CONSTITUTION

for

EPIPHANY LUTHERAN CHURCH OF POWELLNARON

EVANGELICAL LUTHERAN CHURCH IN AMERICA

2018
# TABLE OF CONTENTS

*PREAMBLE* 1

Chapter 1 - NAME AND INCORPORATION 1

Chapter 2 - CONFESSION OF FAITH 1

Chapter 3 - NATURE OF THE CHURCH 2

Chapter 4 - STATEMENT OF PURPOSE 2

Chapter 5 - POWERS OF THE CONGREGATION 4

Chapter 6 - CHURCH AFFILIATION 5

Chapter 7 - PROPERTY OWNERSHIP 7

Chapter 8 - MEMBERSHIP 8

Chapter 9 - THE PASTOR ROSTERED MINISTER 10

Chapter 10 - CONGREGATION MEETING 16

Chapter 11 - OFFICERS 17

Chapter 12 - CONGREGATION COUNCIL 18

Chapter 13 - CONGREGATION COMMITTEES 21

Chapter 14 - ORGANIZATIONS WITHIN THE CONGREGATION 30

Chapter 15 - DISCIPLINE OF MEMBERS AND ADJUDICATION 31

Chapter 176 - AMENDMENTS 33

Chapter 17 - BYLAWS 34

Chapter 18 - CONTINUING RESOLUTIONS 34

Chapter 19 - INDEMNIFICATION 35

APPENDIX A – CODIFICATION EXPLANATION 1
CONSTITUTION
for
EPIPHANY LUTHERAN CHURCH OF POWELLNARON
EVANGELICAL LUTHERAN CHURCH IN AMERICA

2013

*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 Epiphany Lutheran Church of Powellnaron.

C1.02. For the purpose of this constitution and the accompanying bylaws, the congregation of Epiphany Lutheran Church of Powellnaron, Inc. is hereinafter designated as "this congregation".

C1.11. This congregation was incorporated under the laws of the State of Maryland. The seal of this congregation presents a circle within a circle. In the inner circle shall be the words "INCORPORATED 1908 BALTIMORE, MD." and in the outer circle shall be the words "EPIPHANY LUTHERAN CHURCH OF POWELLNARON".

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 Scriptures 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. 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.

*C3.035. 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.

Chapter 4 - STATEMENT OF PURPOSE

*C4.01. The Church is a people created by God in Christ, empowered by the Holy Spirit, called and sent to bear witness to God's creative, redeeming, and sanctifying activity in the world.

*C4.02. To participate in God's mission, this congregation as a part of the Church shall:

a. Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, and service.
b. Proclaim God's saving Gospel of justification by grace for Christ's sake through faith alone, according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.

c. Carry out Christ's Great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministry with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.

d. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity and justice for all people, working for peace and reconciliation among the nations, and standing with the poor and powerless, and committing itself to their needs.

e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.

f. Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity which the Spirit gives.

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

a. Provide services of worship at which the Word of God is preached and the sacraments are administered.

b. Provide pastoral care and assist all members to participate in this ministry.

c. Challenge, equip, and support all members in carrying out their calling in their daily lives and in their congregation.

d. Teach the Word of God.

e. Witness to the reconciling Word of God in Christ, reaching out to all people.

C4.03.e.A01 Become a "Reconciled in Christ" congregation.

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

The mission statement of Epiphany Lutheran Church is "It is our mission to proclaim the message that GOD IS LOVE to our community in word and deed".

References herein to the nature of the relationship between the three expressions of this church—congregations, synods, and the churchwide organization—as being interdependent or as being in a partnership relationship describe the mutual responsibility of these expressions in God's mission and the fulfillment of the purposes of this church as described in this chapter, and do not imply or describe the creation of partnerships, co-ventures, agencies, or other legal relationships recognized in civil law.

Chapter 5 - POWERS OF THE CONGREGATION

The powers of this congregation are those necessary to fulfill its purpose.

The powers of this congregation are vested in the Congregation Meeting called and conducted as provided in this constitution and bylaws.

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 a minister of Word and Service;

d. or: call 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;

de. adopt amendments to the Constitution, as provided in Chapter 17, and amendments to the bylaws, as specified in Chapter 17, and continuing resolutions, as provided in Chapter18;

ef. approve the annual budget;

fg. acquire real and personal property by gift, devise, purchase, or other lawful means;

gh. hold title to and use its property for any and all activities consistent with its purpose;

hi. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;

ij. elect its Congregation Council, Permanent Endowment Fund committee and E. Warren Colehower committee, and require them to carry out their duties in accordance with the constitution, bylaws and continuing resolutions; and

jk. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.
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 Delaware-Maryland Synod of the Evangelical Lutheran Church in America.

The expenses incurred by such delegates in connection with their attendance shall be paid by the congregation.

Chapter 6 - CHURCH AFFILIATION

This congregation shall be an interdependent part of the Evangelical Lutheran Church in America or its successor, and of the Delaware-Maryland 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 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.

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.

Affiliation with the Evangelical Lutheran Church in America may be terminated as follows:

a. This congregation takes action to dissolve.

b. This congregation ceases to exist.

c. This congregation is removed from membership in the Evangelical Lutheran Church in America.
America according to the procedures for discipline of the Evangelical Lutheran Church in America.

d. This congregation follows the procedures outlined in *C6.05.

*C6.05.*

This congregation may terminate its relationship with this church the Evangelical Lutheran Church in America by the following procedure:

a. A resolution indicating the intent to terminate its relationship must be adopted at a legally called and conducted special meeting of this congregation by a two-thirds majority 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 eCongregation eCouncil. Unless he or she is a voting member of the congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the meeting.

b. The secretary of this 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 this congregation. This notice shall be submitted within 10 days after the resolution has been adopted.

c. The bishop of the synod and the congregation shall continue in consultation, as specified in paragraph a. above, during a period of at least 90 days after receipt by the synod of the notice as specified in paragraph b. above.

d. If this 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.

e. A copy of the resolution, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, shall be sent to the bishop within 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.

f. Notice of termination shall be forwarded by the bishop to the secretary of this church the ELCA, who shall report the termination to the Churchwide Assembly.

g. This congregation shall abide by these covenants by and among the three expressions of this church:

1) 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.
2) 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.

3) 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.

h. If a this congregation fails to achieve the required two-thirds vote of the 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 this congregation fails to achieve the required two-thirds vote of the voting members present at the congregation's second meeting as specified in paragraph d. above, another attempt to consider termination of relationship with this church must follow all requirements of *C6.05. and may begin no sooner than six months after that second meeting.

*C6.06. If this congregation considers relocation, it shall confer with the bishop of the synod in which it is territorially located and the appropriate program unit of the churchwide organization before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is effected.

*C6.07. If this congregation considers developing an additional site to be used regularly for worship, it shall confer with the bishop of the synod in which it is territorially located and the appropriate program unit of the churchwide organization before any steps are taken leading to such action.

Chapter 7 - PROPERTY OWNERSHIP

*C7.01. If this congregation ceases to exist, title to undisposed property shall pass to the Delaware-Maryland 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 Delaware-Maryland 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.

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 this 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 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 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. They 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.

*C8.03. All applications for confirmed membership shall be submitted to and shall require the approval of the Congregation Council.

*C8.03.01 In the event that the Congregation Council shall refuse to approve an application for confirmed membership, the Congregation Council shall inform the applicant in writing of the reasons for its action and the procedure to be followed in the event an appeal is made; such procedure shall be in harmony with the appeal procedure for a member of the congregation who has been placed under discipline.

*C8.04. It shall be the privilege and duty of members of this congregation to:

a. make regular use of the means of grace, both Word and sacraments;

b. live a Christian life in accordance with the Word of God and the teachings of the Lutheran church; and

c. support the work of this congregation, the synod, and the churchwide organization of the Evangelical Lutheran Church in America through contributions of their time, abilities, and financial support as biblical stewards.

*C8.05. Membership in this congregation shall be terminated by any of the following:

a. death;

b. resignation;

c. transfer or release;

d. disciplinary action by the Congregation Council in accordance with ELCA constitutional provision 20.41. and the accompanying bylaws; or

e. removal from the roll due to inactivity as defined in the bylaws in accordance with the provisions of this constitution and its bylaws.

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

*C8.05.01 When a member has failed to make a contribution of record and has not communed during the current or preceding year, their name shall be submitted to the Congregation Council for its approval to change the membership classification to “inactive” and, following such approval, the member shall be removed from the rolls. The pastor and/or the Congregation Council shall notify the member in writing of this change to inactive status.
Despite this change in classification, the member will continue to be on the mailing list for a period of one year from the date of notification. We would hope and pray that during this year the member would reactivate membership either through communing or contributing. If the member does seek to become active, he/she would be reinstated automatically as a voting member. If the member takes no action on reinstatement, he/she would be dropped from the mailing list at the end of the one year period.

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 the Congregation Council to recommend the call, shall seek the advice and help of the bishop of the synod.

C9.01.01 Election of a Pastor shall be by written ballot at a properly called congregation meeting presided over by the bishop of the synod or the bishop's appointee. Balloting shall be limited at any one meeting to a single nomination presented by the Congregation Council with at least two-thirds of its members concurring. Two-thirds of the votes cast shall be necessary for election. After the congregation has determined the salary and other emoluments to be offered to the pastor-elect, the Congregation Council shall execute a call accordingly and forward the same to the pastor-elect. Unless otherwise agreed, the call shall normally become invalid unless a definite answer is received within thirty days after its receipt. If a nominee fails election or declines the call, the Congregation Council shall make another nomination at a subsequent meeting.

C9.01.02 As soon as practicable after beginning work in the congregation, a pastor shall be duly installed in office by the bishop of the synod or the bishop's appointee.

*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:
   1) preach the Word;
   2) administer the sacraments;
   3) conduct public worship;
   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 though 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:
   1) offer instruction, confirm, many, visit the sick and distressed, and bury the dead;
   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 Delaware-Maryland Synod of the ELCA.

*C9.04. The specific duties of the pastor, compensation, and other matters pertaining to the service of the pastor shall be included in a letter of call, which shall be attested by the bishop of the synod.

*C9.05. 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 this congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which, except in the case of the shall be terminated only by death of the pastor or shall be terminated only following consultation with the synodical bishop, and for the following reasons:
   1) mutual agreement to terminate the call or the completion of a call for a specific term;
   2) resignation of the pastor, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
   3) inability to conduct the pastoral office effectively in the congregation in view of local conditions, without reflection on the competence or the moral and spiritual character of the pastor;
   4) the physical disability or mental incapacity of the pastor;
   5) disqualification-suspension of the pastor through discipline on grounds of doctrine, morality, or continued neglect of duty for more than three months;
   6) resignation or removal of the pastor from the roster of Ministers of Word and Sacrament of this church;
   7) termination of the relationship between this church and the congregation;
   8) the dissolution of the congregation or the termination of a parish arrangement; or
   9) suspension of the congregation as a result of through discipline proceedings for more than six months.

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 the 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 the congregation, the bishop personally shall, investigate such conditions personally in company 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 testimony shall
be obtained opinion concerning the pastor’s condition. When such a disability or incapacity is evident to the committee, the bishop of the synod with the advice of the committee shall may declare the pastorate vacant. 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 the restoration of a disabled removal of the disability and the restoration of the pastor to health, the bishop of the synod shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another field of labor appropriate call.

d. In the case of alleged local difficulties that imperil the effective functioning of the congregation under paragraph a.3) above all concerned persons shall be heard, after which the bishop of the synod together with the committee described in *C9.05.b. shall decide on the course of action to be recommended to the pastor and the congregation. If they 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 pastor and then to the congregation. The recommendations of the bishop’s committee must address whether the pastor’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 the congregation and by the pastor, if appropriate. If the pastor and congregation agree to carry out such recommendations, no further action shall be taken by the synod.

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 *C9.05.d., 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 to the synodical bishop, who may bring charges in accordance with the provisions of the this church’s constitution and, bylaws, and continuing resolutions of the Evangelical Lutheran Church in America and the constitution of this synod.

g. If, following the appointment of the committee described in *C9.05.b. or d., it should become apparent that the pastoral office cannot be conducted effectively in the congregation 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 synodical and churchwide fund and with housing provided by the congregation.

*C9.06. At a time of pastoral vacancy, an interim pastor shall be appointed by the bishop of the synod with the consent of this congregation or the Congregation Council.

*C9.07. During the period of service, an interim pastor shall have the rights and duties in the congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or Congregation Council. The interim pastor and any ordained pastor 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.
**C9.08.** This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting related to the Evangelical Lutheran Church in America.

**C9.09.** When a pastor is called to serve in company with another pastor or pastors, the privileges and responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted in consultation involving the pastors, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.

**C9.11.** With the approval of the bishop of the synod, the congregation may depart from *C9.05.a. and call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the pastor and representatives of the congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of *C9.05.a.

**C9.12.** The pastor of this congregation:

a. shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation;

b. shall submit a summary of such statistics annually to the synod;

c. shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations; and

d. shall be the custodian of the seal.

**C9.152.A01** The Reverend John Yost, Jr. has been bestowed the title of Pastor Emeritus with no duties and with the support of the Congregation Council.

**C9.13.** The pastor(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.

**C9.14.** The parochial records of this congregation shall be maintained by the pastor and shall remain the property of the congregation. The secretary of this congregation shall attest in writing to the bishop of this synod that such records have been placed in his or her hands in good order by a departing pastor before the installation of that pastor in another field of labor or the granting by the synod of retired status to the pastor.

**C9.20** Ecumenical pastoral ministry

**C9.2115.** 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.
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 the Congregation Council to recommend the call, shall seek the advice and help of the bishop of the synod.

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.

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.**

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.

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
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 majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.

de. 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.

Chapter 10 - CONGREGATION MEETING

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

C10.01.01 The annual meeting of this congregation shall be held in September, on a date set by the Congregation Council.

C10.01.02 At the annual meeting, the pastor(s), the treasurer, and the officers of the various organizations and schools within the congregation shall submit reports in writing. The budget shall also be presented for approval.

C10.02. A special Congregation Meeting may be called by the pastor, the Congregation
Council, or the president of this congregation, and shall be called by the president of the congregation upon the written request of ten percent of the voting members. The president of the Congregation Council shall call a special meeting upon request of the synodical bishop. The call for each special meeting shall specify the purpose for which it is to be held and no other business shall be transacted.

C10.02.01 In the event that a special Congregation meeting fails to obtain a quorum, the Congregation Council shall be automatically authorized to decide the matter for which the meeting was called, except when a proposed amendment to the Constitution is a subject for which the meeting was called.

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 posted at least fourteen 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.

C10.04. Ten percent of the voting members shall constitute a quorum.

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

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


Chapter 11 - OFFICERS

C11.01. 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. The position of treasurer shall be a paid position. The treasurer shall have a voice but not vote at the meetings of the Congregation Council.

C11.01.01 The treasurer of this congregation shall make disbursements from the respective funds according to the direction of the congregation or the Congregation Council. This person shall keep proper accounts of all receipts and disbursements, except those of the Permanent Endowment Fund, Hightman Fund and Colehower Fund. A monthly report shall be submitted to the Congregation Council as to the financial condition of the congregation as well as an annual report to the congregation at the annual meeting rendering an accurate count, duly audited, of all monies received and payments made.

C11.01.02 All financial transactions of this congregation, except those of the Permanent Endowment Fund, Hightman Fund and Colehower Fund, shall require the signature of two of the following three officers: treasurer, president or vice president.

C11.02. The Congregation Council shall elect its officers-president, vice president and secretary. They shall also 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.

C11.02.01 The Congregation Council shall meet immediately following the annual congregation meeting for the purpose of electing officers. The presiding officer shall be the retiring president or vice president or a temporary chairman selected by vote.

C11.02.02 The president of the Congregation Council shall:

a. preside at all meetings of the congregation and the congregation council;

b. be an ex-officio member of all committees;

c. prior to the first regular congregation council meeting following election and in consultation with the Executive Committee, appoint from the voting members of the congregation and the congregation council as many congregation committees as the interests of the church may require;

d. appoint the required voting members (delegates) to those synod meetings as described in *C5.04; and

e. be responsible to see that all members of the congregation council have a copy of the Constitution and review the contents with them.

C11.02.03 The vice president of the Congregation Council shall:

a. exercise the duties of the president in his/her absence or when requested; and

b. be chairman of the Nominating Committee.

C11.02.04 The secretary of the Congregation Council shall:

a. record the minutes of all meetings of the congregation and of the congregation council;

b. inscribe upon the pages of the minute book the current Constitution with Bylaws and amendments. A copy of this shall be at all meetings of the congregation and congregation council; and

c. appoint a temporary chairman for the congregation meeting or the congregation council meeting, in the absence of the president and the vice president.

C11.03. No officer shall hold more than one office at a time.

Chapter 12 - CONGREGATION COUNCIL

C12.01. The voting membership of the Congregation Council shall consist of the pastor(s), and fifteen twelve elected members of the congregation. Any voting member of the congregation eighteen years of age or older may be elected, subject only to the limitation on the length of continuous service permitted in that office. A member's place on the Congregation Council shall be declared vacant if the member a) ceases to be a voting member of this congregation or b) is absent from four successive regular meetings of the Congregation Council without cause. Consistent with the laws of the state in which the
congregation is incorporated, the congregation may adopt procedures for the removal of a member of the Congregation Council in other circumstances.

**C12.01.A18** To allow elected members to serve their full terms, the total number of elected members on the Congregation Council may exceed twelve members until the election at the Annual Congregation Meeting in the year 2020.

C12.02. The members of the Congregation Council except the pastor(s) shall be nominated and elected at the regular annual congregational meeting. The Congregation Council shall place in nomination at least five candidates to fill the vacancies from expired terms. Nominations may be made from the floor provided that the nominee(s) shall have consented to serve if elected. Elections shall be by ballot, by majority vote and for a term of three years: the term of one-third of the elected membership shall expire each year. Their terms shall begin at the close of the annual meeting at which they are elected. A member shall not be eligible for reelection until one year after the completed term.

C12.02.01 No elected member of the Congregation Council shall be a paid employee of Epiphany Lutheran Church.

C12.02.02 All newly elected members of the Congregation Council shall be installed by the pastor on the Sunday following their election or as soon thereafter as possible.

C12.03. Should a member's place on the Congregation Council be declared vacant, the Congregation Council shall elect, by majority vote, a successor to fill the unexpired term.

C12.04. The Congregation Council shall have general oversight of the life and activities of this congregation, and in particular its worship life, to the end that everything be done in accordance with the Word of God and the faith and practice of the Evangelical Lutheran Church in America. The duties of the Congregation Council shall include the following:

a. To lead this congregation in stating its mission, to do long-range planning, to set goals and priorities, and to evaluate its activities in light of its mission and goals.

b. To seek to involve all members of this congregation in worship, learning, witness, service, and support.

c. To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.

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

e. To be examples individually and corporately of the style of life and ministry expected of all baptized persons.

f. To promote a congregational climate of peace and goodwill, and, as differences and conflicts arise, to endeavor to foster mutual understanding.

g. To arrange for pastoral service during the sickness or absence of the pastor.

h. To emphasize partnership with the synod and churchwide organization of the Evangelical Lutheran Church in America as well as cooperation with other congregations, both
Lutheran and non-Lutheran, subject to established policies of the synod and the Evangelical Lutheran Church in America.

i. To recommend and encourage the use of program resources produced or approved by the Evangelical Lutheran Church in America.

j. To seek out and encourage qualified persons to prepare for the ministry of the Gospel.

C12.05. The Congregation Council shall be responsible for the financial and property matters of this congregation.

a. The Congregation Council shall be the board of trustees of this congregation, and as such shall be responsible for maintaining and protecting its property and the management of its business and fiscal affairs. It shall have the powers and be subject to the obligations that pertain to such boards under the laws of the State of Maryland, except as otherwise provided herein.

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 not expend more than Seven Thousand Five Hundred dollars ($7,500.00) Ten Thousand dollars ($10,000) for items not included in the budget, except in the case of an emergency to protect life or the property of the Church, without the consent of the congregation.

d. The Congregation Council shall prepare an annual budget for adoption by this congregation and shall supervise the expenditure of funds in accordance therewith following its adoption. The budget shall include this congregation's share in support of the wider ministry being carried on in partnership with the synod and churchwide organization.

e. The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of benevolence monies to the synodical treasurer.

f. The Congregation Council shall be responsible for this congregation's investments and its total insurance program.

C12.06. The Congregation Council shall see that the provisions of this constitution, and its bylaws, and the continuing resolutions are carried out.

C12.07. The Congregation Council shall provide for an annual review of the membership roster.

C12.08. The Congregation Council shall be responsible for the employment and supervision of the salaried lay workers staff of this congregation. Nothing in this provision shall be deemed to affect the congregation’s responsibility for the call, terms of call, or termination of call of any employees who are on a roster of this church.

C12.08.A01 During the months of July and August, the Office Administrator may work Mondays and Fridays from 9 a.m. to 12 noon and Tuesdays, Wednesdays and Thursdays from 9 a.m. to 3 p.m., if they he or she so desire.
C12.09. The Congregation Council shall submit a comprehensive report to this congregation at the annual meeting.

C12.11. The Congregation Council shall normally meet once a month except during July and August. Special meetings may be called by the pastor or the president, and shall be called by the president at the request of at least one-third of its members. Notice of each special meeting shall be given to all who are entitled to be present.

C12.12. A quorum for the transaction of business shall consist of two-thirds a majority of the elected members of the Congregation Council, including the pastor or interim pastor, except when the pastor or interim pastor requests or consents to be absent and has given prior approval to the agenda for a particular regular or special meeting, which shall be the only business considered at that meeting. Chronic or repeated absence of the 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.

C12.12.01 The Order of Business shall be:

a. Call to order with devotions
b. Roll call and reception of excuses for absences
c. Reading of minutes
d. Reception of petitions and communications
e. Report of the treasurer
f. Report of council committees
g. Report of special committees
h. Other reports
i. Unfinished Business
j. New Business
k. Adjournment with prayer.

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.

Chapter 13 - CONGREGATION COMMITTEES

C13.01. The officers of this Congregation Council and the pastor(s) shall constitute the Executive Committee.

C13.01.01 The president of the Congregation Council and the pastor(s) shall be ex-officio members of all committees.

C13.02. An Adult Discipleship Committee composed of at least three voting members, shall be chaired by a member of the Congregation Council. A Nominating Committee of at least two outgoing members of the Congregation Council, shall be appointed by the Congregation Council at least 90 days prior to the Congregational Meeting. The vice president of the Congregation Council shall serve as the chair.

C13.02.01 The Adult Discipleship Committee's focus will be on the Christian education and fellowship of the adult membership. The Nominating Committee is responsible to identify voting members willing to serve on the Congregation Council, as well as the
Permanent Endowment Fund, Hightman Fund and Colehower Fund. The announcement of the nominees to the congregation should occur in conjunction with the announcement of the Congregational Meeting at which the elections are to take place.

C13.03. An Audit Committee, composed of at least three voting members, shall be appointed by the Congregation Council each year. Audit Committee members shall not be members of the Congregation Council and should have some experience with accounting principles – such as that gained through bookkeeping, office management, etc. – professional certification is not required. Term of office shall be three years, with at least one member appointed each year. Members shall be eligible for reappointment.

C13.03.01 The Audit Committee is responsible to audit the books of the congregation and its various funds and organizations as necessary prior to the annual meeting. The Audit Committee duties and responsibilities shall generally be consistent with those outlined in the Congregational Audit Guide (see the ELCA website for the latest version).

C13.04. An Archives Committee, composed of at least three voting members, shall be sanctioned by the Congregation Council. 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 and the rostered minister. Term of office shall be two years, with three members to be appointed each successive year.

C13.04.01 The Archives Committee is to organize and care for the permanent records, pictures and memorabilia of the congregation. They will oversee who shall be given access to our documents. The Mutual Ministry Committee is to act as the intermediary between the rostered minister(s) and the congregation. This committee will be exempt from maintaining written records.

C13.05. A Children's Discipleship Committee, composed of at least three voting members, shall be chaired by a member of the Congregation Council. When a pastoral vacancy occurs, a Call Committee of at least six voting members shall be elected by the Congregation Council. Term of office will terminate upon installation of the newly called pastor.

C13.05.01 The Children's Discipleship Committee is to oversee the promotion and conduct of the schools of the congregation. It shall also oversee the Christian educational and fellowship activities of all organizations within the congregation dealing with all children.

C13.06. A Communications Committee, composed of at least three voting members, shall be chaired by a member of the Congregation Council. Other committees of this congregation may be formed, as the need arises, by decision of the Congregation Council.

C13.06.01 The Communications Committee is responsible for promoting, publishing and advertising all activities and functions of this congregation.

C13.07. A Community Life Committee of at least three voting members shall be appointed by the Congregation Council. Duties of committees of this congregation shall be specified in the continuing resolution.

C13.07.01 The Community Life Committee will be responsible for all social functions held and will encourage fellowship among all our members. The Adult Discipleship Committee's focus will be on the Christian education and fellowship of the adult membership.
C13.07.B18  The Archives Committee is to organize and care for the permanent records, pictures and memorabilia of the congregation. It will oversee who shall be given access to our documents.

C13.07.C18  The Children's Discipleship Committee is to oversee the promotion and conduct of the schools of the congregation. It shall also oversee the Christian educational and fellowship activities of all organizations within the congregation dealing with all children.

C13.07.D18  The Communications Committee is responsible for promoting, publishing and advertising all activities and functions of this congregation.

C13.07.E18  The Community Life Committee will be responsible for all social functions held and will encourage fellowship among all our members.

C13.07.F18  The Evangelism & Outreach Committee will guide in the work of finding new members, build a responsibility list and with the aid of the congregation, visit, invite, telephone and in every way further the work of the Lord in this congregation.

C13.07.G18  The Finance Committee will be responsible to prepare and present the budget. It will oversee all financial affairs of the congregation. It will oversee the work of the recorder, who maintains a record of all contributions from members and accounts for all receipts.

C13.07.H18  The Facilities Committee is responsible for the care and maintenance of the buildings, grounds and all property belonging to Epiphany Lutheran Church of Powellnaron. It shall also supervise the loan of any property of this congregation.

C13.07.I18  The Facilities Committee is authorized, with Congregation Council approval of the project, to spend up to Five Thousand ($5000.00) dollars without the need for multiple bids.

C13.07.J18  The Personnel Committee is responsible to recommend employment, formulate job descriptions, draw up working rules, evaluate performance and serve as an intermediary between paid lay staff and the congregation. It also recommends salaries to be included in the budget for all paid staff of the Church.

C13.07.K18  The Social Ministry Committee extends Christian compassion and help to all persons in need, especially those of the congregation. It also keeps the congregation aware of social conditions in our community and act as our representative in these matters through Christian discussion of the facts and issues.

C13.07.L18  The Stewardship Committee promotes the Christian use of money and talents through local, national and world wide ministries. It also keeps the congregation aware of the financial status of this church.

C13.07.M18  The Worship Committee works with the rostered minister(s) and all staff pertaining to music in planning all facets of the worship services. It also coordinates ushers, lay readers, assisting ministers and altar care.

C13.07.N18  The Youth Discipleship Committee is to assist and guide our youth to active participation in the congregation. It plans and promotes activities and retreats for the youth fellowship.
C13.08. An Evangelism & Outreach Committee of at least three voting members shall be appointed by the Congregation Council. Duties of all committees not otherwise defined shall be fixed by the Congregation Council, from whom they shall receive needed guidance and instructions and by whom their acts shall be subject to review.

C13.08.01 The Evangelism & Outreach Committee will guide in the work of finding new members, build a responsibility list and with the aid of the congregation, visit, invite, telephone and in every way further the work of the Lord in this congregation. All committees (except Mutual Ministry) shall maintain a written record of its proceedings and shall pass these records from chair to chair. The chair of each committee will communicate written summaries of the committee’s activities in order to submit a written report at the monthly Congregation Council meetings.

C13.08.02 All committees will advise the Finance committee of any anticipated budget requirements when requested in order to create an accurate budget. Each fiscal year all committees will limit their spending to the adopted budget, unless approved by the Congregation Council.

C13.08.03 A voting member may serve on more than one committee at a time but is eligible to serve as the chair of only one committee related to congregational funds, Permanent Endowment, Colhower, Hightman or Finance Committee, at a time.

C13.08.A01 No meetings (except for AA and Al-Anon) may be held during Holy Week without the permission of the Congregation Council.

C13.09. A Finance Committee of at least three voting members shall be appointed by the Congregation Council.

C13.09.01 The Finance Committee will be responsible to prepare and present the budget. They will oversee all financial affairs of the congregation. They will oversee the work of the recorder, who maintains a record of all contributions from members and accounts for all receipts.

C13.10. A Facilities Committee of at least three voting members shall be appointed by the Congregation Council.

C13.10.01 The Facilities Committee is responsible for the care and maintenance of the buildings, grounds and all property belonging to Epiphany Lutheran Church of Powellnaron. They shall also supervise the loan of any property of this congregation.

C13.10.A01 The Facilities Committee is authorized, with Congregation Council approval of the project, to spend up to One Thousand Five Hundred ($1500.00) dollars without the need for multiple bids.

C13.11. A Mutual Ministry Committee shall be appointed jointly by the president and the pastor. Term of office shall be two years, with three members to be appointed each successive year.

C13.11.01 The Mutual Ministry Committee is to act as the intermediary between the pastor(s) and the congregation. This committee will be exempt from maintaining written records.

C13.12. A Nominating Committee of at least six voting members of this congregation, two of
whom, if possible, shall be outgoing members of the Congregation Council, shall be
appointed by the Congregation Council for a term of one year. The Vice President of
the Congregation Council shall serve as the chairman.

C13.12.01 The Nominating Committee is responsible to fill vacancies and nominate members for
the Congregation Council as well as the Permanent Endowment Fund, and Colehower-Fund.

C13.13. A Personnel Committee of at least three voting members shall be appointed by the
Congregation Council.

C13.13.01 The Personnel Committee is responsible to recommend employment, formulate job
descriptions, draw up working rules, evaluate performance and serve as an-
intermediary between paid lay staff and the congregation. They also recommend
salaries to be included in the budget for all paid staff of the Church.

C13.14. A Social Ministry Committee of at least three voting members shall be appointed by the
Congregation Council.

C13.14.01 The Social Ministry Committee extends Christian compassion and help to all persons in
need, especially those of the congregation. They keep the congregation aware of social-
conditions in our community and act as our representative in these matters through-
Christian discussion of the facts and issues.

C13.15. A Stewardship Committee of at least three voting members shall be appointed by the
Congregation Council.

C13.15.01 The Stewardship Committee promotes the Christian use of money and talents through-
local, national and world-wide ministries. They also keep the congregation aware of the
financial status of this church.

C13.16. A Worship Committee of at least three voting members shall be appointed by the
Congregation Council.

C13.16.01 The Worship Committee works with the pastor (s) and the Director of Music in
planning all facets of the worship services. They also work with the coordinators for
ushers, lay readers, assisting ministers and altar care.

C13.17. A Youth Discipleship Committee of at least three voting members shall be appointed by
the Congregation Council.

C13.17.01 The Youth Discipleship Committee is to assist and guide our youth to active
participation in the congregation. The committee plans and promotes activities and
retreats for the youth fellowship.

The congregation of Epiphany Lutheran Church established a fund to be designated as
"Epiphany Lutheran Church of Powellnaron - Hightman Fund"; separate and independent of
any other church fund. This fund shall be managed and administered by the Hightman Fund
committee.

C13.1809 The fund is established in memory of The Reverend Frederick A. Hightman, our founding
Pastor. It will receive gifts and will aid candidates in preparing for a full time church
vocation. "Full time church vocation" means full time rostered professionals with the
requirements for certification specified by the ELCA.

a. The Hightman Fund Committee shall consist of a pastor and four members who shall be appointed by the Congregation Council. Any voting member of the congregation eighteen years of age or older may be appointed. Term of office shall be four years, with one member appointed each year. Members of the Hightman Fund Committee are not eligible for consecutive terms.

b. The committee shall meet at least quarterly. The first meeting of the year shall be organizational. The committee shall select from its members a chairman and a recorder. Each shall serve one year and maybe selected to consecutive terms. The recorder shall maintain the records of the fund, including the fund earnings. A report shall be made to the Congregation Council for inclusion in the annual report to the congregation.

A quorum for the transaction of business shall consist of three committee members. The committee may act upon a majority vote of the members present at a meeting. In the event of a tie vote, the pastor shall vote to break the tie. Proxy votes will not be allowed for members who are unable to attend the meetings. Any action of the committee cannot be considered final until approved by the Congregation Council with the exception of investments both buying and selling which will require only the approval of the president or vice president of the congregation.

At its meetings, and at such other times as it deems desirable, the committee shall review the investments owned by the fund. Only interest and dividends earned in the previous calendar year by the fund may be disbursed to those eligible candidates. The committee shall review all applications and at their discretion and with council approval, may disburse the available prior year fund earnings.

c. Earnings of the fund not distributed in any year, capital gains and losses resultant from investment sales and the costs of investment changes shall revert to principal. The committee members shall incur no liability for any investments made in good faith.

d. To be eligible to receive aid the candidate must be an active confirmed member of Epiphany Lutheran Church of Powell. The candidate and his/her parent(s) or guardian(s) shall be interviewed by the committee to determine financial need. Full time students for general church vocation work must attend a college or seminary acceptable to the Delaware-Maryland Synod or the ELCA while those full time students for the ministry must attend a Lutheran Seminary or one approved by the Delaware-Maryland Synod.

e. In the event candidates borrowing money from this fund either withdraw from school, do not complete the course requirements for graduation or decide not to enter full time church work, the recipient shall refund all monies granted them by the fund. Repayment must begin within twelve months. If the repayment is made within eighteen months, it shall be interest free. After eighteen months, the rate of interest will be determined by the committee and computed on the remaining indebtedness to the fund by the recipient.

f. If the candidate satisfactorily completes all the requirements of the school or seminary attended, graduates and receives a call (in the case of a pastor) or is employed in the selected profession (in the case of lay professionals) for one year within the three years after graduation, the candidate shall be relieved of any obligation to repay monies received. We shall feel that the applicant has fulfilled any expected service to the Church.
g. In the event there is no applicant from Epiphany Lutheran Church of Powellnaron fifty percent (50%) of the earnings of the previous calendar year shall be given to needy Lutheran seminary students.

C13.190 The congregation of Epiphany Lutheran Church in 1961 established a fund to be designated as "Epiphany Lutheran Church of Powellnaron – Permanent Endowment Fund", separate and independent of any other church fund. This fund shall be managed and administered by the Permanent Endowment Fund committee.

C13.190.01 The fund is established for the purpose of receiving gifts and bequests to be invested, used, loaned or expended for the benefit of Epiphany Lutheran Church of Powellnaron and its continued growth regardless of the economic and social conditions which might beset the church and its congregation in the future. It is the belief that this church has served Christ's purpose through the years since its organization, that it serves His purpose now, and that it can continue to serve Him in this community in the future as long as the congregation believes it to be His desire, His wish, and His mandate. To this end this fund is so dedicated.

a. The Permanent Endowment Fund Committee will consist of five six members. The senior pastor and president of the Congregation Council shall serve as two of the members. If the president is currently serving as a member, the vice president will serve on the committee. The other three four members shall be elected by the Congregation at the annual meeting. Any voting member of the congregation eighteen years of age or older may be elected. Term of office for the three members shall be three four years, with one member elected each year. Elected members of the Permanent Endowment Fund Committee are not eligible for consecutive reelection terms.

The committee shall select from its members a chairman, a secretary and a treasurer and one person may, in the discretion of the committee, fill both the offices of secretary and treasurer. If any member shall be absent from two consecutive regular meetings, the committee may petition the Congregation Council for their removal. In the event of a vacancy (for any reason), the Congregation Council shall appoint a member to serve on this committee only until the next annual congregation meeting, at which time the vacancy shall be filled by election for the balance of the unexpired term.

b. The committee shall meet at least quarterly at a time convenient to the majority of the members. The first meeting of the year shall be organizational. The committee shall select from its members a chair and a recorder. Each shall serve one year and maybe selected to consecutive terms. The recorder shall submit a report to the Congregation Council for inclusion in the annual report to the congregation. Upon written request of two committee members, special meetings shall be called by the chairman.

Four members of the committee constitute a quorum and the committee may act upon a majority vote of its members. A quorum for the transaction of business shall consist of four committee members. The committee may act upon a majority vote of the members present at a meeting. The chairman shall be All members of the committee are entitled to a vote on all matters, but the pastor will only vote to break a tie. The Congregation Council may, by resolution, authorize emergency meetings at which three members will constitute a quorum. Proxy votes will not be allowed for members who are unable to attend the meetings.
At its meetings, and at such other times as it deems desirable, the committee shall may review the investments owned by the fund. The committee shall maintain an account in an insured financial institution until the size of the fund increases. At such time, the committee may make other investments and shall incur no liability for any investments made in good faith. The committee may employ a company to act as its agent and may authorize such company to register securities in the name of its nominee. With this exception, all accounts and investments made by the committee shall be registered or carried in the name of "Epiphany Lutheran Church of Powellnaron- Permanent Endowment Fund".

The committee may, by resolution, authorize any two of its members to act for it in carrying out any decision and to sign any documents necessary to make such decisions effective. Any person dealing with the committee shall be entitled to rely on the signatures of the two persons so designated in the resolution, both as to their authority to act and as to the propriety of the action taken.

c. The income of the fund shall be used as the Congregation Council shall determine. Income shall be defined as dividend and interest only. Five percent (5%) of the total value of the fund as of December 31st of the prior year will be available for use by the Congregation Council. If in extraordinary circumstances there is a need for additional funding, the committee may recommend to the Congregational Council that additional funding be allotted. The committee shall determine the income available for distribution and shall submit a report for the December January meeting of the Congregation Council. This report will contain the amount available to the Congregation Council, income figure as well as a recommendation for its use. The Congregation Council shall then determine whether to accept this recommendation, direct some other use or uses, or direct that all or a portion of the income be accumulated until a later date. No part of the principal of the fund except the excess over one million dollars ($1,000,000.00), based on the 1960 value of the dollar, as determined from the price index of the Bureau of Labor Statistics or other recognized price indexes of the United States Government, may be expended unless this expenditure is necessary to protect and preserve the fund itself. (The basis for the amount of one million dollars is the 1960 value of the properties of the Church.) The principal consists of all gifts, donations and income returned for reinvestment by the congregation council. The committee may, with the permission of the Congregation Council however, make loan(s) from the principal fund to Epiphany Lutheran Church of Powellnaron or to other churches or activities. The committee shall determine the terms of any such loan(s), including duration, rate of interest and security. All such loans shall provide for a reasonable rate of interest and reasonable amortization in order that the principal of the fund will not be permanently depleted. No member of the committee shall be liable for any loss sustained by the fund as the result of any such loan.

Any loan to a church will provide that in the event of failure to meet the repayment schedule a percentage of the funds of said church contributed weekly by its members will be applied to the repayment of the loan.

d. The committee is authorized to retain such legal, accounting or investment advisors as it may deem necessary and to pay the cost from the income of the fund or the principal, if necessary. The committee is also authorized to make any payments from the income or principal of the fund which it deems necessary for the protection and preservation of the fund.
The congregation of Epiphany Lutheran Church in 1997 established a fund to be designated as the "E. Warren Colehower Memorial Outreach Fund"; separate and independent of any other church fund. This fund shall be managed and administered by the Colehower Fund committee.

The fund is established for the purpose of utilizing the generous bequest of E. Warren Colehower for the benefit of Epiphany Lutheran Church of Powelllnaron and its continued growth in ministry in accordance with the terms of Mr. Colehower's will. He stated that the bequest should "... enhance or expand the work Epiphany could do ... ", and that it should "... avoid causing innervation of Christian giving of time, talent and treasure by Epiphany members." To this end this fund is so dedicated.

a. The Colehower Fund Committee will consist of the senior pastor and four members. The four members shall be elected by the Congregation at the annual meeting. Any voting member of the congregation eighteen years of age or older may be elected. Term of office for the four members shall be four years, with one member elected each year. Elected members of the Colehower Fund Committee are not eligible for consecutive reelection terms. In the event of a vacancy of an elected member, the Congregation Council shall appoint a member to serve on this committee only until the next annual congregational meeting, at which time the vacancy shall be filled by election for the balance of the unexpired term.

b. The committee shall meet at least quarterly. At the first meeting of the year shall be organizational. The committee shall elect from its members a chairman and secretary recorder. Each shall serve one year and may be reelected to consecutive terms. A report shall be made to the Congregation Council for inclusion in the annual report to the congregation.

Four members of the committee constitute a quorum and the committee may act upon a majority vote of its members. A quorum for the transaction of business shall consist of four committee members. The committee may act upon a majority vote of the members present at a meeting. In the event of a tie vote, the pastor shall vote to break the tie. The recorder shall maintain the records of the fund, including the fund earnings. The chairman shall be entitled to voice and vote on all matters. Proxy votes will not be allowed for members who are unable to attend the meetings.

At its meetings, and at such other times as necessary, the committee shall review the investments owned by the fund. The committee may reinvest the funds or make other investments as it deems appropriate to accomplish growth and/or income for the fund. The committee members shall incur no liability for any investments made in good faith. The committee may employ a company to act as its agent and may authorize such company to register securities in the name of its nominee. With this exception, all accounts and investments made by the committee shall be registered or carried in the name of "Epiphany Lutheran Church of Powelllnaron- E. Warren Colehower Memorial Outreach Fund".

c. The committee authorizes, by resolution, the chairman and the senior pastor to act for it in carrying out any decision and to sign any documents necessary to make such decisions effective.

d. The committee is authorized to retain such legal and accounting advisors as it may deem necessary and to pay the cost from the income of the fund, if necessary. The committee
is also authorized to make any payments from the income of the fund which it deems necessary for the protection and preservation of the fund.

c. The income and growth of the fund shall be used in accordance with the terms of Mr. Colehower's will "...If a Memorial Fund is selected only the income may be used either continuously or accumulated so as to be able to do a more costly short term job later. The Church Council shall determine the use of the income."

The committee shall determine the value of the fund and shall submit a monthly report to the Congregation Council showing the monies available for their use. The initial bequest of seven hundred twenty two thousand four hundred ten dollars and eight cents ($722,410.08) may not be expended by Congregation Council.

Mr. Colehower in his will, did allow for the expenditure of the principle of the bequest in order to create "... a single physical entity, its cost to be determined by considering the cost of its subsequent maintenance" the latter shall be set aside as a specific fund, the use limited thereafter to the maintenance, repair, etc. of the physical entity selected. The establishment of said entity shall be accomplished, in strict accordance with the terms of Mr. Colehower's will, by the ninetieth anniversary of his birth – May 7, 2007.

C13.21. When a pastoral vacancy occurs, a Call Committee of at least six voting members shall be elected by the Congregation Council. Term of office will terminate upon installation of the newly-called pastor.

C13.22. Other committees of this congregation may be formed, as the need arises, by decision of the Congregation Council.

C13.23. Duties of committees of this congregation shall be specified in the bylaws.

C13.23.01 Duties of all committees not otherwise defined shall be fixed by the Congregation Council, from whom they shall receive needed guidance and instructions and by whom their acts shall be subject to review.

C13.23.02 All committees (except Mutual Ministry) shall maintain a written record of its proceedings and shall pass these records from chairman to chairman. The chairman shall submit a written report at the monthly Congregation Council meetings.

C13.23.A01 No meetings (except for AA and Alanon) be held during Holy Week without the permission of the Congregation Council.

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.

C14.01.01 All organizations shall submit for approval to the Congregation Council, a statement of purpose.

C14.02. Special interest groups, other than those of the official organizations of the Evangelical Lutheran Church in America, may be organized only after authorization has been given by
**Chapter 15 - DISCIPLINE OF MEMBERS AND ADJUDICATION**

*C15.01.* **Persistent and public denial** of the Christian faith, as described in this constitution, **willful or criminal** conduct grossly unbecoming a member of the Church of Christ, **persistent trouble-making** in this congregation are **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 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, and c) **citation to appear before the Congregation Council**, 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, the president or vice president shall administer such admonitions 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 send 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. 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 laypersons and two ministers of Word and Sacrament). 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 a discipline hearing panel has heard previously and decided pursuant to this chapter.

*C15.10. Adjudication

*C15.11. When there is disagreement among factions within this congregation on a substantive issue that cannot be resolved by the parties, members of this congregation shall have access to the synodical bishop for consultation after informing the chair of the Congregation Council of their intent. If the consultation fails to resolve the issue(s), the Consultation Committee of the synod shall consider the matter. If the Consultation Committee of the synod shall fail to resolve the issue(s), the matter shall be referred to the Synod Council, whose decision shall be final.

Chapter 16.
BYLAWS

*C16.01. This congregation may adopt bylaws. No bylaw may conflict with this constitution.

*C16.02. Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a majority vote of those voting members present and voting.

*C16.03. Changes to the bylaws may be proposed by any voting member provided, that such additions or amendments be submitted in writing to the Congregation Council at least 60 days before a regular or special congregation meeting called for that purpose. The Congregation Council notify the congregation’s members by mail of the proposal with the Council’s recommendations at least 30 days in advance of the Congregation meeting.

*C16.04. Approved changes to the bylaws shall be sent by the secretary of this congregation to the synod.

Chapter 176 - AMENDMENTS

*C176.01. Unless provision *C176.04. 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 ten voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at its regular or special Congregation meeting called for that purpose. The Congregation Council shall notify the congregation’s members by mail of the proposal with the council’s recommendations at least 30 days in advance of the meeting.

*C176.02. An amendment to this constitution, proposed under *C176.01 shall:

a. be approved at a legally called Congregation Meeting according to this constitution by a majority vote of those voting members present and voting;

b. be ratified without change at the next annual meeting by a two-thirds majority vote of
those voting members present and voting; and

c. have the effective date included in the resolution and noted in the constitution.

*C176.03. Any amendments to this constitution that result from the processes provided in *C176.01. and *C176.02. shall be sent by the secretary of this congregation to the synod. The amendment shall become effective within 120 days from the date of the receipt of the notice by the synod unless the synod informs this congregation that the amendment is in conflict with the constitution and bylaws of the Evangelical Lutheran Church in America or the constitution of the Delaware-Maryland Synod of the ELCA. 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.

*C176.04. 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 ten at least two (2) 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.

Chapter 17 - BYLAWS

*C17.01. This congregation may adopt bylaws. No bylaw may conflict with this constitution.

*C17.02. 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.

*C17.03. 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 this congregation’s members 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.

*C17.04. Approved changes to the bylaws shall be sent by the secretary of this congregation to the synod.

Chapter 18 - CONTINUING RESOLUTIONS

*C18.01. The congregation in a legally called meeting or the Congregation Council may enact continuing resolutions. Such continuing resolutions may not conflict with the constitution or bylaws of this congregation.

*C18.02. Continuing resolutions shall be enacted or amended by a majority vote of a meeting of the congregation or a two-thirds vote of all voting members of the Congregation Council.
Chapter 19 - INDEMNIFICATION

*C19.01. Consistent with the provisions of the laws under which this congregation is incorporated, this congregation may adopt provisions providing indemnification for each person who, by reason of the fact that such person is or was a Congregation Council member, officer, employee, agent, or other member of any committee of this congregation, was or is threatened to be made a party to any threatened, pending, or completed civil, criminal, administrative, arbitration, or investigative proceeding.
APPENDIX A – CODIFICATION EXPLANATION

The Constitution 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 mandated by the ELCA, 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 16 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 Chapters 16 and 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.