lutheran Church in America on the synodical and churchwide levels,

B. Conduct regular meetings at such time and place as the Board shall determine.

B12.01.02. The Board of Trustees: There shall be a Board of Trustees of five (5) members. The pastor(s) shall be an advisory member by virtue of his/her office but without vote. The duties and responsibilities of the Board of Trustees shall be to have charge of the general management of all matters relating to legal and corporate affairs and to supervise the maintenance of the properties of the congregation. All legal documents shall be signed by the president and secretary of the congregation.

A. The congregation shall elect five members to the Board of Trustees to positions set forth below. The board will elect their chairperson and secretary at their first meeting following the annual meeting.

- a. Church Sanctuary Property. This trustee shall coordinate a regular review of the church sanctuary, fellowship hall, kitchen, elevator and narthex and assist the Custodial and Maintenance Manager in implementing necessary maintenance and repairs.

b. Insurance. This trustee shall coordinate a regular review and implementation of all insurance matters and church policies affecting insurance issues.

c. Stewardship. This trustee shall coordinate a Biblically based program of stewardship to help people grow in their response to God's gifts, and to raise funds for the program needs of the congregation.

d. Development and Planning. This trustee shall coordinate a regular review of future needs with regard to the physical facilities and property needs of the congregation.

e. Education Wing Property. This trustee shall coordinate a regular review of the church education wing, offices and preschool areas and assist the Custodial and Maintenance Manager in implementing necessary maintenance and repairs.

B. Conduct regular meetings at such time and place as the Board shall determine.

C. Shall receive reports regularly from the Treasurer to ascertain that expenditures are within the budget approved by the congregation. Any expenditures in excess of 5% of the total voted budget must be approved by the congregation.

D. Be responsible for the buildings, furnishings, equipment, and premises of the congregation. Any regular use by groups or individuals not associated with the congregation will make application to the Board of Trustees. An occasional use by a community-serving group may be approved by the pastor(s), provided a member of the congregation is a part of that group and assumes responsibility. The per day cost of providing our facility shall be made known to those requesting use.

E. Report its activities to the annual meeting of the congregation and at other times as the congregation may decide.

B12.01.03. The Board of Education: A. There shall be a Board of Education of five (5) members. The pastor(s) shall be an advisory member by virtue of his/her office but without vote. The duties and responsibilities of the Board of Education shall be to provide leadership and supervision of the educational and youth programs of the congregation.

A. The congregation shall elect five (5) members to the Board of Parish Education to positions set forth below. The board will elect their chairperson and secretary at their first meeting following the annual meeting.

- a. Elementary Education. This parish educator shall assist the Youth and Education Director in initiating and implementing an effective teaching ministry which includes: the calling and training of teachers and leaders for our Sunday and vacation church schools, and periodic review of the curriculum being used.
- b. Confirmation Education. This parish educator shall assist the Youth and Education Director and Pastor(s) in initiating and implementing the Confirmation program, periodically reviewing goals and purposes, and with the pastor(s), assess the effectiveness of the effort.
- c. Continuing Education. This parish educator shall assist the pastor(s) in providing challenging and relevant study opportunities for adults, with the goal of having every confirmed member involved in some education effort each year, and be responsible for the Church Library.
- d. Preschool and Early Childhood. This parish educator shall serve as a member of the preschool board of directors and act as liaison between the preschool board and the board of Parish education
- e. Youth Ministry. This parish educator shall assist the Youth and Education Director in initiating and implementing programs to help young people through high school and in campus ministries to participate fully in the mission of Trinity Lutheran Church.

B. Conduct regular meetings at such time and place as the Board shall determine.

C. Report its activities to the annual meeting of the congregation and at other times as the congregation may decide.

Chapter 13.

CONGREGATION COMMITTEES

C13.01. The officers of this congregation, the pastor(s) and the chairs of the Boards of the Congregation Council shall constitute the *Executive Committee*. The committee shall meet regularly to increase communication between the officers, pastor(s) and Boards. The committee shall appoint members of the congregation to fill vacancies in the officers, congregation council and/or nominating committee until the next annual meeting of the congregation. The Executive Committee can act for the Congregation Council in case of emergencies.

C13.02. A *Nominating Committee* of six voting members of this congregation. Four members shall have terms of three years. Two members, if possible, shall be outgoing members of the Congregation Council, and shall serve a one year term. Members shall be

elected by the congregation at the annual meeting. Members of the Nominating Committee are eligible for consecutive reelection.

B10.02.01. The administrative pastor shall serve as convener and as an advisory member along with the vice-president

a. The nominating committee shall nominate one or more candidates for each office to be filled and shall secure the consent of each candidate.

b. The list of nominees shall be announced to the congregation in conjunction with the announcements of the meeting of the congregation at which the elections are to take place.

c. In addition to the candidates submitted by the nominating committee, additional nominations may be made from the floor with the consent of the candidate.

d. The congregation council shall fill vacancies on the nominating committee.

C13.03. An *Audit Committee* of three voting members shall be appointed by the Executive Committee. Audit Committee members shall not be members of the Congregation Council. Term of office shall be three years, with staggered terms. Members shall be eligible for reelection.

C13.04. When a pastoral vacancy occurs, a *Call Committee* of nine voting members shall be appointed by the Executive Committee, one of whom is a high school student member of the congregation. Term of office will terminate upon installation of the newly called pastor.

C13.05. A **Staff Support Committee** will conduct staff evaluations and make recommendations to the Executive Committee for improvements in staff affairs. The Staff Support Committee shall consist of the officers and a council member from each Board, appointed by the president. The Committee shall be responsible for the employment and supervision of the lay staff and non-pastoral ministerial staff of this congregation, with the Senior Pastor or Administrative Pastor being the direct and immediate supervisor of the lay staff and non-pastoral ministerial staff of this congregation.

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

B13.01.01. Stewardship Committee. The Committee shall consist of the following members: Stewardship Trustee (Chair), congregation President and Vice-President, Foundation Commission Chair, Trustees Chair, congregation Pastor(s), congregation Treasurer and Financial Secretary. Other congregation members may be appointed as needed to carry out the duties and responsibilities of the Committee. Specific duties and responsibilities of this Committee will include

planning, promoting, publicizing and acknowledging stewardship on a year-round basis; and general coordination of all funding activities of the congregation.

B13.01.02. *Mutual Ministry Committee* may be appointed jointly by the president and the pastor(s). The committee is to assist the Pastor(s) in their mission of ministry.

C13.07. Other committees and duties of committees of this congregation shall be specified in the bylaws of the congregation or continuing resolutions of the congregation council. Committees formed by action of the Congregation Council shall report to the Congregation Council.

B13.070.1. All committees formed by the Congregation Council shall have a stated purpose, a start date and a finish date in the establishing resolution.

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

C13.09. The Foundation Commission

A. There shall be a Foundation Commission of six (6) members, five of whom shall be nominated by the congregational nominating committee and elected by the church council at its February meeting for a five year term, staggered over five years. The vice-president of the congregation shall be the sixth member. The Foundation Commission shall elect a chair, secretary, and treasurer, with terms determined by vote of the commission members.

B. The duties and responsibilities of this commission shall be:

1. to receive and acknowledge all memorials; designated special gifts; endowments; bequests; and all other special gifts not designated for current operations.
2. to administer a "Second Century Fund" and to encourage the giving of the above names special gifts, as specified in the bylaws.

Chapter 14.

ORGANIZATIONS WITHIN THE 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 the congregation council's oversight and direction. This congregation at its meeting shall receive reports concerning their membership, work, and finances.

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

Chapter 15.

DISCIPLINE OF MEMBERS AND ADJUDICATION

- *C15.01.** Denial of the Christian faith as described in this constitution, conduct grossly unbecoming a member of the Church of Christ, or persistent trouble-making in this congregation are sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation will be attempted following Matthew 18:15-17, proceeding through these successive steps: a) private admonition by the pastor, b) admonition by the pastor in the presence of two or three witnesses, and c) citation to appear before the Congregation Council. If, for any reason, the pastor is unable to administer the admonitions required by a. and b. hereof, the president (if not the pastor) or vice president shall administer such admonitions.
- *C15.02.** The process for discipline of a member of the congregation shall be governed as prescribed by the chapter on discipline in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. If discipline against a member proceeds beyond counseling and admonition by the pastor, charges against the accused member(s) that are specific and in writing shall be prepared by member(s) of the congregation who shall sign the charges as the accuser(s). The written charges shall be filed with the pastor, who shall advise the Congregation Council of the need to issue a written citation to the accused and the accusers that specifies the time and place of the hearing before the Congregation Council. The written charges shall accompany the written citation to the accused. A member charged with the offense shall appear before the Congregation Council after having received a written notice-citation, at least ten days prior to the meeting. If the member charged with the offense fails to appear at the scheduled hearing, the Congregation Council may proceed with the hearing and may pass judgment in the member's absence.
- *C15.03.** Members of the Congregation Council who participate in the preparation of the written charges or who present evidence or testimony in the hearing before the Congregation Council are disqualified from voting upon the question of the guilt of the accused member. Should the allegations be sustained by a two-thirds majority vote of the members of the Congregation Council who are not disqualified but who are present and voting, and renewed admonition prove ineffectual, the council shall impose one of the following disciplinary actions:
- a. censure before the council or congregation;
 - b. suspension from membership for a definite period of time; or
 - c. exclusion from membership in this congregation.
- Disciplinary actions b. and c. shall be delivered to the member in writing.
- *C15.04.** The member against whom disciplinary action has been taken by the Congregation Council shall have the right to appeal the decision to the Synod Council. Such right may not be abridged and the decision of the Synod Council shall be final.
- *C15.05.** Disciplinary actions may be reconsidered and revoked by the Congregation Council upon receipt of a) evidence that injustice has been done or b) evidence of repentance and amendment.
- *C15.06.** For disciplinary actions in this congregation, "due process" shall be observed as specified in 20.41.04. in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.
- *C15.07.** No member of a congregation shall be subject to discipline for offenses that the Congregation Council has previously heard and decided, unless so ordered by the Synod Council after an appeal.
- *C15.10. Adjudication**

***C15.11.** When there is disagreement among factions within this congregation on a substantive issue that cannot be resolved by the parties, members of this congregation shall have access to the synodical bishop for consultation after informing the chair of the Congregation Council of their intent. If the consultation fails to resolve the issue(s), the Consultation Committee of the synod shall consider the matter. If the Consultation Committee of the synod shall fail to resolve the issue(s), the matter shall be referred to the Synod Council, whose decision shall be final.

Chapter 16. BYLAWS

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

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

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

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

Chapter 17. AMENDMENTS

***C17.01.** Unless provision *C17.04. is applicable, those sections of this constitution that are not required, in accord with the *Model Constitution for Congregations of the Evangelical Lutheran Church in America*, may be amended in the following manner. Amendments may be proposed by at least 10% of the voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the congregation's members by mail of the proposal together with the council's recommendations at least 30 days in advance of the meeting.

***C17.02.** An amendment to this constitution, proposed under *C17.01., shall:

- be approved at a legally called Congregation Meeting according to this constitution by a majority vote of those present and voting;
- be ratified without change at the next annual meeting by a two-thirds majority vote of those present and voting; and
- have the effective date included in the resolution¹ and noted in the constitution.

***C17.03.** Any amendments to this constitution that result from the processes provided in *C17.01. and *C17.02. shall be sent by the secretary of this congregation to the synod. The amendment shall become effective within 120 days from the date of the receipt of the notice by the synod unless the synod informs this congregation that the amendment is in conflict with the constitution and bylaws of the Evangelical Lutheran Church in America or the constitution of the South Dakota Synod of the ELCA.

¹ Such an effective date must be stated in relation to the requirements of *C17.03. to allow time for synodical review of the amendment.

***C17.04.** This constitution may be amended to bring any section into conformity with a section or sections, either required or not required, of the *Model Constitution for Congregations of the Evangelical Lutheran Church in America*—as most recently amended by the Churchwide Assembly—by a simple majority vote of those voting members present and voting at any legally called meeting of the congregation without presentation at a prior meeting of the congregation, provided that the Congregation Council has submitted by mail notice to the congregation of such an amendment or amendments, together with the council’s recommendations, at least 30 days prior to the meeting. Upon the request of _10% of the voting members of the congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of the congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following a vote of approval.

B17.04.01. The doctrinal basis and the confessional subscription contained in Chapter 2, shall be unalterable; and no amendment to this constitution shall conflict therewith.

Chapter 18.

CONTINUING RESOLUTIONS

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

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

Chapter 19.

INDEMNIFICATION

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

Chapter 20.

PARISH AUTHORIZATION

***C20.01.** This congregation may unite in partnership 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 a Parish Council.

***C20.02.** Whenever a letter of call is being recommended for extension to an ordained minister of the Evangelical Lutheran Church in America or a candidate for the roster of ordained ministers who has been recommended to the congregation by the synodical bishop to serve the congregations of a parish, such letter of call shall be first approved by a two-thirds vote at congregational meetings of each of the congregations forming the parish. If any congregation of the parish should fail to approve extending this call, the other congregation(s) in the same parish shall have the right to terminate the parish arrangement.

***C20.03.** Any one of the congregations of a parish may terminate the call of a pastor as provided in †S14.13.d. of the synodical constitution of the synod named in *C6.01. In

such case, the other congregation(s) in the same parish shall have the right to terminate the parish arrangement.