



**The Constitution and Bylaws
All Saints Lutheran Church
Bowie, Maryland**

As Amended Through January 26, A.D. 2014

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INTRODUCTION

The *Model Constitution for Congregations of the Evangelical Lutheran Church in America* originally was adopted by the Constituting Convention of this church in Columbus, Ohio, on April 30, 1987. This current edition of the Constitution/Bylaws of All Saints Lutheran Church contains changes adopted by the 1989, 1991, 1993, 1995, 1997, 1999, 2001, 2003, 2005, 2007, 2009 and 2011 Churchwide Assemblies and subsequently adopted by this congregation. This edition of the Constitution and Bylaws was approved by the congregation on January 26, 2014.

Sections of this constitution marked by an asterisk [*] are required when a congregation amends its governing documents. These sections must be used without alteration or amendment of the text in any manner (neither additions nor deletions). You may notice that certain numbers seem to be missing from the numbering sequence in some chapters. That is intentional. In the style followed here, the number “10” and multiples thereof have been reserved for possible use as section headings in future editions.

CODIFICATION EXPLANATION

In accordance with the ELCA’s recommended formatting system, a numerical codification indicates (a) general subject, (b) constitutional provisions, (c) bylaws, and (d) continuing resolutions [of which there are none in this document].

a. Major sectors are designated as chapters. The chapter designation becomes the first number in the codification sequence and is followed by a period. Thus, provisions in “Chapter 8. Membership” are preceded by “8.”

b. Constitutional provisions are codified with two sets of numbers: the chapter number and a two-digit number preceding the second period in the codification. Thus, one constitutional provision related to “Membership” is codified *C8.02.

c. Bylaw provisions are codified with three sets of numbers: the chapter number, the related constitutional provision number, and a two-digit number. Thus, one bylaw provision related to “Membership” would be codified C8.02.01. In this document, bylaws codification numbers are also shaded for ease of use, to more easily distinguish bylaws from constitutional provisions. Thus, C8.02.01 will appear as **C8.02.01**.

*** 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 All Saints Lutheran Church.
- C1.02.** For the purpose of this constitution and the accompanying bylaws, All Saints Lutheran Church congregation is hereinafter designated as "this congregation."
- C1.03.** This congregation shall be incorporated under the laws of the State of Maryland.
- C1.04.** The seal of this congregation presents a cross, signifying Christ, and three crowns, signifying all saints. This emblem is encircled with the words, "All Saints Lutheran Church, Bowie, MD."

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. The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the Church, and the universal Church exists in and through congregations. The Evangelical Lutheran Church in America, therefore, derives its character and powers both from the sanction and representation of its congregations and from its inherent nature as an expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in the historic continuity of the communion of saints; in breadth, it expresses the fellowship of believers and congregations in our day.
- *C3.03. The name Evangelical Lutheran Church in America (ELCA or "this church") as used herein refers to 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, and standing with the poor and powerless, and committing itself to their needs.
- e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.
- f. Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity which the Spirit gives.

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

- a. Provide services of worship at which the Word of God is preached and the sacraments are administered.
- b. Provide pastoral care and assist all members to participate in this ministry.
- c. Challenge, equip, and support all members in carrying out their calling in their daily lives and in their congregation.
- d. Teach the Word of God.
- e. Witness to the reconciling Word of God in Christ, reaching out to all people.
- f. Respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.
- g. Motivate its members to provide financial support for the congregation's ministry and the ministry of other parts of the 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, from time to time, adopt 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 the congregation. The congregation is authorized to:
- a. call a pastor as provided in Chapter 9;
 - b. terminate the call of a pastor as provided in Chapter 9;
 - c. call or terminate the call of associates in ministry, deaconesses, and diaconal ministers in conformity with the applicable policy of the Evangelical Lutheran Church in America;
 - d. adopt amendments to the constitution, as provided in Chapter 17, amendments to the bylaws, as specified in Chapter 16, and continuing resolutions, as provided in Chapter 18.
 - e. approve the annual budget;
 - f. acquire real and personal property by gift, devise, purchase, or other lawful means;
 - g. hold title to and use its property for any and all activities consistent with its purpose;
 - h. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
 - i. elect its Congregation Council and require the members of the council to carry out their duties in accordance with the constitution and bylaws, and continuing resolutions; and
 - j. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.
- *C5.04.** This congregation shall choose from among its voting members laypersons to serve as voting members of the Synod Assembly as well as persons to represent it at meetings of any conference, cluster, coalition, or other area subdivision of which it is a member. The number of persons to be elected by the congregation and other qualifications shall be as prescribed in guidelines established by the Metropolitan Washington, D.C. Synod of the Evangelical Lutheran Church in America.

C5.05. This congregation shall have a Mission Endowment Fund that shall be administered by a Mission Endowment Fund Committee as specified in this congregation's bylaws. The purpose of this Fund is to provide for mission work beyond the operational budget of this congregation. All bequests and planned gifts presented to All Saints Lutheran Church shall be deposited into the Mission Endowment Fund unless otherwise restricted by the donor. These gifts shall be administered in a manner consistent with the donor's wishes and in accord with the mission, vision and values of this congregation.

C5.05.01. The **Mission Endowment Fund Committee** shall be the custodian of the Mission Endowment Fund and shall exercise prudent management of all receipts in accordance with generally accepted investment procedures.

- a. The Mission Endowment Fund Committee shall consist of seven (7) members, all of whom shall be voting members of All Saints Lutheran Church. The members of the Committee shall be elected at the Annual Congregation Meeting. The term of office shall be three years. Subsequent to the initial formation of the Committee, the members shall serve staggered terms, such that for each of two years, two members shall be elected, and the third year three members shall be elected. Members shall be eligible for two consecutive terms, or a total of six consecutive years. Should a vacancy on the Committee occur mid-term, the Congregation Council shall appoint a voting member of the congregation to serve on the Committee until the next annual meeting of the Congregation at which a member shall be elected to complete the term. In making the appointment, the Congregation Council will consider recommendations from the Mission Endowment Fund Committee. The pastor, Congregation President, and treasurer of the Congregation shall be *ex officio* members of the Committee, with voice and no vote. The Congregation Treasurer shall maintain the account of the Mission Endowment Fund.
- b. The Committee shall meet at least quarterly. *Robert's Rules of Order*, latest edition, shall govern parliamentary procedure of all meetings of the Mission Endowment Fund Committee.
- c. A quorum shall consist of four elected members. A majority vote of the membership shall be required to carry any motion or resolution.
- d. The Committee shall elect from its own membership a chairperson, recording secretary, and financial secretary.
- e. The Committee recording secretary shall maintain complete and accurate minutes of all meetings and provide them to each Committee member and to the Congregation Council. The Recording Secretary and Chairperson shall keep a complete set of minutes to be delivered to their successors.
- f. The Committee financial secretary shall work with the Congregation Treasurer and Financial Secretary in maintaining and coordinating complete and accurate accounts for the Fund. The books shall be audited annually by the Congregation Audit Committee in accordance with C13.02.01. b. of the All Saints Lutheran Church Bylaws.

- g. The Committee shall report on a quarterly basis to the Congregation Council. At the annual meeting of the Congregation, the Committee shall render a full and complete audited account of the Fund for the preceding year. The Committee shall hire an independent auditor to audit the account annually.
- h. Upon two-thirds vote of the membership of the Committee, at the expense of the fund income, the Committee may provide for professional counseling in investment or legal matters.
- i. Committee members shall not be liable for any losses which may be incurred upon the investments of the assets of the Fund except to the extent such losses shall have been caused by bad faith or gross negligence. No member shall be personally liable as long as he/she acts in good faith and with ordinary prudence. Each member shall be liable only for his/her own willful misconduct or omissions, and shall not be liable for the acts or omissions of any other member. No member shall engage in any self-dealing or transactions with the Fund in which the member has direct or indirect financial interest. Committee members shall at all times refrain from any conduct in which their personal interest would conflict with the interest of the Fund.
- j. All assets are to be held in the name of All Saints Lutheran Church and shall be invested for the benefit of All Saints Lutheran Church through the Lutheran Community Foundation, ELCA Foundation, ELCA Mission Investment Fund, the Thrivent Bank & Trust, or such other accounts as necessary and appropriate to conduct the affairs of the Fund in the best interest of the All Saints Lutheran Church Congregation.
- k. Upon initial receipt of assets from donors, the Committee shall make recommendations to hold, sell, exchange, rent, lease, transfer, convert, invest, reinvest, and in all other respects to manage and control the assets of the Fund, including stocks, bonds, debentures, mortgages, notes, or other securities, as in its judgment and discretion it deems wise and prudent. These recommendations shall be submitted to the Congregation Council for approval. Decisions made by the Congregation Council regarding these recommendations shall be executed by the Committee, with subsequent execution by the delegated member of the Committee.
- l. The Committee shall determine the principal and income of the fund according to accepted accounting procedures. Gifts and bequests to the Fund may accumulate for one year, after which the income generated from the investment of the principal shall be expended.
- m. Proposed distributions recommended by the Committee shall be submitted to the Congregation Council for approval. Approved distributions shall be executed by the Committee. Disbursements of income from the Fund shall be distributed annually unless the Committee recommends to the Congregation Council that sufficient income from the Fund is not available, and the recommendation is approved by the Congregation Council.

- n. Income from the Fund shall be distributed annually or at such other times as deemed necessary and/or feasible:
 - 1) Up to 40 percent for new ministry opportunities within All Saints Lutheran Church including but not limited to scholarships; start-up costs of new program ministries and/or staffing; new materials or equipment; other opportunities within the congregation that will encourage Christian growth in faith, fellowship, service or outreach; and/or (on a matching basis with members of the congregation) capital improvement, debt reduction, or building expansion program.
 - 2) Up to 40 percent for outreach into the communities of our Metropolitan Washington DC Synod through the serving arms of the church, including but not limited to grants to the United Lutheran Appeal.
 - 3) Up to 40 percent for missions of the Evangelical Lutheran Church in America on this continent and worldwide, including but not limited to programs of the ELCA for new congregation development in North America, professional leadership, educational ministries, global missions, ecumenism, media evangelism, and capital financing.
- o. In a dire situation in which the future of the congregation is at stake, the Congregation Council, in an unforeseen economically devastating situation, upon two thirds of the membership vote, may direct that the Committee use the principal of the fund to rectify said situation.
- p. In the event All Saints Lutheran Church ceases to exist, either through merger or dissolution, disposition or transfer of the Fund shall be at the discretion of the Congregation Council in conformity with the approved Congregation constitution and in consultation with the bishop of the synod to which this congregation belongs at such time. Consultation with the Evangelical Lutheran Church in America may be desirable for continuation of Mission Endowment Fund obligations.

C5.06. This congregation shall have a Sacred Garden and Columbarium and it shall be administered by the Sacred Garden/Columbarium Board. The purpose of the Sacred Garden/Columbarium shall be to serve as the natural repository and final resting place of the faithful departed. The Sacred Garden/Columbarium is a hallowed spot, made sacred by our Lord and consecrated to the memory of those who loved the church and are now departed from our midst. Located in the Sacred Garden, the columbarium is a constant reminder that in Christ not even death can separate us from one another. All monies related to the purchase of the columbarium niches and to the maintenance of the Sacred Garden and Columbarium shall be deposited into the Sacred Garden/Columbarium Fund.

C5.06.01. **The Sacred Garden/Columbarium Board** shall oversee the operation of the Sacred Garden and Columbarium. It shall be responsible for the planning and maintenance of the garden, the selling and assigning of columbarium niches, the management of all receipts and expenses and of all other matters related to the Sacred Garden and Columbarium.

- a. The Board shall consist of three voting members of the congregation. Board members shall be elected at the Annual Congregation Meeting from a slate of candidates presented by the Nominating Committee. The Board shall come into existence at the dedication of the Sacred Garden/Columbarium. Initially, the Board members will consist of three members of the Sacred Garden Task Group. The term of office shall be three years. Subsequent to the initial formation of the Board, the three members shall serve staggered terms. There shall be no term limits for board members. Should a Board vacancy occur mid-term, the Congregation Council shall appoint a voting member of the congregation to serve on the Board until the next annual meeting of the congregation, at which time a member shall be elected to complete the term. The Congregation Council will consider recommendations from the Sacred Garden /Columbarium Board in making the appointment.
- b. The Board will elect from its members a chair, a recording secretary and a financial officer.
- c. The Board shall meet a minimum of two times per year.
- d. The Board shall submit an annual report to the congregation and shall report to the Congregation Council a minimum of twice a year to keep the Council apprized of the status of the sacred garden and the columbarium.
- e. The Board shall maintain accurate records of the columbarium niches and donations. The Sacred Garden/Columbarium Fund will be audited annually by the Congregation Audit Committee in accordance with C13.02.01b of the All Saints Lutheran Church Bylaws. The treasurer of the congregation shall be a signatory on the Fund.
- f. Each columbarium shall consist of niches, uniform in size, for inurnment of cremated remains (cremains). Each niche is limited to the cremation of one or two person(s).
- g. Committal or Memorial Services may be held in the Sacred Garden with the approval of and under the direction of the Pastor or his/her designee. The opening of any niche is the responsibility of the Board, the Pastor, or their designee.
- h. The Board shall maintain a registry of all the niches in the columbarium to be identified by a number with the name of the deceased, the date of birth, date of death, and date of inurnment as well as the names of the purchasers or their representatives, purchase date, and their last known address.
- i. It shall be the responsibility of the purchasers to, at all times, keep the Board and this congregation advised of their current mailing address, the representative's address and the address of the person for whom the niche is reserved. Once the cremains of the eligible person have been placed in the niche, the representative shall be responsible for notifying the Board of any changes of address. The Board will only be responsible for providing notice to the parties at the addresses provided and recorded in the registry.

- C5.06.02.** In the event the columbarium is moved from 16510 Mount Oak Road, Bowie, MD 20716 or the ownership of the property located at 16510 Mount Oak Road, Bowie, MD 20716 changes, the Sacred Garden/Columbarium Board shall contact an attorney for representation on how to proceed.

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 Metropolitan Washington, D.C. Synod of the Evangelical Lutheran Church in America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America.
- *C6.02.** This congregation accepts the Confession of Faith and agrees to the Purposes of the Evangelical Lutheran Church in America and shall act in accordance with them.
- *C6.03.** This congregation acknowledges its relationship with the Evangelical Lutheran Church in America in which:
- a. This congregation agrees to be responsible for its life as a Christian community.
 - b. This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.
 - c. This congregation agrees to call pastoral leadership from the clergy roster of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod. These special circumstances are limited either to calling a candidate approved for the roster of ordained ministers of the Evangelical Lutheran Church in America or to contracting for pastoral services with an ordained minister of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion.
 - d. This congregation agrees to consider associates in ministry, deaconesses, and diaconal ministers for call to other staff positions in the congregation according to the procedures of the Evangelical Lutheran Church in America.
 - e. This congregation agrees to file this constitution and any subsequent changes to this constitution with the synod for review to ascertain that all of its provisions are in agreement with the constitution and bylaws of the Evangelical Lutheran Church in America and with the constitution of the synod.
- *C6.04.** Affiliation with the Evangelical Lutheran Church in America may be terminated as follows:
- a. This congregation takes action to dissolve.
 - b. This congregation ceases to exist.

- c. This congregation is removed from membership in the Evangelical Lutheran Church in America according to the procedures for discipline of the Evangelical Lutheran Church in America.
 - d. This congregation follows the procedures outlined in *C6.05.
- *C6.05.** A congregation may terminate its relationship with this church by the following procedure:
- a. A resolution indicating the intent to terminate its relationship must be adopted at a legally called and conducted special meeting of the congregation by a two-thirds vote of the voting members present. Such meeting may be held no sooner than thirty days after written notice of the meeting is received by the bishop of the synod, during which time the 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 the congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the meeting.
 - b. The secretary of the 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 mail a copy of the resolution to voting members of the congregation. This notice shall be submitted within ten days after the resolution has been adopted.
 - c. The bishop of the synod and the congregation shall continue in consultation, as specified in paragraph a. above, during a period of at least ninety days after receipt by the synod of the notice as specified in paragraph b. above.
 - d. If the congregation, after such consultation, still desires to terminate its relationship, 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 meeting shall be mailed to all voting members and to the bishop at least ten days in advance of the meeting. Unless he or she is a voting member of the congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the meeting.
 - e. A copy of the resolution, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, shall be sent to the bishop within ten days after the resolution has been adopted, at which time the relationship between the congregation and this church shall be terminated subject to paragraphs g., h., and i. below. Unless this notification to the bishop also certifies that the congregation has voted by a two-thirds vote to affiliate with another Lutheran denomination, the congregation will be conclusively presumed to be an independent or non-Lutheran church.
 - f. Notice of termination shall be forwarded by the bishop to the secretary of this church, who shall report the termination to the Churchwide Assembly.

- g. 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.
 - h. 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 synodical approval before terminating their membership in this church.
 - i. 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.
 - j. If a congregation fails to achieve the required two-thirds vote of voting members present at the congregation's first meeting as specified in paragraph a. above, another special meeting to consider termination of relationship with this church may be called no sooner than six months after that first meeting. If a congregation fails to achieve the required two-thirds vote of voting members present at the 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 that second meeting.
- *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 program unit of the churchwide organization before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is effected.
- *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 program 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 Metropolitan Washington, D.C. Synod of the Evangelical Lutheran Church in America.
- *C7.02.** If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline, title to property shall continue to reside in this congregation.

- *C7.03.** If a two-thirds majority of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to transfer to another Lutheran church body, title to property shall continue to reside in this congregation, 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 Metropolitan Washington, D.C. Synod.
- *C7.04.** If a two-thirds majority of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to become independent or relate to a non-Lutheran church body and have followed the process for termination of relationship in *C6.05., title to property of this congregation shall continue to reside in this congregation only with the consent of the Synod Council. The Synod Council, after consultation with this congregation by the established synodical process, may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of this congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America.
- 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 Metropolitan Washington, D.C. 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 made a contribution of record to this congregation. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of the congregation.
 - d. **Associate** members are persons holding membership in other Lutheran congregations who wish to retain such membership but desire to participate in the life and mission of this congregation, or persons who wish to retain a relationship with this congregation while being members of other congregations. They have all the privileges and duties of membership except voting rights and eligibility for elected offices or membership on the Congregation Council of this congregation.
- *C8.03.** All applications for confirmed membership shall be submitted to and shall require the approval of the Congregation Council.
- *C8.04.** It shall be the privilege and duty of members of this congregation to:
- a. make regular use of the means of grace, both Word and sacraments;
 - b. live a Christian life in accordance with the Word of God and the teachings of the Lutheran church; and
 - c. support the work of this congregation, the synod, and the churchwide organization of the Evangelical Lutheran Church in America through contributions of their time, abilities, and financial support as biblical stewards.
- *C8.05.** Membership in this congregation shall be terminated by any of the following:
- a. death;
 - b. resignation;
 - c. transfer or release;
 - d. disciplinary action by the Congregation Council; or
 - e. removal from the roll due to inactivity as defined in the bylaws.

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

- C8.05.01.** This congregation shall transfer membership to another Lutheran congregation or issue a certificate of release to another evangelical congregation at the written request of the transferring members(s). Members who move to another location and no longer plan to attend All Saints shall be offered assistance in locating a Lutheran congregation in their new community, and upon their request, the pastor shall notify Lutheran congregations in that area of the move.
- C8.05.02.** When members of this congregation have failed to commune or make a contribution of record with this congregation for the current and preceding year, they may be removed from the roll of membership by action of the Congregation Council and upon the recommendation of the pastor. This action shall take place only after such members have been counseled about the matter by the pastor or his/her representative. This procedure shall take place only when there is a pastor under call to serve this congregation or with the approval of the bishop of the synod.
- C8.05.03.** Inactive confirmed members who have not communed or made a contribution of record for the current or preceding year, but who desire to remain on the congregation roll, may do so per their written request to either the pastor or the Congregation Council.

CHAPTER 9. — THE PASTOR

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

- 2) supervise all schools and organizations of this congregation;
 - 3) install regularly elected members of the Congregation Council; and
 - 4) with the council, administer discipline.
- c. Every pastor shall:
- 1) strive to extend the Kingdom of God in the community, in the nation, and abroad;
 - 2) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
 - 3) impart knowledge of this church and its wider ministry through distribution of its periodicals and other publications; and
 - 4) endeavor to increase the support given by the congregation to the work of the churchwide organization of the Evangelical Lutheran Church in America (ELCA) and of the Metropolitan Washington, D.C. Synod of the ELCA.
- *C9.04.** The specific duties of the pastor, compensation, and other matters pertaining to the service of the pastor shall be included in a letter of call, which shall be attested by the bishop of the synod.
- C9.04.01.** In order that a pastor of this congregation may be devoted fully to the duties of the office, an adequate salary shall be provided. Expenses incident to attendance at convention of the synod, except for travel, and attendance at meeting of the district shall be defrayed by the congregation.
- *C9.05.** a. The call of a congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which, except in the case of the death of the pastor, shall be terminated only following consultation with the synodical bishop and for the following reasons:
- 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the pastor, which shall become effective, unless otherwise agreed, thirty days after the date on which it was submitted;
 - 3) inability to conduct the pastoral office effectively in the congregation in view of local conditions, without reflection on the competence or the moral and spiritual character of the pastor;
 - 4) the physical or mental incapacity of the pastor;
 - 5) disqualification of the pastor through discipline on grounds of doctrine, morality, or continued neglect of duty;
 - 6) the dissolution of the congregation or the termination of a parish arrangement; or
 - 7) suspension of the congregation as a result of discipline proceedings.

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

C9.05.01. When a pastor of this congregation desires to terminate his/her ministry, a letter of resignation shall be submitted to the Congregation Council for report to the congregation. Unless specified in the letter of call, the resignation shall normally become effective thirty days after the date on which it was submitted.

- *C9.06. At a time of pastoral vacancy, an interim pastor shall be appointed by the bishop of the synod with the consent of this congregation or the Congregation Council.
- *C9.07. During the period of service, an interim pastor shall have the rights and duties in the congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or Congregation Council. The interim pastor and any ordained pastor providing assistance shall refrain from exerting influence in the selection of a pastor. Unless previously agreed upon by the Synod Council, an interim pastor is not available for a regular call to the congregation served.
- *C9.08. This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting related to the Evangelical Lutheran Church in America.
- *C9.09. When a pastor is called to serve in company with another pastor or pastors, the privileges and responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted in consultation involving the pastors, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
- *C9.11. With the approval of the bishop of the synod, the congregation may depart from *C9.05.a. and call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the pastor and representatives of the congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of *C9.05.a.
- *C9.12. The pastor of this congregation:
 - a. shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation;
 - b. shall submit a summary of such statistics annually to the synod; and
 - c. shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.
- *C9.13. The pastor(s) shall submit a report of his or her ministry to the bishop of the synod at least ninety 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 the congregation. The secretary of this congregation shall attest in writing to the bishop of this synod that such records have been placed in his or her hands in good order by a departing pastor before the installation of that pastor in another field of labor or the granting by the synod of retired status to the pastor.

C9.20. Ecumenical pastoral ministry

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

CHAPTER 10. — CONGREGATION MEETING

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

C10.01.01. The Annual Meeting of this congregation shall be held on the last Sunday of January.

C10.02. A special Congregation Meeting may be called by the pastor, the Congregation Council, or the president of this congregation. A special congregational meeting shall be called by the president of the congregation upon the written request of ten percent of the voting members of this congregation. 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 and by mail to all voting members at least ten 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. A newsletter mailed to all voting members of the congregation shall be considered to be in compliance with this procedure. Electronic notice of meetings may be provided in addition to notice by regular mail.

C10.04. Twenty-five percent of the voting members of this congregation shall constitute a quorum.

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

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

C10.07. *Robert's Rules of Order*, latest edition, shall govern parliamentary procedure of all meetings of this congregation.

CHAPTER 11. — OFFICERS

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

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

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

- c. The president, vice president, and secretary shall be elected from the elected membership of the Congregation Council.
- d. The treasurer and financial secretary shall be elected by the Congregation for a one-year term, and shall not be members of the Congregation Council. The treasurer and financial secretary shall have voice but not vote at the meetings of the Congregation Council.

C.11.01.01. The duties of the elected Congregation Council officers are as follows:

- a. The **president** shall preside at meetings of the congregation and Congregation Council, chair the Executive Committee, and be an *ex officio* member of all Ministry Teams and Congregation Committees, except the Nominating Committee.
- b. The **vice president** shall assume the duties of the president in the event of the president's inability to serve.
- c. The **secretary** shall keep accurate minutes of all meetings of the congregation and of the Congregation Council in a volume provided by the congregation, which shall be preserved permanently in its archives. The secretary shall be responsible for archives and records management and make written summary report of council activities to the congregation at its annual meeting.
- d. The **treasurer** shall keep the books of account of the congregation and shall receive from the financial secretary all funds and disburse them on proper order, making at least quarterly remittance of benevolence receipts to the treasurer of the synod. The treasurer shall make written report of all financial transactions to the Congregation Council monthly and to the congregation at its annual meeting and shall provide all records to the Audit Committee for the annual audit. The treasurer shall serve as an *ex officio* member of the Budget and Finance and Stewardship Ministry Teams and the Mission Endowment Fund Committee.
- e. The **financial secretary** shall receive and keep records of all income from contributing members and other sources, provide annual statements to contributing members, and make written report of all financial receipts to the Congregation Council monthly and to the congregation at its annual meeting. The Financial Secretary shall provide all records to the Audit Committee for the annual audit. The Financial Secretary shall serve as *ex officio* member of the Budget and Finance and Stewardship Ministry Teams. A year-to-date statement of the individual member's record of giving shall be provided to any member who makes such a request.

C11.02. The Congregation Council shall elect its president, vice president and secretary by written ballot. These officers shall serve for one year or until their successors are elected. Their terms shall begin at the close of the meeting at which they are elected in accordance with the bylaws.

C11.02.01. A special Congregation Council meeting to elect officers shall be called immediately following the annual congregation meeting. At this meeting, the Congregation Council shall elect from its members a president, vice-president, and secretary.

C11.03. No officer shall hold more than one office at a time. The president and vice president of the Congregation Council shall not serve more than two consecutive terms in the same office. There shall not be term limits for the treasurer and financial secretary.

CHAPTER 12. — CONGREGATION COUNCIL

C12.01. The voting membership of the Congregation Council shall consist of the pastor(s) and the number of lay members of the congregation specified in the bylaws. Any voting member of the congregation may be elected, subject only to the limitation on the length of continuous service permitted in that office. A member's place on the Congregation Council shall be declared vacant if the member

- a. ceases to be a voting member of this congregation; or
- b. is absent from four successive regular meetings of the Congregation Council without cause; or
- c. submits a written letter of resignation.

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

C12.01.01. Nine lay members of this congregation shall be elected to the Congregation Council.

C12.02. The members of the Congregation Council, except the pastor(s), shall be elected by written ballot and serve their elected term as specified in the bylaws. Such members shall be eligible to serve no more than six consecutive years. Their terms shall begin at the close of the annual meeting at which they are elected.

C12.02.01. Procedures for electing Congregation Council members are as follows:

- a. A written ballot shall be used for the election of Congregation Council members. Names of all Congregation Council nominees including those nominated from the floor shall be included on the initial ballot. Congregation voting members may vote for as many nominees as there are vacancies on the Congregation Council by placing an X or check mark by the names of the nominees voted for. Ballots improperly marked shall be disregarded and not counted in the voting. After all votes have been counted, the nominees who receive the most votes consisting of a majority of the votes cast shall be elected to the existing vacancies on the Congregation Council.

- b. Of the nominees elected to the Congregation Council, the number who receive the most votes shall serve full three year terms. Nominees not elected to three year terms shall fill remaining one or two year vacancies on the Congregation Council, should any exist, based upon the number of votes the nominee receives.
- c. After the initial voting, if the number of nominees receiving a majority of the votes cast is not equal to or greater than the number of vacancies existing on the Congregation Council, a second ballot shall be required. Nominees receiving majority votes on the first ballot shall serve terms as specified previously and their names shall not appear on the second ballot. All nominees from the first ballot not receiving a majority vote on the first ballot shall be placed on the second ballot.
- d. Nominees who receive a majority vote on the second ballot shall fill the existing vacancies on the Congregation Council with the nominees receiving the most votes filling the longest term vacant.
- e. Should a third or more vote be required, the procedures for the second ballot shall apply. In all subsequent balloting after the third ballot, the number of Congregation Council nominees shall be limited to twice the number of positions to be filled. Names remaining on the ballot after the third vote shall be those names receiving the most votes without receiving a majority.
- f. Should a tie occur between nominees as to the length of term or as to who shall serve on the Congregation Council, a special ballot shall be used to break only the specific tie. Only the nominees' names involved in the tie shall be included on the special ballot. Voters may vote for the number of nominees on the special ballot equal to the number of Congregation Council vacancies existing affected by the tie.
- g. Should the total number of Congregation Council nominees, including nominees from the floor, be less than or equal to the number of vacancies, the election of Congregation Council members may be conducted by acclamation.

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. Such individuals shall be eligible for nomination and possible election to a term compliant with C12.02.

C12.03.01. In making interim appointments to vacancies on the Congregation Council, the Council shall first consider for appointment those nominated but not elected at the most recent congregation meeting. Additional names for appointment may be made by the Congregation Council. Individuals receiving the highest number of votes from the Congregation Council shall be offered the chance to serve on the Council.

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 churchwide organization of the Evangelical Lutheran Church in America as well as cooperation with other congregations, both Lutheran and non-Lutheran, subject to established policies of the synod and the Evangelical Lutheran Church in America.
- i. To recommend and encourage the use of program resources produced or approved by the Evangelical Lutheran Church in America.
- j. To encourage and support members of the congregation, particularly the youth, to enter into the professional leadership of the Church.

C12.04.01. Five of the six members of council who are not officers shall serve as liaisons to the Ministry Teams in each of the five ministry areas of Gather, Worship, Learn, Serve, and Support. The sixth member shall serve as a liaison to the congregation Committees. As Council liaisons, these individuals shall facilitate communication and collaboration between and among ministry teams, the congregation Committees, and the Congregation Council. Procedures regarding the liaison responsibilities of council members shall be included in the Policies and Procedures Handbook.

C12.04.02. Council liaisons shall be selected by the Executive Committee of the Congregation Council following collaboration with the council members.

C12.04.03. Continuing policies for the Congregation Council shall be maintained in the Policies and Procedures Handbook.

- C12.05.** The Congregation Council shall be responsible for the financial and property matters of this congregation.
- a. The Congregation Council shall be the board of trustees 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 Maryland.
 - b. The Congregation Council shall not have the authority to buy, sell, or encumber real property unless specifically authorized to do so by a meeting of the congregation.
 - c. The Congregation Council may enter into contracts of up to the amount specified in the bylaws for items not included in the budget.
 - d. The Congregation Council shall prepare an annual budget for adoption by this congregation, shall supervise the expenditure of funds in accordance therewith following its adoption, and may incur obligations in excess of receipts only after approval by a Congregation meeting. The budget process shall include thorough consideration of the congregation's full synod-indicated share in support of the wider ministry being carried on in partnership with the synod and churchwide organization.
 - e. The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the 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.
- C12.05.01.** The Congregation Council shall not incur obligations of more than five percent of the congregationally approved annual budget without the approval of this congregation at a congregation meeting.
- C12.06.** The Congregation Council shall see that the provisions of this constitution and its bylaws are carried out.
- C12.07.** The Congregation Council shall provide for an annual review of the membership roster.
- C12.08.** The Congregation Council shall be responsible for the appointment and supervision of staff of this congregation. Nothing in this provision shall be deemed to affect the congregation's responsibility for the call, terms of call, or termination of call of any employees who are on a roster of this church.
- C12.09.** The Congregation Council shall submit a comprehensive report to this congregation at the annual meeting.
- C12.11.** The Congregation Council shall normally meet once a month. Special meetings may be called by the pastor or the president, or at the request of at least one-half of its members. Notice of each special meeting shall be given to all who are entitled to be present.

- C12.12.** A quorum for the transaction of business shall consist of a majority of the members of the Congregation Council, including the pastor or interim pastor, except when the pastor or interim pastor requests or consents to be absent and has given prior approval to the agenda for a particular regular or special meeting, which shall be the only business considered at that meeting.
- C12.13.** *Robert's Rules of Order*, latest edition, shall govern parliamentary procedure of all meetings of the Congregation Council.

CHAPTER 13. — CONGREGATION COMMITTEES AND MINISTRY TEAMS

- C13.01.** Duties of Committees and Ministry Teams shall be specified in the bylaws. Other Committees, Ministry Teams, and task forces may be formed as the need arises, by decision of the Congregation Council.
- C13.02.** This congregation shall establish **Congregation Committees**, to include:
- a. A **Nominating Committee**, consisting of membership as specified in the bylaws, shall be elected at the annual meeting for a term of one year. Members of the Committee are not eligible for consecutive reelection.
 - b. An **Audit Committee**, consisting of membership as specified in the bylaws, shall be elected by the Congregation Council. Committee members shall not be members of the Congregation Council. Term of office shall be two years. Members shall be eligible for reelection.
 - c. A **Call Committee** of six voting members shall be appointed by the Congregation Council when a pastoral vacancy occurs. The term of office will terminate upon installation of the newly called pastor.
 - d. A **Mutual Ministry Committee** shall be appointed jointly by the president and the pastor. The term of office shall be two years, with three members to be appointed each successive year.
- C13.02.01.** There shall be nine Congregation Committees whose membership and duties include:
- a. The **Nominating Committee** shall consist of four voting members of the congregation. The pastor shall be an *ex officio* member of the Committee with both voice and vote. One member of the Committee shall be an outgoing member of Congregation Council. In preparation for the annual congregation meeting, the Committee shall develop a slate of candidates for the offices of treasurer and financial secretary, vacancies on the Congregation Council, members of the Nominating and Mission Endowment Fund Committees, and the voting members to the Synod Assembly.

- b. The **Audit Committee** shall consist of three voting members of the congregation. The Committee shall perform the annual audit of the records of the treasurer, financial secretary, the Mission Endowment Fund Committee, the Scholarship Committee, and any other accounts of this congregation. The Audit Committee shall see that all financial transactions of this congregation are conducted according to generally accepted accounting and cash management practices. The Committee shall submit a written report of their findings and recommendations to the Congregation Council and to the congregation at the annual congregation meeting. An annual audit of the preceding year's financial records shall be performed no later than June 30 of each calendar year.
- c. The **Call Committee** shall perform the necessary activities, including seeking the advice and help of the bishop of the Metropolitan Washington, D.C. Synod, to nominate, for Congregation Council and Congregation approval, a qualified candidate to fill an existing or anticipated pastoral vacancy. Responsibilities of the Committee include drafting the letter of call and facilitating the candidate's visit/interview.
- d. The **Mutual Ministry Committee** shall consist of six voting members. The Committee shall act as a personnel interface between/among the congregation and the pastor, employees, council officers, and the Committees and ministry teams of the congregation. This interface will afford members of the congregation a direct avenue to discuss their concerns and suggestions to improve conduct of service, congregation activities, responses to members, and pastoral support. By listening, interpreting, advising, conferring, evaluating, and if necessary, recommending Congregation Council action, the Committee will facilitate collaboration in areas of membership, service, and pastoral support. In the area of conflict resolution, the Committee shall provide a forum where members and employees of the congregation may voice their concerns and reach a mutually acceptable settlement of these concerns. The Committee shall provide the pastor and other paid staff with the opportunity to apprise the Committee of their activities. The Committee chair shall serve as a member of the performance evaluation team for the pastor.

- e. The **Memorials Committee** shall consist of three voting members of the congregation. Committee members shall be appointed jointly by the Congregation Council president and the pastor and may serve for three years. The pastor and Congregation Council president shall be *ex officio* members of the committee. Members shall be eligible for reappointment. The committee shall be responsible for acknowledging gifts and recommending to the Congregation Council items and/or projects for expenditure from the All Saints Lutheran Church Memorials Fund. The fund shall be comprised of gifts to All Saints Lutheran Church contributed by members and friends to remember or honor someone, excluding those given to support scholarships, the Mission Endowment Fund, or capital improvement campaigns. The Memorials Committee shall honor requests from the families for which memorial gifts to All Saints Lutheran Church were generated, following discussion between the family and the pastor about such gifts. The Memorials Committee shall request and review suggestions from any congregational committee, ministry team, or member regarding expenditures from the fund. The Memorials Committee must coordinate requests for consensus among the members of the relevant congregational committees or ministry teams. The Memorials Committee shall consider suggestions for expenditures that enhance the mission and ministries of this congregation, represent one-time tangible items and/or projects that are enduring testimonials to those honored through the memorial gift, and are not budgeted expenditures, emergency requests, or annual collections.
- f. The **Scholarship Committee** shall consist of three voting members of the congregation and be responsible for expenditures from the account(s) to which members and friends of the congregation may make contributions to the Scholarship Fund. The Committee shall raise funds, acknowledge gifts, establish the scholarship application process, set eligibility requirements, publicize the process, determine selection criteria and award scholarships. Members shall be appointed jointly by the Congregation Council president and the pastor and may serve for three years. . Members shall be eligible for reappointment. The pastor and the Council president shall be *ex officio* members of the Committee.
- g. The **Capital Improvement Committee** shall be responsible for planning and providing recommendations to the Council to improve the physical facilities of the congregation. The Committee shall prepare and maintain a long-range plan to improve and upgrade the facilities of the congregation. This plan will be updated and reviewed by the Council for potential inclusion into the finance and budget system. This Committee shall work closely with the Property Management Ministry Team. The Committee shall implement approved plans to obtain the capital improvement with the aid of the appropriate Ministry Teams, Committees, and officers of the council.
- h. The **Mission Endowment Fund Committee** shall operate according to the bylaws specified in C5.05.01.

- i. The **Governance Committee** shall be appointed by the Congregation Council. The Committee shall review policy and make recommendations on proposed policy to the council, make recommendations on changes to the constitution and bylaws, consult with other Ministry Teams and Committees relative to procedures and policy proposals, and provide presentations and/or briefings to the congregation relative to the adoption of changes to the constitution and bylaws. The Committee shall review, update, and maintain this congregation's Policies and Procedures Handbook.

C13.06. This congregation shall establish **Congregation Council Committees** and **Ministry Teams**.

- a. An **Executive Committee** shall be established as specified in the bylaws.
- b. **Ministry Teams** shall be established as specified in the bylaws. Duties of the teams shall be specified in the bylaws

C13.06.01. There shall be an Executive Committee of the Congregation Council. The Committee shall be chaired by the president of the Congregation Council. The Committee shall be composed of the officers of the Congregation. All officers shall have voice and vote. The pastor shall be an *ex officio* member of the Committee with voice and vote. The president of the Congregation Council may appoint one voting member of the congregation to the Committee with voice and no vote. The function of the Committee is to support the Congregation Council and its activities by ensuring that the business of the Congregation Council flows in an even and scheduled fashion; to provide a forum for consultation relative to special topics and Congregation Council meeting agendas, to ensure that performance evaluations are conducted annually for all paid staff; and to make salary recommendations. The Executive Committee shall ensure that the appropriate ministry team leaders are consulted when completing the evaluation of paid staff whose duties relate directly to the responsibilities and functions of the ministry team.

C13.06.02. The congregation shall have nine Ministry Teams. Officers of the congregation shall not chair a Ministry Team. Ministry Team leaders shall be members of the congregation and shall not be members of the Congregation Council except in those instances where a Ministry Team leader position is vacant. If a Ministry Team leader position becomes vacant during the appointed term, the Executive Committee shall collaborate with the Congregation Council liaison on the selection of a new leader. If a team leader is not identified, the Executive Committee may then appoint a Council member on a temporary basis as a Ministry Team leader until the team leader position is filled permanently. The Executive Committee shall collaborate with members of the Congregation Council on the selection of Ministry Team leaders. Executive Committee recommendations shall be presented to the Congregation Council for approval. Ministry Team leaders shall be asked to serve for a one-year term, and may be asked to continue their service in subsequent years. Ministry Team leaders shall begin their term on the first day of May, and continue for one year.

- a. The **Evangelizing (E) Ministry Team** shall stimulate and lead all members and ministries of the congregation in continuous and concerted endeavors to reach out and welcome those in the community who are not yet members of Christ's Church, as well as to reach out to church members in need of encouragement and support, and those who no longer are active within the church community. The team shall lead all members and ministries to encourage people of all ages and cultures to be committed disciples in the community, respecting the dignity and worth of all people. The team shall encourage the formation of supportive relationships and foster intergenerational interaction. This ministry shall nurture leadership among the congregation so that all can be faithful to God's call.
- b. The **Fellowship Ministry Team** shall develop and implement programs to meet the Christian social needs of the congregation. This ministry shall be the point of coordination for fellowship activities that fall under the purview of other ministries.
- c. The **Youth Ministry Team** shall foster and nurture Christian spiritual and social values in our youth through the development and implementation of programs that increase spiritual awareness and understanding, minister to God's people, and encourage outreach and fellowship.
- d. The **Worship and Music Ministry Team** shall coordinate with the pastor and director of music to ensure that the worship services of the congregation are conducted regularly and in accordance with the Evangelical Lutheran Church in America worship practices.
- e. The **Learn Ministry Team** shall develop and implement an education program whose purpose is to teach the Word of God. The team is encouraged to use materials and resources that are offered by the Evangelical Lutheran Church in America.
- f. The **Serve Ministry Team** shall promote faith in action by responding to the essential needs of the congregation, local, national, and international communities. This ministry shall provide direct and indirect assistance to congregation members, and encourage, enable, and expand service to the immediate and broader community.
- g. The **Stewardship Ministry Team** shall strengthen and support members of the congregation in their knowledge and understanding of their role as God's stewards. This ministry shall provide leadership in developing programs that give all members of the congregation an opportunity to offer their time, talent, and monetary resources in thanksgiving to God and to carry out the ministries of the church.
- h. The **Budget and Finance Ministry Team** shall have oversight responsibility for the financial affairs of the congregation.
- i. The **Property Management Ministry Team** shall ensure that the physical assets of the congregation are properly maintained and protected, and that the appropriate equipment and/or contracts are available to perform this function.

- C13.08.** The pastor of this congregation shall be *ex officio* a member of all Committees and boards of the congregation. The president of this congregation shall be *ex officio* a member of all Committees and boards of the congregation, except the Nominating Committee.

CHAPTER 14. — ORGANIZATIONS WITHIN THE CONGREGATION

- C14.01.** All organizations within this congregation shall exist to aid it in ministering to the members of this congregation and to all persons who can be reached with the Gospel of Christ. As outgrowths and expressions of this congregation's life, the organizations are subject to its oversight and direction. This congregation at its meeting shall determine their policies, guide their activities, and receive reports concerning their membership, work, and finances.
- 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.** Denial of the Christian faith as described in this constitution, conduct grossly unbecoming a member of the Church of Christ, or persistent trouble-making in this congregation are sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation will be attempted following Matthew 18:15-17, proceeding through these successive steps:
- a. private admonition by the pastor,
 - b. admonition by the pastor in the presence of two or three witnesses, and
 - c. citation to appear before the Congregation Council. If, for any reason, the pastor is unable to administer the admonitions required by a. and b. hereof, the president (if not the pastor) or vice president shall administer such admonitions.
- *C15.02.** The process for discipline of a member of the congregation shall be governed as prescribed by the chapter on discipline in the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America. If discipline against a member proceeds beyond counseling and admonition by the pastor, charges against the accused member(s) that are specific and in writing shall be prepared by member(s) of the congregation who shall sign the charges as the accuser(s). The written charges shall be filed with the pastor, who shall advise the Congregation Council of the need to issue a written citation to the accused and the accusers that specifies the time and place of the hearing before the Congregation Council. The written charges shall accompany the written citation to the accused. The written citation that specifies the time and place of the hearing before the Congregation Council and requests the presence of a member charged with the offense shall be sent at least ten days prior to the meeting. If the member charged with the offense fails to appear at the scheduled hearing, the Congregation Council may proceed with the hearing and may pass judgment in the member's absence.

- *C15.03.** Members of the Congregation Council who participate in the preparation of the written charges or who present evidence or testimony in the hearing before the Congregation Council are disqualified from voting upon the question of the guilt of the accused member. Should the allegations be sustained by a two-thirds majority vote of the members of the Congregation Council who are not disqualified but who are present and voting, and renewed admonition prove ineffectual, the council shall impose one of the following disciplinary actions:
- a. censure before the council or congregation;
 - b. suspension from membership for a definite period of time; or
 - c. exclusion from membership in this congregation.
- Disciplinary actions b. and c. shall be delivered to the member in writing.
- *C15.04.** The member against whom disciplinary action has been taken by the Congregation Council shall have the right to appeal the decision to the Synod Council. Such right may not be abridged and the decision of the Synod Council shall be final.
- *C15.05.** Disciplinary actions may be reconsidered and revoked by the Congregation Council upon receipt of:
- a. evidence that injustice has been done or
 - b. evidence of repentance and amendment.
- *C15.06.** For disciplinary actions in this congregation, “due process” shall be observed as specified in 20.41.04. in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.
- *C15.07.** No member of a congregation shall be subject to discipline for offenses that the Congregation Council has previously heard and decided, unless so ordered by the Synod Council after an appeal.
- *C15.10. Adjudication**
- *C15.11.** When there is disagreement among factions within this congregation on a substantive issue that cannot be resolved by the parties, members of this congregation shall have access to the synodical bishop for consultation after informing the chair of the Congregation Council of their intent. If the consultation fails to resolve the issue(s), the Consultation Committee of the synod shall consider the matter. If the Consultation Committee of the synod shall fail to resolve the issue(s), the matter shall be referred to the Synod Council, whose decision shall be final.

CHAPTER 16. — BYLAWS

- *C16.01.** This congregation may adopt bylaws. No bylaw may conflict with this constitution.
- *C16.02.** Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a majority vote of those voting members present and voting.

- *C16.03. 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 sixty days before a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the congregation's members by mail of the proposal with the council's recommendations at least thirty days in advance of the Congregation Meeting.
- *C16.04. Approved changes to the bylaws shall be sent by the secretary of this congregation to the synod.

CHAPTER 17. — AMENDMENTS

- *C17.01. Unless provision *C17.04 is applicable, those 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 10% of voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council sixty 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 thirty days in advance of the meeting.
- *C17.02. An amendment to this constitution, proposed under *C17.01. shall:
 - a. be approved at a legally called Congregation Meeting according to this constitution by a majority vote of those present and voting;
 - b. be ratified without change at the next annual meeting by a two-thirds majority vote of those present and voting; and
 - c. have the effective date included in the resolution and noted in the constitution. Such an effective date must be stated in relation to the requirements of *C17.03. to allow time for synodical review of the amendment.
- *C17.03. Any amendments to this constitution that result from the processes provided in *C17.01. and *C17.02. shall be sent by the secretary of this congregation to the synod. The amendment shall become effective within 120 days from the date of the receipt of the notice by the synod unless the synod informs this congregation that the amendment is in conflict with the constitution and bylaws of the Evangelical Lutheran Church in America or the constitution of the Metropolitan Washington, D.C. Synod of the ELCA.

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

CHAPTER 18. — CONTINUING RESOLUTIONS

- *C18.01.** The congregation in a legally called meeting or the Congregation Council may enact continuing resolutions. Such continuing resolutions may not conflict with the constitution or bylaws of this congregation
- *C18.02.** Continuing resolutions shall be enacted or amended by a majority vote of a meeting of the congregation or a two-thirds vote of all voting members of the Congregation Council

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.