

# GUIDELINES FOR CONSTITUTIONS AND BYLAWS OF SMALL AND DEVELOPING LUTHERAN CONGREGATIONS

## INTRODUCTION

This document is an abbreviated version of the document “Guidelines for Constitutions and Bylaws of Lutheran Congregations” provided by the Commission on Constitutional Matters (CCM) of The Lutheran Church—Missouri Synod (LCMS). It was prompted by a request from the Synod’s Council of Presidents for guidelines that will better serve the particular needs of smaller congregations and of ethnic groups desiring to form congregations and apply for membership in the LCMS, for whom the CCM’s existing guidelines contain more detail than they can readily use. It is also in part a product of the Southeastern District of the LCMS, whose constitution committee, district staff, and other-ethnic pastors provided a draft document that has been, to a large extent, incorporated into this document.

The Holy Scriptures do not prescribe a form of polity for a local congregation. In determining such polity, much will depend upon its size, ethnic background, sociological setting—whether rural, urban, or suburban—and other factors including the laws of the state in which a congregation is located. Congregations will want to structure themselves in such manner as they believe will be most suitable for their needs and most effective for carrying out the Great Commission of our Lord in a manner that is in harmony with Holy Scripture, the Lutheran Confessions, and the teachings and practices of The Lutheran Church—Missouri Synod.

## GUIDELINES FOR CONSTITUTIONS

The following are required subjects to be addressed in a congregation’s constitution, with brief comments and example paragraphs also provided.

### I. NAME

*[Legal counsel should be consulted to make certain that this paragraph follows the requirements for ecclesiastical corporations established by the state in which the congregation is located. In addition, 1995 Synod Res. 3-13A resolved that “all congregations and mission stations in our Synod boldly profess in their official title and/or name that they are ‘Lutheran.’”<sup>1</sup>]*

*Example:*

“The name of this congregation shall be [Name] Lutheran Church of [City,] [County,] [State].”

### II. MISSION

*[It is desirable to state in the constitution of a Christian congregation the mission or purpose for which the congregation exists. Such a paragraph should contain the congregation’s fundamental purposes.]*

*Example:*

“The purposes for which this congregation is formed are:

- A. To facilitate spreading the Christian faith in its community and throughout the world.
- B. To foster Christian fellowship and charity.”

### III. CONFESSIONAL STANDARD

*[The Lutheran Church—Missouri Synod requires that its member congregations accept the confessional standard of the Synod. A congregation’s confessional statement cannot go beyond that of the Synod.]*

*Example:*

“This congregation accepts without reservation:

- A. The Scriptures of the Old and the New Testament as the written Word of God and the only rule and norm of faith and practice.

- B. All the Symbolical Books of the Evangelical Lutheran Church as a true and unadulterated statement and exposition of the Word of God as contained in the *Book of Concord* of 1580.”

#### IV. SYNOD MEMBERSHIP

*[Although not an essential paragraph, since membership in the Synod is not determined by a statement in a congregation’s constitution, congregations may wish to include mention of their membership in the Synod.]*

*Example:*

“This congregation shall be a member congregation of The Lutheran Church—Missouri Synod (LCMS) as long as the confession of faith and constitution of the Synod remain in accord with the congregation’s confessional standard as set forth in Article III of this constitution.”

#### V. MEMBERS OF THE CONGREGATION

*[Synod congregations often distinguish between three types of congregational membership: baptized, confirmed, and voting. These three categories require definition here or in bylaws.]*

*Example:*

“The membership of this congregation is comprised of the three categories of members defined in the bylaws of this congregation: baptized members, confirmed members, and voting members.”

#### VI. CALLED CHURCH WORKERS

*[This article establishes the congregation’s right to call its ordained and commissioned ministers, what persons are eligible to receive its calls, how such ministers may be removed from office, and how vacancies in called positions are to be handled.<sup>2</sup>]*

*Example:*

“The voters assembly of this congregation (as defined in the bylaws of this constitution) shall have the exclusive right to call ordained ministers who are members of The Lutheran Church—Missouri Synod or who have satisfied the requirements for assignment of first calls within the Synod, or ordained members in good standing of church bodies in altar and pulpit fellowship with the Synod. It may also call commissioned ministers who are members of the Synod. In every case, it shall obtain counsel from the president of the congregation’s district.

“Called ordained or commissioned ministers may be removed from office by a two-thirds vote of the voters assembly for one of the following reasons: persistent adherence to false doctrine, scandalous life, willful neglect of duties, the inability to perform those duties, or domineering in office.”

#### VII. AUTHORITY OF AND WITHIN THE CONGREGATION

*[It is wise to include in the constitution an article that provides clarity regarding the extent of the authority of and within a congregation. Unique circumstances such as ethnic or cultural differences may be reflected in terminology used and the manner in which decisions are made.]*

*Example:*

“The voters assembly, as defined in this congregation’s bylaws, shall be its governing body and shall be empowered to call its ordained and commissioned ministers, elect its officers, and administer and manage its affairs as specified in the bylaws. Only the voters assembly may encumber, purchase, or sell real property, including buildings; adopt the annual budget of the congregation; incur non-budgeted (emergency) expenses; and dissolve the congregation or terminate its membership in The Lutheran Church—Missouri Synod.”

#### VIII. MEETINGS

*[Constitutions of congregations should establish how the meetings of the voters assembly will be called and how a quorum will be determined. Not requiring a specific number or percentage of voting members to be present permits a meeting to be valid so long as it has been properly called.]*

*Example:*

“Meetings of the voters assembly may be called at the request of the pastor, the congregation’s officers, or ten members of the voters assembly. Such meetings shall be announced at worship services each of the two weeks prior, with efforts made to notify all voting members. The voting members present at a properly called meeting shall constitute a quorum. In addition to principles laid down in the Holy Scriptures and in the constitution and bylaws of this congregation, basic parliamentary procedures shall be followed.”

## IX. OFFICERS AND BOARDS

*[Congregations are at liberty to determine their own organizational structures consistent with local and state requirements for not-for-profit corporations. Constitutions should establish only those offices, boards, and committees that form the essential framework of the congregation. In accordance with the teachings and practice of the LCMS, women are not to be placed in offices that will call upon them to carry out specific functions of the pastoral ministry. In addition, the Synod encourages every congregation to include in its organizational structure a board or committee for stewardship.<sup>3</sup>]*

*Example:*

“This congregation shall have such officers and boards as provided in its bylaws, in addition to any that the congregation shall establish from time to time.”

## X. DIVISION

*[Disagreements occur in Christian congregations, at times resulting in a parting of the ways. It is important to set down principles in advance to govern such a situation.]*

*Example:*

“If at any time division shall take place within this congregation, efforts shall be made to resolve differences in a God-pleasing manner. If division into factions occurs, the counsel of the district president shall be sought to determine which group shall retain the property.”

## XI. AMENDMENTS TO THIS CONSTITUTION

*[Constitutions must provide a method for their amendment. Certain articles can be made more difficult to amend by providing two separate procedures. All revisions must be submitted to the president of the district for review by the district constitution committee and approval by the district board of directors before their final adoption by the congregation.]*

*Example:*

“This constitution may be amended in a properly convened meeting of the voters assembly in the following manner.

- A. Ordinarily, amendments to the provisions of this constitution shall be submitted in writing for public posting two weeks prior to the two consecutive meetings at which the proposed amendments will be discussed. A two-thirds affirmative vote of the voters present shall be required to continue to amendment process.
- B. Amendments to Articles \_\_\_\_\_ shall not alter their essential meaning. Notice of discussion of these amendments shall be given to all members prior to the two voters assemblies when the proposed action will be discussed. A two-thirds affirmative vote of the voters present at these meetings shall be required on both occasions to continue the amendment process.
- C. All revisions shall be submitted to the president of the district for review by the district’s constitution committee and favorable action by the district’s board of directors prior to final adoption by the congregation by a two-thirds affirmative vote.”

## GUIDELINES FOR BYLAWS

The following are subjects that ordinarily are addressed in a congregation’s bylaws. For additional subjects that may be addressed as needed, see the document “Guidelines for Constitutions and Bylaws

of Lutheran Congregations” that has been provided by the Commission on Constitutional Matters (CCM) of The Lutheran Church—Missouri Synod (LCMS).

### 1. BAPTIZED MEMBERSHIP

*Example:*

“Baptized members of this congregation are all persons who have been baptized in the name of the Triune God and are under its spiritual care. Expectations of baptized membership include:

- a. Faithful and regular attendance at worship services
- b. Living a Christian life (Galatians 5:19–26)
- c. Submission to Christian admonition (Matthew 18)
- d. Contribution of time, talents, and treasure toward the maintenance of the congregation and extension of the church at large as God has blessed
- e. Willingness, in due time, to be instructed in the Christian faith in preparation for confirmed membership in this congregation.”

### 2. CONFIRMED MEMBERSHIP

*Example:*

“Confirmed members are all baptized persons within the congregation who have completed a course of instruction in Christian doctrine that meets with the approval of the congregation’s officers. Persons interested in attaining confirmed membership shall make their interest known to the president of the congregation. The congregation’s supervising pastor shall ascertain the interested person’s understanding of and commitment to the congregation’s Confession of Faith (Constitution Art. III). The pastor shall determine whether additional instruction will be required and the appropriate method for such instruction. The pastor shall also be authorized to extend confirmed membership to the person and announce such in a public worship service.

“In addition to the duties of baptized members, expectations of confirmed members include:

- a. Acceptance of the confession of faith described in constitution (Article III)
- b. Familiarizing themselves with the doctrine of The Lutheran Church—Missouri Synod
- c. Partaking of the Lord’s Supper
- d. Participation in continuing Christian education
- e. Training their children in the Christian faith by making use of educational opportunities in the congregation to enable parents to be spiritual teachers of their children and to nurture their faith.”

### 3. VOTING MEMBERSHIP

*Example:*

“Voting Members are confirmed members who have reached the age of majority, request membership by attending a voters meeting of the congregation, and sign the constitution of the congregation. The total number of voting members constitutes the voters’ assembly of the congregation.”

### 4. TERMINATION OF MEMBERSHIP

*Example:*

“Membership in the congregation may be terminated in the following manners:

- a. A member desiring to transfer membership to another LCMS congregation shall inform the president of the congregation, who shall be responsible for creating and mailing a letter of transfer to the receiving congregation.
- b. A member whose whereabouts is unknown or who has moved from the area may be removed from membership after a period of one year.
- c. A member whose actions call into question his/her continued membership in the congregation shall be the subject of Christian discipline in accord with Matthew 18:15–20, its purpose to renew the member’s relationship with the Lord and the church.
- d. A member who is not responsive to the witness and ministry of the church shall be considered self-excluded.”

## 5. OFFICERS AND THEIR RESPONSIBILITIES

*Example:*

“This congregation shall have the following officer positions:

- a. A president shall preside at all meetings of the congregation and monitor the congregation’s compliance with the constitution and bylaws of the congregation. He shall also perform such other duties as are common for his office or as directed by the congregation from time to time.
- b. A secretary shall keep and preserve accurate records of the congregation, making available minutes of its meetings, also handling its correspondence and such other duties commonly required of the office.
- c. A treasurer shall keep and preserve accurate records of all receipts and disbursements, submit a written report at all regular meetings of the congregation, and assure the accuracy and propriety of its financial transactions.”

## 6. NOMINATIONS, ELECTIONS, TERMS OF, AND REMOVAL FROM OFFICE

*Example:*

“Officer positions of this congregation shall be filled and function according to the following provisions:

- a. Individuals may be nominated by voting members at an annual election meeting. All nominees shall be voting members noted for their Christian knowledge, zeal, and experience in the work of the church.
- b. Nominees who receive a majority of the votes cast by the voting members present at the meeting shall be declared elected.
- c. All elected officers will begin terms of office on the second Sunday of the month following their election.
- d. Officers shall serve terms of two years and shall serve no more than two successive terms in a position without a break of at least one year.
- e. Elected officers shall not receive compensation from the congregation.
- f. In the event of a vacancy in an office, the office shall be filled by election.”

## 7. BOARDS AND THEIR RESPONSIBILITIES

*Example:*

“This congregation shall have one or more boards established by the voters’ assembly of the congregation with responsibilities established by resolution of the congregation as are necessary to assist the called workers, elected leaders, and members of the congregation in carrying out its mission and ministry.”

## 8. AMENDMENTS TO THESE BYLAWS

*Example:*

“These bylaws may be amended in a properly convened meeting of the voters assembly in the following manner:

- a. Amendments shall be adopted by a majority of all votes cast, provided the proposed change has been announced in a previous meeting or has been submitted in writing to all communicant members at least two weeks prior to the meeting.
- b. Revised bylaws must, as a condition of continued membership in good standing in The Lutheran Church—Missouri Synod, be submitted to the president of the district for review by the district’s constitution committee and favorable action by the district’s board of directors before being adopted by the congregation.”

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<sup>1</sup>“WHEREAS, We have been called Lutheran since the formation of our Synod (and since reformation times) and are thankful for our doctrinal background and heritage; and

WHEREAS, The name Lutheran clearly identifies what the member congregations and The Lutheran Church—Missouri Synod believe, teach and confess; and

WHEREAS, Basic Christian honesty and integrity require that no deception of any sort be used in declaring the truth of the Gospel before all the world, as St. Paul declares: ‘Rather we have renounced secret and shameful ways; we do not use deception, nor do we distort the Word of God. On the contrary, by setting forth the truth plainly we commend ourselves to every man’s conscience in the sight of God’ (2 Cor. 4:2); therefore be it

*Resolved*, That all congregations and mission stations in our Synod boldly profess in their official title and/or name that they are ‘Lutheran’; and be it further

*Resolved*, That all congregations and mission stations of our Synod state in their materials (bulletins, newsletters, etc.) that they belong to The Lutheran Church—Missouri Synod; and be it finally

*Resolved*, That all LCMS congregations gladly proclaim our great doctrinal heritage to a world that needs the clear proclamation of the truth.” (1995 Res. 3-13A, “To Use the Name Lutheran”)

<sup>2</sup> Synod Bylaws 2.5.1–2.5.3 provide specific information.

<sup>3</sup> Synod Bylaw 2.2.1 (a) (1).