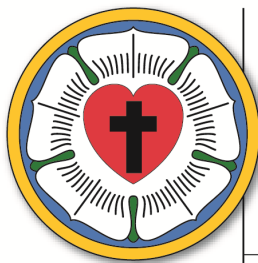


CONSTITUTION DOCUMENT FOR CONGREGATIONS

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NALC

North American Lutheran Church

**CONSTITUTION**  
**FOR**  
**EMANUEL LUTHERAN CHURCH**  
**(Adopted as of October 2, 2016)**

**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**

- 1.01.** The name of this congregation shall be Emanuel Friesburg Lutheran Church.
- 1.02.** For the purpose of this constitution and any accompanying bylaws, the congregation of Emanuel Friesburg Lutheran Church is hereinafter designated as "this congregation."
- 1.03.** This congregation shall be incorporated under the laws of the State of New Jersey.

**Chapter 2.**

**CONFESSION OF FAITH**

This congregation incorporates Article 2 of the constitution of the North American Lutheran Church (the "NALC"), confessing:

- 2.01. The Triune God – Father, Son, and Holy Spirit**
- 2.02. 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 the Holy Spirit speaking through their authors, they record and announce God's revelation centering in Jesus Christ. Through them the Holy Spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.**
- 2.03. 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, "according to which all doctrines should and must be judged." (Formula of Concord, Epitome, Part I)**
- 2.04. The Apostles', Nicene, and Athanasian Creeds as true declarations of the faith of the Church.**
- 2.05. 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.**
- 2.06. 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.**

- 2.07. The Gospel, recorded in the Holy Scriptures and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God's mission in the world.**

### **Chapter 3.**

#### **NATURE OF THE CHURCH**

- 3.01.** The Church is the universal assembly of all believers among whom the Gospel is preached in its purity and the holy sacraments are administered according to the Gospel. (Augsburg Confession VII)
- 3.02.** 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.
- 3.03.** The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the Church, and the universal Church exists in and through congregations.
- 3.04.** This congregation exercises ministry within the mission of the NALC. This congregation embodies the Church in its community and, for the sake of mission, lives in cooperative partnership with other congregations and within the other structures of the NALC. This congregation shall share responsibility for the decision-making processes of the NALC.

### **Chapter 4.**

#### **STATEMENT OF PURPOSE**

- 4.01.** The hearers of the Gospel are a people, called and sent by God, Father, Son and Holy Spirit, to be a community of faith, hope and love who witness to Christ and His coming Kingdom before all the world.
- 4.02.** To participate in God's mission, this congregation as a part of the Church shall:
- a. Give honor and glory to God, the Father, Son and Holy Spirit, worshipping Him in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, obedience and service.
  - b. Carry out Christ's Great Commission by proclaiming to all the world the Gospel of justification by grace through faith alone, according to the apostolic witness in Holy Scripture and in accordance with the Lutheran Confessions.
  - c. Preserve and transmit the Gospel faithfully to future generations.
  - d. Foster Christian fellowship and love, and extend a helping hand to humans in need.
  - e. Manifest the unity of our faith in Jesus Christ as God and Savior and join with other Christians in prayer and action.
  - f. Nurture its members in the Word of God so as to grow in faith and hope and love, and to develop a sense of Christian vocation in daily life.
- 4.03.** To fulfill these purposes, this congregation shall:
- a. Provide services of worship at which the Word of God is rightly preached and the sacraments are rightly 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. Encourage its members to provide appropriate financial support for the congregation's ministry and the ministry of other parts of the NALC.

- h. Foster and participate in relationships with other congregations and structures of the NALC.
  - i. Foster and participate in ecumenical relations consistent with NALC policy.
- 4.04.** 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 Congregational Council.]
- 4.05.** This congregation may, from time to time, adopt a mission statement which will provide specific direction for its programs.

## **Chapter 5.**

### **POWERS OF THE CONGREGATION**

- 5.01.** The powers of this congregation are those necessary to fulfill its purpose.
- 5.02.** The powers of this congregation are vested in the Congregational Meeting called and conducted as provided in this constitution and bylaws.
- 5.03.** 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. appoint or terminate the service of commissioned lay leaders.
  - d. approve the annual budget;
  - e. acquire real and personal property by gift, devise, purchase, or other lawful means;
  - f. hold title to and use its property for any and all activities consistent with its purpose;
  - g. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
  - h. elect its Congregation Council, boards and committees, and require the members of the council, boards and committees to carry out their duties in accordance with the constitution, bylaws and continuing resolutions.
  - i. adopt amendments to this constitution as provided in Chapter 17 and amendments to the bylaws as specified in Chapter 16.
  - j. establish or terminate a relationship with a church body.
- 5.04.** This congregation may select voting members of this congregation to serve as lay delegates and alternates to represent it at meetings of any conferences, convocations and other meetings where this congregation is entitled to such representation.

## **Chapter 6.**

### **CHURCH AFFILIATION**

- 6.01.** This congregation is a member of the NALC or any successor and is subject to the procedures of the NALC.
- 6.02.** **This congregation subscribes to the constitution of the NALC and will act in accordance with it.**
- 6.03.** This congregation will conduct its ministry in a manner consistent with its membership in the NALC:
- a. This congregation is responsible for its life as a Christian community.
  - b. This congregation pledges its participation in the life and mission of the NALC, including the prayerful consideration of appropriate financial support.
  - c. **This congregation shall call only pastors who are members of the NALC or otherwise are authorized by the NALC to serve.**

d. **This congregation shall appoint only commissioned lay leaders who are members of the NALC or otherwise are authorized by the NALC to serve.**

6.04. Affiliation with the NALC may be terminated as follows:

- a. This congregation dissolves.
- b. This congregation ceases to exist.
- c. This congregation is removed from membership in the NALC according to the procedures for discipline of the NALC.
- d. This congregation, at a legally called and conducted special meeting, approves by at least a 60 percent majority of those present and voting a resolution directing that this congregation withdraw from the NALC. If this congregation adopts a resolution withdrawing from the NALC, all provisions of this constitution binding this congregation to the NALC shall be immediately ineffective. The congregation shall promptly deliver a copy of the withdrawal resolution to the NALC General Secretary.

## Chapter 7.

### PROPERTY OWNERSHIP

7.01. This congregation is an independent legal entity with rights to purchase, hold, and convey real and personal property in accord with applicable law. The NALC shall have no right to or interest in the property of this congregation unless this congregation expressly conveys such a right or interest to the NALC. If this congregation dissolves, its property shall be distributed in accord with applicable law and with the congregation's governing documents, including as otherwise provided herein.

## Chapter 8.

### MEMBERSHIP

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

8.02. Members shall be classified as follows:

- a. **Baptized** members are those persons who have been received by the Sacrament of Holy Baptism in this congregation, or having been previously baptized in the name of the Triune God, have been received by certificate of transfer from other Lutheran congregations or by affirmation of faith.
- b. **Confirmed** members are baptized persons who have been confirmed in this congregation, those who have been received by adult baptism or by transfer as confirmed members from other Lutheran congregations, or baptized persons received by affirmation of faith.
- c. **Voting** members are confirmed members who have communed and have made a contribution of record to this congregation during the current or preceding calendar year. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of the congregation.
- d. **Associate** members are persons holding membership in other Christian congregations who wish to retain such membership but desire to participate in the life and mission of this congregation. 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.

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

8.04. 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 confessions; and
- c. support the work of this congregation, the NALC and their ministries and structures through contributions of time, abilities, and financial support as biblical stewards.

**8.05.** 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.
- f. Such persons who have been removed from the roll of members shall remain persons for whom the Church has a continuing pastoral concern.

## **Chapter 9.**

### **THE PASTOR**

**9.01.** Authority to call a pastor shall be in this congregation by at least a two-thirds majority written ballot vote of members present and voting at a meeting legally called for that purpose.

**9.02.** Consistent with the faith and practice of the NALC,

- a. Every ordained minister shall:
  - 1) preach the Word;
  - 2) administer the sacraments;
  - 3) conduct public worship;
  - 4) provide pastoral care;
  - 5) serve as the chief evangelist in his or her ministry, and
  - 6) proclaim God's love to 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 Congregation 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; and
  - 3) impart knowledge of this congregation and the NALC in its wider ministry through public provision of information, distribution of publications and other appropriate means.

**9.03.** 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 reviewed by the NALC.

**9.04.** 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 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; or
  - 6) the dissolution of the congregation.
- b.** If the Congregation Council determines that it may be appropriate to end a call for one of the reasons set out in sub-section a., the Council shall consult with the pastor regarding the matter in accord with Biblical principles. If the Congregation Council and pastor do not reach agreement, the Congregation Council shall inform the Bishop of the NALC, who shall consult with the Congregation Council and the pastor and shall attempt to reach an agreed resolution. If the Bishop fails to facilitate an agreed resolution, the Congregation Council or the pastor may call a special Congregational Meeting to consider the matter. At such a meeting, the pastor and the Congregation Council leadership shall have a full and fair opportunity to present their positions on all matters relevant for consideration. Thereafter, the congregation by a two-thirds vote may terminate the pastor's call. In all events, the Congregation Council by majority vote may suspend a pastor with pay if the Congregation Council determines that such suspension is necessary to protect the congregation and all whom it serves. No such suspension may last more than 90 days unless the pastor agrees otherwise.
- 9.05.** At a time of pastoral vacancy, an interim pastor may be appointed by the Congregation Council.
- 9.06.** 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 Congregation Council. The interim pastor and any ordained pastor providing assistance shall refrain from exerting influence in the selection of a pastor.
- 9.07.** 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.
- 9.08.** 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 and the Congregation Council. As occasion requires, the documents may be revised through the same consultation process.
- 9.09.** The congregation may depart from the requirements in section 9.04 (a) by calling a pastor for a term of years. Details of such a call shall be in a writing that sets forth the purpose and conditions involved. Such a call may be terminated before its expiration in accordance with the provisions in section 9.04 (a) and 9.04 (b).
- 9.10.** 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 Congregation Council; 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.
- 9.11.** The parochial records of this congregation shall be maintained by the pastor and shall remain the property of the congregation.

## **Chapter 10.**

### **CONGREGATIONAL MEETING**

- 10.01.** The annual meeting and any other regular meetings of this congregation shall be held at times set by the congregation in the bylaws or in other resolutions.
- 10.02.** A special Congregational Meeting may be called by the pastor, the Congregation Council, or the president of this congregation, and shall be called by the president of the congregation upon the written request of ten 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.
- 10.03.** a. 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 media to all voting members at least 10 days in advance of the date of the meeting. The posting of such notice in the regular mail, with the regular postage affixed or paid, sent to the last known addresses of such members, or sent to the last known e-mail addresses of such members, shall be sufficient.
- b. In the event of a congregational emergency, a special congregational meeting may be called with less than one week's notification with notice given by electronic media and telephone.
- 10.04.** Twenty percent of voting members present shall constitute a quorum.
- 10.05.** Voting by proxy or by absentee ballot shall not be permitted.
- 10.06.** 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 applicable law.
- 10.07.** *Robert's Rules of Order*, latest edition, shall govern parliamentary procedure of all meetings of this congregation.

## **Chapter 11.**

### **OFFICERS OF THE CONGREGATION**

- 11.01.** The officers of this congregation shall be a president, vice president, secretary and treasurer.
- a. Duties of the officers shall be specified in the bylaws.
- b. The officers shall be voting members of the congregation.
- c. Officers of this congregation shall serve similar offices of the Congregation Council and shall be voting members of the Congregation Council.
- d. If the Church Council elects its officers, the president, vice president, and secretary shall be selected from the elected membership of the Church Council. [If the treasurer is not elected from the elected membership of the Church Council, the treasurer shall have voice but not vote at the meetings of the Church Council.]
- 11.02.** The officers identified in this Chapter 11 shall be elected by the Congregation Council by majority vote 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.
- 11.03.** No officer shall hold more than one office at a time. No elected officer shall be eligible to serve more than three consecutive terms in the same office.
- 11.04.** If any elected office enumerated in this Chapter 11 becomes vacant, the Congregation Council shall elect a replacement as soon as practicable to serve the remainder of the unexpired term. The time served under this Section 11.04 shall not count for purposes of term limits.



## Chapter 12.

### CONGREGATION COUNCIL

- 12.01.** The voting membership of the Congregation Council shall consist of the pastor(s), the officers of the congregation, and up to six other members of the congregation. If the treasurer is appointed and not elected from the membership of the Church Council, the treasurer shall have voice but not vote. 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.
- 12.02.** The members of the Congregation Council except the pastor(s) shall be elected by majority vote by written ballot at the annual meeting of the congregation. Elected members shall serve terms of three years or until their successors are elected. Such members shall be **installed at worship on any Sunday prior to the date they assume office.** Members shall be eligible to serve no more than two full terms consecutively. Their terms shall begin at the close of the annual meeting at which they are elected. The Congregation Council shall be elected in such a manner that one-third are elected each year.
- 12.03.** Should a member's place on the Congregation Council be declared vacant, the Congregation Council may elect, by majority vote, a successor until the next annual meeting.
- 12.04.** 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, the Lutheran Confessions and the faith and practice of the NALC. 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 foster resolution of such conflicts according to Biblical principles.
  - g. To arrange for pastoral service during the sickness or absence of the pastor.
  - h. To emphasize partnership with the NALC, as well as cooperation with other Christian congregations, both Lutheran and non-Lutheran.
  - i. To seek out and encourage qualified persons to prepare for the ministry of the Gospel.
- 12.05.** The Congregation Council shall be responsible for the financial and property matters of this congregation.
- a. The Congregation Council shall be the board of trustees of this congregation, and as such shall be responsible for maintaining and protecting its property and the management of its business and fiscal affairs. It shall have the powers and be subject to the obligations that pertain to such boards under the laws of the State of New Jersey, except as otherwise provided herein.

- b. The Congregation Council shall not have the authority to buy, sell, or encumber real property unless specifically authorized to do so by a meeting of the congregation.
  - c. The Congregation Council may enter into contracts of up to \$5,000.00 for items not included in the budget.
  - d. The Congregation Council shall prepare an annual budget for adoption by this congregation, shall supervise the expenditure of funds in accordance therewith following its adoption, and may incur obligations of more than \$5,000.00 in excess of the anticipated receipts only after approval by a Congregational Meeting.
  - e. The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of benevolence monies to designated recipients.
  - f. The Congregation Council shall be responsible for this congregation's investments and its total insurance program.
- 12.06.** The Congregation Council shall see that the provisions of this constitution and of the congregation's bylaws and continuing resolutions are carried out.
- 12.07.** The Congregation Council shall provide for an annual review of the membership roster.
- 12.08.** The Congregation Council shall be responsible for the employment and supervision of the salaried lay workers of this congregation.
- 12.09.** The Congregation Council shall submit a comprehensive report to this congregation at the annual meeting.
- 12.10.** The Congregation Council shall normally meet once a month. Special meetings may be called by the pastor or the president, and shall be called by the president at the request of at least one-half of its members. Notice of each special meeting shall be given to all who are entitled to be present.
- 12.11.** A quorum for the transaction of business shall consist of a majority of the members of the Congregation Council. In addition, the pastor or interim pastor must be present, except when the pastor or interim pastor requests or consents to be absent and has given prior approval to the agenda for a particular regular or special meeting, or with the consent of the Bishop or Dean. In such a circumstance, the Congregation Council may not conduct any business beyond that which was included on the agenda as approved by the pastor, interim pastor, Bishop or Dean, as applicable. Chronic or repeated absence of the pastor or interim pastor who has refused approval of the agenda of a subsequent regular or special meeting shall not preclude action by the Congregation Council.

## **Chapter 13.**

### **COMMITTEES OF THE CONGREGATION**

- 13.01.** The officers of this congregation and the pastor shall constitute the Executive Committee.
- 13.02.** A Nominating Committee of this congregation shall be appointed by the Congregation Council annually.
- 13.03.** A Mutual Ministry Committee of up to six voting members may be appointed jointly by the president and the pastor. Term of office shall be two years.
- 13.04.** When a pastoral vacancy occurs, a Call Committee of six voting members shall be appointed by the Congregation Council. Term of office will terminate upon installation of the newly called pastor.
- 13.05.** Other committees of this congregation may be formed, as the need arises, by decision of the Congregation Council.
- 13.06.** Duties of committees of this congregation shall be specified in the bylaws or continuing resolutions.

- 13.07.** The pastor of this congregation shall be an *ex officio* member of all committees 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.

#### **Chapter 14.**

##### **ORGANIZATIONS WITHIN THE CONGREGATION**

- 14.01.** All organizations within this congregation shall exist to aid it in ministering to the members of this congregation and to all persons who can be reached with the Gospel of Christ. As outgrowths and expressions of this congregation's life, the organizations are subject to its oversight and direction. This congregation at its meeting shall determine their policies, guide their activities, and receive reports concerning their membership, work, and finances.
- 14.02.** Special interest groups may be organized only after authorization has been given by the Congregation Council.

#### **Chapter 15.**

##### **DISCIPLINE OF MEMBERS AND ADJUDICATION**

- 15.01.** Denial of the Christian faith as described in this constitution or the constitution of the NALC, 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 or vice president shall administer such admonitions.
- 15.02.** 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. The written citation that specifies the time and place of the hearing before the Congregation Council and requests the presence of a member charged with an offense shall be sent 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.
- 15.03.** 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.
- 15.04.** The member against whom disciplinary action has been taken by the Congregation Council shall have the right to appeal to a Congregational Meeting, which may revise or overturn the Congregation Council's decision by a majority vote. Any such vote will be by secret ballot.

- 15.05.** 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.

## **Chapter 16.**

### **BYLAWS**

- 16.01.** This congregation may adopt bylaws. No bylaw may conflict with this constitution.
- 16.02.** 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.
- 16.03.** Changes to the bylaws may be proposed by any voting member provided, however, (a) that such additions or amendments be submitted in writing to the Congregation Council at least 60 days before a regular or special Congregational Meeting called for that purpose and (b) that the Congregation Council notify the congregation's members by mail and/or electronic media of the proposal with any recommendations regarding the disposition of the proposal at least 30 days in advance of the Congregational Meeting.

## **Chapter 17.**

### **AMENDMENTS**

- 17.01.** Amendments may be proposed by at least ten 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 Congregational Meeting called for that purpose. The Congregation Council shall notify the congregation's members of the proposal with the council's recommendations regarding disposition of the proposal at least 30 days in advance of the meeting.
- 17.02.** An amendment to this constitution, shall:
- a. be approved at a legally called Congregational Meeting according to this constitution by a simple majority vote of those present and voting;
  - b. be ratified without change at the next annual Congregational Meeting by a two-thirds majority vote of those present and voting; and
  - c. have the effective date included in the resolution and noted in the constitution.

## **Chapter 18.**

### **CONTINUING RESOLUTIONS**

- 18.01.** This congregation in a legally called Congregational Meeting or the Congregation Council may enact continuing resolutions. Such continuing resolutions may not conflict with the constitution or bylaws of this congregation.
- 18.02.** Continuing resolutions shall be enacted or amended by a majority vote of a Congregational Meeting or a 60 percent vote of all voting members of the Congregation Council.

## **Chapter 19.**

### **INDEMNIFICATION**

- 19.01.** 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**

### **ORGANIZATION AND DISSOLUTION**

- 20.01.** The purpose for which this congregation is formed, and the business and objectives to be carried on and promoted by it are to operate a religious organization exempt from income taxation under Section 501(c)(3) of the Internal Revenue Code or corresponding section of any future federal tax code and as the same may be amended at any time and from time to time. This congregation is organized exclusively for charitable, religious and educational purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under Section 501(c)(3) of the Internal Revenue Code, or any corresponding section of any future federal tax code.
- 20.02.** Upon the dissolution of this congregation, the assets of this congregation shall be distributed for one (1) or more exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code and as the same may be amended at any time and from time to time[, or in the absence of such designation, to the federal government, or to a state or local government, for a public purpose].

-- END --