

## Proposed Changes to the LCR Constitution Needed to Bring the Constitution in Line with the 2009 ELCA Model Constitution

- \*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:
- call a pastor as provided in Chapter 9;
  - terminate the call of a pastor as provided in Chapter 9;
  - 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;
  - adopt amendments to the constitution, as provided in Chapter 17, and amendments to the bylaws, as specified in Chapter 16;
  - approve the annual budget;
  - acquire real and personal property by gift, devise, purchase, or other lawful means;
  - hold title to and use its property for any and all activities consistent with its purpose;
  - sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
  - elect its officers, Congregation Council, and selected committees, as provided in Chapter 13, and require them to carry out their duties in accordance with the constitution, bylaws, and continuing resolutions; and
  - terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.
- \*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.
- \*C8.02. Members shall be classified as follows:
- 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.
  - 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.
  - Voting** members are confirmed members. Such confirmed members, during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of the congregation.
  - Associate** members are persons holding membership in other Christian congregations who wish to retain such membership but desire to participate in the life and mission of this congregation, or persons who wish to retain a relationship with this congregation while being members of other congregations. They have all the privileges and duties of membership except voting rights and eligibility for elected offices or membership on the Congregation Council of this congregation.

## Proposed Changes to the LCR Constitution Needed to Bring the Constitution in Line with the 2009 ELCA Model Constitution

- \*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.
- ~~\*C9.14. The pastor(s) shall be an ex officio member of all committees. 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.~~
- C9.15. The pastor(s) shall be an ex officio member of all committees, except the Mutual Ministry Committee(s), which is defined in C13.04.
- \*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(s), b) admonition by the pastor(s) in the presence of two or three witnesses, and c) citation to appear before the Congregation Council. If for any reason, the pastor(s) is unable to administer the admonitions required by a. and b. hereof, the president (if not the pastor) or vice president shall administer such admonitions.
- \*C15.02. The process for discipline of a member of the congregation shall be governed as prescribed by the chapter on discipline in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. If discipline against a member proceeds beyond counseling and admonition by the pastor, charges against the accused member(s) that are specific and in writing shall be prepared by member(s) of the congregation who shall sign the charges as the accuser(s). The written charges shall be filed with the pastor, who shall advise the Congregation Council of the need to issue a written citation to the accused and the accusers that specifies the time and place of the hearing before the Congregation Council. The written charges shall accompany the written citation to the accused. A member charged with the offense shall appear before the Congregation Council after having received a written notice citation, at least ten days prior to the meeting, ~~specifying the exact charges that have been made against the member.~~ 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 members absence.
- \*C15.10. ~~Purposefully left blank.~~ Adjudication
- \*C15.11. ~~Adjudication~~—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 president~~ 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.
- \*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.

## Proposed Changes to the LCR Constitution Needed to Bring the Constitution in Line with the 2009 ELCA Model Constitution

- \*C17.01.** Unless provisions \*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 ~~to this constitution~~ may be proposed by at least twenty (20) percent of the voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at ~~its~~ 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 Congregation Council's recommendations at least 30 days in advance of the meeting.
- \*C17.02.** An ~~proposed~~ amendment to this constitution, proposed under C17.01, shall:
- be approved at a legally called Congregation Meeting according to this constitution by a majority vote of those present and voting;
  - be ratified without change at the next regularly scheduled meeting of this congregation that occurs at least six (6) months following approval. Ratification must be by two-thirds majority vote of those present and voting; and
  - have the effective date included in the resolution<sup>1</sup> and noted in the constitution.
- \*C17.03.** Any amendments to this constitution that result from the processes provided in \*C17.01. and \*C17.02. shall be sent by the secretary of this congregation to the synod. The amendment shall become effective within 120 days from the date of the receipt of the notice by the synod unless the synod informs this congregation that the amendment is in conflict with the Constitution and Bylaws of the Evangelical Lutheran Church in America or the constitution of the Southeastern Pennsylvania 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, of ~~Whenever~~ the Model Constitution for Congregations of the Evangelical Lutheran Church in America is – as most recently amended by the Churchwide Assembly –, this constitution may be amended to reflect any such amendment by a simple majority vote of those voting members present and voting at any subsequent legally called meeting of the congregation without presentation at a prior meeting of the congregation, provided that the Congregation Council has submitted by mail notice to the congregation of such an amendment or amendments, together with the Congregation Council's recommendations, at least 30 days prior to the meeting. Upon the request of twenty (20) percent of the voting members of the congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of the congregation shall submit a copy thereof to the synod, ~~consistent with \*C17.03.~~ Such provisions shall become effective immediately following a vote of approval.
- \*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.

---

<sup>1</sup> Such an effective date must be stated in relation to the requirements of C17.03. to allow time for synodical review of the amendment.

(\*) Refers to ELCA required sections.