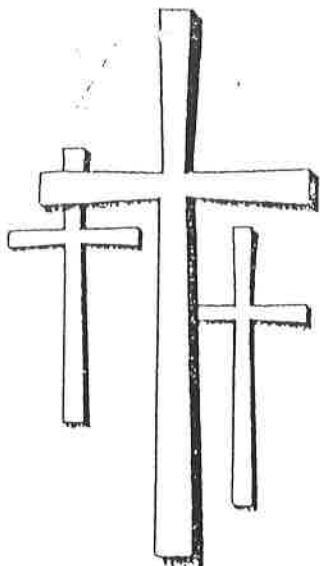


Lutheran Church of the Good Shepherd
Des Moines, Iowa

CONGREGATIONAL CONSTITUTION

August 18, 1991 .



July 17, 1991

The Rev. R. A. Nikolaisen
Lutheran Church of the Good Shepherd
3820 Southwest Ninth Street
Des Moines, Iowa 50315

Dear Pastor Nikolaisen:

Thank you for sending me the latest revision of your governing documents. They do indeed meet with my approval. I think you have done marvelous work on this project. And what I read reflects a solid structural foundation, a sense of direction and clear responsibilities, all important ingredients for an effective congregation. Inasmuch as you have cleared up most of the earlier inconsistencies or omissions, you certainly have documents which are within the parameters of ELCA expectations. I like the ways in which you made certain "wrinkles" to reflect your own unique situation and point of view. Accordingly, I can assure you of synod approval for the ratification of these documents at our next synod council meeting.

My notations within the text itself are mostly about typos or minor corrections, of which there were very few. The copy looks great, incidentally. It would appear as though you used a fine printer.

I pray for God's richest blessings upon your important ministry with and through Lutheran Church of the Good Shepherd!

Sincerely,

Pastor Don Hoornstra
for the Synod Council

cc: Mr. Bryce Willman

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

The name of this congregation shall be Lutheran Church of the Good Shepherd. For the purpose of this constitution and the accompanying bylaws, the Lutheran Church of the Good Shepherd congregation is hereinafter designated as "this congregation."

This congregation shall be incorporated under the laws of the State of Iowa.

ARTICLE II CONFESSION OF FAITH

This congregation confesses the Triune God, Father, Son, and Holy Spirit.

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.

To participate in God's mission, this congregation as a part of the Church shall:

- a. Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, and service.
- b. Proclaim God's saving Gospel of justification by grace for Christ's sake through faith alone, according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.
- c. Carry out Christ's Great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministry with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.
- d. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity and justice for all people, working for peace and reconciliation among the nations, and standing with the poor and powerless, and committing itself to their needs.
- e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.
- f. Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity which the Spirit gives.

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. 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. Enter into contract.
- j. Sue and be sued.
- k. Elect its officers, Congregation Council, boards, and committees, and require them to carry out their duties in accordance with the constitution and bylaws.
- l. Terminate its relationship with the Evangelical Lutheran Church in America as provided in Article VI.

ARTICLE VI CHURCH AFFILIATION

This congregation shall be an interdependent part of the Evangelical Lutheran Church in America or its successor, and of the Southeastern Iowa Synod of the Evangelical Lutheran Church in America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America.

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 acknowledges its relationship with the Evangelical Lutheran Church in America in which:

- a. This congregation agrees to be responsible for its life as a Christian Community.
- b. This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.
- c. This congregation agrees to call pastoral leadership from the clergy roster of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod.

- e. A certified copy of the resolution to terminate its relationship shall be sent to the synodical bishop, at which time the relationship between this congregation and ELCA shall be terminated.
- f. Notice of termination shall be forwarded by the synodical bishop to the secretary of this church and published in the periodical of this church.

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

ARTICLE VII PROPERTY OWNERSHIP

If this congregation ceases to exist, title to undisposed property shall pass to the Southeastern Iowa Synod of the Evangelical Lutheran Church in America.

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.

If a two-thirds majority of the voting members of this congregation present at a regularly called and conducted special meeting of this congregation vote to transfer to another Lutheran church body, title to 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 Southeastern Iowa Synod.

If a two-thirds majority of the voting members of this congregation present at a regularly called and conducted special meeting of this congregation vote to become independent or relate to a non-Lutheran church body, title 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 the congregation by the established synodical process, may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of the congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America.

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

- a. Death;
- b. Resignation;
- c. Transfer or release, as provided in the bylaws; or
- d. Disciplinary action by the Congregation Council.

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

ARTICLE IX THE PASTOR

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

Only a member of the clergy roster of the Evangelical Lutheran Church in America or a person who has been recommended for it by the synodical bishop may be called as a pastor of this congregation.

Consistent with the faith and practice of the Evangelical Lutheran Church in America, every ordained minister shall preach the Word, administer the sacraments, conduct public worship, provide pastoral care, and shall speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world. Each ordained minister with a congregation call shall, within the congregation, offer instruction, confirm, marry, visit the sick and distressed, and bury the dead; supervise all schools and organizations of the congregation; shall install regularly elected members of the Congregation Council, and with the council administer discipline. Every pastor shall seek out and encourage qualified persons to prepare for the ministry of the Gospel and strive to extend the Kingdom of God in the community, in the nation, and abroad; shall impart knowledge of this church and its wider ministry through distribution of its periodicals and other publications; and shall endeavor to increase the support given by the congregation to the work of the Evangelical Lutheran Church in America and of the synod of the ELCA.

The specific duties of the pastor, compensation, and other matters pertaining to the service of the pastor shall be included in a letter of call.

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

At a time of pastoral vacancy, an interim pastor may be appointed by the bishop of the synod with the consent of this congregation or the Congregation Council.

During the period of service, an interim pastor shall have the rights and duties of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of this congregation or Congregation Council. The interim pastor and any ordained pastor providing assistance shall refrain from exerting influence in the selection of a pastor.

This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation.

When a pastor is called to serve in company with another pastor or pastors, the privileges and responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted in consultation involving the pastors, the congregation council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.

**ARTICLE XI
OFFICERS**

The officers of this congregation shall be a president, vice-president, secretary, and treasurer.

- a. Duties of the officers shall be specified in the bylaws.
- b. The officers shall be voting members of the congregation.
- c. Officers of this congregation shall serve similar offices of the Congregation Council and shall be voting members of the Congregation Council.

The Congregation shall elect its officers, and they shall be the officers of the congregation. The officers shall be elected by written ballot and shall serve according to the bylaws. Their terms shall begin at the close of the meeting at which they are elected.

No officer shall hold more than one office at a time. No elected officer shall be eligible to serve more than two consecutive terms in the same office.

**ARTICLE XII
CONGREGATION COUNCIL**

The Congregation Council shall operate according to the bylaws.

Any voting member of the congregation may be elected to the Congregation Council, subject only to the limitation on the length of continuous service permitted in that office. A member's place on the Congregation Council shall be declared vacant if the member (a) ceases to be a voting member of this congregation or (b) is absent from four successive regular meetings of the Congregation Council without cause.

As defined in bylaws

The members of the Congregation Council except the pastor(s) shall be elected by written ballot, with lengths of terms specified in the bylaws. Such members shall be eligible to serve no more than two full terms consecutively. Their terms shall begin at the close of the annual meeting at which they are elected.

- b. The Congregation Council shall not have the authority to buy, sell, or encumber real property unless specifically authorized to do so by a meeting of the congregation.
- c. The Congregation Council may enter into contracts of up to \$2,000 for items not included in the budget.
- d. The Congregation Council shall prepare an annual budget for adoption by this congregation, shall supervise the expenditure of funds in accordance therewith following its adoption, and may incur obligations more than \$2,000 in excess of the anticipated receipts only after approval by a Congregation Meeting. The budget shall include this congregation's full indicated share in support of the wider ministry being carried on in partnership with the synod and churchwide organization.
- e. The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of benevolence monies to the synodical treasurer.
- f. The Congregation Council shall be responsible for this congregation's investments and its total insurance program.

The Congregation Council shall see that the provisions of this constitution and its bylaws are carried out.

The Congregation Council shall provide for an annual review of the membership roster.

The Congregation Council shall be responsible for the appointment and supervision of the salaried lay workers of this congregation.

The Congregation Council shall submit a comprehensive report to this congregation at the annual meeting.

A quorum for the transaction of business shall consist of a majority of the members of the Congregation Council, including the pastor or interim pastor, except when such person requests or consents to be absent and has given prior approval to an agenda of routine matters which shall be the only business of the meeting.

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.

A member charged with the offense shall appear before the Congregation Council having received a written notice, specifying the exact charges that have been made against the member, at least 10 days prior to the meeting.

Should the allegations be sustained by a two-thirds majority vote of the Congregation Council, 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.

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.

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.

ARTICLE XVI BYLAWS

This congregation may adopt bylaws. No bylaw may conflict with this constitution.

Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a two-thirds vote of those voting members present and voting.

Changes to the bylaws may be proposed by any voting member provided, however, that such additions or amendments be submitted in writing to the Congregation Council at least 60 days before a regular or special Congregation Meeting called for that purpose and that the

BYLAWS

PART I - COMMUNION PARTICIPATION

- A. Participation in Holy Communion shall be open to members of this congregation and to individual members of other congregations who accept the Lutheran teaching with regard to Holy Communion as set forth in the next paragraph.
- B. Holy Communion requires faith in Jesus Christ as Savior, repentance, and acceptance of the scriptural teaching of the Real Presence of Christ with His body and blood in the Sacrament. Such registration forms or oral announcements shall be used as will make prospective participants aware of these requirements.
- C. Record of participation in Holy Communion shall be maintained. If a member of another congregation communes, notice shall be sent to that pastor of their congregation.

PART II - MEMBERSHIP

- A. The Congregation Council shall determine the roster of voting members of the congregation in accordance with the provisions of the constitution and bylaws.
- B. Release from Membership
 - 1. A confirmed member in good standing desiring to change membership to another Lutheran congregation shall, upon request, receive a Letter of Transfer.
 - 2. Ministry to members who have broken their relationship with Lutheran Church of the Good Shepherd (as evidenced by lack of communion participation or financial support during the past two years) yet continue on the membership roster shall be carried out according to the following procedure:
 - a. Identify such people prior the November meeting. These people become the "responsibility list" for special concern.
 - b. Send letters to those who no longer live in Des Moines.
 - c. Contact those who reside in the Des Moines area. The pastor, Congregation Council members, or designated visitors will be responsible for making these calls.

PART V - OFFICERS AND COMMITTEES

A. Membership and meetings of the Congregation Council

1. The Congregation Council shall be composed of the president; vice-president; secretary; treasurer; pastor; and the committee chairperson of the Property Management Committee, Christian Education Committee, Evangelism Committee, Worship and Music Committee, and Stewardship and Finance Committee. The term of service will be:

President, Vice-President, Secretary - one year

Treasurer - 2 years

Chairpersons of the following committees: Property Management, Christian Education, Evangelism, Stewardship and Finance, and Worship and Music - two years

All officers and chairpersons will be elected by the congregation at its annual May meeting.

2. An Executive Committee will consist of the President, Vice-President, Secretary, Treasurer, and Pastor.
3. The pastor shall be an ex-officio member of all boards and committees of the congregation and its auxiliary organizations.
4. If a vacancy occurs on the Congregation Council, the Council shall fill the vacancy until the next annual meeting of the congregation. Should the unexpired term be one year or less, it shall not be considered in determining eligibility for succession.
5. Meetings of the Congregation Council shall normally be held each month. The committee chairpersons shall submit committee minutes to the Council meeting.
6. A quorum for any regular or special meeting of the Congregation Council shall be a majority of its membership. In addition, a committee member duly appointed by absent chairpersons may represent that committee as a voting member of any such meeting.
7. A special meeting of the Congregation Council may be called by the Pastor, the President, or any three of its members. Notice of such meeting shall be given to each member.

B. General Duties of the Congregation Council

In conducting the business affairs of the congregation, the Congregation Council will do (but not limit itself to) the following:

2. Vice-President

- a. The Vice-President shall preside over meetings of the congregation council in the absence of the president. The Vice-President shall assist the president in any manner deemed necessary.
- b. The Vice-President shall serve as a member of the Stewardship and Finance Committee and chairperson of the Nominating Committee.

3. Secretary

- a. The secretary shall record the proceedings of the congregation council and congregational meetings and submit minutes to the council.
- b. The secretary shall be the custodian of the church records pertaining to this office and at the expiration of his or her term of office shall deliver them to the successor.
- c. The secretary shall perform such other duties as shall be delegated by the congregation council. He or she shall compile an abbreviated form of the council minutes for the newsletter.

4. Treasurer

- a. The treasurer shall maintain accurate records regarding our financial situation and disburse funds under the direction of the congregation council.
- b. A copy of the monthly treasurer's report shall be submitted to the council.
- c. Financial records should be audited yearly.

5. Christian Education Committee

- a. The Christian Education Committee shall develop effective teaching ministry, which includes training teachers and leaders and providing opportunity for study for every member of the congregation through its teaching agencies. It shall also select a Sunday School superintendent and teachers, and organize and supervise the Vacation Bible School. It shall arrange for the ordering of material and any additional information necessary to increase Biblical awareness.

- d. The Stewardship and Finance Committee shall supervise the mailing of quarterly reports of contributions to members and will concern itself with the proper follow-up of pledges not met for the year.
9. Worship and Music Committee
 - a. The Worship and Music Committee shall assist the Congregation council and congregation in seeing that the services of worship are conducted regularly and in accordance with the ELCA policy.
 - b. The Worship and Music Committee shall supervise the activities of the Altar Guild, ushers, choir, youth band, youth choir, organists and choir director.
 10. The Nominating Committee shall be comprised of the president, vice-president and pastor.
 11. Additional duties and responsibilities of officers and committees shall be contained in a "Responsibilities Manual." This manual is reviewed annually by the Congregation Council in order to maintain current status.

PART VII - PARISH RECORDS

- A. The records of the congregation shall be and remain the property of the congregation. The pastor shall be responsible for the maintenance of the records, except as otherwise provided herein. Upon termination of a pastor's service to the congregation, the records shall have been brought up to date prior to departure. The records shall consist of:
 1. The roster of baptized, confirmed and voting members
 2. The ministerial acts performed by the pastor
 3. The minutes and reports of the Synod
 4. The minutes of the meetings of the Congregation and the Congregation Council, for which the secretary of the congregation shall be responsible
 5. The financial records of the congregation, for which the treasurer of the congregation shall be responsible.
- B. The pastor shall report to the synodical officer such statistics as may be requested and shall annually report to the congregation a summary of ministerial acts.
- C. Should the congregation be dissolved, the official records of the congregation shall be deposited in the archives of the Evangelical Lutheran Church in America.