

CONSTITUTION & BYLAWS

St. Martin's Ev. Lutheran Church Austin, Texas

[Note to reader: This document compares the ELCA model constitution with SMLC's current constitution. For each section, the language from the model constitution is shown in black text. Following that is a description of the differences and similarities between the model constitution and SMLC's current constitution. Where there are differences, the language from the current SMLC constitution is shown in red text. Underlined red text indicates language added in the model constitution. Crossed-out red text indicates language that is not in the model constitution.]

***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.

SMLC matches 100% currently

CHAPTER 1.

NAME AND INCORPORATION

C1.01. The name of this congregation shall be St. Martin's Evangelical Lutheran Church of Austin, Texas.

SMLC matches 100% currently

C1.02. For the purpose of this constitution and the accompanying bylaws, the congregation of St. Martin's Evangelical Lutheran Church of Austin, Texas, is hereinafter designated as "this congregation."

CURRENTLY VERY SIMILAR:

For the purpose of this constitution and the accompanying bylaws, the

congregation of St. Martin's Evangelical Lutheran Church of Austin, Texas
~~congregation~~ is hereinafter designated as "this congregation."

C1.03. This congregation shall be incorporated under the laws of the State of Texas.

SMLC matches 100% currently

CHAPTER 2. CONFESSION OF FAITH

***C2.01.** This congregation confesses the Triune God, Father, Son, and Holy Spirit.

SMLC matches 100% currently

***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.

SMLC matches 100% currently

- 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.

SMLC matches 100% currently

- 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.

SMLC matches 100% currently

- 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.

CURRENTLY VERY SIMILAR:

The canonical Scriptures of the Old and New Testaments are the written ~~revealed~~ 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.

CURRENTLY VERY SIMILAR

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; ~~and these scriptures are our source, authority, rule and guide in all matters of faith and practice. To this Word we humbly submit ourselves in all things.~~

- *C2.04.** This congregation accepts the Apostles', Nicene, and Athanasian Creeds as true declarations of the faith of this congregation.

SMLC matches 100% currently

- *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.

SMLC matches 100% currently

- *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.

SMLC matches 100% currently

- *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.

CURRENTLY VERY SIMILAR:

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.

SMLC matches 100% currently

***C3.02.** This Church confesses the one, holy, catholic, and apostolic Church and is resolved to serve Christian unity throughout the world.

DIFFERENT

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.

***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.

CURRENTLY VERY SIMILAR:

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. ~~This church,~~ 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, ~~the Church~~ 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.

NOT PREVIOUSLY IN SMLC'S CONSTITUTION

- *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.

NOT PREVIOUSLY IN SMLC'S CONSTITUTION

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.

SMLC matches 100% currently

- *C4.02. To participate in God's mission, this congregation as a part of the Church shall:

CURRENTLY VERY SIMILAR:

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.

SMLC matches 100% currently

- 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.

SMLC matches 100% currently

- c. Carry out Christ's Great Commission by reaching out to all people to bring them to faith in Christ by doing all ministry with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.

SMLC matches 100% currently

- d. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity, justice, and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, embracing and welcoming racially and ethnically diverse populations, and standing in solidarity with the poor and oppressed, and committing itself to their needs.

Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity ~~and~~ justice and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, embracing and welcoming racially and ethnically diverse populations, and standing in solidarity with the poor and ~~powerless~~ oppressed 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.

SMLC matches 100% currently

- 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.

SMLC matches 100% currently

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

SMLC matches 100% currently

- a. Provide services of worship at which the Word of God is preached and the sacraments are administered.

SMLC matches 100% currently

- b. Provide pastoral care and assist all members to participate in this ministry.

SMLC matches 100% currently

- c. Challenge, equip and support all members in carrying out their calling in their daily lives and in their congregation.

SMLC matches 100% currently

- d. Teach the Word of God.

SMLC matches 100% currently

- e. Witness to the reconciling Word of God in Christ, reaching out to all people.

SMLC matches 100% currently

- f. Respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.

SMLC matches 100% currently

- 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.

CURRENTLY VERY SIMILAR:

Motivate its members to provide financial support for ~~the~~this congregation's ministry and the ministry of the other ~~parts~~ expressions 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.

SMLC matches 100% currently

- i. Foster and participate in ecumenical relationships consistent with churchwide policy.

SMLC matches 100% currently

- *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.]

CURRENTLY VERY SIMILAR

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.

- *C4.05.** This congregation shall adopt and periodically review a mission statement which will provide specific direction for its programs.

CURRENTLY VERY SIMILAR:

This congregation shall, ~~from time to time,~~ adopt and periodically review 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 of 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.

NOT PREVIOUSLY IN SMLC’S CONSTITUTION

**CHAPTER 5.
POWERS OF THE CONGREGATION**

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

SMLC matches 100% currently

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

SMLC matches 100% currently

- *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:

SMLC matches 100% currently

- a. call a pastor as provided by Chapter 9;

SMLC matches 100% currently

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

SMLC matches 100% currently

- c. call a minister of Word and Service;

~~call or terminate the appointment of associates in ministry, deaconesses, and diaconal ministers in conformity with the applicable policy of the Evangelical Lutheran Church in America;~~

- d. terminate the call of a minister of Word and Service in conformity with the constitution of the Evangelical Lutheran Church in America;

NOT PREVIOUSLY IN SMLC'S CONSTITUTION (some similarities in "c")

- 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;

SIMILAR TO PRIOR "d":

~~adopt amendments to the constitution, as provided in Chapter 17 [16], and amendments to the bylaws, as specified in Chapter 16 [17], and continuing resolutions, as provided in Chapter 18;~~

- f. approve the annual budget;

SMLC matches with the exception of previously being "e"

- g. acquire real and personal property by gift, devise, purchase, or other lawful means;

SMLC matches with the exception of previously being "f"

- h. hold title to and use its property for any and all activities consistent with its purpose;

SMLC matches with the exception of previously being "g"

- i. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;

SMLC matches with the exception of previously being "h"

- j. elect its officers and Congregational Council, and require them to

carry out their duties in accordance with the constitution, bylaws, and continuing resolutions; and

SMLC similar with the exception of previously being “i” AND “manual of operations” added to the end; NOTE: this required subpart had several different options in [] to choose from, so this may be acceptable

- k. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.

SMLC matches with the exception of previously being “j”

- *C5.04.** This congregation shall elect 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 this congregation and other qualifications shall be as prescribed in guidelines established by the Southwestern Texas Synod of the Evangelical Lutheran Church in America.

CURRENTLY VERY SIMILAR, BUT IS A BIG CHANGE TO ELECT RATHER THAN SELECT/CHOOSE:

This congregation shall ~~choose~~ [add: elect] 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~~ [add: this] congregation and other qualifications shall be as prescribed in guidelines established by the Southwestern Texas Synod of the Evangelical Lutheran Church in America.

- C5.05.** This congregation shall have a mission endowment fund that will operate as specified in this congregation’s bylaws and/or continuing resolutions. The purpose of the mission endowment fund is to provide for mission work beyond the operational budget of this congregation.

CURRENTLY NOTHING IN CONSTITUTION. Bylaws have a section on the Endowment Board appointing its own members – with Council approval. My understanding that they have their own constitution (or could even be articles of incorporation – cannot remember specifically) – just know that they operate pretty much outside the control of the congregation other than the Council

approving who they suggest serve as members. Believe is a 501(c)(3) corp.

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

SMLC matches 100% currently

- *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.

SMLC matches 100% currently

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

SMLC matches 100% currently

- a. This congregation agrees to be responsible for its life as a Christian community.

SMLC matches 100% currently

- b. This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.

SMLC matches 100% currently

- 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 to either 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.

This congregation agrees to call pastoral leadership from the ~~clergy~~ roster [add: 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. [add: These special circumstances are limited to either 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 this congregation according to the procedures of the Evangelical Lutheran Church in America.

This congregation agrees to consider ~~associates-in-ministry~~ [add: ministers of Word and Service] for ~~appointment~~ [add: call] to other staff positions in this 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.

SMLC matches 100% currently

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

Affiliation with the Evangelical Lutheran Church in America ~~may be~~ [add: is] terminated as follows:

a. This congregation takes action to dissolve.

~~†This congregation takes action to dissolve; or,~~

b. This congregation ceases to exist.

~~†This congregation ceases to exist; or,~~

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 or in accordance with provision 9.23 of the constitution and bylaws of the Evangelical Lutheran Church in America.

~~†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; or in accordance with provision 9.23 of the constitution and bylaws of the Evangelical Lutheran Church in America.~~

d. The Southwestern Texas Synod takes charge and control of the property of the congregation to hold, manage, and convey the same on behalf of the synod pursuant to †S13.24 of the synod constitution. This congregation shall have the right to appeal the decision to the next Synod Assembly.

NOT PREVIOUSLY IN SMLC'S CONSTITUTION

e. This congregation follows the procedures outlined in *C6.05.

~~†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 two legally called and conducted special meetings of

this congregation by a two-thirds vote of the voting members present at each meeting. The first 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 this 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 the bishop and/or the bishop's designees are voting members of this congregation, they shall have voice but not vote at the first meeting.

~~A resolution indicating the desire of this congregation~~ [add: intent] to terminate its relationship must be adopted at ~~a properly~~ [add: two legally] called and conducted special meetings of this congregation by a two-thirds ~~majority~~ [add: vote] of the voting members present at each meeting. The first 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 this 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 the bishop and/or the bishop's designees are voting members of this congregation, they shall have voice but not vote at the first meeting.

- b. Within 10 days after the resolution has been voted upon at the first meeting, the secretary of this 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 send copies of the resolution and certification to voting members of this congregation.

DIFFERENT AS NOW REQUIRES TWO MEETINGS

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. If the resolution was adopted by a two-thirds vote of the voting members present at the first meeting, the bishop of the synod and this congregation shall continue in consultation, as specified in paragraph a. above, during a period of at least 90 days after receipt by the bishop of the attestation and certification as specified in

paragraph b. above.

DIFFERENT AS NOW REQUIRES TWO MEETINGS

The bishop of the synod shall consult with this congregation during a period of at least 90 days.

- d. If this congregation, after such consultation, is still considering termination of its relationship with this church, 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 second meeting shall be sent to all voting members and to the bishop at least 10 days in advance of the meeting. Unless the bishop and/or the bishop's designees are voting members of this congregation, they shall have voice but not vote at the second meeting.

DIFFERENT AS NOW REQUIRES TWO MEETINGS

If this congregation, after consultation, still desires to terminate its affiliation, 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. Within 10 days after the resolution has been voted upon, the secretary of this congregation shall submit a copy of the resolution to the bishop, attesting that the second special meeting was legally called and conducted and certifying the outcome of the vote, and shall send copies of the resolution and certification to the voting members of the congregation. If the resolution was adopted by a two-thirds vote of the voting members present at the second meeting, the relationship between the congregation and this church shall be terminated subject to Synod Council approval as required by paragraphs f. and g. below.

DIFFERENT AS NOW REQUIRES TWO MEETINGS

A certified copy of the resolution to terminate its affiliation shall be sent to the synodical bishop, at which time the relationship between this congregation and ELCA shall be terminated.

- f. Unless this notification to the bishop also certifies that this

congregation has voted to affiliate with another Lutheran denomination, this congregation shall be deemed an independent or non-Lutheran church, in which case *C7.04. shall apply.

NOT PREVIOUSLY IN SMLC'S CONSTITUTION

Notice of termination shall be forwarded by the synodical bishop to the secretary of this church and published in the periodical of the Evangelical Lutheran Church in America.

- 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 synod approval before terminating their membership in this church.
 - 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.

NOT PREVIOUSLY IN SMLC'S CONSTITUTION

- h. If this congregation fails to achieve the required two-thirds vote of voting members present at this congregation's first meeting as specified in paragraph a. above, or fails to achieve the required two-thirds vote of voting members present at this 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 the meeting at which the two-thirds vote was not achieved.

NOT PREVIOUSLY IN SMLC'S CONSTITUTION

- *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 taken.

CURRENTLY VERY SIMILAR:

If this congregation ~~is considering~~ relocation, it shall confer with the bishop of the synod in which 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~~ taken.

- *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.

NOT PREVIOUSLY IN SMLC'S CONSTITUTION

**CHAPTER 7.
PROPERTY OWNERSHIP**

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

SMLC matches 100% currently

- *C7.02.** If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline or pursuant to 9.23. of the constitution and bylaws of the Evangelical Lutheran Church in America, title to property shall continue to reside in this congregation.

CURRENTLY VERY SIMILAR:

If this congregation is removed from membership in the Evangelical Lutheran

Church in America according to its procedure for discipline or pursuant to 9.23. of the constitution and bylaws of the Evangelical Lutheran Church in America, title to property shall continue to reside in this congregation.

- *C7.03.** If 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 Southwestern Texas Synod.

CURRENTLY VERY SIMILAR:

~~If a two-thirds majority of the voting members of this congregation present at a properly 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 Southwestern Texas Synod.~~

- *C7.04.** If 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 process established by the synod, 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. In neither case does title to this congregation's property transfer to the synod.

~~If a two-thirds majority of the voting members of this congregation present at a properly 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 process established by the synod, 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. In neither case does title to this congregation's property transfer to the synod 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 *C7.03. 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 *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 Southwestern Texas Synod— re-convey and transfer all right, title, and interest in the property to the synod.

NOT PREVIOUSLY IN SMLC'S CONSTITUTION

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 maintained their membership in accordance with the provisions of this constitution and its bylaws.

SMLC matches 100% currently

*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.

SMLC matches 100% currently but italicize Baptized

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.

SMLC matches 100% currently but italicize Confirmed

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 this congregation as well as the other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws. They shall not have voted as a seasonal member of another congregation of this church in the previous two calendar months.

Similar but with additions regarding rights and seasonal membership:
Voting members are confirmed members. Such confirmed members, during the current or preceding calendar year, shall who have communed and made a contribution of record during the current or preceding year. 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 this congregation as well as the other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws. They shall not have voted as a seasonal member of another congregation of this church in

the previous two calendar months.

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.

Similar but with more specificity regarding rights:

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. ~~They~~ 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 and eligibility for elected offices or membership on the council of this congregation.

e. **Seasonal** members are voting members of other congregations of this church 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 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 this church;
- 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.

NOT PREVIOUSLY IN SMLC'S CONSTITUTION

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

VERY DIFFERENT: COUNCIL VS PASTOR

All applications for confirmed membership shall be submitted to and shall require the approval of the ~~pastor(s)~~-Congregation Council.

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

SMLC matches 100% currently

a. make regular use of the means of grace, both Word and sacraments;

SMLC matches 100% currently

b. live a Christian life in accordance with the Word of God and the teachings of the Lutheran church;

CURRENTLY VERY SIMILAR

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.

CURRENTLY VERY SIMILAR

c. support the work of this congregation, the synod, and the churchwide organization ~~and~~ of the Evangelical Lutheran Church in America through contributions of their time, abilities, and financial support as biblical stewards; and

d. present their children to the Lord in holy baptism as early as possible, bring their children to Sunday school regularly, and, when their children reach the appropriate age, have them instructed in preparation for confirmation.

CURRENTLY NOTHING IN MODEL

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

SMLC matches 100% currently

- a. death;

SMLC matches 100% currently

- b. resignation;

CURRENTLY VERY SIMILAR

- ~~b. resignation in accordance with the bylaws;~~

- c. transfer or release;

CURRENTLY VERY SIMILAR

- ~~c. transfer or release in accordance with the bylaws;~~

d. disciplinary action in accordance with Chapter 20 of the constitution and bylaws of the Evangelical Lutheran Church in America; or

VERY DIFFERENT: ELCA CONSTITUTION AND BYLAWS vs COUNCIL

~~d. disciplinary action by the council in accordance with Chapter 20 of the constitution and bylaws of the Evangelical Lutheran Church in America; or~~

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

CURRENTLY VERY SIMILAR

~~e. removal from the roll due to inactivity as defined in the 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.

SMLC matches 100% currently

Bylaws: There are more specific definitions of these membership terminations, but the model doesn't refer to bylaws specifically

Expulsion is present in Bylaws but not constitution or model

F. Expulsion.

For disciplinary reasons, a member may be either suspended for a definite time or excluded from membership. (Procedures are specified in the Constitution, Chapter 15.)

CHAPTER 9.

ROSTERED MINISTER

VERY DIFFERENT

THE PASTOR 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 [this congregation] [the Congregation Council] to recommend the call, shall seek the advice and help of the bishop of the synod.

CURRENTLY VERY SIMILAR

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

CURRENTLY VERY SIMILAR

Only a member of the ~~clergy~~ roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or a ~~person~~ candidate for the roster of Ministers of Word and Sacrament who has been recommended for ~~it~~ this congregation by the ~~Synodical~~ synod 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,

CURRENTLY VERY SIMILAR, with formatting and some rearrangement

- a. Every minister of Word and Sacrament shall:
 - 1) preach the Word;
 - 2) administer the sacraments;
 - 3) conduct public worship;

- 4) provide pastoral care;
 - 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 available channels of effective communication;
 - 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, advocating dignity, justice, and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, and embracing and welcoming racially and ethnically diverse populations.
- 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;
 - 5) endeavor to increase the support given by the congregation to the work of the churchwide organization and of the *(insert name of synod)*; and
 - 6) encourage adherence to covenantal relationship with this church as expressed in the *Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.

Consistent with the faith and practice of the Evangelical Lutheran Church in America, every ~~ordained~~ minister of Word and Sacrament shall preach the Word, administer the sacraments, conduct public worship, provide pastoral care, 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 available channels of effective communication;

7) witness to the Kingdom of God in the community, in the nation, and abroad; and shall speak publicly to the world in solidarity with the poor and oppressed, ~~calling for~~ advocating dignity, justice and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, and embracing and welcoming racially and ethnically diverse populations. ~~proclaiming God's love for the world.~~ Each ~~ordained minister~~ pastor with a congregational call shall, within the congregation, offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;

~~supervise~~ relate to all schools and organizations of this congregation; ~~shall~~ install regularly elected members of the Congregation ~~c~~ouncil and with the council administer discipline. ~~Every pastor shall seek out and encourage~~

~~qualified persons to prepare for the ministry of the Gospel and strive to extend the Kingdom of God in the community, in the nation, and abroad; shall impart knowledge of this church and its wider ministry through distribution of its periodicals and other publications; and shall endeavor to increase the support given by the congregation to the work the churchwide organization of the Evangelical Lutheran Church in America and of the Synod of the ELCA. and~~
6) encourage adherence to covenantal relationship with this church as expressed in the Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America.

***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.

CURRENTLY VERY SIMILAR, with mention of the bishop
The specific duties of the pastor(~~s~~), 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:

HEADER CURRENTLY NOT IN CONSTITUTION

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 the pastor's death or, following consultation with the synod bishop, for any of the following reasons:

CURRENTLY VERY SIMILAR
The call of this 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~~ shall be terminated only by the pastor's death or, following consultation with the Synodical synod bishop and for any of the following reasons:

1) mutual agreement to terminate the call or the completion of a call for a specific term;

CURRENTLY VERY SIMILAR

mutual agreement to terminate the call or the completion of a call for a specific term ~~of years;~~

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;

CURRENTLY VERY SIMILAR

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 this congregation in view of local conditions;

CURRENTLY VERY SIMILAR

inability to conduct the pastoral office effectively in ~~the~~ this congregation in view of local conditions, ~~without reflection on the competence or the moral and spiritual character of the pastor;~~

4) inability to conduct the pastoral office effectively in view of disability or incapacity of the pastor;

CURRENTLY VERY SIMILAR

inability to conduct the pastoral office effectively in view of disability or ~~the physical or mental~~ incapacity of the pastor;

5) suspension of the pastor through discipline for more than three months;

CURRENTLY VERY SIMILAR

disqualification ~~suspension~~ of the pastor through discipline for more than three months; ~~on grounds of doctrine, morality, or continued neglect of duty; or~~

6) resignation or removal of the pastor from the roster of Ministers of Word and Sacrament of this church;

CURRENTLY NOT IN CONSTITUTION

7) termination of the relationship between this church and this congregation;

CURRENTLY NOT IN CONSTITUTION

8) dissolution of this congregation or the termination of a parish arrangement; or

CURRENTLY VERY SIMILAR to SMLC #6

6) ~~the dissolution of this congregation or the termination of a parish arrangement; or~~

9) suspension of this congregation through discipline for more than six months.

CURRENTLY NOT IN CONSTITUTION

b. When allegations of disability or 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, who has 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.

CURRENTLY VERY SIMILAR, with formatting

~~b. In the case of alleged physical or mental incapacity of the pastor under paragraph a.4) above, or ineffective conduct of the pastoral office in view of local conditions under paragraph a.3) above, have come to the attention of the bishop of this synod, it shall be the responsibility of 1) the bishop, who has sole discretion, may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or~~
~~2) of the Synod, when such difficulties are personally known or 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, to the bishop personally shall investigate such conditions personally in company together with a committee of two ordained rostered ministers and two one laypersons, all appointed by the bishop of the Synod.~~

c. In case of alleged disability or 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 with disability status. Upon resumption of the ability to conduct the office effectively, the bishop shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call.

CURRENTLY VERY SIMILAR

~~In case of alleged physical disability or mental incapacity, under paragraph a.4) above, the bishop's committee shall obtain and document competent medical testimony shall be obtained unless the pastor refuses to allow either medical examination or medical testimony opinion concerning the pastor's condition. When ~~such a~~ disability or incapacity is evident to the committee, the bishop of ~~the~~ this ~~Ssynod with the advice of the committee~~ shall ~~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 with disability status. Upon ~~the restoration of a disabled pastor to health~~ resumption of the ability to conduct the office effectively, the bishop of ~~the Synod~~ shall take steps to enable the pastor to resume the ministry, either in ~~this~~ the congregation last served or in another ~~field of labor.~~ 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 pastor and then to this 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 this 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.

CURRENTLY VERY SIMILAR, removing dismissal language and including some language from F

~~In the case of alleged local conditions which 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 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 present their recommendations first to the pastor and then to this 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 this congregation and by the pastor, if appropriate. If they the pastor and congregation agree to carry out such recommendations, no further action shall be taken by the Synod. If either party fails to assent, the congregation may dismiss the pastor by a two-thirds majority vote of the voting members present at a properly called and conducted meeting after consultation with the bishop.~~

e. If either party fails to assent to the recommendations of the bishop's committee concerning the pastor's call, this 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.

DIFFERENT BUT BRINGS IN LANGUAGE OF D ABOVE

~~If either party fails to assent, the to the recommendations of the bishop's committee concerning the pastor's call, this congregation may dismiss the pastor only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds majority vote of the voting members present at a properly called and conducted meeting after consultation with the bishop. 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.~~

NOT IN MODEL

~~e. The foregoing procedure shall never be invoked when questions of doctrine, morality, or continued neglect of duty are involved, all such cases being treated as disciplinary matters.~~

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.

~~COMPLETELY DIFFERENT in model but included in D above
If, in the course of the proceedings, it should become apparent that the pastoral office cannot be conducted effectively in this congregation by the ordained minister due to local conditions, the bishop of the Synod may temporarily suspend the pastor from service in this congregation without prejudice and with pay provided through a joint churchwide/Synod fund and with housing provided by this congregation.~~

***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.

~~CURRENTLY VERY SIMILAR~~

~~At a time of pastoral vacancy, an interim pastor may 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 this 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.

~~CURRENTLY VERY SIMILAR, but says Interim cannot be called
During the period of service, an interim pastor shall have the rights and duties in this 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 ~~the council~~ Congregation Council. The interim pastor and any~~

ordained rostered pastor 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.

CURRENTLY VERY SIMILAR

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.

- *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.

CURRENTLY VERY SIMILAR

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 ~~council~~ Congregation Council, and the bishop of the ~~S~~synod. As occasion requires, the documents may be revised through a similar consultation.

THERE IS NO C9.10 in the MODEL

- *C9.11.** With the approval of the bishop of the synod, this 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 this congregation for a review of

the call. Such a call may also be terminated before its expiration in accordance with the provisions of *C9.05.a.

CURRENTLY VERY SIMILAR to C9.10

With the approval of the bishop of the Synod, this congregation may depart from C9.05.a. and call a pastor for a specific term of years. 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 this congregation for a review of the call. Such 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 records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from this 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.

CURRENTLY VERY SIMILAR to C9.11, with formatting, except for being a member of the congregation

The pastor(s) of this congregation:

shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, ~~and~~ or members excluded from the congregation and shall submit a summary of such statistics annually to the Synod and 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.

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

CURRENTLY VERY SIMILAR to C9.12

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.

THE FOLLOWING SECTIONS ARE ALL ADDITIONS

***C9.14.** The records of this congregation shall be maintained by the pastor and shall remain the property of this congregation. The secretary of this congregation shall attest in writing to the bishop of this synod that such records have been placed in the secretary's hands in good order by a departing pastor before the installation of that pastor in another call or approval of a request for change in roster status.

C9.15. Under special circumstances, subject to the approval of the synod 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 this congregation and the pastor in a form proposed by the synod bishop and approved by this congregation.

***C9.21.** Authority to call a deacon 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 [this congregation] [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 synod 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, advocating dignity, justice, and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, and embracing and welcoming racially and ethnically diverse populations;
- 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 this church 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 this congregation shall be as follows:

- a. The call of this congregation, when accepted by a deacon, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by the deacon's death or, following consultation with the synod bishop, for any of 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) inability to conduct the office effectively in view of disability or 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 disability or 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, who has 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 disability or 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 with disability status. Upon resumption of the ability to conduct the office effectively, 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 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.

***C9.26.** This congregation shall make satisfactory settlement of all financial obligations to a former deacon before calling a successor. A deacon 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.

***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 ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.

CHAPTER 10.

Nothing is starred in the model

CONGREGATION MEETING

C10.01. This congregation shall have at least one regular meeting per year. The regular meeting(s) of the congregation shall be held at the time(s) specified in the bylaws. Consistent with the laws of the State of Texas, the bylaws shall designate one regular meeting per year as the annual meeting of this congregation.

CURRENTLY VERY SIMILAR

This congregation shall have at least one regular meeting per year. The annual regular meeting of this congregation shall be held at a time specified in the bylaws. Consistent with the laws of the State of Texas, the bylaws shall designate one regular meeting per year as the annual meeting of this congregation.

Bylaws are in agreement:

Section I. Congregational meetings.

Regular congregational business meetings shall be held annually on the third Sunday in January. Time of day and place shall be determined by the council no later than their preceding December meeting.

C10.02. A special Congregation Meeting may be called by the senior pastor, the Congregation Council, or the president of this congregation, and shall be called by the president of this congregation upon the written request of [number][percent] of the voting members. The president of the Congregation Council shall call a special meeting upon request of the synod 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.

CURRENTLY VERY SIMILAR

A special Congregation Meeting may be called by the senior pastor, the ~~council~~ Congregation Council, or the president of this congregation, or shall be called by the president of this congregation at upon the written request of twenty-five of the voting members. The president of the Congregation Council shall call a special meeting upon request of the synod 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. The meeting will be held within 30 days of the time the notice is received by the council.

C10.03. Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays 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.

CURRENTLY VERY SIMILAR, but notes electronic delivery.

Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays and by mail or electronic means, as permitted by state law, to all confirmed 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.~~

COUNCIL RECOMMENDATION: Revise to change notification to voting members only and to allow flexibility in the manner of notification.

Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays and ~~by mail or electronic means~~ in the manner requested by the member, as permitted by state law, to all confirmed voting members at least 10 days in advance of the date of the meeting.

C10.04. _____ percent of the voting members shall constitute a quorum.

CURRENTLY VERY DIFFERENT because no number given.

Voting members shall constitute a quorum.

COUNCIL RECOMMENDATION: Revise to set a quorum of 20% of voting members.

Twenty percent (20%) of voting members present shall constitute a quorum.

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

SMLC matches 100% currently

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

CURRENTLY VERY SIMILAR

All actions approved by this 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.

CURRENTLY VERY SIMILAR

Robert's Rules of Order, latest edition, shall govern parliamentary procedure of all meetings of this congregation ~~if such procedure is not specifically covered by this constitution and bylaws.~~

THE FOLLOWING SECTIONS ARE ALL ADDITIONS

C10.08. This congregation may hold meetings by remote communication, including electronically and by telephone conference, as long as there is an opportunity for simultaneous aural communication or its equivalent. To the extent permitted by state law, notice of all meetings may be provided electronically.

Should we include wording around a hybrid meeting?

C10.09. "Ex officio" as used herein means membership with full rights of voice and vote unless otherwise expressly limited.

Why is this here?

CHAPTER 11.

Nothing is starred in the model

OFFICERS

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

CURRENTLY VERY DIFFERENT, Pres-elect vs Vice Pres

The officers of this congregation shall be a president, ~~president-elect~~ vice president, secretary, and treasurer.

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

SMLC matches 100% currently

b. The officers shall be voting members of this congregation.

CURRENTLY VERY DIFFERENT: refers to employees

~~All nominees to be The officers shall be voting members of this congregation and active members for at least one year prior to the date of election. Officers should be examples of the style of life and ministry expected of all baptized persons.~~

~~Employees of this congregation or persons expected to be employees of this congregation may not be nominated or appointed as officers of this congregation.~~

CLARIFICATION: cannot hire a member of the council as an employee (wording here says nominated or appointed). Officer vs member of the council

QUESTION: Do we include wording about spouses of employees not being on council? This has been an unwritten rule in the past

Also we should include language that says the pastor/rostered minister is not the president? In the past, we may have read this as the pastor being an employee.

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

CURRENTLY VERY SIMILAR

Officers of this congregation shall serve similar offices of the ~~council~~ Congregation Council and shall be voting members of the ~~council~~ Congregation Council.

THE FOLLOWING SECTION IS AN ADDITION, but doesn't apply to SMLC

- d. If the Congregation Council elects its officers, the president, vice president, and secretary shall be selected from the elected membership of the Congregation Council. [If the treasurer is not selected from the elected membership of the Congregation Council, the treasurer shall have voice but not vote at the meetings of the Congregation Council.]

C11.02. The [congregation] [Congregation Council] shall elect its officers and they shall be the officers of this 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 annual meeting at which they are elected.

or

The officers shall be elected by the [congregation] [Congregation Council] by written ballot and shall serve for one year. The term shall begin on ___(month and day) and end on ___(month and day).

or

The pastor shall be *ex officio* president of this congregation and the Congregation Council. The [congregation][Congregation Council] shall elect by written ballot the other officers of this congregation who shall serve for one year or until their successors are elected. Their terms shall begin at the close of the

annual meeting at which they are elected.

or

The pastor shall be *ex officio* president of this congregation and the Congregation Council. The [congregation][Congregation Council] shall elect by written ballot the other officers of this congregation who shall serve for one year or until their successors are elected. Their terms shall begin on ___(month and day) and end on ___(month and day).

NEED TO DETERMINE WHICH OPTION TO ADOPT or keep what we have

This congregation shall elect its officers at its annual meeting, and they shall be the officers of the ~~congregation~~ Congregation Council. Each newly elected officer shall be installed and begin his/her term in accordance with the bylaws.

Bylaws are very specific and should probably be kept and referred to as we currently do but updated to accommodate new meeting day (although first of Feb is ok):

A. Officers, council and Lutheran School Board members.

Officers, council members and Lutheran School Board members of the congregation shall be elected at the annual business meeting of this congregation, as provided in Section II.C. Each newly elected officer, council member and Lutheran School Board member shall be installed and begin his/her term on the first Sunday of February or as soon thereafter as possible. The normal term of any officer, council member or Lutheran School Board member shall expire upon the installation of his/her duly-elected successor.

C. Order of election.

The order of election shall be:

1. the president-elect, secretary and treasurer, each to serve for two years, the secretary to be chosen in even-numbered years, the treasurer in odd-numbered years and the president-elect each year, with the president-elect becoming president at the end of his/her first year in office and serving as president for the remaining year of her/his term;
2. six council members, each to serve for a term of two years, three council members to be chosen in even-numbered years, and three council members to be chosen in odd-numbered years; and
3. six members of the Lutheran School Board, each to serve for a term

of two years, three members to be chosen in even-numbered years and three members to be chosen in odd-numbered years. At the first meeting of the Lutheran School Board each year, the Board shall choose a Chair, who shall be the seventh member of the council.

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.

CURRENTLY VERY SIMILAR but the model has a one year term, so SMLC can still stand.

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

CHAPTER 12.

Nothing is starred in the model

CONGREGATION COUNCIL

C12.01. The voting membership of the Congregation Council shall consist of the pastor(s) [, the deacon(s),] the officers of this congregation,] and [__ members] [not more than __ nor fewer than __ members] of this congregation, at least one of whom shall be a youth and at least one of whom shall be a young adult. Any voting member of this 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, this congregation may adopt procedures for the removal of a member of the Congregation Council in other circumstances.

CURRENTLY SIMILAR to C12.02, C12.03, and C12.04.

The voting membership of the ~~council~~ Congregation Council shall consist of the pastor(s), the officers of this congregation, six council members ~~elected at large and the Chair of the Lutheran School Board.~~

~~Any voting member of this congregation who has been an active member for at least one year prior to the date of election may be elected to the council of this congregation, subject only to the limitation on the length of continuous service permitted in that office. Council members should be examples of the style of life and ministry expected of all baptized persons. Employees of this congregation or persons expected to become employees of this congregation may not be nominated or appointed to become members of the council of this congregation.~~

~~The President shall declare a~~ A member's place on the council Congregation Council vacant if the member:

- ~~a. the member~~ ceases to be a voting member of this congregation;
- ~~b the member~~ is absent from ~~three~~ four successive regular meetings of the ~~council~~ Congregation Council without cause; ~~or e. the council has determined that the member has been incapacitated.~~

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

CONSIDERATIONS: encourage diversity of age groups but not require youth or young adult?

- SMLC says absent for 3 meetings and also includes incapacitation language
- Do we want to add language to say any Council members that pursue employment must vacate their place on the council?
- Do we want to recommend that School Board members are subject to the same limitations as the Council (employment, vacancy, etc)? This is addressed in the Operations Manual.
- Employee Spouses? We could include a Conflict of Interest section about spouses having to recuse themselves from discussions/issues around their spouse. This would also cover any council members who are contract? Could you not be an officer but you could serve on council if you were a contract employee?

We could add:

d. the current Congregation Council member becomes an employee of the congregation
Also if they're expected to become an employee of the congregation

C12.02. The members of the Congregation Council except the pastor(s) [and deacon(s)] shall be elected by written ballot to serve for ___ 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.

or

The members of the Congregation Council except the pastor(s) [and deacon(s)] shall be elected at a legally called meeting of this congregation during the month of ____. Their term of office shall be for ___ years, with the term of office beginning on ____ (month and day) and ending on ____ (month and day). Newly elected Congregation Council members shall be installed at worship at a time appointed by the Congregation Council.

CURRENTLY SIMILAR to C12.05

~~Council~~ The members of the Congregation Council except the pastor(s) [and deacon(s)] shall be elected at the annual business meeting of this congregation by written ballot. Each at-large council member shall to serve for two years or until their successors are elected. and Such members shall not be eligible to succeed himself/herself after serving serve no more than one two full terms. Each newly-elected council member shall be installed in accordance with the bylaws. The normal term of a council member shall expire upon the installation of his/her duly-elected successor. Their terms shall begin at the close of the annual meeting at which they are elected.

Bylaws discusses order of election and length of term. Should we limit that info to one place or the other?

C. Order of election.

The order of election shall be:

1. the president-elect, secretary and treasurer, each to serve for two years, the secretary to be chosen in even-numbered years, the treasurer in odd-numbered years and the president-elect each year, with the president-elect becoming president at the end of his/her first year in office and serving as president for the remaining year of her/his term;
2. six council members, each to serve for a term of two years, three council members to be chosen in even-numbered years, and three council members to be chosen in odd-numbered years; and
3. six members of the Lutheran School Board, each to serve for a term of two years, three members to be chosen in even-numbered years and three members to be chosen in odd-numbered years. At the first meeting of the Lutheran School Board each year, the Board shall choose a Chair, who shall be the seventh member of the council.

- 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.

CURRENTLY SIMILAR TO C12.06

Should a member's place on the ~~council~~ Congregation Council be declared vacant, the ~~nominating committee~~ Congregation Council shall make

~~recommendations for the filling of such vacancy to the council who shall immediately elect, by majority vote, a successor to fill the vacancy until the next annual business meeting at which time a successor shall be elected to fill any unexpired term. However, if the position of the president-elect becomes vacant, it shall be filled by the same process as a normal election for that position except that the election shall take place at a special congregational meeting called for that purpose. All such successors shall meet the requirements prescribed in Chapter C12.03.~~

C12.04 The Congregation Council, called in this constitution and bylaws the 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:

SMLC C12.01 matches 100% currently

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.

SMLC matches 100% currently

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

SMLC matches 100% currently

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

SMLC matches 100% currently

d. To maintain supportive relationships with the rostered minister(s) and staff and help them annually to evaluate the fulfillment of their calling or employment.

CURRENTLY VERY SIMILAR

To maintain supportive relationships with the ~~pastor(s)~~ rostered minister(s) and staff and help them annually to evaluate the fulfillment of their calling, ~~appointment,~~ or employment.

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

CURRENTLY VERY SIMILAR

To be examples individually and corporately of the style of life and ministry expected of all baptized ~~people.~~ persons

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

SMLC matches 100% currently

g. To arrange for pastoral services during the sickness or absence of the pastor.

SMLC matches 100% currently

h. To emphasize partnership with the Synod and churchwide units 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.

SMLC matches 100% currently

i. To recommend and encourage the use of program resources produced or approved by the Evangelical Lutheran Church in America.

SMLC matches 100% currently

THE FOLLOWING SECTION IS AN ADDITION

j. To seek out and encourage qualified persons to prepare for the ministry of the Gospel.

Bylaws also state the following. How does this differ?:

Section III. Duties of officers, council members and board members.

A. Special duties of the officers, council members and board members.

The officers, council members and board members of this congregation are expected to set an example to other members by regular participation in divine services, are to be “doers of the Word and not hearers only,” and are to participate regularly in the Lord’s Supper.

THE FOLLOWING SECTION IS AN ADDITION and does not correspond to 12.05 in SMLC

But similar to Bylaws Section III B 1 and 2

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] [directors] of this congregation and, as such, shall be responsible for maintaining and protecting its property and managing 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 _____, except as otherwise provided herein.

The council shall be responsible for management of the business and fiscal affairs of this congregation. It shall have powers and be subject to the obligations that pertain to such boards under the laws of the State of Texas, 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 this congregation.

c. The Congregation Council may enter into contracts of up to \$ _____ 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 of more than \$ _____ in excess of the anticipated receipts only after approval by a Congregation Meeting. The budget shall include this congregation’s full indicated share in support of the wider ministry being carried on in collaboration with the synod and church-wide organization.

The council will prepare a budget each year, which shall be presented to the congregation for adoption at the annual business meeting.

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 mission support monies to the synod.

The 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

~~mission support monies to the synodical treasurer. The council will prepare a budget each year, which shall be presented to the congregation for adoption at the annual business meeting.~~

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

THE FOLLOWING SECTION IS AN ADDITION and does not correspond to 12.06 in SMLC

But similar to Bylaws Section III B 3

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

The council shall see that the provisions of this constitution, its bylaws, and its manual of operations are carried out.

THE FOLLOWING SECTION IS AN ADDITION and does not correspond to 12.07 in SMLC

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

THE FOLLOWING SECTION IS AN ADDITION and does not correspond to 12.08 in SMLC but 12.01 d mentions we help the pastor with this

C12.08. The Congregation Council shall be responsible for the employment and supervision of the staff of this congregation. Nothing in this provision shall be deemed to affect this 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.

CURRENTLY VERY SIMILAR to SMLC 12.07

~~The council Congregation Council shall be responsible for submitting a comprehensive reports of the decisions, activities and programs of to this congregation to the membership on a regular basis as well as a yearly report at the annual business meeting.~~

C12.11. The Congregation Council shall normally meet once a month. Special meetings may be called by the pastor or the president¹, and shall be called by the president at the request of at least one-half of its members. Notice of each special

¹ If the pastor is the president of the congregation, the congregation may consider giving the vice president the authority to call a special meeting.

meeting shall be given to all who are entitled to be present.

CURRENTLY VERY SIMILAR to SMLC 12.08

~~The council~~ Congregation Council shall normally meet ~~regularly~~ once a month ~~on a date to be set by themselves~~. Special meetings may be called by the pastor(s) or president. ~~Special meetings~~ , and shall be called by the president at the request of at least one-half of its members. Notice of each special meeting shall be given to all voting members of the council who are entitled to be present.

C12.12. A quorum for the transaction of business shall consist of a majority of the members of the Congregation Council, including the [senior] pastor or interim pastor, except when the [senior] 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 [senior] 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 synod bishop.

CURRENTLY SIMILAR to SMLC 12.09

A quorum for the transaction of business shall consist of a majority of the members of the council Congregation Council, including the [senior] pastor or interim pastor, except when the [senior] 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 [senior] 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 synod bishop.

THE FOLLOWING SECTION IS AN ADDITION

C12.13. The Congregation Council and its committees may hold meetings by remote communication, including electronically and by telephone conference, as long as there is an opportunity for simultaneous aural communication or its equivalent. To the extent permitted by state law, notice of all meetings may be provided electronically.

CHAPTER 13.

Nothing is starred in the model

CONGREGATION COMMITTEES

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

CURRENTLY VERY SIMILAR

The officers of this congregation and the senior pastor shall constitute the Executive Committee. ~~They shall be responsible for the proper handling of all legal business of this congregation. The Executive Committee shall also serve as a Staff Support Committee.~~

[Do we need to define Staff Support Committee? Should Staff Support exclude senior pastor? Model doesn't include Staff Support. Perhaps this is an effort to supplant 12.08

SMLC Operations Manual does address Staff Support. We need to make sure they're not in conflict.

"The Staff Support Committee will serve as defined in the Manual of Operations"]

C13.02. A ***Nominating Committee*** of six voting members of this congregation, two of whom, if possible, shall be outgoing members of the Congregation Council, shall be elected at the annual meeting for a term of one year. Members of the Nominating Committee are not eligible for consecutive re-election.

CURRENTLY SIMILAR to C13.02.

A Nominating Committee of ~~five~~ six voting members of this congregation, two of whom, if possible, shall be outgoing members of the ~~council~~ Congregation Council, shall be ~~selected by the president~~ elected at the annual meeting for a term of one year. Members of the Nominating Committee are not eligible for consecutive reelection.

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 re-election.

CURRENTLY VERY SIMILAR to C13.03.

An Audit Committee of three voting members shall be ~~appointed by the congregation president~~ elected by the Congregation Council. Audit Committee members shall not be members of the ~~council~~ Congregation Council. Term of office will be three years, with one member ~~appointed~~ elected each year. Members shall be eligible for ~~reappointment~~ re-election.

THE FOLLOWING SECTION IS AN ADDITION

C13.04. 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 [vice president²] and the rostered minister. Term of office shall be two years, with three members to be appointed each successive year.

Do we need to define MM committee? Is this Pastoral Support or something else?

C13.05. When a vacancy occurs in a position for which this congregation calls a rostered minister, a **Call Committee** of six voting members shall be elected by [this congregation] [the Congregation Council]. Term of office will terminate upon installation of the newly called rostered minister.

CURRENTLY SIMILAR to C13.04.

When a ~~pastoral~~ vacancy occurs in a position for which this congregation calls a rostered minister, a Call Committee consisting of at least five six voting members shall be appointed elected by ~~the congregation president~~ [this congregation] [the Congregation Council]. Term of office will terminate at upon installation of the newly-called ~~pastor~~ rostered minister.

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

CURRENTLY VERY SIMILAR to C13.05.

Other ~~congregation~~ committees of this congregation and ~~special task forces~~ may be formed as the need arises, by decision of the ~~council~~ Congregation Council. We don't define task force, but it seems to be specific task for a specific length of time.

Committee is broader and typically doesn't have a time limit.

Does a task force recommendation require a second during the meeting? [Rules of order question]

Does every task force recommendation need to go through the council?

Bylaws Section III B 6 refers to task force

C13.07. Duties of committees of this congregation shall be specified in the [bylaws] [continuing resolutions].

CURRENTLY VERY SIMILAR to C13.06.

² For use if the pastor is president of the congregation under two of the options in C11.02.

~~Duties of congregation committees of this congregation shall be specified in the manual of operations [bylaws][continuing resolutions]. Duties and terms of special task forces shall be specified by the council by resolution.~~

C13.08. The [senior] pastor of this congregation shall be *ex officio* a member of all committees and boards of this congregation. [The [president]⁴ [vice president] of this congregation shall be *ex officio* a member of all committees and boards of this congregation, except the Nominating Committee.]

CURRENTLY VERY SIMILAR to C13.07.

~~The [senior] pastor(s) and the president of this congregation are shall be *ex officio* members of all committees and boards of this congregation, except the Audit Committee and the Call Committee, with only one pastor and the president being able to vote on any action to be taken by a committee. [The [president]⁴ [vice president] of this congregation shall be *ex officio* a member of all committees and boards of this congregation, except the Nominating Committee.] We have the President-Elect as member and chair of nominating committee/~~

CHAPTER 14.

ORGANIZATIONS WITHIN THE CONGREGATION

C14.01. All organizations within this congregation shall exist to aid it in ministering to the members of this congregation and to all persons who can be reached with the Gospel of Christ. As outgrowths and expressions of this congregation's life, the organizations are subject to its oversight and direction. This congregation at its meeting shall determine their policies, guide their activities, and receive reports concerning their membership, work, and finances.

CURRENTLY VERY SIMILAR

~~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 oversight and direction of the council. This congregation at its meeting shall determine their policies, guide their activities, and receive reports concerning their membership, work, and finances.~~

⁴ If the pastor is the president of the congregation, the congregation may consider selecting the vice president.

⁴ If the pastor is the president of the congregation, the congregation may consider selecting the vice president.

C14.02. Special interest groups within this congregation, 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 council.

SMLC matches 100% currently

CHAPTER 15.

DISCIPLINE OF MEMBERS

***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 this congregation, or willful and repeated harassment or defamation of member(s) of this 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.

SIGNIFICANT CHANGES IN SUBSTANCE AND FORMAT, INCREASING THE DEGREE OF CONDUCT THAT TRIGGERS DISCIPLINE, MORE SPECIFICALLY DESCRIBING SUCH CONDUCT, AND ADDING DISCIPLINARY STEPS INVOLVING THE SYNOD:

C15.01. Persistent and public denial of the Christian faith as described in this constitution, willful or criminal conduct grossly unbecoming a member of the Church of Christ, continual and intentional interference with the ministry of this congregation, or willful and repeated harassment or defamation of member(s) of persistent trouble-making in this congregation is 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, 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, and
- c. ~~citation to appear before the council~~ 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 this 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 laypersons and two rostered ministers). 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.

SIGNIFICANT CHANGES IN SUBSTANCE, CREATING A DISCIPLINARY PANEL APPOINTED BY THE SYNOD:

~~**C15.02.** A member charged with the offense shall appear before the council having received a written notice, specifying the exact charges that have been made against the member, at least 10 days prior to the meeting. The process for discipline of a member of this 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 laypersons and two rostered ministers). 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.

NOT PREVIOUSLY IN SMLC'S CONSTITUTION

***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.

NOT PREVIOUSLY IN SMLC'S CONSTITUTION

***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 this congregation; or
- d. termination of membership in this congregation and exclusion from the church property and from all congregation activities.

SIGNIFICANT CHANGES: TAKES LANGUAGE FROM SMLC CONSTITUTION SECTION C15.03, SUBSTITUTES SYNOD DISCIPLINARY PANEL FOR CONGREGATION COUNCIL, AND CHANGES THE DISCIPLINARY MEASURES

~~C15.053. Should the allegations be sustained by a two-thirds majority vote of the council, the council shall impose~~ 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 actions can be imposed:

~~a. censure before the council or congregation~~ suspension from the privileges of congregation membership for a designated period of time;

~~b. suspension from the privileges of congregation membership for a definite period of time~~ until the pastor and Congregation Council receive evidence, satisfactory to them, of repentance and amendment of life; or

~~c. exclusion from~~ termination of membership in this congregation; or

~~d. termination of membership in this congregation and exclusion from the church property and from all congregation activities. Disciplinary actions b. and c. shall be delivered to the member in writing.~~

***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.

SIGNIFICANT CHANGES TO INCORPORATE THE ROLE OF SYNOD DISCIPLINARY PANEL; RENUMERED FROM C15.04 TO C15.06:

~~C15.064. The member against whom disciplinary action has been taken by the 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.~~ 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 this 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.

SIGNIFICANT CHANGE; REPENTANCE AND AMENDMENT ARE INCORPORATED INTO 15.02, BUT THE MODEL HAS NO STEP FOR RECONSIDERING AN INJUSTICE:

~~C15.075. Disciplinary actions may be reconsidered and revoked by the council upon receipt of:~~

~~a. evidence that injustice has been done or~~

~~b. evidence of repentance and amendment.~~

No member of this 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

NOT PREVIOUSLY IN SMLC'S CONSTITUTION; PLACEHOLDER FOR THE FUTURE

***C15.11.** When there is disagreement between or among factions within this congregation on a substantive issue which cannot be resolved by the parties, members of this congregation may petition the synod bishop for consultation after informing the president [vice president] of this congregation of their intent to do so. The synod bishop shall seek a timely resolution of the dispute. If the issue relates directly to the pastor, the bishop may begin the process in †S14.18.d. In all other matters, if the bishop's consultation fails to resolve the issue, the bishop shall refer the matter to the Consultation Committee of the synod, which shall undertake efforts to find an appropriate solution. If the Consultation Committee's efforts fail to resolve the dispute, the entire matter shall be referred to the Synod Council for adjudication by whatever process the Council deems necessary. The Synod Council's decision shall be final.

NOT PREVIOUSLY IN SMLC'S CONSTITUTION

CHAPTER 16. [RENUMBERED CH. 17 IN MODEL CONSTITUTION]

BYLAWS

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

SIGNIFICANT CHANGES, REDUCING DETAIL:

C16.01. This congregation ~~shall~~ may adopt bylaws. No bylaw may conflict with this constitution, ~~but in case of conflict, the constitution shall take precedence. The bylaws should include but not be limited to details concerning termination of membership, congregational meetings, elections, and duties of officers and council members.~~

***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.

MOST SIGNIFICANT CHANGE IS REQUIRING A 2/3 VOTE TO ADOPT CHANGES TO BYLAWS:

C16.02. Bylaws may be adopted or amended at any properly legally called and conducted 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.

MOST SIGIFICANT CHANGE IS PERMITTING ELECTRONIC NOTIFICATION OF A MEETING WHERE A PROPOSAL TO AMEND THE BYLAWS COULD BE ADOPTED:

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 Congregational Ceouncil at least 60 days before a regular or special congregation meeting called for that purpose, ~~and that T~~ the Congregational Ceouncil shall notify thise congregation's members of the proposal with its 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.** Adopted or amended bylaws shall be sent by the secretary of this congregation to the synod.

MINOR CHANGE:

C16.04. ~~Approved changes to the~~ Adopted or amended bylaws shall be sent by the secretary of this congregation to the Synod.

CHAPTER 17. [RENUMBERED CH. 16 IN MODEL CONSTITUTION]

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 _____ 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 this 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.

PRIMARY CHANGE IS PERMITTING ELECTRONIC NOTIFICATION OF MEETINGS WHEREIN AMENDMENTS TO THE CHURCH CONSTITUTION WILL BE CONSIDERED; OTHER MINOR CHANGES:

C17.01. 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 to this constitution may be proposed by at least twenty-five voting members or by a majority vote of the Congregational Ceouncil. Proposals must be filed in writing with the Congregational Ceouncil 60 days before formal consideration by this congregation at its a regular or special Congregation meeting called for that purpose. The Congregational Ceouncil shall notify these congregation's members of the proposal together with the council's its 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 any legally called meeting of this congregation by a majority vote of those voting members present and voting; and
 - b. be ratified without change at the next regular meeting of this congregation by a two-thirds vote of those voting members present and voting.

SIGNIFICANT CHANGE; REQUIRES VOTES AT TWO SEPARATE MEETINGS TO AMEND THE CONSTITUTION:

C17.02. ~~An proposed~~ amendment to this Constitution, proposed under *C17.01, shall:

- a. be approved at any properly legally called meeting of this congregation according to this constitution by a two-thirds-majority vote of those voting members present and voting; and
- b. ~~have the effective date included in the resolution and noted in the constitution~~ be ratified without change at the next regular meeting of this congregation by a two-thirds vote of those voting members present and voting.

- *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 this 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.

SIGNIFICANT CHANGE; PROVIDES THAT CHANGES TO CONSTITUTION DO NOT GO INTO EFFECT UNTIL THE SYNOD NOTIFIES THE CHURCH THAT IT APPROVED THE CHANGES:

C17.03. 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 amendment(s) shall become effective upon the date included in the resolution unless within 120 days from the date of the receipt of the notice by the synod, it 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 Southwestern Texas~~

~~Synod. If in conflict, any amendment(s) and any action(s) taken on them are void. The synod shall notify this 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.~~

***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 this congregation without presentation at a prior meeting of this congregation, provided that the Congregation Council has submitted by mail or electronic means, as permitted by state law, notice to this 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 this congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of this congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following the congregation's vote of approval.

~~NOT PREVIOUSLY IN SMLC'S CONSTITUTION.~~

~~Chapter 18.~~

~~MANUAL OF OPERATIONS~~

~~C18.01. The council shall maintain a manual of operations to describe the functions of the various committees or organizations of this congregation.~~

~~C18.02. The manual of operations shall be enacted or amended by a majority vote of all voting members of the council.~~

~~IN SMLC'S CONSTITUTION BUT NOT MODEL CONSTITUTION; RENUMBER AS SECTION 21.~~

CHAPTER 18.

CONTINUING RESOLUTIONS [ENTIRE CHAPTER NOT PREVIOUSLY IN SMLC'S CONSTITUTION]

- *C18.01. This 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 this congregation or a two-thirds vote of all voting members of the Congregation Council.
- *C18.03. Adopted or amended continuing resolutions shall be sent by the secretary of this congregation to the synod.

CHAPTER 19. [ENTIRE CHAPTER NOT PREVIOUSLY IN SMLC'S CONSTITUTION]

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. [ENTIRE CHAPTER NOT PREVIOUSLY IN SMLC'S CONSTITUTION]

PARISH AUTHORIZATION

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

- *C20.01. This congregation may unite 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 the 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 synod bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregation 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.

***C20.03.** 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 synod bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregation 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 synod constitution of the synod named in *C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.

***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 synod constitution of the synod named in *C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.

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

CHAPTER 21.

MANUAL OF OPERATIONS

C21.01. The council shall maintain a manual of operations to describe the functions of the various committees or organizations of this congregation.

C21.02. The manual of operations shall be enacted or amended by a majority vote of

all voting members of the council.

IN SMLC'S CONSTITUTION BUT NOT MODEL CONSTITUTION;
RENUMBERED FROM 18 TO 21.