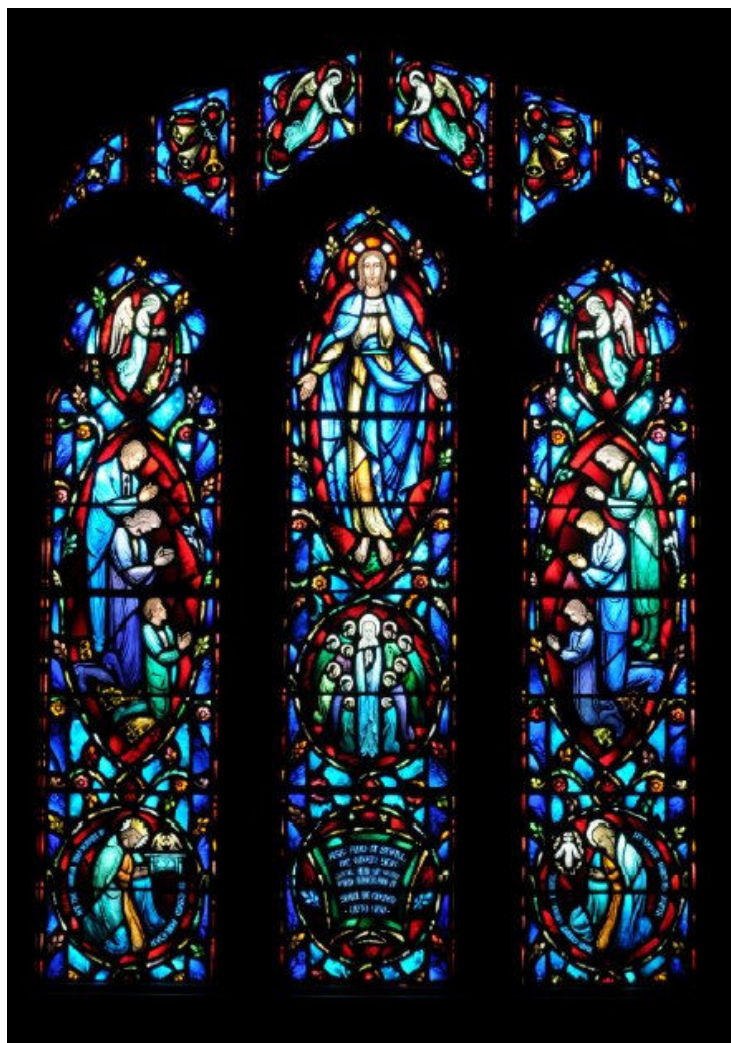


CONSTITUTION AND BYLAWS
OF
ST. PAUL LUTHERAN
CONGREGATION



Includes all revisions through 2010

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THE CONSTITUTION AND BYLAWS
OF
ST. PAUL LUTHERAN CONGREGATION

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 on 27 January, 2008 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. Paul Lutheran Church.
- C1.02. For the purpose of this constitution and the accompanying bylaws, the St. Paul Lutheran congregation is hereinafter designated as "this congregation".
- C1.03. This congregation shall be incorporated under the laws of the State of Montana.

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 thorough 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 the 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, acknowledges as one with it in faith and doctrine all churches that likewise accept the teachings of the Unaltered Augsburg Confession.
- C2.06. This congregation accepts the other confessional writings in the Book of Concord, namely the Apology of the Augsburg Confession, the Smalcald Articles and the Treatise, the Small Catechism, the Large Catechism, and the Formula of Concord, as further valid interpretations of the faith of the Church.
- C2.07. This congregation confesses the Gospel, recorded in the Holy Scriptures and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God's mission in the world.

Chapter 3.

NATURE OF THE CHURCH

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

Chapter 4.

STATEMENT OF PURPOSE

- C4.01. The Church is a people created by God in Christ, empowered by the Holy Spirit, called and sent to bear witness to God's creative, redeeming, and sanctifying activity in the world.
- C4.02. To participate in god's mission, this congregation as 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. We recognize the desirability of conforming to the practices of other member congregations in using such forms of worship, including liturgies and hymn books, as are recommended by the Evangelical Lutheran Church in America, and are consistent with the Lutheran Confessions.
 - b. Proclaim God's savings 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 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 heeds, caring for the sick and aged, advocating dignity and justice for all people, working for peace and reconciliation among the nations, and standing with the poor and powerless, and committing itself to their needs.
 - e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.
 - f. Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity which the Sprit 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 suffering, and participate responsibly in society.
- g. Motivate its members to provide financial support for the congregation's ministry and the ministry of other parts of the Evangelical Lutheran Church in America.
- h. Foster and participate in interdependent relationships with other congregations, the synod, and the Evangelical Lutheran Church in America.
- i. Foster and participate in ecumenical relationships consistent with the church-wide 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 groups and shall review their actions.

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

Chapter 5.

POWERS OF THE CONGREGATION

C5.01. The powers of the congregation are those necessary to fulfill its purpose.

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

C5.03. Only such authority as is delegated to the Congregational Council or their organizational units in the congregation's governing documents is recognized. All remaining authority is retained by the congregation. The congregation is authorized to:

- a. call a pastor;

- b. terminate the call of a pastor;
- c. appoint or terminate the appointment of associates in ministry in conformity with the applicable policy of the Evangelical Church in America;
- d. approve the annual budget;
- e. acquire real and personal property by gift, devise, purchase, or other lawful means;
- f. hold title to and use its property for any and all activities consistent with its purpose.
- g. Sell, mortgage lease, transfer, or otherwise dispose of its property by any lawful means;
- h. Elect its president, Congregational Council, boards, and committees, and require them to carry out their duties in accordance with the constitution and bylaws, and continuing resolutions; and
- i. Terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.

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 Montana 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 Confessions of Faith and agrees to the Purposes of the Evangelical Lutheran Church in America and shall act in accordance with them.
- C6.03. This congregation acknowledges its relationship with the Evangelical Lutheran Church in America in which:
 - a. This congregation agrees to be responsible for its life as a Christian community.
 - b. This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.

- c. This congregation agrees to call pastoral leadership from the clergy roster of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod.
- d. This congregation agrees to consider associates in ministry for appointment to other staff positions in the congregation according to the procedures of the Evangelical Lutheran Church in America.
- e. This congregation agrees to file this constitution and any subsequent changes to this constitution with the synod for review to ascertain that all of its provisions are in agreement with the constitution and bylaws of the Evangelical Lutheran Church in America or with the constitution of the synod.

C6.04. Affiliation with the Evangelical Lutheran Church in America may be terminated as follows:

- a. This congregation takes action to dissolve.
- b. This congregation ceases to exist.
- c. This congregation is removed from membership in the Evangelical Lutheran Church in America according to the procedures and discipline of the Evangelical Lutheran Church in America.
- d. This congregation follows the procedures outlined in C6.06.

C6.05. This congregation may terminate its relationship with the Evangelical Lutheran Church in America by the following procedure:

- a. A resolution indicating the desire of this congregation to terminate its relationship must be adopted at a legally called and conducted special meeting of this congregation by a two-thirds majority of the voting members present.
- b. The secretary of this congregation shall submit a copy of the resolution to the synodical bishop and shall mail a copy of the resolution to voting members of the congregation. This notice shall be submitted within 10 days after the resolution has been adopted.
- c. The bishop of the synod shall consult with this congregation during a period of at least 90 days.

- d. If this congregation, after consultation, still desires to terminate its relationship, such action may be taken at a legally called and conducted special meeting by a two-thirds majority of the voting members present, at which meeting the bishop of the synod or an authorized representative shall be present. Notice of the meeting shall be mailed to all voting members at least 10 days in advance of the meeting.
- e. A certified copy of the resolution to terminate its relationship shall be sent to the synodical bishop, at which time the relationship between this congregation and the Evangelical Lutheran Church in America shall be terminated.
- f. Notice of termination shall be forwarded by the synodical bishop to the secretary of this Church and published in the periodical of this church.
- g. If this congregation was a member of the Lutheran Church in America it shall be required, in addition to the provision in C6.05. to receive synodical approval before terminating its membership in the Evangelical Lutheran Church in America.

C6.06. If this congregation is considering relocation, it shall confer with the bishop of the synod before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is effected.

Chapter 7.

PROPERTY OWNERSHIP

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

Chapter 8.

MEMBERSHIP

- C8.01. Members of this congregation shall be those baptized persons on the roll of the 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.
 - d. Associate members are persons holding membership in other Lutheran (Christian) congregations who wish to retain such membership but desire to participate in the life and mission of this congregation. They have all the privileges and duties of membership except voting rights and eligibility for elected offices or membership on the Congregational Council of this congregation.
- C8.03. 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 and of the Evangelical Lutheran Church in America through contributions of their time, abilities, and financial support as biblical stewards.

C8.04. Membership in this congregation shall be terminated by any of the following:

- a. death;
- b. resignation
- c. transfer or release;
- d. disciplinary action by the Congregational Council; or
- e. removal from the roll due to inactivity as defined in the bylaws.

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

Chapter 9.

THE PASTOR

- C9.01. Authority to call a pastor shall be in this congregation by at least a two-thirds majority ballot vote of members present and voting at a meeting regularly called for that purpose. Before a call is issued, the officers, or a committee elected by this congregation to recommend the call, shall seek the advice and help of the bishop of the synod.
- C9.02. Only a member of the clergy roster of the Evangelical Lutheran Church in America or who has been recommended for it by the synodical bishop may be called as a pastor of this congregation.
- C9.03. Consistent with the faith and practice of the Evangelical Lutheran Church in America, every ordained minister shall preach the Word, administer the sacraments, conduct public worship, provide pastoral care, and shall speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world. Each ordained minister with a congregational call shall, within the congregation, offer instruction, confirm, marry, visit the sick and distressed, and bury the dead; supervise all schools and organizations of the congregation; shall install regularly elected members of the Congregational Council, and with the council administer discipline. Every pastor shall seek out and encourage qualified persons to prepare for the ministry of the Gospel and strive to extend the Kingdom of God in the community, in the nation,

and abroad; shall impart knowledge of this church and its wider ministry through distribution of its periodicals and other publications; and shall endeavor to increase the support given by the congregation to the work of the Evangelical Lutheran Church in America and the synod of 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.

C9.05. Termination of a pastor:

- a. The call of a congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment which, except in the case of the death of the pastor, shall be terminated only following consultation with the synodical bishop and for the following reasons:
 - a. Mutual agreement to terminate the call or completion of a call for a specific term of years;
 - b. Resignation of the pastor;
 - c. Inability to conduct the pastoral office effectively in the congregation in view of local conditions, without reflection on the competence or the moral and spiritual character of the pastor;
 - d. The physical or mental incapacity of the pastor;
 - e. Disqualification of the pastor through discipline on grounds of doctrine, morality, or continued neglect of duty; of
 - f. Dissolution of the congregation.
- b. In the case of alleged physical or mental incapacity of the pastor or ineffective conduct of the pastoral office, it shall be the responsibility of the bishop of the synod, when such difficulties are personally known or have been brought to the synod's attention by an official recital of allegations by the Congregation Council, or by a petition signed by at least one-third of the voting members of the congregation, to investigate such conditions personally in company of two ordained ministers and one layperson.
- c. In case of alleged physical or mental incapacity competent medical testimony shall be obtained. When such disability is evident, the bishop of the synod with advice of the committee shall declare the pastorate vacant. Upon the restoration of a disabled pastor to health, the bishop of the synod shall take steps to enable the pastor to resume the ministry, either in the congregation lest served or in another field of labor.

- d. In the case of alleged local difficulties which imperil the effective functioning of the congregation, all concerned persons shall be heard, after which the bishop of the synod together with the committee described in C9.05.b shall decide on the course of action to be recommended to the pastor and the congregation. If they agree to carry out such recommendations, no further action shall be taken by the synod. If either party fails to assent, the congregation may dismiss the pastor by a two-thirds majority vote of the voting members present at a regularly called meeting after consulting with the bishop of the synod.
- e. The foregoing procedure shall never be invoked when questions of doctrine, morality, or continued neglect of duty are involved, all such cases being treated as disciplinary matters.
- f. If in the course of the proceedings, it should become apparent that the pastoral office cannot be conducted effectively in the congregation being served by the ordained minister due to local conditions, the bishop of the synod may temporarily suspend the pastor from service in the congregation without prejudice and with pay provided through a joint church-wide / synod fund and with housing provided by the congregation.

- C9.06. At the time of pastoral vacancy, an interim pastor may be appointed by the bishop of the synod with the consent of this congregation or the Congregational Council.
- C9.07. During the period of service, and interim pastor shall have the rights and duties 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 Congregational Council. The interim pastor and any ordained pastor providing assistance shall refrain from exerting influence in the selection of a pastor.
- C9.08. This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to the congregation.
- 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.
- C9.10. With the approval of the bishop of the synod, the congregation may depart from C9.05.a. and call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with

the pastor and representatives of the congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of C9.05.a.

- C9.11. The pastor of this congregation shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation and shall submit a summary of such statistics annually to the synod.
- C9.12. The pastor(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.

Chapter 10

CONGREGATIONAL MEETING

- C10.01. The annual meeting of this congregation shall be held at a time specified in the bylaws.
- 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 10 percent of the voting members. The call for each special meeting shall specify the purpose for which it is to be held and no other business shall be transacted.
- C10.03. Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays or by mail to all voting members at least 10 days in advance of the date of the meeting. The posting of such notice in the regular mail, with the regular postage affixed or paid, sent to the last known address of such members shall be sufficient.
- C10.04. 50 voting members shall constitute a quorum.
- C10.05. Voting by proxy or by absentee ballot shall not be permitted.
- C10.06. All actions approved by the congregation shall be by majority vote of those members present and voting, except as otherwise provided in this constitution.
- C10.07. Robert's Rules of Order, latest edition, shall govern parliamentary procedure of all meetings of this congregation.

Chapter 11.

OFFICERS

- C11.01. The officers of this congregation shall be a president, vice president, secretary, and treasurer.
- a. Duties of the officers shall be specified in the bylaws.
 - b. The president, vice-president, and secretary shall be voting members of the congregation.
 - c. The treasurer need not be a voting member of the congregation but must be a member of an ELCA congregation.
 - d. Officers of the Congregation Council shall serve similar offices of the Congregation.
- C11.02. At its annual meeting the congregation shall elect a president for a two year term and a Congregational Council of seven members for terms of two years each, with approximately one-third of the terms expiring annually. No member shall be eligible to succeed himself more than twice. The pastors shall be advisory members of the Congregational Council by virtue of their office, but without vote. At its first meeting following the annual meeting of the congregation, the Congregational Council shall elect from its own membership, a vice-president and a secretary; and shall appoint a treasurer of the congregation in accordance with C11.01.c.
- C11.03. No officer shall hold more than one office at a time. No elected officer, with the exception of the treasurer, shall be eligible to serve more than two consecutive terms in the same office.

Chapter 12.

CONGREGATIONAL COUNCIL

- C12.01. The voting membership of the Congregational Council shall consist of not more than seven members selected at large by the congregation. Any voting members of the congregation may be elected, subject only to the limitation on the length of continuous service permitted in that office. A member's place on the Congregational Council may be declared vacant if the member ceases to be a voting member of this congregation. A member of the Congregational Council who is absent from two consecutive regular meetings shall be consulted by the president of the congregation; if he is absent from three consecutive regular

meetings without valid excuse, the Council may declare the office vacant.

- C12.02. The president shall vote only if necessary to break a tie.
- C12.03. Should a member's place on the Congregation Council be declared vacant, the Congregation Council shall elect, by majority vote, a successor until the next annual meeting. Vacancies shall be filled without undue delay. Filling an unexpired term of one year or less, shall not be counted for determining eligibility for succession.
- C12.04. The Congregation Council shall have general oversight of the life and activities of this congregation, and in particular its worship life, to the end that everything be done in accordance with the Word of God and the faith and practice of the Evangelical Lutheran Church in America. The duties of the Congregation Council shall include the following:
- a. To lead this congregation in stating its mission, to do long-range planning, to set goals and priorities, and to evaluate its activities in light of its mission and goals.
 - b. To seek to involve all members of this congregation in worship, learning, witness, service, and support.
 - c. To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.
 - d. To maintain supportive relationships with the pastor(s) and staff and help them annually to evaluate the fulfillment of their calling, appointment, or employment.
 - e. To be examples individually and corporately of the style of life and ministry expected of all baptized persons.
 - f. To promote a congregational climate of peace and goodwill, and, as differences and conflicts arise, to endeavor to foster mutual understanding.
 - g. To arrange for pastoral service during the sickness or absence of the pastor.
 - h. To emphasize partnership with the synod and church-wide organization of the Evangelical Lutheran Church in America as well as cooperation with other congregations, both Lutheran and non-Lutheran, subject to established policies of the synod and the Evangelical Lutheran Church in America.
 - i. To recommend and encourage the use of program resources produced or approved by the Evangelical Lutheran Church in America.

- C12.05. The Congregation Council shall be responsible for the financial and property matters of this congregation.
- a. The Congregation Council 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 Montana, except as otherwise provided herein.
 - b. The Congregation Council shall not have the authority to buy, sell, or encumber real property unless specifically authorized to do so by a meeting of the congregation.
 - c. The Congregation Council shall prepare an annual budget for adoption by this congregation, shall supervise the expenditure of funds in accordance therewith following its adoption. The budget shall include this congregation's full indicated share in support of the wider ministry being carried on in partnership with the synod and church-wide organization.
 - d. 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.
 - e. The Congregation Council shall be responsible for this congregation's investments and its total insurance program.
- C12.06. The Congregation Council shall see that the provisions of this constitution, its bylaws and the continuing resolutions are carried out.
- C12.07. The Congregation Council shall be responsible for the appointment and supervision of the salaried lay workers of this congregation.
- C12.08. The Congregation Council shall submit a comprehensive report to this congregation at the annual meeting.
- C12.09. The Congregation Council shall normally meet once a month. Special meetings may be called by the pastor or the president, and shall be called by the president at the request of at least one-half of its members. Notice of each special meeting shall be given to all who are entitled to be present.
- C12.10. A quorum for the transaction of business shall consist of a majority of the voting members of the Congregation Council, excluding the president.

Chapter 13.

CONGREGATIONAL COMMITTEES

- C13.01. The officers of the congregation and the pastor(s) shall constitute the Executive Committee. If the treasurer is not a voting member of the congregation, then he/she shall be an ex-officio member of the executive committee.
- C13.02. The Congregational Council shall annually appoint a financial review committee composed of three members, not members of the council, who shall review the fiscal records of the congregation and report its findings in writing to the annual meeting. Such reviews shall include examination of existing insurance coverage.
- C13.03. A Mutual Ministries Committee which shall meet on an informal basis with the pastor and staff, at least quarterly, to discuss the pastors' concerns regarding their ministry at St. Paul and to provide whatever support is needed. Three members are chosen from the congregation at large by the Congregational Council and approved by the pastor and three members are chosen by the pastor and approved by the council.
- C13.04. When a pastoral vacancy occurs, a Call Committee shall be elected by the Congregation. Term of office will terminate at installation of the newly-called pastor.
- C13.05. The Personnel Committee shall consist of the executive committee with the president serving as the chair. Acting as advisory members will be the committee chairman when their committee is related to the employee being hired or in a grievance procedure.
- C13.06. Other congregational committees may be formed as the need arises, by decision of the Congregational Council.
- C13.07. Duties of congregational committees shall be specified in the bylaws.

Chapter 14.

ORGANIZATIONS WITHIN THE CONGREGATION

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

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

Chapter 15.

DISCIPLINE OF MEMBERS

- C15.01. Denial of the Christian faith as described in this constitution, conduct grossly unbecoming a member of the Church of Christ, or persistent trouble-making in this congregation are sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation will be attempted following Matthew 18:15-17, proceeding through these successive steps: a) private admonition by the pastor, b) admonition by the pastor in the presence of two or three witnesses, and c) citation to appear before the Congregation Council.
- C15.02. The member against whom disciplinary action has been taken by the Congregation Council shall have the right to appeal the decision to the Synod Council. Such right may not be abridged and the decision of the Synod Council shall be final.
- C15.03. Disciplinary actions may be reconsidered and revoked by the Congregation Council upon receipt of a) evidence that injustice has been done or, b) evidence of repentance and amendment.

Chapter 16.

BYLAWS

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

Chapter 17.

AMENDMENTS

- C17.01. The doctrinal basis and the confessional subscription as contained in Chapter 2; the purpose as contained in Chapter 4; and this section of Chapter 17 shall be unalterable; and no amendment to this constitution shall conflict herewith.
- C17.02. Amendments may be proposed by at least 10 voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the congregation's members by mail of the proposal together with the council's recommendations at least 30 days in advance of the meeting.
- C17.03. A proposed amendment to this constitution shall be:
- a. read at a public service of the congregation or mailed to the voting members, in either case at least thirty days before the annual or special congregational meeting at which it is to be considered;
 - b. approved, with or without change, at the annual or special congregational meeting following its announcement, by a majority vote of those present and voting;
 - c. ratified without further change at the next annual meeting by a two-thirds vote of those present and voting.
- C17.04. If a proposed amendment fails adoption, it may be amended by a majority vote of those present and voting; and adopted without a change by a two-thirds vote of those present and voting at the next following annual meeting.
- C17.05. Any amendments to this constitution shall be sent by the secretary of this congregation to the synod. The amendment shall become effective within 120 days from the date of the receipt of the notice by the synod unless the synod informs this congregation that the amendment is in conflict with the constitution and bylaws of the Evangelical Lutheran Church in America, or the constitution of the Montana Synod.

Chapter 18.

CONTINUING RESOLUTIONS

- *C18.01. The Congregation Council may enact continuing resolutions which describe the function of the various committees or organizations of this congregation.

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

BYLAWS

Part 1

COMMUNION PARTICIPATION (Cf. Chapter 2 of Constitution)

- B1.01. Participation in Holy Communion shall be open to confirmed or properly instructed members of this congregation, and to individual members of other congregations who accept the Lutheran teaching in respect to Holy Communion, as set forth in paragraph B1.02.
- B1.02. Holy Communion requires sincere repentance, faith in Jesus Christ as Savior, and an earnest desire to amend one's sinful life, as well as acceptance of the scriptural teaching of the Real Presence of Christ with his body and blood in the Sacrament.
- B1.03. Record of participation in Holy Communion shall be maintained. If a member of another congregation communes, notice shall be sent to his pastor.

PART 2

CONFLICTING LOYALTIES (Cf. Chapter 2 of the Constitution and Article V of the Minneapolis Theses as quoted in the United Testimony of Faith and Life)

- B2.01. While the buildings of the congregation shall be open to all people to share in its worship, instruction, pastoral care, and fellowship, the congregation rejects all fellowship with organizations, secret or open which are avowedly religious or which practice forms of religion without confessing faith in the Triune God and in Jesus Christ as the eternal Son of God incarnate to be our only Savior from sin, and which thus teach salvation by works.
- B2.02. Ceremonies of lodges or other such organizations shall not be permitted in the buildings or premises of the congregation, nor shall its pastor(s) or lay assistant(s) take part in any such ceremonies wherever they are conducted.

Part 3

MEMBERSHIP (Cf. Chapter 8 of Constitution)

- B3.01. Admission to baptized membership shall be as follows:

1. Children, one or both of whose parents or guardians are members of this congregation, shall, upon receiving Christian baptism, be received as baptized members of this congregation.
2. Children, neither of whose parents or guardians are members of this congregation shall, upon Christian baptism duly recorded as a ministerial act performed under the auspices of this congregation, be received as baptized members of this congregation unless there is understanding that, for good reason, they will be enrolled as baptized members of another congregation in which case notice of the baptism shall be sent to the congregation in which the child is to be enrolled as a baptized member.
3. Children baptized in other Christian congregations shall be received as baptized members of this congregation upon admission of one or both parents or guardians to membership, or by consent of one or both parents or guardians, or by action of the Congregation Council.
4. Unbaptized adults who have received instruction and given evidence of having an adequate understanding and acceptance of the teaching of the Word of God as confessed by the Lutheran Church, shall, upon confession of faith and Christian baptism duly recorded as a ministerial act performed under the auspices of this congregation, be received as baptized members of this congregation.

B3.02. Admission to confirmed membership shall be as follows:

1. Baptized adults, not previously members of the congregation, who have received instruction and have given evidence of having adequate understanding and acceptance of the teachings of the Word of God as confessed by the Lutheran Church shall be admitted to confirmed membership through the rite of confirmation
2. However, adults received as baptized members according to the provisions of Paragraph B3.01 (4) of this Part of the bylaws shall be recognized as confirmed members, whether or not, as the discretion of the pastor, they have participated in the rite of confirmation.
3. Children who are baptized members of the congregation shall be admitted to confirmed membership through participation in the rite of confirmation.
4. Applicants for membership presenting Letters of Transfer showing them to be confirmed members in good standing in other Lutheran congregations shall be admitted to confirmed membership upon acceptance of their Letters of Transfer by the pastor and the report of their names to the congregation.
5. Applicants for membership who present evidence of confirmation in a

Lutheran congregation but do not have Letters of Transfer shall be admitted to confirmed membership when the pastor has determined that they meet the standards of Christian faith and life indicated in the constitution and by laws and when they have reaffirmed their faith before the congregation.

B3.03. The Congregation Council shall determine the roster of voting members of the congregation in accordance with the provisions of the constitution and bylaws. The roster of voting members shall be available at all regularly called meetings of the congregation. The term “in good standing” shall be defined to include:

1. those who partake of Holy Communion;
2. those who have made a contribution of record;
3. those who participate in the life and worship of the congregation.

B3.04. Admission to associate membership shall be as follows:

1. Applicants for membership presenting certification that they are confirmed members in good standing of a Lutheran congregation located more than 20 miles distance from Missoula, and who because of their situation have their principal place of resident in the city of Missoula shall be admitted to associate membership.
2. Associate members are listed on the roster of the Church in order to received church communications and are not included in the statistical data reported to the Church since they are maintained on the membership of their home congregations.

B3.05. Membership shall be discontinued by:

1. Members who move away shall be encouraged to transfer their membership. Should the member fail to request a transfer, a Lutheran congregation in the community of his residence shall be notified. A confirmed member in good standing desiring to change his membership to another Lutheran congregation shall upon request receive a Letter of Transfer.
2. A confirmed member who does not, for a period of one year, partake of Holy Communion, and does not appear to desire to participate in the life and worship of the congregation shall be visited by the pastor or the congregation’s representatives and encouraged to active membership. If, during the second year, the confirmed member does not actively participate, their name shall be removed from the membership roster of the congregations but be retained on a responsibility list as one who is in need of the congregations’ prayer and concern

3. A child, neither of whose parents or guardians is a member of the congregation, may be removed from the roster of baptized members if they fail to participate in the life and the worship of the congregation.
4. Members who have been dismissed, or who have resigned; and members who have transferred to other Lutheran congregations; or who are definitely known to have become members of other congregations without transfer, have thereby terminated their membership in the congregation and surrendered all membership rights.
5. In addition to the above, associate members shall be discontinued whenever
 - a. the associate member resigns his associate status;
 - b. the member is no longer resident in the Missoula area for a continuous period exceeding five months;
 - c. the member is dropped from the membership of his/her home congregation.

PART 4

THE PASTORAL CALL (Cf. Chapter 9 of the Constitution)

- B4.01. When the congregation has voted to call a pastor, it shall issue a Letter of Call to the pastor-elect, in a form approved by the Evangelical Lutheran Church in America. It shall be signed by the chair and the secretary of the meeting at which the call was voted. Calls to clergy to positions of assistance to the pastor shall be issued only with the concurrence of the pastor and in accordance with the provisions of this paragraph.
- B4.02. The Call shall normally be for an indefinite time. A Call issued to an assistant pastor may be for a definite time.
- B4.03. If a pastor receives a Call to another ministry, he/she shall consult the Congregation Council, or, if he/she desires, the congregation, before reaching a decision. He/She shall announce his/her decision as quickly as possible, normally within three weeks. He/She shall notify the synod bishop of his/her decision. When a Call has been accepted, the pastor shall terminate his/her ministry as soon as feasible, normally within a month.
- B4.04. A desire for a change in pastorage by either congregation or pastor shall be brought to the attention of the bishop of the synod, who shall advise in the matter in accordance with this constitution (Chapter 9) and with the established

procedures of the Evangelical Lutheran Church in America.

- B4.05. The congregation requires that its pastor shall be loyal to the faith and purpose of the congregation, as stated in Chapters 2 and 4 of this constitution.
- B4.06. Clergymen qualified according to Chapter 9, Paragraph C9.02 of this constitution occasionally perform pastoral functions in this congregation with the approval of the congregation and its pastor, or, in the case in the pastorate, with the approval of the congregation and district president.

PART 5

MEETINGS OF THE CONGREGATION (Cf. Chapter 10 of the Constitution)

- B5.01. The annual meeting of the congregation shall be held in January on a date to be determined by the Congregational Council.
- B5.02. The current roster of voting, confirmed, and baptized members shall be determined prior to each annual meeting.
- B5.03. The order of business at the annual meeting shall be:
1. Opening devotion
 2. Approval of the minutes of the previous meeting
 3. Reports of pastors, Congregational Council, treasurer, committees and others
 4. Elections
 5. Approval of budget
 6. Unfinished business
 7. New business
 8. Closing prayer
- B5.04. In the following cases voting shall be by written ballot:
1. To elect the president and members of the Congregational Council;
 2. to adopt or amend the articles of incorporation, constitution or bylaws of the congregation;

3. to call a pastor or to request his/her resignation;
4. to dismiss a member from the congregation or to remove a member from office in the congregation;
5. To sever membership in the Evangelical Lutheran Church in America
6. to dispose of, encumber, or purchase real property;
7. When requested by ten or more voting members present.

- B5.05. Except as otherwise provided in the constitution and bylaws, all matters shall be decided by majority vote of those present and voting.
- B5.06. No one shall be declared elected unless they have received a simple majority of the votes cast.
- B5.07. If more than one ballot is required in an election, a motion shall be in order to limit the balloting after the first ballot to the three candidates receiving the highest number of votes on the first ballot; and after the second ballot to limit the balloting to the two candidates receiving the highest number of votes.

PART 6

CONGREGATIONAL COUNCIL

- B6.01. In addition to the duties and responsibilities provided in the constitution, the Congregation Council shall:
1. Secure such help as is necessary to carry on the work of the congregation, such as Christian day school teachers, organist, choir directors, parish worker, secretaries, intern, custodian, etc., and fix and review annually their salaries.
 2. Review annually the salary of the pastor(s) and make adjustments for the budget to be approved by the congregation.
 3. Receive reports regularly from the treasurer to ascertain that the expenditures are within the budget approved by the congregation.
 4. Direct the treasurer to pay the bills on the following order:
 - a. Any bill, which if not paid, would place the church in jeopardy. This includes fire, liability and boiler insurance and those items which could cause penalties to be assessed against the church such as payroll taxes and workman's compensation insurance.

- b. The benevolence giving to the Montana Synod of the ELCA
 - c. Salaries of pastor(s) and staff including pastor and staff benefits.
 - d. The “must” bills. These included the utilities and any other service where the lack of payment could cause the service to be shut off or stopped.
 - e. All other bills.
 - f. All expenditures must be made within the approved budget. Other than routine supplies ordered by the staff, all proposed expenses in B6.01.4.e must be approved by the Congregation Council.
5. Direct the treasurer to maintain separate accounts for all special funds such as flowers and radio and account where members of the congregation shall contribute funds to be used for specific purpose. All income shall be credited to that account and expenses for that project shall be paid from that account. Any funds left at the end of the year shall be carried over to the next year unless the treasurer is directed by the Congregational Council to transfer those funds into the general fund.
 6. Prepare a budget for submission to the annual meeting of the congregation.
 7. Assure itself that the treasurer and others who have access to the funds of the congregation are adequately bonded.
 8. Be responsible for the building and premises of the congregation so that their use is normally limited to the functions of the congregation. Should groups or individuals not associated with the congregation desire to use such property, such application shall be made to the Congregational Council for its approval.
 9. Elect the following committees and supervise their activities. These council committees are intended to empower and support the work of the congregation, which work will be done on large part by core ministry teams and informal groups. The committees elected by Council are:
 - 9.1 SPIRITUAL RENEWAL. This committee shall work with volunteer coordinator and resource management team to invigorate an active stewardship campaign and to instill a stewardship “mind-set” among our members. It shall work with the education director and education ministry team to promote a dynamic, meaningful Christian education program for people of all ages. This committee shall report to Council on the activities and possible needs of the above two ministry teams at monthly Council

meetings.

- 9.2 **WORSHIP AND FELLOWSHIP.** Together with the music and worship ministry teams, this committee shall seek to promote a program of music and worship that is spiritually uplifting to all members. Worship and Fellowship shall work with Youth & Family ministry team and the director to promote and maintain a program of activities that involves all youth in the congregation; and shall assist the fellowship ministry team in planning and implementing programs and events. Worship and Fellowship shall report to Council on the activities and possible needs of these above referenced ministry teams.
- 9.3 **OUTREACH.** This committee shall work with the Community Service ministry team to promote an active program of mission and service, to develop and maintain an active evangelism ministry, and to promote and instill within our congregation a welcoming spirit. Outreach shall report to Council on the activities and needs of Community Service and Evangelism ministry teams.
- 9.4 **FINANCE** Consisting of at least three members, one of which shall serve on Council, shall work:
To review and understand the financial reports prepared by the Treasurer.
To assist the council in using the financial reports.
To advise and work with the Treasurer in developing the financial reporting for the church.
To assist in the preparation of the annual budget.
To develop adequate communication to the congregation of the financial picture of the church.
To assist Council in planning especially as it pertains to finances.
To respond to Council requests for information regarding budget and finance information.
To initiate the budgeting and financial review process.
- 9.5 **LEADERSHIP AND STAFF DEVELOPMENT** shall work with the pastor in developing appropriate instruments to provide regular evaluations of the pastor and all staff Members. This committee shall assist in the evaluation process. The council member of this committee shall serve as vice-president of the congregation, and as an ex-officio member of the executive committee. This committee shall encourage the congregation members to assume leadership positions, make recommendations to Council on filling vacancies on the Council and other leadership positions in the church. Leadership and Staff Development shall also help draft and present to Council any needed changes in our Constitution and By-laws.
- 9.6 **COMMUNICATIONS** shall oversee and provide assistance in communications between council, congregation, community and staff. This committee is responsible for the maintenance and updating of the website, and promoting a positive image of the church.

9.7 PROPERTY AND MANAGEMENT is responsible for the physical premises and building maintenance staff. In addition to the daily needs of the building and grounds, the Committee shall be mindful of future maintenance needs.

10. The above committees shall:

- a. Elect from its own membership a chair and recorder;
- b. Conduct regular meetings at such time and place as the committee may determine;
- c. Report regularly to the Congregation Council on its activities.

11. Exercise discipline in accordance with the provisions of this constitution and its bylaws.

12. Convene at least once each year a meeting of all committees to meet jointly with the Congregation Council to review the life, work, and program of the congregation.

13. Have authority between meetings of the congregation to choose delegates to any group or meeting in which the congregation is entitled representation.

14. CORE MINISTRY TEAMS. The following Core Ministry Teams have existed for years, and are intended to perform the routine work needed to allow the congregation to function in worship and faith. These teams shall meet as needed and provide authority and power to members to perform and grow ministry.

- a. Evangelism – There shall be a team on Evangelism. It shall be the concern of this team to establish programs to deepen the spiritual life of members of the congregation, to win others for Christ, and to recall those who have become inactive in the life of the congregation.
- b. Parish Education – There shall be a team on Parish Education. This team shall be concerned with the leadership and supervision of the educational program of the congregation.
- c. Resource Management - This team shall be concerned to educate and establish programs to train the congregation to respond to Christ's redeeming love by the use of the resources of the congregation and its members for the fulfillment of Christ's Mission in the World.
- d. Youth and Family – There shall be a team for Youth and Family. . It shall be the concern of this team to see that programs are established

in the congregation to involve the young people in the fellowship mission and life of the congregation, and to encourage inter-generational mixing of the members.

- e. Worship –This team shall be concerned with the worship life of the congregation to include the services, music, liturgies, pulpit fill, broadcast, ushers, acolytes, etc.
- f. Service – There shall be a team on Service of the community to implement and coordinate the congregation’s benevolence. This team shall lead and direct the congregation in ministering to the needy members of the Missoula community.

PART 7

DUTIES OF OFFICERS

- B7.01. The president shall preside at meetings of the Congregation Council and of the congregation.
- B7.02. The vice-president shall preside at meetings of the Congregation Council and of the congregation in the absence of the president.
- B7.03. The secretary shall keep minutes of the Congregation Council and of the congregation and shall have custody of the archives of the congregation.
- B7.04. The treasurer shall have custody of all funds of the congregation and shall receive and disburse such funds in accordance with the decisions of the congregation.

PART 8

NOMINATIONS

- B8.01. The Leadership and Staff Development Committee shall nominate one or more candidates for each office to be filled and shall secure the consent of each candidate to serve if elected.
- B8.02. The candidates selected shall be made known to the congregation in conjunction with the announcements of the special or annual meeting at which the election is to take place.
- B8.03. In addition to the candidates submitted by the nominating committee, additional nominations may be made from the floor.

PART 9

REPORTS OF ORGANIZATIONS

- B9.01. All committees and organizations handling funds within the congregation shall submit accounts to the treasurer or the church office at least 15 days prior to the annual meeting, and the treasurer shall include such accounts in his report to the meeting.

PART 10

PARISH RECORDS

- B10.01. The pastor shall be responsible for keeping accurate record of membership and of his/her ministerial acts, on forms provided by the congregation and which shall remain the property of the congregation. He/she shall report these statistics to the congregation annually and when required, to the secretary of the Evangelical Lutheran Church in America. Upon leaving the congregation, he/she shall complete the records of his/her ministry up to the time of his/her departure.