

**CONSTITUTION  
FOR  
LIVING LORD LUTHERAN CHURCH  
BRADENTON, FLORIDA  
EVANGELICAL LUTHERAN  
CHURCH IN AMERICA**



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**2010**

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➤ **Codification explanation:** A numerical codification indicates (a) general subject, (b) constitutional provisions, (c) bylaws, and (d) continuing resolutions.

- a. Major sectors are designated as chapters. The chapter designation becomes the first number in the codification sequence and is followed by a period. Thus, provisions in “Chapter 8. Membership” are preceded by “8.”
- b. Constitutional provisions are codified with two sets of numbers: the chapter number and a two-digit number preceding the second period in the codification. Thus, one constitutional provision related to “Membership” is codified \*C8.02.
- c. Bylaw provisions are codified with three sets of numbers: the chapter number, the related constitutional provision number, and a two-digit number. Thus, one bylaw provision related to “Membership” would be codified C8.02.01. Because bylaws and continuing resolutions normally are so specifically related to details of each congregation’s organization, operation, and life, no model set of bylaws or continuing resolutions is provided. Each congregation may develop its own bylaws and continuing resolutions, but no such bylaws or continuing resolutions may conflict with this constitution, the constitution and bylaws of the Evangelical Lutheran Church in America, and the constitution of the synod, as indicated in \*C6.03.e.
- d. The Congregation Council may adopt “continuing resolutions,” which may provide descriptions of operational patterns or of the ongoing responsibilities of committees or other units within the organizational structure of the congregation. Within the governing documents of a congregation, continuing resolutions are the provisions most easily amended. Unlike constitutional provisions and bylaws, continuing resolutions may be updated regularly by the Congregation Council without the necessity of calling a regular or special Congregation Meeting. Continuing resolutions also are codified with three sets of numbers except that the third set is preceded by a capital letter. Thus, a continuing resolution might be numbered C13. to designate the chapter; C13.07. to designate the subject matter within the chapter; and the third set might be numbered A07. in the codification C13.07.A07. to indicate by the “A” that it is the first continuing resolution regarding that subject and to indicate by the “07” that it was adopted in 2007.

➤ **Ease of use:** The provisions of your congregation’s constitution, the bylaws, and the continuing resolutions that pertain to the same matter should be placed together for clarity and ease in use.

If chapter numbers are considered the major sequence number, constitution numbers as a fraction of the chapter number, and bylaw numbers as a fraction of the constitution number, then the codification can be said to provide a progressive sequence. Thus, \*C5.01. will precede C5.03.10., and C9.11.16. will precede \*C9.13.

All provisions in the *Model Constitution for Congregations* are prefaced with “C” to distinguish these provisions from comparable ones in the synodical and churchwide constitutions.

➤ **Missing numbers:** As you work with the *Model Constitution for Congregations*, you may notice that certain numbers seem to be missing from the numbering sequence in some chapters. That is intentional. In the style followed here, the number “.10.” and multiples thereof have been reserved for possible use as section headings in future editions. Therefore, in the sequence, for example, of Chapters 1, 9, and 12, these “.10.” numbers do not appear.

➤ **Selection of options:** Alternatives are provided in certain places within the model. Those are noted by square brackets. For example, \*C9.01. offers the alternative of election of a call committee by the congregation or by the Congregation Council. One alternative should be chosen in each instance where square brackets appear in the text.

Optional texts are provided in separate paragraphs in Chapters 11 and 12 regarding the Congregation Council and its membership. Each congregation will need to select one of those options for council membership or a variation thereof, subject to approval through the synod’s constitutional review process.

➤ **References to church:** In the governing documents, “Church” with a capital letter is used in references to the one, holy, catholic, and apostolic Church. In references to the Evangelical Lutheran Church in America, the words “church” and “this church” in lower case letters are employed, although, for clarity in this constitution, the full name or “ELCA” normally is used.

The specific congregation may be identified, as provided in C1.02., as “this congregation.”

➤ **Guidelines:** A list of guidelines for a congregation engaging in review and amendment of its constitution is available through each synod office and on the ELCA Web site ([www.elca.org/secretary/Constitutions/ModelGuide.pdf](http://www.elca.org/secretary/Constitutions/ModelGuide.pdf)).

The task of amending a constitution is not easy. It is, however, an important endeavor that merits thoughtful work. In your constitutional responsibilities, God grant you wisdom, mutual love, clear understanding of good order, and commitment to the unity of this church in faithful witness to our Lord and Savior, Jesus Christ.

**LIVING LORD LUTHERAN CHURCH, INC.**

**11120 State Road 70 East**

**Bradenton, Florida 34202**

**CONSTITUTION AND BYLAWS**

**AND CONTINUING RESOLUTIONS**

**\*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 Living Lord Lutheran Church, Inc.

**C1.02.** For the purpose of this constitution and the accompanying bylaws, the congregation of Living Lord Lutheran Church is hereinafter designated as “this congregation.”

**C1.03.** This congregation shall be incorporated under the laws of the State of Florida.

**Chapter 2.**

**\*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 judgement and mercy through word and deed, beginning with the Word in creation, continuing in the history of Israel, and centering in all its fullness in the person and work of Jesus Christ.

- c. The canonical Scriptures of the Old and New Testaments are the Written Word of God. Inspired by God's Spirit speaking through their authors, they record and announce God's revelation centering in Jesus Christ. Through them God's Spirit speaks to us to create and sustain Christian Faith and fellowship for service in the world.
- \*C2.03.** This congregation accepts the canonical Scriptures of the Old and New Testaments as the inspired Word of God and the authoritative source and norm of its proclamation, faith, and life.
- \*C2.04.** This congregation accepts the Apostles', Nicene, and Athanasian Creeds as true declarations of the faith of this congregation.
- \*C2.05.** This congregation accepts the Unaltered Augsburg Confession as a true witness to the Gospel, acknowledging as one with it in faith and doctrine all churches that likewise accept the teachings of the Unaltered Augsburg Confession.
- \*C2.06.** This congregation accepts the other confessional writings in the Book of Concord, namely, the Apology of the Augsburg Confession, the Smalcald Articles and the Treatise, the Small Catechism, the Large Catechism, and the Formula of Concord, as further valid interpretations of the faith of the Church.
- \*C2.07.** This congregation confesses the Gospel, recorded in the Holy Scriptures and confessed in the ecumenical creeds and Lutheran confessional writing, as the power of God to create and sustain the Church for God's mission in the world.

### **Chapter 3.**

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

- \*C3.01.** All power in the Church belongs to our Lord Jesus Christ, its head. All actions of this congregation are to be carried out under his rule and authority.
- \*C3.02.** 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 part of the Church shall:

- a. Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, and service.
- b. Proclaim God's saving Gospel of justification by grace for Christ's sake through faith alone, according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.
- c. Carry out Christ's Great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministry with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.
- d. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity and justice for all people, working for peace and reconciliation among the nations, and standing with the poor and powerless, and committing itself to their needs.
- e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.
- f. Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity which the Spirit gives.

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

- a. Provide services of worship at which the Word of God is preached and the sacraments are administered.
- b. Provide pastoral care and assist all members to participate in this ministry.
- c. Challenge, equip, and support all members in carrying out their calling in their daily lives and in their congregations.
- 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 needs, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.
- g. Motivate its members to provide financial support for the congregation's ministry and the ministry of other parts of the Evangelical Lutheran Church in America.

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

**C4.03.01.** This congregation shall carry out acts of social service and community service such as (but not limited to) supporting day care centers, nursery schools, retirement and nursing homes, recreation facilities and parochial schools, food pantry, cooperation with other social service agencies of the private and public sectors, as may be deemed appropriate, when feasible by this congregation.

**\*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.

**C4.04.01. References to “Ministry Team” or “Ministries” in this document shall be understood to refer to committees as stated in \*C4.04., C5.03.i., C9.01., and C19.01.**

**\*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 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 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 a lawful means;
- i. Elect its officers and Congregation Council, establish boards and committees, and require them to carry out their duties in accordance with the constitution, 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 Florida-Bahamas Synod of the Evangelical Lutheran Church in America.

**C.5.05.** This congregation may establish a mission endowment fund that will operate as specified in this congregation's continuing resolution. The purpose of the mission endowment fund is to provide for mission work beyond the operational budget of this congregation

## **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 Florida-Bahamas 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.
- g. Since this congregation was established by the Evangelical Lutheran Church in America, it shall be required, in addition to the foregoing provisions in \*C6.05., to receive synodical approval before terminating its membership in the Evangelical Lutheran Church in America.

**\*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 the Florida-Bahamas 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 Florida-Bahamas 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 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.
- C7.05.** Notwithstanding the provisions of \*C7.02. and \*C7.03. above, where this congregation has received property from the synod pursuant to a deed or other instrument containing restrictions under provision 9.71.a. of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*, this congregation accepts such restrictions and:
  - a. Shall not transfer, encumber, mortgage, or in any way burden or impair any right, title, or interest in the property without prior approval of the Synod Council.

- b. Shall—upon written demand by the Synod Council, pursuant to +S13.23. of the constitution of the Florida –Bahamas Synod—reconvey and transfer all right, title, and interest in the property to the synod.

## Chapter 8.

### MEMBERSHIP

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

**\*C8.02.** Members shall be classified as follows:

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

## **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 this congregation 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 have 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 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 the Florida-Bahamas 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.

**C9.20.** Ecumenical pastoral ministry

**C9.21.** Under special circumstances, subject to the approval of the synodical bishop and the concurrence of this congregation, an ordained minister of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion may serve temporarily as pastor of this congregation under a contract between the congregation and the ordained minister in a form proposed by the synodical bishop and approved by the congregation.

## **Chapter 10.**

### **CONGREGATION MEETING**

**C10.01.** The annual meeting of this congregation shall be held on a Sunday in January, as determined by the Congregation Council.

**C10.02.** A special congregation meeting may be called by the pastor, the Congregation Council, or the president of this congregation, and shall be called by the president of the congregation upon the written request of thirty percent (30%) 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 or via email to all voting members at least 10 days in advance of the date of the meeting. The posting of such notice in the regular mail, with the regular postage affixed or paid, sent to the last known address of such members shall be sufficient. For those members who have currently opted to receive their LLLC Voice via email, the meeting notice may be sent via email.

**C10.04.** Twenty percent (20%) of the voting members shall constitute a quorum.

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

**C10.06.** All actions approved by 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, 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.

**C11.01.01. Duties of the President**

The primary duty of the President is to preside at all congregation, Executive Team, and Congregation Council meetings.

The President of this congregation shall submit, at the congregation's annual meeting, a written report of the progress of the congregation.

The President shall be the executive officer for all administrative aspects of the church and its facilities.

**C11.01.02. Duties of the Vice President**

In the absence of the President, the Vice President shall perform all the duties of the President.

The primary duty of the Vice President is to assist the President in all Council and church business undertakings.

**C11.01.03. Duties of the Treasurer**

The Treasurer shall keep the books of account suitable for audit, including copies of receipts, deposits, and disbursements of funds, by check or otherwise, based on proper documentation.

The Treasurer shall supervise the financial secretary, who is responsible for those who count the offerings on a weekly basis.

The Treasurer shall submit a written report monthly to the Congregation Council which details the financial status of financial transactions; to the congregation at its annual meeting; and shall provide details of all financial transactions to the Congregation Council and/or Ministry Teams upon their request.

**C11.01.04. Duties of the Secretary**

The Secretary of this congregation shall record and present the official minutes of this congregation to the annual meeting, and other special meetings of this congregation.

The Secretary shall record the monthly meetings of the Congregation Council and make available such information to the congregation.

The Secretary is the custodian of the congregation's records, except those specifically assigned to others. All records shall be permanently preserved.

The Secretary in cooperation with the pastor(s) shall aid in official correspondence of the Congregational Council.

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

**C11.03.** No officer shall hold more than one office at a time. No elected officer shall be eligible to serve more than two consecutive terms in the same office, unless waived by the congregation at the annual meeting.

## **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 no fewer than 3 members of the congregation. Any voting member of the congregation may be elected to the Congregation Council, subject to the limitation on the length of continuous service permitted for that office and provided that no two members from the same family, including siblings, may serve concurrently. This limitation does not apply to non-voting (ex-officio) members of the Congregation Council. Consideration should be given to include a high school youth and a young adult on council. 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 three successive regular meetings of the Congregation Council without cause.

Consistent with the laws of Florida, the state of which this congregation is incorporated, the congregation may adopt procedures for the removal of a member of the Congregation Council in other circumstances.

**C12.01.01.** For 3 successive months a member on the Congregation Council must have communed in this congregation and must have made a contribution of record to this congregation otherwise the member's place shall be declared vacant.

**C12.01.02.** No paid employee and/or spouse shall be elected to the Congregation Council or be appointed as chairperson to any Ministry Team. They may attend a Ministry Team meeting but will have no voice or voting privileges.

**C12.02.** The members of the Congregation Council, except the pastor(s), shall be elected by written ballot unless waived by a vote of the congregation to service for three (3) years or until their successors are elected, with the exception of the high school youth council member whose term(s) of service shall be for one (1) year. Such members shall be eligible to serve no more than two full terms consecutively unless waived by a vote of the

congregation at the annual meeting. Their terms shall begin at the close of the annual meeting at which they are elected.

**C12.03.** Should a member's place on the Congregation Council be declared vacant, the Congregation Council shall elect, by majority vote, a successor until the next annual meeting. 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.

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

- a. The Congregation Council shall be the board of directors of this congregation and, as such, shall be responsible for maintaining and protecting its property and the

management of its business and fiscal affairs. It shall have the powers and be subject to the obligations that pertain to such boards under the laws of the State of Florida 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 \$15,000.00 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 \$10,000.00 in excess of the anticipated receipts only after approval by a Congregation Meeting. The budget shall include this congregation's fully indicated share in support of the wider ministry being carried on in partnership with the synod and churchwide organization.
- e. The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the prompt payment of all obligations, to the regular forwarding of benevolence monies to the synodical treasurer, and to determining what, if any, obligations must be reduced to meet the funds available.
- f. The Congregation Council shall be responsible for this congregation's investments and its total insurance program.

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

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

**C12.08.** The Congregation Council shall be responsible for the employment and supervision of the salaried lay workers of this congregation.

**C12.09.** The Congregation Council shall submit a comprehensive report to this congregation at the annual meeting.

**C12.11.** The Congregation Council shall normally meet once a month. Special meetings may be called by the pastor or the president, and shall be called by the president at the request of at least one-half of its members. Notice of each special meeting shall be given to all that are entitled to be present.

**C12.12.** A quorum for the transaction of business shall consist of a majority of the members of the Church Council, including the pastor or interim pastor, except when the pastor or interim pastor requests or consents to be absent and has given prior approval to 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 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.

## Chapter 13.

### CONGREGATION MINISTRY TEAMS

**C13.01.** The officers of this congregation and the pastor shall constitute the Executive Team.

**C13.01.01.** Duties of the Executive Team:

React on important issues that require action between meetings of the Congregation Council.

Review all personnel, fiscal and facility issues and make recommendations to the Congregation Council for resolution.

Approve emergency expenditures, up to \$5,000.00, which are defined as those where there is imminent danger to life and/or property and that must occur before the next scheduled meeting of the Congregation Council and are outside the scope of the approved budget. Such expenditures must be identified and reported to the Congregation Council at its next regularly scheduled meeting.

Approve emergency changes in personnel, which are defined as those that must be made before the next scheduled meeting of the Congregation Council. Such changes must be identified and reported to the Congregation Council at its next scheduled meeting.

*C13.01.A00. A quorum of the Executive Team shall consist of seventy-five percent (75%) or more of its membership is present. A simple majority vote of the members present is needed to pass any motions.*

*C13.01.B00. Each proposed church budget shall be reviewed by the Executive Team before it's presented at a meeting of the Congregation Council. The budget proposal shall include a review and recommendation of all salaries. The salary recommendation may be presented as a separate item prior to the full budget presentation.*

**C13.02.** A Nominating Team of three voting members of this congregation, one of whom, if possible, shall be an outgoing member of the Congregation Council, shall be elected at the annual meeting for a term of one year. Members of the Nominating Team are not eligible for consecutive reelection unless waived by a vote of the congregation at the annual meeting.

**C13.02.01.** Duties of the Nominating Team

Select, inform, interview and obtain consent of the prospective candidates for elective office in the congregation, and present the names of the nominees to council at its regular meeting at least one month prior to the annual meeting of the congregation.

Publish the names of the nominees in the church bulletin on the Sunday proceeding the annual meeting.

Study the congregation to be aware of the member's capabilities and willingness to serve the church.

Make recommendations to Council for filling vacancies that occur during the year.

**C13.03.** An Audit Team of at least three voting members shall be elected by the Congregation Council. Audit Team members shall not be members of the Congregation Council nor persons under the supervision of the Treasurer. The term of office shall be three years, with one member elected each year. Members shall be eligible for reelection.

**C13.03.01.** The purpose of the Audit Team is to provide assurance of the integrity of all Congregation financial records and practices.

The Audit Team will, quarterly but not less than once per year on a calendar year basis, examine:

- a. The real property.
- b. The financial records of the Congregation Treasurer.
- c. The records of any persons or Ministry Teams authorized to maintain funds independent of the Congregation's Treasurer accounts.
- d. The membership records of the congregation.
- e. The Audit Team will submit its findings in writing to the Congregation Council in the form provided by the synod treasurer, if such forms are provided. The reports will be completed in time for submission at the annual meeting of the congregation.
- f. All insurance policies.

**C13.04.** A Mutual Ministry Team may be appointed jointly by the president and the pastor. Term of office shall be two years, with three members to be appointed each successive year. Team members will hold no other office in the congregation during their term.

**C13.05.** When a pastoral vacancy occurs, a Call Team of six voting members shall be elected by the congregation. Term of office will terminate upon installation of the newly called pastor.

**C13.06.** Other Ministry Teams or special Ministries of this congregation may be formed, as the need arises, by decision of the Congregation Council.

**C13.07.** Duties of Ministry Teams or special Ministries of this congregation shall be specified in the continuing resolutions.

**C13.08.** The president of this congregation shall by *ex officio* be a member of all teams and boards of the congregation except the Nominating Team and the All God's Children Preschool Board of Directors.

## **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 its oversight and direction. This congregation at its meeting shall determine their policies, guide their activities, and receive reports concerning their membership, work, and finances.

#### **C14.01.01.** General – All Ministry Teams

Ministries, standing and special, shall be formed to fulfill the congregational functions and missions. Ministry Team chairpersons shall be appointed by the President with the advice and consent of the council; chairpersons shall serve no more than three consecutive years. Ministry Team members shall be selected by the chairperson and their names provided upon request to the Council Secretary. The pastor(s) shall be *ex officio* of all standing and special Ministries unless specifically excluded. Members may be added or deleted at any time. The congregation members of the Congregation Council will each serve as liaison to one or two Standing Ministry teams, as described in this chapter, following affirmation by the Congregation Council at the first meeting of the new term

C14.01.02. Standing Ministries serve the congregation and its missions year round. They:

- a. Shall be chaired by a voting member of the congregation. Except as noted in the description of the various Ministries, membership on Council is not a prerequisite for chairmanship of a ministry.
- b. Shall meet as soon as practical after a chairperson has been appointed for purposes of organization, review of ministry functions and duties and adoption of schedule of regular meeting
- c. Shall control the expenditure of funds in a fiscally responsible manner and shall prepare and provide rationale for proposed budgets to the Ministry Team Chairperson.
- d. Shall provide an annual report of activities to their council liaison for inclusion in the annual report.
- e. Shall cooperate with other Ministries when there appears to be an overlap of responsibilities and/or duties.
- f. Shall perform any additional duties requested by Council.

***C14.01.02.A05. Evangelism Ministry***

*The team shall spread the gospel to those outside the membership of the Congregation and seek out the unchurched and new residents in our community as prospective members. The duties of the team are to make the Congregation aware that evangelism is every member's responsibility, to make the Congregation aware of the ELCA mission programs, to enlist and train members to visit prospective members, to maintain a list of all visitors to the Church, to mail out welcome letters and other literature, and finally to plan and execute a program for the assimilation of new members into the Congregation by organizing a system of sponsors and informal welcoming receptions. Team identifies and contacts those members who become inactive and determine what if anything can be done to bring them back to the Church. Team also assists pastor in shepherding Congregation members who are temporarily out of the local area.*

*In cooperation with the Parish Life Ministry Team, Evangelism seeks to deepen the faith and activity of our members. The Publicity and Communications Task Group provides members, visitors, and the community with timely information about the mission and activities of the church and its various programs and teams.*

***C14.01.02.B05. Parish Life Ministry***

*Parish Life is responsible for emotional and spiritual needs of members and visitors; to develop, encourage and maintain active involvement in the life of Living Lord; and to ensure that renewal and fellowship opportunities are available for all. The Team is also responsible for gathering and keeping the historical record of the church's events and activities.*

***C14.01.02.C05. Stewardship Ministry***

*Stewardship is responsible for promoting good stewardship practices within the congregation by utilizing the time, talents and treasures of Living Lord. The Team challenges the congregation to support the mission and ministry of Living Lord, as well as the national church, missions, community service organizations and Lutheran service agencies.*

***C14.01.02.D05. Outreach Ministry***

*Outreach Ministry is responsible for developing opportunities and ways for members to reach out and serve the human needs of the local and worldwide community. Outreach Ministry also seeks to coordinate and maintain programs of caring ministry and seeks support/healing/recovery opportunities for members of the Living Lord Community.*

***C14.01.02.E05. Youth Ministry***

*Youth Ministry provides many opportunities to nurture and provide for the Christian growth of the congregation's children and youth as they become young adults and move as Christian ambassadors into the community and beyond. The Cradle Roll is support and encouragement to parents of children from birth to 3 years old.*

**Sunday School:** *Classes providing an exciting path of discovery which leads young learners to God's message of love through Christ and how everyday situations are opportunities to share the gospel story with others.*

**Vacation Bible School:** *A time of summer fun and joyful discovery, 3 year old through adults.*

**Confirmation Instruction:** *Provides an opportunity for adolescent youth in the 6<sup>th</sup> through 8<sup>th</sup> grades to enter into deeper relationships with Jesus Christ and the Christian community so that he/she can affirm and accept the lifelong commitment and responsibility of his/her baptism. Also includes pre-confirmation, first communion beginning at the 2nd grade and acolyte training for 6<sup>th</sup> graders.*

**High School Youth:** *Anyone in grades 9-12 is welcome to join.*

**Middle School Youth:** *Anyone in grades 5-8 is welcome to join.*

*Both youth programs focus on life issues from a Christian perspective. The groups also enjoy various social, service, and community related activities. Our goal is to focus on their relationships with God and each other, so that what they learn in church can be integrated into their lives outside the church walls.*

**C14.01.02.F05. Worship Ministry Team**

*Worship Ministry plans and coordinates with pastor all liturgy and music for worship services, both traditional and contemporary, on an ongoing basis. Worship exercises general supervision over the worship teams, choir, and the altar guild to ensure that necessary training, guidance, and coordination is provided to those participants so that all its elements enhance the worship service. Worship serves as liaison between congregation members and pastor regarding questions, procedures, or comments pertinent to liturgy or music.*

**C14.01.02.G05. All God's Children School Board**

*The All God's Children Board shall operate All God's Children (South), Living Lord Lutheran Church, Inc.'s pre-school facility, under the authority and oversight of the Congregation Council.*

*The Chairperson of the all God's Children Board shall be appointed by the Congregation Council and serve as an ex officio member without voting rights of the Congregation Council.*

*The pastor(s) shall be ex officio members of the Board with voice and vote. The Director/administrator of All God's Children shall be ex officio member of the Board with voice only. The teaching staff of all God's Children may provide an ex officio representative to the Board with voice only. The parents of All God's*

*Children may also provide an ex officio representative to the Board with voice only.*

*The members of the Board shall consist of a minimum of four voting members of the congregation who are appointed by the Congregation Council, in addition to the Chairperson and pastor(s). Since continuity is essential for this work, members of the Board shall be appointed for terms of three years, or to fill the remaining term of previously appointed members who have left the Board before the expiration of their term. The tenure shall be arranged so that one-third of the terms expires annually. Members and the Chairperson of the Board may be reappointed to the Board for consecutive terms at the discretion of the Congregational Council. A member's place on the Board shall be declared vacant if the member (a) ceases to be a voting member of this congregation (b) is absent from three regular meetings in any school year without good cause.*

The duties of All God's Children Board are:

- a. To be the policy making body for All God's Children.
- b. To ensure that the programs of all God's Children includes an education in Christianity as an integral part of the curriculum.
- c. To at least annually review and evaluate policy, procedures, personnel, curricula and materials.
- d. To prepare and issue operating rules and educational goals.
- e. To act as liaison between the All God's Children, the Congregation Council and other activities of the congregation.
- f. To provide for communications between and meetings with all interested parties, Board members, staff, parents, and members of the congregation and others.
- g. To prepare a draft of the annual All God's Children budget in a timely manner to be submitted to the Congregation Council through the Executive Team in order to meet the deadline for submission to the congregation at the annual meeting held at a designated day in January.
- h. To notify the staff of salaries and benefits; and notify the parents of the registration fees, tuition rates, etc., as appropriate, after the budget has been approved by the congregation at the annual meeting. However, the board may initiate new programs and rates during the school year to accommodate changes in registration numbers, curriculum revisions, State and County policy initiatives, etc.
- i. To approve all human resources policies and procedures affecting staff and students and to approve all actions taken in hiring and terminating staff personnel.

**C14.01.02.H05. Administrative Ministry**

*The Administrative Ministry assists the pastor in the management responsibilities of the congregation, its personnel, office procedures and equipment, parish records, building security and use. This team also is concerned about the welfare of the pastor(s), employees and their families.*

**C14.01.02.I05. Resource Ministry**

*The Resource Ministry team's primary concerns are for the development and review of the congregation's monetary investments, insurance programs, and the draft annual budget to be presented to the Congregation Council (excluding the annual budget for All God's Children Preschool). The Resource Ministry team assists in all appeals for major fund drives in the congregation; programs for endowments and wills; and bequests.*

**C14.01.02.J05. Property Ministry**

*Property is charged with maintaining the facilities, equipment, and properties of Living Lord by being good stewards, and providing safe, clean, useable facilities for all program and ministry areas. The sexton is also the responsibility of this ministry*

**C14.01.02.K05. Fellowship Ministry**

*Fellowship Ministry is responsible for developing opportunities and ways for members to reach out and serve the human needs of the local and worldwide community. Fellowship Ministry also seeks to coordinate and maintain programs of caring ministry, and support/healing/recovery opportunities for members of Living Lord community. Kitchen Service is also the responsibility of this ministry.*

**C14..01.02.L05. Organization Ministry**

**Women of the Evangelical Lutheran Church Of America:** "WELCA" extends an invitation to every woman member of Living Lord to join its ministry of Bible study, service, fellowship and support of the women's role in the church. Members are encouraged to join and participate in its stated goals.

**Men's Club:** The Men's Club extends an invitation to every man of Living Lord to join in its ministry of Bible study, service, fellowship and support of the men's role in the church. Members are encouraged to participate in the monthly breakfast, workday and fellowship opportunities.

**Ya'll:** Stands for "Young Adults of Living Lord". Main purpose is to promote fellowship by meeting once a month at different person's home and at other times as dictated by the group. They also have bible study the second and fourth Friday of each month.

**Adult Education:** *Classes are designed to encourage adults to grow in their knowledge and understanding of Scripture, probe major life issues and theological questions, build new relationships, and develop active, involved church members.*

### **C14.01.03 – Special Ministries**

Special Ministries are generally ad hoc in nature and shall be formed as needed by the Congregation Council, with membership appointed by the President or designate. Their functions and duties shall be specified in writing by the Council. Special ministries groups shall be terminated by the Council at a predetermined point in time or when their task(s) are completed.

Membership in Special Ministries need not include Congregation Council members. The Ministry Teams shall be accountable to Council. Their actions shall be conducted within the scope of the task assigned and within the compass of the constitution, bylaws and continuing resolutions, and the parliamentary rules adopted herein.

**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 Mathew 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 citation, or least ten days prior to the meeting. If a member charged with the offense fails to appear at the scheduled hearing, the Congregation Council may proceed with the hearing and pass judgement 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 action 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.

### AMMENDMENTS

- \*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 30 percent of the voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at 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:
  - a. be approved at a legally called Congregation meeting according to this constitution by a majority vote of those present and voting;
  - b. be ratified without change at the next annual 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.
- \*C17.03. Any amendments to this constitution that result from 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 Florida-Bahamas Synod of the ELCA.

**\*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*, 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 30 percent of 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.

## **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.

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Note 1: Asterisk (\*) indicates provision required as written by ELCA, approved in most recent edition of Model Constitution for Congregations.

Note 2: The following documents have been considered and/or included in this document:

1. The amendments to the Model Constitution for Congregations of the Evangelical Lutheran Church in America through and including 2007.
2. Provisions of the Living Lord Lutheran Church constitution, bylaws and continuing resolutions approved at the organizational meeting of the congregation held on

September 13, 1987 and continuing resolutions passed by the Congregation Council since that date.

3. Provisions of the Living Lord Lutheran Church constitution, bylaws and continuing resolutions approved at the annual meeting of the congregation held on 1-18-04.
4. Provisions of the Living Lord Lutheran Church constitution, bylaws and continuing resolutions approved at the annual meeting of the congregation held on 1-16-05 and continuing resolutions passed by the Congregation Council since that date.
5. Provisions of the Living Lord Lutheran Church constitution, bylaws and continuing resolutions approved at the annual meeting of the congregation held on 1-22-06, and continuing resolutions passed by the Congregation Council since that date.
6. Provisions of the Living Lord Lutheran Church constitution, bylaws and continuing resolutions approved at the annual meeting of the congregation held on 1-31-10.