

CONSTITUTION ST. JOHN'S LUTHERAN CHURCH EVANSVILLE, WISCONSIN

Constitution changes ratified at Annual Meeting 2009
Proposed changes to Constitution and Bylaws approved at Annual Meeting 2008
Proposed Amendments to Constitution approved at Annual Meeting 2004
Revised 1-28-04
Proposed Amendments to bylaws approved at Annual Meeting 2003
Revised 5-03

Asterisk

All items that are marked with an asterisk are taken directly from the ELCA model constitution and may not be altered in any manner.

Missing Numbers

In the style followed here, the number ".10." and multiples thereof have been reserved for possible use as section headings in future editions. Therefore, Chapters 1, 9, and 12 do not currently have constitutional provisions numbered with ".10."

Codification Explanation

The provisions of the constitution, the bylaws, and the continuing resolutions that pertain to the same matter have been placed together. This arrangement requires that the three types of material be identified by means other than physical separation. The three types of provisions are identified by the following devices:

- a. **Constitution** provisions are codified with two sets of numbers; the chapter number and a two-digit number preceding the second period in the codification. Thus, one constitutional provision related to membership is **C8.01.** and is printed in **bold** face type.
- b. **Bylaw** provisions are codified with three sets of numbers; the chapter number, the related constitutional provision number, and a two-digit number. Thus, one bylaw provision could be C8.01.01 and printed in light face type.
- c. **Continuing resolutions** are also codified with three sets of numbers, except that the third set is preceded by a capital letter and printed in *italic* type. Thus, a continuing resolution might be numbered 13 to designate the chapter, 13.07 to designate the subject matter within the chapter, and A06 where "A" indicates that it is the first continuing resolution regarding that subject and "06" indicates that it was adopted in 2006. Thus, one continuing resolution could be *C13.07.A06* printed in *italic* print.

Chapter Headings

C1	Name and Incorporation	C11	Officers
C2	Confession of Faith	C12	Congregation Council
C3	Nature of the Church	C13	Congregation Committees
C4	Statement of Purpose	C14	Organizations within the Congregation
C5	Powers of the Congregation	C15	Discipline of Members
C6	Church Affiliation	C16	Bylaws
C7	Property Ownership	C17	Amendments
C8	Membership	C18	Continuing Resolutions
C9	The Pastor	C19	Indemnification
C10	Congregation Meeting		

In the Name of the Father, and of the Son, and of the Holy Spirit. Amen.

1 ***PREAMBLE**

2 We, baptized members of the Church of Christ, responding in faith to the call of the Holy Spirit through
3 the Gospel, desiring to unite together to preach the Word, administer the sacraments, and carry out
4 God's mission, do hereby adopt this constitution and solemnly pledge ourselves to be governed by its
5 provisions. In the name of the Father and of the Son and of the Holy Spirit.
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7 Chapter 1.

8 **NAME AND INCORPORATION**

9
10 **C1.01.** The name of this congregation shall be St. John's Lutheran Church of Evansville.

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12 **C1.02.** For the purpose of this constitution and the accompanying bylaws, the St. John's
13 Lutheran congregation is hereinafter designated as "this congregation," the South
14 Central Synod of Wisconsin is hereinafter designated as "this synod," and the
15 Evangelical Lutheran Church in America is hereinafter designated as "the church."
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17 **C1.11.** This congregation shall be incorporated not for profit under the laws of the State of
18 Wisconsin.
19

20 Chapter 2.

21 **CONFESSION OF FAITH**

22
23 ***C2.01.** This congregation confesses the Triune God, Father, Son, and Holy Spirit.
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25 **C2.01.01** COMMUNION PARTICIPATION

26
27 1. This congregation invites all of its members who have been prepared to receive the
28 Sacrament to participate regularly in Holy Communion.
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30 2. Preparation for Holy Communion may be provided for persons as young as ten years
31 of age. Instruction will be provided for 5th grade students.
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33 3. Participation in Holy Communion shall be open to members of other congregations
34 who accept the Lutheran teaching in regard to this Sacrament.
35

36 4. It shall be made known to prospective participants that the belief of this congregation
37 is:
38

39 Participation in the Lord's Supper is the reception of "the body and blood of our Lord
40 Jesus Christ given with bread and wine, instituted by Christ himself for us to eat and
41 drink." We hold that a "person is well prepared and worthy who believes these words,
42 given and shed for you for the remission of sins. But anyone who does not believe
43 these words, or doubts them, is neither prepared nor worthy, for the words "for you"
44 require simply a believing heart."
45

46 5. Record of participation in Holy Communion shall be maintained. If a member of
47 another congregation communes, notice shall be sent to their congregation.
48

49 ***C2.02.** This congregation confesses Jesus Christ as Lord and Savior and the Gospel as the
50 power of God for the salvation of all who believe.
51

52 a. Jesus Christ is the Word of God incarnate, through whom everything was
53 made and through whose life, death, and resurrection God fashions a new

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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 Scriptures and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God's mission in the world.

Chapter 3.

NATURE OF THE CHURCH

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

***C3.02.** The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the church, and the universal church exists in and through congregations. The Evangelical Lutheran Church in America, therefore, derives its character and powers both from the sanction and representation of its congregations and from its inherent nature as an expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in the historic continuity of the communion of saints; in breadth, it expresses the fellowship of believers and congregations in our day.

Chapter 4.

STATEMENT OF PURPOSE

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

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***C4.02.**
***C4.03.**

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.

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

165 policy.

166

167 *C4.04. This congregation shall develop an organizational structure to be described in the
168 bylaws. The Congregation Council shall prepare descriptions of the responsibilities of
169 each committee, task force, or other organizational group and shall review their
170 actions. [Such description shall be contained in continuing resolutions of the
171 Congregation Council.]

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173 *C4.05 This congregation shall, from time to time, adopt a mission statement which will
174 provide specific direction for its programs.

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176 Chapter 5.

177 **POWERS OF THE CONGREGATION**

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179 *C5.01. The powers of this congregation are those necessary to fulfill its purpose.

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181 *C5.02. The powers of this congregation are vested in the Congregation Meeting called and
182 conducted as provided in this constitution and bylaws.

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184 *C5.03. Only such authority as is delegated to the Congregation Council or other
185 organizational units in this congregation's governing documents is recognized. All
186 remaining authority is retained by the congregation. The congregation is authorized to:

187

188 a. call a pastor as provided in Chapter 9;

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190 b. terminate the call of a pastor as provided in Chapter 9;

191

192 c. call or terminate the call of associates in ministry, deaconesses, and diaconal
193 ministers in conformity with the applicable policy of the Evangelical Lutheran
194 Church in America;

195

196 d. adopt amendments to the constitution, as provided in Chapter 17, and
197 amendments to the bylaws, as specified in Chapter 16.

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199 e. approve the annual budget

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201 f. acquire real and personal property by gift, devise, purchase, or other lawful
202 means;

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204 g. hold title to and use its property for any and all activities consistent with its
205 purpose;

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207 h. sell, mortgage, lease, transfer, or otherwise dispose of its property by any
208 lawful means;

209

210 i. elect its Congregation Council, boards, and committees, and require them to
211 carry out their duties in accordance with the constitution, bylaws, and
212 continuing resolutions.

213

214 j. terminate its relationship with the Evangelical Lutheran Church in America as
215 provided in Chapter 6.

216

217 *C5.04. This congregation shall choose from among its voting members, laypersons to serve
218 as voting members of the Synod Assembly as well as persons to represent it at
219 meetings of any conference, cluster, coalition, or other area subdivision of which it is a
220 member. The number of persons to be elected by the congregation and other

221 qualifications shall be as prescribed in guidelines established by the South Central
222 Synod of Wisconsin of the Evangelical Lutheran Church in America.
223

224 Chapter 6.

225 **CHURCH AFFILIATION**

226
227 ***C6.01.** This congregation shall be an interdependent part of the Evangelical Lutheran Church
228 in America or its successor, and of the South Central Synod of Wisconsin of the
229 Evangelical Lutheran Church in America. This congregation is subject to the discipline
230 of the Evangelical Lutheran Church in America.
231

232 ***C6.02.** This congregation accepts the Confession of Faith and agrees to the Purposes of the
233 Evangelical Lutheran Church in America and shall act in accordance with them.
234

235 ***C6.03.** This congregation acknowledges its relationship with the Evangelical Lutheran Church
236 in America in which:

- 237
- 238 a. This congregation agrees to be responsible for its life as a Christian
- 239 community.
- 240
- 241 b. This congregation pledges its financial support and participation in the life and
- 242 mission of the Evangelical Lutheran Church in America.
- 243
- 244 c. This congregation agrees to call pastoral leadership from the clergy roster of
- 245 the Evangelical Lutheran Church in America in accordance with its call
- 246 procedures except in special circumstances and with the approval of the
- 247 bishop of the synod.
- 248
- 249 d. This congregation agrees to consider associates in ministry, deaconesses, and
- 250 diaconal ministers for call to other staff positions in the congregation according
- 251 to the procedures of the Evangelical Lutheran Church in America.
- 252

253 This congregation agrees to file this constitution and any subsequent changes to this
254 constitution with the synod for review to ascertain that all of its provisions are in
255 agreement with the constitution and bylaws of the Evangelical Lutheran Church in
256 America and with the constitution of the synod.
257

258 ***C6.04.** Affiliation with the Evangelical Lutheran Church in America may be terminated as
259 follows:

- 260
- 261 a. This congregation takes action to dissolve.
- 262
- 263 b. This congregation ceases to exist.
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- 265 c. This congregation is removed from membership in the Evangelical Lutheran
- 266 Church in America according to the procedures for discipline of the
- 267 Evangelical Lutheran Church in America.
- 268
- 269 d. This congregation follows the procedures outlined in *C6.05.
- 270

271 ***C6.05.** This congregation may terminate its relationship with the Evangelical Lutheran Church
272 in America by the following procedure:

- 273
- 274 a. A resolution indicating the desire of this congregation to terminate its
- 275 relationship must be adopted at a legally called and conducted special

- 276 meeting of this congregation by a two-thirds majority of the voting members
 277 present.
- 278
- 279 b. The secretary of this congregation shall submit a copy of the resolution to the
 280 synodical bishop and shall mail a copy of the resolution to voting members of
 281 this congregation. This notice shall be submitted within 10 days after the
 282 resolution has been adopted.
- 283
- 284 c. The bishop of the synod shall consult with this congregation during a period of
 285 at least 90 days.
- 286
- 287 d. If this congregation, after consultation, still desires to terminate its relationship,
 288 such action may be taken at a legally called and conducted special meeting
 289 by a two-thirds majority of the voting members present, at which meeting the
 290 bishop of the synod or an authorized representative shall be present. Notice of
 291 the meeting shall be mailed to all voting members at least 10 days in advance
 292 of the meeting.
- 293
- 294 e. A certified copy of the resolution to terminate its relationship shall be sent to
 295 the synodical bishop, at which time the relationship between this congregation
 296 and ELCA shall be terminated.
- 297
- 298 f. Notice of termination shall be forwarded by the synodical bishop to the
 299 secretary of this church and published in the periodical of this church.
- 300
- 301 g. Since this congregation was a member of the Lutheran Church in America, it
 302 shall be required, in addition to the foregoing provisions in *C6.05., to receive
 303 synodical approval before terminating its membership in the Evangelical
 304 Lutheran Church in America.
- 305
- 306 ***C6.06.** If this congregation considers relocation, it shall confer with the bishop of the synod in
 307 which it is territorially located before any steps are taken leading to such action. The
 308 approval of the Synod Council shall be received before any such action is effected.

309 Chapter 7.

310 **PROPERTY OWNERSHIP**

- 311
- 312
- 313 ***C7.01.** If this congregation ceases to exist, title to undisposed property shall pass to the
 314 South Central Synod of Wisconsin of the Evangelical Lutheran Church in America.
- 315
- 316 ***C7.02.** If this congregation is removed from membership in the Evangelical Lutheran Church
 317 in America according to its procedure for discipline, title to property shall continue to
 318 reside in this congregation.
- 319
- 320 ***C7.03.** If a two-thirds majority of the voting members of this congregation present at a legally
 321 called and conducted special meeting of this congregation vote to transfer to another
 322 Lutheran church body, title to property shall continue to reside in this congregation.
 323 Before this congregation takes action to transfer to another Lutheran church body, it
 324 shall consult with representatives of the South Central Synod of Wisconsin.
- 325
- 326 ***C7.04.** If a two-thirds majority of the voting members of this congregation present at a legally
 327 called and conducted special meeting of this congregation vote to become
 328 independent or relate to a non-Lutheran church body, title to property of this
 329 congregation shall continue to reside in this congregation only with the consent of the
 330 Synod Council. The Synod Council, after consultation with this congregation by the
 331 established synodical process, may give approval to the request to become

332 independent or to relate to a non-Lutheran church body, in which case title shall
333 remain with the majority of this congregation. If the Synod Council fails to give such
334 approval, title shall remain with those members who desire to continue as a
335 congregation of the Evangelical Lutheran Church in America.
336

337 Chapter 8.
338 **MEMBERSHIP**
339

340 *C8.01. Members of this congregation shall be those baptized persons on the roll of this
341 congregation at the time that this constitution is adopted and those who are admitted
342 thereafter and who have declared and maintain their membership in accordance with
343 the provisions of this constitution and its bylaws.
344

345 C8.01.01 CONFLICTING LOYALTIES
346

347 This congregation requires that the Lord Jesus Christ shall be first in the life of a
348 member. A member is cautioned against any affiliation with any group, fellowship, or
349 organization, which would usurp the primacy of Christ in one's life.
350

351 *C8.02. Members shall be classified as follows:
352

- 353 a. **Baptized** members are those persons who have been received by the
354 Sacrament of Holy Baptism in this congregation, or, having been previously
355 baptized in the name of the Triune God, have been received by certificate of
356 transfer from other Lutheran congregations or by affirmation of faith.
357
- 358 b. **Confirmed** members are baptized persons who have been confirmed in this
359 congregation, those who have been received by adult baptism or by transfer
360 as confirmed members from other Lutheran congregations, or baptized
361 persons received by affirmation of faith.
362
- 363 c. **Voting** members are confirmed members. Such confirmed members, during
364 the current or preceding calendar year, shall have communed in this
365 congregation and shall have made a contribution of record to this
366 congregation.
367
- 368 d. **Associate** members are persons holding membership in other Lutheran
369 congregations who wish to retain such membership but desire to participate in
370 the life and mission of this congregation, or persons who wish to retain a
371 relationship with this congregation while being members of other
372 congregations. They have all the privileges and duties of membership except
373 voting rights and eligibility for elected offices or membership on the
374 Congregation Council of this congregation.
375

376 C8.02.01 MEMBERSHIP
377

378 A. Baptized Members
379

- 380 1. A child, one or both of whose parents or guardians are members of
381 the congregation shall, upon receiving Baptism, become a baptized
382 member.
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- 384 2. A child, neither of whose parents or guardians is a member of the
385 congregation, shall, upon receiving Baptism, become a baptized
386 member of the congregation; unless for good reason this child is to be

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a baptized member of another congregation, in which case their membership shall be transferred to that congregation.

3. A person baptized in another congregation shall be received as a baptized member in the congregation when transfer has been received.
4. An unbaptized adult who has received instruction and has given evidence of an adequate understanding and acceptance of the teachings of the Word of God as confessed by the Lutheran Church, shall, upon confession of faith and Baptism, become a baptized member of the congregation.
5. When one or both parents of baptized children are received into the membership of the congregation, such children should be received as baptized members with the consent of the member parent or parents.
6. When the parents of a baptized child are not themselves members of the Lutheran Church but move into the area served by this congregation and desire to have their child placed within the pastoral care of this congregation, the child may be received as a baptized member.

B. Confirmed Members

1. A baptized adult, not previously a confirmed member of a Lutheran congregation, shall become a confirmed member of this congregation after having received instruction, having given evidence of adequate understanding of the teachings of the Word of God as confessed by the Lutheran Church, and having made public profession of faith.
2. A baptized member of the congregation shall become a confirmed member through the rite of affirmation of baptism; except that an adult who has become a baptized member in accordance with the provisions of Section A.4 of the bylaws shall be considered a confirmed member without participation in the rite of confirmation.
3. An applicant for membership who presents evidence of confirmation in a Lutheran congregation but does not have a Letter of Transfer, shall be admitted to confirmed membership when the Council and/or Pastor has determined that such person meets the standards of Christian faith and life as indicated in the constitution and bylaws, and when such person has reaffirmed their faith before the congregation.

C. Voting Members

The Council shall determine the roster of voting members of the congregation in accordance with the provisions of the constitution and bylaws. The roster of voting members shall be available at all regularly called meetings of the congregation.

D. Discontinuance of Membership

1. The congregation shall, in the event a member moves outside of the community served by the congregation, encourage the member to request a transfer to a Lutheran congregation in their new community, which can serve them effectively. Should the member fail to request a

- 443 transfer, a Lutheran congregation in the community of his residence
444 shall be notified.
445
446 2. A confirmed member in good standing desiring a change of
447 membership to another Lutheran congregation shall, upon request,
448 receive a Letter of Transfer.
449
450 3. A confirmed member who does not, for a period of one year, partake
451 of Holy Communion, support the church with offerings, and does not
452 appear to desire to participate in the life and worship of the
453 congregation shall be visited by the pastor or the congregation's
454 officers if they are local residents or contacted by mail if they live
455 elsewhere and encouraged by them to active membership. If, during
456 the second year, the confirmed member does not actively participate,
457 their name shall be removed from the membership roster of the
458 congregation but be retained on a responsibility list as one who is in
459 special need of the congregation's prayer and concern.
460
461 4. A child, neither of whose parents or guardians is a member of the
462 congregation, may be removed from the roster of baptized members if
463 the child fails to participate in the life and the worship of the
464 congregation.
465

466 ***C8.03.** All applications for confirmed membership shall be submitted to and shall require the
467 approval of the Congregation Council.
468

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

- 470
471 a. Make regular use of the means of grace, both Word and sacraments;
472
473 b. Live a Christian life in accordance with the Word of God and the teachings of
474 the Lutheran church; and
475
476 c. Support the work of this congregation, the synod, and the churchwide
477 organization of the Evangelical Lutheran Church in America through
478 contributions of their time, abilities, and financial support as biblical stewards.
479

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

- 481
482 a. Death;
483
484 b. Resignation;
485
486 c. Transfer or release;
487
488 d. Disciplinary action by the Congregation Council; or
489

490 Removal from the roll due to inactivity as defined in the bylaws. Such persons who
491 have been removed from the roll of members shall remain persons for whom the
492 church has a continuing pastoral concern.
493

494 **C8.06.** Responsibilities of the congregation for fostering faithful membership shall include:

- 495
496 a. proper instruction in the Word of God and the teachings of the Evangelical
497 Lutheran Church in America prior to reception as confirmed members;
498

- 499 b. transfer of membership to another Lutheran congregation or the issuing of a
500 certificate of standing and/or release to another evangelical congregation at
501 the request of the confirmed member (such transfer of membership or issuing
502 of a certificate of standing and/or release should be granted to baptized, but
503 unconfirmed, children at the request of their parents);
- 504
- 505 c. encouraging members who move from the community which the congregation
506 serves to transfer to a Lutheran congregation which can serve them effectively
507 and in which they can participate regularly. A Lutheran congregation in the
508 new community in which such members live shall be notified of their move;
- 509
- 510 d. continuing concern and conscientious pastoral care for members, in an effort
511 to encourage fulfillment of their duties and responsibilities, when they do not
512 partake of Holy Communion, support the congregation with their offerings, or
513 appear to desire to participate in the life and worship of the congregation.

515 Chapter 9.
516 **THE PASTOR**

517

518 ***C9.01.** Authority to call a pastor shall be in this congregation by at least a two-thirds majority
519 ballot vote of members present and voting at a meeting legally called for that purpose.
520 Before a call is issued, the officers, or a committee elected by this congregation to
521 recommend the call, shall seek the advice and help of the bishop of the synod.

522

523 C9.01.01 THE PASTOR

- 524
- 525 1. The congregation shall elect a "Pastor's Call Committee" consisting of six
526 members. This committee shall inquire into, interview, and otherwise acquaint
527 itself with the qualifications of potential candidates for the office. After its
528 careful investigation, the committee shall recommend its choice first to the
529 Council, and then, upon Council approval to the congregation.
- 530
- 531 2. When the congregation has voted to call a pastor, it shall issue a Letter of Call
532 to the pastor-elect, in a form approved by the Evangelical Lutheran Church in
533 America. It shall be signed by the chairperson and the secretary of the
534 meeting at which the call was voted, and shall be attested by the signature of
535 the Bishop of the synod. The pastoral office designations for this congregation
536 shall be senior pastor and associate pastor(s). An associate pastor shall be
537 called only with the concurrence of the senior pastor and in accordance with
538 the provisions of this paragraph.
- 539
- 540 3. The pastoral call shall normally be for an indefinite period of time. A call
541 issued to an associate pastor may be for a definite period of time.
- 542
- 543 4. If a pastor receives a call to another ministry, he or she shall consult the
544 Council, or if the pastor desires, the congregation, before reaching a decision.
545 This pastor shall announce a decision as quickly as possible, normally within
546 three weeks, and notify the synod Bishop of the decision. When a call has
547 been accepted, the pastor shall terminate ministry at St. John's as soon as
548 feasible, normally within a month.
- 549
- 550 5. Should the senior pastor leave office for any reason and with an associate
551 pastor on the staff, the associate pastor may continue to serve the
552 congregation under his/her present call, as provided below.
- 553
- 554 a. The associate pastor may make his/her name available to the call
555 committee for consideration as a candidate for the position of senior

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pastor, upon filing mobility papers with the synod. Should the associate pastor apply for and not be selected to fill the position of senior pastor, he/she will be expected to continue in the mobility process, seeking a call to serve another congregation as timely as is reasonably possible. The council may set a termination date for the associate's call should resignation not be offered within six months from the date of the call committee's decision not to call the associate to the position of senior pastor.

- b. The associate pastor may choose to continue serving in his/her present call throughout the duration of the interim. Upon the installation of a new senior pastor, the associate pastor may continue to serve the congregation for a period of at least one year, during which time the associate pastor and the new senior pastor will participate in conversation and team-building exercises as directed by the council and synod. After this one-year transition period has passed, the associate pastor may continue to serve the congregation in his/her present call upon the concurrence of the senior pastor.
- c. Should the senior pastor, after the one-year transition period, not concur with the continuation of the associate pastor's service as part of the pastoral team, he/she shall outline the reasons at a closed session of the council. At the council's discretion, the council shall notify the associate of such decision, and request that he/she be available to call immediately, terminating service to St. John's as soon as feasible. The council may set a termination date for the associate's call should resignation not be offered within six months from the date of notification of the senior pastor's decision.

6. Any pastor discontinuing employment with the congregation shall participate in an exit interview with members of the Mutual Ministry team.

***C9.02.** Only a member of the clergy roster of the Evangelical Lutheran Church in America or a candidate for the roster of ordained ministers who 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 ordained minister shall:
 - 1. preach the Word;
 - 2. administer the sacraments;
 - 3. conduct public worship;
 - 4. provide pastoral care; and
 - 5. speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.
- b. Each ordained minister with a congregational call shall, within the congregation:
 - 1. offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
 - 2. supervise all schools and organizations of this congregation;
 - 3. install regularly elected members of the Congregation Council; and
 - 4. with the council, administer discipline.
- c. Every pastor shall:
 - 1. strive to extend the Kingdom of God in the community, in the nation, and abroad;
 - 2. seek out and encourage qualified persons to prepare for the ministry of the Gospel;

- 613 3. impart knowledge of this church and its wider ministry through
614 distribution of its periodicals and other publications; and
615 4. endeavor to increase the support given by the congregation to the
616 work of the churchwide organization of the Evangelical Lutheran
617 Church in America (ELCA) and of the South Central Synod of
618 Wisconsin of the ELCA.
619
- 620 ***C9.04.** The specific duties of the pastor, compensation, and other matters pertaining to the
621 service of the pastor shall be included in a letter of call, which shall be attested by the
622 bishop of the synod.
623
- 624 ***C9.05.**
- 625 a. The call of a congregation, when accepted by a pastor, shall constitute a
626 continuing mutual relationship and commitment, which, except in the case of the
627 death of the pastor, shall be terminated only following consultation with the
628 synodical bishop and for the following reasons:
- 629 1. mutual agreement to terminate the call or the completion of a call
630 for a specific term;
 - 631 2. resignation of the pastor, which shall become effective, unless
632 otherwise agreed, 30 days after the date on which it was submitted;
 - 633 3. inability to conduct the pastoral office effectively in the congregation
634 in view of local conditions, without reflection on the competence or the
635 moral and spiritual character of the pastor;
 - 636 4. the physical or mental incapacity of the pastor;
 - 637 5. disqualification of the pastor through discipline on grounds of
638 doctrine, morality, or continued neglect of duty;
 - 639 6. the dissolution of the congregation; or
 - 640 7. suspension of the congregation as a result of discipline
641 proceedings.
- 642 b. When allegations of physical or mental incapacity of the pastor or ineffective
643 conduct of the pastoral office have come to the attention of the bishop of the
644 synod, the bishop in his or her sole discretion may, or when such allegations
645 have been brought to the synod's attention by an official recital of allegations
646 by the Congregation Council or by a petition signed by at least one-third of the
647 voting members of the congregation, the bishop shall, investigate such
648 conditions personally in company with a committee of two ordained ministers
649 and one layperson.
650
- 651 c. In case of alleged physical or mental incapacity, competent medical testimony
652 shall be obtained. When such disability is evident, the bishop of the synod
653 with the advice of the committee shall declare the pastorate vacant. Upon the
654 restoration of a disabled pastor to health, the bishop of the synod shall take
655 steps to enable the pastor to resume the ministry, either in the congregation
656 last served or in another field of labor.
657
- 658 d. In the case of alleged local difficulties that imperil the effective functioning of
659 the congregation, all concerned persons shall be heard, after which the bishop
660 of the synod together with the committee described in *C9.05.b. shall decide
661 on the course of action to be recommended to the pastor and the
662 congregation. If they agree to carry out such recommendations, no further
663 action shall be taken by the synod. If either party fails to assent, the
664 congregation may dismiss the pastor at a legally called meeting after
665 consultation with the bishop, either (a) by a two-thirds majority vote of the
666 voting members present and voting where the bishop and the committee did
667 not recommend termination of the call, or (b) by a simple majority vote of the

668 voting members present and voting where the bishop and the committee
669 recommended termination of the call.
670

671 e. If, in the course of proceedings described in *C9.05.d., the committee
672 concludes that there may be grounds for disciplinary action, the committee
673 shall make recommendations concerning disciplinary action to the synodical
674 bishop, who may bring charges in accordance with the provisions of the
675 constitution and bylaws of the Evangelical Lutheran Church in America and
676 the constitution of this synod.
677

678 f. If, following the appointment of the committee described in *C9.05.b. or d., it
679 should become apparent that the pastoral office cannot be conducted
680 effectively in the congregation(s) being served by the ordained minister due to
681 local conditions, the bishop of the synod may temporarily suspend the pastor
682 from service in the congregation(s) without prejudice and with pay provided
683 through a joint synodical and churchwide fund and with housing provided by
684 the congregation(s).
685

686 ***C9.06.** At a time of pastoral vacancy, an interim pastor shall be appointed by the bishop of the
687 synod with the consent of this congregation or the Congregation Council.
688

689 ***C9.07.** During the period of service, an interim pastor shall have the rights and duties in the
690 congregation of a regularly called pastor, and may delegate the same in part to a
691 supply pastor, with the consent of the bishop of the synod and this congregation or the
692 Congregation Council. The interim pastor and any ordained pastor providing
693 assistance shall refrain from exerting influence in the selection of a pastor.
694

695 ***C9.08.** This congregation shall make satisfactory settlement of all financial obligations to a
696 former pastor before calling a successor. A pastor shall make satisfactory settlement
697 of all financial obligations to this congregation before beginning service in a call to
698 another congregation or employment in another ministry setting related to the
699 Evangelical Lutheran Church in America.
700

701 ***C9.09.** When a pastor is called to serve in company with another pastor or pastors, the
702 privileges and responsibilities of each pastor shall be specified in documents to
703 accompany the call and to be drafted in consultation involving the pastors, the
704 Congregation Council, and the bishop of the synod. As occasion requires, the
705 documents may be revised through a similar consultation.
706

707 ***C9.11.** With the approval of the bishop of the synod, the congregation may depart from
708 *C9.05.a. and call a pastor for a specific term. Details of such calls shall be in writing
709 setting forth the purpose and conditions involved. Prior to the completion of a term, the
710 bishop or a designated representative of the bishop shall meet with the pastor and
711 representatives of the congregation for a review of the call. Such call may also be
712 terminated before its expiration in accordance with the provisions of *C9.05.a.
713

714 ***C9.12.** The pastor of this congregation:
715

716 a. shall keep accurate parochial records of all baptisms, confirmations,
717 marriages, burials, communicants, members received, members dismissed, or
718 members excluded from the congregation;
719

720 b. shall submit a summary of such statistics annually to the synod; and
721

722 c. shall become a member of this congregation upon receipt and acceptance of

723 the letter of call. In a parish of multiple congregations, the pastor shall hold
724 membership in one of the congregations.
725

726 ***C9.13.** The pastor(s) shall submit a report of his or her ministry to the bishop of the synod at
727 least 90 days prior to each regular meeting of the Synod Assembly.
728

729 ***C9.14.** The parochial records of this congregation shall be maintained by the pastor and shall
730 remain the property of the congregation. The secretary of this congregation shall attest
731 in writing to the bishop of this synod that such records have been placed in his or her
732 hands in good order by a departing pastor before the installation of that pastor in
733 another field of labor or the granting by the synod of retired status to the pastor.
734

735 Chapter 10.
736 **CONGREGATION MEETING**
737

738 **C10.01.** The power and authority of this congregation shall be exercised through the
739 congregational meeting. The annual meeting of this congregation shall be called and
740 held in conformity with civil laws and the provisions of the Constitution and bylaws of
741 the congregation.
742

743 C10.01.01 MEETINGS OF THE CONGREGATION
744

745 1. Announcement of the time and place of the annual meeting of the
746 congregation, which is to be held in January, shall be made at two public
747 services immediately preceding the meetings, said services to be at least a
748 week apart: and in such publications as the congregation or the pastor may
749 periodically issue, or by written notice to the voting members mailed not less
750 than ten days in advance of the meetings.
751

752 2. The officers of the previous year shall preside in their respective positions for
753 the annual meeting covering all business of this meeting.
754

755 3. The current rosters of voting, confirmed, and baptized members shall be
756 available at each meeting of the congregation.
757

758 4. The annual meeting shall receive reports and financial statements from all the
759 committees and organizations of the congregation.
760

761 5. The meeting of the congregation shall elect directors of the St. John's
762 Lutheran Church Endowment Fund Board.
763

764 6. The annual meeting shall elect such delegates, representatives, or voting
765 members as are needed for conferences, synodical or national ELCA
766 gatherings, or other church related ministries. It may further elect those
767 needed for service on the Usher Board or other special committees of the
768 congregation.
769

770 **C10.02.** A special congregation meeting may be called by the pastor, the Congregation
771 Council, or the president of this congregation, and shall be called at the written
772 request of 10 percent of the voting members. The call for each special meeting shall
773 specify the purpose for which it is to be held and no other business shall be
774 transacted.
775

776 **C10.03.** Notice of all meetings of this congregation shall be given at the services of worship on
777 the preceding two consecutive Sundays or by e-mail, first class, or bulk mail to all
778 voting members at least 10 days in advance of the date of the meeting. The posting of

779 such notice in the regular mail, with the regular postage affixed or paid, sent to the last
780 known address of such members shall be sufficient.
781

782 **C10.04.** Thirty five voting members shall constitute a quorum.
783

784 **C10.05.** Voting by proxy or by absentee ballot shall not be permitted.
785

786 **C10.06.** All actions by the congregation shall be by majority vote except as otherwise provided
787 in this constitution.
788

789 **C10.07.** Robert's Rules of Order, latest edition, shall govern parliamentary procedure of all
790 meetings of this congregation. The presiding officer of the meeting shall appoint a
791 parliamentarian who shall advise him/her upon matters of order.
792

793 Chapter 11.
794 **OFFICERS**
795

796 **C11.01.** The officers of this congregation shall be a president, vice-president, secretary, and
797 treasurer.
798

799 a. Duties of the officers shall be specified in the bylaws.
800

801 b. The officers shall be voting members of the congregation.
802

803 c. Officers of this congregation shall serve similar offices of the Congregation
804 Council and shall be voting members of the Congregation Council.
805

806 C11.01.01 DUTIES OF OFFICERS
807 1. The president shall preside at meetings of the Congregation Council and of
808 the congregation. The president, in cooperation with the pastor and church
809 secretary, shall secure supply pastors as needed.
810

811 2. The vice-president shall preside at meetings of the Congregation Council and
812 of the congregation in the absence of the president.
813

814 3. The secretary shall keep the minutes of the Congregation Council and of the
815 congregation. The Council Secretary shall oversee the office administrating
816 secretary to ensure that all policies and procedures developed by the
817 Congregation Council are followed.
818

819 4. The treasurer shall have responsibility for all funds of the congregation, and
820 shall oversee all those with access to these funds in accordance with the
821 decisions of the congregation or the Congregation Council. When there is a
822 financial secretary, the Council Treasurer will oversee him/her to ensure that
823 all policies and procedures developed by the Congregation Council are
824 followed. The treasurer has the ability to delegate the receipt and
825 disbursements of such funds to a financial secretary should these
826 responsibilities be delegated to a financial secretary.
827

828 **C11.02.** The Congregation Council shall elect its officers and they shall be the officers of the
829 congregation. The officers shall be elected by written or unanimous ballot and shall
830 serve for one year or until their successors are elected.
831

832 **C11.03.** No officer shall hold more than one office at a time. No elected officer shall be eligible
833 to serve more than two consecutive terms in the same office.
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Chapter 12.

CONGREGATION COUNCIL

C12.01. The voting membership of the Congregation Council shall consist of not less than 9 and not more than 12 members of the congregation including the officers of the congregation. Any voting member of the congregation may be elected, subject only to the limitation on the length of continuous service permitted in that office. No member of the congregation council shall serve more than two consecutive terms as council member. A member's place on the Congregation Council shall be declared vacant if the member

a. Ceases to be a voting member of this congregation or

b. Is absent from four successive regular meetings of the Congregation Council without cause.

The Pastor(s) shall be advisory member(s) of the Congregation Council by virtue of their office but without vote.

C12.01.01 COUNCIL MEMBERSHIP

1. The Congregation Council shall have between 9 - 12 elected members.
2. A member of the Congregation Council who is absent from two consecutive regular meetings, without an excuse acceptable to the council, shall be consulted by the president, or any three members of the Congregation Council.

C12.02. The members of the Congregation Council shall be elected at a legally called meeting of the congregation during the month of December. Their term of office shall be for two years with the term of office beginning on January 1, and ending on December 31. Such members shall be eligible to serve no more than two full terms consecutively. Newly elected Congregation Council members shall be installed at worship the first Sunday of January.

C12.02.01 NOMINATION OF ELECTION OF THE CONGREGATION COUNCIL

1. The Nominating Committee may be composed of four members with the Pastor serving as convener and advisor:
 - a. Shall nominate one or more candidates from the active membership list for each office to be filled and shall secure the consent of each candidate to serve if elected. One member per household shall be permitted to serve on the Council, unless extenuating circumstances exist.
 - b. Shall present the candidates on the second Sunday in November at all services. At this time additional nominations from the active membership list may be made from the floor. The Nominees shall then constitute the ballot for election.
 - c. Shall see that the nominees are presented in any official mailing of the Parish and listed in all service bulletins on the Sundays prior to election.
2. On the first Sunday of December prepared ballots shall be distributed at all services and all qualified voters shall vote. The ushers shall collect the ballots

892 and tellers appointed by the President shall tabulate the ballots following the
893 last service of the day. The tabulation shall then be given to the President,
894 Secretary and Pastor, and shall be so recorded in the official records of the
895 congregation.
896

897 3. The elected candidates shall be informed of their election and shall be
898 installed on the first Sunday of January following election.
899

900 4. At the December meeting of the Congregation Council the Congregation
901 Council shall elect the officers and representatives to the council committees.
902 The Pastor shall facilitate the election of officers as the first order of business
903 at the December meeting. Newly elected council members shall have the right
904 to vote for officers.
905

906 **C12.03.** Should a member's place on the Congregation Council be declared vacant, the
907 Congregation Council shall elect, by majority vote, a successor until the next annual
908 meeting.
909

910 C12.03.01 VACANCY
911 If a vacancy occurs on the Congregation Council, the Council shall fill the vacancy for
912 the duration of the calendar year. The length remaining of the unexpired term shall
913 not be considered in determining eligibility for succession.
914

915 **C12.04.** The Congregation Council shall have general oversight of the life and activities of this
916 congregation, and in particular its worship life, to the end that everything be done in
917 accordance with the Word of God and the faith and practice of the Evangelical
918 Lutheran Church in America. The duties of the Congregation Council shall include the
919 following:
920

921 a. To lead this congregation in stating its mission, to do long-range planning, to
922 set goals and priorities, and to evaluate its activities in light of its mission and
923 goals.
924

925 b. To seek to involve all members of this congregation in worship, learning,
926 witness, service, support and stewardship.
927

928 c. To oversee and provide for the administration of this congregation to enable it
929 to fulfill its functions and perform its mission.
930

931 d. To maintain supportive relationships with the pastor(s) and staff and help
932 them annually to evaluate the fulfillment of their calling, appointment, or
933 employment.
934

935 e. To be examples individually and corporately of the style of life and ministry
936 expected of all baptized persons.
937

938 f. To promote a congregational climate of peace and goodwill and, as
939 differences and conflicts arise, to endeavor to foster mutual understanding.
940

941 g. To arrange for pastoral service during the sickness or absence of the pastor.
942

943 h. To emphasize partnership with the synod and churchwide units of the
944 Evangelical Lutheran Church in America as well as cooperation with other
945 congregations, both Lutheran and non-Lutheran, subject to established
946 policies of the synod and the Evangelical Lutheran Church in America.
947

- 948 i. To recommend and encourage the use of program resources produced or
949 approved by the Evangelical Lutheran Church in America.
950
951 j. To seek out and encourage qualified persons to prepare for the ministry of the
952 Gospel.
953

C12.04.01

DUTIES AND RESPONSIBILITIES OF THE CHURCH COUNCIL

In addition to the duties and responsibilities provided in the constitution, the Congregation Council shall:

- 954
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957
958 1. Secure necessary staff other than the pastor(s) such as parish secretaries,
959 parish worker, custodians, organists and choir directors, etc. and fix and
960 annually review their salaries.
961
962 2. Annually review the performance and salary of the pastor(s) and make
963 adjustments from time to time within the limits of the budget approved by the
964 congregation.
965
966 3. Receive reports monthly from the treasurer to ascertain that the expenditures
967 are within the budget and other limits as established by the constitution.
968
969 4. Prepare a budget to submit to the January annual meeting of the
970 congregation.
971
972 5. Assure itself that the financial secretary and others who have access to the
973 general funds of the congregation are adequately bonded.
974
975 6. Assure itself that all insurance policies are up to date and in order.
976
977 7. Be responsible for the buildings and premises of the congregation so that their
978 use is normally limited to the functions of the congregation. Should groups or
979 individuals not associated with the congregation desire to use such property,
980 application shall be made to the Congregation Council, which committee shall
981 have authority to accept or deny the application. Ceremonies of groups,
982 fellowships, or organizations which would usurp the authority of Jesus Christ
983 shall not be permitted in the church or on the church premises of the
984 congregation.
985
986 8. Council committees and ministries shall include: Executive; Music and
987 Worship; Building and Grounds; Stewardship; Parish Education; Life and
988 Growth; Social Concerns; Fellowship; Memorials; and Youth. The Church
989 Council shall elect from its own membership liaisons to the council
990 committees. The Council shall be responsible for seeing that these
991 committees and ministries, with the exception of the Endowment Fund, are
992 staffed and that they carry out their constitutional assignments. The Council
993 shall have the authority to appoint special or ad-hoc committees and task
994 forces as the need arises.
995
996 9. Have authority between meetings of the congregation to choose delegates to any
997 group or meeting in which the congregation is entitled representation.
998

C12.04.02

CHURCH ELDERS

Elders allow for the potential to allow consistency to the council in decision making matters. By virtue of their knowledge, the expectation is that elders will provide continuity of knowledge and church history to assist the council in making judicious decisions.

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1. A council may select two church elders to serve as advisors to the council.
2. Appointees may be reappointed annually.
3. Selection is based on at least one of the following:
 - a. Longevity of church membership
 - b. Previous experience on the congregation council
 - c. Knowledge of synod policies and procedures.
4. Responsibilities may also be assigned as they, in consultation with the president, or the council may deem necessary.
 - a. Duties may include presence at worship services as council representatives.
5. Each appointee shall serve as a member of the council with a voice and without vote.

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 trustees of this congregation, and as such shall be responsible for maintaining and protecting its property and the management of its business and fiscal affairs. It shall have the powers and be subject to the obligations that pertain to such boards under the laws of the State of Wisconsin, 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 4 percent of the total operating budget 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 more than 4 percent 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 and to the regular forwarding of benevolence monies to the synodical treasurer.
- 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

- 1061 roster.
- 1062
- 1063 **C12.08.** The Congregation Council shall be responsible for the appointment and supervision of
- 1064 the salaried lay workers of this congregation.
- 1065
- 1066 **C12.09.** The Congregation Council shall submit a comprehensive report to this congregation at
- 1067 the annual meeting.
- 1068
- 1069 **C12.11.** The Congregation Council shall normally meet once a month. Special meetings may
- 1070 be called by the pastor, the president, or at the request of at least one-half of council
- 1071 members. Notice of each special meeting shall be given to all who are entitled to be
- 1072 present.
- 1073
- 1074 **C12.12.** A quorum for the transaction of business shall consist of a majority of the members of
- 1075 the Congregation Council.
- 1076
- 1077 Chapter 13.
- 1078 **CONGREGATION COMMITTEES**
- 1079
- 1080 **C13.01.** The officers of this congregation and the pastor shall constitute the Executive
- 1081 Committee.
- 1082
- 1083 **C13.02.** A Nominating Committee shall consist of all members of the Congregation Council, as
- 1084 a vehicle to ensure that all positions are filled, with the Pastor serving as convener and
- 1085 advisor.
- 1086
- 1087 **C13.03.** An Audit Committee, of at least two voting members, shall be appointed by the
- 1088 Congregation Council. Audit Committee members shall not be members of the
- 1089 Congregation Council.
- 1090
- 1091 **C13.04.** A Mutual Ministry Committee (in the absence of a Mutual Ministry Committee, their
- 1092 duties shall be fulfilled by the Executive Committee) may be appointed jointly by the
- 1093 president and the pastor. Term of office shall be two years, three members to be
- 1094 appointed each successive year. Committee members will hold no other office in the
- 1095 congregation during their term.
- 1096
- 1097 **C13.05.** When a pastoral vacancy occurs, a Call Committee of six voting members shall be
- 1098 elected by this congregation. Term of office will terminate at installation of the newly-
- 1099 called pastor.
- 1100
- 1101 **C13.06** Other committees of this congregation not specified by the constitution or the bylaws
- 1102 may be formed, as the need arises, by decision of the Congregation Council.
- 1103
- 1104 **C13.07.** The Congregation Council may authorize the establishment of a special committee or
- 1105 task force through a continuing resolution. The resolution shall define the purpose of
- 1106 the special committee or task force. The president shall recommend committee
- 1107 members to the Congregation Council for its approval. No special committee or task
- 1108 force shall become active without Council approval.
- 1109
- 1110 **C13.08** Duties of congregation committees shall be specified in the bylaws and continuing
- 1111 resolutions.
- 1112
- 1113 C13.08.01 **COMMITTEES**
- 1114 Each committee is responsible for, and authorized to, carry out actions within the
- 1115 means of the annual budget.
- 1116

- 1117 (a) Executive Committee (Trustees) shall consist of the president, vice-president,
1118 secretary, treasurer and pastor. The pastor shall have a voice, but no vote. It shall
1119 serve as a Steering Committee and act on behalf of the congregation in legal and
1120 official matters.
1121
- 1122 (b) Ministry of Worship and Music shall oversee the work of the Ushers, Greeters,
1123 Acolytes, Worship Assistants, Altar Guild, nursery supervision, sound board operators,
1124 projectionists, and all others participating in the leadership of the service. They shall
1125 maintain liaison with the Music Director, Organist(s), and choirs; shall arrange for
1126 music instrument maintenance and tuning, and make recommendations thereon to the
1127 Council.
1128
- 1129 (c) Ministry of Building and Grounds shall oversee the care, management and
1130 maintenance of all properties of the congregation, serve in a liaison and oversight
1131 relationship with the Custodial employees, review maintenance contracts, review
1132 needs regarding purchase of new equipment, review insurance coverage for all
1133 properties and make recommendations thereon to the Church Council.
1134
- 1135 (d) Ministry of Stewardship shall attend to matters involving finances, Time and Talents.
1136 They shall plan and carry out an annual stewardship education emphasis providing
1137 members opportunities to grow in and commit themselves more fully to the ministry of
1138 the whole church. They shall see that offering envelopes are distributed, the
1139 congregation kept informed about our financial status, and the work of the ministry at
1140 home and abroad, and make recommendations thereon to the Church Council.
1141
- 1142 (e) Ministry of Parish Education shall formulate and supervise the Christian
1143 education programs and schools of the congregation for all age levels, shall review
1144 educational programs regularly, and make recommendations to the Church Council.
1145 They shall see that adequate staff is available for educational opportunities and that
1146 materials used are in accord with the Lutheran Confessions. The Sunday School
1147 Superintendent(s) shall be member(s) of this committee.
1148
- 1149 (f) Ministry of Life and Growth shall develop a sound program of visitation and
1150 spiritual care for members and for outreach into our community. The committee shall
1151 be especially sensitive to the needs of the inactive, the lonely, and the bereaved. They
1152 shall secure the training of visitation teams to assist the pastor(s) in this effort, making
1153 recommendations thereon to the council.
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- 1155 (g) Ministry of Social Concerns shall be alert to the social concerns and needs within
1156 society, studying church, local, state, and national issues as invited to do so, and
1157 making recommendations to the Congregation Council and/or congregation as to
1158 appropriate responses.
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- 1160 (h) Ministry of Fellowship shall have as its basic objectives the strengthening of the
1161 fellowship between congregational members spiritually and socially: the integration of
1162 new members into the life of the congregation; planning and implementation of
1163 outreach events in which the larger community's participation is invited; and the
1164 general building of mutual cooperation, trust and enjoyment among the members of
1165 the congregation.
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- 1167 (i) Ministry of Memorials shall have oversight of memorial gifts and funds. It shall be
1168 responsible for developing and maintaining a suggested list of needs which
1169 can be met through memorials and other gifts.
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- 1171 (j) Ministry of Youth shall support and supervise the activities of various youth groups
1172 formed within the congregation. Youth ministries will be provided for youth of all ages,
1173 within the current staffing abilities. These groups are formed to bring a greater

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understanding of God’s word and thus provide a foundation from which their Christian faith can grow. The committee shall coordinate service and fellowship activities. In addition, it will provide the opportunity to collaborate for leadership needs, fund-raising activities, and offer mentoring opportunities for the youth and their leaders.

(k) Personnel Committee

1. The purpose of the Personnel Committee is to provide oversight review of the paid employees of the congregation, including the pastor(s).
2. The Personnel Committee, as an arm of the Council, shall:
 - A. Review matters involving personnel policies
 - B. Recommend various personnel policies
 - C. Conduct at least annual evaluations
 - D. Handle special personnel responsibilities which may arise
 - E. Draft minutes of meetings
 - F. Document personnel matters
 - G. Provide recommendations to the Council dealing with salaries, wages and benefits, hiring, and terminations.
3. The Council through the Personnel Committee shall take any necessary action relative to employment including hiring, job description, evaluation, remuneration and termination for all staff including the pastor(s) with the exception of hiring and termination of rostered leaders.
4. They shall review at least annually all positions to assess the need for staff assignments, changes, expansion, or reduction. They shall assess at least annually the job performance of the Senior Pastor and all other positions and set the appropriate remuneration for each.
5. Membership on the Personnel Committee shall be by appointment of the church council.
6. Appointment by the church council shall occur at the regular council meeting in March of each year that the term expires
7. The Personnel Committee shall consist of three persons, each for a three year term, except in the initial formation of the committee. No member shall be re-elected for more than one additional term.
8. A member of the Personnel Committee shall not be a member of the Council.
9. The chairperson of the Personnel Committee shall:
 - A. Serve as a member of the Council with voice and without vote.
 - B. Serve as a liaison between the staff and the Council.

(l) Mission Endowment Fund

A Mission Endowment Fund, whose purpose, governance, and operational procedures shall be defined by special resolution adopted by the congregation, shall be established.

C13.08.A00 Resolution to Implement the Mission Endowment Fund

WHEREAS, Christian stewardship involved the faithful management of all the gifts God has given to mankind – the created worked, the gospel, life, time, abilities, money, including accumulated, inherited and appreciated resources: and

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WHEREAS, the Scriptural principle of proportionate giving, to return to the Lord a portion of the gifts God has first given to his beloved children, is both a privilege and an appropriate response in all times and circumstances; and

WHEREAS, Christians can give to the work of the Church through bequests in wills, assignment of life insurance, charitable gift annuities, charitable remainder and other trusts, assignment of certificates of deposit, and transfers of property (cash, stocks, bonds, real estate); and

WHEREAS, it is the desire of St. John's Lutheran Church to encourage, receive and administer these gifts in a manner consistent with the loyalty and devotion of our Lord expressed by the donors in an accord with the policies of this congregation:

THEREFORE BE IT RESOLVED, that this congregation in annual meeting assembled on January 23, 2000, approve and establish the records of the church a new a separate fund to be known as THE MISSION ENDOWMENT FUND (hereafter called the "FUND") of the St. John's Lutheran Church, Evansville, Wisconsin;

BE IT FURTHER RESOLVED, that the purpose of this FUND is to enhance the mission outreach of St. John's Lutheran Church apart from the general operation of the congregation; that no portion of the income generated by the FUND shall be used for the annual operating budget of the congregation;

BE IT FURTHER RESOLVED, that the Missions Endowment Fund Committee (hereafter called the "COMMITTEE") shall be the custodian of the FUND;

BE IT FURTHER RESOLVED that the following Plan of Operation set forth the administration and management of the "FUND":

The Committee

1. The committee shall consist of five members, all of whom shall be voting members of St. John's Lutheran Church. Except as herein limited, the term of each member shall be three (3) years. Upon an adoption of this resolution by the congregation, it shall elect five (5) members to the COMMITTEE: two (2) for a term of three (3) years; two (2) for a term of (2) years; and one (1) for a term of one (1) year. Thereafter, at each annual meeting, the congregation shall elect the necessary number for a term of three (3) years. No member shall serve more than two consecutive three (3) year terms. After a lapse of one (1) year, former COMMITTEE members may be re-elected. The Senior pastor and the vice-president of the Church Council shall be advisory members of the COMMITTEE. The Church Council of the congregation shall nominate for the COMMITTEE and report at the annual congregational meeting in the same manner as for other offices and committees. In the event of a vacancy on the COMMITTEE, the Church Council shall appoint a member to fill the vacancy until the next annual meeting of the congregation, at which time the congregation shall elect a member to fulfill the term of the vacancy.

2. The COMMITTEE shall meet a least quarterly, or more frequently as deemed by it in the best interest of the FUND.

3. A quorum shall consist of three (3) members. When only three (3) members are present a unanimous vote shall be required to carry any motion or resolution.

4. The committee shall elect from its membership a chairperson, recording secretary and financial secretary. The chairperson, or member designated by the chairperson, shall preside at all committee meeting.

5. The recording secretary of the COMMITTEE shall maintain complete and accurate minutes of all meetings and supply a copy thereof to each member of the committee. Each member

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shall keep a complete copy of minutes to be delivered to his or her successor. The recording secretary shall also supply a copy of the minutes to the Church Council.

6. The financial secretary of the COMMITTEE shall work with the congregation's treasurer in maintaining and coordinating complete and accurate accounts for the FUND and shall sign checks and all other necessary documents on behalf of the Congregation in furtherance of the purpose of the FUND. The books shall be audited annually by a certified public accountant or other appropriate person who is not a Member of the COMMITTEE.

7. The COMMITTEE shall report on a quarterly basis to the Church Council and, at each annual or duly called special meeting of the congregation, shall render a full and complete audited account of the administration of the FUND during the preceding year.

8. The COMMITTEE may request other members of the congregation to serve as advisory members and, at the expense of FUND income, may provide for such professional counseling on investments or legal matters as it deems to be in the best interest of the FUND.

9. Members of the COMMITTEE shall not be liable for any losses which may be incurred upon the investments of the assets of the FUND except to the extent such losses shall have been caused by bad faith or gross negligence. No member shall be personally liable as long as he/she acts in good faith and with ordinary prudence. Each member shall be liable only for his/her own willful misconduct or omissions, and shall not be liable for acts or omissions of any other member. No member shall engage in any self dealing or transactions with the FUND in which the member has direct or indirect financial interest and shall at all times refrain from any conduct in which his/her personal interest would conflict with the interest of the FUND.

10. All assets are to be held in the name of the St. John's Lutheran Church Mission Endowment Fund.

11. Recommendations to hold, sell, exchange, rent, lease, transfer, convert, invest, reinvest, and in all other respects to manage and control the assets of the FUND, including stocks, bonds, debentures, mortgages, notes, or other securities, as in their judgment and discretion they deem wise and prudent, are to be made by the COMMITTEE for approval by the Church Council, with subsequent execution by the delegated member of the COMMITTEE.

Distribution of Income

1. The committee shall determine what is principal and income according to accepted accounting procedures.

Option 1A Gifts and bequests to the fund shall accumulate until principal amount of \$1000.00 is achieved, after which the income generated from the investment of the principal shall be expended.

2. Income from the FUND shall be distributed annually and at such other times as deemed necessary and/or feasible to accomplish the following purposes:

Option 2A Minimum of 20% for outreach into the community and synod, including but not limited to, grants to ELCA seminaries, colleges, or students attending such schools, social service agencies, institutions and agencies to which this congregation relates, and to special programs designed for those persons in our parish area who are in spiritual and/or economic need.

Option 2B Minimum of 20% for missions of the Evangelical Lutheran Church in America in this continent and worldwide, including, but not limited to, Grants to the Evangelical Lutheran Church in America for new Congregational development in North America, professional leadership, educational ministries global mission, ecumenism, evangelism, social ministries, and capital financing.

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- Option 2C Minimum of 20% for capital improvements, debt reduction or a Building program of St. John's Lutheran Church.
- Option 2D Up to 40% for any one or all of the above designated areas in any proportion as determined by the COMMITTEE, or for causes and programs, which at the discretion of the COMMITTEE are consistent with the FUND purpose of enhancing the mission outreach of St. John's Lutheran Church.

3. Programs for support shall be recommended by the COMMITTEE and approved by the Church Council for funding according to the guidelines established by the congregation.
4. Disbursement of income from the FUND need not occur annually in the event causes and programs have not been approved by the COMMITTEE sufficient to utilize total income available, or if in the judgment of the COMMITTEE total annual disbursement of income is not recommended.

Distribution of Principal

When, in the opinion of the COMMITTEE circumstances are so dire and of such an emergency nature that the future of the congregation is at stake, and the only recourse seems to be the use of the FUND principal, the COMMITTEE may upon a two-thirds majority vote, recommend such authorizing action to the congregation.

Amending the Resolution

BE IT FURTHER RESOLVED, that any amendment to this resolution, which will change, alter or amend the purpose for which the FUND is established shall be adopted by a two-thirds vote of the members present at an annual meeting of the congregation or at a special meeting called specifically for the purpose of amending this resolution.

Disposition or Transfer of Fund

BE IT FURTHER RESOLVED, that in the event St. John's Lutheran Church ceases to exist through merger or dissolution, disposition or transfer of FUND shall be at the discretion of the Church Council in conformity with the approved congregational constitution and in consultation with the bishop of synod to which this congregation belongs at such time. Consultation with the Evangelical Lutheran Church in America may be desirable for continuation of Mission Endowment Fund obligations.

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.
- C14.02.** 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

- *C15.01.** Denial of the Christian faith as described in this constitution, conduct grossly unbecoming a member of the Church of Christ, or persistent trouble-making in this congregation are sufficient cause for discipline of a member. Prior to disciplinary

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action, reconciliation will be attempted following Matthew 18:15-17, proceeding through these successive steps:

- a. Private admonition by the pastor,
- b. Admonition by the pastor in the presence of two or three witnesses, and
- c. Citation to appear before the Congregation Council.

If, for any reason, the pastor is unable to administer the admonitions required by a. and b. hereof, the president (if not the pastor) or vice president shall administer such admonitions.

***C15.02.**

The process for discipline of a member of the congregation shall be governed as prescribed by the chapter on discipline in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. If discipline against a member proceeds beyond counseling and admonition by the pastor, charges against the accused member(s) that are specific and in writing shall be prepared by member(s) of the congregation who shall sign the charges as the accuser(s). The written charges shall be filed with the pastor, who shall advise the Congregation Council of the need to issue a written citation to the accused and the accusers that specifies the time and place of the hearing before the Congregation Council. The written charges shall accompany the written citation to the accused. A member charged with the offense shall appear before the Congregation Council after having received a written citation, at least 10 days prior to the meeting. If the member charged with the offense fails to appear at the scheduled hearing, the Congregation Council may proceed with the hearing and may pass judgment in the member's absence.

***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 proves ineffectual, the council shall impose one of the following disciplinary actions:

- a. Censure before the council or congregation;
- b. Suspension from membership for a definite period of time; or
- c. Exclusion from membership in this congregation.

Disciplinary actions b. and c. shall be delivered to the member in writing.

***C15.04.**

The member against whom disciplinary action has been taken by the Congregation Council, shall have the right to appeal the decision to the Synod Council. Such right may not be abridged and the decision of the Synod Council shall be final.

***C15.05.**

Disciplinary actions may be reconsidered and revoked by the Congregation Council upon receipt of

- a. Evidence that injustice has been done or
- b. Evidence of repentance and amendment.

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1458 *C15.06. For disciplinary actions in this congregation, “due process” shall be observed as
1459 specified in 20.41.04. in the *Constitution, Bylaws, and Continuing Resolutions of the*
1460 *Evangelical Lutheran Church in America.*
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1462 *C15.07. No member of a congregation shall be subject to discipline for offenses that the
1463 Congregation Council has previously heard and decided, unless so ordered by the
1464 Synod Council after an appeal.
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1466 *C15.10. **Adjudication**
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1468 *C15.11. When there is disagreement among factions within this congregation on a substantive
1469 issue that cannot be resolved by the parties, members of this congregation shall have
1470 access to the synodical bishop for consultation after informing the chair of the
1471 Congregation Council of their intent. If the consultation fails to resolve the issue(s), the
1472 Consultation Committee of the synod shall consider the matter. If the Consultation
1473 Committee of the synod shall fail to resolve the issue(s), the matter shall be referred to
1474 the Synod Council, whose decision shall be final.
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1476 Chapter 16
1477 **BYLAWS**
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1479 *C16.01. This congregation may adopt bylaws. No bylaw may conflict with this constitution.
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1481 *C16.02. Bylaws may be adopted or amended at any legally called meeting of this congregation
1482 with a quorum present by a majority vote of those voting members present and voting.
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1484 *C16.03. Changes to the bylaws may be proposed by any voting member provided, however,
1485 that such additions or amendments be submitted in writing to the Congregation
1486 Council at least 60 days before a regular or special Congregation Meeting called for
1487 that purpose and that the Congregation Council notify the congregation’s members by
1488 mail of the proposal with the council’s recommendations at least 30 days in advance of
1489 the Congregation Meeting.
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1491 *C16.04. Approved changes to the bylaws shall be sent by the secretary of this congregation to
1492 the synod.
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1494 Chapter 17.
1495 **AMENDMENTS**
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1497 *C17.01. Those sections of this constitution that are not required, in accord with the Model
1498 Constitution for Congregations of the Evangelical Lutheran Church in America, may be
1499 amended in the following manner. Amendments may be proposed by at least 15
1500 voting members or by the Congregation Council. Proposals must be filed in writing
1501 with the Congregation Council 60 days before formal consideration by this
1502 congregation at its regular or special Congregation meeting called for that purpose.
1503 The Congregation Council shall notify the congregation’s members by mail of the
1504 proposal together with the council’s recommendations at least 30 days in advance of
1505 the meeting.
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1507 *C17.02. An amendment to this constitution, proposed under *C17.01., shall:
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1509 a. Be approved at a legally called Congregation meeting according to this
1510 constitution by a majority vote of those present and voting;
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- 1512 b. Be ratified without change at the next annual meeting by a two-thirds majority
1513 vote of those present and voting; and
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1515 c. Have the effective date included in the resolution and noted in the
1516 constitution.
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1518 *C17.03. Any amendments to this constitution that result from the processes provided in
1519 *C17.01. and *C17.02. shall be sent by the secretary of this congregation to the
1520 synod. The amendment shall become effective within 120 days from the date of the
1521 receipt of the notice by the synod unless the synod informs this congregation that
1522 the amendment is in conflict with the constitution and bylaws of the Evangelical Lutheran
1523 Church in America, or the constitution of the South Central Synod of Wisconsin.
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1525 *C17.04. Whenever the *Model Constitution for Congregations* is amended by the Churchwide
1526 Assembly, this constitution may be amended to incorporate any such amendment by a
1527 simple majority vote of those voting members present and voting at any subsequent
1528 meeting of the congregation without presentation at a prior meeting of the
1529 congregation, provided that the Congregation Council has submitted by mail notice to
1530 the congregation of such an amendment or amendments together with the council's
1531 recommendations, at least 30 days prior to the meeting. Following the adoption of an
1532 amendment, the secretary of the congregation shall submit a copy thereof to the
1533 synod. Such provisions shall become effective immediately following a vote of
1534 approval.
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1536 Chapter 18.
1537 **CONTINUING RESOLUTIONS** *Continuing resolutions interpret, implement, and expand upon*
1538 *provisions of the congregation's constitution and bylaws.*
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1540 *C18.01. The Congregation Council may enact continuing resolutions. Such continuing
1541 resolutions may not conflict with the constitution or bylaws of this congregation.
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1543 *C18.02. Continuing resolutions shall be enacted or amended by a two-thirds vote of all voting
1544 members of the Congregation Council.
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1546 Chapter 19.
1547 **INDEMNIFICATION**
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1549 *C19.01. Consistent with the provisions of the laws under which this congregation is
1550 incorporated, this congregation may adopt provisions providing indemnification for
1551 each person who, by reason of the fact that such person is, or was, a Congregation
1552 Council member, officer, employee, agent, or other member of any committee of this
1553 congregation, was or is threatened to be made a party to any threatened, pending, or
1554 completed civil, criminal, administrative, arbitration, or investigative proceeding.