

Interim Ministry Resources

Chapter 10 Constitution

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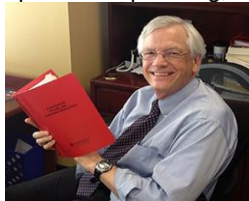
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Introduction

Constitution a Missional Document

David Swartling bid farewell as ELCA secretary, heralding numerous changes in the church over the past six years while acknowledging "there will always be unfinished business."

He called the ELCA's constitution both a legal and a planning document that "provide(s) templates to facilitating both strategic and operational planning," thus making it a **"missional document."**



The Lutheran | A farewell

http://www.thelutheran.org/article/article.cfm?article_id=11627

[Images for Constitution a Missional Document - Living Lutheran](https://www.livinglutheran.org/contact-us/)

<https://www.livinglutheran.org/contact-us/>

<https://www.livinglutheran.org/issues/>

<https://www.linkedin.com/in/david-swartling-b25863a1>

[Images for David Swartling](#)

The Commissioning of the Disciples

¹⁹Go therefore and make disciples of all nations, baptizing them in the name of the Father and of the Son and of the Holy Spirit, ²⁰and teaching them to obey everything that I have commanded you. And remember, I am with you always, to the end of the age."

[oremus Bible Browser: matthew 28:19-20](#)

<http://bible.oremus.org/?passage=matthew+28%3A19-20&vnum=yes&version=nrsvae>

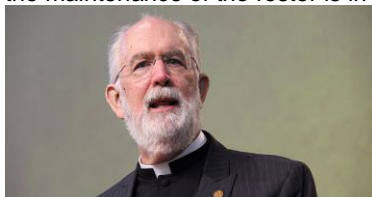
[Images for Commissioning of the Disciples](#)

Constitution Gives Structure and Direction

Wm. Chris Boerger, a former bishop of the Northwest Washington Synod, will serve as the third secretary of the ELCA. Speaking to voting members, Boerger remembered his mother, who before her death asked for the entire book of Ephesians to be read at her funeral. Her words: "I know that's too long. Then read Ephesians 2. If that's too long, pick the yummy parts."

Boerger said **Ephesians 2:8-10**, his confirmation verses, could really be considered the first four chapters of the **ELCA** Constitution. It "points us in the direction God wants us to go and gives us the structure to accomplish it," he said.

As the church shares the good news of Jesus, we must know our rules, gifts and history, he said. "And that's what the secretary does: plans events, makes sure the records are up-to-date, makes sure the constitutions are working, makes sure the manual for the maintenance of the roster is in the hands of every synod office and that everybody knows what they are," he said.



Boerger elected on fifth ballot - The Lutheran Magazine

http://www.thelutheran.org/article/article.cfm?article_id=11626

[Images for Constitution Gives Structure and Direction - Living Lutheran](#)

<http://www.elca.org/News-and-Events/7607> ELCA assembly elects William Chris Boerger secretary of the ELCA

http://www.swmnelca.org/PDF/2015_assembly/assemblyspeakers.pdf

"I believe that good structure is necessary for our life together and for the accomplishment of the work that God has given us to do," Boerger said. "I have said often that the primary focus of the church should be the mission that God has given us. The constitutions and policies of the church are to serve that mission. The mission should not be hindered by the constitution or policies of the church."

<https://www.elca.org/News-and-Events/8000> ELCA Churchwide Assembly declares ELCA sanctuary church

[Images for Wm. Chris Boerger constitutions and policies of the church are to serve mission](#)

Orderly

⁴⁰but all things should be done decently and in order.

[oremus Bible Browser: 1 Corinthians 14:40](#)

<http://bible.oremus.org/?passage=1+Corinthians+14%3A40&vnum=yes&version=nrsv>

[Images for things should be done decently and in order](#)

Purpose of a Constitution

Resources

Constitutions and Bylaws – Center for Leadership and Involvement

Basic Information

Your Constitution/Bylaws must contain the following information:

The purpose/mission of your organization

Who can be a member and how to become a member (at least 75% of your organization must be made up of UW-Madison students)

How do you make decisions in your student organization? (Organization must be controlled and directed by UW-Madison students.)

How are leaders selected?

What are the duties of the officers?

How often do you hold meetings?

Why Have a Constitution?

By definition an organization is a “body of persons organized for some specific purpose, as a club, union or society”.

The process of writing a constitution will serve to clarify your purpose, delineate your basic structure, and provide the cornerstone for building an effective group. It will also allow members and potential members to have a better understanding of what the organization is all about and how it functions.

If you keep in mind the value of having a written document that clearly describes the basic framework of your organization, the drafting of the Constitution will be a much easier and more rewarding experience.

What Are Bylaws?

The Constitution covers the fundamental principles but does not prescribe specific procedures for operating your organization. Bylaws detail the procedures your group must follow to conduct business in an orderly manner. They provide further definition to the Articles of the Constitution and usually can be changed more easily as the needs of the organization change.

http://www.cfli.wisc.edu/guide/constitutions_bylaws.htm

[Images for Constitutions and Bylaws – Center for Leadership and Development](#)

Constitutions for Non-Profit Organisations - Education and Training Unit

1. What do you use Constitutions for?
2. Important things to know about Constitutions
 - a. Constitutions are long-term decisions
 - b. Using constitutions
 - c. Different kinds of organizations are covered by different laws
3. Important things to know about non-profit organizations.
 - a. What is a non-profit organization?
 - b. What is a non-governmental organization?
 - c. The Non-profit Organizations Act
 - d. Different types of non-profit organizations
 - e. Registration if the three types of NPOs
 - f. Decisions to be made before drawing up a constitution or founding document

<http://www.etu.org.za/toolbox/docs/building/const.html>

[Images for Constitutions for Non-Profit Organizations](#)

Time to update your congregation's constitution

Now that the 2016 Churchwide Assembly is over, it is a good time to look at updating your congregation's constitution. The 2016 Churchwide Assembly made several important changes to the Model Constitution for Congregations, including addressing the unification of the three lay rosters, revising the provisions for parishes, and updating the membership rules. In addition, many congregations have not updated their constitutions since the 2013 Churchwide Assembly, which made important changes to the procedures for disciplining members of congregations. The next churchwide assembly will be in 2019, so there will be no changes to the Model Constitution for Congregations in the next three years, making it an excellent time to update yours now.

Updating a congregation's constitution to reflect changes in the Model Constitution for Congregations is relatively easy and straightforward. The changes to the Model in 2016 can be found (top of the page) [here](#), while the changes from 2013 can be found (middle of the page) [here](#). Mandatory provisions are marked with an asterisk (*). Under *C17.04 of the Model (now renumbered *C16.04), these changes can be adopted by a majority vote of the members present and voting at any legally-called congregational meeting. At least 30 days prior to the meeting, the congregation council needs to give notice to the congregation of the proposed amendments, along with their recommendations as to the amendments. Once the amendments are made, notice is given to the synod, but no synod action is required. >[More](#)

Index of the September 2016 Issue – Administration Matters. - ELCA Blogs

<http://blogs.elca.org/adminmatters/index-september-2016-issue/>

[Images for Time to update your congregation's constitution](#)

Amendments to the Congregational Constitution

8/30/2016

Dear Rostered Leaders,

Attached you will find the amendments to the *Model Constitution for Congregations of the Evangelical Lutheran Church in America* which were adopted by the 2016 Churchwide Assembly. Each congregation will need to adopt these changes in accordance with C16.04. of these amendments (in their current constitutions the reference would be C17.04.). We encourage congregations to work with the synod constitution reviewer, Pastor Lowell Bolstad, as you prepare these amendments for action by the congregational meeting.

If the amendments are to bring your congregation's constitution into conformity with the Model Constitution, there only needs to be one vote with a majority of the voting members present to approve. The amendments go into effect when adopted and do not need synod approval. If there is a change to any of the Model Constitution proposals, then C16.01. is the appropriate provision to follow in amending the congregation's constitution.

The primary changes in the document relate to the merging of the three lay rosters into a roster of Ministers of Word and Service. These provisions should be added even if your congregation does not currently have under call a person on one of the lay rosters. Chapter 20. would also be important for those congregations that are part of a parish agreement.

This would be a good time to ensure that amendments from earlier assemblies are also incorporated into your constitution. It is very important that congregations have Chapter 15. Discipline of Members and Adjudication, that was adopted by the 2013 Churchwide Assembly, in their constitutions.

It is always important to have your congregation's governing documents current. The best time to do this work is after a churchwide assembly. It is not helpful to wait until an amendment is needed in the life of your congregation to consider voting on the amendment. Prior preparation in adopting the rules that govern our life together is important and helpful work.

Elizabeth Bartsch

Assistant to the Bishop-Administration

Updating the Constitution for the Congregation

11/21/2016

I am writing to you as the one who does the ► Review by synod of congregation constitutions. This contact follows up on an earlier email by Elizabeth Bartsch, Assistant to the Bishop-Administration, printed as follows:

Amendments to the Congregational Constitution

8/30/2016

Dear Rostered Leaders,

Attached you will find the amendments to the *Model Constitution for Congregations of the Evangelical Lutheran Church in America* which were adopted by the 2016 Churchwide Assembly. Each congregation will need to adopt these changes in accordance with C16.04. of these amendments (in their current constitutions the reference would be **C17.04.**). We encourage congregations to work with the synod constitution reviewer, Pastor Lowell Bolstad, as you prepare these amendments for action by the congregational meeting.

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Elizabeth Bartsch

Assistant to the Bishop-Administration

During 9/13-11/19/2016, I updated 75 constitutions that were on file at the synod office. I was informed that this number constituted "everything in the files." I also edited 3 submitted to me. I sent these constitutions out to the respective congregations and to the synod office. This notice is being sent to the remaining congregations of the 199 in the synod. I am offering to update these constitutions. I do this by downloading the

[DOC] **Model Constitution for Congregations 2016--ELCA – Evangelical Lutheran Church in America** and adapting it to the local context. You may send a copy of your current constitution, preferably in a Word document but a PDF will be accepted, to pstrbolstad@gmail.com and lbartsch@nswi.org, and I will update it, and return it to the respective congregation and to the synod office.

Blessings on your ministry,

Rev. Lowell Bolstad

► Review by synod

Announcement for Conference Deans on Updating Constitution

To: Conference deans

From: Rev. Lowell Bolstad ► Review by synod

11/28/2016

Re: Updating the constitution for the congregation

Please send this message to the rostered ministers of your conference.

Updating the Constitution for the Congregation

I am writing this message as the one who does the ► Review by synod of congregation constitutions. This contact follows up on an 8/30/2016 email by Elizabeth Bartsch, Assistant to the Bishop-Administration urging congregations to update their constitution following the changes made to the Model Constitution for Congregations at the 2016 Churchwide Assembly.

During 9/13-11/19/2016, I updated 75 constitutions that were on file at the synod office. I was informed that this number constituted "everything in the files." I also edited 3 submitted to me. I sent these constitutions out to the respective congregations and to the synod office. I sent a notice on 11/21/2016 to the 121 remaining congregations of the 199 in the synod offering to update these constitutions. I do this by downloading the

[DOC] [Model Constitution for Congregations 2016--ELCA – Evangelical Lutheran Church in America](#) and adapting it to the local context. I updated an additional 8 submitted constitutions 11/21-26/2016 and heard from 5 other pastors during that time who plan to file their constitution at a later date.

I offer a friendly reminder from the constitution to those congregations that have not filed their constitution with the synod for review:

***C6.03.** This congregation acknowledges its relationship with the Evangelical Lutheran Church in America in which:

- 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.

You may send a copy of your current constitution, preferably in a Word document but a PDF will be accepted, to pstrbolstad@gmail.com and lbartsch@nswsi.org, and I will update it, and return it to the respective congregation and to the synod office.

Blessings on your ministry,

Rev. Lowell Bolstad

► *Review by synod*

Interim Ministry Report for December 2016

During 9/13-12/23/2016, I updated, reviewed, and edited 105 constitutions. I am willing to update, review, and edit the other 94 constitutions if and when they come in.

Review of the Congregation Constitution and Policies – Appendix 8

When you have updated your constitution, you may send it to the synod office for review by the synod's constitution reviewer: Rev. Lowell Bolstad. The reviewer will make sure that you don't have conflicting statements in sections and that it is consistent with the ELCA model constitution. Remember that a change in the constitution, even an update, takes a congregational vote, so be sure to do this early in the transition process.

[PDF] [The Call Process - S3 amazonaws.com](#)

https://s3.amazonaws.com/media.cloversites.com/0a/0a854394-3a19-4d9f-b1ae-f93021508921/documents/Call_Process_Booklet_2016.pdf

Page 47

[Images for Review of the Congregation Constitution and Policies](#)

Updating the Constitution

August 14, 2017

On 8/30/2016, Elizabeth Bartsch Assistant to the Bishop-Administration sent an email urging congregations to update their constitution based upon the updates from the 8/8-13/2016 ELCA Churchwide Assembly in New Orleans, LA. In the past year, as the designated synod review *C16.03., I have reviewed, edited, and updated 121 constitutions. Most of them I did 9/13-12/24/2016. There are presently 77 congregations out of a total of 198 in the synod which do not have constitutions on file with the synod office. This letter is being sent to you because the synod office does not have record of a copy of your constitution on file.

I am offering to review, edit, and update these constitutions. I do this by downloading the

[DOC] [Model Constitution for Congregations 2016--ELCA – Evangelical Lutheran Church in America](#) and adapting it to the local context. You may send a copy of your current constitution, preferably in a Word document but a PDF will be accepted, to pstrbolstad@gmail.com and lbartsch@nswsi.org, and I will review, edit, and update it and return it to the respective congregation and to the synod office.

Blessings on your ministry,

Rev. Lowell Bolstad

► *Review by synod*

Updating the Constitution

November 26, 2018

Good morning,

I am writing as the one who does the ► **Review by synod** for constitutions of congregations. According to my records, I have not done a review of the constitution for your congregations. I see the name of your congregation listed in the Congregation Vacancies on the synod website. An interim period is a good time to address the constitution. If you send a copy of your constitution, I can download the model constitution and adapt it to the local context. Please find attached a model constitution highlighted with local options that I use for the review.

Rev. Lowell Bolstad

► **Review by synod**

Updating the Constitution

September 3, 2019

Rostered Ministers and Congregation Leaders,

The 2019 ELCA Churchwide Assembly convening August 5-10 in Milwaukee, WI amended the Model Constitution for Congregations. I recommend you to take

- [2019 amendments to the Model Constitution for Congregations](#)
- [Rationale for the 2019 Amendments](#)
- [2019 Model Constitution for Congregations](#)

to your Congregation Councils for approval to present to the annual meetings according to ***C16.04**.

Chapter 16.

AMENDMENTS

***C16.04.** This constitution may be amended to bring any section into conformity with a section or sections, either required or not required, of the *Model Constitution for Congregations of the Evangelical Lutheran Church in America* as most recently amended by the Churchwide Assembly. Such amendments may be approved by a majority vote of those voting members present and voting at any legally called meeting of this congregation without presentation at a prior meeting of this congregation, provided that the Congregation Council has submitted by mail or electronic means, as permitted by state law, notice to this congregation of such an amendment or amendments, together with the council's recommendations, at least 30 days prior to the meeting. Upon the request of at least two (2) voting members of this congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of this congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following a vote of approval.

Constitutions

Each of this church's expressions—congregations, synods and the churchwide organization—has a constitution.

- [Constitutions, Bylaws, and Continuing Resolutions of the ELCA](#)

Synods

- [2019 Constitution for Synods](#)

Congregations

- [2019 Model Constitution for Congregations](#)
- [2016 Constitución Modelo para Congregaciones](#)

Amendments

Each churchwide assembly has amended the constitutions.

- [2019 amendments to the Model Constitution for Congregations](#)
- [2016 Enmiendas a la Constitución Modelo para Congregaciones](#)
- [2019 Recommended Amendments to the Constitution for Synods](#)
- [2019 Required Amendments to the Constitution for Synods](#)
- [Rationale for the 2019 Amendments](#)

It is recommended that ELCA congregations and synods review the adopted amendments for their constitutions as soon as possible after each churchwide assembly to incorporate the required changes and to consider the recommended changes.

[Guide for Use of the Model Constitution for Congregations](#) is a helpful reference for congregations reviewing their constitutions.

Congregations are encouraged to work with their synod's Constitution Committee from the outset of their work; this may ensure a greater likelihood that the synod will approve the proposed changes (*C17.03., new *C16.03.).

The churchwide assembly meets every three years. Amendments to any synod constitution are approved by the synod assembly.

Amendments to any congregation constitution are approved by the congregation at its regular meeting. These meetings are governed by parliamentary procedure. Basic information on parliamentary procedure can be found [here](#).

Constitutions - Evangelical Lutheran Church in America - ELCA

<https://www.elca.org/Constitution>

Rev. Lowell Bolstad

► **Review by synod**

Interim Ministry Report for December 2019

During 9/3-12/4/2019, I updated and edited 159 constitutions that I possessed previous documents. I sent highlighted model constitutions to 39 congregations that had not submitted constitutions to me for them to complete. Six of these congregations submitted constitutions, which I updated and edited. The synod office sent documents for 9 older constitutions, which I updated and edited. I fine-tuned my previous edits and made the documents more uniform as I processed them all in the course of 3+ months. I also changed the Margins from Normal to Narrow and Line Spacing to 1.0 and Spacing Before: to 0 pt to make more compact to cut down on the number of pages to photocopy. The effort has taken 10+ years to get to the point where the constitutions for 177 congregations have been updated and edited. I await some sort of documentation for 21 congregations.

Importance of Constitution to a Congregation

1/20/2020

Your congregation's constitution is a vital statement about who you are as a community of faith and your interdependence within the ELCA.

It's important that your constitution and bylaws accurately reflect your congregation's mission and ministry.

Keeping your congregation's constitution current is simply what it means to be a part of the Evangelical Lutheran Church in America. Consequently, this means that, beginning in 2016, congregations need to revise their constitutions every 3 years. Previous to 2016, congregations were obligated to revise their constitutions every 2 years. It is also valuable and advantageous for congregation councils to review their constitution periodically as a way for leadership (new and seasoned) to understand the content and get clarification as needed.

Also, if the bishop of the synod is called upon to mediate an issue within the congregation, the bishop is obligated to follow the current Model Constitution if there is a discrepancy between the existing constitution of the congregation and the current Model Constitution.

Elizabeth Bartsch

Assistant to the Bishop-Administration

Hebrews 11: 1 Now faith is the assurance of things hoped for, the conviction of things not seen.

Northwest Synod of Wisconsin

Evangelical Lutheran Church in America

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www.nwswi.org

"Walking together † for the sake of mission † in God's world"

Effective Practices for Innovative Church Councils Saturday March 7, 2020 Bethany Lutheran Church Rice Lake, WI

Workshop Descriptions

This is why you need to update your **constitution**....: Our constitutions are missional and legal documents. Why is it important to revisit them and keep them updated?

[file:///C:/Users/Owner/Downloads/EPIC%20Brochure%202020.4%20\(2\).pdf](file:///C:/Users/Owner/Downloads/EPIC%20Brochure%202020.4%20(2).pdf)

<http://nwswi.org/epic/epic-2020> This is Why You Need to Update Your Constitution

Reflections and Resources

1) Decently and in order

A constitution is often considered a document needed to ensure that “things should be done decently and in order” (1 Corinthians 14:40), and that is as it should be. The Model Constitution for Congregations of the Evangelical Lutheran Church in America contains a preamble and twenty chapters to give a definition of the nature and purpose of the congregation:

MODEL CONSTITUTION FOR CONGREGATIONS OF THE EVANGELICAL LUTHERAN CHURCH IN AMERICA®

*PREAMBLE

Chapter 1.

NAME AND INCORPORATION

Chapter 2.

CONFESSION OF FAITH

Chapter 3.

NATURE OF THE CHURCH

Chapter 4.

STATEMENT OF PURPOSE

Chapter 5.

POWERS OF THE CONGREGATION

Chapter 6.

CHURCH AFFILIATION

Chapter 7.

PROPERTY OWNERSHIP

Chapter 8.

MEMBERSHIP

Chapter 9.

ROSTERED MINISTERS

Chapter 10.

CONGREGATION MEETING

Chapter 11.

OFFICERS

Chapter 12.

CONGREGATION COUNCIL

Chapter 13.

CONGREGATION COMMITTEES

Chapter 14.

ORGANIZATIONS WITHIN THE CONGREGATION

Chapter 15.

DISCIPLINE OF MEMBERS AND ADJUDICATION

Chapter 16.

AMENDMENTS

Chapter 17.

BYLAWS

Chapter 18.

CONTINUING RESOLUTIONS

Chapter 19.

INDEMNIFICATION

Chapter 20.

PARISH AUTHORIZATION

2) Constitution as a mission document

I suggest that a constitution also can be considered a document to facilitate the mission of the church to “Go therefore and make disciples of all nations...” (Matthew 28:19a)

Following are parts of the Model Constitution for Congregations that speak explicitly of mission:

[DOC]Model Constitution for Congregations 2019 - ELCA Resource Repository

*PREAMBLE

We, baptized members of the Church of Christ, responding to 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 on the Son and of the Holy Spirit.

Chapter 4.

STATEMENT OF PURPOSE

- *C4.01. The Church is a people created by God in Christ, empowered by the Holy Spirit, called and sent to bear witness to God’s creative, redeeming, and sanctifying activity in the world.
- *C4.02. To participate in God’s mission, this congregation as a part of the Church shall:
 - a. Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, and service.
 - b. Proclaim God’s saving Gospel of justification by grace for Christ’s sake through faith alone, according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.
 - c. Carry out Christ’s Great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministry with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.
 - d. Serve in response to God’s love to meet human needs, caring for the sick and the aged, advocating dignity and justice for all people, working for peace and reconciliation among the nations, standing with the poor and powerless, and committing itself to their needs.
 - e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.
 - f. Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity which the Spirit gives.
- *C4.03. To fulfill these purposes, this congregation shall:
 - a. Provide services of worship at which the Word of God is preached and the sacraments are administered.
 - b. Provide pastoral care and assist all members to participate in this ministry.
 - c. Challenge, equip, and support all members in carrying out their calling in their daily lives and in their congregation.
 - d. Teach the Word of God.
 - e. Witness to the reconciling Word of God in Christ, reaching out to all people.
 - f. Respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.
 - g. Motivate its members to provide financial support for 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. [Such descriptions shall be contained in continuing resolutions in the section on the Congregation Committees.]
- *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 9.

ROSTERED MINISTER

- *C9.03. Consistent with the faith and practice of the Evangelical Lutheran Church in America,
 - a. Every minister of Word and Sacrament shall:

- 7) witness to the Kingdom of God in the community, in the nation, and abroad; and
- 8) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.

Chapter 12.

CONGREGATION 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.

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.

<https://www.elca.org/constitution> [2019 Model Constitution for Congregations](#)
<https://download.elca.org> > [ELCA Resource Repository](#) > [Model Constitution](#)
<http://www.elca.org/Resources/Office-of-the-Secretary>

I often use **Chapter 12. CONGREGATION COUNCIL** for orientation at the first meeting of the Congregation Council following the annual meeting. The above cited references, in particular, as well the following chapters, in general, also can be used to increase awareness and understanding of the nature of the church and its mission:

Chapter 2.

CONFESSION OF FAITH

Chapter 3.

NATURE OF THE CHURCH

Chapter 4.

STATEMENT OF PURPOSE

Chapter 8.

MEMBERSHIP

Chapter 9.

ROSTERED MINISTER

Chapter 12.

CONGREGATION COUNCIL

Living into the Future Together (LIFT)

Renewing the Ecology of the ELCA Task Force

The report's resolutions clustered around:

8. Constitution, Bylaws and Continuing Resolutions amendments that support this church's focus on **mission**

<http://www.elca.org/Who-We-Are/Our-Three-Expressions/Churchwide-Organization/Office-of-the-Presiding-Bishop/Plan-for-Mission/LIFT.aspx>

[Images for Living into the Future Together \(LIFT\)](#)

3) Governance structure that best serves the mission

Bishop Duane Pederson of the Northwest Synod of Wisconsin of the ELCA in a memo to rostered leaders urged congregations to look at their governance structure when updating their constitutions to make for a structure that best serves the mission of the congregation.

Wednesday, December 14, 2011

From: Bishop Duane Pederson

Re: Constitution updates

Dear Rostered Leaders and Congregation Presidents,

I have already had numerous responses to the email sent to you yesterday from ELCA Secretary David Swartling about updating local constitutions. Thus, I share the following with you in the hope that it will assist you as you tackle this updating

task. If you have specific questions, I encourage you to contact Pastor Lowell Bolstad. Pastor Bolstad does most of the constitutional reviews for our synod.

- Know that having a current constitution is very important, particularly when there is conflict or uncertainty about how to deal with a variety of delicate situations. Outdated constitutions can cause significant confusion at the very moment when clarity is needed.

- Those congregations which have neglected updating their constitution for many years should start with the 2011 Model Constitution for Congregations and not your out-of-date constitution.

Remember, every constitutional provision marked with an asterisk (*) is a required provision and must be adopted/incorporated without any changes. So, it is easier to start with the model and provisions that are required and add/write provisions that are adapted to your local context and structure.

- Any non-required constitutional provision that you add/write must not conflict with or contradict other provisions within the constitution.

- Use the time of constitutional update to consider how the structure/governance of the congregation can best support carrying out the mission of the congregation. Often the structure used many years ago does not serve well the congregation of the present. Determine your mission and then decide what structure most effectively will move that mission forward.

- Please note the provisions *C17.03. and *C17.04. as stated below, particularly the role of the synod. The number of voting members in the “blank” is included in your local constitution:

Chapter 17.

AMENDMENTS

***17.03.** 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 synod shall notify the congregation of its decision to approve or disapprove the proposed changes; the changes shall go into effect upon notification that the synod has approved them.

***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 or electronic means, as permitted by state law, notice to the congregation of such an amendment or amendments, together with the council’s recommendations, at least 30 days prior to the meeting. Upon the request of _____ 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. Such provisions shall become effective immediately following a vote of approval.

Assistant to the Bishop Todd J. Iverson wrote a letter to congregation presidents urging them to update their constitutions.

September 6, 2012

Dear Congregation President,

Constitutions are designed to describe how we will live together in community. As one of my seminary professors, Dr. Gary Simpson, has said, “The American Constitution is one of God’s best pieces of work.” Your congregation’s constitution is an important document that helps you properly center yourself in the mission of Jesus Christ in all times and guide you in difficult times. Keeping it up to date is in your congregation’s best interest. Our current records indicate that we have a copy of your constitution from [date].

The vast majority of congregations in the Evangelical Lutheran Church in America have adopted the model constitution. Our records indicate that your congregation has not done so yet. If this is inaccurate, please send the most recent update to your constitution to the synod office for your congregational file. Otherwise, please consider making this a priority for the coming year.

As you study the model constitution remember that you must keep the sections with an asterisk “*” exactly the same – those are the portions that we have agreed together define who we are as one in the body of Christ. All other sections without the asterisk may be (1) adopted from the model constitution, (2) be modified to conform to local practice, or (3) be modified to address current and future goals for mission in your context.

Your synod staff are working to update our records and to help you make sure your governing documents serve you well. Please send the final draft document to the synod office for review before your congregation votes on it. If changes need to be made to the draft revision, it is easier to do so before a vote happens than have to hold another vote afterwards. I can assure you that you will hear back from us in a timely manner.

Again, thank you for taking this seemingly mundane but possibly important matter seriously.

In Christ,

Rev. Todd J. Iverson

The Introduction to the *Model Constitution Congregation 2016* as well as the Guide to the Model Constitution for Congregations provides guidelines in updating, revising, and editing a constitution for a congregation.

Resources

[DOC]Model Constitution for Congregations 2019 - ELCA Resource Repository

Introduction

<https://www.elca.org/constitution> 2019 Model Constitution for Congregations

<https://download.elca.org> > ELCA Resource Repository > Model Constitution

<http://www.elca.org/Resources/Office-of-the-Secretary>

[Images for Model Constitution for Congregations 2019 - ELCA Resource Repository](#)

[PDF]Guide for Use of the Model Constitution for Congregations

https://download.elca.org/ELCA%20Resource%20Repository/Guide_for_Use_of_the_Model.pdf

[Images for Guide for Use of the Model Constitution for Congregations](#)

4) Review by Synod

Chapter 6.

CHURCH AFFILIATION

***C6.03.** This congregation acknowledges its relationship with the Evangelical Lutheran Church in America in which:

- 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.

As one who reviews congregation constitutions for the Northwest Synod of Wisconsin, I recommend the following measures:

Trust the document, as the constitution is highly evolved. See Appendix 2 – Progression in the Development of a Congregation Constitution for constitutions of predecessor church bodies. Check out the links below to see the sequence of changes during the time of the ELCA. There is a reason for the content, language, and format.

[Office of the Secretary - Evangelical Lutheran Church in America - ELCA](#)

[VIEW OFFICE OF SECRETARY RESOURCES](#)

<http://www.elca.org/Resources/Office-of-the-Secretary>

Less is more. Let the constitution work for the congregation. Avoid the temptation to add more than is necessary and to tinker with the document. Resist the urge to reformat, change fonts, delete the title page and introduction, among other alterations.

Use parallel language in the bylaws and continuing resolutions to that found in the constitution.

Leave the numbering in place. Resist the urge to rewrite, reverse, and reformat. In the event the decision is made to delete content from a non-required numbered part, leave the number in place to preserve the numerical order.

Working as a constitution task force is best done in a proactive manner to determine an organization structure that best serves the mission of the congregation. Avoid digging up old issues, second guessing congregation leadership, speaking ill of former pastors, as well as other inappropriate and unproductive actions.

Leave the title page and Introduction in the electronic copy. For stewardship of resources, hard copies may be printed without the title page and introduction.

Bylaws and Continuing Resolutions

Placing them in the main body or in separate sections at the end?

I recommend placing the bylaws and continuing resolutions in separate sections by themselves at the end for the following reasons:

- 1) It is easier to see the difference between the constitution, bylaws, and continuing resolutions. I have seen where constitutions come down through the years that it is all too easy to lose clarity in distinguishing the differences.
- 2) When the constitution is updated following each Churchwide Assembly by downloading the model constitution and adapting, it is easier to do so and makes for less work when the bylaws and continuing resolutions are in sections by themselves. Then, if there are no changes to the bylaws and continuing resolutions, they can be kept intact.

Submit the proposed constitution as a word document, as this format is much easier to work with than a pdf. adobe file.

The *Consultation and concluding comments* from the Introduction to the Model Constitution Congregation 2016 recommend a process for submitting proposed changes *before* the congregation acts upon them.

► **Consultation and concluding comments:** Each synod has a process to review proposed amendments to congregational constitutions. The work of both congregations in amending their governing documents and the synod in reviewing proposed amendments is facilitated by consultation and cooperation *before* proposed

amendments are acted upon by the congregation. In addition, each congregation should establish a process for periodic review of its governing documents. You are encouraged to contact your synod office to assist your congregation in its periodic review of governing document provisions and to assess whether problems may exist with respect to proposed amendments.

The *Guide for Use of the Model Constitution for Congregations* gives the following recommendations:

C. REVIEW BY THE SYNOD

1. As provided by *C16.03. in the Model Constitution for Congregations:

Any amendments to this constitution that result from the processes provided in *C16.01. and *C16.02. shall be sent by the secretary of this congregation to the synod. The synod shall notify the congregation of its decision to approve or disapprove the proposed changes; the changes shall go into effect upon notification that the synod has approved them.

2. ELCA 9.53.03. provides:

Each congregation shall provide a copy of its governing documents to the synod. All proposed changes in the constitution or incorporation documents of a congregation shall be referred to the synod with which the congregation is affiliated. The synod shall notify the congregation of its decision to approve or disapprove the proposed changes; the changes shall go into effect upon notification that the synod has approved them. The synod shall recognize that congregations may organize themselves in a manner which they deem most appropriate.

Thus, congregations should provide up-to-date copies of their governing documents to the synod; all proposed amendments to congregational constitutions are effective only when approved by the synod, in accordance with amendments adopted by the 2016 Churchwide Assembly.⁴

3. In order to avoid potential problems, it is recommended that congregations provide proposed amendments to their governing documents and consult with synods *before* action at a Congregation Meeting.

[\[PDF\]Guide for Use of the Model Constitution for Congregations](https://download.elca.org/ELCA%20Resource%20Repository/Guide_for_Use_of_the_Model.pdf)

https://download.elca.org/ELCA%20Resource%20Repository/Guide_for_Use_of_the_Model.pdf

Constitution Committee — Upstate New York Synod | Evangelical Lutheran Church in America

<https://upstatenysynod.org/constitution-committee/> Frequently Asked Questions

<https://upstatenysynod.org/resources/> FAQ for Constitution Revision

[Images for Constitution Committee — Upstate New York Synod](https://upstatenysynod.org/resources/)

http://swmnelca.org/PDF/revising_congregational_constitutions.pdf

<http://www.swmnelca.org/PDF/const.review.procedures.pdf>

http://www.swmnelca.org/PDF/change_church_constitution.pdf

http://www.swmnelca.org/PDF/constitution_codification_explanation.pdf

http://www.swmnelca.org/PDF/integrating_constitutions.pdf

[Images for Revising Congregational Constitutions](https://upstatenysynod.org/constitution-committee/)

I am aware that synod and district reviews differ by synod/district. Some synods/districts have more resources to assist congregations.

Resources

Church Constitution Review Process | Saint Paul Area Synod, ELCA

Constitutional Review Committee

To help our congregations through this process, we have a Constitutional Review Committee (CRC) made of volunteers who have been trained in reviewing constitutions. You will want to request a meeting with a committee member *early* in your review process; because the synod must approve your constitution before it can be ratified by your congregation (see *C16.03), the best way to ensure a smooth process is to get organized ([see the sample timeline for constitution review process here](#)) and to take advantage of the committee's guidance from the outset. Contact the [synod office](#) if you wish to schedule a consultation.

<http://www.spas-elca.org/resources/for-congregations/constitution/>

[Images for Church Constitution Review Process | Saint Paul Area Synod, ELCA](https://upstatenysynod.org/constitution-committee/)

Constitution - New England District LCMS

The New England District has a **Constitution Committee** which reviews the constitutions of the district to ascertain that the provisions are in harmony with Holy Scripture, the Confessions, and the teachings and practices of the Synod. Upon the advice of the committee and recommendation by the district president the district Board of Directors shall determine if the changes are acceptable to the Synod. The current Constitution Committee of the NED has 2 members:

<http://www.ned-lcms.org/Constitutions.htm>

[Images for Constitution - New England District LCMS](https://upstatenysynod.org/constitution-committee/)

Constitution — Upper Susquehanna Synod

Constitution Committee reviews and approves the constitutions of both this synod and the congregations of the synod. It also serves as a resource to those considering updating or revising their constitutions.

Helpful Documents:

- [Cheat Sheet for Updating Your Congregation's Constitution](#)
- [Highlighted changes for Model Constitution for Congregations of the ELCA](#)

- [2018 USS Constitution](#)

<http://www.uss-elca.org/constitutions-for-congregations-and-the-need-for-continuous-revisions/>
[Images for Constitution – Upper Susquehanna Synod](#)

Constitutions | Rocky Mountain Synod

3. Share the draft with the **synod secretary** for possible changes. Allow two to three weeks for a response.

<http://www.rmselfca.org/constitutions>
[Images for Constitutions | Rocky Mountain Synod](#)

ELCA Central States Synod | Constitution & Policies

4. After the constitution is approved and if necessary, ratified, submit the constitution with date of approval by the congregation to the synod office for approval by the synod council. (Any time a constitution is amended it must be sent to the synod council for review.)

<http://www.css-elca.org/constitution>
[Images for ELCA Central States Synod | Constitution & Policies](#)

Governance Documents: Nebraska Synod ELCA: Who We Are

Proposed amendments to congregational constitutions require approval of the Nebraska Synod Council, based on the recommendation of the **Synod Attorney**. Congregations wishing to amend the constitutions and governing documents are urged to contact the **Synod Attorney** to begin that process.

<http://nebraskasynod.org/who-we-are/governance.html>
[Images for Governance Documents: Nebraska Synod ELCA](#)

MinistryLink | Time To Update Your Constitution

Your congregation's Constitution is a vital statement about who you are as a community of faith, and your interdependence within the ELCA.

The 2016 Churchwide Assembly made important changes to required provisions to the Model Constitution that should be included in your church's documents, according to the Rev. Karl M. Richard, Synod secretary. (Read his full message below) He advises congregations to update their Constitution with these and any other changes made since its last update. The **Synod Council Constitution Committee**, chaired by Pastor Jane Marston, will be happy to assist in the update and review process.

RESOURCES:

- [Guide to Using the Model Constitution](#)
- [Download 2016 Model Constitution and 2016 Updates](#) (English and Spanish)
- [Previous Constitution Updates](#)

<https://ministrylink.org/constitution-update/>
[Images for MinistryLink | Time To Update Your Congregation Constitution](#)

Procedures for Reviewing Constitutions of Congregations in the Southwestern Minnesota Synod

The group responsible for fulfilling the synod's responsibility to review and approve governing documents of congregation is the Synod Council's **Committee on Policies and Procedures**.

<http://swmnelca.org/PDF/const.review.procedures.pdf>
[Images for Procedures for Reviewing Constitutions of Congregations](#)

SOS | Constitution Committee - Southern Ohio Synod

The **Constitution Committee** reviews congregational constitutions as changes and updates are made so that these constitutions adhere to the **Model Constitution for Congregations** as adopted by the ELCA Churchwide Assemblies.

http://www.southernohiosynod.org/aws/SOS/pt/sp/ministry_constitution_committee
[Images for Constitution Committee - Southern Ohio Synod](#)

The Southwestern Texas Synod Office: Constitution & Bylaws

Changes must be **reviewed and approved by Synod Council** and filed with the Synod Office. Congregational constitutions are received by Bishop's Administrative Assistant, reviewed by Rev. Richard Bremer and approved by Synod Council in February, May and September. Please submit your constitution changes for Rev. Bremer's review before you hold a congregational vote. This allows for any changes/corrections to be made prior to congregational consideration.

Submissions must be received a month prior to Synod Council meeting in order to be considered for review.

<http://www.swtsynod.org/constitutionbylaws>
[Images for Southwestern Texas Synod Office: Constitution & Bylaws](#)

[PDF] Updating Your Congregation's Constitution - Montana Synod

Secondly, the **SYNOD REVIEW TEAM** offers the following suggestions for congregations seeking to update their constitutions so as to bring them in line with the 2016 Model Constitution.

http://www.montanasynd.org/uploads/3/0/9/6/30961995/updating_your_constitution_memo.pdf
[Images for Updating Your Congregation's Constitution - Montana Synod](#)

5) What difference does a constitution make?

What is so important about membership as defined in the constitution?

A group of members at Grace Lutheran Church in Eau Claire, Wisconsin of the Northwest Synod of Wisconsin sought to disaffiliate from the ELCA. Another group of members challenged the action and took the case to court asserting that the initiating group did not follow the constitution.

Chapter 8.

MEMBERSHIP

- *C8.01. Members of this congregation shall be those baptized persons on the roll of this congregation at the time that this constitution is adopted and those who are admitted thereafter and who have declared and maintain their membership in accordance with the provisions of this constitution and its bylaws.
- *C8.02. Members shall be classified as follows:
 - a. **Baptized** members are those persons who have been received by the Sacrament of Holy Baptism in this congregation, or, having been previously baptized in the name of the Triune God, have been received by certificate of transfer from other Lutheran congregations or by affirmation of faith.
 - b. **Confirmed** members are baptized persons who have been confirmed in this congregation, those who have been received by adult baptism or by transfer as confirmed members from other Lutheran congregations, or baptized persons received by affirmation of faith.
 - c. **Voting** members are confirmed members. Such confirmed members, during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of the congregation.
 - d. **Associate** members are persons holding membership in other [Lutheran] [Christian] congregations who wish to retain such membership but desire to participate in the life and mission of this congregation, 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 in accordance with ELCA constitutional provision 20.40 and the accompanying bylaws; 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.

The biggest church schism to happen in my time occurred around **A Social Statement on Human Sexuality: Gift and Trust**.

2009 ELCA Churchwide Assembly - Wikipedia

The 2009 ELCA Churchwide Assembly was the eleventh biennial Churchwide Assembly of the [Evangelical Lutheran Church in America](#). It convened in the city of [Minneapolis, Minnesota](#), from August 17–23, 2009. The Churchwide Assembly is the 'highest legislative authority' of the ELCA.^[1]

At the time of the Assembly, the ELCA consisted of nearly 4.6 million members organized into nearly 11,000 congregations.^[2] The Assembly consisted of 1,045 voting members and was chaired by The Rev. [Mark S. Hanson](#), Presiding Bishop of the ELCA from 2001–2013. David Swartling, the Secretary of the ELCA from 2007–2013, served as secretary.^[3] The 2009 Assembly was dominated by debate on the proposed Social Statement, "Human Sexuality: Gift and Trust," and its accompanying Recommendations for Ministry Policies. The Statement allowed for differing understandings of same-gender sexual relationships within the ELCA. The Recommendations proposed the development of a process in which congregations, synods, and churchwide units that chose to do so could call pastors and other officially recognized church leaders who were in publicly accountable same-gender lifelong monogamous relationships.

The assembly's agenda also included a proposed agreement of [full communion](#) between the ELCA and the [United Methodist Church](#), the UMC's first such agreement, along with other business matters, including: the passage of the ELCA Churchwide organization's budget, elections of officers and committee members, reports from Churchwide units and greetings from ecumenical partners.

Nevertheless, "Human Sexuality, Gift and Trust" is the legacy of the 2009 Assembly. Its eventual adoption, with its recommendations, opened the way for people in [same-sex relationships](#) to serve as pastors and other rostered leaders in the

ELCA. After its adoption, many congregations and pastors who believed that such relationships were contrary to [Holy Scripture](#), the tradition of the Church, and the [Lutheran Confessions](#) left the ELCA. The 2009 ELCA Churchwide Assembly reshaped American Lutheranism.

https://en.wikipedia.org/wiki/2009_ELCA_Churchwide_Assembly
[Images for 2009 ELCA Churchwide Assembly](#)

Grace Lutheran Church in Eau Claire, Wisconsin went through a particularly public congregation split.

March 2013 Grace Lutheran of Eau Claire, WI Court Case Update

- Judge Gale Wyrick has ruled that the Synod Council's decision rendered on January 16, 2013 is final.
- The judge can make four directives of that decision the Order of the Court and enforce them.
- Grace Lutheran Church has been referred to the Synod Council for guidance in the implementation of those directives.

Those four directives are as follows:

1. That Grace Lutheran Church immediately terminate affiliations with LCMC or any church other than the ELCA.
2. That Grace Lutheran Church immediately restore to full voting membership all those voting members moved to associate member status since January 1, 2011. Eligibility for voting membership is governed by *8.02.c.
3. That Grace Lutheran Church immediately recognize that anyone who meets the criteria of *C8.02.c. and who does not want to associate with LCMC is a voting member of Grace Lutheran Church. Individual members who wish to remain affiliated with LCMC may hold associate membership status at Grace Lutheran Church as per *C8.02.d. if they so desire.
4. That Grace Lutheran Church's sole affiliation is with the Evangelical Lutheran Church in America. Affiliation with the ELCA may be terminated only as permitted in the governing documents of the Evangelical Lutheran Church in America.

The judge has ordered that Drew Ryberg, attorney for the plaintiffs, draft an order in conformity with the decision and submit it to Jay Heit for approval. After an order has been mutually agreed upon, the judge will sign it. That order is to be submitted by April 8, 2013.

Posted on the Grace Lutheran Church website at the time. <http://www.grace-church.org/>

Judgment: Eau Claire church to remain ELCA

The dispute over affiliation at Grace Lutheran Church soon could be over.

In a recent decision, Polk County Judge Molly Gale Wyrick said the Jan. 16, 2012, decision of the Synod Council of the Evangelical Lutheran Church in America's Northwest Synod of Wisconsin "must be enforced," meaning Grace will be solely affiliated with the ELCA.

Her action is the latest decision in an Eau Claire County civil suit filed on Nov. 29, 2011, by nearly 70 members of Grace Lutheran Church, asking the courts to intervene in the dispute, which fractured the congregation at the historic house of worship.

The group — in its lawsuit — asked Gale Wyrick to declare that the longtime Eau Claire church remain solely affiliated with the ELCA and be governed in a manner consistent with the church's constitution and the governing documents of the ELCA.

About six weeks after the suit was filed, the Synod Council — in the final step in an adjudication process resulting from the dispute — made a decision with four directives: That Grace Lutheran Church's sole affiliation is with the ELCA, that the church immediately terminate its affiliation with the Lutheran Congregations in Mission for Christ or any other church other than the ELCA, that the church restore full voting memberships to voting members who had been moved to associate member status since Jan. 1, 2011, and that the church immediately recognize anyone as a voting member who meets the required criteria and who does not want to remain affiliated with the LCMC.

http://www.leadertelegram.com/news/front_page/article_0fd51d2c-9049-11e2-a55a-0019bb2963f4.html

3.18.13

Background

Grace, ELCA vote turning ugly – Leader-Telegram

One of the pastors at Grace Lutheran Church believes other area clergy are trying to influence members of his Eau Claire congregation in an attempt to keep them from leaving the Evangelical Lutheran Church in America.

"ELCA churches are leaving, and as leaders watch, they are trying to develop strategies to throw up roadblocks," said the Rev. Rolf Nestingen, who charges neighboring ELCA pastors of doing just that and says their interference is in violation of the Northwest Synod of Wisconsin constitution.

The Rev. Kurt Jacobson of Trinity Lutheran Church in Eau Claire and other area ELCA pastors don't deny they have had contact with members of Grace Lutheran Church, but said those parishioners sought them out, looking for support, information and guidance.

"When a church's pastors attend well to the entire body of people they have been entrusted to serve, and do so with love, integrity and honest attention and care, ministry prospers," Jacobson said via e-mail. "When that isn't the case, it is a natural action for people who are hurting, confused or disenfranchised by said pastors to seek such care in other places. For ELCA pastors in the area to respond with compassion to those people is a Christ-like response."

Jacobson sent an email to Nestingen and the Rev. David Irgens, also a pastor at Grace, on Feb. 17, informing them that area ELCA pastors and Bishop Duane Pederson of the Northwest Synod of Wisconsin met and agreed to address Grace members as they came to them. "It doesn't matter how you cast it," Nestingen said of the pastors' involvement. "It's against the rules, and it's just plain wrong."

http://www.leadertelegram.com/news/front_page/article_e2cdd6e0-582b-11e0-996c-001cc4c03286.html

3.26.11

[PDF] Joining the Unchurched by James Arne Nestingen

At any rate, it's up to you now. In a way that would have been inconceivable even earlier this summer, you are on your own. Having been unchurched by the ELCA assembly; excluded, unrepresented and voiceless, you have been cut loose

from that which connected you with believers across the world and across the ages. So, you have been numbered among the rejects. But for all of that, you've got company. If you don't find your neighbors in the faith where you usually did, they are out looking for you. Jesus loves sinners—you qualify. He never lost one of us.



<http://parishbulletin.com/Organizations/21936/Documents/Nesting-joining-unchurched.pdf>

https://www.luthersem.edu/faculty/fac_home.aspx?contact_id=jnesting

<http://thenals.org/about/faculty-and-staff/the-rev-dr-james-nesting/>

<https://www.amazon.com/James-Arne-Nesting/e/B001KHKTZI>

<http://steadfastlutherans.org/2013/07/guest-article-elca-has-biggest-split-in-american-church-history/>

<http://issuesetc.org/podcast/483050510H2S1.mp3>

<https://books.google.com/books?isbn=1451410514> 2. The Lutheran Reformation and Homosexual Practice by James Arne Nestingen Page 41

<http://www.societyholyltrinity.org/about.html>

<http://www.societyholyltrinity.org/newsletter/trin07-1.htm>

[Images for James Arne Nestingen](#)

Lutheran Congregations in Mission for Christ

Twin Cities WordAlone/Lutheran CORE Meeting Date, Thu, October 27, 2011 Time: 8:00 am – 9:00am

Where: Calvary Lutheran

Pastor Rolf Nestingen - Council President Anne Carter - Grace Lutheran Church, Eau Claire, WI

"Experiencing Grace" The story of one congregation's attempt to leave the ELCA

<http://www.lcmc.net/calendar/event/154>

Pastoral Letter from the Bishop

December 1, 2011

PASTORAL LETTER FROM THE BISHOP

Dear Saints,

This pastoral letter addresses the recent lawsuit filed by some members of Grace Lutheran Church, Eau Claire, that became front page news in the local newspaper on Thursday, December 1. The lawsuit is a legal challenge to unconstitutional decisions made by the Council of Grace to dual affiliate with another church body and the manner in which some were removed from church membership. No doubt you share my sadness that the brokenness and controversy at Grace Lutheran have resulted in legal action.

Dual affiliation by ELCA congregations with another church body is precluded by the Evangelical Lutheran Church in America. After a failed disaffiliation vote that did not garner the votes required to leave the ELCA, the Council of Grace Lutheran voted to dual affiliate with another church body. Further action by the Council included removing active members of Grace from full voting status. These two actions are being challenged in court. What is challenged is not church doctrine or matters of faith; the challenge has to do with whether or not constitutional provisions have been violated by the leadership of Grace Lutheran.

Some have wondered why the bishop has not intervened to restore order. It has been my experience that many equate the office of an ELCA bishop with that of a Roman Catholic bishop. The two are significantly different. ELCA bishops have very limited authority; primary authority resides in congregations, especially regarding matters of employment and property. Congregations call pastors; pastors do not work for the bishop. Congregations own church property; the synod does not. This means that Lutheran bishops cannot intervene in the way that bishops from other denominations can, and most disputes in congregations are settled within the local community without the involvement of the bishop or the synod. Of major concern to me is the public witness we make in Jesus' name. I ask that you speak well of the leadership of Grace Lutheran in spite of past actions taken, that you hold in prayer all those adversely affected by the brokenness, and that you cherish and affirm the partnerships we share as ELCA congregations as we seek to faithfully witness and serve others in the name of Jesus. If you have questions, I encourage you to speak personally with your pastor.

In the name of the Lord of Advent,

Bishop Duane Pederson

December 1, 2011 PASTORAL LETTER FROM THE BISHOP

<http://www.trinity-ec.org/forms/BishopsLetter.pdf>

[Images for Bishop Duane Pederson](#)

12.1.11

Estranged Grace Lutheran Church members suing to stop meeting – Leader-Telegram

Estranged members of Grace Lutheran Church are asking for a temporary injunction to postpone the Eau Claire house of worship's annual meeting scheduled for Sunday.

Those members - affiliated with the Evangelical Lutheran Church in America - also are asking a judge to remove members

of the church council and restrain spending and borrowing by members of Grace Lutheran Church who are affiliated with Lutheran Congregations in Mission for Christ.

"If defendants are allowed to continue in possession of the premises at 202 W. Grand Ave. ... to conduct annual meetings, to elect officers, to borrow and spend money, when they do not have rightful possession of Grace Lutheran Church ... great harm will befall ... Grace Lutheran Church," pro-ELCA members claim in court documents.

Their request - filed this week in Eau Claire County Court - comes close to two months after nearly 70 members of Grace Lutheran Church filed a civil lawsuit asking a judge to intervene in a dispute about church affiliation.

The dispute arose after a rift developed over the ELCA's acceptance of openly gay clergy.

The motion for a temporary injunction was scheduled for a hearing last week. However, Barron County Judge Timothy Doyle recused himself, according to court officials. Doyle was assigned to handle the case after the defendants in the civil suit - Grace Lutheran Church-LCMC and members of the church council - requested a substitution for Rusk County Judge Steven Anderson.

http://www.leadertelegram.com/news/front_page/article_b43eb556-843e-5bb8-94af-0dad730e2f4b.html 1.24.12

[Images for Estranged Grace Lutheran Church members suing to stop meeting – Leader-Telegram](#)

Judge: Grace Lutheran must postpone annual meeting – Leader-Telegram

Judge Oks restraining order stemming from church rift

Grace Lutheran Church of Eau Claire was ordered Friday by a Polk County judge to postpone its annual meeting, which was scheduled for Sunday.

Judge Molly GaleWyrick approved a temporary restraining order by estranged members of the church. The group also requested, in part, that the judge remove church council members and restrain spending and borrowing by church members associated with Lutheran Congregations in Mission for Christ.

The Rev. Rolf Nestingen, senior pastor at Grace Lutheran Church who attended Friday's hearing, said the judge "granted only one of those things, that is that we not hold our annual meeting. She also said that we operate on last year's budget with the same leadership, and that we not spend any extraordinary amounts of money."

Nearly 70 members of Grace Lutheran Church filed a civil suit against the church and its council in November, asking a judge to declare that the longtime Eau Claire church remains solely affiliated with the Evangelical Lutheran Church in America. In court documents, the plaintiffs are referred to as Grace Lutheran Church-ELCA, and the defendants as Grace Lutheran Church-LCMC.

The Grace Lutheran Church council voted last April to also join the more conservative Lutheran Congregations in Mission for Christ after a vote to disaffiliate with the ELCA failed to receive the two-thirds supermajority needed.

Friday's court hearing was the result of the plaintiffs' asking for a temporary injunction to postpone Grace Lutheran Church's annual meeting.

http://www.leadertelegram.com/news/front_page/article_d8b0ec16-fb5e-55b8-942b-2aee2604f85f.html?mode=jgm 1.28.12

[Images for Judge Molly GaleWyrick](#)

Local church won't break away from ELCA - WQOW TV

Despite majority approval, local church won't break away from ELCA

Eau Claire (WQOW) - It turns out, a local Lutheran church was divided on a decision to break away from its national organization.

The congregation at Grace Lutheran voted Sunday whether or not to separate from the ELCA. A large number of members aren't happy with the direction their national organization is headed. For example, the organization decided more than a year ago to allow openly gay clergy who met certain criteria.

A majority of Voters at Grace Lutheran (288) wanted to break away, however the final tally was 52 votes shy of the two-thirds majority needed to approve a final vote.

The pastor called Sunday's vote was "very civil". Leadership at the church will meet Tuesday night to decide where to go from here.

<http://www.wqow.com/story/14374373/eau-claire-considers-breaks-ties-with-national-organization>

Divisiveness Persists at Grace Lutheran of Eau Claire - Minnesota Church News

Grace Lutheran Church again is attempting to break away from the Evangelical Lutheran Church in America, according to its senior pastor.

During a special meeting Sunday, the congregation voted 236-0, with "a handful of abstentions," to rescind the large Eau Claire congregation's ELCA affiliation, the Rev. Rolf Nestingen said via email.

However, Drew Ryberg, an Eau Claire attorney who is representing nearly 70 estranged members of Grace Lutheran Church in a civil lawsuit, questions the validity of the vote.

"What they did was improper, completely improper," said Ryberg, whose clients are asking a judge to intervene in the dispute over church affiliation.

Nestingen doesn't see it that way. The most recent vote - the historical church's second attempt at disaffiliating with the ELCA in less than a year - was prompted by "recommendations" from the Synod Council of the ELCA's Northwest Synod of Wisconsin, he said.

The Synod Council in January sent a letter to church officials detailing its final decision in an adjudication process resulting from the dispute - that Grace Lutheran Church immediately recognize its sole affiliation is with the ELCA, terminate affiliation with the Lutheran Congregations in Mission for Christ or any church other than the ELCA, immediately restore full voting memberships to all members moved to associate member status since Jan. 1, 2011, and immediately recognize that anyone who meets the required criteria and who does not want to remain affiliated with the LCMC is a

voting member.

<http://mnchurchnews.blogspot.com/2012/03/divisiveness-persists-at-grace-lutheran.html>
[Images for Divisiveness Persists at Grace Lutheran of Eau Claire - Minnesota Church News](#)

3.2.12

Grace--Eau Claire has a New Strategy - Minnesota Church News

UPDATE ON FEBRUARY 26, 2012, MEETING

As you should all be aware, on Sunday, February 26, Grace Lutheran Church met in a special congregational meeting to determine a response to Synod Council demands resulting from an adjudication process brought against Grace by Amazing Grace ELCA, Inc. The motion that was unanimously passed (236-0) at that meeting was a successful first vote to disaffiliate from the ELCA. A second vote to disaffiliate is scheduled for May 30, 2012.

This week a letter was sent to Bishop Pederson and the Synod Council informing them of the meeting and the vote.

Today an article was published in the Eau Claire [Leader Telegram](#) concerning that vote. I take this opportunity to challenge the claim that the vote was somehow "improper".

Each church has its own constitution which is its primary governance. The ELCA Constitution 9.52 states: "The governing documents of congregations recognized at the establishment of this church shall continue to govern such congregations."

The ELCA also has a Model Constitution for Congregations that is updated periodically by the churchwide organization. When a church (such as Grace) updates its own constitution, it is required to include updates made to the Model Constitution. But a church is not required to update their constitution when and if any changes are made to that Model. That means that while the ELCA changed the rules regarding disaffiliation in the Model, we are not mandated to change our constitution to match the Model. We have rules regarding disaffiliation. Our rules do not require a 30-day notification to the bishop of our intent to vote to leave the ELCA. Our Constitution is our primary governance; and our vote is, therefore, valid and binding. Our Constitution requires notification to the Bishop of the results of the first vote, and a consultation with the Bishop within the 90-days before our second vote. The notice has been sent, and a consultation will be negotiated.

Within the court order, the congregation was instructed to review the recommendations of the Synod Council and discern a response. The "spirit" of the court order was met with a resounding vote to move away from the ELCA.

If anyone has any questions, please contact me.

Thank you.

Anne

<http://mnchurchnews.blogspot.com/2012/03/grace-eau-claire-has-new-strategy.html>

3.28.12

Effort to dismiss Grace Lutheran lawsuit denied – Leader Telegram

A lawsuit over the affiliation of Grace Lutheran Church in Eau Claire will continue, a Polk County judge determined Thursday.

Judge Molly GaleWyrick denied a motion to dismiss the case made by the defendants - Grace Lutheran Church-Lutheran Congregations in Mission for Christ and members of the church council.

Nearly 70 estranged members of Grace Lutheran Church filed a civil lawsuit on Nov. 29 in Eau Claire County, asking a judge to intervene in a dispute over church affiliation.

During a hearing Thursday in Eau Claire County, the judge said the defendants' latest attempts to leave the Evangelical Lutheran Church in America - votes on Feb. 26 and the night before the hearing - were clearly in violation of the spirit of a restraining order she issued in January.

The restraining order, which requires the defendants to limit church spending to ordinary and necessary expenses, remains in effect, the judge said. The order was put in place to ensure the church's money isn't improperly spent amid the dispute.

The votes came after the Synod Council of the ELCA's Northwest Synod of Wisconsin sent a letter to church officials on both sides of the issue detailing its final decision in an adjudication process resulting from the dispute – that Grace Lutheran Church immediately recognize its sole affiliation is with the ELCA, terminate its affiliation with the LCMC or any other church other than the ELCA, immediately restore full voting memberships to all members moved to associate member status since Jan. 1, 2011, and immediately recognize that anyone who meets the required criteria and who does not want to remain affiliated with the LCMC is a voting member.

http://www.leadertelegram.com/news/front_page/article_a79dc2b5-41cf-5c7e-b013-74e5dde2cb37.html

6.1.12

Judgment: Eau Claire church to remain ELCA – Leader Telegram

The dispute over affiliation at Grace Lutheran Church soon could be over.

In a recent decision, Polk County Judge Molly GaleWyrick said the Jan. 16, 2012, decision of the Synod Council of the Evangelical Lutheran Church in America's Northwest Synod of Wisconsin "must be enforced," meaning Grace will be solely affiliated with the ELCA.

Her action is the latest decision in an Eau Claire County civil suit filed on Nov. 29, 2011, by nearly 70 members of Grace Lutheran Church, asking the courts to intervene in the dispute, which fractured the congregation at the historic house of worship.

http://www.leadertelegram.com/news/front_page/article_0fd51d2c-9049-11e2-a55a-0019bb2963f4.html

3.18.13

Grace Lutheran Eau Claire, Fifth Sunday in Lent Part II - YouTube

March 17, 2013 Conclusion of Anne Carter's address, and Pastor Rolf Nestingen's message.

Grace Lutheran Church reverends removed – Leader Telegram

Bishop Duane Pederson has removed the pastors at Grace Lutheran Church — the Revs. Rolf Nestingen and David Irgens — from the Evangelical Lutheran Church in America's roster of clergy.

"The two leaders of Grace essentially (removed) themselves from ELCA leadership by the decisions and behavior in which they (chose) to engage that is contrary to the constitutions and polity of the ELCA," said Pederson, whose term as bishop of the ELCA's Northwest Synod of Wisconsin ends on Sunday.

Nestingen, senior pastor at the historic Eau Claire church, had no comment on the bishop's decision. He celebrated his 35th anniversary of ordination and 15th anniversary of his ministry at Grace in 2012. Irgens, associate pastor at Grace, was unavailable for comment.

http://www.leadertelegram.com/news/front_page/article_42c95818-95cd-11e2-b869-0019bb2963f4.html

3.25.13



Pastor Rolf Nestingen, left, Pastor David Irgens, right.

An inspirational message from our President at Grace Lutheran, Eau Claire - YouTube



<https://www.youtube.com/watch?v=2H6Po70PTuo>

3.27.13

<http://www.exposingtheelca.com/exposed-blog/warning-to-elca-churches-from-former-grace-lutheran-eau-claire-president>

A Message from Pastor Nestingen

As our congregational president, Anne Carter, carefully explained recently, on Sun., March 17, the decision of the court, handed down ironically on the Ides of March, in essence, really changes nothing at Grace. Same council. Same officers. Same pastors. In fact, it's actually an improvement as now we have full discretion over our assets, both congregational as well as in terms of the Foundation. The fly in the ointment, so to speak, is that we have been ordered to abide by the determinations of the Synod Council in January of 2012. Before you jump to any conclusions, however, consider that those directives have no material effect on the ministry at Grace as we now know it. We are told that we can no longer be dually-affiliated. Fine. For the time being we will no longer be dually-affiliated.

Otherwise we are told that we must restore full voting rights to certain of the dissidents, something we had already done back in May of 2012. We are also told that in all future matters, including any affiliation votes, we must abide by the Constitution of the ELCA (Evangelical Lutheran Church in America), something we had already endeavored to do in the first place.

http://www.grace-church.org/images/april_aog2013.pdf

Page 2

April 2013

Third Sunday of Easter at Grace Lutheran Eau Claire, WI Part II - YouTube

Grace Lutheran Eau Claire, April 14, 2013 Pastor Rolf Nestingen bringing the message "A Real Eye Opener"



<https://www.youtube.com/watch?v=3bxvra2gfms>

4.14.13

[Images for Pastor Rolf Nestingen](https://www.linkedin.com/in/rolf-nesting-56a8aa117)

<https://www.linkedin.com/in/rolf-nesting-56a8aa117>

Letter to (congregation presidents of Grace and Amazing Grace) and pastors of the Chippewa Valley Conference – ELCA

April 9, 2013

Dear Mrs. Carter and Ms. Sands,

Following the summary judgment rendered by the circuit court, the two factions in disagreement at Grace Lutheran Church, Eau Claire, apparently came to differing interpretations as to the January 16, 2012, adjudication decision of the Synod Council, specifically the interpretation of point three of the decision: "That Grace Lutheran Church immediately recognize that anyone who meets the criteria of *C8.02.c. and who does *not* want to remain affiliated with LCMC may hold associate membership status at Grace Lutheran Church s per *C8.02.d., if they so desire." Additionally, we have received 2 letters from Mrs. Anne Carter to the Synod Council dated April 4, 2013 and April 5, 2013. It is evident from these communications that Mrs. Carter and those who concur with her point of view grossly misunderstand the Synod Council's adjudication decision, constitutional interpretation, and the polity and practices of the Evangelical Lutheran Church in America.

Because the judge has directed both parties back to the Synod Council for guidance and direction, the Synod Council of the Northwest Synod of Wisconsin provides the following clarification of point three referenced above:

1. The January 16, 2012 Synod Council decision required immediate action. In response, the LCMC faction conducted two disaffiliation votes seeking to disaffiliate from ELCA. These votes on February 26 and May 30, 2012, were done in response to the Synod Council decision. By their actions and decisions, those who occupy the building at 202 West Grand have demonstrated their ongoing desire to "remain affiliated with LCMC." Thus, all persons who are not affiliated with Amazing Grace, a synodically authorized worshipping community, immediately "hold associate member status at Grace Lutheran Church."
2. If those who hold associate membership status do not wish to hold such status because of their LCMC affiliation, they may withdraw their Grace Lutheran Church associate member status and have no affiliation with Grace Lutheran Church.
3. If those who hold associate membership status wish to be full voting members of Grace Lutheran Church, they may make membership application to the new ELCA Congregation Council to indicate that they do "not want to remain affiliated with LCMC." The Synod Council hopes that many associate members will relinquish their LCMC affiliation so that they may qualify for possible voting membership at Grace Lutheran Church in the future.
4. Those Grace Lutheran members affiliated with Amazing Grace, a synodically authorized worshipping community, and all others who were unconstitutionally removed from voting membership from Grace Lutheran Church are immediately restored to full voting membership.

As a result of the adjudication decision of the Synod Council, the constitutional implications for Grace Lutheran's leadership are clear. The Synod Council states the following so that there can be no misunderstanding or misinterpretation regarding membership and leadership:

-Because the LCMC affiliated persons at 202 West Grace who acted as a Congregation Council are immediately associate members of Grace Lutheran Church, they no longer hold elected positions of leadership; only full voting members are constitutionally eligible to hold elected leadership positions in an ELCA congregation.

-Initially, only those associated with Amazing Grace are eligible for elected leadership at Grace Lutheran Church.

-Former leadership affiliated with LCMC is to immediately cease and desist all matters regarding the governance of the congregation and immediately take cooperative steps to transfer all governance authority to Amazing Grace leadership (turn over facility keys, financial records, data bases, account signatory authority, etc., and to provide all information and complete access to information to govern the congregation). All personal property of Grace Lutheran Church shall remain at 202 West Grand Avenue.

-All membership applications of Grace Lutheran associate members must be submitted to the new ELCA Congregation Council for consideration.

-Eligibility for the Grace Lutheran Foundation board of directors will also be determined by constitutional membership criteria.

The adjudication decisions of the Synod Council of the Northwest Synod of Wisconsin are final. With the above clarification, the Synod Council hopes and prays that Grace Lutheran Church will engage in ministry and mission as a fully participating member congregation of the Evangelical Lutheran Church in America and that the long road to reconciliation and healing may begin.

Sincerely,

The Synod Council of the Northwest Synod of Wisconsin

cc: Tom Guelzow, Synod Attorney

Pastors of the Chippewa Valley Conference — ELCA

http://www.elcatoday.com/uploads/2/4/2/8/2428588/synod_council_decision_4.9.13.pdf

Synod Council: Grace leaders no longer eligible to serve – Leader Telegram

The pastors at Grace Lutheran Church have been removed from the Evangelical Lutheran Church in America's roster of clergy, and now the members of the church's congregational council are no longer eligible to hold elected positions of leadership, according to the Synod Council of the ELCA's Northwest Synod of Wisconsin.

http://www.leadertelegram.com/news/front_page/article_e1e863a4-a3eb-11e2-8cb5-001a4bcf887a.html 4.12.13

Manual of Policies and Procedures for Management of the Rosters of the Evangelical Lutheran Church in America

B. No Dual Roster Membership: In accordance with bylaw 8.72.15.d., an ordained minister of this church who enters the ordained ministry of another church body, or who joins a religious group or congregation of another church body (except

as provided in 7.41.17.b.), or who serves a group schismatic from this church or from a congregation thereof, shall cease to be a member of this church. The ordained minister's name shall be removed from the roster of ordained ministers by the bishop of the synod, who shall report the action to the secretary of this church and to the next Synod Assembly.
http://download.elca.org/ELCA%20Resource%20Repository/Policies_Procedures_Roster_Mgmt.pdf Page 49

Letter from president of Grace Lutheran Church

4.13.13

To: Synod Council of Northwest Synod of Wisconsin, ELCA
From: Anne Carter - Council President, Grace Lutheran Church
Date: 4 April 2013

RE: Synod Council Decision of January 16, 2012

On March 14, 2013 Judge Molly GaleWyrick, Circuit Court Judge from Barron County, rendered a decision in the lawsuit filed against Grace Lutheran Church by members of Amazing Grace ELCA, Inc. In this declaratory judgment, she has declared that the aforementioned Synod Council decision is final and enforceable. The Synod Council decision is as follows:

1. That Grace Lutheran Church immediately terminate affiliations with LCMC or any church other than the ELCA.
2. That Grace Lutheran Church immediately restore to full voting membership all those voting members moved to associate member status since January 1, 2011. Eligibility for voting membership is governed by *C8.02c.
3. That Grace Lutheran Church immediately recognize that anyone who meets the criteria of *C8.02(c) and who does *not* want to associate with LCMC is a voting member of Grace Lutheran Church. Individual members who wish to remain affiliated with LCMC may hold associate membership status at Grace Lutheran Church as per C8.02(d), if they so desire.
4. That Grace Lutheran Church's sole affiliation is with the Evangelical Lutheran Church in America. Affiliation with the ELCA may be terminated only as permitted in the governing documents of the Evangelical Lutheran Church in America.

In order to comply with the decision of the court, the following actions have been taken:

1. Notice was sent to Mark VanderTuig, Service Coordinator for LCMC. Grace Lutheran Church was removed from the LCMC roster of churches effective March 14, 2013. (See Attachment A)
2. All those members who had been removed to associate status since January 1, 2011 were restored to full voting membership in May 2012. A letter of reinstatement was sent that same month. (See Attachment B)
3. Announcement of the judge's decision was made to the Grace congregation and members have been directed to inform the church office of their desire to remain affiliated with LCMC. They will be moved to associate status as they make notification. (See Attachment C)
4. When and if Grace Lutheran Church votes to rescind affiliation with ELCA, the congregation will follow constitutional guidelines. Grace now holds out as an ELCA congregation.

Judge GaleWyrick has ordered both plaintiffs and defendants to seek further clarification of implementation of the decision from the Synod Council. We recognize that the authority of the Synod Council resides with the NW Synod of Wisconsin's constitution. We also recognize that the constitution gives the Council no authority over the assets, governance, property, pastoral call or membership of an individual congregation. We believe that we are in compliance with the Council's decision.

Thank you.

Attachments

Cc: Grace Lutheran Church Council
Jay Heit, Herrick & Hart Law Office
Rolf Nestingen, Senior Pastor, Grace Lutheran Church
David Irgens, Pastor, Grace Lutheran Church

Letter to Rostered Leaders in the Chippewa Valley

4.23.13

The Honorable Molly E. Gale Wyrick signed the court order today that was submitted by Drew Ryberg, attorney for the plaintiffs, Grace Lutheran ELCA. In brief, the order affirmed the plaintiff's position which included the Northwest Synod of Wisconsin's council's adjudication decision of January 2012, and the synod council's clarification of April 8, 2013. This is a significant moment in the life of Grace Lutheran Church. Those who have in the past assumed possession of 202 W. Grand have been ordered to turn over keys to the building and access to all records and property by 5pm today, April 23, 2013. A motion by the defendants' attorney to stay the order until the appeals process is complete was denied. The plaintiffs and those remaining as a part of Grace Lutheran Church now continue the work of healing, reconciliation, and identifying steps in moving back to the building. Please keep all those affected by these decisions in your prayers.

In the Grace of Christ,
Rev. Ramie Bakken
Assistant to the Bishop

Grace Lutheran Church keys change hands at judge's orders – Leader Telegram

"Many have asked why it was necessary to go to court," said Deb Sands, the newly elected council president for the ELCA congregation, in a statement. "Quite simply, we were left with no other option due to the complete failure of Grace's former leadership to follow the church's **constitution** (and) appropriate rules of church governance or abide by any of our Synod Council's decisions. Even the court's orders have been defied."

http://www.leadertelegram.com/news/front_page/article_27ee9872-ad61-11e2-8a41-0019bb2963f4.html

4.24.13

Church members forced to hand over keys to members who left years ago – WEAU

4.24.13

Eau Claire (WQOW) - A judge hands down a ruling in an Eau Claire church dispute that goes back years. The result of that ruling is that church keys have been turned over.

Grace Lutheran in Eau Claire finds itself in a bind.

"It's been years of a battle between the ELCA and people that feel they're going in the wrong direction," explains Grace Lutheran Facilities Manager Cynthia Mayer.

The majority of members at Grace Lutheran wanted to affiliate their church with another Lutheran church under a different organization.

"The national organization approved gays and lesbians in their admission to church and the like and my understanding is that's what they were strongly opposed to and decided to go out on their own on that issue and make an issue of it which separated, sadly, the church itself," points out ELCA Attorney Thomas Guelzow.

The church says that wasn't the main issue.

"Our initial disagreement has been with theology. We simply want to worship the way that we have for the last 100 years and 500 years if you think about Martin Luther," says Grace Lutheran Pastor David Irgens. "This new way of interpreting scripture is Jesus Christ as a symbol instead of the person of Jesus Christ."

Even though a majority supported dual affiliation, church members needed a two-thirds majority. They fell short, but still opposed changes that were made. So, they practiced as if the vote were approved; which in effect, split the church.

"The overall structure of the church is not like the Methodist Church or the Episcopal Church or the Catholic Church.

There isn't a hierarchy," says Congressional Council President Anne Carter. "We are individual churches who work together, but there is no "overlordship" and that's what is being imposed upon this church unconstitutionally and without due process."

Some stayed while others formed another congregation called "Amazing Grace."

The case went to court. The Amazing Grace parishioners wanted action taken against those who were still actively practicing at Grace Lutheran. Those at Grace were asking for a split from the ELCA. The court's decision came down on Tuesday.

"The judge agreed with us," Guelzow says. "Essentially it ruled yesterday there is a separation of church and state."

The judge said all governing authority must be given to the Amazing Grace congregation.

Church leaders were told to give up the keys, but initially refused until Wednesday afternoon. The keys were turned over when those at Grace Lutheran were threatened with being in contempt of court.

<https://www.weau.com/home/headlines/Judge-rules-Eau-Claire-church-congregation-to-hand-over-keys-removing-membership-204588871.html>

Ten jobs in limbo as new group takes over Eau Claire church – WEAU

4.25.13

Eau Claire, Wisc. (WEAU) – A divided church is changing more than Sunday services. Jobs are at stake.

Two days after a judge ruled some in the congregation could not be full members of Grace Lutheran Church, about a dozen are left not knowing if they have a job.

<http://www.weau.com/news/headlines/Ten-jobs-in-limbo-as-new-group-takes-over-Eau-Claire-church-204759841.html>

The Truth about Grace - YouTube

A message from Anne Carter, Rev. Rolf Nestingan, and Rev. David Irgens.

<http://www.youtube.com/watch?v=LJnO9hLZrdE>

4.27.13

Letter to Rostered Leaders in the Chippewa Valley

5.2.13

Dear Colleagues of the Northwest Synod of Wisconsin,

The following update on events at Grace Lutheran in Eau Claire, are provided for you as rostered leaders in your community. Following the transfer of leadership (symbolized in the press by the handing over of a basket of keys), Grace Lutheran members have temporarily closed the building to the public, and have been working to change voicemail, gain access to computers, web page information, recover accounts, and so forth.

A media relations board produced a television broadcast that was aired at Grace's usual time on channel 18 with a message delivered by Rev. Aaseng from St. John's Lutheran in Eau Claire. This coming week the program will include a sermon by Rev. Jacobson from Trinity Lutheran in Eau Claire. The same broadcast will be aired on the radio at the usual time that Grace Lutheran has held this spot.

An interim will be appointed to serve Grace Lutheran in the near future. Pastor Rehak, interim at First Lutheran and serving the Amazing Grace community, has been leading a 3-part series of guided conversations to prepare those at Amazing Grace to return to the building at 202 W. Grand.

Area clergy are invited to be present for the 3rd conversation as these members return to 202 this Monday, May 6, at 6:30 p.m. This conversation will be one of allowing God to talk to them through scripture and prayer for healing and hope. We will circle around the Grace members in three specific locations (possibly 4) where pain and spiritual injury has occurred; the primary gathering space, the Council room, and the sanctuary. If you are planning to attend and would like to participate, please contact Michael Rehak at 608.509.8795 or by email mrehak@first-lutheran.org. Plan to gather at First Lutheran at 6:30 and walk down together.

We expect that worship for Grace Lutheran will be offered in 2 locations for a time as members work toward healing and wholeness as a community of faith. Those who have been affiliated with Amazing Grace will continue to worship in the chapel at First Lutheran. Worship at Grace Lutheran's building at 202 W. Grand will likely begin again on May 12 for those who have remained at Grace and are not affiliated with LCMC. At an appropriate time determined by the interim pastor and the congregational leadership we expect that the wider ELCA community will be invited to join the congregation in a community worship service.

Many of you were disheartened by the news reports that occurred as the transfer of leadership happened at Grace Lutheran and by Mr. Irgens' and Mr. Nestingen's comments to the press. Yes, there was misinformation that was shared. No, we will not go "on air" to dispute the falsehoods or the misinterpretation of events. To do so will invite further argument and further negative press. What we can do and will do, is continue to be the body of Christ, engaged in ministry in our communities.

As the local mission interpreter in your community, we encourage you to tell your story about the ELCA. Share what we believe, what your congregation and its members accomplish in the name of Christ and in service to our Lord. This is the most important type of witness you can provide in the face of those who would disparage our beliefs and teachings. [Additionally, feel free to utilize these short statements that address some common questions in your pastoral conversations.](#)

In the Grace of Christ,
Rev. Ramie Bakken
Assistant to the Bishop

Saving Grace LCMC - Eau Claire, Wisconsin - Facebook

Saving Grace Lutheran was formed after the ELCA closed the doors of Grace Lutheran Church, removing the congregation and staff until further notice.

<https://www.facebook.com/pages/Saving-Grace-LCMC/231682173543270>

Saving Grace First Service - YouTube

<http://www.youtube.com/watch?v=Kfqoo-GjKjI>

5.5.13

A Service of Reclaiming the Promise – Grace Lutheran Church

5.6.13

At First Lutheran Church

Hymn *Healer of Every Ill*

Psalm 121

Process to Grace Lutheran Church

At the Door

John 10:1-3, 7b

Prayer

In the Gathering Space

Psalm 22:1, 11-13, 16, 19-22

Sharing *In this space I was...*

John 14:18-21a, 15:12

Prayer

In the Council Meeting Room

Psalm 36:1-4, 7-10

Sharing *In this space I was...*

2 Timothy 1:13-14

Prayer

In the Sanctuary

Psalm 122:1, 7-9

Sharing *In this space I was...*

Ephesians 4:30-5:2
 Prayer
 At the Pulpit
 2 Timothy 2:14-15
 Clergy – *As ordained clergy in the ELCA we reclaim this pulpit for the proclamation of the Gospel.*
 Prayer
 Hymn *Have No Fear Little Flock*
 Sending
 John 14:27
 Hymn *All Are Welcome*

Easter sunday at *Grace* lutheran eau claire part ii - YouTube

Apr 17, 2013 - Uploaded by Saving Grace.
 28:31 Saving Grace First Service by Saving Grace
 18:28 Second Sunday of Easter at Grace

http://www.youtube.com/watch?v=ZyGUkaeZ_64

Saving Grace Third Service - YouTube

<http://www.youtube.com/watch?v=-QcxICVart4>

5.19.13

Warning to ELCA Churches from Former Grace Lutheran (Eau Claire) President – Exposing “Exposing the ELCA”

5.23.13

To all this concerns:

It is important that every member of the Northwest Synod of Wisconsin of the ELCA understand the recent decisions made by the Synod Council against Grace Lutheran Church, Eau Claire, WI. To that end, attached to this email are three letters.

The first, from Grace Lutheran leadership, outlines compliance with a decision made by the Synod Council in January 2012. The second, from the Council to Grace, contradicts that compliance and dictates a new set of directives. The last letter questions those directives and details the consequences of those directives on Grace members and the community of Eau Claire.

Please read through the letters carefully. They are sent to you so that you will understand that if this happened to Grace Lutheran Church, it will happen to you.

Thank you.

Anne Carter

Former President of Grace Lutheran Church

Letter from former president of Grace Lutheran Church

5.27.13

Dear Synod Council Member:

On April 9, 2013, the Synod Council of the Northwest Synod of Wisconsin rendered a second decision against Grace Lutheran Church, 202 West Grand Avenue, Eau Claire, WI, as related to the adjudication brought by Amazing Grace ELCA, Inc. in December 2011. On April 23, 2013, that decision was imposed on Grace Lutheran Church by a circuit court judge. Your decision changed the governance and gave control of the assets of Grace to an outside group. Your decision changed the status of the majority of the active members – those who attended, contributed, worshipped, and worked at Grace Lutheran – to associate status. The doors of Grace have been locked, and we have been refused access.

You should be aware of the following:

- Your decision was made when Grace Lutheran Church was an ELCA-only congregation. Thus, your decision was made against ELCA members.
- Amazing Grace ELCA, Inc. is a separately organized LLC made up of members and non-members of Grace Lutheran Church. Your decision effectively turned over control of an organization to non-members of that organization.
- Bishop Duane Pederson is formerly of *First Lutheran Church*, Eau Claire, WI; Assistant to the Bishop Amy Odgren is from *First Lutheran Church*; Synod Council Vice President Lynn Fering is a member of *First Lutheran Church*; attorney for the NW Synod, Tom Guelzow, is a member of *First Lutheran Church*; Amazing Grace ELCA, Inc. has been holding services at *First Lutheran Church*.
- Ramie Bakken, representing the NW Synod, sent out letters that encouraged reconciliation. She claimed that the invitations were sent to all Grace members, but those letters were not sent to associate members. Some of those letters were, however, sent to Grace members who are deceased.
- The doors of Grace Lutheran Church have been locked for over a month. No one has been allowed access to remove personal property from the building. Because of the lockdown the food pantry, third largest in Eau Claire, has been unused; all anonymous groups that met in the building have been forced to find other accommodations; Boy Scout Troop 36 has also been forced to meet elsewhere and all their materials were being held; the ham radio group has not been able to meet at all because Grace leadership will not release their equipment.

Because your decision has far-reaching repercussions and has caused confusion, we respectfully request that you answer the following questions:

- Who called the Synod Council to meet about this decision? Who ran the meeting? Where was the meeting held? Who was in attendance at the meeting? Who presented the points of the decision? What were the points of debate? What was the final vote?
- What is the constitutional basis for your authority to dictate membership in an individual congregation?
- What is the constitutional basis for your authority to control the assets of an individual congregation?
- What is your legal authority to award the assets of one independent corporation (Grace Lutheran Church) to a separate corporation (Amazing Grace ELCA, Inc.)?
- Is it really in the best interest of the NW Synod that the Synod Council be controlled by the special interests of one congregation?
- Is it really in the best interest of the NW Synod that representatives carelessly send correspondence to dead people?
- In retrospect, did the Synod Council truly consider all the ramifications of this decision and its effect not only on Grace Lutheran but also on the community it serves?
- Do you recognize that you have now set the precedent that a Synod Council can overturn the ruling body of an individual congregation? You have done this to Grace. It is only a matter of time before it will be done to your home congregation as well.

One of the foremost responsibilities of any governing council is to protect the rights of its members. It must also respect the integrity of the organization it represents. The members of Grace Lutheran Church were excluded from the process of the Synod Council from the very beginning. We have the right to get answers to fundamental questions. Because we consider your decision to be illegal, unfair, unconstitutional and, frankly, immoral, we respectfully request that you reflect on your decision-making process and explain how such a hostile takeover of assets is a positive reflection on the ELCA in general or the NW Synod in particular.

For the last three years, members of Grace Lutheran Church have asked for the right to ask questions about the direction of the ELCA. The former bishop attempted to silence us. Now, by virtue of this decision, the Synod Council concurs with that censorship. We are saddened and disappointed by this failure to seek the truth.

Jesus tells a story about an unfair judge who finally gave justice to a woman simply because she would not stop demanding it. We pray, that in this case, justice will be more readily granted.

Thank you.

In His Service,

Anne Carter, Former Council President, Grace Lutheran Church

Cc: Pastor Rolf Nestingen

Pastor David Irgens

Pastors of NW Synod of Wisconsin, ELCA by email

Congregations of NW Synod of Wisconsin, ELCA by email

<http://www.exposingtheelca.com/1/post/2013/05/warning-to-elca-churches-from-former-grace-lutheran-eau-claire-president.html>

Letter from former president of Grace Lutheran Church

From: Saving Grace Lutheran Church Congregation [mailto:leadershipsglchurch@yahoo.com]

Sent: Thursday, May 30, 2013 12:53 AM

To: undisclosed recipients:

Subject: Attention ELCA Northwest Synod of Wisconsin Members

To all this concerns:

It is important that every member of the Northwest Synod of Wisconsin of the ELCA understand the recent decision made by the Synod Council against Grace Lutheran Church, Eau Claire, WI. To that end, attached to this email are three letters.

The first, from Grace Lutheran leadership, outlines compliance with a decision made by the Synod Council in January 2012. The second, from the Council to Grace, contradicts that compliance and dictates a new set of directives. The last, questions that decision and details the consequences of that decision on Grace members and the community of Eau Claire.

Please read through the letters carefully. They are sent to you so that you will understand that if this happened to Grace Lutheran Church, it will happen to you.

Thank you.

Anne Carter, Former President, Grace Lutheran Church

Letter from Pastor Eric Bakken to the Congregation Council at Evangelical Lutheran Church in Black River Falls, WI and distributed to rostered leaders in the Northwest Synod of Wisconsin 5.30.2013

Greetings,

I just wanted to let you know that there is a letter that has been sent out by a Ms. Anne Carter (former president of Grace Lutheran Church, Eau Claire) with the intention to cause unrest on the eve of the NW WI Synod Assembly (this weekend). I want to summarize again as I did at our last council meeting, the process that has played out there.

First, as some congregations have decided to do, there was an effort by the leadership of Grace Lutheran to leave the ELCA and become a member of LCMC (a Lutheran denomination where many of the congregations who have left the ELCA are going). That vote failed with 57% of the membership in

attendance voting to leave, and 43% of the membership in attendance voting to remain in the ELCA. In order for a congregation to leave the ELCA, a legal vote must take place with two thirds of those present voting to leave the ELCA. The leadership of Grace Lutheran then petitioned and were granted (by the LCMC) dual membership within their denomination even while Grace held membership within the ELCA. This is against the ELCA constitution, thus the Synod Council informed Grace Lutheran that they needed to drop their affiliation with LCMC immediately (they did not comply). The leadership of Grace also removed members of Grace who had voted to remain in the ELCA without due process, and took a 2nd vote to disaffiliate with the ELCA (this vote was conducted improperly).

A group of approximately 70 individuals calling themselves “Amazing Grace” (representing the 43% who had voted to remain in the ELCA) began a law suit against the leadership of Grace Lutheran, and in March of 2013 won that law suit. A counter law suit brought by the leadership of Grace Lutheran church was dismissed by the courts as being frivolous.

The court decision supported a process for the “Amazing Grace” individuals to begin the process of defining such issues as to the status of membership, and the establishment of leadership within the congregation. This process determined that those who had been a part of the efforts to lead Grace Lutheran out of the ELCA were immediately defined as associate members and would have to petition with the newly established leadership of Grace Lutheran (initially those who were identified in the law suit as Amazing Grace) to be restored as full voting members.

This process is for sure messy and difficult, but it is a process that has been supported by the courts and is the best process available to those who have had their constitutional rights trampled over by the former leadership of Grace Lutheran. Following the court decision, Bishop Pederson removed both pastors of Grace Lutheran Church from the ELCA clergy roster, for schismatic activity within the ELCA (a decision which is within the responsibilities of the bishop, and one in which Bishop Pederson showed great restraint). Both former pastors, Ms. Anne Carter, and other former members of Grace Lutheran who attempted to lead the congregation unconstitutionally out of the ELCA, now worship in an alternate site in Eau Claire, and call themselves “Saving Grace.” They have continued to carry on a verbal campaign against the ELCA, the NW WI Synod of the ELCA, and the folks who have received their congregation back (formerly known as Amazing Grace).

Throughout this process, the former members of Grace Lutheran have used their TV broadcasts and the local media to paint a distorted picture of the chain of events which have transpired and have attempted to cast themselves as some sort of underdog fighting a big mean corporate villain, thus casting themselves as innocent victims. On the other hand, the Amazing Grace folks, our bishop, and the Synod Council showed great restraint and refused to enter into the name calling and abusive behavior that Ms. Anne Carter and the former pastors at Grace Lutheran exhibited. This has unfortunately created a lot of misinformation but will serve the integrity of the ELCA well in the long run.

If you have any further questions, please give me a call.

In Christ,

Pastor Eric Bakken

New Beginning with Grace

by Deb Sands speaking at the NW Synod Assembly, June 1, 2013

As Ruth and Naomi began their long walk back to Bethlehem, their future seemed very uncertain. Once home, their prospects didn't immediately improve. Yet, they steadfastly placed their trust in God; and as we now know, God gave them a great new beginning – not only for them in their time, but through them, for all people.

My name is Deb Sands and I am the new President of Grace Lutheran Church here in Eau Claire. As many of you know, our ELCA members, like Ruth and Naomi, have traveled a long and difficult road the last 2 years. Yet we, too, place our trust in God and with His help, we look forward to a new beginning for our church. One based on faith, hope, and love – for all.

The members of Grace are proud to be ELCA members and proud that Grace Lutheran is still an ELCA church and that the Lord has brought us back home. The ELCA is a church that shares a living, daring confidence in God's grace. The members of Grace ELCA have, for the past 2 years, fully and faithfully lived those words as we worshiped at First Lutheran in a Synodically, Authorized Worshiping Community known as Amazing Grace. Throughout that time of exile, we never gave up hope or confidence that justice and truth would prevail; that our church's constitution and governing documents would be honored – and they were! It has been an amazing journey!

On behalf of all of the ELCA members of Grace, I want to publicly thank our Synod staff, the Consultation Committee and the Synod Council. Their faithful and unwavering support throughout this journey has truly been a blessing. The pastors, staff and members of First Lutheran have been stalwart in their support of the members of Grace and our fight for justice. Like Naomi when she had nowhere else to go, we, too, turned back to our original “home” of 100 years ago, our mother church, First Lutheran, who took us in, cared for us and strengthened us to begin anew.

That new beginning actually begins this Sunday with a worship service at 10:30 at Grace with our new interim pastors: Rev. Kent Garlinghouse and Rev. Chet Hoversten. Please let your congregations know that we welcome you and all who can join us in celebration. Through all of the trials and tears of these past years and the challenges that lie ahead, we are strengthened by 2nd Corinthians 5:17 “for those who place their faith in Christ, there is a new creation: everything old has passed away; see, everything has become new.” Thank you all for your continuing help and support in our journey of faith. Thanks be to God.

Welcome Pastor Kent - Grace Lutheran Church
<http://www.grace-church.org/images/AmazingGrace6152013.pdf>

6.1.13

Moving Forward in Grace

Please attend the community meeting in the chapel after service this Sunday, June 9, and the following Sunday, June 16, during the Community Meeting after worship, we will begin the interim process of moving Grace Lutheran congregation into your God-given future. Please join us to hear what we will all be working on during the next 6 to 9 months. Thanks for your most warm welcome and for the wonderful worship service last Sunday.

Pastor Kent Garlinghouse

Welcome Pastor Kent - Grace Lutheran Church
<http://www.grace-church.org/images/AmazingGrace6152013.pdf>

6.9.13

Turmoil in Eau Claire parish leads to division, court fight, lockout: A battle over property and an endowment fund by Michael L. Sherer / July 30, 2013

In an all-too-familiar scenario, two factions among the members of a congregation affiliated with the **Evangelical Lutheran Church in America (ELCA)** have locked horns. The issues are complex, and the story is still being written, but one thing is certain. **Grace Lutheran Church** in Eau Claire, Wisconsin, will never be the same. And members and former members may not be speaking to one another for years to come.



<http://metrolutheran.org/2013/07/turmoil-in-eau-claire-parish-leads-to-division-court-fight-lockout/> 7.30.13
[Images for Grace Lutheran Church in Eau Claire, Wisconsin](#)

Saving Grace LCMC - Facebook

Saving Grace Lutheran was formed after the ELCA closed the doors of Grace **Lutheran Church**, removing the congregation and staff until further notice.



<https://www.facebook.com/Saving-Grace-LCMC.../info>
<http://www.saving-gracechurch.com/#/about-us/history>
[Images for Saving Grace LCMC - Facebook](#)

Sample Constitutions & Bylaws - LCMC

As more and more new congregations join LCMC, we are receiving more requests for samples of constitutions and bylaws for their review and to assist in the creation or rewriting of their own constitutions and bylaws. LCMC does not have a "model" constitution and does not require approval of a congregation's constitution. The following congregations have graciously provided copies of their constitution and bylaws as an aid to any congregation seeking assistance. There is no requirement to use any of these. They have been provided solely as examples for congregations seeking direction.

<http://www.lcmc.net/constitutions-bylaws/415>
[Images for Sample Constitutions & Bylaws - LCMC](#)

Saving Grace Lutheran Church / Welcome

Pastor Rolf Nestingen's Retirement Reception - Sunday December 20, from 1:00 to 5:00 p.m. in the Fellowship Hall

<http://www.saving-gracechurch.com/#/news-events>
<https://www.youtube.com/watch?v=xrNprO2Uvrc> Saving Grace Lutheran Church Service 12-20-15 – YouTube
[Images for Saving Grace Lutheran Church / Welcome](#)

6) Model constitution and life after COVID-19

Chapter 6.

CHURCH AFFILIATION

- *C6.03.** This congregation acknowledges its relationship with the Evangelical Lutheran Church in America in which:
- This congregation agrees to be responsible for its life as a Christian community.

On Saint Patrick's Day, 3/17/2020, the parish president informed me that the congregation presidents determined to follow the [President's Coronavirus Guidelines for America: 15 Days to Slow the Spread](#) by foregoing services of worship on Sundays, 3/22 and 29, and midweek Lenten services on 3/25 and 29. The plan at that time was to gather on 4/5 Palm Sunday. On 3/23 [Gov. Evers to issue order for Wisconsinites to stay home](#) 3/25 through 4/24. The Wisconsin Supreme Court ended the order on 5/13 and "Worship services can now be held in person as long as there are no local restrictions on holding them. It will be up to individual churches, synagogues and mosques to decide whether to allow them." The Bishop of the Northwest Synod of Wisconsin sent the following letter on 5/14:

Dear Pastors, Deacons, and SAMS,

The Milwaukee Brewers, the Green Bay Packers, and your churches are all struggling with similar questions! When can we go to the stadium to see a game again? When can we go to our church buildings to worship again? When can we return to worship?

Professional sports teams can't fill their stadiums and we can't fill the pews. It isn't safe. I wish I could see into the future and tell you exactly when we can safely gather in groups of more than 10, but I can't.

I am grateful that well over 100 of you were a part of the ZOOM conversation about Returning to Church with me and the Executive Director of the Wisconsin Council of Churches, Rev. Kerri Parker Tuesday, May 5. What we learned was this: *It's going to take a long time. We aren't going to rush back into our sanctuaries in June.*

To protect the most vulnerable members in our congregations, the elderly and those with underlying health conditions we will not be having normal in person face-to-face worship for a long while. Singing, Holy Communion, Sharing the Peace, offering plates, coffee fellowship, hymnals, bulletins, your friends that show no symptoms, bathroom door handles, can all pass on the coronavirus!

Church is a dangerous place. Whatever you can do to help your members accept this longer timeline to return worship will lower the anxiety. **Fulfilling the greatest commandment, Loving God and Loving our neighbor will be best done by staying home for some time.**

I encourage you to share as much information with your congregation as you can. This will help them have more realistic expectations about when they will be able to gather together again in worship. Below are the links I believe are most helpful. I am hopeful that sometime in 2021, this will all be in the rearview mirror. As you know, it all depends on development and mass production of a vaccine and/or herd immunity; 60% of the population being infected.

Attached here is the link to the official [ELCA Recommendations on Returning to Worship](#). Presiding Bishop Elizabeth Eaton and the Churchwide staff has prepared a comprehensive resource that will help you make decisions as you consider when and how you will return to worship.

Share this letter, ELCA Recommendations and these links with your church council, worship committee, and entire membership if you like.

[Badger Bounce Back Plan](#)

[Video recording - Conversation with Rev. Kerri Parker \(WCC\)](#)

[Printed summary of conversation with Rev. Kerri Parker \(WCC\)](#)

[Returning to Worship Recommendations from the WCC](#)

[Minneapolis Area Synod Zoom conversation with Dr. Mike Osterholm](#)

There is a great deal of confusion about when we can return to church and what the Wisconsin Supreme Court decision on May 13 means for the church. Please see the attached [Pastoral Message](#) from the Six ELCA Bishops of Wisconsin and the other resources attached.

Dear friends, this is an opportunity to reflect on God's Word, the purpose of worship and connect in new ways. Dear friends, this is also a stressful time. Take care of yourselves; take care of your neighbor, lean on your family and friends, we are in this together. Don't hesitate to reach out to the synod ministers. We are here to help.

Bishop Laurie Skow-Anderson

Psalms 100: 1-2 Make a joyful noise to the Lord, all the earth. Worship the Lord with gladness; come into his presence with singing.

I sent a response on 5/18/2020 at 5:18 AM. I deleted some specific references to the parish I was serving at the time. I also included Life after 9/11 and Life after COVID-19 as a part of the response, which are included in 13Identity3Reflections.

To: Bishop Laurie Skow-Anderson
From: Interim Pastor Lowell Bolstad 5/18/2020
Re: Returning to Worship

¹⁷Though the fig tree does not blossom, and no fruit is on the vines; though the produce of the olive fails and the fields yield no food; though the flock is cut off from the fold and there is no herd in the stalls, ¹⁸yet I will rejoice in the LORD; I will exult in the God of my salvation. Habakkuk 3:17-18

I believe in the Holy Spirit, the holy Christian church, the communion of saints, the forgiveness of sins, the resurrection of the body, and the life everlasting. Amen.

What does this mean?

I believe that I cannot by my own reason or strength believe in Jesus Christ, my Lord, or come to Him; but the Holy Spirit has called me by the Gospel, enlightened me with His gifts, sanctified and kept me in the true faith. In the same way He calls, gathers, enlightens, and sanctifies the whole Christian church on earth, and keeps it with Jesus Christ in the one true faith. In this Christian church, He daily and richly forgives all my sins and the sins of all believers. On the Last Day, He will raise me and all the dead, and give eternal life to me and all believers in Christ. This is most certainly true.

The Third Article of the Apostles' Creed in Martin Luther's Small Catechism

Towards the end of my assignment at (name) a 34-year-old man died of a self-inflicted gunshot to the head on 3/25, and a 29-year-old woman died of a drug overdose on 3/27. I was asked to officiate at the funeral for the latter at (name) but did not hear anything about the former although he came to Sunday School at (name) as a boy. The funeral director dutifully informed the family that only the allowed number would be permitted in the church for the service, but the sister warned me in my consultation that more would show up for the committal. She was right as 45 people stood shoulder to shoulder during the committal, embraced afterwards, and lingered together long after I left.

This response to the Returning to Worship from the Office of Bishop is carried out in respect for church order of Matthew 18:15-20 in that I have not shared my reservations with any other Pastors, Deacons, and SAMS. I wanted to share these reservations with the bishop first. I am no historian, but I cannot recall a more momentous letter from the office of the bishop in my tenure. As it turns out, I am sending this response on the 40th anniversary of my ordination (5/18/1980). There is no way I could have imagined then that on my 40th anniversary and on leave from call I would be writing to challenge the decision of the bishop. I do so with great reluctance. I pray that the Spirit will continue to call, gather, enlighten, and sanctify the whole Christian church on earth.

To protect the most vulnerable members in our congregations, the elderly and those with underlying health conditions we will not be having normal in person face-to-face worship for a long while.

I am hopeful that sometime in 2021, this will all be in the rearview mirror.

I grant that this directive from the bishop to lock out congregants from their churches will accomplish its stated objective "to protect the most vulnerable members in our congregations, the elderly and those with underlying health conditions." I am concerned about the long-term viability of our congregations and synod to carry out the Great Commission in this increasingly secular age.

One of my assignments was to serve at First Lutheran in Hayward before their present pastor. I read with interest the following article:

Hayward passes ordinance, won't fund enforcement of stay home order

HAYWARD, WI-- The Hayward City Council passed an ordinance Monday night, asking their state lawmakers and the governor to allow businesses to reopen.

City Councilor Lonnie Kennel said the COVID-19 shutdown is destroying their community.

Many of the small, locally owned shops are struggling to survive.

The city council also passed an ordinance, saying the city will not fund enforcement of the Safer-at-Home order.

<https://wgow.com/2020/05/12/hayward-passes-ordinance-wont-fund-enforcement-of-stay-home-order/>

[Images for Hayward passes ordinance, won't fund enforcement of stay home order](#)

My point corresponds to that of the City Councilor – This COVID-19 lockout of congregants from their churches by directive of bishop will destroy congregations in this synod.

I am no forecaster but I base my warning on various factors.

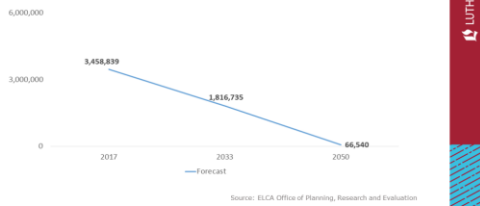
First, most of the 54 congregations I served since 1980 were living offering to offering. For instance, the (name) treasurer...

Second, I go by the projections of the ELCA Office of Research and Evaluation.

Will the ELCA Be Gone in 30 years? - Faith+Lead

According to projections from the Evangelical Lutheran Church in America's (ELCA) Office of Research and Evaluation, the whole denomination will have fewer than 67,000 members in 2050, with fewer than 16,000 in worship on an average Sunday by 2041. That's right: according to current trends, the church will basically cease to exist within the next generation.

Baptized Membership in the ELCA 2017-2050 Projections



<https://faithlead.luthersem.edu/decline/>

Images for Will the ELCA Be Gone in 30 years? - Faith+Lead

<https://faithlead.luthersem.edu/tag/future-of-the-church/>

Images for faithlead.luthersem/future-of-the-church

and ask the question, "Will the downward line grow steeper?" To fixate on flattening the curve of the virus and to overlook the downward trajectory of baptized membership in the ELCA seems to miss the big picture. I did not think I would live to see the end of the ELCA, but now I think the end will occur in my lifetime.

Third, I go by the amount of \$47,000 that the synod is behind as of 4/27. How many synod ministers will remain on staff "sometime in 2021" at that rate? Is the bishop prepared to be the last one standing if that is what it takes to hold out until the "development and mass production of a vaccine and/or herd immunity; 60% of the population being infected." To use the guilt inducing "scarcity mindset" phrase is highly unfortunate, in my mind, to cajole congregations to contribute. This is not so much a mindset as it is a scarcity.

I gave messages that were put on Facebook while still on assignment and encouraged people to continue giving either online or by postal mail but is it aspirational to think that congregations can survive a lockout directive by the bishop until sometime in 2021? Some congregations may be able to exercise the emergency distributions in their endowment funds, but how long will that last?

Many of the most faithful people in attendance at services of worship at the parish where I last served were not connected by e-mail or Facebook. I am not on Facebook. I do not have high speed internet at my house in Rice Lake, and it is costly to operate Zoom and other video mediums on my Verizon Jetpack. I only plug it in when I want to connect to the internet. Of those congregations that survive, how many congregants will still be interested in attending services of worship? Of those that are interested in services of worship, how many will opt to stay home and watch on Facebook because they have been convinced the church is a dangerous place? I hope my concerns are unfounded and that congregations return stronger than ever from the lockout, but only time will tell.

I must admit that I found myself cheering the decision of the Tavern League and lamenting the decision by the WCC and NW Synod. This admission comes from someone who grew up in an abstinent family in the Bible Belt of central Iowa and who does not frequent taverns. One of the reasons that the taverns are full and the churches empty is that people find the taverns more earthy and the church more sterile. In (name) there were five locations where people could purchase liquor and only one church gathered around bread and wine. Will the establishments that sell liquor outlast the local church? It sounds like according to the letter from the bishop

Singing, Holy Communion, Sharing the Peace, offering plates, coffee fellowship, hymnals, bulletins, your friends that show no symptoms, bathroom door handles, can all pass on the coronavirus!

that congregants will be locked out from their churches even if it means the congregations are destroyed, but the churches will remain sterile even to their death. It remains to be seen if people contract the virus at the taverns, but it is highly likely that congregations, if nothing else, will continue their steep decline. I drove past a funeral home in Rice Lake on Friday and saw cars lined up on the street. As for the occasional services of funerals as well as weddings, the trend has been to move away from the church already. Will many give up on the church now for these services and go elsewhere for good?

Whatever you can do to help your members accept this longer timeline to return worship will lower the anxiety.

This admonition places rostered ministers in a difficult place between the office of bishop and the congregations. When I reviewed the Resolution to Divest from Fossil Fuels by the Northwest Synod Environmental Justice Group, I wrote the following on 2/18/2020:

Basically, this resolution seems to be a single-issue referendum on a specific diagnosis and strategy. Having served 54 congregations during the last 40 years, I can say from my experience that people are not of one mind in NW WI. They may be in the UCC and WCC, but not in this synod and area. To compel people into compliance in the name of care of the earth is to do a disservice. If I were to push congregations into divesting in fossil fuels particularly in areas where many of the workers work in the sand mines, it would be a prescription for political suicide. Unity comes from acknowledging God as the creator, Jesus as Lord, and the Holy Spirit as the one who calls, and then respecting the diversity of opinions and looking for common ground. As an interim pastor, I recommend that a congregation refrain from bringing a proposal to a vote if it is going to divide the congregation.

What I wrote in my review of the Resolution to Divest that people are not of one mind in NW WI applies here also. This directive by the bishop will continue to polarize as people contrast the ruling of the state supreme court - "It will be up to individual churches, synagogues and mosques to decide whether to allow them." - and the directive by the bishop to lock out congregants from their churches because

As you know, it all depends on development and mass production of a vaccine and/or herd immunity; 60% of the population being infected.

In the Questions & Answers of **Vaccine Effectiveness: How Well Do the Flu Vaccines Work**, the Centers for Disease Control and Prevention state, "While vaccine effectiveness (VE) can vary, recent studies show that flu vaccination reduces the risk of flu illness by between 40% and 60% among the overall population during seasons when most circulating flu viruses are well-matched to the flu vaccine." Should congregants be locked out of their churches waiting an indefinite period of time for a vaccine between 40% and 60% effective? How can rostered ministers be expected to communicate that all their hopes for returning to church hinge on a roughly 50-50

proposition? In **Bill Gates says the world will need 7 billion vaccine doses to end COVID-19 pandemic**, “Like Fauci, Gates says the January time frame is conceivable — but he also says the vaccine development effort could take as long as two years.” Is the bishop prepared to lock out congregants from their churches for as long as two years waiting for this vaccine? Are Gates and Fauci the higher authority than the Wisconsin State Supreme Court? If Gates makes even \$1 on each vaccine, that could potentially mean \$7 billion for him not to mention the vaccines for each new virus season. People are going to eventually wake up and see the connection of Big Pharma and Big Money. How many congregations will still be alive after two years? What is the bishop prepared to do if members contract the virus after the vaccines are administered? Is the bishop going to lock the doors again? Is “I am hopeful that sometime in 2021, this will all be in the rearview mirror” aspirational thinking to believe that one vaccine will make everyone safe again? Rostered ministers in my mind are not only being asked to commit political suicide but mass self-destruction. Congregations are going to be destroyed, and rostered ministers are going to go down with them for adherence to this equation. 15 Days to Slow the Spread was one thing, but having to wait for as long as two years is quite another. I have written an alternative narrative below titled Life after COVID-19 as a part of my reflections and resources for interim ministry. The post titled Life after 9/11 is included to provide context.

Church is a dangerous place.

Part of leadership, in my mind, is to instill confidence. Even as economic life is all about confidence, congregational life is about confidence. I regard the above phrase as highly unfortunate. To ask rostered ministers to convey the message from the bishop that the “church is a dangerous place” is to unintentionally sabotage the life of the congregation. There is so much fearmongering going around without a bishop adding to it. Perfect love casts out all fear. To be sure members can exercise due diligence and self-regulate in their precautions, but speaking of the church as a dangerous place is counterproductive in the long run.

your friends that show no symptoms

Part of leadership, in my mind, is to instill trust. I regard the above phrase as highly unfortunate. Though unintentional, this kind of language is common to the psychological warfare of divide and conquer used by repressive regimes.

we will not be having normal in person face-to-face worship for a long while

I can understand the bishop’s support of the Wisconsin’s Coronavirus ‘Stay-At-Home’ Order

What To Know About Wisconsin's Coronavirus 'Stay-At-Home' Order

Crowds of 10 or larger are specifically banned at weddings, funerals and church services.

People who violate the order could face up to 30 days in jail, or a fine of up to \$250.

<https://www.wpr.org/what-know-about-wisconsins-coronavirus-stay-home-order>

as risk of jail or fine is not something a bishop would want to submit congregants to, but to dismiss the state supreme court ruling as politically motivated and to insist “As you know, it all depends on development and mass production of a vaccine and/or herd immunity; 60% of the population being infected.” as the higher authority sets the bishop up as highly partisan and fosters polarization since it communicates a disregard for the pain of people who are suffering under the lockdown as evidenced by the Hayward City Council. The divide in Madison may be along party lines, but in local communities the pain cuts across all dividing lines.

Wisconsin stay home order ended by Supreme Court ruling

Are in-person religious services allowed?

Worship services can now be held in person as long as there are no local restrictions on holding them. It will be up to individual churches, synagogues and mosques to decide whether to allow them.

<https://www.jsonline.com/story/news/politics/2020/05/13/wisconsin-stay-home-order-ended-supreme-court-ruling-schools-closed-coronavirus-safer-at-home-evers/5187903002/>

Congregations will be faced with a choice:

- 1) Worship services can now be held in person as long as there are no local restrictions on holding them. It will be up to individual churches, synagogues and mosques to decide whether to allow them.
- 2) We will not be having normal in person face-to-face worship for a long while.

Would the bishop have sent out a letter applauding the decision if the decision had gone 4-3 the other way or simply waited until the order ended to tell the congregations “we will not be having normal in person face-to-face worship for a long while?” Would the bishop have appealed to the “As you know, it all depends on development and mass production of a vaccine and/or herd immunity; 60% of the population being infected.” as the higher authority if the other party had filed the lawsuit? The president of this country has come out and said that he is prepared to mobilize the military to distribute vaccines. Will this military maneuver satisfy the formula laid down by the bishop to lift the directive to lock congregants out of their churches? Is this the magic date the bishop has in mind for the churches to reopen? Is the bishop going to be one of the first in line to receive the vaccine? Is the bishop going to send out another letter telling rostered ministers to tell members that it is their civic duty to consent to the vaccine or face the consequences? If a rostered minister does not consent to the vaccine, will that rostered minister be disqualified from serving? What if the Microsoft ID2020 digital implant is the next recommendation from Gates and Fauci? Is the bishop prepared to recommend this procedure to regulate people even though it may go against conscience? Some of the postings and videos challenging the narrative that life outside the home is not safe until a vaccine is administered are being taken down by social media providers as misinformation. Is the bishop going to join this trend with a similar dismissive attitude?

On 3/17, the president and secretary of the Congregation Council at (name) asked to see me. They informed me that they had contacted the other members of the parish executive committee and had decided to comply with the 15 Days to Slow the Spread and to forego services of worship the next two weeks. Fortunately, the president’s wife offered to record videos on her smartphone and put them on Facebook. I stayed in (name) rather than go up to Rice Lake and hide in my house. Among other things I attended to the church office because the parish secretary had been furloughed. I called people to see how they were doing and urged them to take care and keep the faith. I hung my clothes on the line to dry to let the village know I continued to reside there. The president and secretary did not ask for my opinion, they simply informed me of their decision. But, if a Congregation Council or Parish Council makes

a decision to avail themselves of the court ruling to reopen the church(s) in opposition to the bishop's directive to lock out members from their church(s), what is the bishop prepared to do? What is the bishop prepared to do if a rostered minister(s) refuses to accept the council's decision in order to honor the bishop's directive? What will be the consequence for those pastors who agree to serve churches desiring to be reopened? Will they be blacklisted? Will this conscientious objection on my part remove me from consideration for interim assignments? Even the 2009 Churchwide Assembly respected congregation autonomy by including the local option.

I read the synod constitution particularly Chapter 8. Officers and congregation constitution particularly Chapter 6. Church Affiliation and cannot find anywhere that the office of bishop can confer unto itself the authority to lock out congregants from their churches without reaching beyond its constitutional authority. Members in other hierarchical churches, such as the Roman Catholic Church, are used to following such directives without question but not the ELCA and many of its predecessor church bodies. Many people left Scandinavia, Germany, and other countries, in part, to escape the heavy handedness of the state church. Some people who left the ELCA following the 2009 Churchwide Assembly gave official overreach as one of the reasons for leaving. By now many of the people willing to put up a fight have left and many will simply drift away as they see the bishop as highly partisan. Bishop Hoyme lamented at the end of his tenure that too many people in the church are like Golden Retrievers anxious to please. He encouraged independent thinking. With the synod assembly being canceled, there is no large platform for dissent to such a draconian directive based on probabilities. The office of bishop is that of oversight, not overreach. Synod is walking together, not a bishop walking way ahead.

Chapter 6.

CHURCH AFFILIATION

***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.

According to the model constitution for congregations, "this congregation agrees to be responsible for its life as a Christian community." I think it would behoove the bishop to listen to the advice the bishop tells others, "The constitution is your friend." This provision is in keeping with the polity of congregation autonomy. Although I do not claim to be a church historian, while studying at Luther Seminary in St. Paul, MN, I wrote a paper on "The Lay Activity Controversy among Norwegian Lutherans in America," which was later published by the Concordia Historical Institute Quarterly in VOL. 55, NO. 4 WINTER 1982 ISSN 0010-5260. I possess some sense of this understanding through service in 54 congregations during the last 40 years, which amounts to approximately 1 out of 4 congregations in this synod. I believe that the office of bishop in the ELCA is best advised to adhere to the constitution and to allow the congregations to be responsible for their lives as Christian communities and not presume to preempt that responsibility.

Is the bishop willing to suspend ***6.03.a.** of the model constitution for congregations in order to enforce "As you know, it all depends on development and mass production of a vaccine and/or herd immunity; 60% of the population being infected?" Is this directive "we will not be having normal in person face-to-face worship for a long while." the church equivalent of the declaration of martial law? What is the bishop prepared to do to enforce this directive, or is this directive unconstitutional and unenforceable? How many congregations is the bishop willing to allow to slide into unsustainability, rostered ministers and synod staff going on leave from call without the possibility of collecting unemployment and ever diminishing chances of receiving another call, partner agencies and the wider church defunded until the "development and mass production of a vaccine and/or herd immunity; 60% of the population being infected?" If the mission model reverts to a chaplaincy model "To protect the most vulnerable members in our congregations, the elderly and those with underlying health conditions," will it be only a matter of time before the synod staff and rostered ministers are compelled to adopt a hospice model of ministry? How many congregations will be destroyed "to protect the most vulnerable members in our congregations, the elderly and those with underlying health conditions?"

What is going to happen to the empty buildings once congregations close? Is the bishop prepared to deal with undisposed property if congregants simply walk away because they cannot maintain the property? Bishop Pederson talked about facilities being an albatross around the neck. The congregation he last served before becoming bishop sold their building and merged with another congregation. His words are proving prophetic. I was admonished that many small congregations were simply hanging on to preserve their buildings as museums and that it might be better to close and urge their members to attend services of worship at the closest bigger church in order to better provide rostered ministers in the midst of the clergy shortage. Well, now, many of these congregations may be closing on their own, and many people may simply fall through the cracks or drift away as they become preoccupied with personal survival in the unfolding economic collapse forecast by some to rival the Great Depression. Is it possible that there may be a clergy abundance in the not too distant future when pre-retirement pastors are laid off and retired pastors want back in? Even if the congregations reopened immediately, they are going to face an uphill battle. For instance, in (name)...

One of my criteria for making decisions is to ask how history will judge. I believe history will acknowledge that the directive by the bishop will have accomplished its stated objective "To protect the most vulnerable members in our congregations, the elderly and those with underlying health conditions" but will not look kindly on the ever accelerating precipitous rate of decline that the lockout brought about and the resultant inability to carry out the Great Commission in an increasingly secular age. Is the bishop going to be OK with that verdict and simply assert that it is time for the emerging church to move to house churches and cell groups anyway and that this is one way to move the process along? The early Christians were known as those who stayed behind when others left and tended to the sick and buried the dead during the plagues, so that others said of them, "See how they love one another," while congregants today are urged to hide inside because it is safer at home and to lock out people from the churches because the church is a dangerous place.

Psalms 100: 1-2 Make a joyful noise to the Lord, all the earth. Worship the Lord with gladness; come into his presence with singing.

These verses are some of my favorite and in almost any other context I find them inspiring, but in this letter from the bishop to lock out congregants from their churches, I find the use of them puzzling. The book of psalms is filled with both praise and laments. To gloss over the gravity of the situation and to invite people into praise without lament seems incongruous. Also, to say "we will not be having normal in person face-to-face worship for a long while" and then to conclude "*come into his presence with singing.*" does not hang together to say the least and seems to reflect disjunctive thinking on the grave implications of this directive.

I started out by stating my contention that I believe that the directive of the bishop to lock out congregants from their churches will destroy congregations. This cure will end being far worse than the disease. I want to respect the office of the bishop but at the same time raise conscientious objection. I respectfully suggest that the wiser course of action is to walk back from this presumptuous concentration of power in the office of bishop transfixed on a technical solution before it is too late and to adhere to

Chapter 6.

CHURCH AFFILIATION

***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.

to allow congregations to be responsible for their life as Christian communities as adaptive challenges in these uncertain times.

Life after 9/11

Life after COVID-19

[For Life after 9/11 and Life after COVID-19, see 13Identity3Reflections.]

7) Model Constitution Amendments reflect responses to changing circumstances

A constitution is a changing document. The response to the disaffiliations and divisions as a result of the 2009 ELCA Churchwide Assembly can be seen in the following chapters from the Model Constitution Amendments 2011 and the Model Constitution Amendments 2013. [The 2011 amendments did not copy and paste with the changes shown, so the reader will need to consult the actual internet address.]

[PDF]2011 Amendments to the Model Constitution for Congregations - ELCA Resource Repository

Chapter 6.

CHURCH AFFILIATION

Page 1

Chapter 7.

PROPERTY OWNERSHIP

Page 3

http://download.elca.org/ELCA%20Resource%20Repository/Model_Constitution_Amendments_2011.pdf

[PDF] Amendments to the Model Constitution 2013 - Evangelical Lutheran Church in America - ELCA Resource Repository

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.~~

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

***C15.02.** ~~The process for discipline of a member of 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.~~

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 the counseling, censure, and admonitions pursuant to C15.01 do not result in repentance and amendment of life, charges against the accused member(s) that are specific and in writing may be prepared by the Congregation Council, signed, and submitted to the vice president of the synod. The vice president shall select from the synod's Consultation Committee a panel of five members (three lay persons and two clergy). A copy of the written charges shall be provided

to the consultation panel and the accused member(s). The consultation panel, after requesting a written reply to the charges from the accused member(s), shall consider the matter and seek a resolution by means of investigation, consultation, mediation, or whatever other means may seem appropriate. The panel's efforts to reach a mutually agreeable resolution shall continue for no more than 45 days after the matter is submitted to it.

*C15.03. 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.

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

*C15.04. The 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.

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

*C15.05. 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.

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

- a. suspension from the privileges of congregation membership for a designated period of time;
- b. suspension from the privileges of congregation membership until the pastor and Congregation Council receive evidence, satisfactory to them, of repentance and amendment of life;
- c. termination of membership in the congregation; or
- d. termination of membership in the congregation and exclusion from the church property and from all congregation activities.

*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*.

The written decision of the discipline hearing panel shall be sent to the vice president of the synod, the accused member(s), and the Congregation Council as required by the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. The decision of the discipline hearing panel shall be implemented by the Congregation Council and recorded in the minutes of the next council meeting.

*C15.07. No member of 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.

No member of the congregation shall be subject to discipline a second time for offenses that a discipline hearing panel has heard previously and decided pursuant to this chapter.

Amendments to the Model Constitution for Congregations as Approved by the 2013 Churchwide Assembly
http://download.elca.org/ELCA%20Resource%20Repository/2013_Amendments_to_the_Model_Constitution.pdf

The 2016 ELCA Churchwide Assembly clarified rostered ministers.

Amendments to the Model Constitution for Congregations 2016

*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:

...

- c. call a minister of Word and Service;
- d. or terminate the call of associates in ministry, deaconesses, and diaconal ministers a minister of Word and Service in conformity with the applicable policy constitution of the Evangelical Lutheran Church in America;

*C6.03. This congregation acknowledges its relationship with the Evangelical Lutheran Church in America in which:

- ...
- c. This congregation agrees to call pastoral leadership from the clergy-roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod. These special circumstances are limited either to calling a candidate approved for the roster of ordained-ministers Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or to contracting for pastoral services with an ordained minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion.
- d. This congregation agrees to consider associates-in-ministry, deaconesses, and diaconal-ministers of Word and Service for call to other staff positions in the congregation according to the procedures of the Evangelical Lutheran Church in America.

Chapter 9.

THE PASTOR ROSTERED MINISTER

*C9.01. Authority to call a pastor shall be in this congregation by at least a two-thirds majority ballot-vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by [this congregation][the Congregation Council] to recommend the call, shall seek the advice and help of the bishop of the synod.

*C9.02. Only a member of the clergy-roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or a candidate for the roster of ordained-ministers Ministers of Word and Sacrament who has been recommended for 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 of Word and Sacrament shall:

...

4) provide pastoral care;

5) seek out and encourage qualified persons to prepare for the ministry of the Gospel;

6) impart knowledge of this church and its wider ministry through distribution of its communications and publications;

7) witness to the Kingdom of God in the community, in the nation, and abroad; and

8) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.

- b. Each ordained-minister-pastor with a congregational call shall, within the congregation:

...

2) supervise-relate to all schools and organizations of this congregation;

3) install regularly elected members of the Congregation Council; and

4) with the council, administer discipline;

- c. Every pastor shall:

1) strive to extend the Kingdom of God in the community, in the nation, and abroad;

2) seek out and encourage qualified persons to prepare for the ministry of the Gospel;

3) impart knowledge of this church and its wider ministry through distribution of its periodicals and other publications; and

4) endeavor to increase the support given by the congregation to the work of the ELCA churchwide organization of the Evangelical Lutheran Church in America (ELCA) and of the (insert name of synod) Synod of the ELCA.

*C9.05. The provisions for termination of the mutual relationship between a minister of Word and Sacrament and this congregation shall be as follows:

- a. The call of a-this congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by death or, following consultation with the synodical bishop, for the following reasons:

...

- 6) resignation or removal of the pastor from the roster of ordained-ministers Ministers of Word and Sacrament of this church;

...

- b. When allegations of physical disability or mental incapacity of the pastor under paragraph a.4) above, or ineffective conduct of the pastoral office under paragraph a.3) above, have come to the attention of the bishop of this synod,

- 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two ordained-rostered ministers and one layperson, or

- 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of the congregation, the bishop personally shall investigate such conditions together with a committee of two ~~ordained-rostered~~ ministers and one layperson.
- c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the pastor's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the pastorate vacant ~~and the pastor shall be listed on the clergy roster as disabled. When the pastorate is declared vacant, the Synod Council shall list the pastor on the roster of Ministers of Word and Sacrament as disabled.~~ Upon removal of the disability and the restoration of the pastor to health, the bishop shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call.
- ...
- e. If either party fails to assent to the recommendations of the bishop's committee concerning the pastor's call, the congregation may dismiss the pastor only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds ~~majority~~ vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a ~~simple~~ majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
- f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for ~~disciplinary action~~ discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.

***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-rostered minister~~ providing assistance shall refrain from exerting influence in the selection of a pastor. Unless previously agreed upon by the Synod Council, an interim pastor is not available for a regular call to the congregation served.

C9.20. — Ecumenical pastoral ministry

C9.21.

C9.15.

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

***C9.21.** Authority to call a minister of Word and Service shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by [this congregation][the Congregation Council] to recommend the call, shall seek the advice and help of the bishop of the synod.

***C9.22.** Only a member of the roster of Ministers of Word and Service of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of Word and Service who has been recommended for this congregation by the synodical bishop may be called as a deacon of this congregation.

***C9.23.** Consistent with the faith and practice of the Evangelical Lutheran Church in America, every minister of Word and Service shall:

- a. Be rooted in the Word of God, for proclamation and service;
- b. Advocate a prophetic diakonia that commits itself to risk-taking and innovative service on the frontiers of the Church's outreach, giving particular attention to the suffering places in God's world;
- c. Speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world, witnessing to the realm of God in the community, the nation, and abroad;
- d. Equip the baptized for ministry in God's world that affirms the gifts of all people;
- e. Encourage mutual relationships that invite participation and accompaniment of others in God's mission;
- f. Practice stewardship that respects God's gift of time, talents, and resources;
- g. Be grounded in a gathered community for ongoing diaconal formation;
- h. Share knowledge of the ELCA and its wider ministry of the gospel and advocate for the work of all expressions of this church; and
- i. Identify and encourage qualified persons to prepare for ministry of the gospel.

***C9.24.** The specific duties of the deacon, compensation, and other matters pertaining to the service of the deacon shall be included in a letter of call, which shall be attested by the bishop of the synod.

***C9.25.** The provisions for termination of the mutual relationship between a minister of Word and Service and a congregation shall be as follows:

- a. The call of a congregation, when accepted by a deacon, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by death or, following consultation with the synodical bishop, for the following reasons:
- 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the deacon, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
 - 3) inability to conduct the ministry of Word and Service effectively in this congregation in view of local conditions;
 - 4) physical disability or mental incapacity of the deacon;
 - 5) suspension of the deacon through discipline for more than three months;
 - 6) resignation or removal of the deacon from the roster of Ministers of Word and Service of this church;
 - 7) termination of the relationship between this church and this congregation;
 - 8) dissolution of this congregation or the termination of a parish arrangement; or
 - 9) suspension of this congregation through discipline for more than six months.
- b. When allegations of physical disability or mental incapacity of the deacon under paragraph a.4) above, or ineffective conduct of the office of minister of Word and Service under paragraph a.3) above, have come to the attention of the bishop of this synod,
- 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
 - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of this congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
- c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the deacon's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the position vacant. When the position is declared vacant, the Synod Council shall list the deacon on the roster of Ministers of Word and Service as disabled. Upon removal of the disability and the restoration of the deacon to health, the bishop shall take steps to enable the deacon to resume the ministry, either in the congregation last served or in another appropriate call.
- d. In the case of alleged local difficulties that imperil the effective functioning of this congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the deacon and then to this congregation. The recommendations of the bishop's committee must address whether the deacon's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by this congregation and by the deacon, if appropriate. If the deacon and congregation agree to carry out such recommendations, no further action need be taken by the synod.
- e. If either party fails to assent to the recommendations of the bishop's committee concerning the deacon's call, this congregation may dismiss the deacon only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds 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.
- f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.
- *C9.26.** The deacon shall make satisfactory settlement of all financial obligations to a former congregation before:
- a. installation in another field of labor, or
 - b. the issuance of a certificate of dismissal or transfer.
- *C9.27.** When a deacon is called to serve in company with another rostered minister or other rostered ministers, the privileges and responsibilities of each rostered minister shall be specified in documents to accompany the call and to be drafted in consultation involving the rostered ministers, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
- *C9.28.** With the approval of the bishop of the synod, this congregation may depart from *C9.25.a. and call a deacon for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the deacon and representatives of this congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of *C9.25.a.
- *C9.29.** The deacon shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the deacon shall hold membership in one of the congregations.
- *C9.31.** The deacon(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.

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:

- ...
- d. To maintain supportive relationships with the ~~pastor~~ **rostered minister**(s) and staff and help them annually to evaluate the fulfillment of their calling or employment.
- ...

C12.12. A quorum for the transaction of business shall consist of a majority of the members of the Congregation Council, including the **senior** pastor or interim pastor, except when the **senior** 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. Chronic or repeated absence of the **senior** pastor or interim pastor who has refused approval of the agenda of a subsequent regular or special meeting shall not preclude action by the Congregation Council, following consultation with the synodical bishop.

C13.04. ~~A~~ **Mutual Ministry Committee(s)** (in the absence of a mutual ministry committee, the duties shall be fulfilled by the executive committee) shall be appointed jointly by the president [vice president¹] and the ~~pastor~~ **rostered minister**. Term of office shall be two years, with three members to be appointed each successive year.

ELCA Office of the Secretary - Evangelical Lutheran Church in America
<https://www.elca.org/Resources/Office-of-the-Secretary>

Evangelical Lutheran Church in America

God's work. Our hands.

September 6, 2016

Dear colleagues in ministry,

This letter is to inform you of the changes to the rosters of ministers of the Evangelical Lutheran Church in America that were adopted by the 2016 Churchwide Assembly. The major change is that on Jan. 1, 2017, the current rosters of associates in ministry, diaconal ministers and deaconesses will be merged into one roster of "Ministers of Word and Service." Anyone currently on any of the lay rosters will automatically be listed on the new roster. We will be working to update the website and online records by Jan. 1, 2017. It may be that this part of the transition will continue into early January.

We have also changed the title of the rosters. Previously, one roster was referred to by its entrance rite. Now we will use the rosters' primary functions to describe them: "Ministers of Word and Sacrament" and "Ministers of Word and Service." Those on the roster of Ministers of Word and Sacrament will still be called pastors. Those on the roster of Ministers of Word and Service may be called deacons.

The issue of what entrance rite will be used for the new roster has been deferred to the 2019 Churchwide Assembly for final decision. In the interim, the rite of consecration will be used for this new roster while the whole church engages in conversation on this issue. Ordination continues to be the rite used for ministers of Word and Sacrament.

The impetus for this change has come from those on the current lay rosters and from the Word and Service Task Force, which was formed by the ELCA Church Council to study the way in which this church recognizes and implements the ministry of the diaconate. Those involved with this change hope that the discussion of the role of diaconal ministry will be enhanced in all of the expressions of this church.

A significant number of constitutional changes will need to take place to facilitate this new roster. The Churchwide Assembly adopted changes to the Constitution, Bylaws and Continuing Resolutions of the Evangelical Lutheran Church in America. Synod constitutions have been modified by the certification of the required sections of the Constitution for Synods. The non-required sections will need to be acted upon by synod assemblies. All of the amendments in the Model Constitution for Congregations will need to be adopted at a congregational meeting.

The entrance rite and questions about the place of the new roster in the representational principles of this church are being studied by the Entrance Rite Discernment Working Group, which will have a series of Bible studies and FAQs available shortly. I want to encourage you, your congregation and other groups to participate in these discussions so the proposals to the 2019 Churchwide Assembly will reflect the best thinking of this church.

God be with you as you continue in your call to serve in Christ's church.

Grace and peace,



Wm Chris Boerger

Secretary

Evangelical Lutheran Church in America

Resources

ELCA Churchwide Assembly - Evangelical Lutheran Church in America

The ELCA Churchwide Assembly, the primary decision-making body of the church, is a process of communal spiritual discernment. Voting members of the 2016 Churchwide Assembly took the following actions:

- Approved the Ministry of Word and Service roster. Beginning Jan. 1, 2017, ELCA associates in ministry, deaconesses and diaconal ministers will be a single, unified roster of Ministry of Word and Service.
- Approved the accompanying constitutional amendments related to the Ministry of Word and Service roster.

<https://www.elca.org/ChurchwideAssembly>

[Images for constitutional amendments related to the Ministry of Word and Service roster](#)

Rostered - Evangelical Lutheran Church in America

Rostered leaders carry out the work and mission of this church, sharing God's love with the world through the good news of Jesus Christ. The different types of rostered leaders in the ELCA include:

<http://www.elca.org/About/Leadership/Rostered>

[Images for Rostered Leaders - Evangelical Lutheran Church in America](#)

An amendment to Model Constitution for Congregations 2016 allowing seasonal members reflects the increased mobility of members.

Amendments to the Model Constitution for Congregations 2016

***C8.02.** Members shall be classified as follows:

...

- c. **Voting** members are confirmed members. Such confirmed members, during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of the congregation as well as the other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.
- d. **Associate** members are persons holding membership in other [ELCA] [Lutheran] [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 These individuals 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 or other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.
- e. **Seasonal** members are voting members of other ELCA congregations who wish to retain such membership but desire to participate in the life and mission of this congregation, including exercising limited voting rights in this congregation. The Congregation Council may grant seasonal membership to such persons provided that this congregation is a member of a synod where the Synod Council has approved seasonal member voting on its territory. Such seasonal members shall have all the privileges and duties of voting members except that:
 - 1) they shall not be eligible for elected office in, or for membership on the Congregation Council or on a call committee of, this congregation;
 - 2) they shall not have the right to vote on any matter concerning or affecting the call or termination of call of any minister of this congregation;
 - 3) they shall not have the right to vote on any matter concerning or affecting the affiliation of this congregation with the ELCA;
 - 4) they shall not be eligible to serve as voting members from this congregation of the Synod Assembly or the Churchwide Assembly;
 - 5) they shall not, even if otherwise permitted by this congregation, vote by proxy or by absentee ballot; and
 - 6) they shall not, within any two calendar month period, exercise voting rights in this congregation and in the congregation where they remain voting members.

ELCA Office of the Secretary - Evangelical Lutheran Church in America

<https://www.elca.org/Resources/Office-of-the-Secretary>

The president of a congregation presided over a special Congregation Meeting to update the constitution with the first of two votes. The president's father related to me after the meeting that he had served as the first president of the congregation after the congregation changed the constitution so that the pastor was no longer the president of the congregation but that a voting member of the congregation would be the president. It is still possible for a pastor to be the president, but in my experience of editing constitutions in this synod, I have encountered only one such congregation. Interestingly enough, I served this open country congregation in the early 1990s and I do not recall the pastor being the president at the time, so that the change must have come about at a later date.

Chapter 11.

OFFICERS

C11.02. The [congregation][Congregation Council] shall elect its officers and they shall be the officers of the congregation. The officers shall be elected by written ballot and shall serve for one year or until their successors are elected. Their terms shall begin at the close of the annual meeting at which they are elected.

or

The officers shall be elected by the [congregation] [Congregation Council] by written ballot and shall serve for one year. The term shall begin on _____ (month and day) and end on _____ (month and day).

or

The pastor shall be *ex officio* president of the congregation and the Congregation Council. The [congregation][Congregation Council] shall elect by written ballot the other officers of the congregation who shall serve for one year or until their successors are elected. Their terms shall begin at the close of the annual meeting at which they are elected.

or

The pastor shall be *ex officio* president of the congregation and the Congregation Council. The [congregation][Congregation Council] shall elect by written ballot the other officers of the congregation who shall serve for one year or until their successors are elected. Their terms shall begin on _____ (month and day) and end on _____ (month and day).

Various Model Constitution Amendments 2013 were made to adapt to the electronic age.

[PDF] Amendments to the Model Constitution 2013 - Evangelical Lutheran Church in America

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 or electronic means, as permitted by state law, to all [voting] members at least 10 days in advance of the date of the meeting. ~~The posting of such notice in the regular mail, with the regular postage affixed or paid, sent to the last known address of such members shall be sufficient. Electronic notice of meetings may be provided in addition to notice by regular mail.~~

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

***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 60 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 30 days in advance of the Congregation Meeting. Notification may take place by mail or electronic means, as permitted by state law.

***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 _____ voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the congregation's members by mail of the proposal together with the council's recommendations at least 30 days in advance of the meeting. Notification may take place by mail or electronic means, as permitted by state law.

***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 or electronic means, as permitted by state law, notice to the congregation of such an amendment or amendments, together with the council's recommendations, at least 30 days prior to the meeting. Upon the request of _____ voting members of the congregation, the Congregation Council shall submit such notice and call such 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.

Amendments to the Model Constitution for Congregations as Approved by the 2013 Churchwide Assembly
http://download.elca.org/ELCA%20Resource%20Repository/2013_Amendments_to_the_Model_Constitution.pdf

One amendment to the Model Constitution for Congregations 2019 allowed another adaptation to the electronic age.

Constitutions - Evangelical Lutheran Church in America

C10.08. This congregation may hold meetings by remote communication, including electronically and by telephone conference, as long as there is an opportunity for simultaneous aural communication. To the extent permitted by state law, notice of all meetings may be provided electronically.

[2019 Amendments to the Model Constitution for Congregations](#)

C10.08. This provision would authorize, where permitted by state law, electronic or telephonic meetings. It also recognizes the definition of a meeting in Robert's Rules of Order.

[Rationale for the 2019 Amendments](#) Model Constitution for Congregations Page 15
<https://www.elca.org/constitution>

The 2016 ELCA Churchwide Assembly clarified the one call, one pastor in its changes to Chapter 20. Parish Authorization. The changes also reflected that an increasing number of congregations are entering into partnerships with other congregations.

Amendments to the Model Constitution for Congregations 2016

Chapter 20.

PARISH AUTHORIZATION

[Required provisions when congregation is part of a parish]*

~~*C20.01. This congregation may unite in partnership with one or more other congregations recognized by the synod named in *C6.01. to form a parish. Except as provided in *C20.02. and *C20.03., a written agreement, developed in consultation with the synod and approved by the voting members of each congregation participating in the parish, shall specify the powers and responsibilities that have been delegated to a Parish Council.~~

~~*C20.02. Whenever a letter of call is being recommended for extension to an ordained minister of the Evangelical Lutheran Church in America or a candidate for the roster of ordained ministers who has been recommended to the congregation by the synodical bishop to serve the congregations of a parish, such letter of call shall be first approved by a two thirds vote at congregational meetings of each of the congregations forming the parish. If any congregation of the parish should fail to approve extending this call, the other congregation(s) in the same parish shall have the right to terminate the parish arrangement.~~

~~*C20.03. Any one of the congregations of a parish may terminate the call of a pastor as provided in †S14.13.d. of the synodical constitution of the synod named in *C6.01. In such case, the other congregation(s) in the same parish shall have the right to terminate the parish arrangement.~~

~~*C20.04. Whenever a parish arrangement is terminated, the call of any rostered person serving that parish is terminated. Should any congregation that formerly was part of the parish arrangement desire to issue a new call to that rostered person, it may do so in accordance with the call process of this church.~~

*C20.01. This congregation may unite in partnership with one or more other congregations recognized by the synod named in *C6.01. to form a parish. Except as provided in *C20.02. and *C20.03., a written agreement, developed in consultation with the synod and approved by the voting members of each congregation participating in the parish, shall specify the powers and responsibilities that have been delegated to the Parish Council. The Parish Agreement shall identify which congregation of the parish issues calls on behalf of the member congregations or shall establish a process for identifying which congregation issues calls on behalf of the member congregations.

*C20.02. One congregation of a parish shall issue a call on behalf of the member congregations to a minister of Word and Sacrament or a candidate for the roster of Ministers of Word and Sacrament who has been recommended by the synodical bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregational meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.

*C20.03. One congregation of a parish may issue a call on behalf of the member congregations to a minister of Word and Service or a candidate for the roster of Ministers of Word and Service who has been recommended by the synodical bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregational meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.

ELCA Office of the Secretary - Evangelical Lutheran Church in America
<https://www.elca.org/Resources/Office-of-the-Secretary>

► Review by synod

When I receive a constitution for review, I download the

Constitutions - Evangelical Lutheran Church in America - ELCA
Congregations
<https://www.elca.org/constitution>

and adapt it to the local context. See below examples of submitted material followed by an edited version, questions fielded and responses provided, special topics and situations as given direction by the constitution.

• Question

Hi, Lowell,

Thanks for your quick work! One question. Is there a reason the title page has the date of 2016? Is that the year for the latest ELCA revision of the model constitution?

Response

INTRODUCTION to the *Model Constitution for Congregations*

The *Model Constitution for Congregations of the Evangelical Lutheran Church in America*, like the other governing documents of this church, reflects the theology and polity of this church as it organizes itself to preach the gospel of Jesus Christ, share the sacraments, reach out to the neighbor with good news and share the love of God in the world. Each expression of this church — churchwide, synod, and congregation — is held together in a relationship of interdependence that encourages each to respond to its context. These documents also demonstrate our commitment to seeing ourselves with others as part of the one, holy, catholic, and apostolic Church. As such, the *Model Constitution for Congregations* is deeply rooted in Scripture, the Lutheran Confessions, and the history of this church and its predecessors.

The *Model Constitution for Congregations* was adopted by the Constituting Convention of the Evangelical Lutheran Church in America, as required by the *Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. This current edition of the *Model Constitution for Congregations of the Evangelical Lutheran Church in America* contains changes adopted by all churchwide assemblies, including the fourteenth Churchwide Assembly in 2016. It is consistent with the requirements of the governing documents of the ELCA's churchwide organization and synods, and it provides organizational flexibility to recognize the context of local congregations.

Reply

Thanks! That's what I thought. I hadn't read the small print



• Question

Pastor Lowell,

I noticed that you placed the bylaws at the end instead of in the body of the constitution.

name

INTRODUCTION to the *Model Constitution for Congregations*

► **Codification explanation:** The *Model Constitution for Congregations* is organized into chapters by general subject matter and codified as (a) constitutional provisions, (b) bylaws, and (c) continuing resolutions. Each provision is preceded by a capital "C." If a constitutional provision is mandatory, it will be preceded by an asterisk, "*C."

- a. Constitutional provisions are codified with two sets of numbers, preceded by a "C": the chapter number, followed by a period and a two-digit number. A period follows the two-digit number. Thus, one required constitutional provision related to "Membership" in Chapter 8 is codified as "*C8.02." A provision in Chapter 12 relating to a report by the Congregation Council to the congregation at an annual meeting is codified as "C12.09." Constitutional provisions are adopted and amended in accordance with Chapter 17 titled "Amendments."

b. Bylaw provisions follow constitutional provisions to which they apply. They are not intended to be organized in a separate document at the end of the constitutional provisions.

Response

I choose to make a departure from the codification explanation in the Introduction of the Model Constitution for Congregations as a part of the review by synod, because organizing the bylaws and continuing resolutions as a separate document at the end of the constitutional provisions is more efficient in reviewing, updating, and editing.

- Submitted

INTRODUCTION

1. Required Provisions: 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 or deletions).
2. Review by synod: In keeping with provisions that apply to all congregations of the *Evangelical Lutheran Church in America*, each congregation is to provide a copy of its governing documents to the synod.
3. Codification explanation:
 - a. Major sectors are designated as chapters. The first number in the codification sequence designates the Chapter and is followed by a period [.].
 - i. Example: Chapter 8. Membership
 - b. Constitutional provisions are coded with two sets of numbers: the chapter number and a two-digit number. (These are what we refer to as amendments.)
 - i. Example: C8.01
 - c. Bylaw provisions are coded with three (3) sets of numbers: chapter number, related constitutional provision number and a two-digit number. (Our old constitution used the letter “B” in front of number to identify as a bylaw.)
 - i. Example: C8.05.01.
 - d. Continuing Resolutions provide descriptions of operational patterns or of the ongoing responsibilities of committees or other units within the organizational structure of the congregation. Continuing resolutions are coded with three (3) sets of numbers except that the third set is preceded by a capital letter. (Our old constitution used the letter “R” in front of the number to identify as a Continuing Resolution.)
 - i. Example: C8.01.A07
The “A” indicates it is the first continuing resolution regarding that subject and the “07” indicates it was adopted in 2007.
4. Missing numbers: You may note that there are no “.10”
 - i. Example: numbering would go from C8.01.09 to C8.01.11. There would be no C8.01.10The “.10” and multiples thereof have been reserved for possible use as section headings in future editions.

Model Constitution Congregation 2013

INTRODUCTION to the *Model Constitution for Congregations*

The *Model Constitution for Congregations of the Evangelical Lutheran Church in America*, like the other governing documents of this church, is an ecclesial, legal, and missional document that reflects the underlying theology and doctrines of this church as well as its polity and governance structures. As the guiding document of one of the three expressions of this church, it reflects that

congregations, while fully the church, are not the whole church; they are in an interdependent relationship with synods and the churchwide organization and are part of the one, holy, catholic, and apostolic Church. As such, the *Model Constitution for Congregations* is deeply rooted in the Gospel of Jesus Christ, the Lutheran Confessions, and the history of this church.

The *Model Constitution for Congregations* was adopted by the Constituting Convention of the Evangelical Lutheran Church in America, as required by the *Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. This current edition of the *Model Constitution for Congregations of the Evangelical Lutheran Church in America* contains changes adopted by all Churchwide Assemblies, including the thirteenth Churchwide Assembly in 2013. It is consistent with the requirements of the governing documents of the ELCA's churchwide organization and synods, and it provides organizational flexibility to recognize the context of local congregations.

➤ **Required provisions:** 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 (i.e., neither additions nor deletions are permissible). This requirement is based on constitutional provision 9.52. in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. This provision requires that when a congregation of this church "wishes to amend any provision of its governing documents, the governing documents of that congregation shall be so amended to conform to 9.25.b." in the churchwide constitution. Provisions in the *Model Constitution for Congregations* identified by an asterisk [*] are those required under ELCA constitutional provision 9.25.b.

➤ **Review by synod:** Each congregation of this church is to provide a copy of its governing documents, and any amendments thereto, to its synod. In accordance with ELCA bylaw 9.53.03., amendments to a congregation constitution become effective *only* when approved by the synod. This bylaw provides:

All proposed changes in the constitution or incorporation documents of a congregation shall be referred to the synod with which the congregation is affiliated. The synod shall notify the congregation of its decision to approve or disapprove the proposed changes; the changes shall go into effect upon notification that the synod has approved them. The synod shall recognize that congregations may organize themselves in a manner which they deem most appropriate.

No governing document amendment will be approved by a synod if it conflicts with the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. In order to meet constitutional requirements and to avoid potential problems, all proposed amendments to a congregation's constitutional provisions, bylaws, and continuing resolutions should be submitted to the synod for review.

➤ **Codification explanation:** The *Model Constitution for Congregations* is organized into chapters by general subject matter and codified as (a) constitutional provisions, (b) bylaws, and (c) continuing resolutions. Each provision is preceded by a capital "C." If a constitutional provision is mandatory, it will be preceded by an asterisk, "*C."

- a. Constitutional provisions are codified with two sets of numbers, preceded by a "C": the chapter number, followed by a period and a two-digit number. A period follows the two-digit number. Thus, one required constitutional provision related to "Membership" in Chapter 8 is codified as "*C8.02." A provision in Chapter 12 relating to a report by the Congregation Council to the congregation at an annual meeting is codified as "C12.09." Constitutional provisions are adopted and amended in accordance with Chapter 17 titled "Amendments."
- b. Bylaw provisions follow constitutional provisions to which they apply. They are not intended to be organized in a separate document at the end of the constitutional provisions. Bylaws are codified with three sets of numbers: the chapter number (preceded by a "C"), the related constitutional provision number, and a two-digit number. There are periods after the chapter number, after the reference to the constitutional provision, and after the bylaw number. Thus, a bylaw provision related to "Membership" would be codified as "C8.02.01." A bylaw relating to the contents of an annual report by the Congregation Council to the congregation at an annual meeting would be codified as "C12.09.01." Because bylaws and continuing resolutions normally relate to specific practices and details of each congregation's organization, operation, and life, there is not a model set of bylaws or continuing resolutions. Thus, each congregation has discretion and may develop its own bylaws and continuing resolutions, including bylaws and continuing resolutions under required constitutional provisions, but no such bylaw or continuing resolution may conflict with constitutional provisions in the *Model Constitution for Congregations*, the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*, or the constitution of the synod, as indicated in *C6.03.e. Bylaws are adopted and amended in accordance with Chapter 17.
- c. Continuing resolutions are intended to provide descriptions of operational patterns and practices or of the ongoing responsibilities of committees or other units within the organizational structure of the congregation. They follow the relevant constitutional provision or bylaw to which they refer. Continuing resolutions also are codified with three sets of numbers, except that the third set is preceded by a capital letter. Thus, a continuing resolution describing congregational committees in Chapter 13 might be numbered "C13.07A13." The initial numbers "C13.07" indicate that the continuing resolution relates to the designated constitutional provision, which in this case provides that the duties of congregational committees may be specified in bylaws or continuing resolutions. The final letter and numbers "A13" designate that this is the first continuing resolution "A" and the year that it was adopted, in this example 2013. Continuing resolutions are adopted and amended in accordance with Chapter 18. Unlike constitutional provisions and bylaws which are adopted by the congregation at a legally called and conducted meeting, continuing resolutions may be adopted either by a congregational meeting or by the Congregation Council.

➤ **Missing numbers:** You will notice that certain numbers are missing from the numbering sequence in some chapters. These omissions are intentional. For example, in some chapters the number ".10." and multiples thereof have been reserved for possible use as section headings in future editions.

➤ **Selection of options:** Alternatives are provided in some places within the *Model Constitution for Congregations*. Alternatives are noted by brackets or blank lines. For example, constitutional provision C9.01. offers the alternative of election of a call committee by the congregation or by the Congregation Council. Only one alternative should be chosen in each instance where brackets appear in the text. In other provisions, alternative provisions are provided. Thus, in Chapters 11 and 12, regarding “Officers” and “Congregation Council,” options are provided separated by the word “or.” Each congregation should select one of those options, subject to approval through the synod’s constitutional review process. Where a blank line appears, such as in C1.01. or C10.02., the appropriate word, phrase, or number determined by the individual congregation should be inserted.

➤ **References to church:** In the governing documents, “Church” with a capital letter refers to the one, holy, catholic, and apostolic Church. The words “church” or “this church” in lower case letters refer to the Evangelical Lutheran Church in America. The specific congregation may be identified, as provided in C1.02., as “this congregation.”

➤ **Guidelines:** A list of guidelines for a congregation engaging in review and amendment of its constitution is available through each synod office and at ELCA.org.

➤ **Consultation and concluding comments:** Each synod has a process to review proposed amendments to congregational constitutions. The work of both congregations in amending their governing documents and the synod in reviewing proposed amendments is facilitated by consultation and cooperation *before* proposed amendments are acted upon by the congregation. In addition, each congregation should establish a process for periodic review of its governing documents. You are encouraged to contact your synod office to assist your congregation in its periodic review of governing document provisions and to assess whether problems may exist with respect to proposed amendments.

The important task of amending a constitution is challenging. It is, however, an essential endeavor that merits thoughtful work. In addressing your constitutional responsibilities, may God grant you and your colleagues wisdom, discernment, and commitment to the unity of this church in faithful witness to our Lord and Savior, Jesus Christ.

DAVID D. SWARTLING
Secretary
Evangelical Lutheran Church in America
September 15, 2013

• **Submitted**

This is in response to Lowell’s email. If you want to go at it and bring back something we can look at and vote on that would be greatly appreciated.

Pastor (name)

Reflection

I did “go at it”, and the job took longer than other updates, partly because the constitution from 2003 was formatted in a booklet form and converted from a PDF to a Word document. I remember some congregations I served back then before I started doing the

➤ **Review by synod** wanted to print out the constitution in a booklet form with a cover page. Now, more congregations I work with want to save on photocopying and distribute the document electronically. In addition, the 2016 Model Constitution for Congregations has wider margins so that there are more pages. Now, my thought is, that, if a church secretary insists on taking the time to make a booklet with a cover page, such a church secretary has too much time on her hands.

• **Submitted**

Why is this formatted in a weird size? Why aren't the pages numbered so we can locate and work on it quicker?

Just some questions.

Blessings, Pastor (name)

Response

Constitutions - Evangelical Lutheran Church in America - ELCA

Congregations

<https://www.elca.org/constitution>

Reflection

Such a question is probably better answered by the author of

INTRODUCTION to the *Model Constitution for Congregations*

Secretary Wm Chris Boerger

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Having said that, I am personally relieved there is no Contents to have to adjust pagination. It makes ► *Review by synod* easier. Readers need to refer to chapters instead of pages. Also, the wider margins make for more pages, so that congregations will be less likely to print booklets and more likely to leave the document in the format of the Model Constitution for Congregations and transmit electronically.

- **Submitted**

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.

CHANGE TO

We, the children of God at name are gathered by the Holy Spirit as a loving Christian people around the Word and Sacrament, striving together to witness God's grace in Jesus and inviting our neighbors to share in our journey towards our Faith.

Edited

***C4.05.01.** This congregation shall, from time to time, adopt a mission statement which will provide specific direction for its programs.

STATEMENT OF IDENTITY AND MISSION

(name) Church was organized in (name) Wisconsin in 1908 as the (name) Norwegian Lutheran Church. Over the course of its history, the congregation joined (name) and (name) Lutheran Churches, but withdrew from those relationships and changed its name to (name) Lutheran in 1945 when it began sharing a pastor with (name) Norwegian Lutheran Church, a congregation whose roots predated those of the (name) Lutheran Congregation by some 30 years. In 1951, the (name) Lutheran Congregation merged with the (name) Lutheran Congregation and closed its doors. This congregation has a strong history of responding to the needs of the community and continues to seek ways in which to do so. Mindful of our heritage and grateful for God's blessings, we seek to reach out to all people and provide a base for ministry. We are called, enlightened and empowered by the Holy Spirit to be a servant of humanity. We are redeemed, reconciled, and forgiven through the life, death and resurrection of our Lord Jesus Christ to model that grace and reconciliation to the world—starting at our doorstep.

With the conviction that we are jointly members in the priesthood of all believers through our baptism into Christ, we believe that the center of our life together is a preaching and teaching ministry that equips us to be who we have been called and gifted to be by God and to share this through witness and service. We are a worshipping community that gathers together to strengthen and love one another and to be Christ's body in service to the world.

We, the children of God at this congregation are gathered by the Holy Spirit as a loving Christian people around the Word and Sacrament, striving together to witness God's grace in Jesus and inviting our neighbors to share in our journey towards our Faith.

Question

Hi Pastor Bolstad,

I discovered that the preamble change for the (name) constitution is not included in the revision. The change is to be:

We, the children of God at (name) are gathered by the Holy Spirit as a loving Christian people around the Word and Sacrament, striving together to witness God's grace in Jesus and inviting our neighbors to share in our journey towards our Faith.

Response

The Preamble is required and cannot be changed.

*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.

* Required provision

Background

The pastor came from another denomination as an ecumenical partner. As it turned out, this pastor did not last long. The next pastor was an ELCA rostered minister who was content with the constitution and who possessed no need to exchange another expression for the Preamble.

- Submitted

CONSTITUTION FOR NAME EVANGELICAL LUTHERAN CHURCH

(A letter followed by a series of numbers in parenthesis makes reference to required sections of the Model Constitution of the
Evangelical Lutheran Church in America)

PREAMBLE

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

ARTICLE I

NAME AND INCORPORATION

- A. (C1.01) The name of this congregation shall be name Evangelical Lutheran church..
- B. (C1.02) For the purpose of this constitution and the accompanying bylaws, the congregation of name Evangelical Lutheran Church is hereinafter designated as "this."
- C. (C1.11) This congregation shall be incorporated under the laws of the State of Wisconsin.

ARTICLE II

CONFESSION OF FAITH

- A. (C2.01) This congregation confesses the Triune God, Father, Son, and Holy Spirit.
- B. (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.
 1. 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.
 2. 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.
 3. 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.
- C. (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.
- D. (C2.04) This congregation accepts the Apostles', Nicene and Athanasian Creeds as true declarations of the faith of this congregation.
- E. (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.
- F. (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.
- G. (C2.07) This congregation confesses the Gospel, recorded in Holy Scriptures and confessed in ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God's mission in the world.

ARTICLE III

NATURE OF THE CHURCH

- A. (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.
- B. (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 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.

Edited

CONSTITUTION for (NAME) LUTHERAN CHURCH (NAME), WISCONSIN of the EVANGELICAL LUTHERAN CHURCH IN AMERICA®

*PREAMBLE

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

Chapter 1.

NAME AND INCORPORATION

- C1.01. The name of this congregation shall be (name) Evangelical Lutheran Church.
- C1.02. For the purpose of this constitution and the accompanying bylaws, the congregation of (name) Evangelical Lutheran Church is hereinafter designated as "this congregation."
- C1.11. This congregation shall be incorporated under the laws of the State of Wisconsin.

Chapter 2.

CONFESSION OF FAITH

- *C2.01. This congregation confesses the Triune God, Father, Son, and Holy Spirit.
- *C2.02. This congregation confesses Jesus Christ as Lord and Savior and the Gospel as the power of God for the salvation of all who believe.
 - a. Jesus Christ is the Word of God incarnate, through whom everything was made and through whose life, death, and resurrection God fashions a new creation.
 - b. The proclamation of God's message to us as both Law and Gospel is the Word of God, revealing judgment and mercy through word and deed, beginning with the Word in creation, continuing in the history of Israel, and centering in all its fullness in the person and work of Jesus Christ.
 - c. The canonical Scriptures of the Old and New Testaments are the written Word of God. Inspired by God's Spirit speaking through their authors, they record and announce God's revelation centering in Jesus Christ. Through them God's Spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.
- *C2.03. This congregation accepts the canonical Scriptures of the Old and New Testaments as the inspired Word of God and the authoritative source and norm of its proclamation, faith, and life.
- *C2.04. This congregation accepts the Apostles', Nicene, and Athanasian Creeds as true declarations of the faith of this congregation.
- *C2.05. This congregation accepts the Unaltered Augsburg Confession as a true witness to the Gospel, acknowledging as one with it in faith and doctrine all churches that likewise accept the teachings of the Unaltered Augsburg Confession.
- *C2.06. This congregation accepts the other confessional writings in the Book of Concord, namely, the Apology of the Augsburg Confession, the Smalcald Articles and the Treatise, the Small Catechism, the Large Catechism, and the Formula of Concord, as further valid interpretations of the faith of the Church.
- *C2.07. This congregation confesses the Gospel, recorded in the Holy Scripture and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God's mission in the world.

* Required provision

Chapter 3.

NATURE OF THE CHURCH

- *C3.01. All power in the Church belongs to our Lord Jesus Christ, its head. All actions of this congregation are to be carried out under his rule and authority.
- *C3.02. This church confesses the one, holy, catholic, and apostolic Church and is resolved to serve Christian unity throughout the world.
- *C3.03. The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the Church, and the universal Church exists in and through congregations. The Evangelical Lutheran Church in America, therefore, derives its character and powers both from the sanction and representation of its congregations and from its inherent nature as an expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in the historic continuity of the communion of saints; in breadth, it expresses the fellowship of believers and congregations in our day.
- *C3.04. This church, inspired and led by the Holy Spirit, participates in The Lutheran World Federation as a global communion of churches, engaging in faithful witness to the gospel of Jesus Christ and in service for the sake of God's mission in the world.
- *C3.05. The name Evangelical Lutheran Church in America (ELCA or "this church") as used herein refers in general references to this whole church, including its three expressions: congregations, synods, and the churchwide organization. The name Evangelical Lutheran Church in America is also the name of the corporation of the churchwide organization to which specific references may be made herein.

Reflection

I had served the congregation 10+ years earlier before I started doing the ► *Review by synod*. I worked with the leadership to update the constitution at that time. Somehow, I could not download the *Model Constitution for Congregations* and ended up typing the document. A sheriff deputy from the county jail across the street asked one of the members why the light was on late at night in the office. I still recall the pushback at the annual meeting from an established power block of the congregation outside of the Congregation Council in the deliberation on the proposed changes. Looking back at that instance and numerous others, I consider the assignment to be one of the top three most difficult of my interim ministry.

When I first looked at the submitted document, my initial question was, "Why would anyone go to all the effort to change the chapters to articles, remove the asterisks, and delete required portions?" Then, when I recalled the pushback of some of the powerbrokers to me as the interim pastor and to the synod staff at the time, I was not surprised.

To give them the benefit of the doubt, the latest update was 2010, and maybe the congregation as a whole is more open now to a partnership in the gospel with the pastor.

• Submitted

Hi Pastor Bolstad,

Thanks for your response from yesterday concerning the 2016 Amendments to the Congregational Constitution. It was helpful. I will add a link to the amendments in my Council Corner article.

I still am having a bit of trouble with how "this church" is used. I was glad to see "this church" replaced with "ELCA" in many instances because it clarifies the entity, at least to me. I believe you are telling me, however, that sometimes "this church" still refers to (name) and other times to the ELCA. Please attempt to set me straight with my thinking.

Thanks again,

(name)

Response

INTRODUCTION to the *Model Constitution for Congregations*

► *References to church:* In the governing documents, "Church" with a capital letter refers to the one, holy, catholic, and apostolic Church. The words "church" or "this church" in lowercase letters refer to the Evangelical Lutheran Church in America. The specific congregation may be identified, as provided in C1.02., as "this congregation."

• Submitted

CONSTITUTION OF (name) CONGREGATION

Updated February 2nd, 2014

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 the congregation shall be (name) Evangelical Lutheran Church.
- C1.02 For the purpose of this constitution and the accompanying bylaws the (name) Evangelical Lutheran Church is hereinafter designated as "this congregation."
- C1.11 This congregation shall be incorporated under the laws of the State of Wisconsin.

CHAPTER 2

CONFESSION OF FAITH

- C2.01 This congregation confesses the Triune God, Father, Son, and Holy Spirit.
- C2.02 This congregation confesses Jesus Christ as Lord and Savior and the Gospel as the power of God for the salvation of all who believe.
 - a. Jesus Christ is the Word of God incarnate, through whom everything was made and through whose life, death, and resurrection God fashions a new creation.
 - b. The proclamation of God's message to us as both Law and Gospel is the Word of God, revealing judgment and mercy through word and deed, beginning with the Word in creation, continuing in the history of Israel, and centering in all its fullness in the person and work of Jesus Christ.
 - c. The canonical Scriptures of the Old and New Testaments are the written Word of God. Inspired by God's Spirit speaking through their authors, they record and announce God's revelation centering in Jesus Christ. Through them God's Spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.
- C2.03 This congregation accepts the canonical Scriptures of the Old and New Testaments as the inspired Word of God and the authoritative source and norm of its proclamation, faith, and life.
- C2.04 This congregation accepts the Apostles', Nicene, and Athanasian Creeds as true declarations of the faith of this congregation.
- C2.05 This congregation accepts the Unaltered Augsburg Confession as a true witness to the Gospel, acknowledging as one with it in faith and doctrine all churches that likewise accept the teachings of the Unaltered Augsburg Confession.
- C2.06 This congregation accepts the other confessional writings in the Book of Concord, namely, the Apology of the Augsburg Confession, the Smalcald Articles and the Treatise, the Small Catechism, the Large Catechism, and the Formula of Concord, as further valid interpretations of the faith of the Church.
- C2.07 This congregation confesses the Gospel, recorded in the Holy Scripture and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God's mission in the world.

CHAPTER 3

NATURE OF THE CHURCH

- C3.01 All power in the Church belongs to our Lord Jesus Christ, its head. All actions of this congregation are to be carried out under his rule and authority.
- C3.02 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 natures 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 in general references to this whole church, including its three expressions: congregations, synods and the churchwide organization. The name Evangelical Lutheran Church in America is also the name of the corporation of the churchwide organization to which specific references may be made herein.

Model Constitution

***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 (name) Lutheran Church.
- C1.02. For the purpose of this constitution and the accompanying bylaws, the congregation of (name) Lutheran Church is hereinafter designated as “this congregation.”
- C1.11. This congregation shall be incorporated under the laws of the State of Wisconsin.

Chapter 2.

CONFESSION OF FAITH

- *C2.01. This congregation confesses the Triune God, Father, Son, and Holy Spirit.
- *C2.02. This congregation confesses Jesus Christ as Lord and Savior and the Gospel as the power of God for the salvation of all who believe.
- a. Jesus Christ is the Word of God incarnate, through whom everything was made and through whose life, death, and resurrection God fashions a new creation.
- b. The proclamation of God’s message to us as both Law and Gospel is the Word of God, revealing judgment and mercy through word and deed, beginning with the Word in creation, continuing in the history of Israel, and centering in all its fullness in the person and work of Jesus Christ.
- c. The canonical Scriptures of the Old and New Testaments are the written Word of God. Inspired by God’s Spirit speaking through their authors, they record and announce God’s revelation centering in Jesus Christ. Through them God’s Spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.
- *C2.03. This congregation accepts the canonical Scriptures of the Old and New Testaments as the inspired Word of God and the authoritative source and norm of its proclamation, faith, and life.
- *C2.04. This congregation accepts the Apostles’, Nicene, and Athanasian Creeds as true declarations of the faith of this congregation.
- *C2.05. This congregation accepts the Unaltered Augsburg Confession as a true witness to the Gospel, acknowledging as one with it in faith and doctrine all churches that likewise accept the teachings of the Unaltered Augsburg Confession.
- *C2.06. This congregation accepts the other confessional writings in the Book of Concord, namely, the Apology of the Augsburg Confession, the Smalcald Articles and the Treatise, the Small Catechism, the Large Catechism, and the Formula of Concord, as further valid interpretations of the faith of the Church.
- *C2.07. This congregation confesses the Gospel, recorded in the Holy Scripture and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God’s mission in the world.

Chapter 3.

NATURE OF THE CHURCH

- *C3.01. All power in the Church belongs to our Lord Jesus Christ, its head. All actions of this congregation are to be carried out under his rule and authority.
- *C3.02. 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

* Required provision

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 in general references to this whole church, including its three expressions: congregations, synods, and the churchwide organization. The name Evangelical Lutheran Church in America is also the name of the corporation of the churchwide organization to which specific references may be made herein.
-

- **Submitted**

SECTION 11 CONGREGATIONS STATEMENT OF MISSION

(name) Lutheran Church exists to proclaim the gospel of Jesus Christ with guidance from the Holy Spirit.

We commit ourselves to help all members grow in their relationship with God and with each other.

We will work together with others church in the Medford community to reach out in Christian love to the unchurched and lonely in the community.

We will encourage all members to participate more fully in the partnership mission and ministry of the church in the world throughout the ELCA, the Synod, and other Christian ministries.

We reaffirm our commitment to the Lord to be diligent in our use of the means of grace and in prayer.

Edited

Chapter 4.

STATEMENT OF PURPOSE

- *C4.05.01.** This congregation shall, from time to time, adopt a mission statement which will provide specific direction for its programs.

This congregation exists to proclaim to the gospel of Jesus Christ with guidance from the Holy Spirit.

We commit ourselves to help all members grow in their relationship with God and with one another.

We will work together with other congregations in the Medford area to reach out in Christian love to the un-churched and lonely in the area.

We will encourage all members to participate more fully in the partnership mission and ministry of the congregation in the world through the Evangelical Lutheran Church in America, the Northwest Synod of Wisconsin, and other Christian ministries.

We reaffirm our commitment to the Lord Jesus Christ to be diligent in our use of the means of grace, both Word and sacraments, and in prayer.

- **Submitted**

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

C4.06. (name) Lutheran Mission Statement – (name) is called by God to look beyond ourselves. We walk together in faith, treasuring all people and sharing with them the love, hope and acceptance that is in Christ.

C4.07. (name) Lutheran Vision Statement – (name) Journeys Forward

Edited

Chapter 4.

STATEMENT OF PURPOSE

- *C4.05.01.** This congregation shall, from time to time, adopt a mission statement which will provide specific direction for its programs.

(name) Lutheran Church Mission Statement – (name) Lutheran Church is called by God to look beyond ourselves. We walk together in faith, treasuring all people and sharing with them the love, hope, and acceptance that is in Christ.

(name) Lutheran Church Vision Statement – (name) Lutheran Church Journeys Forward

- **Submitted**

BYLAWS OF (name) LUTHERAN CHURCH (name), WI

II. Mission Statement: C4.05

The mission statement of (name) is, “Serving others through Christ.”

Edited

Chapter 4.

STATEMENT OF PURPOSE

*C4.05.01. This congregation shall, from time to time, adopt a mission statement which will provide specific direction for its programs.

The mission of this congregation is “Serving others through Christ.”

• Submitted

ADMINISTRATION OF THE SACRAMENTS

The administration of the sacraments of Holy Baptism and Holy Communion in the congregation shall conform to the Sacramental Practices Statement, “The Use of the Means of Grace”, adopted by the ELCA Churchwide Assembly in August, 1997.

Edited

Chapter 4.

STATEMENT OF PURPOSE

*C4.02.01. 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.

The administration of the sacraments shall conform to The Use of the Means of Grace - Evangelical Lutheran Church in America Adopted for guidance and practice at the Fifth Biennial Churchwide Assembly of the Evangelical Lutheran Church in America, August 19, 1997.

• Submitted

Chapter 10.

CONGREGATION MEETING

C10.01. The annual meeting of this congregation shall be held at a time specified by the Congregation Council.

- a. The current rosters of voting, confirmed, and baptized members shall be available at each meeting of the congregation.
- b. The annual meeting shall receive reports from all the organizations of the congregation. Such reports, including a financial statement, shall be submitted in writing to the pastor not less than 21 days before such meeting
- c. The annual meeting of the congregation shall elect Synod Assembly delegates. The term of office shall be for one year.

Duties & Responsibilities of Congregation Council

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

Edited

Chapter 5.

POWERS OF THE CONGREGATION

*C5.04.01. 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 Northwest Synod of Wisconsin of the Evangelical Lutheran Church in America.

- a. This congregation at its annual meeting shall choose from among its voting members laypersons to serve as voting members of the Synod Assembly for a term of one year.
- b. The Congregation Council may choose from among its voting members laypersons to represent it at meetings of any conference, cluster, coalition, or other area subdivision of which it is a member.

• **Question**

A pastor of a small congregation related that the Congregation Council in the course of their discussion on updating their constitution raised a concern about what would happen to their property should their congregation cease to exist.

Response

Closing a Congregation – Related Constitution Provisions

Model Constitution for Congregations of the Evangelical Lutheran Church in America

Chapter 5: POWERS OF THE CONGREGATION

- *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, and amendments to the bylaws, as specified in Chapter 16.
 - 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 [officers][,] [and] Congregation Council, [boards, and committees,] and require [them] [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.

Chapter 7: PROPERTY OWNERSHIP

- *C7.01.** If this congregation ceases to exist, title to undisposed property shall pass to the Northwest Synod of Wisconsin 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. Before this congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of the Northwest Synod of Wisconsin.
- *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, 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 Northwest Synod of Wisconsin—reconvey and transfer all right, title, and interest in the property to the synod.

Constitution for Synods of the Evangelical Lutheran Church in America

Chapter 13.

CONGREGATIONS

- *S13.20 A congregation considering development of an additional site to be used regularly for worship 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.
- *S13.23. Provision 9.71. of the ELCA constitution shall govern the relationship of this Synod and a congregation of this Synod regarding the property of the congregation. This synod may transfer or convey property to a congregation of the synod, subject to restrictions accepted by the congregation, including provision that if the Synod Council, in its sole and exclusive discretion, determines (1) that the property is not being used to serve the mission and ministry needs of this church, or (2) that the congregation has transferred, encumbered, mortgaged, or in any way burdened or impaired any right, title, or interest in the property without the prior approval of the Synod Council, then title to the property shall revert to the synod, and the congregation, upon written demand, shall reconvey the property to the synod.
- S13.24. If any congregation of this Synod has disbanded, or if the members of a congregation agree that it is no longer possible for it to function as such, or if in the opinion of the Synod Council the membership of a congregation has become so scattered or so diminished that it is necessary for the Synod to protect its property from waste and deterioration, the Synod Council, itself or through trustees appointed by it, may take charge and control of the property of the congregation to hold, manage, and convey the same on behalf of this Synod. The congregation shall have the right to appeal the decision to the Synod Assembly.

Constitution of the Evangelical Lutheran Church in America

9.70. OWNERSHIP OF PROPERTY

- 9.71. Subject to the provisions of 9.52., the following shall govern the ownership of property by congregations of this church:
- Title to property shall reside in the congregation. The congregation may dispose of its property as it determines, subject to any self-accepted indebtedness or other self-accepted restrictions.
 - Title to the undisposed property of a congregation that ceases to exist shall pass to the synod of this church to which the congregation is related.
 - Title to the property of a congregation that is no longer recognized by this church as a result of discipline shall continue to reside in the congregation.
 - Title to the property of a congregation that has acted to terminate its relationship with this church by the provisions of 9.62. to relate to another Lutheran church body shall continue to reside in the congregation.
 - Title to the property of a congregation that has acted to terminate its relationship with this church by the provisions of 9.62. to become independent or to relate to a non-Lutheran church body shall continue to reside in the congregation only with the consent of the Synod Council. The Synod Council, after consultation with the congregation by an established synodical process, may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of the congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of this church.

Resources

[PDF]A Resource for the Closing of Congregations

A Resource for the Closing of Congregations

Prepared by the Congregational Asset Management Task Force of the Lower Susquehanna Synod

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http://www.lss-elca.org/Congregations/Resources/Closing_Congregations.pdf

[Images for Resource for the Closing of Congregations](#)

Church Policy Questions – Northwestern Minnesota Synod Evangelical Lutheran Church in America

If we close our congregation, what happens to church properties?

<https://nwmnsynod.org/about/about-the-synod/faqs/church-policy-questions/>

[Images for Church Policy Questions – Northwestern Minnesota Synod Evangelical Lutheran Church in America If we close our congregation, what happens to church properties?](#)

[PDF]Steps for Merger or Consolidation of Congregations – ELCA Resource Repository

A general guide prepared by the Office of the Secretary of the Evangelical Lutheran Church in America
http://download.elca.org/ELCA%20Resource%20Repository/Merger-Consolidation_steps.pdf
[Images for Steps for Merger or Consolidation of Congregations](#)

[PDF]STEPS IN THE DISSOLUTION OF A CONGREGATION

1. Schedule a consultation of the congregation with the synod to develop a written plan for the dissolution process and include a recommendation to dissolve the church corporation as required by the state corporation statute. (Consult with legal counsel to ensure all necessary legal provisions are followed in relation to plan of dissolution of church corporation.)

http://www.mcselca.org/assets/Steps_Dissolution_DO3.pdf

[Images for STEPS IN THE DISSOLUTION OF A CONGREGATION](#)

- **Question**

There a couple really upset about
C7.01 and C7.04 about the resolution of the assets of the church.
Why does the Synod decide?
Why can't they decide?
What does the Synod do with it?
What caused this resolution to be written
Any insight would be helpful.
Blessings, Pastor *(name phone number)*

- **Response**

Bishop Pederson was asked this same question by leadership in another small congregation in your conference. He asserted that regarding *C7.01. the synod office in the ELCA polity has no desire to be encumbered by property. The synod office is the last resort in attending to property if no one else takes responsibility following the closing of a congregation. If it comes to a point where the congregation decides to close, the synod staff is willing to work with a congregation to make and carry out that decision as gracefully as possible. It sounds like there is underlying anxiety about the viability of the small congregation that can be addressed in a pastoral matter. The constitution provision is simply the presenting situation.

See attachment on questions regarding property ownership.

*C7.04 is written to address takeovers in which some dissident members want to take over the congregation and transfer it to a different denomination. Grace in Eau Claire would be an example. See attachment on property ownership and takeovers.

- **Questions with responses interspersed in an email reply**

Good morning,

Our Task Force met on January 8. Your model continuing resolution was distributed & discussed.

I was requested to ask you for clarification of a couple things:

- Bylaw addition is in Chapter 6 of our Constitution---C5.05. We understand the wordage that will be needed as provided on the first sheet of the model. Congregation approval is obtained at a specially called meeting for this Bylaw. Is this then what the Synod needs to approve?
- The Continuing Resolution model would then be placed in our Constitution Chapter 18 under CONTINUING RESOLUTIONS C18.03.

Continuing Resolutions

Chapter 5.

POWERS OF THE CONGREGATION

C5.05.A19. This congregation shall have a mission endowment fund that will operate as specified in this congregation's continuing resolutions. The purpose of the mission endowment fund is to provide for mission work beyond the operational budget of this congregation.

Mission Endowment Draft for

(name) Lutheran Church *(name)*, WI

Permanent Resolution to Establish the Mission Endowment Fund

- During discussion, it was questioned the reasoning for why Synod approval is needed for a Continuing Resolution (it was assumed Continuing Resolution approval comes from Council) as Task Force members are under the impression only BYLAWS need to be approved by the Synod. Please clarify.

INTRODUCTION to the *Model Constitution for Congregations*

No governing document amendment will be approved by a synod if it conflicts with the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. In order to meet constitutional requirements and to avoid potential problems, all proposed amendments to a congregation's constitutional provisions, bylaws, and **continuing resolutions** should be submitted to the synod for review.

- Do you have access to any "sample" brochures that other churches are using to share the information regarding an Endowment Fund? We were able to obtain one from Spirit Lutheran Foundation in Eau Claire.

I do not have access to sample brochures, but the following website may give some ideas of what would go into such a brochure. I looked at websites for a few other large churches but could not find a description of their endowment fund. If a person looks further at other websites, one might be able to see what other churches do.

Who It Helps | Endowment Trust | Trinity Lutheran Church
www.trinity-ec.org/endowment_fund/who_it_helps.phtml
[Images for Who It Helps | Endowment Trust | Trinity Lutheran Church](#)

- Are you aware if the majority of Endowment Fund committees have a financial advisor---even if monies are placed in Fund A of ELCA?
- Are you aware of churches that have set up 501(c) (3)'s when setting up their Endowment Funds? Any information regarding this would be helpful.

I do not claim any special knowledge to respond to the above two questions. I recommend the following resources and contacts:

Northwest Synod of Wisconsin | Charitable Giving
<http://nwswi.org/generosity/charitable-giving>
[Images for Northwest Synod of Wisconsin | Charitable Giving](#)

[PDF]mission endowment fund - ELCA Resource Repository
http://download.elca.org/ELCA%20Resource%20Repository/How_to_Create_a_Mission_Endowment_Fund.pdf
[Images for mission endowment fund - ELCA Resource Repository](#)

Again, thanks for your time in responding to our questions/clarification.

(name), chair

• Question

Are there model bylaws anywhere that we can follow to make our own?

I'm a new pastor here and do not understand the basis for this bylaw on conflicting loyalties.

Chapter 6.

CHURCH AFFILIATION

C6.02.01. 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.

This congregation rejects all fellowship with organizations, secret or open, which are avowedly religious or which practice forms of religion without confessing faith in the triune God and in Jesus Christ as the eternal Son of God incarnate to be our only Savior from sin, and thus teach salvation by works. Ceremonies of lodges or other such organizations shall not be permitted in the church or on the church premises of this congregation. The pastor of this congregation shall take no part in any such ceremonies even if such ceremonies are conducted outside of the church premises.

Response

In response to the first question, there is no set of model bylaws. See paragraph from Introduction on attachment.

INTRODUCTION to the *Model Constitution for Congregations*

- b. Bylaw provisions follow constitutional provisions to which they apply. They are not intended to be organized in a separate document at the end of the constitutional provisions. Bylaws are codified with three sets of numbers: the chapter number (preceded by a “C”), the related constitutional provision number, and a two-digit number. There are periods after the chapter number, after the reference to the constitutional provision, and after the bylaw number. Thus, a bylaw provision related to “Membership” would be codified as “C8.02.01.” A bylaw relating to the contents of an annual report by the Congregation Council to the congregation at an annual meeting would be codified as “C12.09.01.” **Because bylaws and continuing resolutions normally relate to specific practices and details of each congregation’s organization, operation, and life, there is not a model set of bylaws or continuing resolutions.** Thus, each congregation has discretion and may develop its own bylaws and continuing resolutions, including bylaws and continuing resolutions under required constitutional provisions, but no such bylaw or continuing resolution may conflict with constitutional provisions in the *Model Constitution for Congregations*, the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*, or the constitution of the synod, as indicated in *C6.03.e. Bylaws are adopted and amended in accordance with Chapter 17.

In response to the second question, the bylaw in question comes from the Constitution for the American Lutheran Church. [See Chapter 10. Constitution. Appendix 2.]

Part II – CONFLICTING LOYALTIES

(Cf. Article II of the Constitution and Article V of the Minneapolis Theses
as quoted in the United Testimony on Faith and Life)

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

Commentary on Conflicting Loyalties

When I review constitutions for the synod, I receive many constitutions that still use the above bylaw on Conflicting Loyalties from the constitution for the American Lutheran Church, which originally comes from Article V. The Lodge Question of The Minneapolis Theses.

Minneapolis Theses - Lutheran Church - Missouri Synod - Christian Cyclopedia

“V. *The Lodge Question*.

1. These synods agree that all organizations or societies, secret or open, as are either avowedly religious or practise the forms of religion without confessing as a matter of principle the Triune God or Jesus Christ as the Son of God, come into the flesh, and our Savior from sin, or teach instead of the Gospel, salvation by human works or morality, are anti-Christian and destructive of the best interests of the church and the individual soul, and that, therefore, the Church of Christ and its congregations can have no fellowship with them.

“2. They agree that a Lutheran synod should not tolerate pastors who have affiliated themselves with any anti-Christian society. And they admonish their pastors and congregations to testify against the sin of lodgery and to put forth earnest efforts publicly and privately to enlighten and persuade persons who are members of anti-Christian societies, to sever their connection with such organizations.”

Journal of Theology of The American Lutheran Conference, VI (1941), 13–15; *TM VII* (1927), 112–114; *CTM I* (1930), 688–690; *XV* (1944), 194–195; *Doctrinal Declarations: A Collection of Official Statements on the Doctrinal Position of Various Lutheran Synods in America* (*St. Louis, Missouri*, 1957), pp. 107–108; *Documents of Lutheran Unity in America*, ed. R. C. Wolf (*Philadelphia*, 1966), pp. 340–342.

<http://cyclopedia.lcms.org/display.asp?t1=M&word=MINNEAPOLISTHESES1>

When I am serving as an interim pastor and reviewing the constitution with the members, I suggest that lodge membership was much more of an issue at the time of the American Lutheran Church but is not so much now in the Evangelical Lutheran Church. Lodge membership, though, continues to be an issue with the Lutheran Church – Missouri Synod and Wisconsin Evangelical Lutheran Synod.

Resources

Church Schism & Corruption - Page 564 - Google Books Result

While not an issue in the majority of Lutheran Church bodies, some of them forbid membership in Freemasonry. Partly, this is because the lodge is viewed as spreading Unitarianism, as the Brief Statement of the Missouri Synod reads, 1st Hence we warn against Unitarianism, which is our country has to a great extent impenetrated the sects and is being spread particularly also through the influence of the lodges. A 1958 report from the publishing house of the Wisconsin Evangelical Lutheran Synod states that, 2nd Masonry is guilty of idolatry. Its worship and prayers are idol worship. The Masons may not with their

hands have made an idol out of gold, silver, wood or stone, but they created one with their own mind and reason out of purely human thoughts and ideas. The latter is an idol no less than the former."

<https://books.google.com/books?isbn=1409221865>

[Images for Church Schism & Corruption](#)

LCMS Views - Frequently Asked Questions - The Lutheran Church Missouri Synod

QUESTION: What is the Synod's view of membership in lodges, fraternal organizations and fraternities?

ANSWER: It has consistently been the position of The Lutheran Church—Missouri Synod throughout its history that membership in fraternal lodges is incompatible with membership in a synodical congregation.

Bylaw 3.925 of the Synod's Handbook summarizes the rationale for the Synod's longstanding position on the lodges: "Pastors and laypeople must avoid membership or participation in any organization that in its objectives, ceremonies, or practices is inimical to the Gospel of Jesus Christ or the faith and life of the Christian church."

The Commission on Theology and Church Relations has prepared detailed discussions of the reasons for the Synod's opposition to membership in various lodges. They may be found online at lcms.org/ctcr.

There are fraternal organizations (e.g., Kiwanis, Lions Club) or community clubs that do not have the objectionable features of the lodges in their rites, ceremonials, and membership requirements. There are generally no objections to membership in such organizations.

Since there are so many college fraternities, and since their membership requirements vary, the Synod's Commission on Theology and Church Relations has advised that judgments must be left to individuals based on the particular case.

<https://www.lcms.org/about/beliefs/faqs/lcms-views#contemporary> Lodges, fraternal organizations and fraternities

<https://www.lcms.org/about/beliefs/faqs/lcms-views#lodges>

[Images for LCMS View of membership in lodges, fraternal organizations and fraternities](#)

[PDF]The Lodge - The Lutheran Church—Missouri Synod

A Lutheran Response

A response to the religious teachings of lodge organizations has been implied as the above concerns have been described.

Lutheran Christians believe in the Triune God—Father, Son and Holy Spirit—as He has revealed Himself in the Holy Scriptures and as the Christian church universally has confessed Him in the ecumenical creeds from the early years of the Christian era (Apostles' Nicene, and Athanasian Creeds). God has clearly revealed Himself in the Bible as the one and only true God (Is. 44:6). The Scriptures consistently and repeatedly teach that Jesus is God together with the Father (John 1:1, 14) and that the Holy Spirit is also God (Acts 5:4). Thus, the true God is the Triune God—three Persons (Matthew 28:19) but one God (Deut. 6:4).

<https://www.lcms.org/Document.fdoc?src=lcm&id=282>

[Images for Lodge - The Lutheran Church—Missouri Synod](#)

The 2019 ELCA Churchwide Assembly acted on proposed amendments to the churchwide constitution related to lodge membership for rostered Ministers of Word and Sacrament.

Churchwide Assembly – Evangelical Lutheran Church in America - ELCA

7.31.11. No person who currently belongs to any organization such as a lodge or fraternal order which claims to possess in its teachings and ceremonies that which the Lord has given solely to the Church shall be called and received onto the roster of Ministers of Word and Sacrament or otherwise received into the ministry of this church, nor shall any person so called and received onto the roster of Ministers of Word and Sacrament or otherwise received by this church be retained in its ministry who subsequently joins or is discovered to be a current member of such an organization

7.47.01. No person who belongs to any organization other than the Church which claims to possess in its teachings and ceremonies that which the Lord has given solely to the Church shall be called and received onto the roster of Ministers of Word and Sacrament or otherwise received into the ministry of this church, nor shall any person so called and received onto the roster of Ministers of Word and Sacrament or otherwise received by this church be retained in its ministry who subsequently joins such an organization.

<https://www.elca.org/Resources/Churchwide-Assembly> 2019 Proposed Constitutional Amendments

https://download.elca.org/ELCA%20Resource%20Repository/2019_Proposed_Constitutional_Amendments.pdf?_ga=2.96879639.986801318.1563289683-1300080783.1535476976

• Question

Hi [Synod Office Staff],

I'm sending our completed Constitution to be gone over. We were told that you would let us know if it is all in order so we can schedule a Congregational meeting to approve the Constitution.

I don't know if you are the one I should be sending this to. If not, please let me know and give me an address, and I'll redirect it.

We did have one question: in C6.06. at the end of the item they had the word effected. Should this be affected, as "before any such action is acted upon." or do they truly want to say effected, as "before any such action is caused or brought about." It wasn't clear to us – maybe another word would be more specific.

Thanks! We'll be hearing from you as soon as this has been gone over.

Response

The following provision is prefaced with an asterisk and therefore is required:

- *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**.
-

• Question

While they understand that a minimum of 2/3 majority is necessary to leave the ELCA, members of my church council asked if that percentage could be raised. Specifically, they asked if we could, in our constitution, require 80% approval for disaffiliation.

Response

- *C6.05.** A congregation may terminate its relationship with this church by the following procedure:
- 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 30 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.
 - 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 10 days after the resolution has been adopted.
 - The bishop of the synod and the congregation shall continue in consultation, as specified in paragraph a. above, during a period of at least 90 days after receipt by the synod of the notice as specified in paragraph b. above.
 - If the congregation, after such consultation, still seeks 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 10 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.
 - 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 10 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.
 - Notice of termination shall be forwarded by the bishop to the secretary of this church, who shall report the termination to the Churchwide Assembly.
 - 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.
 - 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.
 - 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.
 - 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.

Required provisions: 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).

This is in keeping with provision 9.52. in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. This provision stipulates that when a congregation of this church “wishes to amend any provision of its governing documents, the governing documents of that congregation shall be so amended to conform to 9.25.b.” in the churchwide constitution. The provisions herein marked by an asterisk are those that are indicated as required in ELCA constitutional provision 9.25.b.

- **Question**

A chair of a Constitution Taskforce telephoned me to say that a member of the taskforce objected to **C7.05**. The member carried considerable weight in the open country congregation and threatened to obstruct ratification if the provision was included.

- C7.05.** Notwithstanding the provisions of *C7.02. and *C.7.03. 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 (insert name of synod)—reconvey and transfer all right, title, and interest in the property to the synod.

Response

C7.05. only applies to congregations that received property from the synod. It does not apply to a congregation 150+ years old.

Reflection

For most congregations, updating the constitution is straightforward. For others, deliberations on the constitution gives occasion for people to act out deep emotions. In the above-mentioned situation, a member sought to act out distrust for the synod office by trying to delete **C7.05**. This member could not delete the rest of the chapter because of its required status. So, the action really wasn't about the constitution. It was about a personal agenda to make a statement. The key word is **undisposed**, so that, if the members walk away from the property, somebody has to dispose of it. The synod is the agent of last resort.

Chapter 7.

PROPERTY OWNERSHIP

- ***C7.01.** If this congregation ceases to exist, title to **undisposed** property shall pass to the (insert name of synod) 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 (insert name of synod) 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 *C.7.03. 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 (insert name of synod)—reconvey and transfer all right, title, and interest in the property to the synod.

Development

The 2019 Model Constitution made this provision required.

- *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:
- 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.
 - Shall—upon written demand by the Synod Council, pursuant to †S13.23. of the constitution of the Northwest Synod of Wisconsin—reconvey and transfer all right, title, and interest in the property to the synod.

• Comment

Congregations can choose from three options [ELCA] [Lutheran] [Christian] in the following:

Chapter 8. MEMBERSHIP

- *C8.02.** Members shall be classified as follows:
- Associate* members are persons holding membership in other [ELCA] [Lutheran] [Christian] congregations who wish to retain such membership but desire to participate in the life and mission of this congregation. These individuals have all the privileges and duties of membership except voting rights or other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.

Most constitutions I review choose [Christian]. For instance, Lutheran fraternal benefit societies have made a move in this direction. Aid Association for Lutherans and Lutheran Brotherhood merged in 2001 to form Thrivent Financial for Lutherans, which became Thrivent Financial for Christians in 2013.

• Submitted

SECTION 9 RESPONSIBILITIES OF THE CONGREGATION FOR FOSTERING FAITHFUL MEMBERSHIP

Shall include the following:

- Proper instruction in the word of God and the teaching of the Lutheran Church prior to reception as confirmed members.
- Encourage members who move from the community, which the congregation serves to transfer to a Lutheran congregation that can serve them effectively and in which they can participate regularly.
- Continuing concern and conscientious pastoral care for members in an effort to encourage fulfillment of their duties and responsibilities when they do not partake of Holy Communion, support the Church with offerings or appear to desire to participate in the life and worship of the congregation. When such members have failed to receive Holy Communion and to make a contribution of record for a period of two consecutive years, they may be removed from the roll of members by the Church Council. This procedure will take place only when there is a pastor under call to serve this congregation and after such members have been counseled about the matter, if possible. Such persons who have been removed from the roll of members shall remain persons for whom the church has a continuing pastoral concern.

Edited

Chapter 8. MEMBERSHIP

- *C8.02.01.** Members shall be classified as follows:
- 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.

This congregation shall provide proper instruction in the word of God and the teaching of the Lutheran church prior to reception as confirmed members.

Chapter 8. MEMBERSHIP

- *C8.05.01.** Membership in this congregation shall be terminated by any of the following:
- transfer or release;

This congregation shall encourage members who move from the community, which this congregation serves, to transfer to a Lutheran congregation that can serve them effectively and in which they can participate regularly.

- e. removal from the roll due to inactivity as defined in the bylaws.

This congregation shall exercise continuing concern and conscientious pastoral care for members in an effort to encourage fulfillment of their duties and responsibilities when they do not make regular use of the means of grace, both Word and sacraments; and do not 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. When such members, during the current or preceding calendar year, have not communed in this congregation and have not made a contribution of record, such members may be removed from the roll of members by the Congregation Council. This removal from the roll shall take place only when there is an installed pastor to serve this congregation and, if possible, after such members have been counseled about the matter.

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

- **Question**

To vote, the member just needs to take communion and contribute.

Is there any other reason that we need to keep attendance?

And it doesn't work anyway...

Thoughts????

Blessings, Pastor *(name)* *(phone)*

Chapter 8.

MEMBERSHIP

***C8.02.** Members shall be classified as follows:

- c. ***Voting*** members are confirmed members. Such confirmed members, during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of the congregation as well as the other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.

Response

Parochial reports from churchwide ask for average worship attendance.

Question

Which we get from the ushers on Sunday, right?

Response

The ushers are usually the ones who take the attendance.

- **Question**

Much of the changes were from "voting members" to "confirmed members" since we are not currently tracking communion and are not intending to in the near future.

Response

Voting members also includes the requirement of making a contribution of record. Even if a congregation does not track communion registration, leaders usually know if a member has attended a service of worship during the course of the year. Under the proposal, it would be possible not to attend or contribute and still be considered for leadership positions. My understanding is that the congregation is seeking to raise expectations, not lower them. I think this proposal deserves more deliberation.

Question

Thank you Lowell for getting back to me so quickly.

I understand your concern with regard to voting members and agree with it. But on a practical application, it seems to me that the only option moving forward (at least that I can see) is to tell the Council that they are obligated by the constitution to track communion. The current provision is AND, but of course it would make no real difference if it were OR to the extent that a member could still claim that while they have not donated anything, they did attend on that one Sunday last year and receive communion. There was just no cards to verify that.

Response

Some of the smaller congregations I have been serving lately have simply hung a sheet up in the back of the church and asked people to sign up if they have received communion once in the course of the year. Another congregation kept a book in the narthex that people signed. So, there are different ways of going about communion registration than going back to the registration cards.

Chapter 8.

MEMBERSHIP

***C8.02.** Members shall be classified as follows:

- e. **Seasonal** members are voting members of other ELCA congregations who wish to retain such membership but desire to participate in the life and mission of this congregation, including exercising limited voting rights in this congregation. The Congregation Council may grant seasonal membership to such persons provided that this congregation is a member of a synod where the Synod Council has approved seasonal member voting on its territory.

February 14, 2017

Good morning,

I fielded a question from Pastor (name) yesterday at the Winter Theological Event who inquired about the above provision on seasonal members. She said she contacted the synod office to see if the ...Synod Council has approved seasonal member voting on its territory. Evidently this has not happened yet. I recommend that the Synod Council approve "seasonal member voting on its territory."

Pastor Lowell Bolstad

► **Review by synod**

The following action was taken:

March 21, 2017

Dear Ministers of Word and Sacrament and Ministers of Word and Service,

As you work on updating your constitutions with the required provisions from the action of the 2016 Churchwide assembly please be aware that per council action on February 21, 2017 the council voted to approve the option for congregations to grant seasonal memberships consistent with constitutional provision *C8.02.e.

Elizabeth Bartsch

Assistant to the Bishop-Administration