

**GRACE LUTHERAN CHURCH
OF GRAFTON, WISCONSIN**



**CONSTITUTION, BYLAWS, AND
CONTINUING RESOLUTIONS**

Effective February 1, 2023

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- j. Elect its officers and Congregation Council and require them to carry out their duties in accordance with the constitution, bylaws, and continuing resolutions; and
- k. Terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.

***C5.04.** This congregation or the Congregation Council shall elect from among ~~its~~ the voting members of the congregation 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 this congregation~~ and other qualifications shall be as prescribed in guidelines established by the Greater Milwaukee Synod of the Evangelical Lutheran Church in America.

C5.04.01. ~~Such persons may be selected at the annual meeting of the Congregation or by the Congregation Council.~~ The expenses incurred by such persons in connection with their attendance may be paid by the congregation.

C5.05. This congregation shall have a mission endowment fund (the “Fund”) that will operate as specified in this congregation’s bylaws. The general purpose of the Fund is to provide for mission work beyond the operational budget of this congregation.

- C5.05.01. Specific Purposes of the Fund.** The specific purposes of the Fund include the following:
- a. To support the mission of this congregation, at home and abroad, including, but not limited to, grants to the Evangelical Lutheran Church in America for mission development, professional leadership, educational ministries, world missions, ecumenism, broadcast evangelism, and capital financing.
 - b. To provide support for outreach to the community, including, but not limited to, grants to colleges, seminaries, social service agencies, institutions, and other congregations affiliated with the Evangelical Lutheran Church in America or to which this congregation relates.
 - c. To provide scholarships or grants for seminarians, church-related camping or church-related conferences, and for such other training that enables

- *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 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 taken.
- *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 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 Greater Milwaukee 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 or pursuant to 9.23. of the constitution and bylaws of the Evangelical Lutheran Church in America, title to property shall continue to reside in this congregation.
- *C7.03. If the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to relate ~~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 relate ~~transfer~~ to another Lutheran church body, it shall consult with representatives of the Greater Milwaukee Synod.
- *C7.04. If 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 the 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 process established by the synod, 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

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.

***C9.02.** This congregation may call as a pastor only:~~Only~~

a. a member of the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America; or

b. a candidate for the roster of Ministers of Word and Sacrament who has been recommended for this congregation by the synod 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 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 through available channels of effective communication;

(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, proclaiming God's love for the world, advocating dignity, justice, and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, and embracing and welcoming racially and ethnically diverse populations ~~calling for justice and proclaiming God's love for the world.~~

b. Each pastor with a congregational call shall, within the congregation:

concerning the pastor's condition. When a disability or incapacity is evident to the committee, the bishop of this synod 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 with disability status. Upon resumption of the ability to conduct the office effectively, the bishop shall take steps to enable the pastor 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 pastor and then to this 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 this congregation and by the pastor, if appropriate. If the pastor and the 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 pastor's call, this congregation may dismiss the pastor 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.
- f. If, in the course of the 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.

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

- *C9.13. The pastor(s) shall submit a report of ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.
- *C9.14. The records of this congregation shall be maintained by the pastor and shall remain the property of this congregation. The secretary of this congregation shall attest in writing to the bishop of this synod that such records have been placed in the secretary's hands in good order by a departing pastor before the installation of that pastor in another call or approval of a request for change in roster status.
- *C9.15. Under special circumstances, subject to the approval of the synod bishop and the concurrence of this congregation, a 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 this congregation and the pastor in a form proposed by the synod bishop and approved by this congregation.
- *C9.21. Authority to call a deacon 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.
- *C9.22. This congregation may call as a deacon only:~~Only~~
 - a. a member of the roster of Ministers of Word and Service of the Evangelical Lutheran Church in America; or
 - b. a candidate for the roster of Ministers of Word and Service who has been recommended for this congregation by the synod bishop ~~may be called as a deacon of this congregation.~~
- *C9.23. 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, proclaiming God's love for the world, advocating dignity, justice, and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, and embracing and welcoming racially and ethnically diverse population~~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 this church 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.

***C9.24.** 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.

***C9.25** 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 this congregation, when accepted by a deacon, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by the deacon's death or, following consultation with the synod bishop, for any of the following reasons:
 - (1) Mutual agreement to terminate the call or the completion of a call for a specific term;

intentional interference with the ministry of this congregation, or willful and repeated harassment or defamation of member(s) of this congregation is sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation and repentance 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,

~~(c)~~ 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 ~~clauses (a)~~ and ~~(b)~~ hereof, 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 this 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 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 lay persons and two rostered ministers). 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.** 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,

***C15.10. Adjudication**

***C15.11.** When there is disagreement between or among factions within this congregation on a substantive issue which cannot be resolved by the parties, members of this congregation may petition the synod bishop for consultation after informing the president of this congregation of their intent to do so. The synod bishop shall seek a timely resolution of the dispute. If the issue relates directly to the pastor, the bishop may begin the process in C9.05.d ~~†S14.18.d~~. In all other matters, if the bishop's consultation fails to resolve the issue, the bishop shall refer the matter to the Consultation Committee of the synod, which shall undertake efforts to find an appropriate solution. If the Consultation Committee's efforts fail to resolve the dispute, the entire matter shall be referred to the Synod Council for adjudication by whatever process the Council deems necessary. The Synod Council's decision shall be final.

Chapter 16. Amendments

***C16.01.** Unless provision *C16.04. 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 five 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 a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify this congregation's members of the proposal together with the council's recommendations at least 30 days in advance of the meeting. Notification may take place by mail or electronic means, as permitted by state law.

***C16.02** An amendment to this constitution, proposed under *C16.01., shall:

- a. Be approved at any legally called meeting of this congregation by a majority vote of those voting members present and voting; and
- b. Be ratified unchanged ~~without change~~ at the next regular meeting of this congregation by a two-thirds vote of those voting members present and voting.

***C16.03.** Any amendments to this constitution that result from the processes provided in *C16.01. and *C16.02. shall be sent by the secretary of this congregation to