

OUR REDEEMER'S LUTHERAN CHURCH
HELENA, MONTANA

CONSTITUTION, BYLAWS,
& CONTINUING RESOLUTIONS

Based on the Model Constitution for Congregations
of the Evangelical Lutheran Church in America
Copyright 2016

Approved: 01/28/2018

Ratified: 06/26/2018

Amended:

INTRODUCTION

This Constitution document contains all constitutional provisions, bylaws, and continuing resolutions that pertain to Our Redeemer's Lutheran Church in Helena, MT.

Each is separately codified, but all are preceded by the letter, "C", denoting that they are part of the Congregational Constitution.

- a. Constitutional provisions are codified by two sets of numbers, as in C9.08, or C10.07 where the first two digits constitute the chapter (topic) organization and the second two digits represent the specific subject matter (item) within that chapter.
- b. A bylaw related to C9.08 would be codified as C9.08.01, and to C10.07 as C10.07.01. A bylaw under a required provision would not carry the * that designates a required constitutional provision.
- c. Continuing resolutions are intended to provide descriptions of operational patterns and practices or of the ongoing responsibilities of committees or other units within the organizational structure of the congregation. They also are codified by three sets of numbers, except that the third set is preceded by a capital letter. Thus a continuing resolution for C10.07 might be codified as C10.07.A2000 where the A indicates it is the first resolution and the 2000 indicates that it was adopted in the year 2000.

Required constitutional provisions per the Montana Synod are indicated with an *.

PREAMBLE.....	5
Chapter 1 NAME and INCORPORATION	5
Chapter 2 CONFESSION OF FAITH	5
Chapter 3 NATURE OF THE CHURCH	6
Chapter 4 STATEMENT OF PURPOSE.....	7
Bylaw C4.03.01.....	8
Chapter 5 POWERS OF THE CONGREGATION	9
Chapter 6 CHURCH AFFILIATION	9
Chapter 7 PROPERTY OWNERSHIP	12
Chapter 8 MEMBERSHIP.....	13
Bylaw C8.05.01.....	15
Chapter 9 ROSTERED MINISTER	15
Bylaw C9.12.01.....	18
Chapter 10 CONGREGATION MEETING.....	22
Bylaw C10.01.01.....	22
Chapter 11 OFFICERS.....	22
Bylaw C11.01.01.....	23
President.....	23
Past President	23
First Vice-President.....	23
Second Vice-President.....	23
Secretary.....	23
Treasurer.....	24
Chapter 12 CONGREGATION COUNCIL.....	25
Bylaw C12.01.01.....	25
Chapter 13 STANDARD CONGREGATION COMMITTEES	28
General Membership Information.....	28
Executive Committee.....	29
Mutual Ministry Committee.....	29

Call Committee.....29
 Financial Review Committee29
 Long-Range Planning Committee.....30
 Nominating Committee.....30
 Personnel Committee.....31
 Audit Committee.....31
 Congregational Perpetual Fund Committee31
 Stewardship Committee.....32
 Memorial Fund Committee.....32

Chapter 14 ORGANIZATIONS WITHIN THE CONGREGATION 34
 Chapter 15 DISCIPLINE OF MEMBERS AND ADJUDICATION 34
 Chapter 16 AMENDMENTS..... 36
 Chapter 17 BYLAWS (Constitutional Provisions) 37
 Chapter 18 CONTINUING RESOLUTIONS (Constitutional Provisions)..... 37
 Chapter 19 INDEMNIFICATION..... 38
 Chapter 20 PARISH AUTHORIZATION 38

PREAMBLE

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

Chapter 1 NAME and INCORPORATION

- C1.01.** The name of this congregation shall be Our Redeemer's Lutheran Church, Helena, Montana.
- C1.02.** For the purpose of this constitution and the accompanying bylaws, the congregation of Our Redeemer's Lutheran Church, Helena, Montana, is hereinafter designated as "this congregation".
- C1.11.** This congregation shall be incorporated under the laws of the State of Montana.

Chapter 2 CONFESSION OF FAITH

- *C2.01.** This congregation confesses the Triune God; Father, Son, and Holy Spirit.
- *C2.02.** This congregation confesses Jesus Christ as Lord and Savior and the Gospel as the power of God for the salvation of all who believe.
- a. Jesus Christ is the Word of God incarnate, through whom everything was made and through whose life, death, and resurrection God fashions a new creation.
 - b. The proclamation of God's message to us as both Law and Gospel is the Word of God, revealing judgment and mercy through word and deed, beginning with the Word in creation, continuing in the history of Israel, and centering in all its fullness in the person and work of Jesus Christ.
 - c. The canonical Scriptures of the Old and New Testaments are the written Word of God. Inspired by God's Spirit speaking through their authors, they record and announce God's revelation centering in Jesus Christ. Through them God's Spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.
- *C2.03.** This congregation accepts the canonical Scriptures of the Old and New Testaments as the inspired Word of God and the authoritative source and norm of its proclamation, faith, and life.

* Required provision

- *C2.04.** This congregation accepts the Apostles', Nicene, and Athanasian Creeds as true declarations of the faith of this congregation.
- *C2.05.** This congregation accepts the Unaltered Augsburg Confession as a true witness to the Gospel, acknowledging as one with it in faith and doctrine all churches that likewise accept the teachings of the Unaltered Augsburg Confession.
- *C2.06.** This congregation accepts the other confessional writings in the Book of Concord, namely, the Apology of the Augsburg Confession, the Smalcald Articles and the Treatise, the Small Catechism, the Large Catechism, and the Formula of Concord, as further valid interpretations of the faith of the Church.
- *C2.07.** This congregation confesses the Gospel, recorded in the Holy Scripture and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God's mission in the world.

Chapter 3 NATURE OF THE CHURCH

- *C3.01.** All power in the Church belongs to our Lord Jesus Christ, its head. All actions of this congregation are to be carried out under his rule and authority.
- *C3.02.** This church confesses the one, holy, catholic, and apostolic Church and is resolved to serve Christian Unity throughout the world.
- *C3.03.** The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the Church, and the universal Church exists in and through congregations. The Evangelical Lutheran Church in America, therefore, derives its character and powers both from the sanction and representation of its congregations and from its inherent nature as an expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in the historic continuity of the communion of saints; in breadth, it expresses the fellowship of believers and congregations in our day.
- *C3.04.** This church, inspired and led by the Holy Spirit, participates in the Lutheran World Federation as a global communion of churches, engaging in faithful witness to the gospel of Jesus Christ and in service for the sake of God's mission in the world.
- *C3.05.** The name Evangelical Lutheran Church in America (ELCA or "this church") as used herein refers in general references to this whole church, including its three expressions: congregations, synods, and the churchwide organization. The name Evangelical Lutheran Church in America is also the name of the

corporation of the churchwide organization to which specific references may be made herein.

Chapter 4 STATEMENT OF PURPOSE

- *C4.01.** The Church is a people created by God in Christ, empowered by the Holy Spirit, called and sent to bear witness to God's creative, redeeming, and sanctifying activity in the world.
- *C4.02.** To participate in God's mission, this congregation as a part of the Church shall:
- a. Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, and service.
 - b. Proclaim God's saving Gospel of justification by grace for Christ's sake through faith alone, according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.
 - c. Carry out Christ's Great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministry with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.
 - d. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity and justice for all people, working for peace and reconciliation among the nations, and standing with the poor and powerless, and committing itself to their needs.
 - e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.
 - f. Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity which the Spirit gives.
- *C4.03.** To fulfill these purposes, this congregation shall:
- a. Provide services of worship at which the Word of God is preached and the sacraments are administered.
 - b. Provide pastoral care and assist all members to participate in this ministry.
 - c. Challenge, equip, and support all members in carrying out their calling in their daily lives and in their congregation.
 - d. Teach the Word of God.
 - e. Witness to the reconciling Word of God in Christ, reaching out to all people.

- f. Respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.
- g. Motivate its members to provide financial support for the congregation's ministry and the ministry of other parts of the Evangelical Lutheran Church in America.
- h. Foster and participate in interdependent relationships with other congregations, the synod, and the churchwide organization of the Evangelical Lutheran Church in America.
- i. Foster and participate in ecumenical relationships consistent with churchwide policy.

Bylaw C4.03.01

In addition to the above items, ORLC has determined that this congregation should also consider the following:

- j. Provide nurturing and support for ELCA ministry and congregational lay leaders.
- k. Foster organizations for youth, women, and men; and organizations for language or ethnic communities.
- l. Support the process used by the ELCA in the creation of social statements.
- m. Foster relationships with and provide partnership funding on behalf of social ministry organizations.
- n. Provide partnership funding on behalf of seminarians and continuing education opportunities.
- o. Foster supporting relationships with camps and other outdoor ministries.
- p. Foster supporting relationships with the preschool co-located within ORLC.

***C4.04.** This congregation shall develop an organizational structure to be described in the bylaws. The Congregation Council shall prepare descriptions of the responsibilities of each committee, task force, or other organizational group and shall review their actions. [Such descriptions shall be contained in continuing resolutions in the section on the Congregation Committees.] Editor's note: The continuing resolutions for these committees can be found in Chapter 13.

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

***C4.06.** References herein to the nature of the relationship between the three expressions of this church - congregations, synods, and the churchwide organization - as being interdependent or as being in a partnership relationship describe the mutual responsibility of these expressions in God's mission and the fulfillment of the purposes of this church as described in this chapter, and do not imply or describe the creation of partnerships, co-ventures, agencies, or other legal relationships recognized in civil law.

Chapter 5 POWERS OF THE CONGREGATION

- *C5.01.** The powers of this congregation are those necessary to fulfill its purpose.
- *C5.02.** The powers of this congregation are vested in a Congregation Meeting called and conducted as provided in this constitution and bylaws.
- *C5.03.** Only such authority as is delegated to the Congregation Council or other organizational units in this congregation's governing documents is recognized. All remaining authority is retained by the congregation. The congregation is authorized to:
- a. call a pastor as provided in Chapter 9;
 - b. terminate the call of a pastor as provided in Chapter 9;
 - c. call a minister of Word and Service;
 - d. terminate the call of a minister of Word and Service in conformity with the constitution of the Evangelical Lutheran Church in America;
 - e. adopt amendments to the constitution, as provided in Chapter 16, amendments to the bylaws, as specified in Chapter 17, and continuing resolutions, as provided in Chapter 18.
 - f. approve the annual budget;
 - g. acquire real and personal property by gift, devise, purchase, or other lawful means;
 - h. hold title to and use its property for any and all activities consistent with its purpose;
 - i. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
 - j. elect its officers, Congregation Council, boards, and committees, and require them to carry out their duties in accordance with the constitution, bylaws, and continuing resolutions; and
 - k. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.
- *C5.04.** This congregation shall choose from among its voting members, laypersons to serve as voting members of the Synod Assembly as well as persons to represent it at meetings of any conference, cluster, coalition, or other area subdivision of which it is a member. The number of persons to be elected by the congregation and other qualifications shall be as prescribed in guidelines established by the Montana Synod of the Evangelical Lutheran Church in America.

Chapter 6 CHURCH AFFILIATION

- *C6.01.** This congregation shall be an interdependent part of the Evangelical Lutheran Church in America or its successor, and of the Montana Synod of the

Evangelical Lutheran Church in America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America.

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

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

- a. This congregation agrees to be responsible for its life as a Christian community.
- b. This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.
- c. This congregation agrees to call pastoral leadership from the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod. These special circumstances are limited either to calling a candidate approved for the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or to contracting for pastoral services with a minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion.
- d. This congregation agrees to consider ministers of Word and Service for call to other staff positions in the congregation according to the procedures of the Evangelical Lutheran Church in America.
- e. This congregation agrees to file this constitution and any subsequent changes to this constitution with the synod for review to ascertain that all of its provisions are in agreement with the constitution and bylaws of the Evangelical Lutheran Church in America and with the constitution of the synod.

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

- a. This congregation takes action to dissolve.
- b. This congregation ceases to exist.
- c. This congregation is removed from membership in the Evangelical Lutheran Church in America according to the procedures for discipline of the Evangelical Lutheran Church in America.
- d. This congregation follows the procedures outlined in *C6.05.

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

- a. A resolution indicating the intent to terminate its relationship must be adopted at a legally called and conducted special meeting of the congregation by a two-thirds vote of the voting members present. Such meeting may be held no sooner than 30 days after written notice of the meeting is received by the bishop of the synod, during which time the

congregation shall consult with the bishop and the bishop's designees, if any. The times and manner of the consultation shall be determined by the bishop in consultation with the Congregation Council. Unless he or she is a voting member of the congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the meeting.

- b. The secretary of the congregation shall submit a copy of the resolution to the bishop, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, and shall mail a copy of the resolution to voting members of the congregation. This notice shall be submitted within 10 days after the resolution has been adopted.
- c. The bishop of the synod and the congregation shall continue in consultation, as specified in paragraph a. above, during a period of at least 90 days after receipt by the synod of the notice as specified in paragraph b. above.
- d. If the congregation, after such consultation, still seeks to terminate its relationship, such action may be taken at a legally called and conducted special meeting by a two-thirds vote of the voting members present. Notice of the meeting shall be mailed to all voting members and to the bishop at least 10 days in advance of the meeting. Unless he or she is a voting member of the congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the meeting.
- e. A copy of the resolution, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, shall be sent to the bishop within 10 days after the resolution has been adopted, at which time the relationship between the congregation and this church shall be terminated subject to paragraphs g. and h.. below. Unless this notification to the bishop also certifies that the congregation has voted by a two-thirds vote to affiliate with another Lutheran denomination, the congregation will be conclusively presumed to be an independent or non-Lutheran church.
- f. Notice of termination shall be forwarded by the bishop to the secretary of the ELCA, who shall report the termination to the Churchwide Assembly.
- g. This congregation shall abide by these covenants by and among the three expressions of this church:
 - 1) Congregations seeking to terminate their relationship with this church which fail or refuse to comply with each of the foregoing provisions in *C6.05. shall be required to receive Synod Council approval before terminating their membership in this church.
 - 2) Congregations which had been members of the Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in *C6.05. to receive synodical approval before terminating their membership in this church. Editor's note: ORLC was formerly ALC (American Lutheran Church) prior to becoming ELCA.
 - 3) Congregations established by the Evangelical Lutheran Church in America shall be required, in addition to complying with the

foregoing provisions in *C6.05. to satisfy all financial obligations to this church and receive Synod Council approval before terminating their membership in this church.

- h. If this congregation fails to achieve the required two-thirds vote of voting members present at the congregation's first meeting as specified in paragraph a. above, another special meeting to consider termination of relationship with this church may be called no sooner than six months after that first meeting. If this congregation fails to achieve the required two-thirds vote of voting members present at the congregation's second meeting as specified in paragraph d. above, another attempt to consider termination of relationship with this church must follow all requirements of *C6.05. and may begin no sooner than six months after that second meeting.

***C6.06.** If this congregation considers relocation, it shall confer with the bishop of the synod in which it is territorially located and the appropriate unit of the churchwide organization before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is effected.

***C6.07.** If this congregation considers developing an additional site to be used regularly for worship, it shall confer with the bishop of the synod in which it is territorially located and the appropriate unit of the churchwide organization before any steps are taken leading to such action.

Chapter 7 PROPERTY OWNERSHIP

***C7.01.** If this congregation ceases to exist, title to undisposed property shall pass to the Montana Synod of the Evangelical Lutheran Church in America.

***C7.02.** If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline, title to property shall continue to reside in this congregation.

***C7.03.** If two-thirds of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to transfer to another Lutheran church body, title to property shall continue to reside in this congregation, provided the process for termination of relationship in *C6.05. has been followed. Before this congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of the Montana Synod.

***C7.04.** If two-thirds of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to become independent or relate to a non-Lutheran church body and have followed the process for termination of relationship in *C6.05., title to property of this congregation shall continue to reside in this congregation only with the

consent of the Synod Council. The Synod Council, after consultation with this congregation by the established synodical process, may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of this congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America.

- C7.05.** Notwithstanding the provisions of *C7.02. and *C.7.03. above, where this congregation has received property from the synod pursuant to a deed or other instrument containing restrictions under provision 9.71.a. of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*, this congregation accepts such restrictions and:
- a. Shall not transfer, encumber, mortgage, or in any way burden or impair any right, title, or interest in the property without prior approval of the Synod Council.
 - b. Shall - upon written demand by the Synod Council, pursuant to †S13.23. of the constitution of the Montana Synod - reconvey and transfer all right, title, and interest in the property to the synod.

Chapter 8 MEMBERSHIP

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

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

- a. **Baptized** members are those persons who have been received by the Sacrament of Holy Baptism in this congregation, or, having been previously baptized in the name of the Triune God, have been received by certificate of transfer from other Lutheran congregations or by affirmation of faith.
- b. **Confirmed** members are baptized persons who have been confirmed in this congregation, those who have been received by adult baptism or by transfer as confirmed members from other Lutheran congregations, or baptized persons received by affirmation of faith.
- c. **Voting** members are confirmed members. Such confirmed members, during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of the congregation as well as the other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws. Editor's note: "Contribution of record" can be a financial and/or participation contribution.

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

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

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

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

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

- a. death;
- b. resignation;
- c. transfer or release;
- d. disciplinary action in accordance with ELCA constitutional provision 20.41. and the accompanying bylaws; or

- e. removal from the roll due to inactivity in accordance with the provisions of this constitution and its bylaws.

Such persons who have been removed from the roll of members shall remain persons for whom the Church has a continuing pastoral concern.

Bylaw C8.05.01

A member is recommended for inactive status when he or she has not communed, worshipped, participated in, or contributed to the life of the congregation over a two-year period. Upon approval by the Congregation Council, such persons are placed on the “Responsibility List”, and as such, they shall remain persons for whom the church has a continuing pastoral concern, though they will not be counted among ‘active membership’ in the church’s annual report to the synod.

Chapter 9 ROSTERED MINISTER

- *C9.01.** Authority to call a pastor shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by the Congregation Council to recommend the call, shall seek the advice and help of the bishop of the synod.
- *C9.02.** Only a member of the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of Word and Sacrament who has been recommended for the congregation by the synodical bishop may be called as a pastor of this congregation.
- *C9.03.** Consistent with the faith and practice of the Evangelical Lutheran Church in America,
 - a. Every minister of Word and Sacrament shall:
 - 1) preach the Word;
 - 2) administer the sacraments;
 - 3) conduct public worship;
 - 4) provide pastoral care; and
 - 5) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
 - 6) impart knowledge of this church and its wider ministry through distribution of its communications and publications;
 - 7) witness to the Kingdom of God in the community, in the nation, and abroad; and
 - 8) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God’s love for the world.
 - b. Each pastor with a congregational call shall, within the congregation:

- 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
- 2) relate to all schools and organizations of this congregation;
- 3) install regularly elected members of the Congregation Council;
- 4) with the council, administer discipline; and
- 5) endeavor to increase the support given by the congregation to the work of the ELCA churchwide organization and of the Montana Synod of the ELCA.

***C9.04.** The specific duties of the pastor, compensation, and other matters pertaining to the service of the pastor shall be included in a letter of call, which shall be attested by the bishop of the synod.

***C9.05.** The provisions for termination of the mutual relationship between a minister of Word and Sacrament and this congregation shall be as follows

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

congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.

- c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the pastor's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the pastorate vacant. When the pastorate is declared vacant the Synod Council shall list the pastor on the roster of Ministers of Word and Sacrament as disabled. Upon removal of the disability and the restoration of the pastor to health, the bishop shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call.
- d. In the case of alleged local difficulties that imperil the effective functioning of the congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the pastor and then to the congregation. The recommendations of the bishop's committee must address whether the pastor's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by the congregation and by the pastor, if appropriate. If the pastor and congregation agree to carry out such recommendations, no further action need be taken by the synod.
- e. If either party fails to assent to the recommendations of the bishop's committee concerning the pastor's call, the congregation may dismiss the pastor only at a legally called meeting after consultation with the bishop, either
 - (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or
 - (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
- f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.

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

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

selection of a pastor. Unless previously agreed upon by the Synod Council, an interim pastor is not available for a regular call to the congregation served.

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

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

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

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

- a. shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation;
- b. shall submit a summary of such statistics annually to the synod; and
- c. shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.

Bylaw C9.12.01

In addition to the above items, ORLC has determined that its pastor(s) shall also:

- d. adhere to the policies adopted by this congregation,
- e. attend meetings of the Synod Assembly and attend any meeting of the conference, cluster, coalition or other area subdivision to which the congregation belongs unless illness demands he/she appoint a representative to attend in his/her stead.

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

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

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

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

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

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

- a. Be rooted in the Word of God, for proclamation and service;
- b. Advocate a prophetic diakonia that commits itself to risk-taking and innovative service on the frontiers of the Church's outreach, giving particular attention to the suffering places in God's world;
- c. Speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world, witnessing to the realm of God in the community, the nation, and abroad;
- d. Equip the baptized for ministry in God's world that affirms the gifts of all people;
- e. Encourage mutual relationships that invite participation and accompaniment of others in God's mission;
- f. Practice stewardship that respects God's gift of time, talents, and resources;
- g. Be grounded in a gathered community for ongoing diaconal formation;
- h. Share knowledge of the ELCA and its wider ministry of the gospel and advocate for the work of all expressions of this church; and
- i. Identify and encourage qualified persons to prepare for ministry of the gospel.

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

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

- a. The call of a congregation, when accepted by a deacon, shall constitute a continuing mutual relationship and commitment, which shall be

terminated only by death or, following consultation with the synodical bishop, for the following reasons:

- 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the deacon, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
 - 3) inability to conduct the ministry of Word and Service effectively in this congregation in view of local conditions;
 - 4) physical disability or mental incapacity of the deacon;
 - 5) suspension of the deacon through discipline for more than three months;
 - 6) resignation or removal of the deacon from the roster of Ministers of Word and Service of this church;
 - 7) termination of the relationship between this church and this congregation;
 - 8) dissolution of this congregation or the termination of a parish arrangement; or
 - 9) suspension of this congregation through discipline for more than six months.
- b. When allegations of physical disability or mental incapacity of the deacon under paragraph a.4) above, or ineffective conduct of the office of minister of Word and Service under paragraph a.3) above, have come to the attention of the bishop of this synod,
- 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
 - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of this congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
- c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the deacon's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the position vacant. When the position is declared vacant, the Synod Council shall list the deacon on the roster of Ministers of Word and Service as disabled. Upon removal of the disability and the restoration of the deacon to health, the bishop shall take steps to enable the deacon to resume the ministry, either in the congregation last served or in another appropriate call.
- d. In the case of alleged local difficulties that imperil the effective functioning of this congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their

recommendations first to the deacon and then to this congregation. The recommendations of the bishop's committee must address whether the deacon's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by this congregation and by the deacon, if appropriate. If the deacon and congregation agree to carry out such recommendations, no further action need be taken by the synod.

- e. If either party fails to assent to the recommendations of the bishop's committee concerning the deacon's call, this congregation may dismiss the deacon only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds majority vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a simple majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
- f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.

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

- a. installation in another field of labor, or
- b. the issuance of a certificate of dismissal or transfer.

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

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

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

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

Chapter 10 CONGREGATION MEETING

C10.01. The annual meeting of this congregation shall be held at a time specified in the bylaws.

Bylaw C10.01.01

The annual meeting of this congregation shall be held in February or at a time determined by the Congregation Council. Elections will occur at this meeting. In addition to the candidates submitted by the nominating committee, nominations may also be made from the floor. Those floor nominations must meet the same criteria (see C13.07) and be with the nominee's consent.

C10.02. A special Congregation Meeting

- a. may be called by the pastor, the Congregation Council, or the President of this congregation, and
- b. shall be called by the president of the congregation upon the written request of 10% of the voting members. The President of the Congregation Council shall also call a special meeting upon request of the synodical bishop.

The call for each special meeting shall specify the purpose for which it is to be held, and no other business shall be transacted.

C10.03. Notice of all meetings of this congregation shall be given at the services of worship during the preceding two consecutive weeks and by mail or electronic means, as permitted by state law, to all voting members at least 10 days in advance of the date of the meeting.

C10.04. 10% of the voting members shall constitute a quorum.

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

C10.06. All actions approved by the congregation shall be by majority vote of those voting members present and voting, except as otherwise provided in this constitution or by state law.

C10.07. *Robert's Rules of Order*, latest edition, shall govern parliamentary procedure of all meetings of this congregation.

Chapter 11 OFFICERS

C11.01. The officers of this congregation shall be a President, Past President, First and Second Vice Presidents, Secretary, and Treasurer.

- a. Duties of the officers shall be specified in the bylaws.
- b. The officers shall be voting members of the congregation.
- c. Officers of this congregation shall serve similar offices of the Congregation Council and shall be voting members of the Congregation Council.

Bylaw C11.01.01

Officers of the Congregation

- a. The **President** shall:
 - 1) Preside at all meetings of the congregation and council.
 - 2) Prepare a written report to be included in the annual report to the congregation.
 - 3) Ensure the preparation of all legal correspondence necessary on behalf of the congregation and endorse with one's signature.
 - 4) Be authorized and empowered, in the name of the congregation to sign deeds and other instruments as directed by the congregation, provided that the signature of the Secretary or another officer also appear on such documents.
 - 5) Convene the first meeting of any Call Committee
 - 6) Be a member of the Long-Range Planning Committee.
 - 7) Work with the Congregation Council to appoint all committees for which provision is not otherwise made.
 - 8) Annually re-establish the Financial Review Committee with its new members.
- b. The **Past President** shall:
 - 1) Be a member of the Executive Committee.
 - 2) Be a member of the Financial Review Committee.
 - 3) Provide guidance to the current President and current Council.
- c. The **First Vice-President** shall:
 - 1) Exercise the duties of the President as required during the temporary absence of the President.
 - 2) Become President when the Congregation Council declares the office of the President vacant, as in the case of resignation from the office, disability, transfer, annual election time, or other permanent absence of the President.
 - 3) Convene the first meeting of the Audit Committee at least sixty (60) days prior to the annual congregational budget meeting and receive communications from the committee should there be any questions or concerns.
 - 4) In the absence of the Secretary be authorized and empowered in the name of this congregation to attest all deeds and instruments which require the same and have been signed by the President of this congregation.
- d. The **Second Vice-President** shall:
 - 1) Chair the Nominating Committee.
 - 2) Exercise the duties of the First Vice-President in the absence of same.
- e. The **Secretary** shall:
 - 1) Keep the minutes of all meetings of this congregation, be responsible for the printing and distribution of such minutes, and perform other duties as directed by this constitution and the congregation to include:

- a. Ensuring the parochial records of the congregation are maintained by the pastor(s) and remain the property of the congregation
 - b. Approved changes to the bylaws shall be sent by the secretary of this congregation to the synod.
 - c. Any amendments to this constitution that result from the processes provided in *C17.01. and *C17.02. shall be sent by the secretary of this congregation to the synod.
- 2) Be authorized and empowered in the name of this congregation to attest all deeds and instruments which require the same and which have been signed by the President of this congregation.
 - 3) In consultation with the President, classify and arrange all important papers and documents and deposit them in the archives of this congregation.
 - 4) Ensure the congregation is informed when important documents are added to the archives, ensuring access for the audit committee and congregational member review.
 - 5) Advise the secretary of the synod of the names of voting members and/or alternates at least 60 days prior to the date of the Synod Assembly.
- f. The **Treasurer** shall:
- 1) Manage the monies, accounts, and funds of the congregation.
 - 2) Receive and distribute such funds in accordance with the decisions of the congregation or the Congregation Council.
 - 3) Prepare a financial report for the annual report and such other times as the congregation may direct.
 - 4) Initiate and assist in the preparation of the budget(s).
 - 5) In the absence of the Secretary be authorized and empowered in the name of this congregation to attest all deeds and instruments which require the same and have been signed by the President of this congregation.
 - 6) Serve on the Financial Review Committee as Treasurer and as Past Treasurer when replaced as Treasurer.

C11.02. The congregation shall elect the following officers of the congregation at an annual meeting: First Vice-President, Second Vice-President, Secretary, and Treasurer. The First Vice-President position shall move into the President and Past President positions in the subsequent years so those two positions will only be voted on should they become vacant. The officers shall be elected by written ballot and shall serve for three years or until their successors are elected. Their terms shall begin at the close of the annual meeting at which they are elected. There are six officer positions on the Council – President, Past-President, 1st Vice-President, 2nd Vice-President, Secretary, and Treasurer. The 1st Vice-President will be elected every year since that position moves on to President and then Past-President in subsequent years fulfilling his/her 3-year term. Another officer position

would be on the ballot every year: **year 1** – 2nd Vice-President; **year 2** – Secretary; **year 3**- Treasurer; and repeat.

C11.03. No officer shall hold more than one office at a time. No elected officer shall be eligible to serve more than two consecutive terms on the Council in any capacity.

Chapter 12 CONGREGATION COUNCIL

C12.01. The voting membership of the Congregation Council shall consist of the pastor(s), the officers of the congregation, and five elected members of the congregation, ideally one of whom would be considered a young adult. Any voting member of the congregation may be elected, subject only to the limitation on the length of continuous service permitted in that office. 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.

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

Bylaw C12.01.01

The Congregation Council shall consist of the Officers of the Congregation, the Pastoral staff, and five other voting members of the congregation.

C12.02. The members of the Congregation Council except the pastor(s) shall be elected by written ballot to serve for three (3) years or until their successors are elected. Such members shall be eligible to serve no more than two full terms consecutively on the Council in any capacity. Their terms shall begin at the close of the annual meeting at which they are elected. There are five general member Council positions that will be elected in a staggered manner: **year 1** – 1 at large member; **year 2** – 2 at large members, **year 3** – 2 at large members; and repeat.

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

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

- a. To lead this congregation in stating its mission, to do long-range planning, to set goals and priorities, and to evaluate its activities in light of its mission, goals, and budgetary needs.
- b. To seek to involve all members of this congregation in worship, learning, witness, service, and support.
- c. To identify individuals to fill vacancies on all standing committees.
- d. To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.
- e. To maintain supportive relationships with the rostered minister(s) and staff and help them annually to evaluate the fulfillment of their calling or employment.
- f.. To be examples individually and corporately of the style of life and ministry expected of all baptized persons.
- g. To promote a congregational climate of peace and goodwill, and, as differences and conflicts arise, to endeavor to foster mutual understanding.
- h. To arrange for pastoral service during the sickness or absence of the pastor.
- i. To emphasize partnership with the synod and churchwide organization of the Evangelical Lutheran Church in America as well as cooperation with other congregations, both Lutheran and non-Lutheran, subject to established policies of the synod and the Evangelical Lutheran Church in America.
- j. To recommend and encourage the use of program resources produced or approved by the Evangelical Lutheran Church in America.
- k. Encourage qualified persons to prepare for the ministry of the Gospel.
- l. Communicate pastoral or associate resignations to the synod bishop and the congregation.
- m. Adhere to the policies adopted by this congregation.
- n. Identify and recruit members for any task force or short term committee work that benefits the congregation.
- o. The Congregation Council shall review all Personnel Committee recommendations, implementing as appropriate.
- p. The Congregation Council will identify Council members to liaise with each committee(s) as assigned and report on that committee's activities at the Council meetings.

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

- a. The Congregation Council shall be the board of directors of this congregation, and as such shall be responsible for maintaining and protecting its property and the management of its business and fiscal affairs. It shall have the powers and be subject to the obligations that pertain to such boards under the laws of the State of Montana, 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 \$10,000 for items not included in the budget.
- d. The Congregation Council shall finalize an annual budget for adoption by this congregation, shall supervise the expenditure of funds in accordance therewith following its adoption, and may incur obligations of more than 5% in excess of the last approved budget 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 (excluding the Our Redeemer's Church Perpetual Fund) and its total insurance program.
- g. The Congregation Council is responsible for reviewing and addressing all issues raised by internal and external audits.

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

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

C12.08. The Congregation Council shall be responsible for the employment of the staff of this congregation. Nothing in this provision shall be deemed to affect the congregation's responsibility for the call, terms of call, or termination of call of any employees who are on a roster of this church.

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

C12.11. The Congregation Council shall normally meet once a month. These meetings will be publicized on the monthly calendar. Special meetings

- a. may be called by the pastor(s) or the President and
- b. 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 Council members and other known interested parties as appropriate at least five days prior to the meeting.

C12.12. A quorum for the transaction of business shall consist of a majority of the members of the Congregation Council, including the lead pastor or interim pastor, except when the lead pastor or interim pastor requests or consents to be absent and has given prior approval to the agenda for a particular regular or special meeting, which shall be the only business considered at that

meeting. Chronic or repeated absence of the lead pastor or interim pastor who has refused approval of the agenda of a subsequent regular or special meeting shall not preclude action by the Congregation Council, following consultation with the synodical bishop.

C12.13. The Congregation Council and its committees may hold meetings by remote communication, including electronically and by telephone conference, and, to the extent permitted by state law, notice of all meetings may be provided electronically.

C12.14. A *Staff Support Committee* may be established by any ministry team member who would like additional support in carrying out his/her mission or duties. Any establishment of such a committee must be communicated to the lead Pastor and the Council President.

CR12.14.A2015

All classifications of members (baptized, confirmed, voting, and associate) may be considered eligible for such a committee if that best meets the needs of the ministry team member convening the group. There will be no set number of committee members, specific term of service, limits on their term nor will their appointment require a vote by the congregation. All specifics as to membership and duties will be defined by the ministry team member assembling the committee.

Chapter 13 STANDARD CONGREGATION COMMITTEES

C13.01. General Committee membership information:

1. All committees will have at least three (3) members but no more than six (6) unless specifically identified otherwise.
2. All committee members will be voting members of the congregation unless specifically identified otherwise.
3. All new committee members will be elected at the annual congregational meeting unless specifically identified otherwise.
4. Membership terms will be for two (2) years with minimally one member (if only 3 on the committee) being elected each year so continuity is maintained unless specifically identified otherwise.
5. A committee member may only be re-elected twice without a break in service of at least one year.
6. In the event that a committee member cannot complete his/her term in office, the Congregational Council shall appoint someone to serve out the retiring member's term. Should the unexpired term be one year or less, it shall not be considered in determining eligibility for (re)election. If more than one year remains in the retiring person's term, the fulfillment of the remaining year(s) will require a vote at the next annual meeting.

7. The lead and associate Pastors and Council President shall be ‘ex-officio’ members of any committee unless identified otherwise.
8. Any committee member who is unable to attend a scheduled meeting in person, may participate through electronic conferencing.
9. Committees will annually identify their chairperson.

C13.02. The Officers of this congregation and the lead Pastor shall constitute the *Executive Committee*. A quorum will exist as long as there are three (3) people present and one of them is the lead Pastor or Council President.

CR13.02.A2015

The Executive Committee shall:

1. Set the Congregation Council meeting agendas.
2. Conduct emergency Council business between council meetings pending subsequent approval by the Congregational Council at the next council meeting.
3. Function as the Executive board in all matters involving church business.

C13.03. *Mutual Ministry Committee(s)* (in the absence of a mutual ministry committee, the duties shall be fulfilled by the executive committee) shall be appointed jointly by the president and the rostered minister. Term of office shall be two years, with three members to be appointed each successive year.

C13.04. When a pastoral vacancy occurs, a *Call Committee* is established. The Council President solicits the congregation for volunteers and the Council establishes the committee. At least one member of the committee should also be on the Church Council. The President will call the first meeting. Term of office will conclude upon installation of the newly called pastor.

CR13.04.A2015

The Call Committee shall, in consultation with the synod office:

1. Meet with the synod bishop to discuss process and procedures.
2. Conduct congregational review.
3. Solicit input from congregation as to qualifications sought.
4. Work with synod bishop to obtain viable candidates.
5. Identify the person on the committee that will communicate monthly with the Council and similarly with the congregation regarding progress.
6. Review resumes.
7. Interview and make recommendations.
8. Ensure congregational meeting occurs to vote on the call.
9. Submit the call letter to the bishop for signature.

C13.05. A *Financial Review Committee* shall be re-established annually. Members include the current Congregation President and Treasurer, with the Past President, previous Treasurer, and an optional other appointed member. Additionally the Finance and Facilities Director (or similar position) will be included on this committee as a non-voting member.

CR13.05.A2015

The Financial Review Committee shall:

1. Review financial status to monitor income vs. expenses.
2. Advise the Congregation Council as to budget issues including contingency actions to keep expenses in balance with income.
3. Advise the Treasurer and appropriate staff on bookkeeping issues and proper accounting procedures including addressing audit issues.
4. Respond to the Audit Committee's annual findings and recommendations including bringing actions before the full Council as necessary.

C13.06. A *Long-Range Planning Committee* shall be appointed by the Congregational Council. This Committee will minimally include the current Congregation President and the lead Pastor.

CR13.06.A2015

The Long-Range Planning Committee shall:

1. Review the congregation's progress on the current long range plan.
2. Recommend adjustments to the current plan.
3. Include additional items in the plan so as to ensure there are challenges for the next 5-10 years to keep ORLC relevant to the community it serves.
4. Annually develop specific tasks to address current year initiatives.
5. Report to the Congregational Council twice a year, and annually to the Congregation.

C13.07. A *Nominating Committee* is called together annually at least 90 days prior to the congregational meeting by its chairperson, the 2nd Vice-President. If possible, two members shall be outgoing members of the Congregational Council. The current President may not be a member of this committee.

CR13.07.A2015

The Nominating Committee shall:

1. Include the congregation in the request for initial nominations.
2. Nominate one or more candidates from the voting member roster for each Council position to be filled and shall secure the consent of each candidate.
3. Ensure the announcement of the Council nominees to the congregation occurs in conjunction with the announcement of the meeting of the congregation at which the elections are to take place.
4. Solicit input from those committee chairpersons (C13.07 – C13.12) as to the number of committee members being sought for the next year and any recommendations they might have.
5. Nominate one or more candidates from the voting member roster for each open Committee position (C13.07-C13.12) and secure the consent of each candidate.
6. Nominate delegates to Flathead Lutheran Bible Camp from among the voting member roster.
7. Produce an entire slate of candidates for all Council and Committee positions at least two weeks prior to the annual meeting.

C13.08. A *Personnel Committee* will function as an advisory group regarding certain responsibilities of human resources matters.

CR13.08.A2015

The Personnel Committee shall:

1. Develop and submit recommendations to the Congregational Council on Personnel Policies for non-rostered staff as well as any personnel under contract. [The Council shall determine which policies apply to rostered staff.]
2. Assist the Council in researching annual compensation and benefit recommendations for designated staff.
3. Assist the Council in the review of existing human resource policies.
4. Conduct surveys and research which affirm and promote compassionate human resource policies enabling the recruitment and retention of highly qualified ministry leaders and staff.
5. Report to the Congregational Council twice a year, and annually to the Congregation.
6. Advocate the partnership role of staff and the congregation to meet ministry goals.

C13.09. The *Audit Committee* cannot include any member of the current Congregational Council or Pastoral staff in its make-up although the 1st Vice-President of the Congregation Council will convene the first annual meeting of the Audit Committee at least sixty (60) days prior to the annual congregational budget meeting. The committee will then select a chairperson from among its voting members who will then preside over the committee. The committee will do its work without the 1st Vice-President's involvement.

CR13.09.A2015

The Audit Committee shall:

1. Conduct an annual internal audit of the fiscal records of the congregation including an examination of existing insurance coverage.
2. Provide a report of its findings and recommendations in writing at the annual congregational meeting.
3. Obtain information and records from the Treasurer and Finance and Facilities Director as necessary to perform the audit.
4. Communicate with the Council through the 1st Vice-President regarding internal audit status or concerns.
5. Ensure that an external audit is completed minimally every 5 years or more often if the findings above warrant such a recommendation.

C13.10. A *Congregational Perpetual Fund Committee* will be maintained to manage the ORLC perpetual fund according to the provisions set forth and adopted by the congregation at the January 21, 1991 annual meeting and legally amended as applicable. The trustees that make up this committee may not serve concurrently on the Congregational Council. The lead and associate Pastors, and the Council President and 1st Vice-President shall be advisory members only to this committee.

CR13.10.A2015 The ORLC Perpetual Fund is a fund comprised of donations, gifts, and contributions made specifically to ORLC, the principal of which is held in trust. The earnings may be distributed as grants with emphasis on extending the life and mission of the church. Additionally, the uses and purposes shall be consistent with the Fund's 1991 Provisions, as amended, and the Constitution of the Church.

The trustees of the Perpetual Fund Committee shall:

1. Develop and implement operational policy and procedures in accordance with the 1991 Provisions.
2. Elect its own Chairperson and Secretary.
3. Report to the Congregational Council twice a year, and annually to the Congregation.
4. Distribute grants according to the Provision's guidelines.
5. Maintain a public Record of Committee Activities in the Administrative Office of the church.
6. Provide assistance to the Audit Committee as necessary for them to fulfill their obligations regarding the ORLC Perpetual Fund.
7. Promote and encourage the use of the Perpetual Fund as a way to further God's work through specific gifts.

C13.11. A *Stewardship Committee* will be maintained to continually develop and revise an overall stewardship plan to support the church and its ministry. The scope of this committee would involve all aspects of church life, not just financial. The lead Pastor would be the liaison to the Council.

CR13.11.A2015

The Stewardship Committee shall:

1. Keep the Congregation informed of the various church missions, activities, volunteer accomplishments, budget status, and where there is a need for volunteer efforts on an ongoing basis.
2. Produce a quarterly synopsis of ORLC church life – membership, maintenance, budget, mission, etc.
3. Maintain a 'talent' registry that identifies skills, abilities, and the desires of congregation members as to where/how they might share those to further our mission.
4. Report to the Congregational Council twice a year, and annually to the Congregation.
5. Coordinate the annual tithing commitment process.

C13.12. A *Memorial Fund Committee* will be maintained as a service to ORLC for the purpose of receiving, holding, and disbursing memorial gifts to this congregation according to the 2013 Memorial Fund Ministry Policies & Procedures, as amended.

CR13.12.A2015 Congregational members and non-members may give memorial gifts in remembrance of loved ones, to honor a special event (anniversary, birthday, etc.), or to recognize some specific achievement. The committee is responsible for ensuring the accurate accounting of all such gifts and

following through on their implementation in accordance with the grant stipulations and directives.

The Memorial Fund Committee shall:

1. Develop and implement operational policy and procedures in accordance with the 2013 Memorial Fund Ministry Policies & Procedures, as amended.
2. Elect its own Chairperson.
3. Receive, hold, and ensure proper documentation of memorial gifts received by ORLC either as approved designated gifts or undesignated gifts.
4. Annually review and revise as necessary “The Proposed Gifts and Memorials” list.
5. Review memorial funds received and
 - a. determine timing and allocation of monies to achieve desired designated memorial requests, ensuring the funds do not lose the identify of what they were given for,
 - b. determine timing and allocation of monies requested for the support of the ministry at ORLC from those gifts that were undesignated,
 - c. discuss and vote on all disbursements, approving any resolutions by at least a simple majority.
6. Report to the Congregational Council twice a year, and annually to the Congregation.
7. Promote and encourage the use of memorials and bequests, as an expression of thankfulness to God for the lives of loved ones and as a remembrance of their presence among us; and as a way to further God’s work through specific gifts.
8. Provide on-going training for the worship service offering counters and church staff as necessary to ensure accurate documentation and communication occurs for all memorial gifts.
9. Provide assistance to the Audit Committee as necessary for them to fulfill their obligations regarding the ORLC Memorial Fund.

C13.13. Other committees of this congregation may be formed, as the need arises, by decision of the Congregation Council and shall be subject to the provisions of C13.01.

C13.14. Additional duties of committees of this congregation may be assigned by the Congregation Council and specified in the bylaws and/or continuing resolutions.

Chapter 14 ORGANIZATIONS WITHIN THE CONGREGATION

C14.01. All organizations within this congregation shall exist to aid the congregation 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 the congregation's oversight and direction. This congregation at its meetings shall approve any organization's 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.

Chapter 15 DISCIPLINE OF MEMBERS AND ADJUDICATION

***C15.01.** Persistent and public denial of the Christian faith, willful or criminal conduct grossly unbecoming a member of the Church of Christ, continual and intentional interference with the ministry of the congregation, or willful and repeated harassment or defamation of member(s) of the congregation is sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation and repentance will be attempted following Matthew 18:15–17, proceeding through these successive steps, as necessary:

- a. private counsel and admonition by the pastor,
- b. censure and admonition by the pastor in the presence of two or three witnesses,
- c. written referral of the matter by the Congregation Council to the vice president of the synod, who will refer it to a consultation panel drawn from the Consultation Committee of the synod, and
- d. written referral of the matter by the consultation panel to the Committee on Discipline of the synod.

If, for any reason, the pastor is unable to administer the admonitions required by paragraphs a. and b. hereof, those steps may be performed by another pastor chosen by the Executive Committee of the Congregation Council.

***C15.02.** The process for discipline of a member of the congregation shall be governed as prescribed by the chapter on discipline in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. If the counseling, censure, and admonitions pursuant to *C15.01 do not result in repentance and amendment of life, charges against the accused member(s) that are specific and in writing may be prepared by the Congregation Council, signed, and submitted to the vice president of the

synod. The vice president shall select from the synod's Consultation Committee a panel of five members (three lay persons and two ministers of Word and Sacrament). A copy of the written charges shall be provided to the consultation panel and the accused member(s). The consultation panel, after requesting a written reply to the charges from the accused member(s), shall consider the matter and seek a resolution by means of investigation, consultation, mediation, or whatever other means may seem appropriate. The panel's efforts to reach a mutually agreeable resolution shall continue for no more than 45 days after the matter is submitted to it.

- *C15.03.** If the consultation panel fails to resolve the matter, that panel shall refer the case in writing, including the written charges and the accused member's reply, to the Committee on Discipline of the synod for a hearing. A copy of the panel's written referral shall be delivered to the vice president of the synod, the Congregation Council, and the accused member(s) at the same time it is sent to the Committee on Discipline of the synod. The Executive Committee of the Synod Council shall then select six members from the Committee on Discipline to decide the case, and shall appoint a member of the Synod Council to preside as nonvoting chair. Those six members plus the nonvoting chair comprise the discipline hearing panel for deciding the case. The Congregation Council and the accused member(s) are the parties to the case.
- *C15.04.** The discipline hearing panel shall commence and conduct the disciplinary hearing in accordance with the provisions governing discipline of congregation members prescribed in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.
- *C15.05.** By the vote of at least two-thirds of the members of the discipline hearing panel who are present and voting, one of the following disciplinary sanctions can be imposed:
- a. suspension from the privileges of congregation membership for a designated period of time;
 - b. suspension from the privileges of congregation membership until the pastor and Congregation Council receive evidence, satisfactory to them, of repentance and amendment of life;
 - c. termination of membership in the congregation; or
 - d. termination of membership in the congregation and exclusion from the church property and from all congregation activities.
- *C15.06.** The written decision of the discipline hearing panel shall be sent to the vice president of the synod, the accused member(s), and the Congregation Council as required by the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. The decision of the discipline hearing panel shall be implemented by the Congregation Council and recorded in the minutes of the next council meeting.

***C15.07.** No member of the congregation shall be subject to discipline a second time for offenses that a discipline hearing panel has heard previously and decided pursuant to this chapter.

***C15.10. Adjudication**

***C15.11.** When there is disagreement among factions within this congregation on a substantive issue that cannot be resolved by the parties, members of this congregation shall have access to the synodical bishop for consultation after informing the President of the Congregation Council of their intent. If the consultation fails to resolve the issue(s), the Consultation Committee of the synod shall consider the matter. If the Consultation Committee of the synod shall fail to resolve the issue(s), the matter shall be referred to the Synod Council, whose decision shall be final.

Chapter 16 AMENDMENTS

***C16.01.** Unless provision *C16.04. is applicable, those sections of this constitution that are not required, in accord with the *Model Constitution for Congregations of the Evangelical Lutheran Church in America*, may be amended in the following manner. Amendments may be proposed by at least fifteen (15) voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the congregation's members of the proposal together with the council's recommendations at least 30 days in advance of the meeting. Notification may take place by mail or electronic means, as permitted by state law.

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

- a. be approved at a legally called Congregation Meeting according to this constitution by a majority vote of those voting members present and voting;
- b. be ratified without change at the next annual meeting by a two-thirds vote of those voting members present and voting; and
- c. have the effective date included in the resolution¹ and noted in the constitution.***

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

¹ *Such an effective date must be stated in relation to the requirements of *C17.03. to allow time for synodical review of the amendment.*

***C16.04.** This constitution may be amended to bring any section into conformity with a section or sections, either required or not required, of the *Model Constitution for Congregations of the Evangelical Lutheran Church in America* as most recently amended by the Churchwide Assembly. Such amendments may be approved by a majority vote of those voting members present and voting at any legally called meeting of the congregation without presentation at a prior meeting of the congregation, provided that the Congregation Council has submitted by mail or electronic means, as permitted by state law, notice to the congregation of such an amendment or amendments, together with the council's recommendations, at least 30 days prior to the meeting. Upon the request of at least two (2) voting members of the congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of the congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following a vote of approval.

Chapter 17 BYLAWS

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

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

***C17.03.** Changes to the bylaws may be proposed by any voting member, provided that such additions or amendments be submitted in writing to the Congregation Council at least 60 days before a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify this congregation's members of the proposal with the council's recommendations at least 30 days in advance of the Congregation Meeting. Notification may take place by mail or electronic means, as permitted by state law.

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

Chapter 18 CONTINUING RESOLUTIONS

***C18.01.** The congregation in a legally called meeting or the Congregation Council may enact continuing resolutions. Such continuing resolutions may not conflict with the constitution or bylaws of this congregation.

***C18.02.** Continuing resolutions shall be enacted or amended by a majority vote of a meeting of the congregation or a two-thirds vote of all voting members of the Congregation Council.

Chapter 19 INDEMNIFICATION

***C19.01.** Consistent with the provisions of the laws under which this congregation is incorporated, this congregation may adopt provisions providing indemnification for each person who, by reason of the fact that such person is or was a Congregation Council member, officer, employee, agent, or other member of any committee of this congregation, was or is threatened to be made a party to any threatened, pending, or completed civil, criminal, administrative, arbitration, or investigative proceeding.

Chapter 20 PARISH AUTHORIZATION

[Required provisions when congregation is part of a parish.]*

***C20.01.** This congregation may unite in partnership with one or more other congregations recognized by the synod named in *C6.01. to form a parish. Except as provided in *C20.02. and *C20.03., a written agreement, developed in consultation with the synod and approved by the voting members of each congregation participating in the parish, shall specify the powers and responsibilities that have been delegated to a Parish Council. The Parish Agreement shall identify which congregation of the parish issues calls on behalf of the member congregations or shall establish a process for identifying which congregation issues calls on behalf of the member congregations.

***C20.02.** One congregation of a parish shall issue a call on behalf of the member congregations to a minister of Word and Sacrament or a candidate for the roster of Ministers of Word and Sacrament who has been recommended by the synodical bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregational meeting of each congregations forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish arrangement.

***C20.03.** One congregation of a parish may issue a call on behalf of the member congregations to a minister of Word and Service or a candidate for the roster of Ministers of Word and Service who has been recommended by the synodical bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregational meeting of each congregation forming the parish. If any congregation of the parish

should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.

***C20.04.** Any one of the congregations of the parish may terminate their relationship with the pastor as provided in †S14.18.d. of the synodical constitution of the synod named in *C6.01. In such case, the other congregation(s) in the same parish shall have the right to terminate the parish arrangement.

***C20.05.** Any one of the congregations of the parish may terminate their relationship with a minister of Word and Service as provided in †S14.43.d. of the synodical constitution of the synod named in *C6.01. In such case, the other congregations(s) of the same parish shall have the right to terminate the parish agreement.

***C20.06.** Whenever a parish arrangement is terminated, the call of any rostered person serving that parish is terminated. Should any congregation that formerly was part of the parish arrangement desire to issue a new call to that rostered minister, it may do so in accordance with the call process of this church.