

Constitution, Bylaws and Continuing Resolutions

**St. Luke's Lutheran Church
300 Carroll Street
Waukesha, WI 53186**

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**Reviewed and approved by council
for congregational adoption**

**INCORPORATED
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TABLE OF CONTENTS

Chapter 1.....	3
NAME AND INCORPORATION	3
Chapter 2.....	3
CONFESSION OF FAITH.....	3
Chapter 3.....	3
NATURE OF THE CHURCH	3
Chapter 4.....	4
STATEMENT OF PURPOSE	4
Chapter 5.....	5
POWERS OF THE CONGREGATION.....	5
Chapter 6.....	5
CHURCH AFFILIATION	5
Chapter 7.....	7
PROPERTY OWNERSHIP	7
Chapter 8.....	7
MEMBERSHIP	7
Chapter 9.....	9
ROSTERED MINISTER.....	9
Chapter 10.....	12
CONGREGATION MEETING	12
Chapter 11.....	13
OFFICERS.....	13
Chapter 12.....	14
CONGREGATION COUNCIL.....	14
Chapter 13.....	16
CONGREGATION COMMITTEES	16
Chapter 14.....	22
ORGANIZATIONS WITHIN THE CONGREGATION.....	22
Chapter 15.....	22
DISCIPLINE OF MEMBERS AND ADJUDICATION.....	22
Chapter 16.....	23
AMENDMENTS.....	23

Chapter 17.....	24
BYLAWS.....	24
Chapter 18.....	24
CONTINUING RESOLUTIONS	24
Chapter 19.....	24
INDEMNIFICATION.....	24

***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 St. Luke's Lutheran Church.
- C1.02.** For the purpose of this constitution and the accompanying bylaws, the congregation of St. Luke's Lutheran Church is hereinafter designated as "this congregation."
- C1.11.** This congregation shall be incorporated under the laws of the State of Wisconsin.

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.** 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

* Required provision

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 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.
- *C4.05. This congregation shall 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:
 - a. call a pastor as provided in Chapter 9;
 - b. terminate the call of a pastor as provided in Chapter 9;
 - c. call a minister of Word and Service;
 - d. terminate the call of a minister of Word and Service in conformity with the constitution of the Evangelical Lutheran Church in America;
 - e. adopt amendments to the constitution, as provided in Chapter 16, amendments to the bylaws, as specified in Chapter 17, and continuing resolutions, as provided in Chapter 18;
 - f. approve the annual budget;
 - g. acquire real and personal property by gift, devise, purchase, or other lawful means;
 - h. hold title to and use its property for any and all activities consistent with its purpose;
 - i. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
 - j. elect its Congregation Council and require the members of the council to carry out their duties in accordance with the constitution, bylaws, and continuing resolutions; and
 - k. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.
- *C5.04. This congregation shall 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 Greater Milwaukee Synod of the Evangelical Lutheran Church in America.
- C5.05. This congregation shall have a mission endowment fund that will operate as specified in this congregation's bylaws. 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 Greater Milwaukee Synod of the Evangelical Lutheran Church in America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America.
- *C6.02. This congregation accepts the Confession of Faith and agrees to the purposes of the Evangelical Lutheran Church in America and shall act in accordance with them.
- *C6.03. This congregation acknowledges its relationship with the Evangelical Lutheran Church in America in which:
 - a. This congregation agrees to be responsible for its life as a Christian community.
 - b. This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.
 - c. This congregation agrees to call pastoral leadership from the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod. These special circumstances are limited either to calling a candidate approved for the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or to contracting for pastoral services with a minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion.
 - d. This congregation agrees to consider ministers of Word and Service for call to other staff positions in 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 is 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 Greater Milwaukee Synod 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 intent to terminate its relationship must be adopted at two legally called and conducted special meetings of this congregation by a two-thirds vote of the voting members present at each meeting. The first such meeting may be held no sooner than 30 days after written notice of the meeting is received by the bishop of the synod, during which time this congregation shall consult with the bishop and the bishop's designees, if any. The times and manner of the consultation shall be determined by the bishop in consultation with the Congregation Council. Unless 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. Within 10 days after the resolution has been voted upon at the first meeting, the secretary of this congregation shall submit a copy of the resolution to the bishop, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, and shall send copies of the resolution and certification to voting members of this congregation.
 - c. If the resolution was adopted by a two-thirds vote of the voting members present at the first meeting, the bishop of the synod and this congregation shall continue in consultation, as specified in paragraph a. above, during a period of at least 90 days after receipt by the bishop of the attestation and certification as specified in paragraph b. above.
 - d. If this congregation, after such consultation, is still considering termination of its relationship with this church, such action may be taken at a legally called and conducted special meeting by a two-thirds vote of the voting members present. Notice of the second meeting shall be sent to all voting members and to the bishop at least 10 days in advance of the meeting. Unless 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. 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 Synod Council approval before terminating their membership in this church.
 - 2) Congregations which had been members of the Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in *C6.05., to receive synod approval before terminating their membership in this church.
 - 3) Congregations established by the Evangelical Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in *C6.05., to satisfy all financial obligations to this church and receive Synod Council approval before terminating their membership in this church.

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

**Chapter 7.
PROPERTY OWNERSHIP**

- *C7.01. If this congregation ceases to exist, title to undisposed property shall pass to the Greater Milwaukee 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 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 Greater Milwaukee Synod.
- *C7.04. If the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to become independent or relate to a non-Lutheran church body and have followed the process for termination of relationship in *C6.05., title to property of this congregation shall continue to reside in this congregation only with the consent of the Synod Council. The Synod Council, after consultation with this congregation by the process established by the synod, may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of this congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America. In neither case does title to this congregation's property transfer to the synod
- *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 Greater Milwaukee Synod—reconvey and transfer all right, title, and interest in the property to the synod.

**Chapter 8.
MEMBERSHIP**

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

- c. **Voting** members are confirmed members. Such confirmed members, during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of 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, including exercising limited voting rights in this congregation. The Congregation Council may grant seasonal membership to such persons provided that this congregation is a member of a synod where the Synod Council has approved seasonal member voting on its territory. Such seasonal members shall have all the privileges and duties of voting members except that:
 - 1) they shall not be eligible for elected office in, or for membership on the Congregation Council or on a call committee of, this congregation;
 - 2) they shall not have the right to vote on any matter concerning or affecting the call or termination of call of any minister of this congregation;
 - 3) they shall not have the right to vote on any matter concerning or affecting the affiliation of this congregation with this church;
 - 4) they shall not be eligible to serve as voting members from this congregation of the Synod Assembly or the Churchwide Assembly;
 - 5) they shall not, even if otherwise permitted by this congregation, vote by proxy or by absentee ballot; and
 - 6) they shall not, within any two calendar month period, exercise voting rights in this congregation and in the congregation where they remain voting members.
- *C8.03.** All applications for confirmed membership shall be submitted to and shall require the approval of the Congregation Council.
- *C8.04.** It shall be the privilege and duty of members of this congregation to:
- a. make regular use of the means of grace, both Word and sacraments;
 - b. live a Christian life in accordance with the Word of God and the teachings of the Lutheran church; and
 - c. support the work of this congregation, the synod, and the churchwide organization of the Evangelical Lutheran Church in America through contributions of their time, abilities, and financial support as biblical stewards.
- *C8.05.** Membership in this congregation shall be terminated by any of the following:
- a. death;
 - b. resignation;
 - c. transfer or release;
 - d. disciplinary action in accordance with Chapter 20 of the constitution and bylaws of the Evangelical Lutheran Church in America; or
 - e. removal from the roll due to inactivity in accordance with the provisions of this constitution and its bylaws.
- Such persons who have been removed from the roll of members shall remain persons for whom the Church has a continuing pastoral concern.
- C8.05.01** The Congregation Council may terminate a person's membership in this congregation if in the immediately preceding three year period such person has neither 1) communed nor 2) financially contributed to this congregation according to the records of this congregation.

Chapter 9.
ROSTERED MINISTER

- *C9.01.** Authority to call a pastor shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by the Congregation Council to recommend the call, shall seek the advice and help of the bishop of the synod.
- *C9.02.** Only a member of the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of Word and Sacrament who has been recommended for this congregation by the 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,
- a. Every minister of Word and Sacrament shall:
 - 1) preach the Word;
 - 2) administer the sacraments;
 - 3) conduct public worship;
 - 4) provide pastoral care;
 - 5) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
 - 6) impart knowledge of this church and its wider ministry through available channels of effective communication;
 - 7) witness to the Kingdom of God in the community, in the nation, and abroad; and
 - 8) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.
 - b. Each pastor with a congregational call shall, within the congregation:
 - 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
 - 2) relate to all schools and organizations of this congregation;
 - 3) install regularly elected members of the Congregation Council;
 - 4) with the council, administer discipline;
 - 5) endeavor to increase the support given by the congregation to the work of the churchwide organization and of the Greater Milwaukee Synod; and
 - 6) encourage adherence to covenantal relationship with this church as expressed in the *Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.
- *C9.04.** The specific duties of the pastor, compensation, and other matters pertaining to the service of the pastor shall be included in a letter of call, which shall be attested by the bishop of the synod.
- *C9.05.** The provisions for termination of the mutual relationship between a minister of Word and Sacrament and this congregation shall be as follows:
- a. The call of this congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by the pastor's death or, following consultation with the synod bishop, for the following reasons:
 - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the pastor, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
 - 3) inability to conduct the pastoral office effectively in this congregation in view of local conditions;
 - 4) physical disability or mental incapacity of the pastor;
 - 5) suspension of the pastor through discipline for more than three months;
 - 6) resignation or removal of the pastor from the roster of Ministers of Word and Sacrament of this church;
 - 7) termination of the relationship between this church and 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 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 together with a committee of two rostered ministers and one layperson.
- c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the pastor's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the pastorate vacant. When the pastorate is declared vacant, the Synod Council shall list the pastor on the roster of Ministers of Word and Sacrament with disability status. Upon removal of the disability and the restoration of the pastor to health, the bishop shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call.
 - d. In the case of alleged local difficulties that imperil the effective functioning of this congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the pastor and then to this congregation. The recommendations of the bishop's committee must address whether the pastor's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by this congregation and by the pastor, if appropriate. If the pastor and congregation agree to carry out such recommendations, no further action need be taken by the synod.
 - e. If either party fails to assent to the recommendations of the bishop's committee concerning the pastor's call, this congregation may dismiss the pastor only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
 - f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.
- *C9.06.** At a time of pastoral vacancy, an interim pastor shall be appointed by the bishop of the synod with the consent of this congregation or the Congregation Council.
- *C9.07.** During the period of service, an interim pastor shall have the rights and duties in this congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or Congregation Council. The interim pastor and any rostered minister providing assistance shall refrain from exerting influence in the selection of a pastor. Unless previously agreed upon by the Synod Council, an interim pastor is not available for a regular call to the congregation served.
- *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.
- *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:
- a. shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from this congregation;
 - b. shall submit a summary of such statistics annually to the synod; and
 - c. shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.
- *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 call or approval of a request for change in roster status.
- C9.15.** Under special circumstances, subject to the approval of the synod bishop and the concurrence of this congregation, a minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion may serve temporarily as pastor of this congregation under a contract between this congregation and the pastor in a form proposed by the synod bishop and approved by this congregation.
- *C9.21.** Authority to call a deacon shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by the Congregation Council to recommend the call, shall seek the advice and help of the bishop of the synod.
- *C9.22.** Only a member of the roster of Ministers of Word and Service of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of Word and Service who has been recommended for this congregation by the synod bishop may be called as a deacon of this congregation.
- *C9.23.** Consistent with the faith and practice of the Evangelical Lutheran Church in America, every minister of Word and Service shall:
- a. Be rooted in the Word of God, for proclamation and service;
 - b. Advocate a prophetic diakonia that commits itself to risk-taking and innovative service on the frontiers of the Church's outreach, giving particular attention to the suffering places in God's world;
 - c. Speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world, witnessing to the realm of God in the community, the nation, and abroad;
 - d. Equip the baptized for ministry in God's world that affirms the gifts of all people;
 - e. Encourage mutual relationships that invite participation and accompaniment of others in God's mission;
 - f. Practice stewardship that respects God's gift of time, talents, and resources;
 - g. Be grounded in a gathered community for ongoing diaconal formation;
 - h. Share knowledge of this church and its wider ministry of the gospel and advocate for the work of all expressions of this church; and
 - i. Identify and encourage qualified persons to prepare for ministry of the gospel.
- *C9.24.** The specific duties of the deacon, compensation, and other matters pertaining to the service of the deacon shall be included in a letter of call, which shall be attested by the bishop of the synod.
- *C9.25.** The provisions for termination of the mutual relationship between a minister of Word and Service and this congregation shall be as follows:
- a. The call of this congregation, when accepted by a deacon, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by the deacon's death or, following consultation with the synod bishop, for the following reasons:
 - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the deacon, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
 - 3) inability to conduct the ministry of Word and Service effectively in this congregation in view of local conditions;
 - 4) physical disability or mental incapacity of the deacon;
 - 5) suspension of the deacon through discipline for more than three months;
 - 6) resignation or removal of the deacon from the roster of Ministers of Word and Service of this church;
 - 7) termination of the relationship between this church and this congregation;
 - 8) dissolution of this congregation or the termination of a parish arrangement; or
 - 9) suspension of this congregation through discipline for more than six months.
 - b. When allegations of physical disability or mental incapacity of the deacon under paragraph a.4) above, or ineffective conduct of the office of minister of Word and Service under paragraph a.3) above, have come to the attention of the bishop of this synod,
 - 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or

- 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of this congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
 - c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the deacon's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the position vacant. When the position is declared vacant, the Synod Council shall list the deacon on the roster of Ministers of Word and Service 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.** The annual meeting of this congregation shall be held at a time specified in the bylaws.
- C10.01.01** The annual meeting of this congregation will be held on or before the last Sunday in February at the discretion of the Congregation Council. The congregation will be given no less than a 30-day notice prior to the meeting.

- C10.01.02** The agenda of the annual meeting shall include:
- a. Call to order
 - b. Opening devotions
 - c. Approval of minutes
 - d. Report of the Nominating Committee
 - e. Elections for Congregation Council
 - f. Financial report
 - g. Review of annual committee reports
 - h. Approval of annual spending plan
 - i. New business
 - j. Adjournment
 - k. Closing prayer
- 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 50 voting members. The call for each special meeting shall specify the purpose for which it is to be held and no other business shall be transacted.
- C10.03.** Copies of all congregational meeting notices 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. Electronic notice of meetings may be provided in addition to notice by regular mail.
- C10.04.** A quorum at a congregational meeting shall consist of 40 voting members who are present in person.
- 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.** Upon the occurrence, and for the duration, of any "emergency" as that term is defined in Wisconsin Statutes § 181.0207(1) 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, secretary, and treasurer. Officers of the Congregation Council serve as officers of this congregation.
- a. The Congregation Council elects its officers from the elected membership of the Congregation Council at the first regularly called meeting of the Congregation Council following the annual meeting.
 - b. Duties of the officers shall be specified in the bylaws.
- C11.01.01** The president shall preside at all meetings of this congregation and the Congregation Council.
- C11.01.02** In the event the president is unable to preside at a meeting of this congregation or Congregation Council the vice president shall preside.
- C11.01.03** The vice president shall serve *ex officio* to the Endowment Committee.
- C11.01.04** The secretary shall keep accurate minutes of all meetings of this congregation and Congregation Council, which shall be preserved in this congregation's archives.
- C11.01.05** The treasurer, in concert with the Finance Committee, shall keep accurate accounting of all finances of this congregation including the recordings of all receipts and disbursements, and monthly remittance of benevolence to the treasure of the Greater Milwaukee Synod. The treasurer shall provide a written report of the finances of this congregation to the Congregation Council monthly and to this congregation through the annual report. The treasurer shall also serve *ex officio* to the Finance Committee.
- C11.02.** Officers shall be elected by written ballot and shall serve one-year terms or until new officers are elected. Terms shall begin at the conclusion of the meeting at which they are elected.
- C11.03.** An officer shall hold no more than one office at a time.

Chapter 12.

CONGREGATION COUNCIL

- C12.01.** The voting membership of the Congregation Council shall consist of the pastor(s) and not more than 12 members of this congregation. Any voting member of this congregation may be elected, subject only to the limitation on the length of continuous service permitted in that office.
- C12.01.01** Members of the Congregation Council shall serve a three-year term.
- C12.01.02** A member of the Congregation Council may serve two consecutive terms, after which a period of one year shall pass before he/she is eligible to serve another term.
- C12.02.** 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. Partial terms filled by appointment do not count toward term limits.
- C12.03.** The Congregation Council shall have general oversight of the life and activities of this congregation, and in particular its worship life, to the end that everything be done in accordance with the Word of God and the faith and practice of the Evangelical Lutheran Church in America. The duties of the Congregation Council shall include the following:
- a. To lead this congregation in stating its mission, to do long-range planning, to set goals and priorities, and to evaluate its activities in light of its mission and goals.
 - b. To seek to involve all members of this congregation in worship, learning, witness, service, and support.
 - c. To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.
 - d. To maintain supportive relationships with the pastor(s) and staff.
 - e. To help pastors annually evaluate the fulfillment of their calling or employment.
 - f. To be examples individually and corporately of the style of life and ministry expected of all baptized persons.
 - g. To promote a congregational climate of peace and goodwill, and, as differences and conflicts arise, to endeavor to foster mutual understanding.
 - h. To arrange for pastoral service during the sickness or absence of a pastor.
 - i. To emphasize partnership with the synod and churchwide organization of the Evangelical Lutheran Church in America as well as cooperation with other congregations, both Lutheran and non-Lutheran, subject to established policies of the synod and the Evangelical Lutheran Church in America.
 - j. To recommend and encourage the use of program resources produced or approved by the Evangelical Lutheran Church in America.
 - k. To seek out and encourage qualified persons to prepare for the ministry of the Gospel.
- C12.04.** 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 Wisconsin, 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 shall prepare an annual spending plan for adoption by this congregation and shall supervise the expenditure of funds in accordance therewith following its adoption. The annual spending plan 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.
 - d. The Congregation Council may enter into contracts of up to 5% of anticipated receipts for items not included in the annual spending plan.
 - e. The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the prompt payment of all obligations, and to the regular forwarding of benevolence monies to the synodical treasurer.
 - f. The Congregation Council shall be responsible for this congregation's investments and its total insurance program.
- C12.04.B19** The following guides leaders as they enter into contracts on behalf of this church:

- a. For the sake of the guidelines contained in this continuing resolution, a contract shall be considered a legal agreement, between St. Luke's Lutheran Church and at least one additional company, which involves doing work for a stated sum of money. Further, a purchase shall be considered a singular (i.e - not an automatic renewal) act of buying goods and services that a company needs to operate without need to enter into contract.
 - b. Contracts are to be reviewed by a designee from the Finance Committee. Signed contracts shall be kept within a binder in a fire-proof safe along with, where applicable, corresponding certificates of insurance and/or lien waivers. Any contract for greater than \$5,000 is to be digitized and stored on a permanent cloud server. Original, signed contracts, whether in physical or electronic form, must be turned into the financial administrator within seventy-two hours of signature. Such contracts that are valued at greater than \$5,000 shall be copied and shared with the Executive Committee.
 - c. The contracts binder shall contain the following five documents: St. Luke's Lutheran Church Terms and Conditions, St. Luke's Lutheran Church Contractor General Conditions, Contracting Risks, Certificate of Insurance Requirements, and Insurance Waivers. These documents shall serve as reference points for those empowered to review and sign contracts.
 - d. A contract that can wait fourteen days for signature is to be given to the Executive Committee for signature. Two officers of this congregation are to sign contracts involving total expenses or liabilities totaling more than \$5,000. The senior pastor, the associate pastor, the director of Child Life Ministries, or the director of music may sign a contract with total expenses or liabilities under \$1,000. The chair of the facilities and maintenance Committee, the chairperson of the finance committee, or the designee of the finance committee may sign a contract with \$1,000 to \$5,000 of liabilities and expenses when that contract must be signed in fewer than fourteen days.
 - e. Prior to final payments on a contract, the Financial Administrator shall obtain lien waivers.
- C12.05** The Congregation Council shall see that the provisions of this constitution and bylaws are carried out.
- C12.06.** The Congregation Council shall provide for an annual review of the membership roster of this congregation.
- C12.07.** The Congregation Council shall be responsible for the employment and supervision of the staff of this congregation. The senior pastor is empowered to act on the Council's behalf to retain, hire, or terminate any non-rostered staff member. Nothing in this provision shall be deemed to affect this congregation's responsibility for the call, terms of call, or termination of call of any employees who are on a roster of this congregation.
- C12.08.** The Congregation Council shall submit a comprehensive report to this congregation at the annual meeting.
- C12.08.01** The chairperson or leader of each auxiliary organization, committee, or ministry team shall submit a brief report of the activities to be included in the annual report.
- C12.08.02** Organizations within this congregation that hold a checking account, savings account, or cash, independent from the financial statements of this congregation shall render a financial report to be included in the annual report.
- C12.09.** The Congregation Council shall normally meet once a month. Special meetings may be called by the senior pastor or the president. Special meetings may also be called by the president at the request of at least one-half of the Council's members. Notice of each special meeting shall be given to all who are entitled to be present.
- C12.10.** A quorum for the transaction of business shall consist of a majority of the members of the Congregation Council, and must include the pastor(s) and/or interim pastor(s), except when the pastor(s) and/or interim pastor(s) requests or consents to be absent and have 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) and/or interim pastor(s) who has refused approval of the agenda of a subsequent regular or special meeting shall not preclude action by the Congregation Council, following consultation with the synodical bishop.
- C12.11** A member's place on the Congregation Council shall be declared vacant if the member a) ceases to be a voting member of this congregation or b) is absent from four successive regular meetings of the Congregation Council without cause. Consistent with the laws of the state in which this congregation is incorporated, this congregation may adopt procedures for the removal of a member of the Congregation Council in other circumstances.

Chapter 13.

CONGREGATION COMMITTEES

- C13.01.** The following are standing committees of the Congregation Council:
- a. Executive Committee
 - b. Worship Committee
 - c. Youth Life Ministries Committee
 - d. Family Life Ministries Committee
 - e. Child Life Ministries Committee
 - f. Serving Life Ministries Committee
 - g. Mutual Ministry Committee
 - h. Personnel Committee
 - i. Endowment Committee
 - j. Finance Committee
 - k. Stewardship Committee
 - l. Facilities and Maintenance Committee
 - m. Nominating Committee
- C13.02 The Congregation Council may create ad hoc committees to serve this congregation.
- C13.03 The senior pastor, and/or his/her designee, and the president of this congregation, and/or his/her designee, are ex officio members with voice and vote on all committees, excepted as otherwise stated.
- C13.04 The Congregation Council appoints voting members to positions on all committees at its February meeting. Committee member terms begin March 1 of each year.
- C13.05 Unless otherwise noted, committee members must be voting members of this congregation.
- C13.06 A committee may, at its discretion, appoint up to two additional members for consultation beyond those required by the bylaws. Consultation members shall have voice but not vote.
- C13.07 Committee members may serve up to two consecutive terms. After a lapse of one year, former committee members may be eligible for reelection to committees on which they have previously served. Serving as a consultation member may count as a lapse year between terms.
- C13.08 The presence of a majority of a committee's membership shall constitute a quorum for all committees. Vacant positions are not counted in a committee's total membership for the sake of figuring a quorum.
- C13.09 The Congregation Council fills vacancies on all committees by appointment. Partial terms filled by appointment do not count toward term limits.
- C13.10 Each Committee appoints a chair to convene and lead meetings, a vice-chair who serves in the chair's absence, and a secretary who submits to the Congregation Council minutes of each meeting.
- C13.11 All committees of the Congregation Council report to, receive direction from, and are guided by the Congregation Council.
- C13.12 All committees of the Congregation Council submit an annual report to this congregation.
- C13.13 Members of committees may participate, at the discretion of a committee's chair, in a committee's meeting by means of teleconference, video conference, or similar communication that allows all persons participating in the meeting to hear each other at the same time. Participation by such means shall constitute presence in person at that particular meeting and shall be counted as a participant for the purpose of establishing a quorum.
- C13.14 The bylaws of this congregation define, constitute, assign duties, and provide other structure to standing committees.
- C13.14.01 The **Executive Committee** consists of the senior pastor who is an ex officio member with voice and vote, and/or his/her designee; the officers of this congregation; and the immediate past president of the Congregation Council.
- C13.14.02 The **Executive Committee** shall:
- a. Convene between Congregation Council meetings to prepare for Council meetings and plan agendas.
 - b. Meet only when the president or vice president, the senior pastor, along with at least one other committee member, to bring the total to three or more, are present.
 - c. Serve as leaders among leaders: work together to lead other leaders toward aligned purposes and strategies.
 - d. Report actions taken to the Congregation Council.
 - e. Serve as a consultation team for the senior pastor.

- f. Work on strategies and priorities.
 - g. Consider and act on behalf of the Congregation Council on personnel matters when necessary.
- C13.14.03 The **Worship Life Committee** consists of the senior pastor who is an ex officio member with voice and vote, and/or his/her designee; the president of this congregation who is an ex officio member with voice and vote, and/or his/her designee; the Director of Music; and six members of this congregation. Two members shall be appointed each year. Members of this committee serve a three-year term and may succeed themselves.
- C13.14.04 The **Worship Life Committee** shall:
- a. Assist the pastor(s) and the Director of Music to create meaningful worship experiences.
 - b. Assist in planning for seasonal activities.
 - c. With the pastor(s), oversee the aesthetics of worship and worship spaces.
 - d. With the pastor(s), oversee the altar guild.
 - e. Assist with training and scheduling of volunteer worship leaders.
 - f. Raise up volunteers for serving.
- C13.14.05 The **Youth Life Ministries Committee** consists of the senior pastor who is an ex officio member with voice and vote, and/or his/her designee; the president of this congregation who is an ex officio member with voice and vote, and/or his/her designee; the Youth and Family Director; and four other members consisting of three adults and one youth.
- a. Adult members of this committee serve a two-year term, with terms being staggered, so as to not elect the whole committee in a one year.
 - b. The youth member shall be appointed to serve a one-year term.
- C13.14.06 The **Youth Life Ministries Committee** shall:
- a. Work with staff to provide programming for youth and families: Discipleship Training, high school youth group, summer trips, and Bible camp promotion.
 - b. Be ambassadors of St. Luke's ministries to youth and families, advertising and talking about planned activities while inviting people into participation.
 - c. Recruit and train volunteers to serve as ministry partners who chaperone youth activities while engaging youth and families in meaningful ways.
 - d. Ensure that all activities actively encourage youth and families toward faith formation.
 - e. Encourage cross-generational attitudes and activities.
- C13.14.07 The **Family Life Ministries Committee** consists of the senior pastor who is an ex officio member with voice and vote, and/or his/her designee; the president of this congregation who is an ex officio member with voice and vote, and/or his/her designee; the Youth and Family Director; and four other adult members. Members of this committee serve a two-year term, with terms being staggered so as to not elect the entire committee in one year.
- C13.14.08 The **Family Life Ministries Committee** shall:
- a. Work with staff to provide programming for children and families: Sunday School, Vacation Bible School, youth choir support, Bible camp promotion, and communion education.
 - b. Be ambassadors of St. Luke's ministries to children and families, advertising and talking about planned activities while inviting people into participation.
 - c. Recruit and train volunteers to serve as ministry partners who chaperone activities while engaging children and families in meaningful ways.
 - d. Ensure that all activities actively encourage children and families toward faith formation.
 - e. Encourage cross-generational attitudes and activities.
- C13.14.09 The **Child Life Ministries (CLM) Committee**, also known as the CLM Advisory Board, consists of the CLM Director; Preschool Administrator; the senior pastor who is an ex officio member with voice and vote, and/or his/her designee; the president of this congregation who is an ex officio member with voice and vote, and/or his/her designee; and nine other members.
- a. One committee member shall be a member of the Congregation Council, appointed by the Congregation Council to serve a one-year term. The Congregation Council member is eligible to serve three consecutive terms on the committee.
 - b. Four members of this committee shall be voting members of this congregation who serve a three-year term and are eligible to serve two consecutive terms.
 - c. Four members of this committee shall be parent representatives. Parent representatives serve a two-year term and are eligible to serve three consecutive terms. Parent representatives not members of this congregation are granted both voice and vote on this committee.

- d. The CLM Director shall select people from the committee to serve as chair, vice-chair, and secretary.
 - 1) The chair shall:
 - i. Set dates for general meetings and events.
 - ii. Prepare and disseminate agendas for meetings.
 - iii. Preside at meetings.
 - iv. Assist in the coordination of events in conjunction with the CLM Director.
 - 2) The vice-chair shall:
 - i. Perform the duties of the chair in the absence of the chair.
 - ii. Perform all duties assigned by the chair or the committee.
 - iii. Assist the chair in performing functions of the committee.
 - 3) The secretary shall prepare and keep minutes of committee meetings.
 - 4) This committee shall meet monthly, a minimum of ten times per year.
 - 5) The CLM Director and Preschool Administrator are granted voice but not vote on this committee.
- C13.14.10 **Child Life Ministries Committee** shall oversee CLM to ensure that stated objectives of the ministry are being achieved through quality programming and facilities, consistent with the Lutheran witness. These objectives are to:
- a. Provide childcare, preschool, and four-year-old kindergarten ministries to children aged six weeks through thirteen years.
 - b. Ensure the academic and social growth of children through Christian care, praying, worship, music, art, playing, sharing, and stories.
 - c. Embody a Christian atmosphere of love, acceptance, grace, and forgiveness to each individual child.
 - d. Provide high-quality instruction and care as established by the State of Wisconsin through sound programs, excellent facilities, and professional staff.
 - e. Maintain all educational requirements of the Wisconsin Administrative Code as described by the State of Wisconsin Department for Children and Families for all children enrolled.
- C13.14.11 The **Serving Life Ministries Committee** consists of the senior pastor who is an ex officio member with voice and vote, and/or his/her designee; the president of this congregation who is an ex officio member with voice and vote, and/or his/her designee; and four to eight members of this congregation.
- C13.14.12 The **Serving Life Ministries Committee** shall work with its teams to:
- a. Coordinate and encourage Neighborhood Outreach activities.
 - b. Coordinate and encourage Hospitality activities.
 - c. Coordinate and encourage Serving in Action activities.
 - d. Coordinate and encourage Global Partnership activities.
 - e. Schedule and coordinate monthly mission offerings.
- C13.14.13 A **Mutual Ministry Committee** is created to serve each called Minister of Word and Sacrament. Each Mutual Ministry Committee consists of six members of this congregation and the pastor to which the mutual ministry committee relates. Two members shall be appointed each year. Members of this committee serve a three-year term and are eligible to serve two consecutive terms.
- C13.14.14 The **Mutual Ministry Committees** shall:
- a. Work with pastoral staff to evaluate the mutual ministries of this congregation.
 - b. Provide support to and guidance to pastoral staff.
 - c. Encourage pastors through acts of kindness.
 - d. Assist leaders to actively recognize and thank this congregation's pastors for ministry done.
 - e. Encourage pastoral staff to lead healthy, well-balanced lives.
- C13.14.15 The **Personnel Committee** consists of the senior pastor who is an ex officio member with voice and vote, and/or his/her designee; the president of this congregation who is an ex officio member with voice and vote, and/or his/her designee; and six members of this congregation. Two members shall be appointed each year. Members of this committee serve a three-year term and are eligible to serve two consecutive terms. The CLM Director shall serve as a consultation member.
- C13.14.16 The **Personnel Committee** shall:
- a. With the senior pastor, assist the Congregation Council to properly manage personnel issues for non-rostered staff.
 - b. Recruit, evaluate, encourage, and publicly acknowledge non-rostered staff.

- c. Annually evaluate staffing needs to ensure that non-rostered staffing is maintained at levels appropriate to ministry goals and priorities.
 - d. May seek the guidance and support of the Executive Committee for action related to hiring, disciplining, and/or dismissal of non-rostered staff.
 - e. Provide non-rostered staff with clear information related to employment policies and practices.
 - f. Ensure that personnel policies follow generally acceptable procedures.
 - g. Support the senior pastor and others in their supervisory roles.
 - h. Make salary and benefit recommendations for non-rostered staff to the Finance Committee for the following year by December 1.
- C13.14.17 The **Endowment Committee** consists of the senior pastor, who is an ex officio member with voice and vote, and/or his/her designee; six members of this congregation; and the vice president of this congregation. Two members shall be appointed each year. Members of this committee serve a three-year term and are eligible to serve two consecutive terms. The Financial Administrator of this congregation shall serve as a consultation member of the Endowment Committee. S/He is also known as the financial secretary of the Endowment Committee.
- C13.14.18 The **Endowment Committee** shall:
- a. Oversee the investments of the Endowment Fund.
 - b. Faithfully make disbursements in conformity with articulated priorities and goals of this congregation in conformance with the policies and procedures of the fund.
 - c. Meet as frequently as is in the best interest of the fund, but no less than twice a year.
- C13.14.19 The chair, vice chair and secretary of the Endowment Fund shall serve at the discretions of the committee, but shall, in general, be elected to a one-year term. The duties of the chair, vice chair, the secretary, and the financial secretary of the **Endowment Committee** are as follows:
- a. The chair shall:
 - 1) Preside at all committee meetings.
 - 2) Have general charge and supervision of the affairs of the endowment Fund
 - 3) Perform such other duties as may be assigned by the committee.
 - b. The vice chair shall chair meetings when the chair is not present.
 - c. The secretary shall:
 - 1) Be responsible for the minutes of meetings.
 - 2) Be permitted to sign, with the chairperson or financial secretary, in the name of the Endowment Fund, any contractor agreements authorized by the committee.
 - d. The financial secretary shall:
 - 1) Have custody of all funds, property, and securities of the Endowment Fund, subject to such regulations as may be imposed by the committee.
 - 2) Endorse on behalf of the Endowment Fund checks, notes, and other obligations and shall deposit the same to the credit of the Endowment Fund to such bank or banks or depositor as the committee may designate.
 - 3) Sign all receipts and vouchers and prepare checks for signature by the treasurer of this congregation.
 - 4) Maintain accurate and accountable financial records and exhibit records at all reasonable times to any committee member.
 - 5) Render a financial report to be included in the annual report.
- C13.14.20 The **Endowment Committee** shall:
- a. Distribute Endowment Fund income and approved principal, unilaterally, for the following:
 - 1) Assisting education, charitable or benevolent institutions, including, but not limited to, Evangelical Lutheran Church in America colleges and seminaries
 - 2) Care of the sick, aged, and helpless.
 - 3) Social concerns.
 - 4) Capital improvements or debt reduction of St. Luke's Lutheran Church.
 - 5) Scholarships or grants to members of St. Luke's Lutheran Church for the purpose of attending college, seminary, nursing, or medical school.
 - 6) Church related camping or leadership conferences, or such other training which enables members of this congregation to grow in faith and service to God's people.
 - 7) Missions of the Evangelical Lutheran Church in America and its partners at home and overseas.
 - b. Hold endowment funds and assets in the name of the St. Luke's Lutheran Church Endowment Fund.

- c. Not use income generated by the fund or principal to support the General Fund of this congregation. However, except only in particular, temporary, and difficult circumstances, the Congregation Council may request the committee to consider distributions equaling no more than one-fifth of the principal of the Endowment Fund to be used to meet such circumstances. Upon recommendation of the Congregation Council and approval of the committee, a congregational meeting shall be duly called. Upon approval by action in a congregational meeting of a majority vote, use of a portion of the Endowment Fund's income and/or one-fifth of its principal may be so distributed.
 - d. By a two-thirds vote of the committee, distribute for the foregoing uses a sum not exceeding the lesser of (1) ten percent of the corpus of the fund in any calendar year, or (2) fifty-thousand dollars.
 - e. Use the following formula to determine an annual distribution amount in any calendar year: The average annual Endowment Fund balance on December 31 of the previous four calendar years multiplied by 4%, PLUS distribution amounts carried forward from the previous calendar year. Undistributed amounts that are carried forward to the following year are excluded from the Endowment Fund balance when calculating the Endowment Fund balance on December 31 of the previous four calendar years.
 - f. Deposit all gifts and bequests in the Endowment Fund free and clear of any and all gift restrictions, including any encumbrances, restrictions, or limitations placed upon a gift or bequest to the Endowment Fund. However, in receiving distributions from a donor, the committee may, in its discretion, consider, by carrying on the purposes and guides of this fund, those restrictions and desires of the donor.
 - g. At its discretion, retain any financial or investment agency, person, or fiduciary to do all things necessary and convenient for the orderly administration of this fund.
- C13.14.21 Members of the **Endowment Committee** shall not engage in any self-dealing or transactions with the Endowment Fund which the member has direct or indirect financial interest and shall at all times refrain from any conduct in which personal interests would conflict with the interest of this fund.
- C13.14.22 In the event St. Luke's Lutheran Church ceases to exist either through merger or dissolution, disposition or transfer of the Endowment Fund shall be at the discretion of the Congregation Council in conformity with the provisions of this constitution and bylaws.
- C13.14.23 The **Finance Committee** consists of the senior pastor, who is an ex officio member with voice and vote, and/or his/her designee; the treasurer of this congregation; and six members of this congregation. Two members shall be appointed each year. Members of this committee serve a three-year term and are eligible to serve two consecutive terms. The Financial Administrator and the CLM Director are consultation members.
- C13.14.24 The **Finance Committee** shall:
- a. Oversee all financial affairs of this congregation.
 - b. Provide for appropriate annual reviews of financial processes, accounting, insurance, financial reporting systems, and others as needed.
 - c. Ensure that all financial processes, including timely payment of obligations, are conducted consistent with standards that build congregational trust and accountability.
 - d. Exercise responsibility, along with the Congregation Council and the Financial Administrator, for congregation investments and banking processes.
 - e. Ensure that Mission Support for the Greater Milwaukee Synod and support for other shared Evangelical Lutheran Church in America ministries are high priorities in the annual spending plan.
 - f. Prepare and present a draft annual spending plan at the December Executive Committee meeting after soliciting financial requests from pastors, committees, and appropriate groups.
 - g. Present the Executive Committee's approved draft annual spending plan at the January Congregation Council meeting.
- C13.14.A19 There shall exist a **Good Samaritan Pastoral Care Fund** for the purpose of providing limited emergency assistance to individuals and families in need. This fund is to be used at the discretion and direction of, and be administered by, the senior pastor and/or his/her designees. In the absence of the senior pastor, the associate pastor is empowered to distribute funds on his/her behalf. The treasurer, the senior pastor, and his/her designees, and the associate pastor shall be signers on the fund's account.

This fund is not part of the Annual Spending Plan. Extra offerings or collections will be gathered. The church will provide special envelopes to use when contributing to this fund. Memorial gifts may be directed toward the Good Samaritan Pastoral Care Fund.

The following types of assistance may be provided: food, rental assistance, transportation, gas vouchers, prescription costs, one-night housing, and other humanitarian, life-giving help.

Those receiving assistance will:

- a. Either have a Waukesha address AND live within five miles of St. Luke's Lutheran Church OR be a congregation member. The residency criteria will be assessed using a Google Maps search. The distance shall be calculated using driving directions and distance. "As a crow flies" distance will not be used for the distance calculation. The membership criteria will be determined by the membership roll as kept in the church database.
- b. Be eligible to receive a grant from the Good Samaritan Pastoral Care Fund every 3 months.
- c. Under no circumstances be a member of a household or live in the address of anyone who has received a grant in the last three months.

This fund is not intended to be used to:

- a. provide cash to individuals;
- b. write checks directly to grant recipients;
- c. write checks on behalf of recipients without proper substantiation of the expense.

The senior pastor will record recipient information and general categories of assistance. The treasurer will regularly review the records of the Good Samaritan Pastoral Care Fund to ensure that it is being used according to its intent. The president may also view the records for the same purpose. The senior pastor, his/her designees, the associate pastor, the treasurer and the president will at all times keep confidential recipient names and aid details. The senior pastor will report category totals to the Council upon request. The treasurer shall render a financial report for inclusion in the annual report.

Those who have authority to distribute funds may not receive nor benefit from the Good Samaritan Pastoral Care Fund.

C13.14.25 The **Stewardship Committee** consists of the senior pastor who is an ex officio member with voice and vote, and/or his/her designee; the president of this congregation who is an ex officio member with voice and vote, and/or his/her designee; and six to eight members of this congregation. Members of this committee shall serve a three-year term.

C13.14.26 The **Stewardship Committee** shall:

- a. Develop an annual plan to encourage growth in giving. Such a plan shall:
 - 1) Be deliberate.
 - 2) Help people understand how giving connects the heart more deeply with God's church and mission.
 - 3) Be a year-round program that interprets God's mission through this congregation.
 - 4) Encourage generous giving.
- b. Report to the Congregation Council and this congregation.

C13.14.27 The **Facilities and Maintenance Committee** consists of the senior pastor who is an ex officio member with voice and vote, and/or his/her designee; the president of this congregation who is an ex officio member with voice and vote, and/or his/her designee; and at least six members of this congregation. Members of this committee shall serve a three-year term.

C13.14.28 The **Facilities and Maintenance Committee** shall:

- a. Be responsible for the care, preventative maintenance, repair, replacement, protection, planning, and administration of church facility, furnishings, and grounds.
- b. Ensure that the facility, furnishings, and grounds are well-maintained and suitable for a growing and vibrant congregation.
- c. Work with necessary contractors.
- d. Seek approval from the Congregation Council for significant physical or financial projects in addition to recommendations for updating and enhancing the property.
- e. Encourage congregation participation in maintenance and improvement work.
- f. Regularly submit active project summaries to the Congregation Council.

C13.14.29 The **Facilities and Maintenance Committee** shall follow guidelines for entering into contracts as laid out in the continuing resolutions of this congregation. This committee is responsible for drafting necessary documents such as Terms and Conditions, Contractor General Conditions, Contracting Risks and Certificates of Insurance Requirements.

C13.14.30 The **Nominating Committee** consists of the senior pastor who is an ex officio member with voice and vote, and/or his/her designee; the president of this congregation who is an ex officio member with voice and vote, and/or his/her designee; and the two most recent presidents. The **Nominating Committee** also has two other members who are elected to a one-year term and are not eligible for reelection to consecutive terms.

C13.14.31 The **Nominating Committee** shall:

- a. Be convened by the senior pastor, and/or his/her designee, in November of each year.
- b. Solicit and prepare candidate nominations for vacant committee positions.
- c. Submit for the Annual Meeting, candidates for election to the Congregation Council.
- d. Submit to the Congregation Council, at its February meeting, final candidates for vacant committee positions.

Chapter 14.

ORGANIZATIONS WITHIN THE CONGREGATION

C14.01. All organizations within this congregation 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 may 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.

Chapter 15.

DISCIPLINE OF MEMBERS AND ADJUDICATION

***C15.01.** Persistent and public denial of the Christian faith, willful or criminal conduct grossly unbecoming a member of the Church of Christ, continual and intentional interference with the ministry of this congregation, or willful and repeated harassment or defamation of member(s) of this congregation is sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation and repentance will be attempted following Matthew 18:15–17, proceeding through these successive steps, as necessary: a) private counsel and admonition by the pastor, b) censure and admonition by the pastor in the presence of two or three witnesses, c) written referral of the matter by the Congregation Council to the vice president of the synod, who will refer it to a consultation panel drawn from the Consultation Committee of the synod, and d) written referral of the matter by the consultation panel to the Committee on Discipline of the synod. If, for any reason, the pastor is unable to administer the admonitions required by paragraphs a. and b. hereof, those steps may be performed by another pastor chosen by the Executive Committee of the Congregation Council.

***C15.02.** The process for discipline of a member of this congregation shall be governed as prescribed by the chapter on discipline in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. If the counseling, censure, and admonitions pursuant to *C15.01. do not result in repentance and amendment of life, charges against the accused member(s) that are specific and in writing may be prepared by the Congregation Council, signed, and submitted to the vice president of the synod. The vice president shall select from the synod's Consultation Committee a panel of five members (three laypersons and two ministers of Word and Sacrament). A copy of the written charges shall be provided to the consultation panel and the accused member(s). The consultation panel, after requesting a written reply to the charges from the accused member(s), shall consider the matter and seek a resolution by means of investigation, consultation, mediation, or whatever other means may seem appropriate. The panel's efforts to reach a mutually agreeable resolution shall continue for no more than 45 days after the matter is submitted to it.

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

chair. Those six members, plus the nonvoting chair, comprise the discipline hearing panel for deciding the case. The Congregation Council and the accused member(s) are the parties to the case.

- *C15.04. The discipline hearing panel shall commence and conduct the disciplinary hearing in accordance with the provisions governing discipline of congregation members prescribed in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.
- *C15.05. By the vote of at least two-thirds of the members of the discipline hearing panel who are present and voting, one of the following disciplinary sanctions can be imposed:
 - a. suspension from the privileges of congregation membership for a designated period of time;
 - b. suspension from the privileges of congregation membership until the pastor and Congregation Council receive evidence, satisfactory to them, of repentance and amendment of life;
 - c. termination of membership in this congregation; or
 - d. termination of membership in this congregation and exclusion from the church property and from all congregation activities.
- *C15.06. The written decision of the discipline hearing panel shall be sent to the vice president of the synod, the accused member(s), and the Congregation Council as required by the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. The decision of the discipline hearing panel shall be implemented by the Congregation Council and recorded in the minutes of the next council meeting.
- *C15.07. No member of this congregation shall be subject to discipline a second time for offenses that a discipline hearing panel has heard previously and decided pursuant to this chapter.
- *C15.10. **Adjudication**
- *C15.11. When there is disagreement between or among factions within this congregation on a substantive issue which cannot be resolved by the parties, members of this congregation may petition the synod bishop for consultation after informing the president of this congregation of their intent to do so. The synod bishop shall seek a timely resolution of the dispute. If the issue relates directly to the pastor, the bishop may begin the process in ¶S14.18.d. In all other matters, if the bishop's consultation fails to resolve the issue, the bishop shall refer the matter to the Consultation Committee of the synod, which shall undertake efforts to find an appropriate solution. If the Consultation Committee's efforts fail to resolve the dispute, the entire matter shall be referred to the Synod Council for adjudication by whatever process the Council deems necessary. The Synod Council's decision shall be final.

Chapter 16.

AMENDMENTS

- *C16.01. Unless provision *C16.04. is applicable, those sections of this constitution that are not required, in accord with the *Model Constitution for Congregations of the Evangelical Lutheran Church in America*, may be amended in the following manner. Amendments may be proposed by at least 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 this congregation's members of the proposal together with the council's recommendations at least 30 days in advance of the meeting. Notification may take place by mail or electronic means, as permitted by state law.
- *C16.02. An amendment to this constitution, proposed under *C16.01., shall:
 - a. be approved at any legally called meeting of this congregation by a majority vote of those voting members present and voting;
 - b. be ratified without change at the next regular meeting of this congregation held pursuant to C10.01 by a two-thirds vote of those voting members present and voting; and
 - c. have the effective date included in the resolution² and noted in the constitution.
- *C16.03. Any amendments to this constitution that result from the processes provided in *C16.01. and *C16.02. shall be sent by the secretary of this congregation to the synod. The synod shall notify this congregation of its decision to approve or disapprove the proposed changes; the changes shall go into effect upon notification that the synod has approved them.
- *C16.04. This constitution may be amended to bring any section into conformity with a section or sections, either required or not required, of the *Model Constitution for Congregations of the Evangelical Lutheran Church*

² Such an effective date must be stated in relation to the requirements of *C16.03. to allow time for synod review of the amendment.

in America as most recently amended by the Churchwide Assembly. Such amendments may be approved by a majority vote of those voting members present and voting at any legally called meeting of this congregation without presentation at a prior meeting of this congregation, provided that the Congregation Council has submitted by mail or electronic means, as permitted by state law, notice to this congregation of such an amendment or amendments, together with the council's recommendations, at least 30 days prior to the meeting. Upon the request of at least two (2) voting members of this congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of this congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following 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.