

CONSTITUTION UPDATE NOTES (updated April 25 2022)

Changes made by Lee Smith and John Shriver on April 10 2022 to bring the current 2012 constitution up to date and in compliance with the 2019 Model constitution.

1. COVER PAGE: Change to indicate this is the constitution for Messiah Lutheran Church
Date: 2022
Include dates of Council approval, congregation approval and ratification
2. Page 2 and 3: Substitute 2019 Model Introduction for 2012 Model Introduction
3. Required provisions: All sections marked with an asterisk are required in an updated constitution.
4. The updated constitution must be submitted to the synod for review and approval.
5. A church may amend a constitution to bring it into conformity. Approval not required.
6. Bylaws and continuing resolutions appear in the constitution following the provision to which they apply. They may not conflict with a required provision. Bylaws are adopted using a congregation meeting.
7. Continuing resolutions describe operations and practices, and responsibilities of committees or other units in a congregation. Continuing resolutions can be adopted using a congregation or council meeting.
8. Brackets indicate alternatives that must be selected by congregation for their constitution.
9. Page 1: Retain definitions of pastor and bishop.
10. Chapter 1: Name and Incorporation. Retain definition of the seal for Messiah
11. Chapter 2: Confession of the Faith. No change
12. Chapter 3: Nature of the Church. Add second section *C3.02 as in the 2019 Model, and increment following section numbers (C3.03, C3.04, and C3.05).
13. Chapter 4: Purpose. Minor editorial or text changes in *C4.03.

*C4.04 contains a statement in brackets that states that the descriptions of committee responsibilities prepared by Council shall be contained in Continuing Resolutions in the section on Congregation Committees (delete "Council" in this sentence).

*C4.05 Delete “from time to time” and add “and periodically review” to be in compliance.

14. Chapter 5: Congregation. Make minor editorial or textual changes to be in compliance.

In C5.03d, delete “associates in ministry, deaconesses, and diaconal minister” and add “a minister of Word and Service”.

In C5.03j, delete “boards and committee” and “them”. Our congregation has not been charged with the duty of approving boards and committees in general. Make minor textual changes that follow.

C5.03.01 Retain the bylaw defining the MLC fiscal year.

C5.04: Make minor editorial changes

C5.05: We need to decide if the mission endowment fund is described in a bylaw or a continuing resolution.

15. Chapter 6: Church Affiliation. Make minor editorial changes to be in compliance.

C6.03: Substitute Ministers of Word and Sacrament where indicated in 2019 model.

C6.04: Make additions as required. Substitute name of SE synod in blank.

C6.05: Made require changes as indicated. This describes the details for how a church (congregation) may separate from the ELCA.

16. Chapter 7: Property ownership. Make substitutions as indicated.

17. Chapter 8: Membership. Make minor changes as indicated.

C8.02d: Associate members: Decide if this is limited to Lutherans.

Note Bylaw C8.02.01. Baptized persons received by affirmation of faith into this congregation shall first have been instructed in Lutheran doctrine by the pastor(s).

Note Bylaws C8.05.01, 02, and 03.

18. Chapter 9: Pastor

Note change of “Pastor” to “Rostered Minister”

*C9.01 Choose “congregation” or “Council”

Make necessary changes reflecting new use of Ministers of Word and Sacrament

Note that the merging of C9.05 section e and f got a little complicated. Essentially we have no options here and must use the new model text.

19. Question:

Who serves as “President” between the time when a pastor resigns and an interim is installed?

Changes made by Mary Ann Stasiak, Lee Smith and John Shriver on April 19 2022 to bring the current 2012 constitution up to date and in compliance with the 2019 Model constitution.

20. Chapter 10: Congregational Meeting

Include C10.01.01 . With sentence copied from the Model. Added an alternative for one meeting per year.

C10.02 Note choice on the number or percent of the congregation needed to call a Congregational meeting. Left at 10%.

The Vice President vs President option needs to be defined.

C10.04 Note need to decide on quorum. (10-15-20 % ?) Alternatives entered

C10.08 Added the ability to send out electronic (email) notifications of meetings. Deleted the old mail statement to allow electronic mailings as in the Model.

21. Chapter 11: Officers

The Word merging is a bit messy here. It’s easiest to compare the original and model documents directly.

Retain C11.01

C11.01.01 A bylaw that should be retained explaining the duties of the officers. Copy this section verbatim into the draft.

C11.01.01 now numbered C11.01.02

Note C11.02 contains important decisions that are separated by “or” as well as by brackets. Copy this section verbatim into the draft

22. Chapter 12: Council

Retain the current Constitution here. Note possible areas for discussion:

- a. Voting membership
- b. Youth and young adult membership
- c. C12.05 3% rule

Note option for president or vice-president calling meetings of the council. The choice Depends on whether the pastor is President.

Make sure that all occurrences of President and Vice President coincide with the choice the decision of whether the pastor is President.

Note "senior" pastor in C12.12

Note additions in C12.13.01 for electronic communication

23. Chapter 13: Committees

Retain the original 2012 Constitution Bylaws

Need to clarify the Mutual Ministry Committee

Retain C13.14.01 to define the Mutual Ministry Committee. With sentence form Model and specifying the number of members.

Retain the committee Bylaws and Continuing Resolutions

Note number for C13.07 needs to be moved in the merged Constitution the next sentence down.

C13.08 Decisions need to be made on ex officio status of Pastor and President. Do ex officio members have voting rights? Should this be stated in the Constitution?

24. Chapter 14: Organizations

Retain as in original

25. Chapter 15: Discipline

This section is required with no changes. There are no decisions or options.

26. Chapter 16: Amendments

No changes allowed

A number is needed in C16.01 – use the 5% of congregation as in the present Constitution

27. Chapter 17: Bylaws

No changes allowed

28. Chapter 18: Continuing Resolutions
No changes allowed
Note Bylaw C18.01.01 should be included.
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Changes from April 25 2022 meeting of Mary Ann, Lee, and John

29. Color coding explained on cover page.
30. C10.08 converted to red to indicate that it is unique to the Model and was not present in the 2012 constitution.
31. Note that the duties of the vice president in C11.02.01 may be needed to be changed if the pastor is ex officio President. That should be done if the congregation consensus makes a lay person the president.
32. C13.04 Add Executive Committee to list of people making appointments.
33. C15.11 What is the dagger symbol in front of 14.18d (Required section of the Synod Constitution)
34. C11.02 The option for the Council to elect its officers was removed. We did not understand how this would work.
35. C12.05 The council is referred to as the Board of Directors in the State of Alabama.
36. C13.04 The number of members on the Mutual Ministry Committee was set to 4, to be in agreement with the current use of the Executive Committee for that purpose.

Further changes will be made once the congregation input is received after May 15.