

CONSTITUTION OF THE LUTHERAN CHURCH OF THE REDEEMER

Newberry, South Carolina

(reflecting amendments through December 1997)

(reflecting proposed amendments through January 2002)

(reflecting continuing resolution changes through September 2004)

(reflecting revisions approved on October 31, 2010 and effective on March 3, 2011)

(reflecting amendments as approved through November 6, 2011)

(reflecting amendments as approved through November 9, 2014)

(reflecting amendments as approved through November 11, 2018)

(reflecting amendments as approved through November 10, 2019)

***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 is, and shall continue to be, The Lutheran Church of The Redeemer.
- C1.02.** For the purpose of this constitution and the accompanying bylaws, the congregation of The Lutheran Church of The Redeemer is hereinafter designated as "this congregation."
- C1.11.** This congregation is incorporated under the laws of the State of South Carolina.

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.
- 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.
 - 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.
 - 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

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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.
- *C3.05. 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.

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- 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, 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.
 - 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. Such descriptions shall be contained in continuing resolutions in the section on the Congregation Committees.
- *C4.05.** This congregation shall, from time to time, adopt a mission statement which will provide specific direction for its programs.
- *C4.06.** 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

- *C5.01. The powers of this congregation are those necessary to fulfill its purpose.
- *C5.02. The powers of this congregation are vested in the Congregation Meeting called and conducted as provided in this constitution and bylaws.
- *C5.03. 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. terminate the call of a minister of Word and Service in conformity with the constitution of the Evangelical Lutheran Church in America;
 - e. adopt amendments to the constitution, as provided in Chapter 16, amendments to the bylaws, as specified in Chapter 17, and continuing resolutions, as provided in Chapter 18;
 - f. approve the annual budget;
 - g. acquire real and personal property by gift, devise, purchase, or other lawful means;
 - h. hold title to and use its property for any and all activities consistent with its purpose;
 - i. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
 - j. elect its Congregation Council and require the members of the Congregation Council 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 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 South Carolina Synod of the Evangelical Lutheran Church in America.
- C5.05. This congregation shall have a mission endowment fund that will operate as specified in this congregation's continuing resolutions. The purpose of the mission endowment fund is to provide for ministry beyond the operational budget of this congregation.

Chapter 6.

CHURCH AFFILIATION

- *C6.01. This congregation shall be an interdependent part of the Evangelical Lutheran Church in America or its successor, and of the South Carolina Synod of the Evangelical Lutheran Church in America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America.
- *C6.02. 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.
- *C6.03. 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.

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- 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 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 ministers of Word and Sacrament of the Evangelical Lutheran Church in America or to contracting for pastoral services with 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.
 - d. This congregation agrees to consider 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.
- *C6.04.** 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 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 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 the congregation by a two-thirds 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 Congregation Council. 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 the 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 the 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 the congregation, after such consultation, still seeks to terminate its relationship,

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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 paragraph g. 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 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 this congregation fails to achieve the required two-thirds vote of 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 this congregation fails to achieve the required two-thirds vote of 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 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 unit of the churchwide organization before any steps are taken leading to such action.

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Chapter 7.

PROPERTY OWNERSHIP

- *C7.01. If this congregation ceases to exist, title to undisposed property shall pass to the South Carolina 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 two-thirds 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 South Carolina Synod.
- *C7.04. If two-thirds 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 the congregation as well as the other rights and privileges ascribed to voting members by the provisions of this

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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. These individuals have all the privileges and duties of membership except voting rights 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. The Congregation Council may grant seasonal membership to such persons provided that this congregation is a member of a synod where the Synod Council has approved seasonal member voting on its territory. Such seasonal members shall 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.

***C8.04.** 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 in accordance with ELCA constitutional provision 20.41. and the accompanying bylaws; or
- e. removal from the roll due to inactivity 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.

Chapter 9.

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ROSTERED MINISTER

(Definitions: Pastor-minister of Word and Sacrament/Deacon-minister of Word and Service)

- *C9.01. Authority to call a pastor 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 this congregation to recommend the call, shall seek the advice and help of the bishop of the synod.
- *C9.02. Only a member of the roster of ministers of Word and Sacrament of the Evangelical Lutheran Church in America or a candidate for the roster of 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 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 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 pastor with a congregational call shall, within the congregation:
 - 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
 - 2) relate to all schools and organizations of this congregation;
 - 3) install regularly elected members of the Congregation Council;
 - 4) with the Congregation Council, administer discipline; and
 - 5) endeavor to increase the support given by the congregation to the work of the ELCA churchwide organization and of the South Carolina 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 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 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

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- local conditions;
 - 4) physical disability or mental incapacity of the pastor;
 - 5) suspension of the pastor through discipline 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) dissolution of the congregation or the termination of a parish arrangement; or
 - 9) suspension of the congregation through discipline 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 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 the 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 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 as disabled. Upon removal of the disability and the restoration of the pastor to health, 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 the 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 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 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, the 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 proceedings described in paragraph c. or paragraph d. above, the

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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 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 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; and
 - 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.
- *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.
- C9.15. Under special circumstances, subject to the approval of the synodical bishop and the concurrence of this congregation, a minister of Word and Sacrament of a church body

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with which the Evangelical Lutheran Church in America officially has established a relationship of full communion (full communion partners: Presbyterian Church (USA), Reformed Church in America, United Church of Christ, The Episcopal Church, The Moravian Church, and The United Methodist Church) may serve temporarily as pastor of this congregation under a contract between the congregation and the pastor in a form proposed by the synodical bishop and approved by the congregation.

- *C9.21. 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 this congregation to recommend the call, shall seek the advice and help of the bishop of the synod.
- *C9.22. 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.
- *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, 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.
- *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 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

*Required provision

- 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.

*Required provision

- f. 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.
- C10.02. A special Congregation Meeting may be called by the pastor, the Congregation Council, or the president of this congregation, and shall be called at the written request of ten percent of the voting members of the congregation. 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.
- C10.03. 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 confirmed members at least 10 days in advance of the date of the meeting. (See Bylaw S4.01.b.5.)
- C10.04. Fifteen percent of the voting members shall constitute a quorum.
- C10.05. Voting by proxy, or by absentee ballot, or by electronic means shall not be permitted.
- C10.06. All actions by the congregation shall be by majority vote of the voting members present except as otherwise provided in this constitution or by state law.
- C10.07. *Robert's Rules of Order*, latest edition, shall govern parliamentary procedure of all meetings of this congregation.

*Required provision

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. Officers of this congregation shall serve similar offices of the Congregation Council and shall be voting members of the Congregation Council.
- C11.02.** The officers shall be elected by the Congregation Council by written ballot and shall serve for one year. The term shall begin January 1 and end on December 31.
- C11.03.** No officer shall hold more than one office at a time. No elected officer shall be eligible to serve more than three consecutive terms in the same office.

Chapter 12.

CONGREGATION COUNCIL

- C12.01.** The voting membership of the Congregation Council shall consist of the pastor(s) and 12 other members of the congregation, at least one of whom should be a confirmed youth and/or young adult of age 30 or below. Any voting member of the congregation 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 regular meetings in a rolling 12-month period. Consistent with the laws of the state in which this congregation is incorporated, the congregation may adopt procedures for the removal of a member of the Congregation Council in other circumstances.
- C12.02.** The members of the Congregation Council (except the pastor(s)) shall be elected at the annual meeting of the congregation. Their term of office shall be for three years with the term of office beginning on January 1 and ending on December 31. Their tenure shall so be arranged that one third of their terms expire annually. Upon completion of a full term a member shall not be eligible for reelection for a period of three years. Newly elected Congregation Council members shall be installed at a worship service of the congregation on the Sunday following the completion of the election process. (See S6.02.)
- 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 serve until the next annual meeting of the Congregation
- 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,

*Required provision

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 serve as a liaison to a standing committee as outlined in Bylaw S7.02.
- e. To maintain supportive relationships with the pastor(s) and staff and help them annually to evaluate the fulfillment of their calling, appointment, or employment.
- f. To be examples individually and corporately of the style of life and ministry expected of all baptized persons.
- g. To promote a congregational climate of peace and goodwill and, as differences and conflicts arise, to endeavor to foster mutual understanding.
- h. To arrange for pastoral service during the sickness or absence of the pastor.
- i. To emphasize partnership with the synod and churchwide units 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.
- j. To recommend and encourage the use of program resources produced or approved by the Evangelical Lutheran Church in America.
- k. 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 and the board of directors 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 South Carolina, 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 meeting of the congregation.
- c. The Congregation Council may enter into contracts of up to \$10,000 for non-emergency items not included in the budget and \$50,000 for emergency items not included in the budget.
- d. The Congregation Council shall prepare an annual budget for adoption by this congregation, shall supervise the expenditure of funds in accordance therewith following its adoption. Except as provided in *C12.05.c, the Congregation Council shall not incur obligations that have not been approved by the congregation. The budget shall include this congregation's full indicated share in support of the wider ministry being carried on its partnership with the synod and church wide 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 (apportionate/benevolence) 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.

*Required provision

- 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 staff in 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.
- C12.09.** The Congregation Council shall annually submit a comprehensive report to this congregation.
- C12.10.** The Congregation Council is authorized to take appropriate action to accept or reject gifts, bequests, or devises on behalf of the Congregation.
- C12.11.** The Congregation Council shall normally meet once a month. 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-half 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 a majority (at least 7 of the members of the Congregation Council, including the pastor(s) or interim pastor(s), except when the pastor(s) or interim pastor(s) 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(s) or interim pastor(s) 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.

Chapter 13.

CONGREGATION COMMITTEES

- C13.01.** The officers of this congregation and the pastor shall constitute the Executive Committee.
- C13.02.** A *Nominating Committee* of six voting members of this congregation, two of whom, if possible, shall be outgoing members of the Congregation Council, shall be elected at the annual meeting for a term of one year. Members of the Nominating Committee are not eligible for consecutive reelection, nomination to the Congregation Council, or nomination to the Endowment Committee.
- C13.03.** An *Audit Committee* of three voting members shall be elected by the Congregation Council. Audit Committee members shall not be members of the Congregation Council or Finance Committee. Term of office shall be three years, with one member elected each year. Members shall be eligible for reelection for one additional term.
- C13.04.** A *Staff Support and Review Committee* (in the absence of a staff support committee, the duties shall be fulfilled by the executive committee) shall be appointed jointly by the president and the pastor. Term of office shall be two years, with three members—none of whom shall be Congregation Council members—to be appointed each successive year. The vice president shall serve as the liaison to this committee. (Note: Staff Support and Review Committee may also be referred to as Mutual Ministry Committee.)
- C13.05.** When a pastoral vacancy occurs, a *Call Committee* of six voting members shall be elected by the Congregation Council. Term of office will terminate upon installation of

*Required provision

the newly called pastor.

- C13.06.** Other committees of this congregation may be formed, as the need arises, such as the *Endowment Committee* (See CR3) by decision of the Congregation Council, or as may be required by the bylaws.
- C13.07.** Duties of committees of this congregation shall be specified in the bylaws adopted by the congregation and in continuing resolutions adopted by the Congregation Council from time to time.
- C13.08.** The pastor(s) of this congregation shall be an *ex officio* member of all committees and boards of this congregation except for the Nominating Committee and the Staff Support and Review Committee (Mutual Ministry Committee). The president of this congregation shall be an *ex officio* member of all committees and boards of the congregation, except the Nominating Committee and Staff Support and Review Committee (Mutual Ministry Committee).

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. This congregation at its meeting shall determine their policies, guide their activities, and receive reports concerning their membership, work, and finances.
- 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 the Congregation Council and specified in a continuing resolution.

Chapter 15.

DISCIPLINE OF MEMBERS AND ADJUDICATION

- *C15.01.** Persistent and public denial of the Christian faith, willful or criminal conduct grossly unbecoming a member of the Church of Christ, 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 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 paragraphs 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 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 the counseling, censure, and admonitions pursuant to *C15.01. do not result in repentance and

*Required provision

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.** 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 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.** 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.** 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 Congregation Council meeting.
- ***C15.07.** No member of the congregation shall be subject to discipline a second time for offenses that 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

*Required provision

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.

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 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 a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the congregation's members of the proposal together with the Congregation 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 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 vote of those voting members present and voting; and
 - c. have the effective date included in the resolution² and noted in the constitution.^{1*}
- *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 the synod. 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.
- *C16.04.** 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 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 Congregation Council's recommendations, at least 30 days prior to the meeting. Upon the request of 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.

¹²

*Such an effective date must be stated in relation to the requirements of *C16.03. to allow time for synodical review of the amendment.*

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 the congregation's members of the proposal with the Congregation 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.

BYLAWS

Section 1.

STATEMENT OF MISSION

S1.01. The Lutheran Church of The Redeemer is a Christian community of diverse people called and guided by the Holy Spirit to nurture with God's love those within and beyond our congregation. (Adopted by the congregation in 1999.)

These Bylaws are adopted to allow this congregation to fulfill its mission within the Evangelical Lutheran Church in America, and its South Carolina Synod, and pursuant to the authority of the constitution adopted by this congregation as a member of the aforesaid Synod of the Evangelical Lutheran Church in America.

Section 2.

CONGREGATIONAL YEAR

S2.01. For fiscal and administrative purposes, the year of this congregation shall be the calendar year.

Section 3.

CONGREGATIONAL MEETINGS

S3.01. A meeting of the congregation shall be held annually between October 1 and November 14 on a date to be determined by the Congregation Council for the purpose of electing the Congregation Council members, electing the Nominating Committee members, electing the Endowment Committee members, adopting a budget for the next year, and for other business as may be required.

Section 4.

NOMINATING COMMITTEE

S4.01. A *Nominating Committee*, composed of six voting members of the congregation, shall be used to select and recommend candidates for the Congregation Council and Endowment Committee, as required by Chapter 13, Section C13.02, of the Congregation Constitution.

- a. The six members of the *Nominating Committee* shall be elected as follows:
 1. The *Executive Committee* shall recommend to the congregation two members of the Congregation Council who are serving in the third year of their term, and shall recommend four other members, who have not served on the Congregation Council for the three years preceding their nomination. These recommendations shall be disseminated to the congregation by the Committee in the newsletter at least four weeks prior to the annual congregation meeting.
 2. The election for members of the *Nominating Committee* shall be held at the annual congregation meeting, and, in accordance with *Robert's Rules of Order*, other nominations may be made from the floor at the meeting, provided the proposed nominee has given his or her consent to serve if elected, and provided the nominee meets the qualifications stated in Paragraph 1. Those six persons receiving the highest number of votes shall be declared elected.
 3. The members of the *Nominating Committee* shall serve from January 1 after their

election until their written recommendations as to candidates are reported to the Congregation Council.

- b. The *Nominating Committee* shall act as follows:
 1. It shall meet to discuss possible nominees for the Congregation Council and Endowment Committee as soon after the first of the year as is practicable, and at least once quarterly thereafter until its mission is completed.
 2. It shall select a suitable nominee for each vacancy on the Congregation Council from among the voting members of the congregation (See *C12.01). It shall also select a suitable nominee for each vacancy on the Endowment Committee from among the voting members of the congregation.
 3. In the selection of possible nominees, consideration shall be given to the other activities of such proposed nominees in the life of the congregation, including any prior service on the Congregation Council or committees of the congregation, and including any special gifts or talents which such persons could use toward the fulfillment of the mission of this congregation.
 4. After a preliminary determination of suitability and eligibility is made, the Committee shall contact the proposed nominees to discuss the demands of the job and to gauge their willingness to serve and their commitment to devote the necessary time to the work of the congregation.
 5. At least forty-five days prior to the annual congregational meeting, the Committee shall report its list of nominees for the Congregation Council and Endowment Committee to the congregation by delivering the list to the President of Congregation Council, or to the Vice-President in his or her absence, and to the Pastor, for dissemination to the congregation through the mail or electronic means, as permitted by state law, to all voting confirmed members. (See C10.03.)

Section 5. ELECTIONS

- S5.01.** The members of the Congregation Council, Endowment Committee, and Nominating Committee shall be elected at the annual meeting of the congregation, as provided in the Constitution.
- S5.02.** Members of the Congregation Council and Endowment Committee shall be chosen from among the nominees recommended by the *Nominating Committee*, and from among nominees, who are qualified to serve on the Congregation Council and Endowment Committee, who are nominated from the floor at the annual meeting. Any person nominated from the floor must give his or her consent to serve, before the nomination will be accepted.
- S5.03.** The President of the Congregation Council shall preside over the annual meeting and shall appoint suitable tellers to count the votes. Those persons receiving the highest number of votes shall be declared elected, in accordance with the number of vacancies available.

Section 6. OFFICERS OF THE CONGREGATION

- S6.01.** The term of office of all officers elected under the Constitution of this congregation shall begin on January 1 following their election during the Congregation Council's

organizational meeting and terminate on December 31 of the same year, or until their successors are elected and qualified for office.

- S6.02.** Newly elected Congregation Council members shall be installed at a worship service of the congregation on the Sunday following the completion of the election process. (See C12.02.) Thereafter, within fourteen days of such installation, the newly installed members shall hold an organizational meeting with the continuing members of the Congregation Council, at which time the new officers of the congregation shall be elected from, and by, the members of the Congregation Council who will be serving during the coming year.
- S6.03.** The Congregation Council and its newly installed members, at its organizational meeting, shall elect by written ballot from among its members a *President*, a *Vice President*, a *Treasurer*, and a *Secretary*. Those members eligible to vote on the officers include the newly installed members and the continuing members of the Congregation Council. It may also elect a *Financial Secretary* who will not be required to be a member of the Congregation Council. Effective January 1 of the coming year, the persons so elected shall act as the officers of the legal corporation known as The Lutheran Church of The Redeemer. The Congregation Council shall act as its Board of Directors and Trustees.
- S6.04.** The duties of the congregational officers shall be as follows:
- a. The *President* shall be chairperson of the congregation and the Congregation Council. In the event of the President's inability to perform his or her duties, the Vice President shall serve in his or her stead.
 - b. The *Vice President* shall be liaison to the *Staff Support and Review Committee (Mutual Ministry Committee)* and should be a delegate to Synod Assembly.
 - c. The *Secretary* shall keep accurate minutes of all meetings of the congregation and of the Congregation Council in a volume provided by the congregation, which shall be preserved permanently in its archives.
 - d. The *Financial Secretary*, if such an office is activated, may oversee and keep records of all income from contributing members and other sources. The Financial Secretary may also disperse funds, if so authorized by the Congregation Council and/or the Pastor and Congregation President. Other duties of the Financial Secretary may be set forth in continuing resolutions.
 - e. The *Treasurer* shall oversee the bookkeeping of accounts of the congregation. The Treasurer shall oversee the receipt of all funds and disburse them on proper orders, making monthly remittance of benevolence receipts to the Treasurer of the Synod. With the permission of the Congregation Council, the Treasurer may delegate some of his or her duties to the Financial Secretary, whose activities the Treasurer shall closely supervise.
 - f. The *Treasurer*, and the *Financial Secretary*, if any, shall make written reports of all transactions to the Congregation Council monthly and to the congregation annually; they shall submit a satisfactory annual audit within sixty days of the close of the fiscal year. All financial officers shall give corporate surety, in amounts determined by the congregation. Fidelity coverage provided by the Evangelical Lutheran Church in America shall be deemed fulfillment of this requirement.
 - g. All officers shall be voting members of the congregation. If any of them ceases to be such, the office shall at once be declared vacant by the Congregation Council,

*Required provision

which shall fill the vacancy for the unexpired term.

Section 7.

THE CONGREGATION COUNCIL

S7.01. The Congregation Council shall meet each month on a day designated by the current Congregation Council.

S7.02. The President and the Pastor, acting jointly, and with the approval of the Congregation Council, shall appoint Standing Committees, Congregation Council liaisons to committees, and other committee members, as needed, by December 31.

Section 8.

COMMITTEE STRUCTURE

S8.01. The structure and membership of those Committees not specified in the Constitution of this Church shall be established by Continuing Resolutions adopted by the Congregation Council from time to time, as may be necessary to meet the evolving needs of this Congregation.

Section 9.

OTHER CONSTITUTIONAL COMMITTEES

S9.01. AUDIT—*The Audit Committee* shall provide for annual audits of the accounts of the treasurer(s), and of the financial secretary, if there be one, as well as of the accounts of the school(s) and organizations within the congregation. All other committees and church employees shall cooperate with the Audit Committee as this committee performs its duties. The Endowment Committee does not fall under this provision as it is subject to an annual external audit as outlined in CR3.03.10.

S9.02. STAFF SUPPORT and REVIEW (Mutual Ministry)—*The Staff Support and Review Committee (Mutual Ministry)* shall have the following duties:

- a. It shall assist the Pastor in his or her pastoral growth.
- b. It shall assist all paid members of the staff in improving their work and their working conditions.
- c. At least twice yearly, it shall meet individually with each paid staff member and the Pastor to give guidance and direction, to share any concerns, and to attempt to resolve any grievances which they may have.
- d. This committee will prepare Employee Performance Appraisals, discuss these appraisals with paid staff, and submit them to the Executive Committee of the Congregation Council for discussion and approval before the budget is sent to the Congregation Council.
- e. It shall act as a liaison between the Pastor, the paid staff members, and the congregation, in the event problems do arise, and shall endeavor to resolve problems in a Christian manner.
- f. The Pastor may request a meeting to privately discuss any problems the Pastor may have with the congregation, and any problems the congregation may have with the Pastor.
- g. Each year it shall meet with the Pastor prior to the formulation of the budget to

*Required provision

discuss and consider the needs of the Pastor and of his family, including his salary, housing allowance and all other aspects of the arrangements for his compensation. The Committee shall recommend to the Congregation Council, or to a Committee designated by it, a proposed financial package for the Pastor, including his or her compensation, housing allowance, business and professional expenses, fringe benefits and all other aspects of his compensation arrangement.

- h. Each year it shall meet separately with each paid member of the staff, prior to the formulation of the budget to consider the needs of each staff member, and shall prepare and report to the Congregation Council, or to a Committee designated by it, for each paid staff member a recommended financial package, including insurance and other fringe benefits, for the proposed budget.
- i. Due to the nature of the committee, the Pastor will not be a member of the Committee, but at the request of the Committee, he may meet with the Committee to assist them in the performance of their duties.

S9.03 *MINISTRY REVIEW TEAM*-This team, comprised of the members of the Executive Committee of Congregation Council (excluding the pastor), will perform an Annual Performance Evaluation of the Pastor using a written procedure that has been approved by Congregation Council. This performance evaluation will be presented in confidence to the Pastor.

Section 10.

RECORDS FOR BAPTIZED MEMBERS

S10.01. Baptized members who attain the age of sixteen years without being confirmed shall be listed as inactive members.

S10.02. A certificate of transfer for a baptized member who has not been received into confirmed membership shall be issued as is appropriate in each instance.

Section 11.

INACTIVE MEMBERSHIP

S11.01. Those confirmed members who no longer qualify for voting membership shall be classified as inactive, except that persons who specifically request to remain on the active roll shall so remain, and persons who are affected by special circumstances shall likewise remain on the active roll. The Pastor or the appropriate committee shall periodically contact all inactive members to encourage and solicit their active participation in the life and mission of this congregation.

CONTINUING RESOLUTIONS

CONTINUING RESOLUTION 1:

COMMITTEE STRUCTURE (amended 12/13/1995, 10/31/2010, 11/14/2013, 08/18/2014, and 11/10/2019)

- CR1.01.** At the December meeting of the Congregation Council, as specified in *S6.03, and with the approval of Congregation Council, the President and the Pastor shall appoint the following Standing Committees: *1853, Children and Youth Ministry, Community Compassion, Faith Formation, Family and Parish Life, Finance, Property, Stewardship, and Worship and Music.*
- CR1.02.** The Congregation Council shall approve all committee members no later than December 31. (See S7.02.)
- CR1.03.** Except for the *Finance Committee*, the chair of each committee shall not necessarily be a member of the Congregation Council. If a member of Congregation Council is not appointed chair, a member shall be appointed to each of the other committees to serve as Vice Chair and as liaison to Congregation Council.
- CR1.04.** The President and the Pastor, with the approval of Congregation Council, shall appoint each member of Congregation Council to serve on one Standing Committee, with such member to serve on the same committee during his or her term, unless special circumstances require appointment to another committee, or require appointment to more than one committee.
- CR1.05.** In addition to the Congregation Council member appointed to a committee, there shall be appointed from the voting membership of the congregation, for three-year terms, at least six other members of each standing committee.
- CR1.06.** Each Committee shall meet the first month of the year and at least seven times thereafter.
- CR1.07.** At each Congregation Council meeting, the liaison shall report to Congregation Council on the matters relating to the activities of the Committees, and may request the presence at the Congregation Council meeting of any Committee chair whose presence may be beneficial to the Congregation Council.

CONTINUING RESOLUTION 2:

COMMITTEE FUNCTIONS

- CR2.01.** The duties and functions of the Standing Committees shall be assigned by Congregation Council, along with such instructions as in Congregation Council's judgment are in the best interests of the congregation. All committee actions are subject to review and/or approval by the Congregation Council, as may be more particularly set forth in Continuing Resolutions adopted from time to time by the Congregation Council.
- CR2.02.** 1853 Committee-It shall be the function of this committee to maintain the church history and archives as well as coordinate a Homecoming celebration in years ending with 3 and 8, which will coincide with a 5-year milestone in Redeemer's history. It shall seek to promote the news of the congregation through local news outlets and should work cooperatively with the Pastor and staff to ensure the website is up-to-date.
- CR2.03.** Children and Youth Ministry-It shall be the primary function of this committee to support and nurture the children (ages 0 – 5th grade) and youth (6th – 12th grades)

*Required provision

ministry of this congregation. It shall plan events for children and/or youth as well as promote Synodical events by encouraging youth to actively participate. It shall also seek to coordinate intergenerational events at various times throughout the year to involve all members of the congregation. This committee shall work in conjunction with the Faith Formation Committee and the Family and Parish Life Committee in planning events.

- CR2.04. Community Compassion Committee**-It shall be the function of this committee to extend Christian compassion and helpfulness to the ill, the aged, the orphaned, the underprivileged, the imprisoned and, in general, to persons of all ages in need of aid in body or soul. It shall devote itself to deepening spiritual life and shall periodically study the congregation in the context of the surrounding community. It shall endeavor to reawaken the spiritually indifferent and to reach others, who are yet unwon, with the Gospel and attach them to Christ's Church. It shall encourage the spiritual life of the congregation, reengaging those inactive, and reaching others with the Gospel inviting them to be a part of the life of the church.
- CR2.05. Faith Formation Committee**-It shall be the duty of this committee to oversee the conduct and promotion of the school(s) and the Christian Educational activities of all organizations within the congregation. It shall encourage the use of teaching and worship materials published or approved by the Evangelical Lutheran Church in America, and seek to evoke and promote the expression of Christian faith in daily living through the church's periodicals and books of family devotion into the homes of the congregation. One of the primary aims of the Faith Formation Committee shall be to bring the call to the ministry of the Gospel and to other full-time church vocations to the attention of qualified youth of the congregation. It shall assist the Pastor(s) in all Christian Educational functions.
- CR2.06. Family and Parish Life Committee**-It shall be the function of this committee to plan, coordinate, and promote fellowship events within the congregation. This committee will oversee the maintenance of the Family Life Center and Youth Hall, ensure that kitchen and pantry supplies are procured, and relay to the Property Committee any maintenance issues that need to be addressed. It shall assist the Pastor(s) and staff in coordinating use of the Family Life Center following the guidelines adopted by the Congregation Council. It shall provide the congregation with opportunities for fellowship among themselves and between the congregation and the community at large. It shall oversee the bereavement meal ministry of the church.
- CR2.07. Finance Committee**-It shall be the function of this committee to prepare a draft budget for the succeeding year, including the congregation's full indicated share in support of the wider ministry being carried on in its behalf by the Evangelical Lutheran Church in America and the synod, and shall submit such draft to the Congregation Council for its action and for later presentation to the congregation at its annual meeting. This committee shall exercise oversight of all the financial affairs of the congregation to make sure that they 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. It shall, subject to the approval of the Congregation Council, be responsible for the congregation's total insurance program and investments, except those associated with and managed by the Endowment Committee as provided in *CR3. The Finance Committee will also

*Required provision

administer the Abiding Memorials Plan following the guidelines in Addendum 1: Abiding Memorials Plan. The Finance Committee shall be chaired by the Treasurer of the congregation. (Oversight of the Endowment Committee and its investments does not fall under the Finance Committee.)

CR2.08. Property Committee-It shall be the function of this committee to see to the proper maintenance and protection of all property of the congregation, and shall take care that the same is kept in good repair. This committee shall recommend to the Congregation Council a sexton and/or cleaning service as well as yard maintenance service. The Property Committee should also oversee and direct the activities of such services.

CR2.09. Stewardship Committee-It shall be the function of this committee to evoke and promote the expression of Christian faith in daily living; to teach the Christian use of money; to diffuse knowledge of the congregation's local, national, and world-wide ministries; and to lead all members to higher levels of proportionate giving for the Lord's work. This committee shall also be responsible for congregational efforts that lead to informed and grateful giving.

CR2.10. Worship and Music Committee-It shall be the function of this committee to assist the Congregation Council in seeing that the services of God's house are conducted regularly and in accordance with the liturgy of the Evangelical Lutheran Church in America, that ushers are recruited and trained, and that hymnals and other devotional materials are provided and properly cared for. This committee shall supervise and strive to advance the welfare and effective service of the choirs of the congregation. It shall arrange for the care of paraments, vestments and musical instruments and, in consultation with the Pastor, the organist, the choir director(s), it shall furnish music supplies appropriate for use in the worship of a congregation of the Evangelical Lutheran Church in America. With the Pastor, the Worship and Music Committee shall assist this church's music ministry.

CONTINUING RESOLUTION 3:

MISSION ENDOWMENT FUND (approved November 11, 2018)

(The financial statements, transactions, grant processes, and distributions are totally separate from the finances of The Lutheran Church of The Redeemer.)

CR3.01 *PURPOSE*-An Endowment Fund ("The Fund") is an account that can hold funds from both current and estate gifts, from which distributions are made for ministry. This document describes how the congregation of The Lutheran Church of The Redeemer defines ministry, and outlines the overall management of the fund. Ideally, the principal of the fund grows over time, primarily from additional gifts, but also from investment returns, as distributions are made from the earnings of the funds.

CR3.02 *OPERATION*

1. Endowment Committee
2. Investment Policy
3. Distribution Policy

CR3.03 *ENDOWMENT COMMITTEE*

- a. The Committee will be comprised of 5 members.
- b. After the first election of Endowment Committee members to one, two, or three-year terms, all future members shall be elected for a three-year term.
- c. No member may serve more than 2 continuous terms of 3 years.

*Required provision

1. After a lapse of 3 years, a former committee member may be reelected.
2. Good attendance is essential for contemplation, deliberation, and decision-making. Any committee members who miss three meetings in a rolling 12-month period will voluntarily resign from the committee as their ethical responsibility.
3. The Nominating Committee may nominate a candidate for the committee. No more than one person from the same immediate family member (father, mother, sister, brother) of a congregation member may be nominated and/or serve on the Endowment Committee at a given time. Church staff and immediate family members of staff may not serve on the Endowment Committee.
4. The committee members will be elected during the annual congregation meeting.
5. If there is a vacancy on the committee, Congregation Council can appoint someone until the next election.
6. The committee will meet at least quarterly and more often, if needed.
7. A quorum shall consist of at least 4 members, and can carry any motion or resolution with a unanimous vote of those 4 members present. To carry a vote when all 5 members are present, the vote must be at least 4 of 5.
8. The committee will elect from its membership a chair, vice chair, secretary, and treasurer.
9. The committee will report to the Congregation Council at least quarterly as well as when requested by the Congregation Council. Reports are provided quarterly to the Finance Committee for church records.
10. The financial records of the fund must be audited every three - five years by an outside CPA firm.
11. Members of the committee will not be held liable for any investment losses, but will be held liable for his or her own willful misconduct.
12. Members of the committee will not be able to provide services for the fund for a fee.
13. Members of the committee will not be able to engage in transactions with the fund in which he or she has a direct or indirect financial interest.
14. The chair and treasurer of the Endowment Committee will serve as the two required signers for transactions.
15. The Continuing Resolutions pertaining to the Endowment Committee will be reviewed by the Congregation Council and Endowment Committee each year.

CR3.04 *INVESTMENT POLICY*

1. Transactions will comply with investment policy statements approved by the Congregation Council, including a transfer from the current custodian to a new custodian, a purchase of a new asset, and/or liquidation of a current asset.
2. The intent of the Endowment shall be that the corpus of the endowment will be maintained while utilizing the distribution of earnings only to promote the ministry and service of the Congregation.
3. The fund can be held in the ELCA Endowment Fund Pooled Trust-Fund A, a federal bank, a FINRA registered broker-dealer, a trust company, or any combination thereof.
4. The fund will be invested in a manner that is socially responsible and in line with the statements of the ELCA.

*Required provision

5. The committee will use professional, outside advice to manage investments.

CR3.05 *DISTRIBUTION POLICY*

1. The committee will take an annual distribution. Past performance is no indication of future results.
2. All requests must be made by completing a grant application, following the guidelines outlined on the application.
3. The committee is limited to the following portions of each annual distribution and any unused portion from a previous year, unless approved by Congregation Council or a vote of the congregation:
 - a. No more than 100% can be used for our congregation (Grant applications may be taken anytime during the year).
 - b. No more than 100% can be used for our synod, ELCA church wide, or related ministries (Grant applications may be taken anytime during the year).
 - c. Monies can be used for all other non-Lutheran charities (Grant applications may be taken anytime during the year).
4. Any distribution of earnings of 50% or more to one organization must receive approval by the Congregation Council before notification is given to the grantee organization.
5. In the event our congregation ceases to exist either through merger or dissolution, disposition or transfer of the fund shall be made at the discretion of Congregation Council in conformity with the church constitution and bylaws, and in consultation with the bishop of our synod of the ELCA to which this congregation belongs.

ADDENDUM 1: ABIDING MEMORIALS PLAN

The Abiding Memorials Plan is open to anyone who may desire to use it as one means of perpetuating the memory of departed loved ones, and also to serve the living, in a definite way through the years.

The plan provides a special ministry at the immediate time of bereavement. However, it also offers the opportunity for individuals and groups at any other time to initiate or to supplement a memorial, to make a request, to initiate or to supplement a gift in honor, or simply to provide a special gift without designation.

The plan is not limited to Redeemer's congregation, in regard to who may use it, or in regard to the purpose of any gift. It is not intended as a fund-raising device for this church or for any other purpose. There is no solicitation.

Operation of the plan is simple. At a time of bereavement, individuals or groups may request the church to send to the family an expression of love and sympathy. The note states that a gift has been made in loving memory of the deceased, and the purpose of the gift may be designated on the note at that time, if desired.

There are books, Our Abiding Memorials, in which are inscribed on individual pages the names of those memorialized or honored, and the purpose for which the memorials or other gifts have been used. Names of individuals or groups providing the memorials or other gifts are also inscribed, but no contribution amounts are listed. This book is located in a wooden case in the narthex.

Contribution amounts are kept in strictest confidence, but they are accounted for in the church's computer system. A record of the person memorialized or honored, the person or persons contributing, the amount of each contribution and the purpose of the contribution if it is designated are all included for official use only. All contributions are received and disbursed by the Financial Secretary as authorized, and contributions are held in an Abiding Memorials Fund.

Suggestions for the use of the memorial funds may be made to the Finance Committee, which will in turn convey its recommendations to the Congregation Council. The Finance Committee may elect to utilize undesignated funds for the purchase of needed items, and other committees may make suggestions to the Finance Committee for use of undesignated funds. However, final authorization for use of memorial funds rests on the Congregation Council. The Finance Committee, however, should see that acknowledgement notes are promptly written for contributions and that the books, Our Abiding Memorials, are updated as needed.

Such a plan increases in significance throughout the years. It offers proper acknowledgment and record of gifts for special purposes, whether in memory or in honor, or in any other designation.

Best of all, it offers a way in which we may give definite expression to one of the deepest instincts of our hearts, that of giving permanence to precious associations through Abiding Memorials.

(Originally prepared by Pastor H. A. McCullough, Jr., from materials of Church World Press, Inc. Used at Redeemer, 1962. Revised 11/12/97 and 10/31/2010.)