

Constitutional Guidelines for Mission Congregations
of the
United Lutheran Mission Association
May 2005

+ IN NOMINE JESU +

PREAMBLE:

WHEREAS Christians should practice fellowship with those who profess the true faith. (Acts 2:42; Hebrews 10:23-25);

and

WHEREAS they should endeavor to keep the unity of the faith (Ephesians 4:1-6; I Corinthians 1:10);

and

WHEREAS they, as a body, should administer the Office of the Keys (John 20:21-23; Matthew 18:15-20);

and

WHEREAS in such a body all things should be done decently and in order (1 Corinthians 14:40);

THEREFORE, we, the members of _____, hereby adopt the following Constitution according to which all affairs of this congregation, both spiritual and material, shall be governed.

ARTICLE I NAME

The name of this congregation shall be _____.

ARTICLE II PURPOSE

The purpose of this congregation shall be to extend the kingdom of God by the preaching of the Word of God, by the religious instruction of all its members according to the confessional standard of the Evangelical Lutheran Church, and by the administration of the Sacraments according to the doctrinal standard of the Evangelical Lutheran Church (Article III), and to foster Christian fellowship and love.

ARTICLE III DOCTRINAL STANDARD

This congregation accepts and acknowledges all Canonical Books of the Old and New Testaments as the verbally inspired, infallible, inerrant Word of God, and the only rule and norm of faith and practice. It also acknowledges and accepts all the Symbolical Books of the Evangelical Lutheran Church contained in the Book of Concord of 1580 as a true and unadulterated statement and exposition of the Word of God.

No doctrine shall be taught or tolerated in this congregation, which is in any way at variance with the Holy Scriptures and these Symbolical Books. Likewise, all controversies, which may arise in this congregation, shall be decided and adjudicated according to this norm of doctrine and practice.

The following are the Symbolical Books of the Evangelical Lutheran Church:

The three Ecumenical Creeds (Apostles', Nicene, and Athanasian)

The Unaltered Augsburg Confession

The Apology of the Augsburg Confession

The Smalcald Articles

Treatise on the Power and Primacy of the Pope

Luther's Small Catechism

Luther's Large Catechism

The Formula of Concord

ARTICLE IV MEMBERSHIP

The membership of this congregation shall consist of the following:

- A. Baptized Membership
 - 1. Definition

Baptized members are all who have been baptized in the Name of the Father, and of the Son, and of the Holy Spirit, and who are under the spiritual care of the Pastor of this congregation, including the children who have not yet been confirmed.
 - 2. Admission into Membership

Baptized members are admitted into membership by being baptized into the Name of the Father and of the Son and of the Holy Spirit; by transfer from a congregation in fellowship with this congregation; or by formal application for such spiritual care by at least one parent or guardian in the case of children who have been properly baptized in some other Christian church.
 - 3. Termination of Membership

Baptized members who have been confirmed shall have their membership terminated according to regulations described in this Constitution regarding the termination of membership for "Communicant Members". Baptized members who have not been confirmed before they have reached the age of 18 years shall be automatically removed from the membership roster of the congregation, after due notice of such failure to meet their baptismal vows.
- B. Communicant Membership
 - 1. Definition

Communicant members are those baptized members of the congregation who have received formal instruction in the fundamental doctrines of the Lutheran Church; have formally declared their acceptance of the Doctrinal Standard contained in Article III of this Constitution; and hold no membership in any organization having religious doctrines or ceremonies which are contrary to the Word of God and the calling of a Christian.
 - 2. Admission into Membership
 - a. By Baptism

Adults who have been formally instructed in the fundamental doctrines of the Lutheran Church shall become communicant members by the Sacrament of Holy Baptism if they have not received a valid baptism prior to completion of their formal instruction.
 - b. By Confirmation

Persons who undergo the rite of confirmation approved by this congregation shall become communicant members by this act.
 - c. By Transfer

The Voters' Assembly shall accept persons who present a valid letter of transfer from a congregation in fellowship with this congregation into communicant membership upon formal receipt and approval of such letter of transfer.
 - d. By Profession of Faith

Applications for communicant membership in this congregation may be made by persons not affiliated with a recognized orthodox Lutheran Church by presenting satisfactory evidence of their qualifications for membership in an interview with the Pastor and at least one Elder.

The application shall be submitted for approval by the Pastor to the Voters' Assembly. If the application is approved, the applicant shall thereby become a communicant member of this congregation. This device shall ordinarily be used only in the case of those people who have at one time in their life been instructed in the doctrines of the Lutheran Church and accepted into the communicant membership of a Lutheran congregation.
 - 3. Termination of Membership
 - a. Transfer to Other Congregations

Communicant members desiring to join a congregation in fellowship with this congregation shall present their request for transfer of membership to the Pastor, who shall be authorized to issue such transfer. Such transfer of membership shall be reported to the Voters' Assembly at its next regular meeting.

b. Joining Other Churches

Communicant members who have joined another congregation, or have expressed a sincere desire to join another congregation outside the fellowship of this congregation, automatically terminate their membership in this congregation by such action. The Pastor (or Elders) shall report such action to the Voters' Assembly at the next regular meeting of that body when it has been properly determined that such action has been taken.

c. Members Moving Away

Members moving away from this community without obtaining a transfer of membership to another congregation in fellowship with this congregation shall be encouraged to make such transfer. If no transfer of membership is requested however, after a period of one year, such a member or members may be removed from the membership roster of this congregation by a majority vote of the Voters' Assembly.

Proper notification is to be forwarded to the members.

d. Whereabouts Unknown

The names of members whose whereabouts are unknown and cannot be established may be removed from the membership roster of this congregation by a majority vote of the Voters' Assembly and forthwith such membership is terminated.

e. Excommunication and Self-Exclusion

Members who conduct themselves in an unchristian manner shall be admonished according to Matthew 18:15-20. If they refuse to repent and to amend their sinful lives after proper admonition they shall be excommunicated. A unanimous affirmative vote shall be required for every resolution of the Voters' Assembly for excommunication. Any person who casts a dissenting vote shall offer valid reason to the Voters' Assembly, or the dissenting vote shall be declared void. The Pastor and the Board of Elders shall decide whether the reason given is valid. An invalid reason shall render the dissenting vote void. If the Pastor and the Board of Elders cannot agree unanimously that the reason for the dissenting vote is not valid, the dissenting vote shall stand, and excommunication shall not be executed.

Members unwilling to submit to the discipline described above may request a release from membership in this congregation. Such action shall be considered self-exclusion from the Christian Church. Members who deliberately absent themselves from the meeting(s) at which their cases are to be discussed shall be regarded as having excluded themselves from the membership of the congregation. Excommunication and/or self-exclusion shall terminate membership. Persons whose names have been removed from the membership roster of the congregation by excommunication or self exclusion shall be notified of such action, if possible by certified mail within one week after the action has been taken.

Self-excluded or excommunicated persons who repent and ask forgiveness of the congregation shall be reinstated into membership.

4. Status of Excommunicated or Self-Excluded Members

A person whose communicant membership has been terminated has forfeited all rights and privileges of a member of this congregation and all claims upon the property of the congregation as such, or any part thereof, so long as membership is not reinstated.

5. Duties of Membership

It shall be the duty of all communicant members to regularly attend public worship services offered by this congregation, if possible, and to partake of Holy Communion frequently, to impart and accept fraternal admonition as the need of such admonition becomes apparent; to regularly bring their children to worship and Sunday School, to catechetical instruction and to support their participation in various organizations and activities of this congregation which promote spiritual growth; to contribute material goods and personal service towards the maintenance of this congregation and the Church at large according to their abilities; and to submit and conform to the rules and regulations of the congregation.

C. Voting Membership

1. Definition

All male communicant members of the congregation who have reached the age of 18 years and have signed the Constitution of this congregation in a regular meeting of the Voters'

Assembly shall have the right to vote in the meetings of the Voters' Assembly except in cases otherwise restricted by the Constitution.

2. Admission into Membership
Persons who qualify for voting membership in this congregation as defined by its Constitution shall become voting members by formal request for such privilege from the Voters' Assembly at a regular meeting of that body, and shall be eligible to vote at the next regular Voters' meeting.
3. Termination of Membership
A voting member who is absent from the meetings of the Voters' Assembly for a full year without offering valid excuse shall have his name removed from the roster of the voting members. However, by making a request to the Voters' Assembly he may be reinstated.
4. Duties of Membership
It shall be the duty of every voting member to attend all Voters' meetings and to accept nomination for office, committee appointments, etc., if possible, and generally participate in the business activities of the Voters' Assembly. It shall be the privilege of absent members with valid excuses to send their ballots in writing to the President of the congregation whenever an officer of the congregation is to be elected, or a significant issue on the agenda is to be considered.

ARTICLE V

OFFICE OF PASTOR

- A. The office of the Pastor shall be bestowed upon such men who are certified ordained ministers in the Lutheran Church and confess all the Canonical Books of the Old and New Testaments as the inspired, infallible, inerrant Word of God and all the Symbolical Books of the Evangelical Lutheran Church (ref. Article III) as the correct teachings of the doctrines of the Word of God. This shall be expressly stated in the call given him by the congregation. The Pastor must be a graduate from an LCMS, ELS, or WELS seminary, from the Walther Theological Seminary, or from a church body in fellowship with the LCMS, ELS, or WELS with at least a Master of Divinity Degree or the equivalent thereof and/or have met the educational requirements of a church body in fellowship with this congregation.
- B. The Pastor should be removed from office by the Voters' Assembly by a two-thirds (2/3) majority ballot vote, in Christian and lawful order, for any of the following reasons:
 1. Persistent adherence to false doctrine
 2. Scandalous life
 3. Willful neglect of duties
- C. The congregation may request the resignation of the Pastor from his position in case of his prolonged incapacity or manifest incompetence.
- D. The right to call, choose and accept the Pastor shall be, and remain, the sole right of the Voters' Assembly as a whole, and shall never be transferred to an individual or a smaller body within the congregation. To call a Pastor, a two-thirds (2/3) majority vote shall be required.

ARTICLE VI

DUTIES OF THE PASTOR

- A. To see that only such hymns, prayers and liturgies shall be used in the public services of the congregation and in all ministerial acts as conform to the Doctrinal Standards of Article III.
- B. Administer the Holy Sacraments and bring to the sick and infirm the consolation of the Gospel.
- C. To aid the parents in instruction of the young in true Lutheran doctrine as conform to the Doctrinal Standards of Article III.
- D. To teach youth and adult Confirmation classes.
- E. To admonish the erring, to recall the straying, to restore the fallen and watch over their souls.
- F. In general, to lead an exemplary life and perform duties incumbent upon his holy office.
- G. The Pastor, upon entering office, shall sign this Constitution, thereby pledging himself to observe the same.
- H. The Pastor shall preach and teach the Word of God in its truth and purity.

ARTICLE VII

AUTHORITY OF THE CONGREGATION

- A. In general, the Voters' Assembly, as a body, shall have supreme power to administer and manage all the congregation's property, business, external and internal affairs. The establishment and conduct of all institutions and societies within the congregation, such as Sunday School, Youth Societies, Ladies Organizations, choir, etc., shall at all times be subject to the approval and supervision of the Voters' Assembly. The Voters' Assembly, however, shall not be empowered to decide anything contrary to the Word of God and the Symbols of the Lutheran Church (Article III), and any such decisions shall be null and void. The order for church and ministry of this congregation shall be as stated in C.F.W. Walther's theology found in "Law and Gospel", his theses found in "Church and Ministry" and "The True Visible Church," and his principles for church government found in "The Form of the Christian Congregation ." We also accept the doctrine and practice of the "Brief Statement of the Doctrinal Position of the Missouri Synod [Adopted 1932]."
- B. The congregation renounces unionism and syncretism of every description such as:
 - 1. Serving congregations of mixed confession, as such, by the minister(s) of the church;
 - 2. Taking part in the services and sacramental rites of heterodox congregations or of congregations of mixed confessions; or participate in public events with heterodox clergy.
 - 3. Participating in heterodox tract and missionary activities.
- C. The congregation shall maintain the exclusive use of doctrinally pure agendas, hymn books, and catechisms in church and school.
- D. Right of Calling
The right to call, choose, and accept a Pastor, officer, teacher or any other lay worker shall be vested in the Voters' Assembly and shall be decided by a two-thirds (2/3) majority vote of the members present at a legally called meeting, unless otherwise specified by the Constitution or Bylaws. A call to a Pastor shall be issued on the basis of the call policy document.
- E. Decisions
The Word of God shall decide matters of Doctrine and conscience. Other matters shall be decided by the Voters' Assembly, by majority vote of members present at a legally called meeting, unless otherwise specified by the Constitution or Bylaws.
- F. Removal from Office
The Voters' Assembly may remove any officer, teacher or lay worker from office by ballot, in Christian lawful order, for any of the following reasons:
 - 1. Persistent adherence to false doctrine
 - 2. Scandalous life
 - 3. Willful neglect of duties
 - 4. Prolonged incapacity or general incompetence
 Such action shall, however, require a two-thirds (2/3) majority ballot vote. Such actions as named above shall be brought to the attention of the Board of Elders. If after being admonished, said person is still remiss, the Board of Elders shall make a recommendation to the Voters' Assembly for action on removal from office or position.
- G. The congregation shall operate a Sunday School with an appointed or elected Superintendent.

ARTICLE VIII

OFFICERS AND BOARDS

- A. All officers of the congregation shall be male members, 21 years of age or older.
- B. The congregation shall have at minimum the following officers and Boards and in addition to any which the congregation or Church Council deem necessary:
 - 1. Officers: a Chairman, a Vice Chairman, a Secretary, a Treasurer
 - 2. Boards: a Board of Elders, a Board of Trustees
- C. Officers and Boards shall only exercise authority as stated in the Constitution and Bylaws.

ARTICLE IX

ELECTION OF OFFICERS AND BOARDS

- A. The officers and Boards shall be elected by ballot at the regular November meeting of the Voters' Assembly. The Boards and officers-elect shall assume their respective duties the first Sunday of January. Officers shall be elected for terms specified in these Bylaws and shall hold office until

their successors take up their duties in January. Boards and officers shall be installed on the first Sunday in January.

- B. Vacancies that occur shall be filled for the remaining time of the officer's term by appointment of the President of the congregation after consultation with the Pastor.

ARTICLE X CHURCH COUNCIL

The Church Council shall consist of the Chairmen of all boards, the President, Vice President, Recording Secretary, Treasurer, and Pastor as non-voting, ex-officio. The President of the congregation shall preside over the Church Council meetings. The Church Council shall only serve in an advisory capacity.

ARTICLE XI LIMITATIONS ON HOLDING OFFICE

Officers, Boards and Chairmen of Committees shall be elected from the Voters. Chairmen of selected committees may be appointed from the Voters as determined in the Bylaws. The Boards of Elders and Trustees shall elect their Chairmen who shall be members of the Church Council.

The elected or appointed chairman of a committee may select men and women as members to the committee.

ARTICLE XII POWER OF OFFICERS

- A. The officers' responsibilities shall be such as the Bylaws of this Constitution may prescribe.
- B. Congregational officers, teachers, lay workers or committees, whether elected or appointed, shall have no authority beyond that which has been conferred upon them, and whatever authority may have been delegated to them may be altered or revoked at any time.

ARTICLE XIII SYNODICAL MEMBERSHIP

This congregation may be a member of an organization which conforms to the Congregation's Confessional Standards set forth in Article III, and only so long as such organization shall conform to that Confessional Standard. The decision as to whether to become a member of a certain organization shall be vested in the Voters' Assembly.

ARTICLE XIV PROPERTY RIGHTS

- A. If at any time in the future a division should take place in the congregation on account of doctrine or for any other reason, the property of the congregation and all benefits therewith connected shall remain with those communicant members who continue to adhere in confession and practice to Article III of this Constitution.
- B. If the parties involved in a division cannot agree on the division of property, then mutually agreeable arbiters may be enlisted for binding adjudication. If all else fails, the matter shall be settled in the civil courts, based on Article XIV of this Constitution.
- C. The remaining voting members of the congregation can transfer the property and assets to a mission church and/or churches still confessing and practicing Article III and Article VII, Doctrinal Standard and Authority of the Congregation.
- D. In the event the congregation should dissolve, the congregation retains the right to transfer, assign, or convey the property and all rights connected therewith in a manner which will best serve our Lord's Kingdom.
- E. Ownership of the property of _____ Church remains with all communicant members.

ARTICLE XV CHANGING THE CONSTITUTION AND/OR BYLAWS

- A. Articles III and XV A shall require a unanimous vote of the Voters' Assembly before they can be changed. Any change in Article III would constitute a change in the religion and faith of the congregation.

- B. Amendments
Amendments to the Constitution and/or Bylaws may be adopted at regular or special meetings of the Voters' Assembly provided the following requirements are met:
1. A proposed amendment must not conflict with the Word of God or the Symbols of the Lutheran Church as enumerated in Article III.
 2. A quorum shall be present to vote on the amendment.
 3. All voting members shall receive a copy of the proposed amendment in writing three (3) weeks in advance of the meeting in which the amendment is to be proposed.
 4. A proposed amendment to the Constitution shall receive an affirmative vote of two thirds (2/3) majority of the members present. A proposed amendment to the Bylaws shall receive an affirmative vote of two thirds (2/3) majority of the members present. In order for a proposed amendment to be enacted it must be affirmed at two consecutive regularly scheduled meetings.

ARTICLE XVI MEETINGS

- A. Regular meetings of the Voters' Assembly shall be held as determined in the Bylaws. Announcement of a regular or special meeting shall be made in the services of the two previous Sundays.
- B. Special meetings of the Voters' Assembly may be called by the President of the congregation or the Pastor. No special meeting shall be held in the absence of the Pastor, unless absolutely necessary.

ARTICLE XVII QUORUM

The voters present at a properly called meeting shall constitute a quorum to transact all business of the congregation except for the following matters: to change Synodical affiliation, the purchase or sale of buildings or land, and the calling of a Pastor or the removal of a called Pastor or Teacher from office. In the exceptional cases stated, a majority of all voting members shall be required for a quorum. In the absence of a majority, the voters present may fix the date for an adjourned meeting for which at least five (5) days written notice shall be given. The members present at such adjourned meeting shall constitute a quorum.

ARTICLE XVIII BYLAWS

The Voters' Assembly may adopt such Bylaws as the accomplishment of the purpose of its organization may demand.

ARTICLE XIX PARLIAMENTARY AUTHORITY

All questions of order in the business meetings of the Voters' Assembly shall be determined in accordance with ROBERT'S RULES OF ORDER, Revised Edition, insofar as the same are not contrary to the Constitution and Bylaws of this congregation.

Revision: added "Walther Theological Seminary" to Article V, A, March 2, 2015

Revision: Deleted "s" from "doctrines" in Article VI, Para C. Sept 8, 2014

Revisions: Added word "verbally" to Article III, Para. 1; minor grammatical corrections on January 10, 2009.