

## CONSTITUTION **with notations** for PRESENTATION

Suggested changes are in **yellow**. ~~Strikeout~~ is remove. **BOLD** is for our reference only. UNDERLINE is **NEW** and for Congregation Consideration [see Article 7(A) - now changed into 2 sentences & Article 10 - added: **and elected officers**]

ZION LUTHERAN CHURCH OF ANAHEIM, CALIFORNIA

### CONSTITUTION

#### ARTICLE **1** - NAME

The name of the Congregation shall be Zion Evangelical Lutheran Church of Anaheim, California.

#### ARTICLE **2** - CONFESSIONS

The Congregation accepts and acknowledges all the canonical books of the Old and New Testaments as God's written Word and as the only rule and norm of Christian faith and life and all the Symbolical Books of the Evangelical Lutheran Church as contained in the Book of Concord, 1580, as the pure and unadulterated presentation and explanation of the Word of God. ~~According to which~~ **By these**, all doctrine is to be regulated and tried and all doctrinal controversies which may arise shall be settled. These Symbolical Books are: The Apostolic, the Nicene, and the Athanasian Creed; the Unaltered Augsburg Confession and the Apology of the same; the Smalcald Articles; Dr. Luther's Large and Small Catechisms; and the Formula of Concord.

#### ARTICLE **3** - PURPOSE

The purpose of this Congregation shall be to seek the honor and glory of God, to carry out His Will, to manifest the unity of our faith in Jesus Christ as God and Savior, to spread the Kingdom of God and to foster Christian fellowship and love, by the preaching of the Word of God, by the administration of the Sacraments, and by the religious instruction of all its members, according to the confessional standard of the Evangelical Lutheran Church (Article **2**).

#### ARTICLE **4** - MEMBERSHIP

The Congregation distinguishes between ~~Soul~~ Baptized, ~~confirmed~~ Communicants, and Voting Members. ~~All of whom must be baptized~~ The admission of members is set forth in the Bylaws of this Constitution. Membership or other congregational privileges may not be denied to any Christian because of race or ethnic origin.

**Note: The paragraphs listing the Implications of Church Membership for Communicant Members will be placed in the Bylaws.**

## ARTICLE 5 - AUTHORITY IN THE CONGREGATION

**Note: "Voters Assembly" replaces Congregational Assembly for consistency in the whole document. Both terms had been used in different places.**

The Congregation shall administer and manage its affairs through its voting members in accordance with the Word of God and the Symbolical Books of the Lutheran Church. Through regular and special meetings of the **Voters Assembly**, the Congregation shall establish general goals and policies and elect a Board of Directors who shall administer the affairs of the Congregation. The Congregation **through the Voters Assembly** shall retain the power to elect the Board of Directors, determine the annual budget, **incur indebtedness (a loan) in the name of the congregation, and call or dismiss Ministers of Religion.** The Congregation shall have the power to acquire and dispose of real estate and erect buildings. Two of the following are required to sign legal documents: The President, the Secretary, or the Treasurer of the Congregation. **Any action taken by the Voters Assembly may not be changed or rescinded by any officer or board or other entity of the congregation.**

All matters of doctrine and conscience shall be decided only by the Word of God. All other matters shall be decided by the majority vote of the **Voters Assembly** ~~and the Board of Directors~~ unless otherwise specified by the Constitution and Bylaws.

## ARTICLE 6 - DOCTRINAL LITERATURE

Only such hymns, prayers and liturgy shall be used in the public services of the congregation and in all ministerial acts which conform to the confessional standard of Article 2. Likewise, in all classes for instruction in Christian doctrine only such books shall be used that conform to this standard.

## ARTICLE 7 - CALLED PERSONNEL

A. **Calls shall be issued for** the pastoral office in this Congregation, as well as that of a called teacher **or principal in our** a parochial school, **Directors of Christian Education, Ministers of Music and other positions of congregational leadership occupied by persons on the roster of the Synod. This Called Position shall be made to persons who** profess sincere adherence to the articles of faith of the Congregation enumerated in Article 2, ~~has~~ have a good repute, and belong to the Lutheran Church- Missouri Synod or a Synod with which we are in fellowship.

B. The **Voters Assembly** shall have the power to extend calls in keeping with the goals of the Congregation, in accordance with the calling procedures set forth in the Bylaws of this Constitution.

## ARTICLE 8 - PROPERTY

The Congregation, as a corporate body, shall have the right to acquire and own such property as is necessary for the successful realization of its aims. A two-thirds vote of the Voters Assembly shall be necessary to acquire or dispose of land or buildings. Everything owned by the Congregation, whether movable or fixed, is the estate of the Congregation. Members who sever their connection with the Congregation whether by transfer to another congregation or by moving away without leaving an address and, for that reason, finally have to be stricken removed from membership or by excommunication or self-excommunication (for refusing to submit to church discipline) or otherwise self-exclusion shall, from the moment of separation, forfeit all claims to all the property of the Congregation. Excommunicated and self-excluded persons also lose all other rights and privileges of membership as long as they have not been properly reinstated.

If at any time a division should take place on account of doctrine, the property of the Congregation and all benefits connected therewith, shall remain with those members who continue to adhere in confession and practice to Article 2 of this Constitution. If at any time the Congregation is dissolved, all physical properties shall be disposed of in a manner designated by the Board of Directors for payment of debt and any surplus, after due settlement of all just claims against the Congregation, shall become the permanent property of the Pacific Southwest District or its successor district of the Lutheran Church-Missouri Synod in which the congregation holds membership.

This Congregation may only be dissolved after the matter has been publicly announced prior to and considered at three consecutive properly called Voters Assembly meetings, and at least two-thirds of the voters present at each of the three Voters Assembly meetings, with quorums in attendance at each of the three meetings, shall have cast their vote in favor of dissolution.

The property of this Congregation is irrevocably dedicated to religious and charitable purposes and no part of net income or assets of this organization shall ever ensure to the benefit of any director, officer or member thereof, or to the benefit of any private individual.

## ARTICLE 9 - BOARD OF DIRECTORS

The elected officers of this Congregation shall be the Board of Directors as outlined in the Bylaws. The Board of Directors and the officers shall have no authority beyond that which the Congregation or this Constitution and Bylaws may confer upon them.

ARTICLE 10 - REMOVAL FROM OFFICE

The called personnel **and elected officers** ~~and the officers~~ of the Congregation may, in Christian and rightful order, be removed from office by the Congregation. Sufficient and urgent causes for removal are persistent adherence to false doctrine, the leading of an offensive life, the willful neglect of official duties, and the evident inability or protracted incapacity to perform his or her duties. A decision to remove from office called personnel **and the officers** of the congregation shall require a two-thirds vote of the Voters Assembly. **No action to remove a pastor may be initiated until proper consultation has taken place with the district president.**

ARTICLE 11 - SYNODICAL MEMBERSHIP

This Congregation shall hold membership in The Lutheran Church-Missouri Synod as long as this Synod remains true to the Word of God and the Lutheran Confessions. **This Congregation may only disassociate from Synod after the matter has been publicly announced prior to and considered at three consecutive properly called Voters Assembly meetings, and at least two-thirds of the voters present at each of the three meetings, with quorums in attendance at each of the three meetings, shall have cast their vote in favor of dissolution.**

**This Congregation** ~~It~~ shall send its Pastor and a lay delegate, and such other delegates as the regulations of Synod may require, to the District Conventions of the Synod.

It shall be the duty of the Congregation and its individual members to support the work of Synod since they thereby support their own Christ-supported work.

ARTICLE 12 - ORGANIZATIONS WITHIN THE CONGREGATION

All organizations **and ministries** within the Congregation shall exist only by the consent and approval of the Congregation and shall have the right to existence only as their general activities conform to the purpose and serve the best interest of the Congregation and the church-at-large. The Pastor shall by virtue of his office exercise the spiritual supervision over such organizations. The Board of Directors shall concern itself with the activities and welfare of such organizations and shall, ~~from time to time~~ **annually**, receive a report of their general status and functions.

ARTICLE 13 - AMENDMENTS, ALTERATIONS, OR REPEALS

[**Note:** This article has been changed from **two** to **three** paragraphs and has been **reworded** for ease of understanding. **See below\*** for the original wording.]

Any change to Constitution Articles 2, 6, and 7-A requires **three (3) Voters Assemblies** which are properly called, ~~and~~ announced and with a quorum **attending**. At the first two (2) **Voters Assemblies** the proposed change must be fully presented and discussed. At the third **Voters Assembly** the proposal shall be voted upon. A two-third (2/3) vote is required to pass the proposed change.

Any changes to all other articles of the Constitution require two (2) **Voters Assemblies** which are properly called and announced and with a quorum **attending**. The change may be adopted only after the proposed change has received a two-third (2/3) vote at both of the Voters Assemblies.

**All changes to the constitution must be reviewed by the district Constitution Committee, then approved by the district Board of Directors, then filed in the district office before the change can be enacted.**

[\***Note:** The current following **two** paragraphs from Article 13 have been **replaced by** the above **three** paragraphs.]

- A. Any proposed amendment to or alteration of any article of this Constitution other than Articles 2, 6, and 7(A) shall be presented at two consecutive regular or special meetings of the Congregation duly called and announced as provided in the Bylaws. The proposed amendment, alteration or repeal shall be adopted only after two-thirds of the voters present at each of the two congregational meetings, with quorums in attendance at each of the two meetings shall have cast their vote in favor of the same.
- B. Any proposed amendment to or alteration of Article 2, 6 and 7(A) shall be adopted only after two thirds of the voters present at a regular or special meeting of the Congregation, with a quorum in attendance, shall have cast their vote in favor of the same, provided that the proposed amendment has been included in the call of and discussed at two regular or special meetings, with quorums in attendance at each, preceding the meeting at which the proposed amendment is to receive action. Due notice that a vote will be taken shall be given to all voting members of the congregation. Any changes to these articles shall not change their essential meaning. Whether this has occurred shall be decided by Synodical dispute resolution procedures.