

CONSTITUTION
OF
OUR SAVIOR'S
LUTHERAN CHURCH
OF
VALLEY CITY,
NORTH DAKOTA

IN AFFILIATION WITH THE
EASTERN NORTH DAKOTA SYNOD
OF THE
EVANGELICAL LUTHERAN CHURCH
IN AMERICA

***PREAMBLE**

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

Chapter 1.

NAME AND INCORPORATION

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

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

Chapter 3.

NATURE OF THE CHURCH

- *C3.01.** All power in the Church belongs to our Lord Jesus Christ, its head. All actions of this congregation are to be carried out under his rule and authority.
- ~~***C3.02.**~~ ***C3.02.** This church confesses the one, holy, catholic, and apostolic Church and is resolved to serve Christian unity throughout the world.
- *C3.03.** The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the Church, and the universal Church exists in and through congregations. The Evangelical Lutheran Church in America, therefore, derives its character and powers both from the sanction and representation of its

congregations and from its inherent nature as an expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in the historic continuity of the communion of saints; in breadth, it expresses the fellowship of believers and congregations in our day.

*C3.04. This church, inspired and led by the Holy Spirit, participates in The Lutheran World Federation as a global communion of churches, engaging in faithful witness to the gospel of Jesus Christ and in service for the sake of God's mission in the world.

*C3.05. The name Evangelical Lutheran Church in America (ELCA or "this church") as used herein refers in general references to this whole church, including its three expressions: congregations, synods, and the churchwide organization. The name Evangelical Lutheran Church in America is also the name of the corporation of the churchwide organization to which specific references may be made herein.

Chapter 4.

STATEMENT OF PURPOSE

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

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

- a. Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, and service.
- b. Proclaim God's saving Gospel of justification by grace for Christ's sake through faith alone, according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.
- c. Carry out Christ's Great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministry with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.
- d. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity and justice for all people, working for peace and reconciliation among the nations, 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 this congregation's ministry and the ministry of ~~the other part~~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.
- 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 Congregational Council.~~

*C4.05. 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 in God's mission and

the fulfillment of the purposes of this church as described in this chapter, and do not imply or describe the creation of partnerships, co-ventures, agencies, or other legal relationships recognized in civil law.

Chapter 5.

POWERS OF THE CONGREGATION

- *C5.01. The powers of this congregation are those necessary to fulfill its purpose.
- *C5.02. The powers of this congregation are vested in 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 this congregation. This congregation is authorized to:
- ~~Call~~call a pastor as provided in Chapter 9;
 - ~~Terminate~~terminate the call of a pastor as provided in Chapter 9;
 - ~~Call or terminate the call of associates in ministry, deaconesses, call a Minister of Word and diaconal ministers~~Service;
 - ~~terminate the call of a Minister of Word and Service~~ in conformity with the ~~applicable policy~~constitution of the Evangelical Lutheran Church in America;
 - adopt amendments to the constitution, as provided in Chapter ~~17, and~~16, amendments to the bylaws, as specified in Chapter ~~16, 17, and continuing resolutions, as provided in Chapter 18;~~
 - approve the annual budget;
 - acquire real and personal property by gift, devise, purchase, or other lawful means;
 - hold title to and use its property for any and all activities consistent with its purpose;
 - sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
 - elect its officers, Congregation Council, boards and committees, and require them to carry out their duties in accordance with the constitution, bylaws, and continuing resolutions; and
 - terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.
- *C5.04. This congregation shall ~~choose~~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 Eastern North Dakota Synod of the Evangelical Lutheran Church in America.
- C5.05. This congregation ~~shall have~~has a mission endowment fund that ~~will operate~~operates as ~~specified in Our Savior's Foundation, Inc. (a non-profit corporation whose board of directors are elected by this congregation's bylaws-congregation).~~ 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 Eastern North Dakota 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:
- This congregation agrees to be responsible for its life as a Christian community.
 - This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.
 - This congregation agrees to call pastoral leadership from the ~~clergy-roster of Ministers of Word and Sacrament~~ of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod. These special circumstances are limited either to calling a candidate approved for the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or to contracting for pastoral services with a Minister of Word and Sacrament of a church body with

which the Evangelical Lutheran Church in America officially has established a relationship of full communion.

- d. This congregation agrees to consider ~~associates in ministry, deaconesses, and diaconal 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.
- 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: or in accordance with provision 9.23. of the constitution and bylaws of the Evangelical Lutheran Church in America.
- d. The Eastern North Dakota Synod of the Evangelical Lutheran Church in America takes charge and control of the property of this 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.
- e. 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~~ intent to terminate its relationship must be adopted at two legally called and conducted special ~~meeting~~ meetings of this congregation by a two-thirds ~~majority 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 he or she is a voting member of this congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the first meeting.
- b. The 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 synodical bishop, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, and shall ~~mail a copy of~~ send copies the resolution and certification to voting members of this congregation. This notice shall be submitted within 10 days after
- c. If the resolution has been 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.
- e. 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 desires to terminate 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 ~~majority vote~~ of the voting members present, at which meeting the bishop of the synod or an authorized representative shall be present. Notice of the second meeting shall be mailed sent to all voting members and to the bishop at least 10 days in advance of the meeting. Unless he or she is a voting member of this congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the second 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. If this congregation was a member of the Lutheran Church in America, it shall be required, in addition to 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.

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.

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 synodicalSynod Council approval before terminating its~~their~~ membership in the Evangelical Lutheran Church~~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 Americathis church.

h. If this congregation was3) Congregations established by the Evangelical Lutheran Church in America, it shall be required, in addition to complying with the foregoing provisions in *C6.05., to satisfy all financial obligations to this church and receive synodicalSynod Council approval before terminating its~~their~~ membership in the Evangelical Lutheran Church in Americathis church.

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.

*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 effectedtaken.

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

Chapter 7. PROPERTY OWNERSHIP

*C7.01. If this congregation ceases to exist, title to undisposed property shall pass to the Eastern North Dakota 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 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 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-, 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 Eastern North Dakota 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, 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 synodical proecessby 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.

- *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 the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America, this congregation accepts such restrictions and:
- a. Shall not transfer, encumber, mortgage, or in any way burden or impair any right, title, or interest in the property without prior approval of the Synod Council.
 - b. Shall -- upon written demand by the Synod Council, pursuant to ¶S13.23. of the constitution of the Eastern North Dakota Synod of the ELCA -- reconvey and transfer all right, title, and interest in the property to the synod.

Chapter 8.

MEMBERSHIP

- *C8.01.** Members of this congregation shall be those baptized persons on the roll of this congregation at the time that this constitution is adopted and those who are admitted thereafter and who have declared and maintain their membership in accordance with the provisions of this constitution and its bylaws.
- *C8.02.** Members shall be classified as follows:
- a. *Baptized* members are those persons who have been received by the Sacrament of Holy Baptism in this congregation, or, having been previously baptized in the name of the Triune God, have been received by certificate of transfer from other Lutheran congregations or by affirmation of faith.
 - b. *Confirmed* members are baptized persons who have been confirmed in this congregation, those who have been received by adult baptism or by transfer as confirmed members from other Lutheran congregations, or baptized persons received by affirmation of faith.
 - c. *Voting* members are confirmed members. Such confirmed members, during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of 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.
 - 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, ~~or persons who wish to retain a relationship with including exercising limited voting rights in this congregation while being.~~ 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 of other congregations. They shall have all the privileges and duties of membership voting members except voting rights and eligibility for elected offices or membership on the Congregation Council of this congregation 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.

- *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:
- make regular use of the means of grace, both Word and sacraments;
 - live a Christian life in accordance with the Word of God and the teachings of the Lutheran church; and
 - support the work of this congregation, the synod, and the churchwide organization of the Evangelical Lutheran Church in America through contributions of their time, abilities, and financial support as biblical stewards.
- *C8.05. Membership in this congregation shall be terminated by any of the following:
- death;
 - resignation;
 - transfer or release;
 - disciplinary action ~~by the Congregation Council~~ in accordance with Chapter 20 of the constitution and bylaws of the Evangelical Lutheran Church in America; or
 - removal from the roll due to inactivity ~~as defined 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~~ Church has a continuing pastoral concern.

- ~~C8.05.01~~ "Inactivity" as referred to in C8.05e. shall mean that a member of this congregation has not done at least one of the following:
- ~~Participated in services of Holy Communion within the past year according to the records of this congregation; or,~~
 - ~~Made a financial contribution within the past year according to the records of this congregation; or,~~
 - ~~Participated in any activity of any organization of this congregation within the past year; or,~~
 - ~~Requested in writing to continue to be recorded as a member of this congregation.~~

Chapter 9.

PASTORS

ROSTERED MINISTER

- *C9.01. 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 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 Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or a candidate for the roster of ~~ordained ministers~~ Ministers of Word and Sacrament who has been recommended for 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,
- Every ~~ordained minister~~ 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, calling for justice and proclaiming God's love for the world.
 - Each ~~ordained minister~~ pastor with a congregational call shall, within the congregation:

- 1-) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
- 2-) ~~supervise~~ relate to all schools and organizations of this congregation;
- 3-) install regularly elected members of the Congregation Council; ~~and~~
- 4-) with the council, administer discipline-;

- c. ~~Every pastor shall:~~
 1. ~~strive to extend the Kingdom of God in the community, in the nation, and abroad;~~
 2. ~~seek out and encourage qualified persons to prepare for the ministry of the Gospel;~~
 3. ~~impart knowledge of this church and its wider ministry through distribution of its periodicals and other publications; and~~
4. ~~5) 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 Eastern North Dakota 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.

*C9.05.

~~The call of a~~ The provisions for termination of the mutual relationship between a Minister of Word and Sacrament and this congregation shall be as follows:

- a. The call of this congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which, ~~except in the case of the death of the pastor,~~ shall be terminated only by the pastor's death or, following consultation with the synod bishop, for the following reasons:
 - a. ~~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, 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, ~~without reflection on the competence or the moral and spiritual character of the pastor;~~
4. ~~the)~~ physical disability or mental incapacity of the pastor;
5. ~~disqualification~~ suspension of the pastor through discipline on grounds for more than three months;
- 6) resignation or removal of the pastor from the roster of doctrine, morality, or continued neglect Ministers of duty Word and Sacrament of this church;
6. ~~the~~ 7) termination of the relationship between this church and this congregation;
- 8) dissolution of the congregation; or
7. ~~suspension of the this congregation as a result of or the termination of a parish arrangement; or~~
- 9) suspension of this congregation through discipline proceedings for more than six months.
- b. When allegations of physical disability or mental incapacity of the pastor under paragraph a.4) above, or ineffective conduct of the pastoral office under paragraph a.3) above, have come to the attention of the bishop of this synod,
 - 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
 - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of this congregation, the bishop personally shall, investigate such conditions personally in company together with a committee of two ordained rostered ministers and one layperson.
- c. In case of alleged physical disability or mental incapacity, under paragraph a.4) above, the bishop's committee shall obtain and document competent medical testimony shall be obtained. opinion concerning the pastor's condition. When such a disability or incapacity is evident to the

~~committee, the bishop of this synod 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 removal of the~~
~~disability and the restoration of a disabled the 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 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 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 need~~ be taken
by the synod.
- e. 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 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. f. If, in the course of proceedings described in ~~*C9.05, paragraph c. or paragraph d., above,~~ the
bishop's committee concludes that there may be grounds for ~~disciplinary action discipline,~~ the
committee shall make recommendations concerning disciplinary action ~~to the synodical bishop,~~
~~who may bring charges,~~ in accordance with the provisions of this church's constitution ~~and,~~
~~bylaws of the Evangelical Lutheran Church in America and the constitution of this synod, and~~
~~continuing resolutions.~~
- 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 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
~~ordained pastor rostered minister~~ providing assistance shall refrain from exerting influence in the
selection of a pastor. Unless previously agreed upon by the Synod Council, an interim pastor is not
available for a regular call to the congregation served.
- *C9.08. This congregation shall make satisfactory settlement of all financial obligations to a former pastor
before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to
this congregation before beginning service in a call to another congregation or employment in another
ministry ~~setting related to the Evangelical Lutheran Church in America.~~
- *C9.09. When a pastor is called to serve in company with another pastor or pastors, the privileges and
responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted
in consultation involving the pastors, the Congregation Council, and the bishop of the synod. As
occasion requires, the documents may be revised through a similar consultation.
- *C9.11. With the approval of the bishop of the synod, 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.

- *C9.12. The pastor of this congregation:
- shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from this congregation;
 - 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 his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.
- *C9.14. The parochial records of this congregation shall be maintained by the pastor and shall remain the property of this 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 call or approval of labor or the granting by the synod of retired~~ request for change in roster status to the pastor.
- ~~C9.20. Ecumenical pastoral ministry~~
- ~~C9.21~~15. Under special circumstances, subject to the approval of the ~~synodical synod~~ bishop and the concurrence of this congregation, ~~an ordained minister~~ 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 ~~ordained minister~~ pastor in a form proposed by the ~~synodical 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 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:
- Be rooted in the Word of God, for proclamation and service;
 - 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;
 - Speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world, witnessing to the realm of God in the community, the nation, and abroad;
 - Equip the baptized for ministry in God's world that affirms the gifts of all people;
 - Encourage mutual relationships that invite participation and accompaniment of others in God's mission;
 - Practice stewardship that respects God's gift of time, talents, and resources;
 - Be grounded in a gathered community for ongoing diaconal formation;
 - Share knowledge of this church and its wider ministry of the gospel and advocate for the work of all expressions of this church; and
 - Identify and encourage qualified persons to prepare for ministry of the gospel.
- *C9.24. The specific duties of the deacon, compensation, and other matters pertaining to the service of the deacon shall be included in a letter of call, which shall be attested by the bishop of the synod.
- *C9.25. The provisions for termination of the mutual relationship between a Minister of Word and Service and a congregation shall be as follows:
- 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 the following reasons:
 - mutual agreement to terminate the call or the completion of a call for a specific term;
 - resignation of the deacon, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
 - inability to conduct the ministry of Word and Service effectively in this congregation in view of local conditions;

- 4) physical disability or mental incapacity of the deacon;
- 5) suspension of the deacon through discipline for more than three months;
- 6) resignation or removal of the deacon from the roster of Ministers of Word and Service of this church;
- 7) termination of the relationship between this church and this congregation;
- 8) dissolution of this congregation or the termination of a parish arrangement; or
- 9) suspension of this congregation through discipline for more than six months.
- b. When allegations of physical disability or mental incapacity of the deacon under paragraph a.4) above, or ineffective conduct of the office of Minister of Word and Service under paragraph a.3) above, have come to the attention of the bishop of this synod,
 - 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
 - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of this congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
- c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the deacon's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the position vacant. When the position is declared vacant, the Synod Council shall list the deacon on the roster of Ministers of Word and Service with disability status. Upon removal of the disability and the restoration of the deacon to health, the bishop shall take steps to enable the deacon to resume the ministry, either in the congregation last served or in another appropriate call.
- d. In the case of alleged local difficulties that imperil the effective functioning of this congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the deacon and then to this congregation. The recommendations of the bishop's committee must address whether the deacon's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by this congregation and by the deacon, if appropriate. If the deacon and congregation agree to carry out such recommendations, no further action need be taken by the synod.
- e. If either party fails to assent to the recommendations of the bishop's committee concerning the deacon's call, this congregation may dismiss the deacon only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds 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 his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.

Chapter 10.

CONGREGATION MEETING

C10.01. This congregation shall have at least one regular meeting per year. The annual meeting of this congregation shall be held at a time specified in scheduled for the bylaws month of January.

~~C10~~**B10.01.01.**—The In the event the annual meeting must be postponed by reason of this lack of quorum, inclement weather, or other emergency, the congregation council shall be held determine the rescheduled date in the month of January accordance with the provisions outlined in C10.03.

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 thirty-five (35) 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.

~~B10.02.01~~ In the event the special meeting must be postponed by reason of lack of quorum, inclement weather, or other emergency, the congregation council shall determine the rescheduled date in accordance with the provisions outlined in C10.03.

C10.03. Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays and in such publications as the congregation by mail or the pastor may periodically issue, or by written notice electronic means, as permitted by state law, to the all voting members mailed not less than ten 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. Fifty (50) 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 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.

~~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. To the extent permitted by state law, notice of all meetings may be provided electronically.

Chapter 11.

OFFICERS

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

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

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

~~The president, vice president, and secretary:~~ a. Officers of this congregation shall serve similar offices of the Congregation Council and shall be voting members of the Congregation Council.

~~C11~~**B11.01.01.** Duties of Officers

a. The president shall preside over meetings of the Congregation Council and of the congregation unless a majority of those present at the meeting decide otherwise.

b. The vice-president shall preside at the meetings of the Congregation Council and of the congregation in the absence of the president unless a majority of those present at the meeting decides otherwise.

- c. The secretary shall preserve the records of the meetings of the Congregation Council and of the congregation.
- C11.02. The congregation 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.~~
B11.02.01 Their terms shall begin February 1 and end on January 31 except if an annual meeting is postponed, then term of office shall begin at the close of said rescheduled annual meeting.
- 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.
- C11.04. This congregation shall also have a treasurer, farm manager, and financial secretary. The treasurer, farm manager, and financial secretary shall not be members of the Congregation Council. The method of selection of the treasurer, farm manager, and financial secretary, and their duties shall be specified in the bylaws.
- ~~C11~~B11.04.01. A treasurer for this congregation shall be hired and shall be a member of this congregation. The terms of the treasurer's employment shall be determined by the Congregation Council. The treasurer shall have custody of all funds of the congregation. The treasurer shall receive and disburse such funds in accordance with the decisions of the congregation or the Congregation Council. The treasurer shall present a duly audited account of the financial status of the congregation to the annual meeting. The treasurer shall have voice but not vote at the meetings of the Congregation Council.
- ~~C11~~B11.04.02. A financial secretary for this congregation shall be hired. The terms of the financial secretary's employment shall be determined by the Congregation Council. The financial secretary shall maintain records of all contributions and make reports to the Congregation Council and to the members as requested by the Congregation Council.
- ~~C11~~B11.04.03 A farm manager for this congregation shall be hired. The terms of the farm manager's employment shall be determined by the Congregation Council. The farm manager administers the ~~farm land~~farm land owned by the church and makes reports to the Congregation Council as requested by the Congregation Council. The ~~farm land~~farm land shall be administered by the farm manager, who shall report to the Congregation Council on a periodic basis.

Chapter 12.

CONGREGATION COUNCIL

- C12.01. The voting membership of the Congregation council shall consist of the officers of this congregation, and not more than 10 nor fewer than 8 additional members of this congregation. Each of these additional members shall be elected (as specified in C12.02.) and have other assignments as specified in C12.01.01. 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 three (3) 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.
- ~~C12~~B12.01.01 The additional members elected to the Congregation council shall each represent one of the Congregation Council Committees or other organizations of the congregation as deemed necessary by the Congregational Council. In the event that a Congregation Council member assigned to represent a respective Church Committee is unable to attend a Council meeting he or she may designate an alternate from the respective Committee to attend the Council meeting. Said alternate shall have the same voting rights and responsibilities as the Council Board Member.

C12B12.01.02.

Congregation Council Committees and Responsibilities

- a. Christian Education. This committee shall consist of six (6) elected members, along with the Sunday School superintendent ~~and the assistant Sunday School superintendent.~~ This committee shall plan and administer the total educational program for the children, youth and adults of the congregation. It shall determine policies, select necessary personnel and provide the necessary means and facilities for the education program.
- b. Church Property. This committee shall consist of five (5) elected members. In addition, the treasurer and church custodian shall serve as non-voting liaison members. This committee shall have special responsibility for the management and care of all real and physical property owned by the congregation with the exception of the ~~farm land~~ farm land. This Committee's responsibility also pertains to the safety and protection of the congregation and its property. This committee shall make recommendations to and carry out congregation council directives that apply to the physical property.
- c. Congregation and Family Life. This committee shall consist of five (5) elected members, along with the presidents of WELCA and Church Men- as applicable. It shall establish programs to strengthen the spiritual and social fellowship life among our "congregation family" members. New members and their orientation shall be special concerns of this committee.
- d. Evangelism. This committee shall consist of five (5) elected members. It shall plan and execute programs to bring the Gospel to the unchurched of our community and invite them to participate in the life of our congregation. This committee shall also develop programs that encourage a deepening of faith and activity of new and inactive members of this congregation. It shall also promote global mission awareness.
- e. Social Ministry. This committee shall consist of five (5) elected members. It shall seek to involve members in social ministry opportunities such as ministering related to the sick, the aged, charity, compassion and the underprivileged of justice within our congregation and community neighbors, near and far.
- f. Stewardship. This committee shall consist of five (5) elected members. It shall initiate and maintain programs that develop appropriate stewardship of all that God has given to us, including our time, our talents, and our treasures. This committee shall seek to ensure the financial stability of the congregation and its ongoing support of the mission of the church.
- g. Worship and Music. This committee shall consist of five (5) elected members, along with the organists, choir directors, worship coordinator, and pastors. It shall have special responsibility in matters pertaining to the worship life of the congregation. This committee shall promote lay involvement in worship and the music programs of the congregation.
- h. Youth. This committee shall consist of the youth director, five (5) ~~adult members and two (2) youth elected~~ members elected by the Congregational annual meeting and youth as invited by committee. Members of this Committee need to be actively dedicated to helping the youth director and program succeed in its goals and responsibilities. ~~Elected committee members are eligible to serve two consecutive three-year terms.~~

C12B12.01.03.

The members of the Congregation Council Committees shall be elected by written ballot at the annual meeting for three-year terms, and the terms shall be arranged so that there is some continuity on the committee. Each member may serve no more than two (2) consecutive terms. 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 a Congregation Council Committee shall be declared vacant if the member a) ceases to be a voting member of this congregation or b) is absent from three (3) successive regular meetings of the Congregation Council Committee without cause.

C12.02. The members of the Congregation Council ~~except the pastor(s) .the deacon(s).~~ shall be elected at ~~the congregation's annual~~ a legally called meeting by written ballot to serve for three years or until their successors are elected. They shall be elected in such a manner that approximately one third (1/3) of the members are elected each year. Such members shall be eligible to serve no more than two full terms consecutively ~~this congregation during the month of January.~~

B12.02.01 Their ~~term~~term of office shall be for 3 years, with the term of office beginning on February 1 and ending on January 31, except if an annual meeting is postponed, then term of office shall begin at the close of ~~the~~said rescheduled annual meeting. Newly elected Congregation Council members shall be installed at ~~which they are elected~~worship at a time appointed by the Congregation Council.

C12.03. Should a member's place on the Congregation Council be declared vacant, the Congregation Council shall elect by majority vote ~~shall elect~~ a successor until the next annual meeting. Should the unexpired term be one year or less, it shall not be considered in determining eligibility for succession.

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

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

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

- a. The Congregation Council shall be the board of directors of this congregation; and, as such, shall be responsible for maintaining and protecting its property and ~~the management of~~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 North Dakota; 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 three (3) % of the 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 ~~no more than three (3)% of the annual budget without~~anticipated receipts only after approval ~~of by a congregational meeting.~~ Congregation Meeting. The budget shall include this congregation's full indicated share in support of the wider ministry being carried on in ~~partnership~~collaboration with the synod and churchwide organization.
- e. The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of ~~benevolence~~mission support monies to the ~~synodical~~synod treasurer.

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

- ~~C12.05.01.~~ The farm income shall be administered separately by the Congregation Council.
- C12.06. The Congregation Council shall see that the provisions of this constitution and its bylaws and the continuing resolutions are carried out.
- C12.07. The Congregation Council shall provide for an annual review of the membership roster.
- C12.08. The Congregation Council shall be responsible for the employment and supervision of the ~~salaried employees-staff~~ of this congregation.

~~C12.08.01. The Congregation Council may delegate~~ Nothing in this provision shall be deemed to affect this congregation's responsibility for the supervision, call, terms of salaried employees to the pastoral staff, or termination of call of any employees who are on a roster of this church.

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

C12.11. The Congregation Council shall normally meet once a month. 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(s) or interim pastor, except when the pastor(s) 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 pastor(s) 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.~~

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

Chapter 13.

CONGREGATION COMMITTEES

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

~~C13.01.01~~ The Executive Committee will be assigned duties by the Congregation Council.

C13.02. A *Nominating Committee* of ~~six~~ a minimum of four 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 eligible for two (2) consecutive terms.

~~C13.02.01.~~ The Nominating Committee will be responsible for securing candidates for all positions which are elected at the annual meeting.

C13.03. An *Audit Committee* of three voting members shall be ~~appointed annually by~~ elected at the annual meeting for a term of three years. Not more than one member of the Audit Committee shall be a member of the Congregation Council. Audit Committee members shall not be members of the Congregation Council. Members shall be of the Audit Committee are eligible for three (3) re-election, not to exceed two consecutive years-terms.

~~C13.04. A Mutual Ministry Committee of five members, one of which shall be from the Congregation Council, shall be selected by the Executive Committee to provide support and counsel to the pastor(s) and all other persons employed by this congregation. In the organization of the Mutual Ministry Committee, there will be 1, 2, and 3 year terms. The term for each member shall be for three years and terms shall be arranged so that there is some continuity on the committee. Each member may serve no more than two consecutive terms. This committee shall seek to give encouragement by its concern for the spiritual, emotional, and physical well-being of the pastor(s) and all other persons employed by this congregation. It will offer~~

support when personal or pastoral stress is being experienced. It will allow for open communication concerning attitudes and conditions within this congregation.

- C13.04.** Mutual Ministry Committee(s) may be appointed jointly by the president and rostered minister(s). Term of office shall be two years, with three members to be appointed each successive year. In the absence of a mutual ministry committee, the duties shall be tended to by the executive committee.
- C13.05.** When a ~~pastoral~~ vacancy occurs in a position for which this congregation calls a rostered minister, a Call Committee of ~~nine to twelve (9-12)~~ a minimum of seven voting members shall be elected by the Congregation Council. Term of office will terminate upon installation of the newly called ~~pastor(s)~~ rostered minister.
- C13.06.** Other committees of this congregation may be formed, as the need arises, by decision of the Congregation Council.
- C13.07.** Duties of standing committees of this congregation shall be specified in the bylaws ~~and/or~~ continuing resolutions.
- C13.08.** The senior pastor of this congregation shall be ex officio a member of all committees and boards of the congregation.
- C13.09.** Our Savior's Foundation, Inc., is a non-profit corporation, whose board of directors are elected by this congregation.

Chapter 14.

ORGANIZATIONS WITHIN THIS CONGREGATION

- C14.01.** All organizations within this congregation shall exist to aid it in ministering to the members of this congregation and to all persons who can be reached with the Gospel of Christ. As outgrowths and expressions of this congregation's life, the organizations are subject to its oversight and direction. This congregation at its meeting shall determine their policies, guide their activities, and receive reports concerning their membership, work, and finances.
- C14.02.** Special interest groups, other than those of the official organizations of the Evangelical Lutheran Church in America, may be organized only after authorization has been given by the Congregation Council and specified in a continuing resolution.
- C14.03.** Gifts and bequests of money and property to this congregation for its care and stewardship for other than normally budgeted operating expenses may be received and administered by Our Savior's Foundation, Inc. (a non-profit corporation whose board of directors are elected by this congregation).

Chapter 15.

DISCIPLINE OF MEMBERS AND ADJUDICATION

- *C15.01.** ~~Denial~~ 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, ~~or persistent trouble making in continual and intentional interference with the ministry of this congregation, or willful and repeated harassment or defamation of member(s) of this congregation~~ are ~~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, ~~and c) citation to appear before~~ 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, ~~the president (if not the those steps may be performed by another pastor) or vice president shall administer such admonitions 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 discipline against a member proceeds beyond the counseling, censure, and admonition by the pastor 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 ~~shall~~ may 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 the Congregation Council.~~

~~signed, and submitted to the vice president of the need to issue a written citation to the accused and the accusers that specifies the time and place synod. The vice president shall select from the synod's Consultation Committee a panel of five members (three laypersons and two ministers of Word and Sacrament). A copy of the hearing before the Congregation Council. The written charges shall accompany the written citation be provided to the consultation panel and the accused. A member charged with the offense shall appear before the Congregation Council(s). The consultation panel, after having received requesting a written citation, at least 10 days prior reply to the meeting. If the member charged with the offense fails 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 appear at the scheduled hearing, the Congregation Council may proceed with the hearing and may pass judgment in the member's absence reach a mutually agreeable resolution shall continue for no more than 45 days after the matter is submitted to it.~~

~~*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;~~

~~*C15.03. If the consultation panel fails to resolve the matter, that panel shall refer the case in writing, including the written charges and the accused member's reply, to the Committee on Discipline of the synod for a hearing. A copy of the panel's written referral shall be delivered to the vice president of the synod, the Congregation Council, and the accused member(s) at the same time it is sent to the Committee on Discipline of the synod. The Executive Committee of the Synod Council shall then select six members from the Committee on Discipline to decide the case and shall appoint a member of the Synod Council to preside as nonvoting chair. Those six members, plus the nonvoting chair, comprise the discipline hearing panel for deciding the case. The Congregation Council and the accused member(s) are the parties to the case.~~

~~*C15.04. The discipline hearing panel shall commence and conduct the disciplinary hearing in accordance with the provisions governing discipline of congregation members prescribed in the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America.~~

~~*C15.05. By the vote of at least two-thirds of the members of the discipline hearing panel who are present and voting, one of the following disciplinary sanctions can be imposed:~~

- ~~a. suspension from the privileges of congregation membership for a defined designated period of time; or~~
 - ~~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. exclusion from termination of membership in this congregation; or~~
- ~~Disciplinary actions~~
- ~~d. termination of membership in this congregation and exclusion from the church property and from all congregation activities.~~

~~*C15.06. e. The written decision of the discipline hearing panel shall be delivered sent to the vice president of the synod, the accused member in writing.~~

~~*C15.04. The member against whom disciplinary action has been taken by(s), and the Congregation Council shall have the right to appeal the decision to the Synod Council. Such right may not be abridged and the as required by the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America. The decision of the Synod Council discipline hearing panel shall be final.~~

~~*C15.05. Disciplinary actions may be reconsidered and revoked implemented by the Congregation Council upon receipt of a) evidence that injustice has been done or b) evidence of repentance and amendment and recorded in the minutes of the next council meeting.~~

~~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 this congregation shall be subject to discipline a second time for offenses that the Congregation Council a discipline hearing panel has heard previously heard and decided, unless so ordered by the Synod Council after an appeal pursuant to this chapter.

*C15.10. **Adjudication**

*C15.11. When there is a disagreement between or among factions within this congregation on a substantive issue thatwhich cannot be resolved by the parties, members of this congregation shall have access tomay petition the synod~~synod~~ bishop for consultation after informing the chair~~president~~ of the Congregation Councilthis 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 §14.18.d. In all other matters, if the bishop's consultation fails to resolve the issue(s), the, the bishop shall refer the matter to the Consultation Committee of the synod shall consider the matter, which shall undertake efforts to find an appropriate solution. If the Consultation Committee of the synod shall Committee's efforts fail to resolve the issue(s), dispute, the entire matter shall be referred to the Synod Council, whose for adjudication by whatever process the Council deems necessary. The Synod Council's decision shall be final.

Chapter 16.

~~*C16.01.~~ This congregation may adopt bylaws.

~~*C16.02.~~ Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a majority vote of those voting members present and voting.

~~*C16.03.~~ Changes to the bylaws may be proposed by any voting member provided, however, that such additions of 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

~~*C16.01.~~ Unless provision *C16.04. 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 thirty (30) 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 its~~a~~ regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify this congregation's members by mail 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.

~~*C17~~*C16.02. An amendment to this constitution, proposed under ~~*C17~~*C16.01., shall:

- be approved at any legally called Congregation Meeting according to~~meeting of~~ this constitution~~congregation~~ by a majority vote of those voting members present and voting;
- be ratified without change at the next annual~~regular~~ meeting of this congregation held pursuant to C10.01 by a two-thirds majority~~vote~~ of those voting members present and voting; and
- have the effective date included in the resolution~~resolution~~ and noted in the constitution.¹

~~*C17~~*C16.03. Any amendments to this constitution that result from the processes provided in ~~*C17~~*C16.01. and ~~*C17~~*C16.02. shall be sent by the secretary of this congregation to the synod. The amendments~~synod~~

¹ Such an effective date must be stated in relation to the requirements of *C16.03. to allow time for synodical review of the amendment.

shall ~~become effective within 120 days from~~ notify this congregation of its decision to approve or disapprove the ~~date of proposed changes; the receipt of the notice by the synod unless the synod informs this congregation changes shall go into effect upon notification that the amendment is in conflict~~ synod has approved them.

~~*C16.04. This constitution may be amended to bring any section into conformity with the constitution and bylaws a section or sections, either required or not required, of the *Model Constitution for Congregations of the Evangelical Lutheran Church in America* or the constitution of the Eastern North Dakota Synod of the ELCA.~~

~~*C17.04. Whenever the *Model Constitution for Congregations* is as most recently amended by the Churchwide Assembly, this constitution. Such amendments may be amended to incorporate any such amendment approved by a simple majority vote of those voting members present and voting at any subsequent 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 a vote of approval.~~

Chapter 17. **BYLAWS**

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

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

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

~~*C17.04. Adopted or amended bylaws shall be sent by the secretary of this congregation to the synod.~~

Chapter 18. **CONTINUING RESOLUTIONS**

~~*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. **INDEMNIFICATION**

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

Chapter 20. **PARISH AUTHORIZATION**

- *C20.01.** This congregation may unite ~~in partnership~~ with one or more other congregations recognized by the synod named in *C6.01. to form a parish. Except as provided in *C20.02. and *C20.03., a written agreement, developed in consultation with the synod and approved by the voting members of each congregation participating in the parish, shall specify the powers and responsibilities that have been delegated to ~~a Parish Council~~ the Parish 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.** ~~Whenever a letter of call is being recommended for extension to an ordained minister of the Evangelical Lutheran Church in America or a candidate for the roster of ordained ministers who has been recommended to the~~ One congregation by the synodical 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 letter of. Such a call shall be first approved prior to issuance by a two-thirds vote at a congregational meeting of each of the congregations ~~congregation~~ forming the parish. If any congregation of the parish should fail to approve ~~extending this the call,~~ the other ~~congregation(s) in~~ 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 congregational meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.
- *C20.04.** Any one of the congregations of the parish may terminate their relationship with the pastor as provided in †S14.18.d. of the 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.
- *C20.0305.** Any one of the congregations of the parish may terminate the call their relationship with a minister of a pastor Word and Service as provided in †S14.1343.d. of the synodical 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 arrangement 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.