

# Constitution and Bylaws

# EXAMPLE A

Due to the flexibility built into this Example constitution and bylaws, it would fit most Lutheran congregations.

This document will walk through aim of each article in Example A and, when necessary, the individual sections of an article. **The text of the constitution and bylaws is in red.**

## Preamble

God in his holy Word desires that a Christian congregation not only conform to the Word of God in doctrine and practice (Psalm 119:105, Galatians 1:6-8) but also that all things be done in a fitting and orderly way (1 Corinthians 14:40). Therefore, we, the members of *[church name]* Lutheran Church of *[location]* set forth this constitution and bylaws to govern all our congregational affairs.

The preamble of a constitution is an optional, yet common, introductory statement that outlines the fundamental principles and goals of the document.

# Constitution

## Article I: Legal Name

The legal name of this congregation shall be *[church name]* Evangelical Lutheran Church.

Article I formally identifies the congregation by specifying its official, legal name. This ensures clarity and consistency in all legal matters involving the church. In all legal documents, the church should be referred to by the name specified in this article.

Generally, the legal name of a WELS congregation includes the identifying name (e.g. Trinity, St. Paul's, etc.) followed by "Evangelical Lutheran Church." This identifies as a congregation within the Lutheran tradition, aligns the congregation with other WELS congregations in how it's named, and distinguishes the congregation from churches of other traditions with the same identifying name.

This article is not intended to imply that the full legal name of the congregation must be used in all church literature, mailings, signage, etc. The congregation may, for practical reasons, abbreviate the name. E.g. "Trinity Lutheran Church," "Trinity Lutheran," or simply "Trinity" instead of "Trinity Evangelical Lutheran Church."

## **Article II: Mission**

*[Insert congregational mission statement here]*

Article II shares the congregation's stated mission, drawn from God's Word. It may delineate core ministry activities, such as: worshipping God, nurturing the faith of members with the Word, engaging in outreach to the lost, etc. Ultimately, the aim of this article is to communicate, "This is what God has called the members of this congregation to do."

If your congregation has formally adopted a mission and/or purpose statement, it would be inserted into this article. It is a worthwhile endeavor to study the mission of the Church every few years. After that study, the congregational mission statement can be produced, updated, or simply affirmed.

Resources for producing a congregational mission statement can be found at [welscongregationalservices.net](http://welscongregationalservices.net).

## Article III: Confessional Standard

### Section 1: Holy Scriptures

This congregation accepts and confesses all the canonical books of the Old and New Testaments as the verbally inspired and inerrant Word of God and submits to this Word as the only infallible authority of all matters of faith and life (2 Timothy 3:15-17).

### Section 2: Creeds & Confessions

This congregation accepts and confesses all the symbolical books of the Evangelical Lutheran Church contained in the Book of Concord of 1580 as true statements of scriptural doctrine. They are:

- A. The three ecumenical Creeds
  1. The Apostles'
  2. The Nicene
  3. The Athanasian
- B. The six Lutheran Confessions
  1. Dr. Martin Luther's Small Catechism
  2. Dr. Martin Luther's Large Catechism
  3. The Unaltered Augsburg Confession
  4. The Apology of the Augsburg Confession
  5. The Smalcald Articles
  6. The Formula of Concord

This congregation accepts and confesses these symbolical books without reservation, not insofar as, but because they are the presentation and explanation of the pure doctrine of the Word of God and a summary of the faith held by the Evangelical Lutheran Church.

### Section 3: Doctrinal Controversy

No doctrine shall be taught or tolerated in this congregation which is in any way at variance with the Holy Scriptures and these symbolical books. All controversies which may arise in this congregation shall be decided and adjusted according to this norm of doctrine and practice.

Article III promotes doctrinal unity by outlining the theological foundations that guide the church's teachings, worship, and practices. This article establishes the congregation's adherence to specific creeds and confessions, such as the Apostles', Nicene, and Athanasian Creeds, as well as the Lutheran Confessions, providing a clear and consistent framework for faith and practice. Finally, this article enables confessional relationships with other congregations and the broader church body.

The last paragraph of Section 2 makes it clear the congregation holds a *quia*, not *quatenus*, subscription to the Lutheran confessions. *Quatenus* is a Latin term meaning "insofar as." A *quatenus* subscription to the confessions means that the church body subscribes to the confessions "insofar as" they are in agreement with the teachings of Scripture. This type of subscription is conditional. It implies agreement with the confessions only to the extent that they align with one's understanding of the Bible. *Quia* is a Latin term meaning "because." A *quia* subscription to the confessions means

that the individual or church body subscribes to the confessions "because" they believe that the confessions are a true and faithful exposition of the teachings of Scripture. This type of subscription is unconditional and comprehensive. It implies full agreement with the doctrinal content of the confessions without reservations.

## **Article IV: Church Affiliation**

This congregation shall affiliate itself only with a church body that holds to all the truths of God's Word in doctrine and practice and is bound to the confession of faith as set forth in Article III, if, and as long as, such a church body exists.

Article IV establishes the parameters for any connection between the congregation and a larger denominational body, without requiring such a connection. If the congregation were going to be part of a denominational body (such as the Wisconsin Evangelical Lutheran Synod) that body would need to have the same confessional standard as described in Article III.

## Article V: Congregational Membership

The privileges and responsibilities of membership, as well as the process for the admission of new members and termination of membership, shall be set forth in the bylaws of this congregation. The types of membership are as follows:

- A. Baptized members are all persons who have been baptized into the Christian faith in the name of the triune God (Matthew 28:18-20; Mark 16:16).
- B. Communicant members are all baptized persons within the congregation who confess Jesus Christ to be their Lord and Savior and have stated their adherence to all the canonical books of the Old and New Testament, without qualification, as the only rule and norm of faith and life, and have declared their agreement with a course of instruction in Lutheran Christian doctrine as determined by the pastor(s) and Council of Ministry.
- C. Voting members are male communicant members (1 Corinthians 11:3; 1 Corinthians 14:34; 1 Timothy 2:12) who meet all the qualifications for voting as specified in the Bylaws.

Article V defines membership along the three traditional classifications. Some notes about each.

### *Baptized membership*

Baptized membership is predicated upon a number of factors. First, the person must have been baptized into the Christian faith in the name of the triune God. Second, the person must either be of age where they can express a desire to be a member of the congregation; or, if the baptized individual is an infant or child, they must have a parent or guardian who expresses the desire that the baptized individual become a member. "Baptized membership" is synonymous with "total membership."

Churches sometimes have occasion to baptize individuals – both children and adults – who *don't* become members. These are recorded on the congregation's list of ministrations. However, though an individual is baptized, he or she is not automatically a baptized member. Congregational membership requires mutual recognition: the individual expresses the desire to be a member (or to have his or her child become a member) *and* the congregation expresses the desire to receive the individual into membership. Without *both*, the person is not a member, even if he or she has been baptized as a ministration of the congregation.

### *Communicant membership*

"Communicant" is derived from the Latin word "communicare," which means "to share." "Communicant" came refer to all those who were allowed to share in Holy Communion. Thus, communicant membership is a subset of baptized membership. Communicant membership includes all baptized persons within the congregation who, after a course of instruction in Lutheran Christian doctrine, have declared their doctrinal agreement with that teaching. That course of instruction is typically determined by the pastor and church council. Often there are two courses, one is designed for youth and another for adults.

The fact that there is a "communicant membership" does not mean that only members of a congregation may commune within that congregation. WELS congregations welcome fellow believers who are communicant members of other congregations, provided those congregations



are in full doctrinal fellowship with WELS or sister synods. These guests are typically asked to announce their desire to receive Holy Communion to the pastor or another congregational leader in some way.

### *Voting membership*

Voting membership is a subset of communicant membership. At times a congregation will need to make a binding, authoritative decision for the good of others. When congregations exercise authority in this way, it is through the voting membership. Since God has asked men to provide such leadership (1 Corinthians 11; 1 Corinthians 14; 1 Timothy 2), voting membership consists of male communicant members who meet the requirements established in the bylaws.

The establishment of the classification of “voting membership” should not be interpreted to mean that this constitution requires that all decisions should be made by calling for a vote. That approach is inefficient and unnecessarily restrictive. As previously stated, “*at times* a congregation will need to make a binding, authoritative decision...” (The bylaws will provide examples of such decisions.) However, this constitution assumes that many or most decisions will not rise to that level. Thus, it encourages decisions to be made by a process of consensus building when appropriate. That process would involve the broader communicant membership.

Article V stipulates that voting members need to “meet all the qualifications for voting as specified in the Bylaws.” The rationale for those qualifications will be discussed there.

The “privileges and responsibilities” of membership will also be discussed in the bylaws. That is also where the following will be shared:

- the various ways one might be received into membership
- when church discipline, including excommunication, might be utilized
- the definition and process of transfer, release, and removal from membership
- how and when one loses the rights and privileges of membership
- how one who has lost those rights might be reinstated to membership

The reason for keeping these things in the bylaws is that they may change over time. This Example constitution puts things that are more likely to evolve or change in the bylaws. For example, in a small congregation, it may be wise that excommunication only occurs after a unanimous vote of voters at a congregational meeting. In a large congregation, that policy is probably not feasible, as it is extremely unlikely one knows all his fellow members. In such a congregation, excommunication might occur through the unanimous vote of the Council of Ministry (and/or the Board of Elders, if that is a separate group from the Council of Ministry) then subsequently reported to the congregation.

## **Article VI: Congregational Organization**

### **Section 1: The Word of God**

In all matters of Christian faith and life the Word of God is supreme (Psalm 119:105).

### **Section 2: The Congregation**

In all matters not decided by the Word of God the congregation shall have the right of decision (Romans 12:10,14:19; Ephesians 5:21). As much as possible, the congregation will use a process of consensus building to arrive at decisions.

### **Section 3: The Council of Ministry**

The Council of Ministry, together with the called pastor(s), shall have from the congregation the authority and responsibility to make and carry out the operational decisions necessary for the execution of the congregation's mission. The officers of the congregation shall be such as the Bylaws of this constitution prescribe. The Council of Ministry shall have no authority beyond that which has been conferred upon them in this Constitution or Bylaws.

Article V defined congregational membership. Article VI now shares how the congregation is rightly organized. This article outlines the scope of the congregation's decision-making powers, emphasizing the areas where the congregation as a whole has the ultimate responsibility. It delineates the specific rights that members hold within the congregation.

This is the article where the governing body of the congregation is first mentioned—the “Council of Ministry.” That title is intended to stress that this group oversees not just the “business” aspects of the congregation (facility, budget, compensation, etc.) but also all ministry efforts within the church (evangelism, worship, education, etc.).

It should be noted that nowhere in this Example constitution or bylaws does it mention elders. In this Example, the Council of Ministry operates as the Board of Elders. This becomes evident in Bylaws Article III, Section 2, where the responsibilities of the Council of Ministry are outlined and include enacting church discipline when necessary. The bylaws do allow for the Council of Ministry to appoint any ministry action team or board they deem necessary. Thus, if the congregation grew to a size where it was deemed wise to have a separate Board of Elders, that board could easily be assembled. However, in the average sized congregation, it is feasible for the men serving on the Council of Ministry to also serve as elders. If feasible, there are benefits in having the men who oversee the church operations also be the ones who assist the pastor in soul care.

Article VI: Section 2 is where consensus building is first mentioned. “The congregational shall make decisions through a process of consensus building outlined in the Bylaws.” It will be just that—a general outline of how to approach consensus building. A more detailed, step-by-step process for consensus building should be developed, but that process need not be made part of the constitution or bylaws. (A sample process of consensus building is shared as part of the Lutheran Governance Resources.)

## **Article VII: Public Ministry**

### **Section 1: The Right to Call**

The congregation has the exclusive right to call pastors, teachers, and staff ministers.

### **Section 2: Qualifications**

The offices of pastor, teacher, and staff minister in this congregation shall be conferred only upon such individuals who are qualified for this ministry and publicly and without reservation profess their acceptance of and adherence to Article II of this Constitution, and such acceptance and adherence shall be required of them in the call extended by the congregation (Ephesians 4:11-16; 1 Timothy 3:1-7; Titus 1:6-9; Romans 12:6-8).

### **Section 3: Vacancies**

In case of a vacancy in the office of pastor, staff minister, or teacher or when the congregation desires to call additional called workers, the congregation shall notify the president of the district so that he may assist in temporarily filling the vacancy and in giving his good counsel in regard to the calling of a new pastor, teacher, or staff minister.

Article VII, Section 1 designates who has the right to extend a divine call – the congregation. Thus, the constitution itself prohibits calls being extended by a smaller group, e.g. the Council of Ministry. The bylaws list the extension of a call as a type of decision the congregation would make through its voting membership. However, at a call meeting, as part of the effort to build consensus, all communicant members are allowed to share their thoughts about the needs of the call, as well as the qualifications of the individuals placed on the call list.

Section 2 states the qualifications for called workers. Note that those qualifications are the same for all classifications of called workers. Thus, this article assumes any pastor, teacher, or staff minister will subscribe to the confessional standard described in Article III.

Section 3 explains the process to fill a ministry vacancy.

## **Article VIII: Removal from Office**

### **Section 1: Congregational Officer**

If anyone who holds an elected office in the congregation willfully neglects his duty and upon due admonition does not amend, the congregation has the right and eventually the duty to remove him from office and to elect another in his place (I Timothy 3:8-13).

### **Section 2: Called Worker**

Sufficient and urgent causes for removing a called worker are persistent adherence to false doctrine, scandalous life, willful neglect of duty or established inability to perform the duties of his office (1 Timothy 3: 1-7; Titus 1:6-9). In such a case the advice and good counsel of the appropriate district officer shall be sought.

Article VI, Section 3 described service on the council of ministry. Article VII described service in public ministry. Now, Article VIII establishes clear and fair procedures for the removal of church officers, called workers, or other congregational leaders from their positions within the congregation when, sadly, it becomes necessary. Article VIII is essential for maintaining the integrity, accountability, and proper functioning of church leadership by providing a structured process for addressing situations where one is no longer fit to serve.

## Article IX: Separation or Dissolution

### Section 1: Separation

If at any time a separation should occur in this congregation, the property and all equipment of this congregation shall remain with that portion of the membership which adheres to this Constitution, regardless of number.

### Section 2: Dissolution

In the event of the dissolution of the congregation, the Council of Ministry shall, after paying or making provision for the payment of all the liabilities of the congregation, dispose of its remaining assets, if any, exclusively for the purposes of the congregation, by distributing, at the direction of the congregation, the remaining assets to (and only to) one or more organizations with which the congregation is in fellowship, which shall at the time qualify as exempt organization(s) (under section 501 (c) 3 of the Internal Revenue Code of 1994 or the corresponding provision of any future United States Internal Revenue Code).

Article IX serves to outline the formal process by which a congregation may disband or separate from a synod or denomination. In a Lutheran constitution, an article on separation or dissolution has the following aims.

*Provide legal clarity.* The article offers a clear legal and procedural framework for the dissolution of the church or its separation from a larger governing body. This ensures that the process is orderly and follows established guidelines, reducing confusion or conflict during what can be an emotional time.

*Protect assets.* The article often details how the church's property and financial assets will be handled upon dissolution. This might include provisions for transferring assets to another congregation, the synod, or ministry efforts, ensuring that church resources continue to serve a Christian purpose.

*Guard doctrine and mission.* A separation or dissolution article ensures that any decision to separate is made in line with the church's confessional stance. This protects the integrity of the congregation's theological beliefs and its mission in the event of significant structural change.

Overall, the article is designed to facilitate a respectful and orderly process, ensuring that the congregation's mission and assets are handled faithfully even in times of significant change.

Note that, if a congregation were to sadly split over a doctrinal issue, the ability of Article IX, Section 1 to ensure that the church property remains with the group that adheres to the confessional standards established in Article III is limited. Historically, courts do not want to be put in the position of attempting to evaluate whether or not a congregation is adhering to a theological confession. Nevertheless, it is good and right to include that stipulation in this article.

## **Article X: Amendments and Alterations**

### **Section 1: Unalterable and Unrepealable Articles**

Inasmuch as they express clear, scriptural teachings, the following articles of this constitution shall be unalterable and unrepealable: Article III—Confessional Standard; Article IV—Church Affiliation.

### **Section 2: Process for Altering or Repealing Articles of the Constitution**

Proposals to alter or repeal any alterable or repealable article of this Constitution or to add an article shall be submitted in writing to the Council of Ministry. Any proposal shall be publicly announced a minimum of two Sundays immediately preceding the congregational meeting in which the proposal shall be discussed. Any proposal shall be discussed in an initial congregational meeting and voted on in a subsequent meeting held no less than one week after the initial meeting. A two-thirds vote of the voting members present shall be required to alter or repeal any alterable or repealable article of this Constitution or to add an article.

### **Section 3: Processes for Repealing or Amending Bylaws**

Any and all bylaws may be repealed or amended by a majority vote of the voting members present at any regular meeting, provided that public notice of this proposed action shall have been given the congregation on at least two Sundays prior to the time of the meeting, and provided that the proposed amendment has been submitted in writing to the Council of Ministry for its study and recommendation.

Article X outlines the procedure for making changes to the constitution or bylaws. Its purpose includes:

*Maintaining flexibility.* This article allows the church constitution to evolve over time, adapting to new challenges, legal requirements, or changing needs of the congregation, while still preserving core doctrinal commitments.

*Safeguarding theological beliefs.* Section 1 places restrictions on amending sections of the constitution related to doctrine or confessional statements. This ensures any changes to the congregation's operating processes don't compromise the theological foundation of the congregation.

*Clarifying process.* This article establishes the procedure for proposing, discussing, and voting on amendments. Note that the procedure includes advance notice, a required majority vote, and involvement of church leadership, ensuring transparency and consensus.

# Bylaws

## Bylaw Article I: Congregational Membership

Article V of the constitution defined three types of membership: baptized, communicant, and voting. That article pointed to the bylaws for additional details about membership. Those details are now covered in Article I of the bylaws.

### Section 1: Privileges and Responsibilities

- A. “God is love” (1 John 4:8), and his love moves him to bless the members of his church with physical and spiritual gifts (1 John 3:1; James 1:17; 1 Corinthians 12:1-31). In return for these underserved blessings, we love him (1 John 4:19) and demonstrate that love with the works that we do. The exercise of such love we acknowledge as both a privilege and a responsibility. Therefore, it is expected that members of this congregation will:
- worship regularly and faithfully (Hebrew 10:25),
  - participate in on-going spiritual growth activities such as personal and/or group Bible study (2 Peter 3:18),
  - partake of the Lord’s Supper frequently, if they are recognized as those who can properly examine themselves (1 Corinthians 11:28) and who are willing and able to express confessional fellowship through participation in the Lord’s Supper (1 Corinthians 10:16-17),
  - share the good news about Jesus with others as God provides the opportunity (Acts 1:8),
  - have their children baptized as soon as possible because baptism saves us (1 Peter 3:21),
  - bring up their children in the training and instruction of the Lord (Ephesians 6:4),
  - remember that all their possessions, time, spiritual gifts, and abilities are a trust from God and, therefore, cheerfully decide in their hearts (2 Corinthians 9:7) the portion of their possessions, time, spiritual gifts, and abilities which they will devote to the Lord for use in carrying out the congregation’s ministry and programs, including the work of the church-at-large (1 Corinthians 9:14; 1 Corinthians 16:2; 2 Corinthians 9:6-11; 1 Peter 4:10; Matthew 20:18-20),
  - stay informed of issues and opportunities which God places before the congregation and work together with fellow members for consensus by offering input guided by the Word of God, based on the congregation’s mission, and shaped by the congregation’s planning documents.
- B. Our God has implanted within us Christians the new man, who desires to live righteously (2 Corinthians 5:17; Ephesians 4:24). Consequently, members of his church will:

- not live in obvious acts of the sinful nature (Galatians 5:19-21) but lead a Christian life (Galatians 5:22-25),
- permit themselves, when they have erred, to be admonished and corrected by their fellow Christians (Matthew 18:15-18),
- refuse to hold membership in any organization whose teachings and practices conflict with the Word of God (John 5:23; 8:31,32; 2 Corinthians 6:14-18).

Section 1 outlines the expectations for members in response to God's love. Part A focuses on participation in positive activities. This includes making faithful use of God's Word and sacraments, evangelism, discipleship of children, using one gifts in support of ministry, and generally being involved in the congregation. Part B focuses on avoidance of negative activities and a willingness, when sinful error has occurred, to accept loving admonishment.



## **Bylaw Article I: Congregational Membership (continued)**

### **Section 2. Reception into Membership**

- A. At baptism children become members of God's spiritual family. At the baptism of children whose parent(s) are members, those children are also then considered to be members of the congregation.
- B. Adults who wish to be received into membership in the congregation shall bring their request to the attention of a pastor(s). The Council of Ministry shall honor the request when accompanied by a letter of transfer from a congregation which is in agreement with this congregation in doctrine and practice. Notice of such receptions shall be reported to the entire congregation.
- C. Adults who are not members of a congregation which is in agreement with this congregation in doctrine and practice and desire to become members shall meet with the pastor(s) who will determine the level of instruction necessary for that person to be in a position to state oneness in faith with the members of the congregation. An adult who has completed a course of instruction in Lutheran Christian doctrine as determined by the pastor(s) and Council of Ministry will be received into membership either by profession of faith or by adult confirmation.

### **Section 3. Transfer, Release, or Removal from Membership**

- A. Those desiring a transfer or release from membership shall bring their request to the attention of the pastor or the Council of Ministry for action.
- B. Transfer of membership shall apply only to those who desire membership in a congregation which is in doctrinal fellowship with our congregation (Acts 2:42).
- C. Release from membership shall apply when affiliation is sought with a Christian church and/or denomination not in agreement with this congregation in doctrine and practice (Romans 16:17).
- D. Members with whom the congregation has been unable to communicate, despite diligent efforts to do so, may be removed from the membership list.
- E. Members who persist in an error that in itself does not make the presence of saving faith impossible may be removed from membership after they have been evangelically admonished by their fellow Christians (Matthew 18:15-16) and when their adherence to error becomes public and a matter of divisiveness (Titus 3:10) and thus an offense and obstacle to the truth of God's Word (Romans 16:17). This action shall not be used as a substitute for the loving act of excommunication when impenitence is clearly evident.

- F. Members who persistently abstain from the congregation's public ministry of Word and Sacrament, despite being evangelically admonished by their fellow Christians, yet who give a confession that makes the presence of saving faith possible, may be removed from membership for self-exclusion as a loving attempt to remove the false security that congregational membership saves. This action shall not be used as a substitute for the loving act of excommunication when impenitence is clearly evident.
- G. Members transferred, released, or removed have no further rights in this congregation and its property.

Bylaws Article I, Section 2 details the process for individuals to become members of the congregation. (Note, just as in Article V of the constitution, this section stipulates that infants who are baptized in the congregation are considered members only if their parents are members.) Section 3 then outlines the various ways individuals may cease to be members of the congregation.

The terminology – release, removal, etc.—used here is what is most common in Lutheran congregations.

Bylaws Article I, Sections 3D deals with members who have not been to church in some time. The congregation no longer has accurate contact information for this member. Eventually, it is good order for those individuals to be removed from membership. The elder training resources at [welscongregationalservices.net](http://welscongregationalservices.net) suggest a system of “diligent efforts” to establish contact with such members. Following that system allows for consistency when removing names from membership rosters.

Bylaws Article I, Sections 3E and 3F deals with members who provide a Christian testimony that would seem to indicate the presence of faith. Yet, there are reasons for these individuals to no longer be members. In Section 3E, the issue is not only that the member persistently adheres to a doctrinal error, but that error is public within the congregation and causing offence, i.e. potentially leading others into that error. For example, imagine a member persistently advocates for the belief that God created everything through the process of evolution. I.e. He not only believes that, but tries to convince others in the congregation to believe the same. That member may still indeed be Christian. However, allowing that individual to remain a member risks other members falling into that error.

In Section 3F, the issue is the member, for whatever reason, refuses to benefit from the congregation's public ministry of Word and sacrament. When church leaders speak to him, his verbal testimony indicates that he believes in Jesus. His testimony in action indicates that he believes he doesn't need to be part of the congregation. When used this way, removal is still a type of church discipline, yet it stops short of saying “We are certain that if you would die, you would be eternally damned,” which is what excommunication communicates. (These bylaws state that care will be taken to ensure that removing the individual from membership is not an “easy out,” sparing congregational leaders from having to actually excommunicate the member.)

Note that the Council of Ministry handles all membership requests. These actions are then reported to the congregation in whatever communication methods the congregation utilizes. When it comes to reception into membership, many congregations formally welcome new members through a rite inserted into the order of service at worship.

## **Bylaw Article I: Congregational Membership (continued)**

### **Section 4: Church Discipline and Excommunication**

Christian discipline shall be exercised in this congregation according to Matthew 18:15-18 toward those who err from the faith or who in other ways have given offense. Those members who become evident as impenitent sinners must be excommunicated. At all times this shall be done in the spirit of the gospel, namely, to regain the erring. A unanimous vote of the pastor(s) and Council of Ministry is necessary for excommunication. This ministration must be reported to the church at the next congregational assembly. Those who have been excommunicated from this congregation lose all rights and privileges in the congregation and its property.

### **Section 5: Reinstatement**

When, by the grace of God, a person who has been excommunicated or removed from membership for public sin repents of his or her sin, that person is to be reinstated with all former rights and privileges of this congregation (2 Corinthians 2:6-8).

### **Section 6: Right of Appeal**

Any person who has been subject to disciplinary action by this congregation shall be notified in writing by the congregation of the right of appeal. This notification shall occur within thirty days of the completion of the disciplinary action. Such appeal must be filed in writing with the district president of the church body with which the congregation is affiliated, with a copy to the congregation, within sixty days of the disciplinary action. (Currently, *[name of congregation]* is affiliated with the Wisconsin Evangelical Lutheran Synod and a member of the *[geographical designation, e.g. Southeastern Wisconsin]* district.)

Bylaws Article I, Sections 4, discusses excommunication. Noteworthy is that it requires “a unanimous vote of the pastor and Council of Ministry” instead of a unanimous vote by the voting membership at a special meeting. (In discussing Article IV of the constitution, we noted that in this Example constitution, the Council of Ministry serves as the Board of Elders.) Entrusting this responsibility to the pastor(s) and Council is intended to prevent one voting member from blocking a needed excommunication for some reason. (E.g. A grandfather refuses to excommunicate his grandson, who is clearly living in unrepentant sin.) When Jesus says “tell it to the church” (Matthew 18:17) as a final step in church discipline, he does not say the church must then vote unanimously. Jesus simply says fellow believers should be informed of the unrepentant sin, that they might be aware of the individual’s spiritual state and interact with them accordingly.

## Bylaw Article II: Organization of the Congregation

### Section 1: Consensus-building

The congregation and its leaders shall make decisions regarding matters of congregational life, programs, and business through a process of congregational consensus-building, based on the congregation's mission statement and guided by the congregation's planning documents. By using verbal, print, and/or electronic communications, the congregation's leaders shall offer all members information on such matters. By using open forums, questionnaires, opinionnaires, and/or polls the congregation's leaders shall seek valued input from all communicant members.

This section broadly outlines a decision-making process based on consensus-building. The consensus Example has a number of aims.

First and foremost, the consensus Example seeks the best possible gospel ministry efforts for a congregation's context by seeking the collective wisdom of the entire Body of Christ. This approach can not only help sharpen ministry strategy and tactics, but also can foster volunteerism. When members are asked to help with some ministry effort, it is an effort in which they had some say.

Second, to accomplish that first aim, the consensus Example allows for the ideas and insights of women to be utilized. WELS Conference of Presidents gives this encouragement.

"When planning and assessing, involve [your sisters in Christ]; seek their wisdom and unique contributions. Look to build partnerships and consensus long before there is a need for any binding, authoritative decision. Blessed by God's male and female design, our ministries will be stronger when men and women partner fully for Christ's mission."<sup>1</sup>

Third, the process of consensus building can help foster unity and minimize the potential for conflict, as it lowers the risk of "winners and losers" in decision-making. It potentially minimizes the need for binding votes by the voting membership. Here are some real-life examples of congregation decisions within WELS that were reached by a consensus process, without any vote ever being taken:

- The construction of a 5-million-dollar church expansion.
- The addition of a staff minister. (The extension of the call to that staff minister was made through the voting membership at a congregational meeting where the call list was presented to and discussed by all attending communicant members.)
- The daughtering of a congregation.

Through the consensus building process, it became clear what the vast majority of members deemed a wise direction. Thus, no vote was necessary.

This section does not specify exactly what the consensus-building process will look like. This section simply mentions that the process involves two-way communication. Information is communicated, perhaps in multiple ways, to the membership. Members are provided with the

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<sup>1</sup> WELS Conference of Presidents: Instruction, encouragement, and guidance regarding God's unchanging truths and presented in "Scriptural Principles of Man and Women Roles"; September 2024, 19.

opportunity, in a variety of possible ways, to communicate their thoughts and opinions, providing ideas and insights, as well as asking any needed clarifying questions.

It would be wise for the congregation to have a supplemental document that outlines exactly how the consensus-building process will function. That document could outline how and when information will be shared, how input and feedback will be collected, when membership will come together to discuss the issues, the role of a facilitator, etc.

Note that the total timeline for consensus-building can vary depending on the complexity of the issue, the level of engagement required, and any emerging disagreements that need more discussion. The goal is to ensure that the congregation reaches a unified stance, which typically takes longer than a traditional vote but aims for greater cohesion and less conflict. As a general rule, under a consensus Example format, the congregation would meet about four times annually. One of those meetings would be a formal business meeting to approve an annual ministry plan. The other three could be open forums where updates about ministry efforts were shared, feedback was received, and time was set aside for more open discussion.

## **Bylaw Article II: Organization of the Congregation (continued)**

### **Section 2: Voting Membership**

- A. Sometimes the congregation will need to make authoritative and binding decisions for the good of others. Examples would be:
- the calling or removing of a called worker,
  - the electing or removing of a member of the Council of Ministry,
  - the adoption of a ministry plan and corresponding budget,
  - the approval of major congregational loans or purchases,
  - the dissolution or consolidation of the congregation.
- The congregation shall make such decisions through its voters. When the consensus-building process has been utilized, the voting membership will take the result of the process into consideration in decision-making.
- B. All communicant members who meet all the following criteria shall be considered voting members:
1. Voting members must be male, since making authoritative, binding decisions is an exercise of headship (1 Corinthians 11:3; 1 Corinthians 14:34; 1 Timothy 2:12).
  2. Voting members must have attained the age of eighteen, since making good decisions requires a level of experience and maturity.
  3. Voting members must have attended in-person a minimum of half of the regular worship services in the previous calendar year, since voters will make decisions for the good of other members which requires a familiarity with those members. (The Council of Ministry may waive this criterion for new members who meet the other criteria.)
  4. Voting members must be in good standing. (I.e. He must not be currently under some form of church discipline.)
- C. The voters present at a properly called meeting shall constitute a quorum to do business. A simple majority of the votes cast by the voting members present at a properly convened meeting of the congregation will be sufficient for such decisions except as otherwise provided in this constitution and bylaws.

Bylaws Article II, Section 2A establishes the need for voting membership. While consensus building is adequate for many decisions, there are still going to be binding, authoritative decisions—ones that are a Biblical exercise of headship—that will need to be made at times. The bulleted examples of authoritative decisions are common examples within our church body.

In making such decisions, Section 2A specifies that the ideas and input of women would still be sought and heard. This is also in keeping with the encouragement provided by WELS Conference of

Presidents. “Just as in a marriage a husband seeks the good counsel of his wife and a wife positively influences her husband, men and women do the same in a congregation.”<sup>2</sup>

Bylaws Article II, Section 2B establishes the criteria for voting membership. Exercising loving Christ-like authority in his Church is a great privilege and is to be done for the good of others. Points 1, 2, and 4 are relatively common in Lutheran constitutions. Point 3 – requiring one to have attended at least half of regular weekend services in the previous year – is somewhat unique. However, a congregation would want decisions about mission and ministry to flow from hearts and minds in which the Spirit has created a level of spiritual maturity. The Spirit does that through his Means of Grace. Moreover, as the Bylaws state, “...voters will make decisions for the good of other members which requires a familiarity with those members.”

One might ask, “Won’t this prohibit some men from voting who are simply limited in their ability to attend because they are homebound or work most weekends?” Yes. In the case of homebound members, they did not vote anyway, as almost no constitutions allow voting by proxy. With those who work, there is still the issue of familiarity with the people and ministry within the congregation. One cannot make an informed decision for the good of fellow members if work prevents him from regularly engaging with them.

It must be noted that this is not a form of discipline (unlike criterion #4). Members who do not meet criterion #3 still retain the most important privileges of membership: to hear God’s Word, to receive the sacrament, to be absolved of sin, to make use of the congregations ministries (e.g. school), to enjoy fellowship with members, to receive visitation when sick or homebound, to receive spiritual counseling from the pastor, etc. However, the responsibility of voting is retained for those members who are regularly engaged with the congregation’s ministry and other members of the congregation. That cannot happen if a member is rarely present when the church gathers.

Obviously, to enact criterion #3, it is important that the congregation have a solid system for tracking the in-person worship of membership. In the vast majority of our congregations, where attendance is fewer than 100, this is not challenging. It simply requires the pastor (and/or other church leaders) to spend some time after worship making note of who was present. In larger congregations it requires more formal methods of tracking in-person worship (e.g. Connection Cards). Such methods are shared in the elder training program on [welscongregationalservices.net](http://welscongregationalservices.net).

Bylaws Article II, Section 3 simply stipulates that, generally, a quorum for voting, when necessary, is the simple majority of voting members present at that congregational meeting. There are a few exceptions (e.g. amending the constitution) that are then articulated in the constitution or bylaws.

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<sup>2</sup> Ibid 20.

## Bylaw Article II: Organization of the Congregation (continued)

### Section 3: Meetings

- A. An annual congregational Business Meeting shall be held to approve the annual plan for ministry, the corresponding budget, and to elect members to the Council of Ministry as needed. This Business Meeting shall be called by the Council of Ministry by publicly announcing the date and place at least two Sundays prior to the date of the meeting.
- B. Additional congregational meetings may be held at other times of the year subject to a call by the Council of Ministry or at the request of twenty percent of voting members within the congregation. Such meetings must be announced according to the general rule set forth in Section 3A with the purpose(s) clearly stated.
- C. The president of the congregation, vice president, or their designated Council of Ministry member shall preside at all congregational meetings.
- D. No one shall bring to any meeting a charge or complaint against any member or against a pastor, staff minister, or teacher unless he has first admonished him in a Christian manner in the spirit of Matthew 18:15-20.
- E. The meetings shall be conducted according to good, Christian order.

Bylaws Article II, Section 3 lays out the requirements for congregational meetings. This Example only requires one meeting annually. It is referred to as the “annual congregational business meeting” instead of “Voters Meeting” to stress that all communicant members are encouraged to attend and share their thoughts and opinions on the proposed annual plan for ministry. As mentioned in Bylaws Article II, Section 2A, the voting membership will approve the plan, budget, as well as elect any needed Council of Ministry members.

Section 3B allows for additional meetings to be called throughout the year as needed. Generally, if that gathering is to allow members to ask questions, share opinions, and provide input on congregational information that has been shared, that gathering is called an “open forum.” If it is believed that a formal vote will need to be taken on some issue (e.g. extending a divine call), it is generally called a “congregational meeting.”

Section 3C stipulates who shall run the meeting. It has been established in Section 1 that a consensus-building process will be utilized when making decisions. It may be that the congregational president or vice president or another Council of Ministry member serves as facilitator of the consensus-building discussion. However, it is not necessary that the presiding officer and facilitator be the same person. The responsibilities overlap, though have key distinctions.

- *Presiding Officer:* This person is responsible for overseeing the meeting, maintaining order, and ensuring that it follows the agenda and the organization’s rules or bylaws. Their role is more formal and procedural, focusing adherence to rules established in the constitution and bylaws.



- *Facilitator:* A facilitator is primarily focused on guiding discussions, fostering participation, and making sure that everyone is heard. They may use specific techniques to help the group reach an agreement. A facilitator's role is more informal and focused on ensuring the discussion is productive and inclusive.

It may be simplest if a member of the Council of Ministry serves as facilitator at an open forum or congregational meeting. The Lutheran Governance Resources include guidance on how to facilitate. However, if the Lord of the Church has led someone into your congregation who has been trained in consensus-building facilitation, it may be wiser for the presiding officer to ask them to function as facilitator for a portion of the meeting.

Section 3D encourages addressing conflicts or grievances directly and privately, following the biblical principle of resolving disputes first between the individuals involved. It reflects Jesus' teaching in Matthew 18:15-20, which prioritizes personal confrontation and reconciliation over public accusation. Addressing issues privately before escalating them to a public forum helps prevent unnecessary conflict and potential embarrassment for those involved. This can reduce the likelihood of conflicts becoming larger, more public disputes that might negatively impact the congregation's unity.

Section 3E simply calls for meetings to be conducted in an orderly way. Sometimes constitutions will recommend a process, such as *Roberts Rules of Order*. In reality, those rules are rarely followed. In the vast majority of congregations, when utilizing a well-facilitated consensus-building approach, this order is achieved without having a guidebook.

## **Bylaw Article III: Council of Ministry**

### **Section 1: Purpose of the Council of Ministry**

The Council of Ministry shall be responsible for the spiritual and material affairs of the congregation. As servant-leaders, the Council of Ministry shall demonstrate selfless love and service for the well-being, spiritual growth, and unity of all the members. The Council of Ministry is accountable to God and all the members of the congregation.

The members of the Council of Ministry shall work together with and support the called workers in carrying out the ministry of the congregation in accord with Scripture and the stated mission of the congregation.

### **Section 2: Responsibilities of the Council of Ministry**

The congregation entrusts the Council of Ministry the following responsibilities:

- Serve as an example to the congregation, adorning their high office with a godly way of life (1 Timothy 3:8-12)
- Care in love for their fellow members who have special needs (Galatians 6:9-10)
- Practice loving church discipline when necessary, following the principles established in Matthew 18:15-18
- Handle all issues related to membership changes
- See to the production and implementation of all congregational plans and budgets
- Oversee all of the congregation's programming
- Implement the congregation's policies and resolutions
- Administrate the physical and financial resources of the congregation
- Serve as a link between the congregation and synod/district
- Be responsible for all other matters pertaining to the good and welfare of the congregation

The Council of Ministry shall make its decisions regarding important matters of congregational spiritual life and business based on a process of congregational consensus-building as described in Article II, Section 1 of these bylaws.

The Council of Ministry shall control the corporate property of the congregation according to the direction given to it by the congregation. The Council of Ministry is hereby empowered to borrow money, pledge the assets of the congregation, sell, lease or otherwise dispose of the real and personal property of the congregation all at the direction of the congregation. It shall also have the right to acquire property by any legal means as directed by the congregation.

Bylaws Article III deals with the Council of Ministry, the one elected body in this Example constitution. As was mentioned in our discussion of Article VI of the constitution, the Council of Ministry functions as the combination of a more traditional Church Council and the Board of Elders. This has been a common practice in Lutheran congregations.

This dual purpose is seen in Section 1, which states, “The Council of Ministry shall be responsible for the spiritual *and* material affairs of the congregation.” Section 1 also states that the Council of Ministry works with the called workers “in carrying out the ministry of the congregation.” Thus, the men elected to the Council of Ministry oversee things like budgets and insurance policies and maintenance (material affairs.) They also are responsible for good order in worship, for assisting with shepherding work, in helping distribute the Sacrament when necessary (spiritual affairs).

This is reinforced in Section 2, where some of the delineated responsibilities relate to business and operations, and others relate to loving spiritual service of members. In Bylaws Article IV, it will be clear the Council of Ministry can appoint other ministry teams to help with any of these responsibilities – material or spiritual – as is deemed necessary.

Section 2 also instructs the Council of Ministry to utilize the process of consensus building. The insights and ideas of the broader Body of Christ within the congregation are, after the Word of God, to be the dominant factor in influencing the activity of the Council of Ministry.

Section 2 closes by placing some major legal responsibilities upon the Council of Ministry. This is the group that is responsible for major purchases, taking out loans, etc. Section 2 specifies this is “directed by the congregation,” i.e. it will be a result of the consensus-building process and, quite possibly, a vote cast by the voting membership. What Section 2 doesn’t specify is any details or qualifications regarding those functions. For example, does the Council of Ministry need to get congregational approval for a purchase of a storage shed that will be paid off in six installments? Technically, that is a loan, but it probably falls within the operating budget. Such details or qualifications can be written into operational policies, rather than written into the bylaws.

## **Bylaw Article III: Council of Ministry (continued)**

### **Section 3: Structure of the Council of Ministry**

- A. The congregation shall elect at its annual Business Meeting, specified in the Bylaws, Article II, Section 3, a Council of Ministry composed of as many members (but not fewer than the number of corporate officers required by state law) as the congregation by resolution shall from time to time determine.
- B. The term of office for each member of the Council of Ministry shall be three years.
- C. The term of one third of the members of the Council of Ministry, if possible, shall expire each year. Such expired terms are to be filled by election at the annual Business Meeting. Each member shall serve until his successor is installed.
- D. The pastor(s) of the congregation shall be an ex-officio member of the Council of Ministry.

### **Section 4: Qualifications for the Council of Ministry**

The first New Testament congregation at Jerusalem chose men “full of the Spirit and wisdom” (Acts 6:1-6) to aid the apostles in the administration of its affairs. This congregation shall choose Council of Ministry officers with like qualifications (1 Timothy 3:8-13). These offices must meet all the criteria for voting membership described in Article II, Section 2B of these Bylaws. The respect and esteem of the congregation are due these officers in the performance of their duties, and they shall be given its cooperation. They shall conduct themselves in a manner befitting their responsible office (1 Timothy 3:8-13).

Bylaws Article III, Section 3A, discusses the very flexible structure of the Council of Ministry. The congregation (typically with the advice of the Council of Ministry) determines how many men are needed to effectively carry out the responsibilities described in Bylaws Article III, Section 2.

This number will be determined by other operational decisions made, some of which may relate to the size of the congregation. For example, Bylaws Article IV discusses the ability of the Council of Ministry to appoint Ministry Action Teams as needed. These are individuals who could oversee certain ministry efforts: evangelism, fellowship, youth discipleship, etc. Article VI mentions that a member of the Council of Ministry may serve on those Ministry Action Teams, providing a link between that team and the Council of Ministry. If that is deemed desirable, then in a larger congregation with multiple Ministry Action Teams, you would need a larger Council of Ministry, so that no one individual was overwhelmed with service on his teams.

Section 3B and C describe length of terms and how many expire in an average year. Those timeframes can be adjusted to best fit your local context. In this Example, there are no term limits placed on service in the Council of Ministry. This is to accommodate the fact that in many congregations, it can be difficult to find men who are willing or able to provide the amount of time that is necessary to serve in this position. If someone is able and willing, let him. However, that can be changed to fit your local context as well. Your congregation may prefer to specify term limits to share the responsibility more broadly, as well as getting the new perspectives new council members might bring.

Section 3D has the pastor serving as an ex-officio voting member of the Council of Ministry. Sometimes the pastor serves as an advisory member of the church council. In this Example, because the Council of Ministry essentially serves as the Board of Elders and enacts church discipline when necessary, the pastor is a full member. Your congregation could change this section to read that the pastor is an advisory member of the Council of Ministry, but that he does vote in matters of church discipline.

If a congregation were to have multiple pastors or pastor and staff minister or principal, and if it was deemed wise to have *all* those male called workers serve as ex-officio members of the Council of Ministry, it might be necessary to change this Section 2D to stipulate those individuals are non-voting/advisory members.

Bylaws Article III, Section 4 provides the qualifications for service on the Council of Ministry. The text is standard for Lutheran governance Examples. However, this is a vital section for the health of a congregation. A congregation needs spiritually mature leaders. Thus, Section 4 specifies that anyone serving on the Council of Ministry must meet the criteria for voting membership described in Article II, Section 2B of the Bylaws.

## **Bylaw Article III: Council of Ministry (continued)**

### **Section 5: Election to the Council of Ministry**

- A. The president shall appoint a nominating committee of not less than three members of the congregation and the pastor(s).
- B. The nominating committee shall solicit nominations for the Council of Ministry. Any communicant member who has reached the age of eighteen may make a nomination.
- C. The nomination committee shall ensure that anyone nominated meets the criteria for voting membership described in Article II, Section 2B of these Bylaws. The nominating committee shall check with each qualified candidate as to his willingness to serve.
- D. The nominating committee will submit their list of recommended candidates to the Council of Ministry. The Council of Ministry shall produce and publish a final list of nominees at least two Sundays prior to the date of the annual Business Meeting. No additional nominations will be taken after this final list of candidates has been published.
- E. At its annual business meeting, after discussion, the voting membership shall elect the candidates. A majority of votes cast shall be necessary for election.
- F. No more than ten days following the annual Business Meeting of the congregation the Council of Ministry shall meet to elect from its own members individuals to serve for one-year in the following offices: president, vice-president, and secretary. Officers are eligible for election in subsequent years for as long as they continue to serve on the Council of Ministry.
- G. As soon as possible after the elections, the new members of the Council and any new officers shall be installed into their positions at a regular service and thus be presented to the congregation.

Section 5 establishes the process for electing the Council of Ministry. Some items of note.

- Any communicant member (likely to be older) can serve on the nominating committee. Their role is simply to collect names and determine if the men who are nominated a) are eligible to serve, according to the criterion of the Bylaws, and b) willing to serve. When the list of men who are nominated, eligible and willing has been compiled, that list is passed along to the Council of Ministry. The final decision of whether or not a name is brought forward to the congregation for discussion and the voting membership for election is up to the Council of Ministry.
- Any communicant member can nominate an individual for service on the Council of Ministry. Nomination is not an exercise of authority, but simply a recommendation.
- Section 5D specifies that the Council of Ministry will publish a final list. It does not mandate that list include every person who was nominated, is eligible, and expressed willingness to serve. The Council of Ministry may decide to bring forth a list of individuals that is no longer

than the number of positions that need to be filled. This perhaps lessens the chance of any hard feelings when one “loses” the vote.

- This Example does not allow for additional nominations being taken from the floor at the business meeting. The rationale is that if the nomination process is well established and conducted over an adequate period of time, there is no need for nominations from the floor.
- In this Example, members are not electing men to specific positions, but simply to the Council of Ministry. Each year the members of the Council of Ministry divide up responsibilities, such as officer positions, as they believe best fits their skill sets and their other vocational responsibilities. Thus, a man might be elected to a three-year term and serve as president only one or two of those years. (Again, this Example constitution aims at extreme flexibility.)
- Section 5F delineates the three officer positions as president, vice-presenting, and secretary. The duties for those offices will be described in Section 6. The position of treasurer (or financial secretary) is not used in this Example, as that is the office that a) typically requires the most training/expertise, and b) can most easily be structured as a service position, one open to any supremely qualified male or female member of the congregation.
- Section 5G calls for a formal installation of Council of Ministry members annually. This is important. These men are being asked by God, through the church, to serve in a public capacity. While we typically reserve the term “divine call” to refer to full-time public ministry, there is certainly a high calling that these men have received.

## **Bylaw Article III: Council of Ministry (continued)**

### **Section 6: Duties of Council Officers**

#### **A. President**

- The president shall have general supervision of the affairs of the congregation and conduct all its business affairs according to established good order.
- He shall preside as chairman at all congregational and council meetings. (He may appoint a facilitator to oversee the process of consensus building.)
- He shall see to it that the councilmen carry out their responsibilities and offer reports to the council and congregation.
- He shall oversee the congregation's financial operations, including providing oversight of any individuals appointed or hired to manage the congregations finances, e.g. congregational treasurer, congregational financial secretary, business manager, etc.
- He is authorized to sign documents and supervise expenditures of the congregation and Council of Ministry.
- He shall perform such other duties as outlined in this Constitution and Bylaws, or as assigned to him by the congregation.

#### **B. Vice-President**

- The vice-president shall assume the responsibilities of the president in his absence.
- He shall oversee a process whereby annually the workload, health, and financial well-being of all called workers is assessed and any concerns are addressed.
- He is authorized to provide the required second signature for all legal documents directed to be executed by the congregation.

#### **C. Secretary**

- The secretary shall keep minutes of all congregational and council meetings and submit them for revision and approval at each subsequent meeting.
- He is authorized to provide the required second signature for all legal documents directed to be executed by the congregation.

Bylaws Article III, Section 6 specify the duties of the officers. They are fairly typical and use normal verbiage in describing officer duties.

Section 6B does place a unique and increasingly needed duty on the Vice-President. He oversees a process where the overall well-being of called workers is assessed annually. More ideas about how the Vice-President might fulfill this responsibility can be obtained from WELS Care Committee for Called Workers, which has resources located at [welscongregationalservices.net](http://welscongregationalservices.net).



## **Bylaw Article III: Council of Ministry (continued)**

### **Section 7: Meetings of the Council of Ministry**

The Council of Ministry shall meet at regular intervals as determined by the Council of Ministry. Special meetings may be called by the pastor(s) or the president. The council shall not convene to transact business without the knowledge of the pastor. A majority of the members of the council shall constitute a quorum.

### **Section 8. Council Vacancies**

In the event of a vacancy on the Council of Ministry, the vacancy shall be filled by appointment of the president, with approval of the Council of Ministry, and effective until that term expires.

In keeping with the flexible nature of this Example, Bylaws Article III, Section 7 calls for the Council of Ministry to meet regularly, without stating what that regular interval should be. Monthly is typical.

In determining the frequency of Council of Ministry meetings, it is wise to have them frequently enough that the need to “talk shop” at the worship service is minimized. When God’s people gather, the Council of Ministry needs to focus on connecting with the saints, finding how their week went, warmly welcoming any worship guests, etc. That is *not* the time to discuss the budget or ministry plan, but the time to connect with the people who have come into God’s house.

Section 8 provides a simple way to fill vacancies.

## **Bylaw Article IV: Coordinators & Ministry Action Teams**

### **Section 1: Flexible Organization**

- A. The organizational structure of the congregation for carrying out ministry programs and activities shall be flexible. The Council of Ministry may use any or all of these methods:
  - 1. The Council of Ministry may appoint a coordinator (with no surrounding Ministry Action Team) who will receive training and direction and then work together with others to conduct a ministry program or activity.
  - 2. The Council of Ministry may appoint a standing Ministry Action Team to conduct a ministry program or activity. This ministry action team shall have a coordinator either appointed by the Council of Ministry or chosen by the ministry action team members.
  - 3. The Council of Ministry may appoint a task force, limited in time and assignment, to carry out some ministry effort. This task force shall have a coordinator either appointed by the Council of Ministry or chosen by the task force members.
- B. All ministry programs and activities will be carried out in line with the congregation's mission and guided by the congregation's planning documents.
- C. Any organized group or program intended to represent or serve the congregation shall exist only by consent and approval of the Council of Ministry.

Bylaws Article IV, Section 1 provides multiple ways the Council of Ministry may ensure that ministry programs and activities are carried out well.

Section 1A1 allows the Council of Ministry to appoint a coordinator to oversee a ministry effort. There is no surrounding Ministry Action Team. Instead, the coordinator simply recruits people when needed. For example, a congregation might suffice with a coordinator of fellowship. When the congregation is going to have a church picnic or Christmas party, the coordinator would recruit others to help with that event, perhaps by using a congregational time and talent survey. This option works well for ministry efforts that are periodic.

Section 1A2 allows the Council of Ministry to appoint a Ministry Action Team. This option works well for a ministry activity that is more of an ongoing effort. A common example is a Soul Care Team. This is the team that would be trained to track member attendance using some system and follow up on members who seemed to be drifting away. They would provide loving encouragement to such members. If, in interacting with straying members, it becomes clear that more admonition or even church discipline is needed, the Soul Care Team would hand off the effort with that member to the Council of Ministry, whom we said functions as the Board of Elders.

With Ministry Action Teams, the Council of Ministry has the option of either appointing one of the team members to serve as the coordinator, or to allow the team to choose a coordinator from their group.

Section 1A3 allows the Council of Ministry to appoint a task force to deal with an assignment that is limited in scope and time. For example, a task force might be appointed to study the feasibility of a

building project. Again, the Council of Ministry has the option of either appointing one of the task force members to serve as the coordinator, or to allow the task force to choose a coordinator from their group.

So, as the title of Bylaws Article IV, Section 1 indicates, the goal is to provide complete flexibility to congregational leadership. A common frustration in congregations is that they're constitutionally required to have this-or-that committee or group. This Example makes that unnecessary. Church leadership will establish whatever amount of organization is needed to efficiently carry out the ministry plans.

In a small congregation where the main ministry activities are worship, Bible study/Sunday school, some fellowship events, and friendship evangelism, often nothing more is needed than the Council of Ministry. That is fine! Free up God's people to serve in their other vocations. In a larger congregation that has adopted a ministry plan calling for a half-dozen different programs, the Council of Ministry may need the help of several Ministry Action Teams and coordinators. In this governance Example, those pivots can be made without any need to amend the constitution or bylaws or to take a vote.

Section 1B stipulates that any ministry programs need to align with the congregation's mission statement and planning documents. This section serves as a sort of litmus test for new ideas. A member might have a wonderful idea for a new ministry effort, but does it fit well with the ministry plan, both annual and long-range? If not, then before the congregation would appoint a Ministry Action Team, it would ask if they should even try and implement the idea. If they agree it should, the ministry plan (and perhaps the budget) needs to be amended.

Section 1C prohibits the assembly of a *representative* ministry group without the consent of the Council of Ministry. The word "represent" is an important distinction. A group of congregation members might, on their own, decide they want to get together for mutual encouragement in their Christian walk. They are not representing the congregation, but simply fellowshipping as brothers and sisters in Christ. That is to be encouraged! But if a group is going to assemble to do representative ministry of the congregation or to attempt to serve congregation members, it needs the consent and approval of the Council of Ministry.

## **Bylaw Article IV: Coordinators & Ministry Action Teams**

### **Section 2: Relationship to Council of Ministry**

- A. All organizational positions described in Bylaws Article IV, Section 1A are service positions. Individuals serve at the discretion and under the authority of the Council of Ministry.
- B. The Council of Ministry shall provide a position description for any coordinator and a list of responsibilities for any Ministry Action Team or task force.
- C. There may be at least one member of the Council of Ministry and/or one pastor serving on any Ministry Action Team or task force. These individuals need not serve as the coordinators of those teams (though, he can).
- D. Communication between any Ministry Action Teams/task force occurs through reports produced by coordinator and shared by the councilman and/or pastor who serves on that group. (If a coordinator is functioning with no surrounding Ministry Action Team, they shall report to a designed member of the Council of Ministry.)
- E. If a Ministry Action Team or task force would need to make a recommendation for a binding decision (i.e. the type of decisions that would typically relate to responsibilities reserved for the voting membership or delegated to the Council of Ministry), that recommendation is passed up to the Council of Ministry through the communication process described in Bylaws Article IV, Section 2D.
- F. The Council of Ministry may choose to convene periodically with coordinators to discuss ministry plans and objectives. That group shall be known as the Ministry Coordinating Committee.

### **Section 3: Eligibility for Service**

- A. Any communicant member over the age of 18 and in good standing can serve on a Ministry Action Team or task force, pending the approval of the Council of Ministry.
- B. Any communicant member over the age of 18 and in good standing can serve as a coordinator, with or without a surrounding Ministry Action Team, pending the approval of the Council of Ministry.

Bylaws Article IV, Section 2A establishes that coordinators and Ministry Action Teams are service positions who operate at the discretion and under the authority of the Council of Ministry. Thus, service in these positions are open to men and women, as is stipulated in Section 3A and 3B. This also follows the encouragement of WELS Conference of Presidents.

Ministries have achieved a more robust male and female partnership by distinguishing clearly between positions that do or do not exercise headship. A non-headship level of ministry teams is a wonderful place for men and women to collaborate... A

congregation may even consider minimizing the number of headship level groups and expanding the number of teams that are actively serving.<sup>3</sup>

Section 2B aims at ensuring that Ministry Action Teams and coordinators do indeed operate as service positions. Position descriptions and carefully crafted lists of responsibilities can “clearly communicate and maintain a proper distinction between headship and non-headship positions, engaging our sisters in Christ in every biblically appropriate way.”<sup>4</sup> Samples of position descriptions are provided in the Lutheran Governance Resources module at [welscongregationalservices.net](http://welscongregationalservices.net).

Section 2C stipulates that, for any Ministry Action Team or task force, there “*may be at least one* member of the Council of Ministry and/or pastor” who serves. This will likely depend on the responsibility of that Ministry Action Team. For example, consider a Soul Care Team, who oversees the process of tracking worship attendance and encouraging members who have been absent for a couple weeks. For something like that, there might be both a pastor and a councilman who serves on the Soul Care Team. Now consider something like the Property Care Team, who oversees the upkeep of facility and grounds. It might be unnecessary to have any pastor or councilman serving on that team. Section 2C also stresses, the presence of a councilman or pastor does *not* necessarily mean those men coordinate the work of the team. It may be best to let another team member fill the role of coordinator, with the councilman or pastor simply providing support and a communication connection with the Council of Ministry. Section 2D addresses exactly that – communication with the Council of Ministry.

Section 2E acknowledges that, on occasion, a Ministry Action Team might need to make a recommendation which, if enacted, would represent a binding decision, the nature of which would typically be reserved for the voting membership. For example, a congregation might have a School Team which, in the vast majority of its functions, is simply providing service to the congregation: providing encouragement and volunteer assistance to principal, teachers and staff; listening to ideas, concerns, and suggestions of school parents; helping with facility maintenance and improvement; helping promote the ministry of the school in the community; providing support of extra-curricular activities; etc. Now imagine that School Team is asked to produce policy recommendations that affect curriculum standards or teacher schedule. They serve the congregation by providing recommendations; however, the final decision would be a binding decision affecting called workers. Thus, those recommendations would be passed along to the Council of Ministry either to make the final decision or, if deemed wise, to bring the recommendations to the congregation for broad discussion and approval by the voting membership.

Section 2F also works to ensure good communication among all the individuals who are involved in the coordination of the congregational ministry efforts, who together constitute what is titled the Ministry Coordinating Committee.

Section 2A established that “All organizational positions described in Bylaws Article IV, Section 1A are service positions [i.e. service on Ministry Actions Teams and task forces, or service as coordinators]. Individuals serve at the discretion and under the authority of the Council of Ministry.” This can be reinforced by congregations crafting lists of responsibilities for Ministry Action Teams and position descriptions for coordinators. Since Ministry Action Teams are service positions, Section 3 establishes that any communicant member, male or female, over the age of 18 who is a member in good standing can serve in any of these positions. Thus, while the Council of Ministry consists of male leadership, the Ministry Coordinating Committee may consist of both men and women.

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<sup>3</sup> Ibid 19

<sup>4</sup> Ibid

## Bylaw Article IV: Coordinators & Ministry Action Teams

### Section 3. Boards

- A. The Council of Ministry can, if it deems it necessary or wise, delegate authoritative decisions to a subgroup within a Ministry Action Team. That subgroup shall be known as a Board. (E.g. Board of Elders within a Soul Care Team; School Board within a School Team.)
- B. Membership on a Board is open to voting members, defined in Bylaws Article II, Section 2B.
- C. Member of any Boards shall be appointed by the Council of Ministry.
- D. A member of the Council of Ministry and/or the pastor(s) shall serve on every Board.
- E. A Board chair will be appointed by the Council of Ministry.

The consistent aim of this governance Example is to provide flexibility. Bylaws Article IV, Section 3, allows the Council of Ministry, which is the only authoritative body established in this governance Example, to delegate some responsibilities to a subgroup within a Ministry Action Team if it's deemed wise or necessary.

For example, imagine a church has a large and growing school. Desiring a robust partnership between men and women, the Council of Ministry appoints a School Team of a dozen men and women. However, there are enough authoritative decisions about the school that need to be made, it is not practical to ask the Council of Ministry to consider them all. The councilmen might simply not be well-informed enough about school issues to make a sound decision. Thus, the Council of Ministry appoints a School Board as a subgroup within the School Team and vests it with the authority to make such decisions.

Since service on the School Board is more than simply a service position, but also a headship position, Section 3B limits service on the Board to voting members. Section 3C stipulates that these board members are still appointed by the Council of Ministry.

Since a Ministry Action Team is a service group, Bylaws Article IV, Section 2C stipulated that a pastor or councilman *may* serve on the team. Since all Boards have authority vested in them by the Council of Ministry, Section 3D *requires* a pastor or councilman to serve.

Section 3E stipulates that a Board "chair" is appointed by the Council of Ministry. Note the terminology. A "team" is a service group that operates with a "coordinator," a service position. A "board" is an authoritative leadership group that operates with a "chair."