

**CONSTITUTION AND BYLAWS  
FOR GLORIA DEI LUTHERAN CHURCH  
3711 Ridge Road  
Highland, Indiana**



**Be it resolved by the Congregation Council;  
ELCA model amendments in ELCA document titled  
“2007 amendments to the Model Constitution For Congregations”  
is approved and recommended to the congregation for incorporation in the  
Constitution and Bylaws of Gloria Dei Lutheran Church.**

**EFFECTIVE REVISION DATE JANUARY 18, 2009  
As approved by the congregation vote at the Annual Congregation Meeting.**

This document also incorporates I/K Synod clerical emendation suggestions (punctuation, capitalization, spelling etc.)  
These suggestions were included with notice of approval letter from I/K Synod of our current document.  
See approval letter facsimile included following the “End of Document” declaration.  
All “clerical emendation” suggestions in this approval letter are assumed to be “pre approved”.

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Bylaws list: C5.04.01. C8.04.42. C8.05.41. C9.13.01. C9.13.02. C10.01.21. C11.01.01.  
C13.02.31. C13.02.32. C13.03.33. C13.04.34. C13.07.11. C13.07.12. C13.07.13.  
C13.07.14. C13.07.15. C13.07.16. C13.07.17. C13.07.18. C13.07.19.

**START DOCUMENT (MARK UP)**

**Chapter 1.**

**NAME AND INCORPORATION**

C1.01. The name of this congregation shall be Gloria Dei Lutheran Church of Highland, Indiana.

C1.02. For the purpose of this constitution and the accompanying bylaws, the congregation of Gloria Dei Lutheran Church is hereinafter designated as “this congregation.”

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

**Chapter 2.**

**CONFESSION OF FAITH**

- \*C2.01. This congregation confesses the Triune God, Father, Son, and Holy Spirit.
- \*C2.02. This congregation confesses Jesus Christ as Lord and Savior and the Gospel as the power of God for the salvation of all who believe.
  - a. Jesus Christ is the Word of God incarnate, through whom everything was made and through whose life, death, and resurrection God fashions a new creation.
  - b. The proclamation of God’s message to us as both Law and Gospel is the Word of God, revealing judgment and mercy through word and deed, beginning with the Word in creation, continuing in the history of Israel, and centering in all its fullness in the person and work of Jesus Christ.
  - c. The canonical scriptures of the Old and New Testaments are the written Word of God. Inspired by God’s Spirit speaking through their authors, they record and announce God’s revelation centering in Jesus Christ. Through them God’s Spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.
- \*C2.03. This congregation accepts the canonical Scriptures of the Old and New Testaments as the inspired Word of God and the authoritative source and norm of its proclamation, faith, and life.
- \*C2.04. This congregation accepts the Apostles’, Nicene, and Athanasian Creeds as true declarations of the faith of this congregation.
- \*C2.05. This congregation accepts the Unaltered Augsburg Confession as a true witness to the Gospel, acknowledging as one with it in faith and doctrine all churches that likewise accept the teachings of the Unaltered Augsburg Confession.
- \*C2.06. This congregation accepts the other confessional writings in the Book of Concord, namely, the Apology of the Augsburg Confession, the Smalcald Articles and the Treatise, the Small Catechism, the Large Catechism and the Formula of Concord, as further valid interpretations of the faith of the Church.

- \*C2.07. This congregation confesses the Gospel, recorded in the Holy Scriptures and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God's mission in the world.

### **Chapter 3. NATURE OF THE CHURCH**

- \*C3.01. All power in the Church belongs to our Lord Jesus Christ, its head. All actions of this congregation are to be carried out under his rule and authority.
- \*C3.02. The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the Church, and the universal Church exists in and through congregations. The *Evangelical Lutheran Church in America*, therefore, derives its character and powers both from the sanction and representation of its congregations and from its inherent nature as an expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in the historic continuity of the communion of saints; in breadth, it expresses the fellowship of believers and congregations in our day.

### **Chapter 4. STATEMENT OF PURPOSE**

- \*C4.01. The church is a people created by God in Christ, empowered by the Holy Spirit, called and sent to bear witness to God's creative, redeeming, and sanctifying activity in the world.
- \*C4.02. To participate in God's mission, this congregation as a part of the Church shall:
- a. Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, and service.
  - b. Proclaim God's saving Gospel of justification by grace for Christ's sake through faith alone, according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.
  - c. Carry out Christ's Great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministry with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.
  - d. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity and justice for all people, working for peace and reconciliation among the nations, and standing with the poor and powerless, and committing itself to their needs.
  - e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.

- f. Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity which the Spirit gives.

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

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

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

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

**Chapter 5.**  
**POWERS OF THE CONGREGATION**

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

C5.04.01 Expenses for elected voting members of the congregation to attend assemblies of synod and conferences, including travel, except any paid by the synod, shall be paid by the congregation.

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

## **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 *Indiana-Kentucky Synod of the Evangelical Lutheran Church in America*. This congregation is subject to the discipline of the *Evangelical Lutheran Church in America*.

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

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

- a. This congregation agrees to be responsible for its life as a Christian community.
- b. This congregation pledges its financial support and participation in the life and mission of the *Evangelical Lutheran Church in America*.
- c. This congregation agrees to call pastoral leadership from the clergy roster of the *Evangelical Lutheran Church in America* in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod.
- d. This congregation agrees to consider associates in ministry, deaconesses, and diaconal ministers for call to other staff positions in the congregation according to the procedures of the *Evangelical Lutheran Church in America*.
- e. This congregation agrees to file this constitution and any subsequent changes to this constitution with the synod for review to ascertain that all of its provisions are in agreement with the constitution and bylaws of the *Evangelical Lutheran Church in America* and with the constitution of the synod.

- \*C6.04. Affiliation with the *Evangelical Lutheran Church in America* may be terminated as follows:
- a. This congregation takes action to dissolve.
  - b. This congregation ceases to exist.
  - c. This congregation is removed from membership in the *Evangelical Lutheran Church in America* according to the procedures for discipline of the *Evangelical Lutheran Church in America*.
  - d. This congregation follows the procedures outlined in \*C6.05.
- \*C6.05. This congregation may terminate its relationship with the *Evangelical Lutheran Church in America* by the following procedure:
- a. A resolution indicating the desire of this congregation to terminate its relationship must be adopted at a legally called and conducted special meeting of this congregation by a two-thirds majority of the voting members present.
  - b. The secretary of this congregation shall submit a copy of the resolution to the synodical bishop and shall mail a copy of the resolution to voting members of this congregation. This notice shall be submitted within 10 days after the resolution has been adopted.
  - c. The bishop of the synod shall consult with this congregation during a period of at least 90 days.
  - d. If this congregation, after consultation, still desires to terminate its relationship, such action may be taken at a legally called and conducted special meeting by a two-thirds majority of the voting members present, at which meeting the bishop of the synod or an authorized representative shall be present. Notice of the meeting shall be mailed to all voting members at least 10 days in advance of the meeting
  - e. A certified copy of the resolution to terminate its relationship shall be sent to the synodical bishop, at which time the relationship between this congregation and the *Evangelical Lutheran Church in America* shall be terminated.
  - f. Notice of termination shall be forwarded by the synodical bishop to the secretary of this church and published in the periodical of this church.
  - g. Since this congregation was a member of the Lutheran Church in America, it shall be required, in addition to the foregoing provisions in \* C6.05., to receive synodical approval before terminating its membership in the *Evangelical Lutheran Church in America*.

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

## **Chapter 7. PROPERTY OWNERSHIP**

- \*C7.01. If this congregation ceases to exist, title to undisposed property shall pass to the *Indiana-Kentucky Synod of the Evangelical Lutheran Church in America*.
- \*C7.02. If this congregation is removed from membership in the *Evangelical Lutheran Church in America* according to its procedure for discipline, title to property shall continue to reside in this congregation.
- \*C7.03. If a two-thirds majority of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to transfer to another Lutheran church body, title to property shall continue to reside in this congregation. Before this congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of the *Indiana-Kentucky Synod*.
- \*C7.04. If a two-thirds majority of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to become independent or relate to a non-Lutheran church body, title to property of this congregation shall continue to reside in this congregation only with the consent of the Synod Council. The Synod Council, after consultation with this congregation by the established synodical process, may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of this congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the *Evangelical Lutheran Church in America*.

## **Chapter 8. MEMBERSHIP**

- \*C8.01. Members of this congregation shall be those baptized persons on the roll of this congregation at the time that this constitution is adopted and those who are admitted thereafter and who have declared and maintain their membership in accordance with the provisions of this constitution and its bylaws.
- \*C8.02. Members shall be classified as follows:
  - a. **Baptized** members are those persons who have been received by the Sacrament of Holy Baptism in this congregation or, having been previously baptized in the name of the Triune God, have been received by certificate of transfer from other Lutheran congregations or by affirmation of faith.

- b. **Confirmed** members are baptized persons who have been confirmed in this congregation, those who have been received by adult baptism or by transfer as confirmed members from other Lutheran congregations, or baptized persons received by affirmation of faith. Members of this congregation who have satisfied these basic standards shall have made a contribution of record

**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 to this congregation. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of the congregation.

- c. **Associate** members are persons holding membership in other Christian congregations who wish to retain such membership but desire to participate in the life and mission of this congregation, or persons who wish to retain a relationship with this congregation while being members of other congregations. They have all the privileges and duties of membership except voting rights and eligibility for elected offices or membership on the Congregation Council of this congregation.

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

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

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

C8.04.42. Procedure for Members to Address the Council

Any voting member of the congregation may address the congregation council regarding matters of congregation concern. Normally, that shall be done by the member speaking to the chairman or a member of the appropriate committee of the council. The member who wants to address the council itself shall send a letter to the council, stating the concern. If written communication is not satisfactory, the member may request, through the council president, voice at a regular meeting of the council.

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

- a. death;
- b. resignation;
- c. transfer or release;

- d. disciplinary action by the Congregation Council; or
- e. removal from the roll due to inactivity as defined in the bylaws. Such persons who have been removed from the roll of members shall remain persons for whom the Church has a continuing pastoral concern.

**C8.05.41. Removal From Membership**

The council may remove from the congregational roll any member who has neither made a financial contribution of record nor participated in Holy Communion for two years. The member considered for removal from the roll shall receive from the council notification, by registered mail, at least one month in advance of such proposed action and, after such action has been taken, shall have the right of appeal to the council. That person shall be considered a confirmed member while his appeal is in process. The person removed may be restored to the roll upon request to the Congregation Council after participating in Holy Communion with the congregation and making a financial contribution of record. The council may remove from the congregational roll any member who, at least a year previous, has established permanent residence at a location beyond a reasonable commuting distance from the congregation's building and the person who has moved away has not attended or made a contribution within the current or previous year.

**Chapter 9.  
THE PASTOR**

- \*C9.01. Authority to call a pastor shall be in this congregation by at least a two-thirds majority ballot vote of members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by the Congregation Council to recommend the call, shall seek the advice and help of the bishop of the synod.
- \*C9.02. Only a member of the clergy roster of the *Evangelical Lutheran Church in America* or a candidate for the roster of ordained ministers who has been recommended for the congregation by the synodical bishop may be called as a pastor of this congregation.
- \*C9.03. Consistent with the faith and practice of the *Evangelical Church in America*,
  - a. Every ordained minister shall:
    - 1) preach the Word;
    - 2) administer the sacraments;
    - 3) conduct public worship;
    - 4) provide pastoral care; and
    - 5) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.

- b. Each ordained minister with a congregational call shall, within the congregation:
  - 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
  - 2) supervise all schools and organizations of this congregation;
  - 3) install regularly elected members of the Congregation Council; and
  - 4) with the council, administer discipline.

c. Every pastor shall:

- 1) strive to extend the Kingdom of God in the community, nation, and abroad ;
- 2) seek out and encourage qualified persons to prepare for the ministry of the Gospel
- 3) impart knowledge of this church and its wider ministry through distribution of its periodicals and other publications; and
- 4) endeavor to increase the support given by the congregation to the work of the churchwide organization of the *Evangelical Lutheran Church in America* (ELCA) and of the Indiana- Kentucky Synod of the ELCA.

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

- \*C9.05. a. The call of a congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment which, except in the case of the death of the pastor, shall be terminated only following consultation with the synodical bishop and for the following reasons:
- 1. mutual agreement to terminate the call or the completion of a call for a specific term;
  - 2. resignation of the pastor, which shall become effective, unless otherwise agreed, 30 days after the date on which it was submitted;
  - 3. inability to conduct the pastoral office effectively in the congregation in view of local conditions, without reflection on the competence or the moral and spiritual character of the pastor;
  - 4. the physical or mental incapacity of the pastor;

5. disqualification of the pastor through discipline on grounds of doctrine, morality, or continued neglect of duty; or
  6. the dissolution of the congregation; or
  7. suspension of the congregation as a result of discipline proceedings.
- b. When allegations of physical or mental incapacity of the pastor or ineffective conduct of the pastoral office have come to the attention of the bishop of the synod, the bishop in his or her sole discretion may, or when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of the congregation, the bishop shall investigate such conditions personally in company with a committee of two ordained ministers and one layperson.
  - c. In case of alleged physical or mental incapacity, competent medical testimony shall be obtained. When such disability is evident, the bishop of the synod with the advice of the committee shall declare the pastorate vacant. Upon the restoration of a disabled pastor to health, the bishop of the synod shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another field of labor.
  - d. In the case of alleged local difficulties that imperil the effective functioning of the congregation, all concerned persons shall be heard, after which the bishop of the synod together with the committee described in \*C9.05.b. shall decide on the course of action to be recommended to the pastor and the congregation. If they agree to carry out such recommendations, no further action shall be taken by the synod. If either party fails to assent, the congregation may dismiss the pastor at a legally called meeting after consultation with the bishop, either (a) by a two-thirds majority vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a simple majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
  - e. If in the course of the proceedings described in \*C9.05.d., the committee concludes that there may be grounds for disciplinary action, the committee shall make recommendations concerning disciplinary action to the synodical bishop, who may bring charges in accordance with the provisions of the constitution and bylaws of the *Evangelical Church in America* and the constitution of this synod.
  - f. If following the appointment of the committee described in C9.05.b. or d., it should become apparent that the pastoral office cannot be conducted effectively in the congregation(s) being served by the ordained minister due to local conditions, the bishop of the synod may temporarily suspend the pastor from service in the congregation(s) without prejudice and with pay provided through a joint synodical and churchwide fund and with housing provided by the congregation(s).

- \*C9.06. At a time of pastoral vacancy, an interim pastor shall be appointed by the bishop of the synod with the consent of this congregation or the Congregation Council.
- \*C9.07. During the period of service, an interim pastor shall have the rights and duties in the congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or Congregation Council. The interim pastor and any ordained pastor providing assistance shall refrain from exerting influence in the selection of a pastor.
- \*C9.08. This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting related to the *Evangelical Lutheran Church in America*.
- \*C9.09. When a pastor is called to serve in company with another pastor or pastors, the privileges and responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted in consultation involving the pastors, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
- \*C9.11. With the approval of the bishop of the synod, the congregation may depart from \*C9.05.a. and call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the pastor and representatives of the congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of \*C9.05.a.
- \*C9.12. The pastor of this congregation;
  - a. shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation;
  - b. shall submit a summary of such statistics annually to the synod; and
  - c. shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.
- \*C9.13. The pastor(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.
  - C9.13.01 The pastor(s) shall submit a written report of his or her ministry to the congregation at its annual meeting.

C9.13.02 Expenses of the pastor incident to attendance at assemblies of the synod and conferences shall be paid by the congregation.

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

C9.20. ***Ecumenical pastoral ministry***

C9.21. Under special circumstances, subject to the approval of the synodical bishop and the concurrence of this congregation, an ordained minister of a church body with which the *Evangelical Lutheran Church of America* officially has established a relationship of full communion may serve temporarily as pastor of this congregation under a contract between the congregation and the ordained minister in a form proposed by the synodical bishop and approved by the congregation.

**Chapter 10.**  
**CONGREGATION MEETING**

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

C10.01.21. The Congregation Meeting

- a. The annual congregational meeting shall be held on a Sunday in January as designated by the Congregation Council at the preceding regular November Congregation Council meeting. In the event that the annual congregational meeting cannot be held on the scheduled date, the Congregation Council shall reschedule the meeting as soon as possible.
- b. Nominations for members to be elected to the congregation council at its annual meeting may be made at the worship services on the two Sundays preceding that meeting and at the meeting.

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

C10.03. Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays and by mail to all voting members at least 10 days in advance of the date of the meeting. The posting of such notice in the regular mail, with the regular postage affixed or paid, sent to the last known address of such members shall be sufficient.

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

- C10.05. Voting by proxy or by absentee ballot shall not be permitted.
- C10.06. All actions approved by the congregation shall be by majority vote of those voting members present and voting, except as otherwise provided in this constitution or by state law.
- C10.07. *Robert's Rules of Order*, latest edition, shall govern parliamentary procedure of all meetings of this congregation.

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

- C11.01. At its first regular meeting following the election of the new Congregation Council, the council shall elect a president, a vice president, a secretary, a treasurer, and a financial secretary, who will serve both the council and the congregation in their several capacities.
- C11.01.01 Term of office for the president, vice president, secretary, treasurer, and financial secretary shall continue from the time of their election until the next regular Congregation Council meeting following the election of new Congregation Council members.
- C11.02. The president and the vice president shall be chosen from the membership of the Congregation Council. The other officers, if not members of the council, shall be accorded the privilege of voice without vote in its meetings.
- C11.03. All officers shall be voting members of the congregation. If any of them ceases to be such, that office shall at once be declared vacant by the council, which shall fill the vacancy for the unexpired term.
- C11.04. The president shall preside at all congregation meetings and all meetings of the Congregation Council. In the event of the president's inability to serve, the vice president shall preside.
- C11.05. The secretary shall keep accurate minutes of all meetings of the congregation and of the council in a volume provided by the congregation, which shall be preserved permanently in its archives.
- C11.06. The financial secretary shall keep a record of all income from contributing members and other sources. This income shall be documented on summary sheets supplied by the finance committee.
- C11.07. The treasurer shall keep the books of account of the congregation and shall disburse all funds on proper orders, making regular remittance to the treasurer of the synod of monies to meet its budgeted benevolence agreement.
- C11.08. The treasurer and the financial secretary shall make written report of all financial transactions to the Congregation Council each month and to the congregation at its annual meeting. All financial officers shall give corporate surety, in amounts determined

by the Congregation Council, for which the premium shall be paid by the congregation. Fidelity coverage provided by the *Evangelical Lutheran Church in America* shall be deemed a fulfillment of this requirement.

- C11.09. No officer shall hold more than one office at a time. No elected officer shall be eligible to serve more than three consecutive terms in the same office.

## **Chapter 12. CONGREGATION COUNCIL**

- C12.01. The membership of the Congregation Council shall consist of the pastor(s) and not more than 12 members of the congregation. Any voting member of the congregation may be elected, subject only to the limitation on the length of continuous service permitted in that office. A member's place on the Congregation Council shall be declared vacant if the member (a) ceases to be a voting member of the congregation or (b) is absent from three successive regular meetings of the Congregation Council without cause.
- C12.02. Elected members of the Congregation Council shall be chosen by ballot for terms of three years by a majority vote at the annual Congregational Meeting. Newly elected Congregation Council members shall be installed at a worship the Sunday following their election. Their terms of office shall begin following their installation. Their tenure shall be so arranged that one-third of the terms expire annually. A member of the Congregation Council shall not be eligible for re-election or appointment to the council until after the expiration of one year following any full term of office. Eighteen months or more shall be considered a full term.
- C12.03. Should a member's place on the Congregation Council be declared vacant, the Congregation Council shall elect, by majority vote, a successor until the next annual meeting. Individuals who have served less than one half of a regular term shall be eligible for nomination and possible election to a full term.
- C12.04. All elections of members of the Congregation Council shall be by written ballot and the results recorded by the secretary. A majority of votes cast shall be necessary for election. When an election does not result in filling all vacancies, the unelected nominees receiving the highest number of votes cast shall be placed on the next ballot, the number of nominees not to exceed twice the number of remaining positions to be filled.
- C12.05. The Congregation Council shall have general oversight of the life and activities of this congregation and, in particular, its worship life, to the end that everything be done in accordance with the Word of God and the faith and practice of the *Evangelical Lutheran Church in America*. The duties of the Congregation Council shall include the following:
- a. To lead this congregation in stating its mission, to do long-range planning, to set goals and priorities, and to evaluate its activities in light of its mission and goals.
  - b. To seek to involve all members of this congregation in worship, learning, witness, service, and support.

- c. To oversee and provide for the administration of this congregation and its committees to enable it to fulfill its function and perform its mission.
- d. To maintain supportive relationships with the pastor(s) and staff and help them annually to evaluate the fulfillment of their calling, appointment, or employment.
- e. To be examples individually and corporately of the style of life and ministry expected of all baptized persons.
- f. To promote a congregational climate of peace and good will and, as differences and conflicts arise, to endeavor to foster mutual understanding.
- g. To arrange for pastoral service during the sickness or absence of the pastor.
- h. To emphasize partnership with the synod and churchwide organization of the *Evangelical Lutheran Church in America* as well as cooperation with other congregations, both Lutheran and non-Lutheran, subject to established policies of the synod and the *Evangelical Lutheran Church in America*.
- i. To recommend and encourage the use of program resources produced or approved by the *Evangelical Lutheran Church in America*.

- C12.06. The Congregation Council shall be responsible for the financial and property matters of this congregation.
- a. The Congregation Council shall be the board of directors of this congregation, and as such shall be responsible for maintaining and protecting its property and the management of its business and fiscal affairs. It shall have the powers and be subject to the obligations that pertain to such boards under the laws of the State of Indiana, except as otherwise provided herein.
  - b. The Congregation Council shall not have the authority to buy, sell, or encumber real property unless specifically authorized to do so by a meeting of the congregation.
  - c. The Congregation Council may enter into contracts of up to one percent of the total annual budget for items not included in the budget.
  - d. The congregation council shall prepare an annual budget for adoption by this congregation, shall supervise the expenditure of funds in accordance therewith following its adoption, and may incur obligations of more than one percent in excess of the anticipated receipts only after approval by a congregation meeting. The budget shall include this congregation's full indicated share in support of the wider ministry being carried on in partnership with the synod and churchwide organization.
  - e. The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the monthly forwarding of benevolence monies to the synodical treasurer.

- f. The Congregation Council shall be responsible for this congregation's investments and its total insurance program.
- C12.07. The Congregation Council shall see that the provisions of this constitution and its bylaws are carried out.
- C12.08. The Congregation Council shall provide for an annual review of the membership roster.
- C12.09. The Congregation Council shall be responsible for the appointment and supervision of the salaried lay workers of this congregation.
- C12.10. The Congregation Council shall submit a comprehensive report to this congregation at the annual meeting.
- C12.11. The Congregation Council shall normally meet once a month. Special meetings may be called by the pastor or the president, and shall be called by the president at the request of at least one-half of its members. Notice of each special meeting shall be given to all who are entitled to be present.
- C12.12. A quorum for the transaction of business shall consist of a majority of the members of the Congregation Council, including the pastor or interim pastor, except when such person requests or consents to be absent and has given prior approval to an agenda of routine matters which shall be the only business of the meeting.
- C12.13. No member of the Congregation Council shall vote on any issue with which that member has a conflict of interest.

### **Chapter 13.**

#### **CONGREGATION COMMITTEES**

- C13.01. The officers of the congregation and the pastor shall constitute the ***Executive Committee***.
- C13.02. A ***Nominating Committee*** of six voting members of this congregation, no more than two of whom shall be, if possible, 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.
  - C13.02.31. ***Nominating Committee***  
The Nominating Committee shall present its slate of nominees to the congregation at least two Sundays preceding the date of the annual congregation meeting.
  - C13.02.32. ***Memorial Committee***  
There shall be a Memorial Committee of four persons who shall be appointed by the Congregation Council at their regular June meeting each year. One of the committee members shall be designated as chairman by the Congregation Council. The terms of the committee members shall be for two years, with half of the membership being

replaced each year. They shall not be eligible to serve successive terms. The committee shall make recommendations to the congregation council for usage of all funds given to the congregation as specified memorial gifts. The committee shall meet a least twice in each calendar year.

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 nor officers of the congregation. Term of office will be three years, with one member elected each year. Members shall not be eligible for consecutive re-election.

C13.03.33. **Audit Committee**

The Congregation Council at its March meeting each year, shall appoint a chairman of the Audit Committee from among the committee members. This committee, as soon as practical after the close of the calendar year, shall audit the records of the treasurer of the congregation, the treasurer of the Women of the *Evangelical Lutheran Church in America* congregational unit, and the treasurer(s) of any other auxiliary or organization of the congregation which receives and disburses monies. This committee shall report its findings, in writing, to the congregation at its next annual meeting and shall also report those findings to the *Evangelical Lutheran Church in America* upon request and on the date and in the form requested.

C13.04. A **Mutual Ministry Committee** shall be appointed jointly by the president or vice president and the pastor. The vice president shall be an *ex officio* member of this committee. Term of office shall be two years, two members to be appointed each successive year. Committee members will hold no other office in the congregation during their term nor shall they be on the congregation's staff. The vice president shall chair the committee unless the vice president is the pastor, in which case the council shall appoint a chairman for a one-year term. The chairman will be in addition to the other four appointed members. On occasions when the committee is concerned with the performance of a specific staff person, one additional voting member of the congregation may be selected, by and at the option of the staff person under concern, to be a voting member of this committee while this specific case is under consideration.

C13.04.34. **Mutual Ministry Committee**

In order to provide for the pastor(s) and lay staff and to advise them about conditions within the congregation, and to interpret to the congregation the ministry of its pastor(s) and lay staff, there shall be a Mutual Ministry committee. This committee is to meet at least four times each year and is to be directly responsible to the Congregation Council. It shall provide to the council written reports of each meeting, except those of a confidential nature. The council, however, is to be advised when a confidential meeting has taken place. Its duties shall include:

- a. to identify staff needs of the congregation and to maintain job descriptions for all paid staff persons;
- b. to serve as a confidential support group for the pastor(s) and as a personnel committee for the lay staff;
- c. to review annually the ministry of the pastor(s) and, with the pastor(s), set pastoral goals for submission to the Congregation Council;
- d. to review annually the details of compensation for the pastor(s) and other paid staff members;
- e. to provide encouragement and direction for the continuing education of the pastor(s) and paid lay staff;
- f. to serve as an open communication channel regarding attitudes and conditions within the congregation and as agents of reconciliation in times of conflict within the congregation.

C13.05. When a pastoral vacancy occurs, a **Call Committee** of at least six voting members shall be appointed by the Congregation Council. Term of office will terminate at installation of the newly called pastor. Members of the Congregation Council shall not exceed one-third of this committee's membership.

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

C13.07. Duties of committees of this congregation shall be specified in the bylaws. All congregation committees shall be responsible to the congregation through the Congregation Council.

C13.07.11. There shall be the following standing committees:

- a) Worship
- b) Learning
- c) Service
- d) Witness
- e) Support

- C13.07.12. At its first regular meeting each year the Congregation Council, after consultation with the pastor, shall appoint a chairman of each standing committee. Such chairman shall take office immediately.
- C13.07.13. The newly appointed chairman of each standing committee shall appoint the other members of that committee before the next regular meeting of the Congregation Council, subject to approval by the Congregation Council.
- C13.07.14. Each standing committee shall serve for a period of one year following its appointment and until its successors are appointed.
- C13.07.15. With the approval of the Congregation Council, each standing committee may appoint as many task forces or sub-committees as it considers necessary.
- C13.07.16. Each month each standing committee shall present a written report to the Congregational Council.
- C13.07.17. The pastor shall have voice and vote in all standing committees.
- C13.07.18. All committee chairmen and members shall be voting members of the congregation.
- C13.07.19. The following is a functional guideline for each of the standing committees:
- a) ***Worship Committee***

This committee shall identify, plan for, and oversee the worship needs of this congregation. It shall provide for personnel, equipment, and supplies required for Sunday and other scheduled worship services. It shall make recommendation to the Congregation Council for the hiring, duties, and remuneration of the choir director, organist, other musicians, and any other lay professionals related to the worship services. It shall be responsible for the ordering of supplies for worship. In consultation with the pastor, organist, and choir director, it shall be responsible for the ordering and maintaining of choral and organ music. It shall arrange for the care of paraments, vestments, service books, and musical instruments. It shall assist the Congregation Council in seeing that the congregation's worship services are conducted in accordance with the practices of the *Evangelical Lutheran Church in America*. It shall be responsible for the recruitment and training of choir members, ushers, acolytes, and those responsible for preparing the altar for worship. If there is an altar guild, this committee shall oversee its work and annually appoint its chairman. This committee shall endeavor to introduce into the homes of the congregation devotional periodicals of the *Evangelical Lutheran Church in America*. The organist and choir director shall be consultants to this committee and shall have voice without vote in its meetings.
  - b) ***Learning Committee***

This committee shall provide for and encourage participation in educational opportunities for the congregation's members of all ages, including, but not limited to, a Sunday Church School. It shall assist the pastor in supervising the schools of the congregation and cooperate with and give assistance to organizations and auxiliaries

of the congregation in their educational efforts. It shall promote the educational programs of the *Evangelical Lutheran Church in America* and its *Indiana-Kentucky Synod*. This committee shall provide for a ministry to and with the youth of this congregation. It shall bring to the youth of the congregation the call to the ordained ministry and other full-time church vocations. This committee shall be responsible for the identification, recruitment, and training of teachers for the schools of this congregation. It shall oversee the congregation's library, including audio-visual equipment. It shall encourage the use of *Evangelical Lutheran Church in America* curriculum and literature in its work and shall attempt to introduce the ELCA's periodicals into the homes of this congregation.

c) **Service Committee**

This committee shall identify needs of society within the congregation, local community, and world; communicate to the congregation what those needs are; propose ways of ministering to those needs; and enlist members of the congregation to give themselves and their resources to meet those needs and others that they may be aware of, as a fitting response to the love of God as shown in the death and resurrection of Jesus Christ. It shall encourage the leaders of congregational youth organizations to provide for those younger members' service opportunities to enable them to learn of social needs and to work to remedy them. This committee will be responsible for promoting the causes of fostering justice, overcoming oppression, alleviating suffering, establishing peace, and caring for the earth. It shall also be responsible for initiating, advertising, and recruiting participants for such congregational projects as are necessary to accomplish these goals. It shall make itself aware of material and services available to it from the *Evangelical Lutheran Church in America* and agencies of the community.

d) **Witness Committee**

This committee shall work to deepen the faith of members of the congregation, return former members to the Christian community, and encourage the members to provide individual and corporate witnessing to Jesus Christ among all people. This committee shall present to the council at its November meeting each year a list of those members of the congregation who have neither participated in Holy Communion nor made a financial contribution of record during that calendar year. It shall identify, recruit, and train members of this congregation to call upon and witness to neighborhood residents who are not part of a local congregation of Christians. It shall be responsible for furthering the social interaction between members of the congregation for the purpose of mutual support and encouragement to greater ministry. It shall, therefore, provide for social events for the entire congregation and encourage social events for specific age or interest groups. It shall oversee adult organizations of the congregation, such as singles' groups, couples' groups and men's groups.

e) **Support Committee**

This committee shall undergird the work of the other four standing committees, which enable the functions of the congregation. To do that, it shall provide for the facilities and funds for the mission of the congregation. It shall be responsible for leading members of the congregation toward greater stewardship of their money, skills, and

time; providing for and maintaining the building(s), grounds, equipment, and insurance necessary for the mission of the congregation; preparing an annual budget proposal for the Congregation Council; overseeing the work of the financial secretary and treasurer; and recommending to the Congregation Council policies for use of the congregation's building(s), grounds, and equipment. This committee shall have at least three subcommittees: property, finance, and stewardship. The Property Subcommittee shall be concerned with the proper maintenance of the building(s), grounds, and equipment of the congregation, except for musical instruments and audio-visual equipment. It shall oversee the work of the custodian, including providing a job description for the position. The Finance Subcommittee shall review the monthly reports of the financial secretary and treasurer and, when appropriate, make recommendations to the council concerning the securing and spending of funds. It shall prepare an annual congregational budget for recommendation to the Congregation Council. It shall oversee the work of the financial secretary and treasurer and make recommendations to the congregation council for the conduct of those two offices. It shall be especially concerned to see that the treasurer pays all bills promptly and monthly forwards all benevolence monies to their designated agencies. The Stewardship Subcommittee shall work with the congregation to encourage liberal contributions of money, skills, and time to the work of Christ, particularly as that work is done by and through Gloria Dei Lutheran Church. It shall be responsible for an annual funding effort among the members of the congregation. The financial secretary and treasurer shall be *ex officio* members of the support committee.

- C13.08. Vacancies occurring *ad interim* in the committees named in this chapter shall be filled by appointments made by the Congregation Council.
- C13.09. The pastor shall have voice in all congregational committees except for the call committee. This section shall not override C9.09.

## **Chapter 14.**

### **ORGANIZATIONS WITHIN THE CONGREGATION**

- C14.01. All organizations within this congregation shall exist to aid 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 annual meeting shall determine their policies, guide their activities, and receive written reports concerning their membership, work, and finances. All organizations within this congregation shall provide monthly written reports to the Congregation Council concerning their activities and finances.
- C14.02. Special interest groups may be organized only after authorization has been given by the Congregation Council.

## **Chapter 15.**

### **DISCIPLINE OF MEMBERS**

- \*C15.01. Denial of the Christian faith as described in this constitution, conduct grossly unbecoming a member of the Church of Christ, or persistent trouble-making in this congregation are sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation will be attempted following Matthew 18:15-17, proceeding through these successive steps: (a) private admonition by the pastor, (b) admonition by the pastor in the presence of two or three witnesses, and (c) citation to appear before the Congregation Council. If, for any reason, the pastor is unable to administer the admonitions required by a. and b. hereof, the president (if not the pastor) or vice president shall administer such admonitions.
- \*C15.02. The process for discipline of a member of the congregation shall be governed as prescribed by the chapter on discipline in the Constitution Bylaws and Continuing Resolutions of the *Evangelical Lutheran Church in America*. If discipline against a member proceeds beyond counseling and admonition by the pastor, charges against the accused member(s) that are specific and in writing shall be prepared by member(s) of the congregation who shall sign the charges as the accuser(s). The written charges shall be filed with the pastor, who shall advise the Congregation Council of the need to issue a written citation to the accused and the accusers that specifies the time and place of the hearing before the Congregation Council. The written charges shall accompany the written citation to the accused. A member charged with the offense shall appear before the Congregation Council after having received a written citation, at least 10 days prior to the meeting, If the member charged with the offense fails to appear at the scheduled hearing, the Congregation Council may proceed with the hearing and may pass judgment in the member's absence.
- \*C15.03. Members of the Congregation Council who participate in the preparation of the written charges or who present evidence or testimony in the hearing before the Congregation Council are disqualified from voting upon the question of the guilt of the accused member. Should the allegations be sustained by a two-thirds majority vote of the

members of the Congregation Council who are not disqualified but who are present and voting, and renewed admonition prove ineffectual, the council shall impose one of the following disciplinary actions:

- a. censure before the council or congregation;
- b. suspension from membership for a definite period of time; or
- c. exclusion from membership in this congregation. Disciplinary actions (b) and (c) shall be delivered to the member in writing.

\*C15.04. The member against whom disciplinary action has been taken by the Congregation Council shall have the right to appeal the decision to the Synod Council. Such right may not be abridged, and the decision of the Synod Council shall be final.

\*C15.05. Disciplinary actions may be reconsidered and revoked by the Congregation Council upon receipt of

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

\*C15.06. For disciplinary actions in this congregation, "due process" shall be observed as specified in 20.41.04 in the Constitution, Bylaws, and Continuing Resolutions of the *Evangelical Lutheran Church in America*.

\*C15.07. No member of a congregation shall be subject to discipline for offenses that the Congregation Council has previously heard and decided, unless so ordered by the Synod Council after an appeal.

\*C15.10. **Adjudication**

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

**Chapter 16.  
BYLAWS**

- \*C16.01. This congregation may adopt bylaws. No bylaw may conflict with this constitution.
- \*C16.02. Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a majority vote of those members present and voting
- \*C16.03. Changes to the bylaws may be proposed by any voting member, provided, however, that such additions or amendments be submitted in writing to the Congregation Council at least 60 days before a regular or special Congregation Meeting called for that purpose and that the Congregation Council notify the congregation's members by mail of the proposal with the council's recommendations at least 30 days in advance of the Congregation Meeting.
- \*C16.04. Approved changes to the bylaws shall be sent by the secretary of this congregation to the synod.

**Chapter 17  
AMENDMENTS**

- \*C17.01. Unless provision \*C17.04. is applicable, those These 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 25 voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the congregation's members by mail of the proposal together with the council's recommendations at least 30 days in advance of the meeting.
- \*C17.02. An amendment to this constitution, proposed under \*C17.01., shall:
  - a. be approved at a legally called Congregational Meeting according to this constitution by a majority vote of those present and voting;
  - b. be ratified without change at the next annual meeting by a two-thirds majority vote of those present and voting; and
  - c. have the effective date included in the resolution and noted in the constitution.
- \*C17.03. Any amendments to this constitution that result from the processes provided in \*C17.01. and \*C17.02. shall be sent by the secretary of this congregation to the synod. The amendment shall become effective within 120 days from the date of the receipt of the notice by the synod unless the synod informs this congregation that the amendment is in conflict with the constitution and bylaws of the *Evangelical Lutheran Church in America* or the constitution of the *Indiana-Kentucky Synod* of the ELCA.

\*C17.04. ~~Whenever the *Model Constitution for Congregations* is amended by the Churchwide Assembly, this~~ This constitution may be amended to incorporate such amendment bring any section into conformity with a section or sections, either required or not required, of the *Model Constitution for Congregations of the Evangelical Lutheran Church in America*—as most recently amended by the Churchwide Assembly—by a simple majority vote of those voting members present and voting at any subsequent legally called meeting of the congregation without presentation at a prior meeting of the congregation, provided that the Congregation Council has submitted by mail notice to the congregation of such an amendment or amendments, together with the council's recommendations, at least 30 days prior to the meeting. Upon the request of 25 voting members of the congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of the congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following a vote of approval

## **Chapter 18 CONTINUING RESOLUTIONS**

- \*C.18.01. The congregation in a legally called meeting or the Congregation Council may enact continuing resolutions. Such resolutions may not conflict with the constitution or bylaws of this congregation.
- \*C18.02. Continuing resolutions shall be enacted or amended by a majority vote of a meeting of the congregation or a two-thirds vote of all voting members of the Congregation Council.

## **Chapter 19 INDEMNIFICATION**

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

**End of Document**

NOTE: Issues in points (7) and (11) in the following letter may go beyond the scope of “clerical emendations”.

- (7) If it is not possible to change **C9:15** to **C9:13.02** as a “clerical emendation” without a special and annual congregation meeting to consider this issue please advise.
- (11) For purpose of expediency in keeping this document current with only model language adoption and only one annual congregation meeting motion and vote, any language change to **C12:01** has been deferred.

DAVID F. REES

**DOCUMENT  
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**May 29, 2007**

OF COUNSEL  
J. LYNN BOESE

**Gloria Dei Lutheran Church  
3711 Ridge Road  
Highland, IN 46322**

**Dear Friends:**

**At its meeting on Saturday, April 14, 2007, the Synod Council approved the constitution of Gloria Dei Lutheran Church, Highland, Indiana. However, because the text as you adopted it has several form or technical issues of reproduction or typographical details, we suggest that you consider what we believe to be appropriate corrections. You have done a commendable work in preparing your new constitution, but we suggest that you consider the following specific items of possible correction and improvement in form.**

**1. C6.05.g. should be revised to insert a comma after the word "America", and the word "Provisions" should begin with a lower case "p".**

**2 In C8.02.d., the brackets before and after the word "Christian" should be removed.**

**3. In C8.04.b., the word "Church" should begin with a lower case "c".**

**4. In the second line of C8.04.42. which is a bylaw provision, the word "congregational" should be "congregation".**

**5. In C9.05.b., the commas should be removed following the word "office" in the third line and following the word "Council" in the tenth line.**

**6. In C9.05.C., the second word, "the", should be removed and the commas should be removed from the fourth and fifth lines following the word "synod" and the word "committee".**

**7. C9.15 introduces an additional section into the mandatory Chapter 9. It would be better to include the provision of C9.15 as a bylaw.**

**8. In C9.21., the word "the" should be inserted at the end of the eighth line and before the word "congregation", which begins the ninth line.**

9. In Chapter 10, the terms "congregational" and "congregation council" could benefit from some technical improvement. In C10.01.21, the title of that bylaw and the usage of the term "congregational" twice in C10.01.21 .a. should be changed to "Congregation" or "congregation" with the "al" being eliminated. Also, in three instances in C10.01.21.a. and b., the term "congregation council" should be changed to "Congregation Council".

10. In C11.04., the term "congregational" in the first line should be changed to "congregation".

11. C12.01., provides that the Congregation Council shall consist of the pastor(s) "and not more than twelve members of the congregation." Of course, the pastor is a member or the pastors are members of the congregation. Perhaps the provision could be improved by providing that there should be not more than twelve "other" members of the congregation. Perhaps more significantly, with the uncertain provision for "not more than twelve", and without a bylaw provision or some other basis for establishing the actual number, the determination and the election of the actual number of members of the Congregation Council is undeterminable and seemingly arbitrary or random at any given time. You would do better to provide a fixed number within C12.01. or to provide in a bylaw what the actual number should be.

12. In C12.06.a., you have provided that the Congregation Council shall be the board of "trustees" of the congregation. Pursuant to Indiana corporate law, the term should be board of "directors".

13. In C15.01., the reference to the "congregation council" at the end of the second sentence should be "Congregation Council".

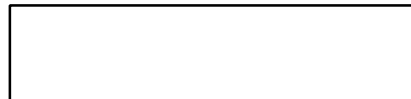
14. In C17.01, the word "the" should be inserted in the last sentence between the words "notify" and the word "congregation's".

Please feel free to be in further contact with me concerning any questions or concerns which you may have or any assistance which I or others of the Indiana-Kentucky Synod may provide. Please inform us when and if you have cared for the technical corrections which we have suggested.

All best wishes to your congregation.

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Yours in Christ's service,



David F. Rees

(instruction set used for our mark up with matching font)

## 2007 AMENDMENTS TO THE MODEL CONSTITUTION FOR CONGREGATIONS

*To amend provision \*C8.02.c. in the Model Constitution for Congregations to ensure the protection of the voting rights of members of congregations:*

**\*C8.02.c.** Voting members are confirmed members. Such confirmed members, during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of the congregation.

*To amend provisions \*C17.01. and \*C17.04. in the Model Constitution for Congregations regarding incorporation of amendments adopted by the Churchwide Assembly:*

**\*C17.01.** ~~Unless provision \*C17.04. is applicable, those~~ These 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... (with the remainder of the provision unchanged).

**\*C17.04.** ~~Whenever the Model Constitution for Congregations is amended by the Churchwide Assembly, this~~ This constitution may be amended to incorporate such amendment bring any section into conformity with a section or sections, either required or not required, of the Model Constitution for Congregations of the Evangelical Lutheran Church in America—as most recently amended by the Churchwide Assembly—by a simple majority vote of those voting members present and voting at any subsequent legally called meeting of the congregation without presentation at a prior meeting of the congregation, provided that the Congregation Council has submitted by mail notice to the congregation of such an amendment or amendments, together with the council's recommendations, at least 30 days prior to the meeting. Upon the request of voting members of the congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of the congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following a vote of approval.

*To amend provisions \*C18.01. and \*C18.02. in the Model Constitution for Congregations regarding adoption of continuing resolutions:*

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

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