

2001 AMENDMENTS TO THE MODEL CONSTITUTION FOR CONGREGATIONS

*as approved by the 2001 Churchwide Assembly
of the Evangelical Lutheran Church in America
Indianapolis, Indiana • August 8-14, 2001*

Prepared by the Office of the Secretary
of the Evangelical Lutheran Church in America
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Additions are underlined. Deletions are ~~struck through~~ in the text.

*To amend *C9.05.d. in the Model Constitution for Congregations related to the required vote on the possible termination of the call of a congregation to a pastor:*

***C9.05.d.** In the case of alleged local difficulties that imperil the effective functioning of the congregation, all concerned persons shall be heard, after which the bishop of the synod together with the committee described in *C9.05.b. shall decide on the course of action to be recommended to the pastor and the congregation. If they agree to carry out such recommendations, no further action shall be taken by the synod. If either party fails to assent, the congregation may dismiss the pastor ~~by a two-thirds majority vote of the voting members present and voting~~ at a legally called meeting after consultation with the bishop, either (a) by a two-thirds majority vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a simple majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.

*To amend *C5.04. in the Model Constitution for Congregations to identify the synod with which the congregation is related:*

***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 ~~this synod~~ the (insert name of synod) of the Evangelical Lutheran Church in America.

*To amend *C6.06. in the Model Constitution for Congregations to simplify the wording:*

***C6.06.** If this congregation ~~is considering~~ considers relocation, it shall confer with the bishop of the synod in which it is territorially located. . . [with the remainder of the provision unchanged].

*To amend *C8.02.c. in the Model Constitution for Congregations to clarify the reference for the words, "of record," and to define "year" as calendar year as follows:*

***C8.02.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 ~~during the current or preceding year.~~

*To amend *C8.02.d. in the Model Constitution for Congregations to reflect an additional possibility in such associate*

membership:

- *C8.02.d.** *Associate* members are persons holding membership in other [Lutheran] [Christian] congregations who wish to retain such membership but desire to participate in the life and mission of this congregation, or persons who wish to retain a relationship with this congregation while being members of other congregations. They have all the privileges and duties of membership except voting rights and eligibility for elected offices or membership on the Congregation Council of this congregation.

To amend C12.01. in the Model Constitution for Congregations to provide the option of defining the lower limit on the number of members of the Congregation Council:

- C12.01.** The voting membership of the Congregation Council shall consist of the pastor(s), the officers of the congregation, and [_____ members] [not more than _____ nor fewer than _____ members] of the congregation. Any voting member of the congregation may be elected. . . [with the remainder of the provision unchanged].

To amend C12.03. in the Model Constitution for Congregations to clarify possible eligibility for election of persons who have served partial, unexpired terms on the Congregation Council, as follows:

- 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.

*To amend *C15.02. in the Model Constitution for Congregations to clarify a matter of procedure in the conduct of a hearing:*

- *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*. A member charged with the offense shall appear before the Congregation Council after having received a written notice, at least ten days prior to the meeting, specifying the exact charges that have been made against the member. If the member charged with the offense fails to appear at the scheduled hearing, the Congregation Council may proceed with the hearing and may pass judgment in the member's absence.

*To adopt a new *C15.06. and a new *C15.07. in the Model Constitution for Congregations to be consistent with churchwide bylaws 20.41.03. through 20.41.07., as follows:*

- *C15.06.** For disciplinary actions in this congregation, "due process" shall be observed as specified in 20.41.03. in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America.*

- *C15.07.** No member of a congregation shall be subject to discipline for offenses that the Congregation Council has previously heard and decided, unless so ordered by the Synod Council after an appeal.

*To amend *C18.01. in the Model Constitution for Congregations to be consistent with the requirement for bylaws of the congregation:*

- *C18.01.** The Congregation Council may enact continuing resolutions ~~which describe the function of the various committees or organizations of this congregation.~~ Such continuing resolutions may not conflict with the constitution or bylaws of this congregation.

xc: Randall R. Lee, Paul A. Schreck, David L. Alderfer, Alpha E. Ekstrom, Phillip H. Harris, Scott S. Fintzen, Kenneth F. Aicher

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