

**Constitution, Bylaws, and Continuing Resolutions  
of  
Joy Lutheran Church  
Parker, Colorado  
of the  
Rocky Mountain Synod  
of the  
Evangelical Lutheran Church in America**

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# Constitution, Bylaws, and Continuing Resolutions of Joy Lutheran Church

## 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. All constitutional provisions are printed in bold face type.
- b. All bylaw provisions are printed in light face type.
- c. All continuing resolutions are printed in *italic* type.
- d. A numerical codification indicates general subject, constitutional provisions, bylaw provisions, and continuing resolutions.

Major sections are designated as chapters. The chapters are numbered 1 through 19. The chapter designation becomes the first number in the codification sequence and is followed by a period. Constitutional 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 the pastor of this congregation is 9.03. 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 related to the pastor is 9.03.01. Continuing resolutions also are codified with three sets of numbers except that the third set is preceded by a capital letter. Thus, a continuing resolution might be numbered 12.04.A04 to designate a chapter (12) a provision within the chapter (04), and a continuing resolution (A04) in the codification to indicate by the "A" that it is the first continuing resolution regarding that subject and by the "04" that it was adopted in 2004. Provisions for constitutions for congregations are prefaced with a "C." Constitutional provisions preceded by an asterisk are required by the Constitution, of the ELCA.

# **Joy Lutheran Church**

## **Constitution, Bylaws and Continuing Resolutions**

**(2004)**

### **\*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 bylaws 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 Joy Lutheran Church**
- C1.02. For the purpose of this constitution and the accompanying bylaws, the congregation of Joy Lutheran Church is hereinafter designated as "this congregation."**
- C1.03 Joyful Mission Preschool and all other schools, auxiliaries, societies, and organizations within the congregation are an integral part of this congregation.**
- C1.11. This congregation shall be incorporated under the laws of the State of Colorado.**

### **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.**
- \*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.
- \*C4.02. To participate in God's mission, this congregation as a part of the Church shall:
  - a. Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, and service.
  - b. Proclaim God's saving Gospel of justification by grace for Christ's sake through faith alone, according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.
  - c. Carry out Christ's Great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministry with a global

awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.

- d. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity and justice for all people, working for peace and reconciliation among the nations, and standing with the poor and powerless, and committing itself to their needs.
- e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.
- f. Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity which the Spirit gives.

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

- a. Provide services of worship at which the Word of God is preached and the sacraments are administered.
- b. Provide pastoral care and assist all members to participate in this ministry.
- c. Challenge, equip, and support all members in carrying out their calling in their daily lives and in their congregation.
- d. Teach the Word of God.
- e. Witness to the reconciling Word of God in Christ, reaching out to all people.
- f. Respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.
- g. Motivate its members to provide financial support for the congregation's ministry and the ministry of other parts of the Evangelical Lutheran Church in America.
- h. Foster and participate in interdependent relationships with other congregations, the synod, and the churchwide organization of the Evangelical Lutheran Church in America.
- i. Foster and participate in ecumenical relationships consistent with churchwide policy.

**\*C4.04. This congregation shall develop an organizational structure to be described in the bylaws. The Congregation Council shall prepare descriptions of the responsibilities of each committee, task force, or other organizational group and shall review their actions. Such descriptions shall be contained in continuing resolutions in the section on the Congregation Council.**

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

## **Chapter 5.**

### **POWERS OF THE CONGREGATION**

- \*C5.01. The powers of this congregation are those necessary to fulfill its purpose.**
- \*C5.02. The powers of this congregation are vested in the Congregation Meeting called and conducted as provided in this constitution and bylaws.**
- \*C5.03. Only such authority as is delegated to the Congregation Council or other organizational units in this congregation's governing documents is recognized. All remaining authority is retained by the congregation. The congregation is authorized to:**
  - a. call a pastor as provided in Chapter 9;**
  - b. terminate the call of a pastor as provided in Chapter 9;**
  - c. call or terminate the call of associates in ministry, deaconesses, and diaconal ministers in conformity with the applicable policy of the Evangelical Lutheran Church in America;**
  - d. adopt amendments to the constitution, as provided in Chapter 17, and amendments to the bylaws, as specified in Chapter 16;**
  - e. approve the annual budget;**
  - f. acquire real and personal property by gift, devise, purchase, or other lawful means;**
  - g. hold title to and use its property for any and all activities consistent with its purpose;**
  - h. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;**
  - i. elect its Congregation Council, boards, and committees, and require them to carry out their duties in accordance with the constitution, bylaws and continuing resolutions; and**
  - j. 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 Rocky Mountain 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 Rocky Mountain Synod of the Evangelical Lutheran Church in America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America.**
- \*C6.02. This congregation accepts the Confession of Faith and agrees to the Purposes of the Evangelical Lutheran Church in America and shall act in accordance with them.**

- \*C6.03. This congregation acknowledges its relationship with the Evangelical Lutheran Church in America in which:**
  - a. This congregation agrees to be responsible for its life as a Christian community.**
  - b. This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.**
  - c. This congregation agrees to call pastoral leadership from the clergy roster of 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.**
  - d. This congregation agrees to consider associates in ministry, deaconesses, and diaconal ministers 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.**
- C6.04.01 In the event of dissolution or cessation of ministry, the official records of the congregation shall be deposited in the archives of the ELCA or its successor.
- \*C6.05. This congregation may terminate its relationship with the Evangelical Lutheran Church in America by the following procedure:**
  - a. A resolution indicating the desire of this congregation to terminate its relationship must be adopted at a legally called and conducted special meeting of this congregation by a two-thirds majority of the voting members present.**
  - b. The secretary of this congregation shall submit a copy of the resolution to the synodical bishop and shall mail a copy of the resolution to voting members of this congregation. This notice shall be submitted within 10 days after the resolution has been adopted.**
  - c. The bishop of the synod shall consult with this congregation during a period of at least 90 days.**
  - d. If this congregation, after consultation, still desires to terminate its relationship, such action may be taken at a legally called and conducted special meeting by a two-thirds majority of the voting members present, at which meeting the bishop of the synod or an authorized representative**

shall be present. Notice of the meeting shall be mailed to all voting members at least 10 days in advance of the meeting.

- e. A certified copy of the resolution to terminate its relationship shall be sent to the synodical bishop, at which time the relationship between this congregation and the Evangelical Lutheran Church in America shall be terminated.
  - f. Notice of termination shall be forwarded by the synodical bishop to the secretary of this church and published in the periodical of this church.
- \*C6.06.** If this congregation considers relocation, it shall confer with the bishop of the synod in which it is territorially located before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is effected.

## Chapter 7.

### PROPERTY OWNERSHIP

- \*C7.01.** If this congregation ceases to exist, title to undisposed property shall pass to the Rocky Mountain 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 a two-thirds majority 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. Before this congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of the Rocky Mountain Synod.
- \*C7.04.** If a two-thirds majority 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, 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 Rocky Mountain Synod re-convey 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
- 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, or persons who wish to retain a relationship with this congregation while being members of other congregations. They have all the privileges and duties of membership except voting rights and eligibility for elected offices or membership on the Congregation Council of this congregation.

C8.02.01 The rite of confirmation will be made available to baptized members after satisfactory completion of courses of study and acknowledgment by the Congregation Council.

**\*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 by the Congregation Council; or**
- e. **removal from the roll due to inactivity as defined in the bylaws.**

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

C8.05.01 The congregation will issue a letter or certificate of transfer to another Lutheran congregation on a member's request. Should a member, having moved to a distant community, fail to request a transfer, a Lutheran congregation in or near that community may be notified.

C8.05.02 A member who has elected not to fulfill the provisions of membership as described in **\*C8.04**, of this constitution for one year shall be contacted by a pastor and/or representatives of the congregation towards restoring active membership. If, during the second year, the member does not respond, that member's name shall be removed from the active member roster but retained on a responsibility list as a person for concern for another year.

## **Chapter 9. THE PASTOR**

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

C9.01.01 After the congregation has voted to call a pastor, it shall issue a letter of call to the pastor-elect in a form approved by the ELCA. The letter of call shall be signed by the president and the secretary of the congregation and shall be attested by the bishop of the synod. A call to a clergy person to be an assistant/associate pastor shall be issued only with the concurrence of the senior pastor of the congregation and in accordance with the provisions of this paragraph.

**\*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;
  - 3) impart knowledge of this church and its wider ministry through distribution of its periodicals and other publications; and
  - 4) endeavor to increase the support given by the congregation to the work of the churchwide organization of the Evangelical Lutheran Church in America (ELCA) and of the Rocky Mountain Synod of the ELCA.

C9.03.01 The sacrament of Holy Communion will be offered at least once each month during regular worship services.

C9.03.02 Members and visitors are invited to participate in the sacrament of Holy Communion and will be advised of the Lutheran teachings regarding preparation;

a. Acceptance of the real presence of Christ.

b. Firm belief in the words "given and shed for you for the remission of sins".

C9.03.03 Preparation for Holy Communion will be provided for baptized members at least ten years of age or at the discretion of the senior pastor, in consultation with the parents.

C9.03.04. Provide procedures for the reception of new members and the departure of members of the congregation.

**\*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. a. The call of a congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which, except in the case of the death of the pastor, shall be terminated only following consultation with the synodical bishop and 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, 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, without reflection on the competence or the moral and spiritual character of the pastor;
  - 4) the physical or mental incapacity of the pastor;
  - 5) disqualification of the pastor through discipline on grounds of doctrine, morality, or continued neglect of duty;
  - 6) the dissolution of the congregation; or
  - 7) suspension of the congregation as a result of discipline proceedings.
- b. When allegations of physical or mental incapacity of the pastor or ineffective conduct of the pastoral office have come to the attention of the bishop of the synod, the bishop in his or her sole discretion may, or 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 shall, investigate such conditions personally in company with a committee of two ordained ministers and one layperson.
  - c. In case of alleged physical or mental incapacity, competent medical testimony shall be obtained. When such disability is evident, the bishop of the synod with the advice of the committee shall declare the pastorate vacant. Upon the restoration of a disabled pastor to health, the bishop of the synod shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another field of labor.
  - d. In the case of alleged local difficulties that imperil the effective functioning of the congregation, all concerned persons shall be heard, after which the bishop of the synod together with the committee described in \*C9.05.b. shall decide on the course of action to be recommended to the pastor and the congregation. If they agree to carry out such recommendations, no further action shall be taken by the synod. If either party fails to assent, the congregation may dismiss the pastor 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.
  - e. If, in the course of proceedings described in \*C9.05.d., the committee concludes that there may be grounds for disciplinary action, the committee shall make recommendations concerning disciplinary action to the synodical bishop who may bring charges, in accordance with the provisions of the constitution and bylaws of the Evangelical Lutheran Church in America and the constitution of this synod.
  - f. If, following the appointment of the committee described in \*C9.05.b. or d., it should become apparent that the pastoral office cannot be conducted effectively in the congregation(s) being served by the ordained

**minister due to local conditions, the bishop of the synod may temporarily suspend the pastor from service in the congregation(s) without prejudice and with pay provided through a joint synodical and churchwide fund and with housing provided by the congregation(s).**

- C9.05.01 If a pastor receives a letter of call to another ministry, the pastor will consult the Congregation Council before announcing a decision. Thereafter, the pastor will announce a decision to the congregation within 21 days and notify the bishop. Following acceptance of the call, the pastor's ministry in this congregation shall usually terminate within an additional 45 days.
- \*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 ordained pastor providing assistance shall refrain from exerting influence in the selection of a pastor.**
- \*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.**
- C9.11.01 At the time a senior pastor vacates his/her position, the assistant/associate pastor shall submit his/her resignation to the Congregation Council. The Congregation Council will accept or reject the resignation. Termination of an accepted resignation shall be no longer than six months following the senior pastor's termination.
- C9.11.02 The call to a senior pastor shall normally be for an indefinite time. A call to assistant/associate pastor may be for a definite time.

- \*C9.12. The pastor of this congregation:**
  - a. shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation;**
  - b. shall submit a summary of such statistics annually to the synod; and**
  - c. shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.**
- C9.12.01 The records of the congregation shall be the property of the congregation and shall not be removed or used for commercial purposes. The records are:
  - a. the roster of baptized, confirmed, associate, and voting members;
  - b. the ministerial acts performed by the pastors;
  - c. the minutes and reports of the synod;
  - d. the minutes of the meetings of the congregation and Congregation Council;
  - e. the financial records of the congregation; all official and legal documents including this constitution and bylaws, deeds, mortgages, contracts, product warranties, as constructed drawings of church buildings and grounds and specifications for materials utilized in building and grounds.
- C9.12.02 The senior pastor shall be responsible for the maintenance and security of the records, except as provided herein.
- C9.12.03 The senior pastor and Congregation Council shall furnish an annual report of ministerial acts performed to the congregation.
- \*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.**

## Chapter 10.

### CONGREGATION MEETING

- C10.01. The annual meeting of this congregation shall be held at a time specified in the bylaws.**
- C10.01.01 The annual congregational meeting will be held as called by the Congregation Council.
- C10.01.02 Each organization of the congregation shall furnish a report to the secretary before the annual meeting. The report will include the year's activities, finances, and goals for the coming year. Members will receive a consolidated written annual report at the annual meeting which will include:
  - a. pastors' reports
  - b. program staff reports
  - c. treasurer's report, forecast and proposed annual budget
  - d. audit committee report

- e. auxiliaries' reports
  - f. standing committee reports
  - g. nominating committee report
  - h. president's report (a "State of the Congregation" report, especially concerning accomplishments and plans towards purpose and mission)
- C10.01.03 The agenda for the annual meeting shall be prepared by the president and approved by the Congregation Council. Five members may petition the president to propose an agenda item. The agenda shall be closed and posted 7 days prior to the meeting. The agenda will include:
- a. opening worship
  - b. secretary's report (minutes and membership statistics)
  - c. pastors' reports
  - d. treasurer's report
  - e. election of council members, committees, etc.
  - f. adoption of budget
  - g. president's report
  - h. resolutions
  - i. benediction
- C10.02. A special Congregation Meeting may be called by the pastor, the Congregation Council, or the president of this congregation, and shall be called by the president of the congregation upon the written request of 12 voting members. The call for each special meeting shall specify the purpose for which it is to be held and no other business shall be transacted.**
- C10.03. Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays or by mail to all voting members at least 10 days in advance of the date of the meeting. The posting of such notice in the regular mail, with the regular postage affixed or paid, sent to the last known address of such members shall be sufficient.**
- C10.04. Voting members present shall constitute a quorum.**
- C10.04.01 The official roster of voting members will be available at each meeting of the congregation.
- C10.05. Voting by proxy or by absentee ballot shall not be permitted.**
- C10.06. A two-thirds majority vote is required to:**
- a. buy and sell real property
  - b. borrow from restricted funds
  - c. borrow in excess of \$5000
- All other actions approved by the congregation shall be by majority vote of those members present and voting, except as otherwise provided in this constitution or by state law.**
- C10.07. Robert's Rules of Order, latest edition, shall govern parliamentary procedure of all meetings of this congregation.**

**Chapter 11.**  
**OFFICERS**

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

C11.01.01 The president shall:

- 1. Preside at all meetings of the congregation, the Congregation Council, and executive committee.
- 2. Coordinate the work of the committees and be an ex officio member without vote.
- 3. Carry out the will of the congregation as ordered by this constitution, bylaws, and resolutions of the congregation.
- 4. Deliver an annual report to the congregation.
- 5. Appoint members of the staff support committee (**C13.04**).
- 6. Execute letters of call on behalf of the congregation.
- 7. Prepare agenda for Congregation Council and congregational meetings.

C11.01.02 The vice-president shall:

- 1. Perform the duties of the president in the president's absence, incapacity, or at the president's request.
- 2. Chair the budget committee.
- 3. Act as parliamentarian at congregational and Congregation Council meetings.

C11.01.03 The secretary with the assistance of the office staff shall:

- 1. Record proceedings of the congregation and Congregation Council and distribute copies to members.
- 2. Retain and codify secretarial records to be filed permanently in the church office; keep duplicate personal set of records which shall be turned over to the successor.
- 3. Keep attendance record of each Congregation Council meeting; advise the president of absentees and their reason for absence; notify members having two unexcused absences.
- 4. Ensure all congregational and Council meetings are prepared for and announced.
- 5. Maintain membership records; make a roster of voting members available at each congregational meeting; prepare a directory of congregation Council and committee members.
- 6. Assist the president on agenda items, calling to attention matters deferred or referred to committees for further study and recommendations.
- 7. Maintain a register of congregational and Congregation Council resolutions and policies; recommend closure when appropriate.
- 8. With the president execute letters of call to pastors on behalf of the congregation.

9. Be responsible for safekeeping of all official congregational documents (*e.g.*, deeds, mortgages, articles of incorporation, constitution and bylaws, tax returns, etc.).

10. Compile and distribute the annual report of the congregation.

11. Notify the nominating committee of all offices to be filled 90 days prior to the annual meeting where elections are to take place.

**C11.02. The Congregation Council shall elect its officers, and they shall be the officers of the congregation. The officers shall be elected by written ballot and shall serve for one year or until their successors are elected. Their terms shall begin at the close of the meeting at which they are elected, which shall be the first Council meeting after the annual meeting.**

*C11.02.A09 The council vice-president shall be elected from the incoming council each year and become president for the subsequent year. The secretary shall be elected from the eight remaining members of council. In the event that no incoming council members are willing to be considered for the position of Vice President, the Vice President shall be selected from those council members willing to serve in the position. Accordingly, in the following year, the President shall be chosen from those council members willing to be considered for the position.*

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

## Chapter 12.

### CONGREGATION COUNCIL

**C12.01. The voting membership of the Congregation Council shall consist of ten members 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. The pastor(s) shall be a non-voting member(s) of the Congregation Council. A member's place on the Congregation Council shall be declared vacant if the member a) ceases to be a voting member of this congregation or b) is absent from three regular meetings of the Congregation Council without cause.**

**C12.02. The members of the Congregation Council except the pastor(s) shall be elected by written ballot to serve for two years or until their successors are elected. Such members shall be eligible to serve no more than two full terms consecutively. Their terms shall begin at the close of the annual meeting at which they are elected. Newly elected Congregation Council members shall be installed at worship the Sunday prior to the date they assume office.**

**C12.03. Should a member's place on the Congregation Council be declared vacant, the Congregation Council shall elect, by majority vote, a successor until the next annual meeting. Individuals who have served less than one-half of a regular term shall be eligible for nomination and possible election to a full term.**

C12.03.01 If more than five members are to be elected in one year, five will be elected to two year terms and the remainder will be elected to one year terms.

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

- a. **To lead this congregation in stating its mission, to do long-range planning, to set goals and priorities, and to evaluate its activities in light of its mission and goals.**
- b. **To seek to involve all members of this congregation in worship, learning, witness, service, and support.**
- c. **To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.**
- d. **To maintain supportive relationships with the pastor(s) and staff and help them annually to evaluate the fulfillment of their calling or employment.**
- e. **To be examples individually and corporately of the style of life and ministry expected of all baptized persons.**
- f. **To promote a congregational climate of peace and goodwill, and, as differences and conflicts arise, to endeavor to foster mutual understanding.**
- g. **To arrange for pastoral service during the sickness or absence of the pastor.**
- h. **To emphasize partnership with the synod and churchwide organization of the Evangelical Lutheran Church in America as well as cooperation with other congregations, both Lutheran and non-Lutheran, subject to established policies of the synod and the Evangelical Lutheran Church in America.**
- i. **To recommend and encourage the use of program resources produced or approved by the Evangelical Lutheran Church in America.**
- j. **To seek out and encourage qualified persons to prepare for the ministry of the Gospel.**

C12.04.01 The Congregation Council shall:

1. Elect eligible candidates to fill vacancies of Congregation Council and officers.
2. Activate and motivate all members of the congregation to participate in ministries of worship, learning, witness, service, fellowship, and support.
3. Support the inactive member through prayer, visitation, and caring ministries.
4. Recognize the service of members to congregational and community ministry.

C12.04.02 Administration. The Congregation Council shall:

1. Designate standing committees and specify their number, duties, authority, budget, and accountability to the Congregation Council.
2. Appoint members of standing committees of the Congregation Council to two year terms.

3. Assign council liaisons to council committees and the three staff ministry areas. A Council member who is an employee of Joyful Mission Preschool may not act as a liaison to the preschool board. The Joyful Mission Preschool board shall supervise the operations of the preschool in accordance with the guidelines adopted by the Congregation Council (Faith in Community).
4. Form other committees and task forces as the need requires from within or outside its membership and offer opportunities to serve on special-purpose Congregation Council task forces to members of the congregation
5. Render annual and special reports of activities to the congregation.
6. Administer discipline in the congregation (**Chapter 15**).
7. Support the pastors according to their letters of call.
8. Provide an operating manual and training opportunity for each Congregation Council member and officer. The manual will contain at least this constitution and bylaws, directory, minutes, resolution registry, organization chart, and position descriptions for each staff position and standing committee.
9. Provide for internal and external communications of the congregation (*e.g.*, internal-newsletter; external-advertising).
10. Encourage fellowship (*e.g.* couples' club, youth activities, singles, etc.) and shepherding groups in the congregation.
11. Support auxiliary organizations; invite representatives from each auxiliary to attend Council meetings with voice but without vote.
12. Appoint or assign planning function to recommend long-range plans to the Congregation Council and to evaluate present programs.
13. Require each organization of the congregation to be accountable to the mission statement of the congregation.
14. Preserve historical archives of the congregation, appoint a congregational historian, prepare and distribute written history of the congregation, celebrate anniversaries and historic events.
15. Ensure the office staff prepares/updates and distributes a directory of members of the congregation at least annually.
16. Coordinate the programs and ministries of the congregation, direct Ministry functions not otherwise specified to the most appropriate committee.

*C12.04.A09 Committees of the Congregation Council*

1. *The committee on stewardship shall lead the congregation to be biblical stewards through proportionate giving of time, abilities, and money as they have been given for both the operations and capital needs of the church.*
2. *The committee on building and grounds shall assist the facility manager maintain the buildings and property of the congregation.*
3. *A budget committee consisting of the vice president, treasurer, financial secretary/office manager-bookkeeper, and at least one additional congregational member will draft an annual budget to be reviewed by the Congregation Council and presented to the congregation for approval at the annual meeting.*
4. *A personnel committee consisting of the council liaison and two congregational members will:*
  - a. *develop, and revise as necessary, a personnel policy handbook*

- b. develop guidelines for staff compensation to include step, cost of living and merit increases*
  - c. recommend personnel policy changes to the Congregation Council for approval*
  - d. review proposed personnel actions to include hiring and termination for compliance with church policy*
  - e. ensure staff job descriptions are reviewed annually for currency and accuracy.*
  - f. ensure that all staff receive an annual performance review*
  - g. provide compensation recommendations for new staff positions*
  - h. review staff compensation annually and provide the budget committee with recommendations for increases no later than 1 December.*
- 5. Committees will furnish reports and resolutions for action proposed to the Congregation Council prior to the next regular Council meeting.*

**C12.04.03 Spiritual Care.** The Congregation Council shall:

- 1. Acknowledge candidates for the rite of confirmation in consultation with the senior pastor.
- 2. Exercise general oversight of the spiritual life, mission, and ministry of the congregation that all may be done according to the Word of God and this constitution.
- 3. Approve modifications in worship as recommended by the Ministry Leadership Team
- 4. Approve applications for membership into the congregation.
- 5. Admit persons to membership where there is no evidence of confirmation and there is no letter of transfer.
- 6. Provide an organization for ministry for the spiritual care of congregational members.

**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 Colorado, 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 \$ 5000 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 in excess of the anticipated receipts only after approval by a Congregation Meeting. The budget shall include support of the wider**

**ministry being carried on in partnership with the synod and churchwide organization in accordance with congregational goals.**

- 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.**

*C12.05.C09 The objective of the congregation is to give benevolence up to 15% of actual General Fund giving. Of this, 10% is to go to the synod and the rest of the budgeted benevolence will go to other organizations as recommended by the Congregational Council and approved by the congregation's passage of the budget at each annual meeting.*

- f. The Congregation Council shall be responsible for this congregation's investments and its total insurance program.**

C12.05.01 Finance. The Congregation Council shall:

1. Prescribe a process for developing the annual budget and recommend the budget to the congregation.
2. Encourage the congregation members of all ages to proportionate biblical stewardship; recommend the proportion of congregational income to be committed to the mission support and benevolence.
3. Ensure an audit is accomplished for both income-expense and balance sheet transactions at least annually and inspect all insurance policies for adequacy of coverage.
4. Authorize all extra-budgetary appeals for funds and fund- raising events to the congregation from sources both inside and outside the congregation. Pastors or the Executive Committee may grant approval provided council established criteria in *C12.05.A05* is met.

*C12.05.A05 Fundraising activities should:*

1. *be consistent with the mission and vision statements of Joy Lutheran Church*
2. *have a clear and stated goal: purpose, amount, time period, methods,*
3. *benefit the congregation or community in addition to the generation of funds*
4. *respect the time, energy, satisfaction, and dignity of those who participate*
5. *avoid primary reliance on non-member support for congregational benefit*
6. *provide service to the larger community if public support is solicited*
7. *consider impact on community businesses*
8. *avoid encouraging people to spend money on games of chance*
9. *include people who will work on the activity in the decision-making*
10. *provide an avenue for people to use their abilities and to express their willingness to serve others*
11. *be scheduled and conducted in a manner that encourages success and avoids competition among various fundraising activities*

5. Adjust allocation of funds should income fall short of expectations or expenses exceed budgeted amounts; provide for contingency or emergency funds.

6. Prepare and adopt a capital budget for improvements or major repairs; provide a capital growth fund in a foundation, trust, or endowment to receive bequests, special, or deferred gifts to the congregation; review and accept or decline all offers of unsolicited gifts to the congregation.

*12.05.B05 The Joy Lutheran Capital Fund Account:*

*will be used to pay mortgages, fund capital projects and major repairs, and make payments to reduce debt. All building improvement or office expenses in excess of \$200 will be considered a capital expenditure when the asset is a newly purchased capital asset (useful life of more than 12 months) or an investment that improves/extends the useful life of an existing capital asset. Capital Fund resources will come from designated contributions and from the General Fund budget. The annual budget will include Capital Fund anticipated receipts and planned expenditures. The Council may transfer additional funds from the General to Capital Fund to meet mortgage payments or to pay facility repair costs if existing Capital funds are insufficient. Unbudgeted transfer of funds for debt reduction or additional construction will be a congregational decision as will any transfer from the Capital Fund to the General Fund. A Capital Fund Appeal will be conducted on a three year cycle with pledge goals based upon anticipated needs. General Fund budgeting will prioritize ministries, payroll and operating expenses and then commit excess general funds to the Capital Fund as available and required. Individual and General Fund contributions to the Capital Fund will not be considered offering for the purpose of calculating ELCA benevolence contributions.*

7. Approve all depositories of congregational funds; consolidate all funds of the congregation and its organizations into a unified budget using a voucher system for disbursements.

8. Appoint a treasurer and financial secretary.

- a. The treasurer shall:

- 1). Have custody of all funds of the congregation and supervise the financial procedures, records, and investments of the Congregation.
- 2). Render a monthly statement of income and expense compared to budget to the Congregation Council.
- 3). Sign checks as authorized by the Congregation Council.
- 4). Deliver an annual financial report to the congregation.
- 5). Be a member of the budget committee.
- 6). Recommend written financial policies and procedures for cash management, *e.g.*, annual budgeting, fund accounting, and annual audit to the Congregation Council.

- b. The financial secretary/office manager-bookkeeper shall:

- 1). Direct the counting, depositing, and recording of all contributions, fees collected, gifts, and bequests received.
- 2). Reconcile each deposit to contributor's records.
- 3). Issue quarterly statements to contributors.
- 4). Keep individual giving records confidential.

- 5). Prepare an annual report to the congregation and stewardship committee.
  - 6). Monitor cash management policies and procedures; make recommendations for changes to the treasurer.
  9. Provide a fidelity bond for the treasurer, financial secretary, and others who have access to congregational funds.
  10. Authorize at least three people in addition to the treasurer to sign checks.
- C12.05.02 Property Management. The Congregation Council shall:
1. As the legal board of trustees:
    - a) Except as limited by the constitution and bylaws, act as managing authority and may make contracts proper to the purpose of the organization--including the authority to borrow money, pledge or mortgage property, and settle claims, but not including radical changes which affect the corporate purpose.
    - b) Act only as a body, never as individuals, at regular or special meetings upon notice, through resolutions, by a majority vote of a quorum present.
    - c) May delegate authority to appointed or hired agents and servants, but cannot delegate discretionary responsibilities.
    - d) Are liable to the corporation for their willful breaches of trust or misapplication of funds, and acts in excess of corporate power, but are not liable for mere errors of judgment provided they are acting in good faith.
  2. Maintain the buildings, parsonages, and premises of the congregation including equipment and furnishings and keep a record inventory of physical assets.
  3. Approve or reject as recommended by the pastoral staff, the use of congregational facilities by outside groups who have made written application to the Congregation Council and assess usage fees and restrictions; only groups and activities compatible with the purposes of the congregation shall be granted approval for use of its facilities; applications for occasional use will be approved by the senior pastor and application for regular use will be approved by the congregation council.
  4. Fire safety inspections will be performed annually with or without the assistance of the local fire department; fire and tornado drills will be called as specified by the Congregation Council.
  5. Prescribe a policy for building and premises security: distribution of keys, fire extinguishers, burglar alarms, smoke and heat detectors, responsibility for locking the buildings following various events especially for evenings and weekends.
  6. Inspect the premises regularly for the "purpose of sound maintenance, safety, accessibility, insurance, and building code compliance.
- C12.06. The Congregation Council shall see that the provisions of this constitution, bylaws and the continuing resolutions are carried out.**
- C12.07. The Congregation Council shall provide for an annual review of the membership roster.**
- C12.07.01 The pastoral staff will conduct the annual review in preparation for the annual meeting membership report.

**C12.08. The Congregation Council shall be responsible for the appointment and supervision of the salaried lay workers of this congregation.**

C12.08.01 Personnel. The Congregation Council shall:

1. Provide procedures for the hiring/removal of necessary paid lay staff other than pastors and set their salaries.
2. Review staff salaries annually, including the pastors, using synod guidelines.
3. Develop and maintain written position descriptions and personnel policies for all staff, covering at least salaries, hours, and working conditions.
4. Provide procedures for staff support and performance evaluation.
5. Should the office of the senior pastor be vacant, provide for the services of an interim pastor in consultation with the synod bishop (\*C9.05.).
6. Adopt office policies for the church office and staff (e.g., office hours, vacations, records retention, sick leave, etc.).

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

**C12.11. The Congregation Council shall normally meet once a month. Special meetings may be called by the pastor or the president, or at least three of its members. Notice of each special meeting shall be given not less than 24 hours in advance to all who are entitled to be present.**

C12.11.01 Meetings

- a. The date, time, and place for regular meetings of the Congregation Council shall be set by the Congregation Council. Regular meetings shall be held monthly.
- b. Congregation Council members will support each other, the decisions made, and participate in open debate to the avoidance of conflict of interests.

**C12.12. A quorum for the transaction of business shall consist of those members of the Congregation Council present.**

### Chapter 13.

#### CONGREGATION COMMITTEES

**C13.01. The officers of this congregation and the senior pastor shall constitute the *Executive Committee*.**

**C13.02. A *Nominating Committee* of five voting members of this congregation shall be nominated by the Congregation Council and be elected by the Congregation for a term of one year. Members of the Nominating Committee are not eligible for consecutive reelection. The senior pastor shall serve as convener and as advisory member.**

C13.02.01 The nominating committee shall:

1. Elect a chairperson from their midst who will call and preside at subsequent meetings.
2. Nominate one or more candidates for each office to be filled.
3. Ask candidates to serve the full term of office if elected.
4. Announce the nominees and their qualifications to the congregation with the notices of the regular or special congregational meeting.
5. Accept nominations from the floor providing that the nominee is present at the meeting to deliver both qualifications and consent to serve.

6. Provide nominations for:
  - a) Congregation Council members
  - b) Call committee members
  - c) Voting Members of Synod assembly
  - d) Other offices which may be specified in these bylaws as revised.

**C13.03. An Audit Committee of three voting members shall be elected by the Congregation Council. Audit Committee members shall not be members of the Congregation Council. Term of office shall be three years, with one member elected each year. Members shall be eligible for reelection.**

C13.03.01 The audit committee shall:

1. Provide for audit of the financial books and procedures of records prior to the annual meeting and may also conduct an audit during the year without prior announcement.
2. Report their findings to the congregation in writing and include them with the annual report, signed and dated by each member of the committee.

**C13.05. When a pastoral vacancy occurs, a Call Committee of six voting members shall be nominated by the nominating committee and elected at a regular or special meeting of the congregation called for that purpose. Term of office will terminate upon installation of the newly called pastor.**

C13.05.01 The call committee shall:

1. When a pastoral vacancy occurs, notify the synod bishop who will assist them in providing interim pastoral service and the call Process.
2. Study the congregation's mission and pastoral needs; share results with district.
3. Gather descriptive information about the congregation, e.g., history, pictures of church building, directory, map, congregational reports, annual report, etc.
4. Receive recommendations of nominees from the synod.
5. Evaluate pastoral candidates by interview and other means; furnish information about the congregation and its mission to each candidate.
6. Recommend one candidate to the congregation at a special meeting called for that purpose.

**C13.06. Other committees of this congregation may be formed, as the need arises, by decision of the Congregation Council.**

C13.06.01 The Congregation Council will determine the organizational structure best suited to utilize staff and lay resources, and to accomplish ministry. This structure will be defined and periodically updated in continuing resolutions.

*C13.06.A08. Ministry Leadership Team and Staff Ministry*

*1. The Ministry Leadership Team (MLT) shall be composed of the Executive Committee and the called pastors*

*2. The MLT shall:*

- a. adopt and update a comprehensive ministry plan*
- b. develop an annual plan for ministry*
- c. coordinate, schedule and execute ministry activities*
- d. meet at least quarterly*

*3. Staff members responsible for Faith through Worship, Faith Formation and Faith in Community will:*

- a. Create an organizational structure within their area of responsibility to accomplish the assigned ministries*
- b. Develop a ministry/activity plan*
- c. Set and periodically evaluate ministry goals and objectives*
- d. Recruit, equip and train lay volunteers to carry out ministries*

**C13.07. Duties of committees of this congregation shall be specified in the bylaws.**

#### **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. This congregation at its meeting shall receive reports concerning their membership, work, and finances.**

C14.01.01 The Women of Joy Board shall organize and conduct various activities for the women of Joy.

**C14.02. Special interest groups, other than those of the official organizations of the Evangelical Lutheran Church in America, may be organized only after authorization has been given by the Congregation Council and specified in a continuing resolution.**

#### **Chapter 15.**

##### **DISCIPLINE OF MEMBERS AND ADJUDICATION**

**\*C15.01. 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 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 ten 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 prove 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.
- \*C15.06. For disciplinary actions in this congregation, "due process" shall be observed as specified in 20.41.04. in the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America.
- \*C15.07. No member of a congregation shall be subject to discipline for offenses that the Congregation Council has previously heard and decided, unless so ordered by the Synod Council after an appeal.
- \*C15.10. Adjudication
- \*C15.11. When there is disagreement among factions within this congregation on a substantive issue that cannot be resolved by the parties, members of this congregation shall have access to the synodical bishop for consultation after informing the chair of the Congregation Council of their intent. If the consultation fails to resolve the issue(s), the Consultation Committee of the synod shall consider the matter. If the Consultation Committee of the synod shall fail to resolve the issue(s), the matter shall be referred to the Synod Council, whose decision shall be final.

**Chapter 16.  
BYLAWS**

- \*C16.01.** This congregation may adopt bylaws. No bylaw may conflict with this constitution.
- \*C16.02.** Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a majority vote of those voting members present and voting.
- \*C16.03.** Changes to the bylaws may be proposed by any voting member provided, however, 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 and that the Congregation Council notify the congregation's members by mail of the proposal with the council's recommendations at least 30 days in advance of the Congregation Meeting.
- \*C16.04.** Approved changes to the bylaws shall be sent by the secretary of this congregation to the synod.

**Chapter 17.  
AMENDMENTS**

- \*C17.01.** Unless provision \*C17.04. 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 five voting members or by 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 by mail of the proposal together with the council's recommendations at least 30 days in advance of the meeting.
- \*C17.02.** An amendment to this constitution, proposed under \*C17.01, shall:
  - a. be approved at a legally called Congregation Meeting according to this constitution by a majority vote of those present and voting;
  - b. be ratified without change at the next annual meeting by a two-thirds majority vote of those present and voting; and
  - c. have the effective date included in the resolution<sup>1</sup> and noted in the constitution.
- \*C17.03.** 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. The amendment shall become effective within 120 days from the date of the receipt of the notice by the synod unless the synod informs this congregation that the amendment is in conflict with the constitution and bylaws of the Evangelical Lutheran Church in America or the constitution of the Rocky Mountain Synod of the ELCA.

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

**\*C17.04.** 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—by a simple 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 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 five 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 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.

Council Approval	<u>11/08/2004</u>
Congregation Approval	<u>11/28/2004</u>
Congregation Ratification	<u>1/30/2005</u>
Effective Date – Approval by synod	<u>05/09/2005</u>
Amended by Council <i>C12.05.A05 (added)</i>	<u>07/12/2005</u>
Amended by Council <i>C12.05.B05 (added)</i>	<u>10/11/2005</u>
Amended by Congregation * <b>C6.03.d</b> and * <b>C9.14</b> (added)	<u>01/29/2006</u>
Amended by Council <i>C12.05.B05 (clarified)</i>	<u>01/09/2007</u>
Congregation Approval	<u>01/25/2009</u>
Chapter 8—Membership. * <b>C8.02.c</b> (Addition to clarify.)	
Chapter 9—The Pastor. C9.03.04 added.	
Chapter 11—Officers. <i>C11.02.A09</i> added.	
Chapter 12—Congregation Council	
<i>C12.04.A09</i> added. (supersedes <i>C12.04.A04</i> )	
C12.04.02 amended	
C12.04.03 amended.	
<i>C12.05.C09</i> amended.	
C12.05.01 amended.	
C12.07.01 added.	
C12.08.01 amended.	
Chapter 13—Congregation Committees. Sections <b>C13.04</b> and C13.04.01 deleted.	
Chapter 17— * <b>C17.01</b> /* <b>C17.04</b> Amendment. (Addition to clarify.)	
Chapter 18—Continuing Resolutions <b>C18.02</b> (Addition to clarify.)	