

1993 AMENDMENTS TO MODEL CONSTITUTION FOR CONGREGATIONS

*as approved by the 1993 Churchwide Assembly
of the Evangelical Lutheran Church in America
Kansas City, Missouri • August 25-September 1, 1993*

Prepared by the Office of the Secretary
of the Evangelical Lutheran Church in America
October 8, 1993

**Additions are underlined. Deletions are ~~lined through~~ in the
previous text.**

To mark required provisions in the Model Constitution for Congregations in order to reflect the existing requirements of the constitution and bylaws of this church and its synods related to congregations recognized by this church on January 1, 1988, when such congregations amend their governing documents that existed prior to January 1, 1988, in keeping with ELCA constitutional provisions 5.01A, 9.21., 9.22, and 9.52, the latter to wit: as approved by the 1993 Churchwide Assembly, "... When such a congregation 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 of the Evangelical Lutheran Church in America:

***PREAMBLE**

- Chapter 2. CONFESSION OF FAITH**
*C2.01., *C2.02., *C2.03., *C2.04., *C2.05., *C2.06., and *C2.07.
- Chapter 3. NATURE OF THE CHURCH**
*C3.01. and *C3.02.
- Chapter 4. STATEMENT OF PURPOSE**
*C4.01., *C4.02., *C4.03., *C4.04., and *C4.05.
- Chapter 5. POWERS OF THE CONGREGATION**
*C5.01., *C5.02., *C5.03., and *C5.04.
- Chapter 6. CHURCH AFFILIATION**
*C6.01., *C6.02., *C6.03., *C6.04., *C6.05., and *C6.06.
- Chapter 7. PROPERTY OWNERSHIP**
*C7.01., *C7.02., *C7.03., and *C7.04.
- Chapter 8. MEMBERSHIP**
*C8.01., *C8.02., *C8.03., *C8.04., and *C8.05.
- Chapter 9. THE PASTOR**
*C9.01., *C9.02., *C9.03., *C9.04., *C9.05., *C9.06., *C9.07., *C9.08.,
*C9.09., *C9.11., *C9.12., and *C9.13.
- Chapter 15. DISCIPLINE OF MEMBERS AND ADJUDICATION**
*C15.01., *C15.02., *C15.03., *C15.04., *C15.05., *C15.10., and *C15.11.
- Chapter 16. BYLAWS**
*C16.01., *C16.02., *C16.03., and *C16.04.
- Chapter 17. AMENDMENTS**
*C17.01., *C17.02., *C17.03., and *C17.04.
- Chapter 18. CONTINUING RESOLUTIONS**
*C18.01. and *C18.02.

To amend the Model Constitution for Congregations to reflect ¶S13.02. in the Constitution for Synods regarding the responsibility of each congregation to elect voting members of the Synod Assembly:

- *C5.04.** **This congregation annually 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.**

To revise for greater clarity C9.03.c. by dividing the first part into separate items and renumbering the remaining items:

- *C9.03.c.** **Every pastor shall:**
- 1) ~~seek out and encourage qualified persons to prepare for the ministry of the Gospel and~~ strive to extend the Kingdom of God in the community, in the nation, and abroad;**
 - 2) seek out and encourage qualified persons to prepare for the ministry of the Gospel;**

and renumber remaining items in C9.03.c.

To revise for greater clarity C9.03.c.3. and renumber as C9 03.c.4. in the Model Constitution for Congregations regarding reference to expressions of this church:

- *C9.03.c.** **4) endeavor to increase the support given by the congregation to the work of the ELCA churchwide organization of the Evangelical Lutheran Church in America (ELCA) and of the _____ Synod of the ELCA.**

To amend C9.06. in the Model Constitution for Congregations to seek to ensure appropriate pastoral care being provided during a period when a congregation is without a regularly called pastor:

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

To amend C10.02. and C12.11. to specify responsibility for the calling of a special meeting upon the request of voting members of the congregation:

- C10.02.** **A special Congregation Meeting may be called by the pastor, the Congregation Council, or the president of this congregation, and shall be called by the president of the congregation upon at the written request of _____ [number] [percent] of the voting members. The call for each special meeting shall specify the purpose for which it is to be held and no other business shall be transacted.**
- 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.**

To amend C12.12. to avoid the possibility of persistent preclusion of meetings of the Congregation Council by means of chronic absence or veto of agenda:

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 ~~such person the pastor or interim pastor~~ requests or consents to be absent and has given prior approval to ~~an~~the agenda of for a particular regular or special meeting routine matters which shall be the only business of ~~the~~ 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.

To amend C15.02. to provide a necessary cross-reference to the process for discipline of members of congregations as defined in ELCA governing documents:

***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, specifying the exact charges that have been made against the member, at least 10 days prior to the meeting.

To amend C15.03. to clarify the process to be followed in any disciplinary action by a congregation that affects a member of the congregation:

***C15.03.** Members of the Congregation Council who participate in the preparation of the written charges or who present evidence or testimony in the hearing before the Congregation Council are disqualified from voting upon the question of the guilt of the accused member. Should the allegations be sustained by a two-thirds majority vote of the members of the Congregation Council, who are not disqualified but who are present and voting, and renewed admonition prove ineffectual, the council shall impose one of the following . . . (with the remainder of the provision remaining unchanged).

To amend the following provisions as a result of decisions of the 1993 Churchwide Assembly related to the Study of Ministry:

***C5.03.c.** **appoint call or terminate the appointment call of associates in ministry . . .** (with the remainder of the provision remaining unchanged).

***C6.03.d.** . . . associates in ministry for **appointment call** to other . . . (with the remainder of the provision remaining unchanged).

C12.04.d. . . . the fulfillment of their calling, ~~appointment,~~ or employment.

C12.08. . . . responsible for the **appointment employment** and supervision . . . (with the remainder of the provision remaining unchanged).

• • • • •

The following editorial adjustments are noted for purposes of greater clarity:

- C1.02.** For the purpose of this constitution and the accompanying bylaws, the congregation of
(Insert full legal name) ~~congregation~~ is hereinafter designated as “this
congregation.”
- *C4.04.** In last sentence in square brackets: (~~{~~Such descriptions shall be contained in continuing
resolutions of in the section on the Congregation Council~~}~~).
- *C6.04.d.** At end of line: . . . procedures outlined in *C6.05.
- *C6.05.e.** In last line: . . . between this congregation and the ELCA Evangelical Lutheran Church
in America shall be terminated.
- *C6.05.g.** In third line: . . . provisions in *C6.05., to receive . . . (with the remainder of the provision
remaining unchanged).
- *C6.05.h.** In third line: . . . provisions in *C6.05., to receive . . . (with the remainder of the provision
remaining unchanged).
- *C9.05.d.** In fourth line: . . . described in *C9.05.b. shall decide . . . (with the remainder of the
provision remaining unchanged).
- *C9.05.e.** In first line: . . . described in *C9.05.d., the committee . . . (with the remainder of the
provision remaining unchanged).
- Mark in the second line of *C9.05.f. the cross reference to *C9.05.b. or d.
- *C9.05.f.** In last two lines: . . . through a joint ~~churchwide/synod~~ synodical and churchwide fund
and with housing provided by the congregation(s).
- *C9.11.** In last sentence: . . . Such a call may also be . . . (with the remainder of the provision
remaining unchanged, except for designations by asterisks in the second and last lines of
*C9.05.a.).
- C10.01.** The [annual] { [semi-annual] ; [quarterly] } meeting of this congregation . . . (with the
remainder of the provision remaining unchanged).
- C12.05.d.** In the fourth line: ... may incur obligations of more than \$ _____ in excess of the
anticipated . . . (with the remainder of the provision remaining unchanged).
- C13.04.** In third and fourth lines: . . . appointed jointly by the president [vice president¹] and the
pastor. Term of office shall shall be two years, with three members to be . . . (with the
remainder of the provision remaining unchanged).
- ¹ For use if the pastor is president of the congregation under two of the options in C11.02.
- C13.06.** Other ~~congregation~~ committees of this coneregation may be formed¹ as the need
arises, . . . (with the remainder of the provision remaining unchanged).
- C13.07.** Duties of congregation committees of this conerecuation shall be . . . (with the remainder of
the provision remaining unchanged).
- *C17.03.** In last line: . . . Synod of the ELCA . . . (with the remainder of the provision
remaining unchanged).
- *C17.04.** In last line: . . . consistent with *C17.03.