

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



Evangelical Lutheran Church in America
God's work. Our hands.

2017

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INTRODUCTION to the *Model Constitution for Congregations*

The *Model Constitution for Congregations of the Evangelical Lutheran Church in America*, like the other governing documents of this church, reflects the theology and polity of this church as it organizes itself to preach the gospel of Jesus Christ, share the sacraments, reach out to the neighbor with good news and share the love of God in the world. Each expression of this church — churchwide, synod, and congregation — is held together in a relationship of interdependence that encourages each to respond to its context. These documents also demonstrate our commitment to seeing ourselves with others as part of the one, holy, catholic, and apostolic Church. As such, the *Model Constitution for Congregations* is deeply rooted in Scripture, the Lutheran Confessions, and the history of this church and its predecessors.

The *Model Constitution for Congregations* was adopted by the Constituting Convention of the Evangelical Lutheran Church in America, as required by the *Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. This current edition of the *Model Constitution for Congregations of the Evangelical Lutheran Church in America* contains changes adopted by all churchwide assemblies, including the fourteenth Churchwide Assembly in 2016. It is consistent with the requirements of the governing documents of the ELCA's churchwide organization and synods, and it provides organizational flexibility to recognize the context of local congregations.

► **Required provisions:** Sections of this constitution marked by an asterisk [*] are required when a congregation amends its governing documents. These sections must be used without alteration or amendment of the text in any manner (*i.e.*, neither additions nor deletions are permissible). This requirement is based on provision 9.52. in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. This provision requires that when a congregation of this church “wishes to amend any provision of its governing documents, the governing documents of that congregation shall be so amended to conform to 9.25.b.” in the churchwide constitution. Provisions in the *Model Constitution for Congregations* identified by an asterisk [*] are those required under ELCA constitutional provision 9.25.b.

► **Review by synod:** Each congregation of this church is to provide a copy of its governing documents, and any amendments thereto, to its synod. In accordance with ELCA bylaw 9.53.03., amendments to a congregation constitution become effective *only* when approved by the synod. This bylaw provides:

All proposed changes in the constitution or incorporation documents of a congregation shall be referred to the synod with which the congregation is affiliated. The synod shall notify the congregation of its decision to approve or disapprove the proposed changes; the changes shall go into effect upon notification that the synod has approved them. The synod shall recognize that congregations may organize themselves in a manner which they deem most appropriate.

No governing document amendment will be approved by a synod if it conflicts with the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. In order to meet constitutional requirements and to avoid potential problems, all proposed amendments to a congregation's constitutional provisions, bylaws, and continuing resolutions should be submitted to the synod for review.

► **Amendment consistent with the Model Constitution for Congregations:** A congregation that amends its constitution to be in conformity with the *Model Constitution for Congregations* will report these changes to its synod. The amendments become effective upon adoption by the congregation, *C16.04. While synod approval is not required, it is wise to work with the synod in preparing to present these amendments to the congregational meeting.

► **Codification explanation:** The *Model Constitution for Congregations* is organized into chapters by general subject matter and codified as (a) constitutional provisions, (b) bylaws, and (c) continuing resolutions. Each provision is preceded by a capital “C.” If a constitutional provision is mandatory, it will be preceded by an asterisk, “*C.”

- a. Constitutional provisions are codified with two sets of numbers, preceded by a “C”: the chapter number, followed by a period, and a two-digit number. A period follows the two-digit number. Thus, one required constitutional provision related to “Membership” in Chapter 8 is codified as “*C8.02.” A provision in Chapter 12 relating to a report by the Congregation Council to the congregation at an annual meeting is codified as “C12.09.” Constitutional provisions are adopted and amended in accordance with Chapter 16 titled “Amendments.”
- b. Bylaw provisions follow constitutional provisions to which they apply. They are not intended to be organized in a separate document at the end of the constitutional provisions. Bylaws are codified with three sets of numbers: the chapter number (preceded by a “C”), the related constitutional provision number, and a two-digit number. There are periods after the chapter number, after the reference to the constitutional provision, and after the bylaw number. Thus, a bylaw provision related to “Membership” would be codified as “C8.02.01.” A bylaw relating to the contents of an annual report by the Congregation Council to the congregation at an annual meeting would be codified as “C12.09.01.” Because bylaws and continuing resolutions normally relate to specific practices and details of each congregation's organization, operation, and life, there is not a model set of bylaws or continuing resolutions. Thus, each congregation has discretion and may develop its own bylaws and continuing resolutions, including bylaws and continuing resolutions under required constitutional provisions, but no such bylaw or continuing resolution may conflict with constitutional provisions in the *Model Constitution for Congregations*, the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*, or the constitution of the synod, as indicated in *C6.03.e. Bylaws are adopted and amended in accordance with Chapters 16 and 17.

- c. Continuing resolutions are intended to provide descriptions of operational patterns and practices or of the ongoing responsibilities of committees or other units within the organizational structure of the congregation. They follow the relevant constitutional provision or bylaw to which they refer. 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 describing congregational committees in Chapter 13 might be numbered “C13.07A13.” The initial numbers “C13.07” indicate that the continuing resolution relates to the designated constitutional provision, which in this case provides that the duties of congregational committees may be specified in bylaws or continuing resolutions. The final letter and numbers “A13” designate that this is the first continuing resolution “A” and the year that it was adopted, in this example 2013. Continuing resolutions are adopted and amended in accordance with Chapter 18. Unlike constitutional provisions and bylaws which are adopted by the congregation at a legally called and conducted meeting, continuing resolutions may be adopted either by a congregational meeting or by the Congregation Council.

➤ **Missing numbers:** You will notice that certain numbers are missing from the numbering sequence in some chapters. These omissions are intentional. For example, in some chapters the number “.10.” and multiples thereof have been reserved for possible use as section headings in future editions.

➤ **Selection of options:** Alternatives are provided in some places within the *Model Constitution for Congregations*. Alternatives are noted by brackets or blank lines. For example, constitutional provision *C9.01. offers the alternative of election of a call committee by the congregation or by the Congregation Council. Only one alternative should be chosen in each instance where brackets appear in the text. In other provisions, alternative provisions are provided. Thus, in Chapters 11 and 12, regarding “Officers” and “Congregation Council,” options are provided separated by the word “or.” Each congregation should select one of those options, subject to approval through the synod’s constitutional review process. Where a blank line appears, such as in C1.01. or C10.02., the appropriate word, phrase, or number determined by the individual congregation should be inserted.

➤ **References to church:** In the governing documents, “Church” with a capital letter refers to the one, holy, catholic, and apostolic Church. The words “church” or “this church” in lowercase letters refer to the Evangelical Lutheran Church in America. 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 at ELCA.org.

➤ **Consultation and concluding comments:** Each synod has a process to review proposed amendments to congregational constitutions. The work of both congregations in amending their governing documents and the synod in reviewing proposed amendments is facilitated by consultation and cooperation *before* proposed amendments are acted upon by the congregation. In addition, each congregation should establish a process for periodic review of its governing documents. You are encouraged to contact your synod office to assist your congregation in its periodic review of governing document provisions and to assess whether problems may exist with respect to proposed amendments.

The important task of amending a constitution is challenging. It is, however, an essential endeavor that merits thoughtful work. In addressing your constitutional responsibilities, may God grant you and your colleagues wisdom, discernment, and commitment to the unity of this church in faithful witness to our Lord and Savior, Jesus Christ.

Secretary Wm Chris Boerger
Evangelical Lutheran Church in America
August 17, 2016

LIVING LORD LUTHERAN CHURCH, INC.

11107 Palmbrush Trail

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."

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

Chapter 2. CONFESSIO FAITH

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

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

- a. Jesus Christ is the Word of God incarnate, through whom everything was made and through whose life, death, and resurrection God fashions a new creation.
- b. The proclamation of God's message to us as both Law and Gospel is the Word of God, revealing judgment and mercy through word and deed, beginning with the Word in creation, continuing in the history of Israel, and centering in all its fullness in the person and work of Jesus Christ.

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

Chapter 3.

NATURE OF THE CHURCH

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

***C3.05** The name Evangelical Lutheran Church in America (ELCA or “this church”) as used herein refers in general references to this whole church, including its three expressions; congregations, synods, and the churchwide organization. The name Evangelical Lutheran Church in America is also the name of the corporation of the churchwide organization to which specific references may be made herein.

Chapter 4.

STATEMENT OF PURPOSE

***C4.01.** The Church is a people created by God in Christ, empowered by the Holy Spirit, called and sent to bear witness to God’s creative, redeeming, and sanctifying activity in the world.

***C4.02.** To participate in God’s mission, this congregation as a part of the Church shall:

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

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

- a. Provide services of worship at which the Word of God is preached and the sacraments are administered.

- b. Provide pastoral care and assist all members to participate in this ministry.
 - c. Challenge, equip, and support all members in carrying out their calling in their daily lives and in their congregation.
 - d. Teach the Word of God.
 - e. Witness to the reconciling Word of God in Christ, reaching out to all people.
 - f. Respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.
 - g. Motivate its members to provide financial support for 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.
- *C4.04.** This congregation shall develop an organizational structure to be described in the bylaws. The Congregation Council shall prepare descriptions of the responsibilities of each committee, task force, or other organizational group and shall review their actions. (Such descriptions shall be contained in continuing resolutions in the section on the Congregation Committees.)
- *C4.05.** This congregation shall, from time to time, adopt a mission statement, which will provide specific direction for its programs.
- *C4.06.** References herein to the nature of the relationship between the three expressions of this church congregations, synods, and the churchwide organization – as being interdependent or as being in a partnership relationship describe the mutual responsibility of these expressions in God's mission and the fulfillment of the purposes of this church as described in this chapter, and do not imply or describe the creation of partnerships, co-ventures, agencies, or other legal relationships recognized in civil law.

Chapter 5.

POWERS OF THE CONGREGATION

- *C5.01.** The powers of this congregation are those necessary to fulfill its purpose.
- *C5.02.** The powers of this congregation are vested in the Congregation Meeting called and conducted as provided in this constitution and bylaws.

***C5.03.** Only such authority as is delegated to the Congregation Council or other organizational units in this congregation's governing documents is recognized. All remaining authority is retained by 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 a minister of Word and Service;
- d. terminate the call of a minister of Word and Service in conformity with the constitution of the Evangelical Lutheran Church in America;
- e. adopt amendments to the constitution, as provided in Chapter 16, and amendments to the bylaws, as specified in Chapter 17; and continuing resolution, as provided in Chapter 18;
- f. approve the annual budget;
- g. acquire real and personal property by gift, devise, purchase, or other lawful means;
- h. hold title to and use its property for any and all activities consistent with its purpose;
- i. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
- j. elect its Congregation Council, and require the members of the council to carry out their duties in accordance with the constitution, bylaws, and continuing resolutions; and
- k. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.

***C5.04.** This congregation shall 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 Ministers of Word and Sacrament of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod. These special circumstances are limited either to calling a candidate approved for the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or to contracting for pastoral services a minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion.
- d. This congregation agrees to consider ministers of Word and Service for call to other staff positions in 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 by the following procedure:

- a. A resolution indicating the intent to terminate its relationship must be adopted at a legally called and conducted special meeting of the congregation by a two-thirds vote of the voting members present. Such meeting may be held no sooner than 30 days after written notice of the meeting is received by the bishop of the synod, during which time the congregation shall consult with the bishop and the bishop's designees, if any. The times and manner of the consultation shall be determined by the bishop in consultation with the Congregation Council. Unless he or she is a voting member of the congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the meeting.
- b. The secretary of this congregation shall submit a copy of the resolution to the bishop, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, and shall mail a copy of the resolution to voting members of the congregation. This notice shall be submitted within 10 days after the resolution has been adopted.
- c. The bishop of the synod and the congregation shall continue in consultation, as specified in paragraph a. above, during a period of at least 90 days after receipt by the synod of the notice as specified in paragraph b. above.
- d. If the congregation, after such consultation, still seeks to terminate its relationship, such action may be taken at a legally called and conducted special meeting by a two-thirds vote of the voting members present. Notice of the meeting shall be mailed to all voting members and to the bishop at least 10 days in advance of the meeting. Unless he or she is a voting member of the congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the meeting.
- e. A copy of the resolution, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, shall be sent to the bishop within 10 days after the resolution has been adopted, at which time the relationship between the congregation and this church shall be terminated subject to paragraphs g., h., and i. below. Unless this notification to the bishop also certifies that the congregation has voted by a two-thirds vote to affiliate with another Lutheran denomination, the congregation will be conclusively presumed to be an independent or non-Lutheran church.
- f. Notice of termination shall be forwarded by the bishop to the secretary of the ELCA who shall report the termination to the Churchwide Assembly.
- g. This congregation shall abide by these covenants by and among the three expressions of this church
 - 1) Congregations seeking to terminate their relationship with this church which fail or refuse to comply with each of the foregoing provisions in *C6.05., shall be required to receive Synod Council approval before terminating their membership in this church

- 2) Congregations which had been members of the Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in ***C6.05.**, to receive synodical approval before terminating their membership in this church.
 - 3) Congregations established by the Evangelical Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in ***C6.05.**, to satisfy all financial obligations to this church and receive Synod Council approval before terminating their membership in this church
- h. If this congregation fails to achieve the required two-thirds vote of voting members present at the congregation's first meeting as specified in paragraph a. above, another special meeting to consider termination of relationship with this church may be called no sooner than six months after that first meeting. If this congregation fails to achieve the required two-thirds vote of voting members present at the congregation's second meeting as specified in paragraph d. above, another attempt to consider termination of relationship with this church must follow all requirements of ***C6.05.**, and may begin no sooner than six months after that second meeting.
- *C6.06.** If this congregation considers relocation, it shall confer with the bishop of the synod in which it is territorially located and the appropriate unit of the churchwide organization before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is effected.
- *C6.07.** If this congregation considers developing an additional site to be used regularly for worship, it shall confer with the bishop of the synod in which it is territorially located and the appropriate unit of the churchwide organization before any steps are taken leading to such action.

Chapter 7.

PROPERTY OWNERSHIP

- *C7.01.** If this congregation ceases to exist, title to undisposed property shall pass to the 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 two-thirds 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 provided the process for termination of relationship in ***C6.05.**, has been followed. Before this congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of the Florida-Bahamas Synod.
- *C7.04.** If two-thirds 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 and have followed the process for termination of relationship in *C6.05., title to property of this congregation shall continue to reside in this congregation only with the consent of the Synod Council. The Synod Council, after consultation with this congregation by the established synodical process, may give approval to the request to become independent or to relate to a non-Lutheran church body in which case title shall remain with the majority of this congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America.

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 as well as the other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.

- d. **Associate** members are persons holding membership in other ELCA congregations who wish to retain such membership but desire to participate in the life and mission of this congregation. These individuals have all the privileges and duties of membership except voting rights or other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.
- e. **Seasonal** members are voting members of other ELCA congregations who wish to retain such membership but desire to participate in the life and mission of this congregation, including exercising limited voting rights in this congregation. The Congregation Council may grant seasonal members to such persons provided that this congregation is a member of a synod where the Synod Council has approved seasonal member voting on its territory. Such seasonal members shall have all the privileges and duties of voting members except that;
 - 1) they shall not be eligible for elected office in, or for membership on the Congregation Council or on a call committee of this congregation
 - 2) they shall not have the right to vote on any matter concerning or affecting the call or termination of call of any minister of this congregation;
 - 3) they shall not have the right to vote on any matter concerning or affecting the affiliation of this congregation with the ELCA;
 - 4) they shall not be eligible to serve as voting members from this congregation of the Synod Assembly or the Churchwide Assembly;
 - 5) they shall not, even if otherwise permitted by this congregation, vote by proxy or by absentee ballot; and
 - 6) they shall not, within any two calendar month period, exercise voting rights in this congregation and in the congregation where they remain voting members.

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

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

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

***C8.05.** Membership in this congregation shall be terminated by any of the following:

- a. death;
- b. resignation;
- c. transfer or release;

- d. disciplinary action in accordance with ELCA constitutional provision 20.41 and the accompanying bylaws; or
- e. removal from the roll due to inactivity in accordance with the provisions of this constitution and its bylaws.

C.8.05e.01e.

Such persons who have not communed or made contribution of record to this congregation for a calendar year will be removed from the rolls. The calendar year begins with the month of the last record of contribution.

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.

ROSTERED MINISTER

- *C9.01.** Authority to call a pastor shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by this congregation to recommend the call, shall seek the advice and help of the bishop of the synod.
- *C9.02.** Only a member of the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of Word and Sacrament who has been recommended for 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 minister Word and Sacrament shall:
 - 1) preach the Word;
 - 2) administer the sacraments;
 - 3) conduct public worship;
 - 4) provide pastoral care;
 - 5) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
 - 6) impart knowledge of this church and its wider ministry through distribution of its communications and publications;
 - 7) witness to the Kingdom of God in the community, in the nation, and abroad;
and
 - 8) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.
 - b. Each pastor with a congregational call shall, within the congregation:
 - 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
 - 2) relate to all schools and organizations of this congregation;
 - 3) install regularly elected members of the Congregation Council;
 - 4) with the council, administer discipline;

- 5) endeavor to increase the support given by the congregation to work of the ELCA churchwide organization 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.** The provisions for termination of the mutual relationship between a minister of Word and Sacrament and this congregation shall be as follows:

a. The call of this congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by death or, following consultation with the synodical bishop, for the following reasons:

- 1) mutual agreement to terminate the call or the completion of a call for a specific term;
- 2) resignation of the pastor, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
- 3) inability to conduct the pastoral office effectively in the congregation in view of local conditions;
- 4) physical disability or mental incapacity of the pastor;
- 5) suspension of the pastor through discipline for more than three months;
- 6) resignation or removal of the pastor from the roster of Ministers of Word and Sacrament of this church;
- 7) termination of the relationship between this church and the congregation;
- 8) dissolution of the congregation or the termination of a parish arrangement; or
- 9) suspension of the congregation through discipline for more than six months.

b. When allegations of physical disability or mental incapacity of the pastor under paragraph a.4) above, or ineffective conduct of the pastoral office under paragraph a.3) above, have come to the attention of the bishop of this synod,

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

c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the pastor's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the pastorate vacant. When the pastorate is declared vacant, the Synod Council shall list the pastor on the roster of Ministers of Word and Sacrament as disabled. Upon removal of the disability and the restoration of the pastor to health, the bishop shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call.

d. In the case of alleged local difficulties that imperil the effective functioning of the congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall

- present their recommendations first to the pastor and then to the congregation. The recommendations of the bishop's committee must address whether the pastor's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by the congregation and by the pastor, if appropriate. If the pastor and congregation agree to carry out such recommendations, no further action need be taken by the synod.
- e. If either party fails to assent to the recommendations of the bishop's committee concerning the pastor's call, the congregation may dismiss the pastor only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
 - f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.
- *C9.06.** At a time of pastoral vacancy, an interim pastor shall be appointed by the bishop of the synod with the consent of this congregation or the Congregation Council.
- *C9.07.** During the period of service, an interim pastor shall have the rights and duties in 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 rostered minister providing assistance shall refrain from exerting influence in the selection of a pastor. Unless previously agreed upon by the Synod Council, an interim pastor is not available for a regular call to the congregation served.
- *C9.08.** This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting 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.

C9.15. Under special circumstances, subject to the approval of the synodical bishop and the concurrence of this congregation, minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion may serve temporarily as pastor of this congregation under a contract between the congregation and the pastor in a form proposed by the synodical bishop and approved by the congregation.

***C9.21.** Authority to call a minister of Word and Service shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for the purpose. Before a call is issued, the officers, or a committee elected by Congregation Council to recommend the call, shall seek the advice and help of the bishop of the synod.

***C9.22.** Only a member of the roster of Ministers of Word and Service of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of Word and Service who has been recommended for this congregation by the synodical bishop may be called as a deacon of this congregation.

***C9.23.** Consistent with the faith and practice of the Evangelical Lutheran Church in America, every minister of Word and Service shall:

- a. Be rooted in the Word of God, for proclamation and service;
- b. Advocate a prophetic diakonia that commits itself to risk-taking and innovative service on the frontiers of the Church's outreach, giving particular attention to the suffering places in God's world;
- c. Speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world, witnessing to the realm of God in community, the nation, and abroad;

- d. Equip the baptized for ministry in God's world that affirms the gifts of all people;
- e. Encourage mutual relationships that invite participation and accompaniment of others in God's mission
- f. Practice stewardship that respects God's gift of time, talents, and resources;
- g. Be grounded in a gathered community for ongoing diaconal formation;
- h. Share knowledge of the ELCA and its wider ministry of the gospel and advocate for the work of all expressions of this church; and
- i. Identify and encourage qualified persons to prepare for ministry of the gospel.

***C9.24.** The specific duties of the deacon, compensation and other matters pertaining to the service of the deacon shall be included in a letter of call, which shall be attested by the bishop of the synod.

***C9.25.** The provisions for termination of the mutual relationship between a minister of Word and Service and a congregation shall be as follows:

- a. The call of a congregation, when accepted by a deacon, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by death or, following consultation with the synodical bishop, for the following reasons:
 - 1) mutual agreement to terminate the call or the completion of a call for specific term;
 - 2) resignation of the deacon, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
 - 3) inability to conduct the ministry of Word and Service effectively in this congregation in view of local conditions;
 - 4) physical disability or mental incapacity of the deacon;
 - 5) suspension of the deacon through discipline for more than three months;
 - 6) resignation or removal of the deacon from the roster of Ministers of Word and Service of this church;
 - 7) termination of the relationship between this church and this congregation;
 - 8) dissolution of this congregation or the termination of a parish arrangements; or
 - 9) suspension of this congregation through discipline for more than six months;
- b. When allegations of physical disability or mental incapacity of the deacon under paragraph a.4) above, or ineffective conduct of the office of minister of Word and Service under paragraph a.3) above, have come to the attention of the bishop of this synod.
 - 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two registered ministers and one layperson, or
 - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by a least one-third of the voting members of this congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
- c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the deacon's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the position vacant. When the position is declared vacant, the Synod Council shall list the deacon on the roster of Ministers of Word and Service as disabled. Upon removal of the disability and the

restoration of the deacon to health, the bishop shall take steps to enable the deacon to resume the ministry, either in the congregation last served or in another appropriate call.

- d. In case of alleged local difficulties that imperil the effective functioning of this congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the deacon and then to this congregation. The recommendations of the bishop's committee must address whether the deacon's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by this congregation and by the deacon, if appropriate. If the deacon and congregation agree to carry out such recommendations, no further action need be taken by the synod.
- e. If either party fails to assent to the recommendations of the bishop's committee concerning the deacon's call, this congregation may dismiss the deacon only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a simple majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
- f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.

***C9.26.** The deacon shall make satisfactory settlement of all financial obligations to a former congregation before;

- a. Installation in another field of labor, or
- b. The issuance of a certificate of dismissal or transfer.

***C9.27.** When a deacon is called to serve in company with another rostered minister or other rostered ministers, the privileges and responsibilities of each rostered minister shall be specified in documents to accompany the call and to be drafted in consultation involving the rostered ministers, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.

***C9.28.** With the approval of the bishop of the synod, this congregation may depart from *C9.25.a. and call a deacon for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the deacon and representatives of this congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of *C9.25.a.

***C9.29.** The deacon shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the deacon shall hold membership in one of the congregations.

***C9.31.** The deacon(s) shall submit a report of his or her ministry to the bishop of synod at least 90 days prior to each regular meeting of the Synod Assembly.

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 senior 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 electronic means, as permitted by state law, 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 electronic means, the meeting notice may be sent via email.
- C10.04.** Fifteen percent 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 council 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 Congregation Council elects its officers, the president, vice president and secretary shall be selected from the elected membership of the Congregation Council. (If the council treasurer is not selected from the elected membership of the Congregation Council, the treasurer/bookkeeper shall have voice but not vote at the meetings 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 and should acquire the necessary training to be able to succeed as President of Council.

C11.01.03. Duties of the Council Treasurer

Oversee the treasurer for all accounts maintained by any organization that is part of the congregation, ensuring that they follow established accounting procedures and use appropriate safeguards.

Ensure that adequate insurance is maintained on all real and tangible property (all congregations that participate in the Charity First Insurance Program are insured to the limits of their specific policy).

Determine that the books and accounts of the congregation are in accordance with standard accounting procedure.

Ensure that the congregation's deeds and other instruments of ownership are established and maintained in the manner prescribed by civil law.

Ensure that anyone serving as custodian of any congregational or organizational fund is bonded (Congregations that participate in the Charity First Insurance Program have

crime coverage that insures the Congregation against loss caused by an employee or volunteer of the church up to the limits of your policy).

Ensure that a record of all purchases of capital nature is maintained in a permanent record book. Expenses to be included would be those normally considered as subject to depreciation in business accounting – furniture, fixtures, major improvements and additions, etc. Congregation records should include the date of purchase, the vendor, cost and include any reference to a warranty (numbers of years).

Ensure that the Budget Coordinator prepares the proposed budget for the upcoming year to Congregation Council in November/December for approval at the Annual Congregational meeting in January with attention to both growth and fiduciary responsibilities.

Ensure that appropriate internal auditing procedures are implemented by the Audit Team a minimum of once per year, with a full external audit done once every three years.

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, at least one of whom shall be a youth. 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. 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 in 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 or immediate family member shall be elected to the Congregation Council. A paid employee or an immediate family member may serve as a Ministry team chairperson only with the consent of the Congregation Council.

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 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 rostered minister(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 full 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 staff of this congregation. The Council shall designate, in writing, the immediate supervisor who will be responsible for; (1) the performance of each employee under his/her supervision; (2) developing and implementing appropriate performance standards and; (3) conducting required performance reviews at least annually. Nothing in this provision shall be deemed to affect the congregation's responsibility for the call, terms of call, or termination of call of any employees who are on a roster of this church.
- C12.09.** 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 who are entitled to be present.
- C12.12.** A quorum for the transaction of business shall consist of a majority of the members of the Congregation 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.
- C12.13.** The Congregation Council and its teams may hold meetings by remote communication, including electronically and by telephone conference, and, to the extent permitted by state law, notice of all meetings may be provided electronically.

Chapter 13.

CONGREGATION MINISTRY TEAMS

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

C13.01.A01. Duties of the Executive Team:

C13.01.B02. React on important issues that require action between meetings of the Congregation Council.

C13.01.C03. Review all personnel, fiscal and facility issues and make recommendations to the Congregation Council for resolution.

C13.01.D04. Approve emergency expenditures, up to \$5,000.00, from funds available for reserve accounts, 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.

C13.01.E05. 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.F06. A quorum of the Executive Team shall consist of seventy-five percent (75%) or more of its membership who are present. A simple majority vote of the members present is needed to pass any motions.

C13.01.G07. Each proposed church budget shall be reviewed by the Executive Team before it is 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. The council president shall appoint three voting members to the nominating team, one of which must be a member of the Congregation Council.

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 formed by the Financial Resource Team Leader. Audit Team members shall not be members of the Congregation Council nor persons under the supervision of the treasurer/bookkeeper.

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

C13.05. When a pastoral vacancy occurs, a Call Committee 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 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 Pastor of this congregation shall by *ex officio* be a member of all teams and boards of the congregation.

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 teams shall be formed to fulfill the congregational functions and missions. The President with the advice and consent of the council, shall appoint a council member to a Ministry Team and, therefore, they can be designated as the Team Leader. They shall serve no more than two consecutive terms. Teams members shall be selected by the Team Leader 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..

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 Team Leader has been appointed for purposes of organization, review of ministry functions and duties and adoptions of schedule of regular meetings.
- c. Shall control the expenditure of funds in a fiscally responsible manner and prepare and provide rationale for proposed budgets to the Executive Team and Congregation Council.
- d. Shall provide an annual report of team activities to the council 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 identify and contact those members who become inactive and determine what if anything can be done to bring them back to the Church. The Publicity and Communications Task Group provides members, visitors and community with timely information about the mission and activities of the church and various programs through newspaper articles, e-mail and web site. New Members and Statistics Team is responsible 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 classes and sponsors and have an informal welcoming reception. To

keep records of Sunday attendants of church services including Sunday School in order to complete the Congregational Report to Synod.

C14.01.02.B05. Parish Life Ministry

This team 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. It also includes the following ministries:

Stephen Ministry – *equips lay people to provide confidential one on one Christian care to individuals in our congregation and community who are experiencing difficulties in their lives.*

Sunshine Ministry – *is responsible to find volunteers to help members on a short term basis who need assistance with meal preparation, light tasks, transportation and shopping.*

Faith Community Nursing (FCN) - *is the specialized practice of professional nursing that focuses on the intentional care of the spirit as part of the process of promoting holistic health and preventing or minimizing illness in a faith community. LLC has a team of FCN nurses which includes two accredited Parish Nurses.*

Christian Life Groups – *is responsible to develop small geographic groups within our congregation to encourage an intimate, nurturing, care, sharing relationship through scripture or other studies among our people.*

Celebration of Life – *is responsible to be the coordinator for refreshments whenever needed for those wanting a reception after weddings, memorial service and other occasions.*

Fellowship – *is responsible for developing opportunities and ways for members to reach out and socialize within the congregation. Kitchen service and coffee hours are also the responsibility of this ministry.*

Outreach – *is responsible for developing opportunities and ways for members to reach out and serve the human needs of the local and worldwide communities.*

Habitat for Humanity – *see website www.manateehabitat.org for information*

C14.01.02.C05. Stewardship Ministry

This team 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. Education Ministry

This team is responsible to provide Bible and other learning activities to the congregation by the selection of curricula and recruiting, equipping and supporting members for educational leadership. It includes the following:

Sunday School – Pre K through 5th grade – *holds 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.

Confirmation Instruction – *provides opportunity for adolescent youth grade 6 through 8 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 her/his baptism. Also includes pre-confirmation, first communion beginning at the 2nd grade, and acolyte training for 6th graders.*

Middle School grades 6 to 8 and High School grades 9 to 12 – *both programs focus on life issues from a Christian perspective. The groups also enjoy various social, service and community related activities.*

Vacation Bible School – *a time of summer fun and joyful discovery for ages 3 through adults.*

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

Men's Ministry – *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.*

C14.01.02.02.E05. Worship and Music

This team is responsible to plan and coordinate with Pastor all liturgy and music for worship services, both traditional and contemporary, on an ongoing basis. This team also exercises general supervision over the worship teams, choir, handbell and chime choirs, band, vocal groups, operation of the sound system including computer operators 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 and Music serves as liaison between congregational members and pastor regarding questions, procedures or moments pertinent to liturgy or music.

C14.01.02.F05. Administration Ministry

This team is responsible to assist the pastor in the management responsibilities of the congregation. This team also is concerned about the welfare of the pastor(s), employees and their families.

C14.01.02.G05. Financial Resource Ministry

This team is responsible for the development and review of the congregation's monetary investments and insurance programs, to draft annual budget to be presented to the Congregation Council (excluding the annual budget for All God's Children Preschool). This ministry assists in all appeals for major fund drives in the congregation, programs for endowments and wills and bequests. To ensure that the administrative procedures are efficient and in keeping with good business practice standards. It includes the following:

Budget Coordinator

***Treasurer/Bookkeeper
Financial Secretary
Auditing Team***

C14.01.02.H05. Property Ministry

This team is responsible to maintain the facilities, equipment and properties of Living Lord by being good stewards and providing safe, clean, useable facilities for all programs and ministry areas. The Buildings and Grounds position is also the responsibility of this ministry.

C14.01.02.I05. All God's Children School Board

The All God's Children Board shall operate All God's Children, 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 member 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 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.*

C14.01.03 – 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.** Persistent and public denial of the Christian faith, willful or criminal conduct grossly

unbecoming a member of the Church of Christ, continual and intentional interference with the ministry of the congregation, or willful and repeated harassment or defamation of member(s) of the congregation is sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation and repentance will be attempted following Matthew 18:15-17, proceeding through these successive steps, as necessary:

- a) private counsel and admonition by the pastor,
- b) censure and admonition by the pastor in the presence of two or three witnesses,
- c) written referral of the matter by the Congregation Council to the vice president of the synod, who will refer it to a consultation panel drawn from the Consultation Committee of the synod, and
- d) written referral of the matter by the consultation panel to the Committee on Discipline of the synod. If, for any reason, the pastor is unable to administer the admonitions required by paragraphs a, and b, hereof, those steps may be performed by another pastor chosen by the Executive Committee of the Congregation Council.

***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 the counseling, censure, and admonitions pursuant to C15.01 do not result in repentance and amendment of life, charges against the accused member(s) that are specific and in writing may be prepared by the Congregation Council, signed, and submitted to the vice president of the synod. The vice president shall select from the synod's Consultation Committee a panel of five members (three lay persons and two ministers of Word and Sacrament). A copy of the written charges shall be provided to the consultation panel and the accused member(s). The consultation panel, after requesting a written reply to the charges from the accused member(s), shall consider the matter and seek a resolution by means of investigation, consultation, mediation, or whatever other means may seem appropriate. The panel's efforts to reach a mutually agreeable resolution may continue for no more than 45 days after the matter is submitted to it.

***C15.03.** If the consultation panel fails to resolve the matter, that panel shall refer the case in writing, including the written charges and the accused member's reply, to the Committee on Discipline of the synod for a hearing. A copy of the panel's written referral shall be delivered to the vice president of the synod, the Congregation Council, and the accused member(s) at the same time it is sent to the Committee on Discipline of the synod. The Executive Committee of the Synod Council shall then select six members from the Committee on Discipline to decide the case, and shall appoint a member of the Synod Council to preside as nonvoting chair. Those six members plus the nonvoting chair comprise the discipline hearing panel for deciding the case. The Congregation Council and the accused member(s) are the parties to the case.

***C15.04.** The discipline hearing panel shall commence and conduct the disciplinary hearing in

accordance with the provisions governing discipline of congregation members prescribed in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.

- *C15.05.** By the vote of at least two-thirds of the members of the discipline hearing panel who are present and voting, one of the following disciplinary sanctions can be imposed:
- a. suspension from the privileges of congregation membership for a designated period of time;
 - b. suspension from the privileges of congregation membership until the pastor and Congregation Council receive evidence, satisfactory to them, of repentance and amendment of life;
 - c. termination of membership in the congregation: or
 - d. termination of membership in the congregation and exclusion from the church property and from all congregation activities.
- *C15.06.** The written decision of the discipline hearing panel shall be sent to the vice president of the synod, the accused member(s), and the Congregation Council as required by the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. The decision of the discipline hearing panel shall be implemented by the Congregation Council and recorded in the minutes of the next council meeting.
- *C15.07.** No member of the congregation shall be subject to discipline a second time for offenses that a discipline hearing panel has heard previously and decided pursuant to this chapter.
- *C15.10. Adjudication**
- *C15.11.** When there is disagreement 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.

AMMENDMENTS

- *C16.01.** Unless provision *C16.04. is applicable, those sections of this constitution that are not required, in accord with the **Model Constitution for Congregations of the Evangelical Lutheran Church in America** may be amended in the following manner. Amendments may be proposed by at least 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 of the proposal together with the Council's recommendations at least 30 days in advance of the meeting. Notification may take place by mail or electronic means, as permitted by state law.

***C16.02.** An amendment to this constitution, proposed under *C16.01 shall:

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

***C16.03.** Any amendments to this constitution that result from the processes provided in *C16.01 and *C16.02 shall be sent by the secretary of this congregation to the synod. The synod shall notify the congregation of its decision to approve or disapprove the proposed changes; the changes shall go into effect upon notification that the synod has approved them.

***C16.04.** This constitution may be amended to bring any section into conformity with a section or sections, either required or not required, of the *Model Constitution for Congregations of the Evangelical Lutheran Church in America* as most recently amended by the Churchwide Assembly. Such amendments may be approved by a majority vote of those voting members present and voting at any legally called meeting of the congregation without presentation at a prior meeting of the congregation, provided that the Congregation Council has submitted by mail or electronic means, as permitted by state law, 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 fifteen percent 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

*2 Such an effective date must be stated in relation to the requirements of *C16.03 to allow time for synodical review of the amendment.*

Chapter 17

BYLAWS

***C17.01.** This congregation may adopt bylaws. No bylaw may conflict with this constitution.

***C17.02.** Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by two-thirds vote of those voting members present and voting.

***C17.03.** Changes to the bylaws may be proposed by any voting member, provided that such additions or amendments be submitted in writing to the Congregation Council at least 60 days before a regular or special Congregation meeting called for the purpose. The

Congregation Council shall notify this congregation's members of the proposal with The council's recommendations at least 30 days in advance of the Congregation meeting. Notification may take place by mail or electronic means, as permitted by state law.

***C17.04.** Approved changes to the bylaws shall be sent by the secretary of this congregation to the synod.

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.

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.
7. Provisions of the Living Lord Lutheran Church constitution, bylaws and continuing resolutions approved at the annual meeting of the congregation held on 1-29-12.
8. The amendments to the Model Constitution for Congregations of the Evangelical Lutheran Church in America through 2013 and provisions of the Living Lord Lutheran Church Constitution Bylaws and Continuing Resolutions approved at the annual meeting of the congregation held on 1-25-15.
9. Amendments to the Model Constitution for Congregations as approved by the 2016 Churchwide Assembly approved at the special meeting of the congregation held on 3-12-17.