

CONSTITUTION

of

FIRST LUTHERAN CHURCH

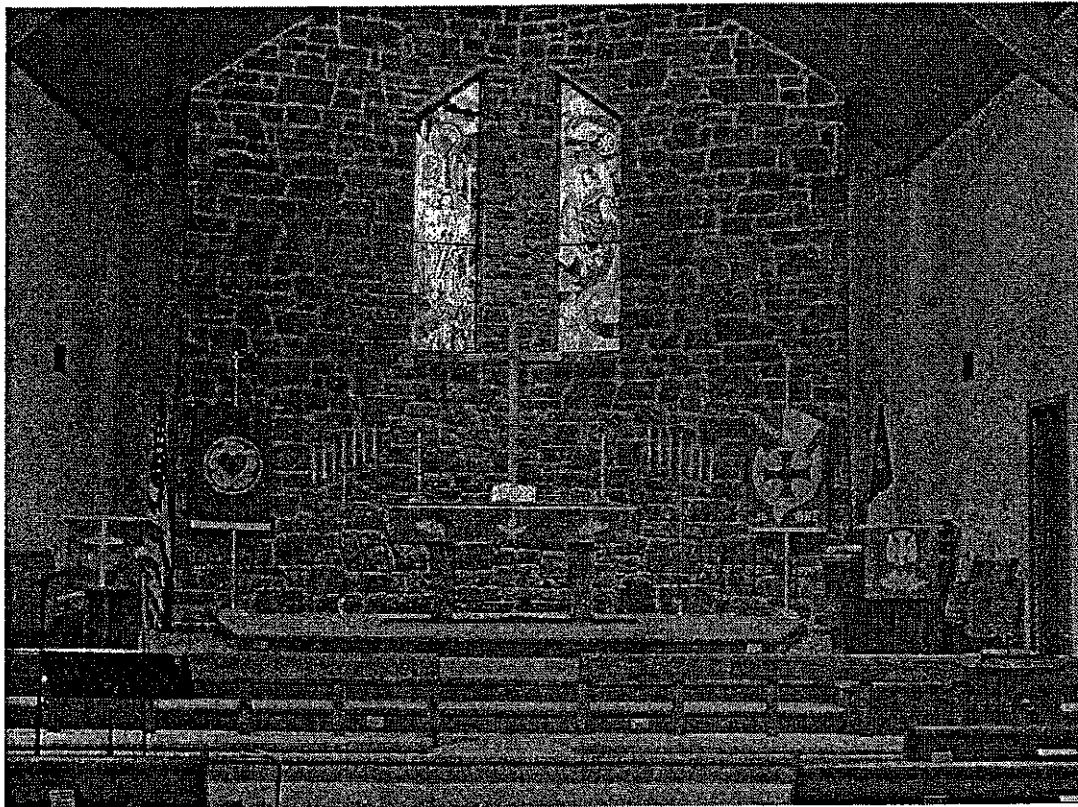


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PREAMBLE

The Word of God requires that a Christian congregation shall conform to this divine word in doctrine and practice, (*Psalm 119:105; Matthew 28:18-20; Galatians 1:6-8; 2 Timothy 4:1-5*) and that all things be done decently and in order (*1 Corinthians 14:40*). Therefore we, the members of First Lutheran Church, Hot Springs, Arkansas, accept and subscribe to the following constitution and bylaws, which shall govern all our congregational affairs.

THE CONSTITUTION

ARTICLE I NAME

The name of this congregation shall be First Lutheran Church of Hot Springs, Arkansas.

ARTICLE II MISSION

Compelled by the love of Christ, the mission of this congregation is to:

1. **Reach** all with the saving love of Jesus Christ.
2. **Guide** them into a growing relationship with Jesus.
3. **Serve** them with our God-given gifts.

In order to accomplish this mission and to carry out the Great Commission of our Lord, Jesus Christ, both within and outside of our fellowship, we strive to:

- clearly proclaim the Gospel
- joyously celebrate our faith in worship through word and sacraments
- promote spiritual maturity through the study of God's Word
- consciously seek God's help and direction through prayer
- assist all in the full use of their spiritual gifts
- earnestly endeavor to love and care for all members of the body of Christ, and others in need of Christian love
- share Christ with others in the community.

ARTICLE III ARTICLES OF FAITH

A. This congregation accepts and confesses without reservation as the only rule of faith and life:

1. All the canonical books of the Old and New Testaments of the Bible as the revealed, inerrant and verbally inspired Word of God.
2. All the synodical books of the Lutheran Church contained in the Book of Concord of 1580, as true and genuine expositions of the doctrines of the Bible. This includes:
 - (a) The three Ecumenical Creeds – Apostles', Nicene and Athanasian

- (b) The Unaltered Augsburg Confession
 - (c) The Apology of the Augsburg Confession
 - (d) The Smalcald Articles
 - (e) The Formula of Concord
 - (f) Luther's Large and Small Catechisms
- B. No doctrine or practice which conflicts, or is inconsistent with, the above norms of our faith and life shall be taught or tolerated in this congregation.
- C. Only such hymns, prayers, and liturgies shall be used in the public services of the congregation and in all ministerial acts as conform to the confessional standard herein outlined. Likewise, in all classes for instruction in Christian doctrine, only such books shall be used as conform to this standard.

ARTICLE IV SYNODICAL AFFILIATION

This congregation shall hold membership in The Lutheran Church – Missouri Synod(LCMS) as long as the confessions and constitution of said Synod are in accord with the confession and constitution of this congregation as stated in *Article III*.

ARTICLE V MEMBERSHIP

- A. **Baptized Members** – Baptized members are all persons within the congregation who have been baptized in the name of the Triune God and are under the pastoral care of this congregation. It is expected of all baptized members that they:
1. Attend worship services regularly.
 2. Lead Christian lives.
 3. Are not members of any organization which conflicts with the Word of God.
 4. Contribute, as God has blessed them, of their time, talents and treasure to the extension of the Kingdom of God.
 5. Out of Christian love, submit to brotherly admonition when having erred or offended.
 6. In due time, take a course of instruction in preparation for communicant membership.
- B. **Communicant Members** – Communicant members are all baptized persons within the congregation who have received a course of instruction in Christian doctrine that meets with the doctrinal standards of Article III. It is expected of all communicant members that they, in addition to the duties of all baptized members:

1. Partake of the Lord's Supper on a regular basis.
2. Provide for the Christian education of their children through educational agencies of this congregation.
3. Willingly participate in daily prayer and devotions and make themselves available for spiritual growth wherever possible.

C. Admission of Communicant Members

1. **By Confirmation** – Confirmation itself being a reception into church membership, all who are thus received by this sacred act become communicant members.
2. **By Transfer** – Persons coming to the pastor with a communicant letter of transfer from an LCMS congregation, provided they conform in all respects to the requirements of membership of this congregation, shall be received by the pastor.
3. **By Profession of Faith** – Other persons shall submit their requests to the pastor, and having presented evidence of qualifications for communicant membership, shall be received as communicant members.

D. Termination of Communicant Members

1. Communicant members desiring to join another LCMS congregation shall present their request for transfer to the pastor.
2. Communicant members who join another congregation outside the LCMS terminate their membership.
3. Communicant members whose whereabouts are unknown and whose addresses cannot be established shall be removed from membership.
4. Communicant members who continually conduct themselves in an unchristian manner shall be admonished according to *Matthew 18:15-20*. The purpose of any disciplinary action is to renew a member's relationship with the Lord and with the church. A member shall be considered self-excluded when unresponsive to God's Word and the witness and ministry of the church.
5. Excommunication determination will be made by the pastor and the Board of Elders. The Pastor will report any such actions at the subsequent Voters' Assembly.
6. A person whose communicant membership has been terminated has forfeited all rights as a member and all claims upon the property of the congregation.

E. Voting Members – Voting members are all communicant members who have reached the age of eighteen years. Only such voting members who have attained the age of twenty-one years shall be eligible to an elective office. All voting members are expected:

1. To read the constitution and bylaws of the congregation.
2. To attend Voters' Assembly meetings; by failing to attend a meeting, a member waives the right to cast a vote at that meeting.

3. If eligible, to accept nominations to office, committee appointments, etc., if possible, and generally participate in the activities of the Voters' Assembly.

ARTICLE VI OFFICE OF THE PASTOR AND CALLED PROFESSIONAL CHURCH WORKERS

The pastoral office of this congregation, as well as that of other called professional offices, shall be conferred upon those ministers, called professional workers and candidates who profess and adhere to the confessional standards set forth in *Article III* of this constitution, are well qualified for their work, and are members of The Lutheran Church – Missouri Synod.

ARTICLE VII AUTHORITY OF THE CONGREGATION

- A. **General** – The congregation as a body, through the Voters' Assembly, shall have final authority over its internal and external affairs.
- B. **Right of Calling** – The right of calling pastors or other called professional church workers shall be vested in the congregation through the Voters' Assembly and shall never be delegated to a smaller body or to an individual.
- C. **Power of Officers** – Congregational officers, boards and committees, whether elected or appointed, shall have no authority beyond that which has been conferred upon them in the constitution and bylaws, and whatever power may have been delegated to them may at any time be altered or revoked by the Voters' Assembly or Ministry Council, whichever is applicable.
- D. **Removal From Office** – Any officer, pastor, or other called professional church worker may be removed from office by the Voters' Assembly by a two-third majority ballot vote, in Christian and lawful order, for one of the following reasons: persistent adherence to false doctrine, scandalous and unchristian life, willful neglect of their official duties or inability to perform the duties of the office.

ARTICLE VIII ORGANIZATION

- A. **Officers** – The officers of this congregation shall be as the bylaws of this constitution prescribe.

- B. **Ministry Council** – The Ministry Council will be comprised of the membership as prescribed in the bylaws. The Council shall have the power to develop policies as required to execute the goals approved by the Voters' Assembly.

General – The Ministry Council shall have the responsibility and authority for the daily administration of congregational affairs, except with regard to the matters designated only for action by the Voters' Assembly.

ARTICLE IX PROPERTY

This congregation, represented by the Ministry Council, shall have the right to acquire and own such property as is necessary for the successful realization of its aims. Everything owned by the congregation, whether movable or fixed, is the estate of the congregation.

- A. **Separation** – Members who sever their connection with the congregation, whether by transfer or release to another congregation, or by moving away without leaving an address, forfeit all claims to the property of this congregation.
- B. **Excommunication** – Excommunicated persons and such as have excommunicated themselves by refusing to respond to church discipline shall be treated as mission prospects but shall also forfeit, from the moment of separation, all claims to the property of the congregation.
- C. **Doctrinal Dispute** – If at any time a separation on account of doctrinal dispute should take place in this congregation, the property of the congregation and all benefits connected therewith shall remain with the majority of the communicant members who continue to adhere in confession and practice to *Article III*.
- D. **Dissolution** – In the event of dissolution of this congregation, all property and all rights connected therewith shall be transferred to the Mid-South District of The Lutheran Church, Missouri Synod, or its successor organization.

ARTICLE X BYLAWS

This congregation may adopt such bylaws as may be required for the accomplishment of its mission.

ARTICLE XI AMENDING THE CONSTITUTION

To amend any article of this constitution, a written copy of the proposed amendment shall be presented at a meeting of the Voters' Assembly before the meeting at which the proposed amendment is to receive action. Due notice of the fact that a vote will be taken shall be given to all voting members of the congregation. Any changes to Articles 3, 4, 5 and 6 shall not destroy the essential meaning of the same. When such amendment has been approved by a two-thirds majority of the assembled voters, it shall become effective.

BYLAWS

ARTICLE I VOTERS' ASSEMBLY

- A. The Voters' Assembly shall meet at least twice a year. Typically those meetings would be in the first quarter to approve the ministry plan and in the fourth quarter for budget approval and election. The day and hour of these meetings shall be set by the Ministry Council and publicized at least one month in advance. The notification shall contain an agenda of items to be considered as well as the slate of nominees for election, if applicable.
- B. The Voters' Assembly may meet at other times of the year subject to a call by the Ministry Council. Notice of any such special meeting shall be publicized as far in advance as possible but no less than two successive Sundays. The president, vice president, or their designated Ministry Council member shall preside at all Voters' Assembly meetings.
- C. A quorum shall consist of not less than 10% of the voting members. Written ballots shall be used upon request.
- D. Responsibilities:
 - 1. Call or remove a called worker.
 - 2. Adopt annual budget.
 - 3. Acquire or dispose of real property.
 - 4. Conduct required elections.
 - 5. Amend the constitution and bylaws.

6. Review and approve the annual ministry plan.
7. Merge or dissolve the congregation.
8. Approve long-term borrowing.

ARTICLE II

CALLING OF PASTORS AND OTHER CALLED PROFESSIONAL CHURCH WORKERS

A call committee consisting of a minimum of 3 voting members shall be appointed by the Ministry Council. When calling a teacher, the call committee shall consist of the School Board. The call committee shall establish a job description, consult with the District President, and secure a list of candidates. Any member of the congregation may submit the name of a candidate. The call committee shall then secure all information possible concerning all nominees. Once all information has been gathered, a list of preferred candidates and their qualifications will be published on two consecutive Sundays prior to the special Voters' meeting which issues the call. At the special Voters' meeting, the candidate obtaining a majority vote shall be issued the call.

ARTICLE III

ELECTED POSITIONS

The elected positions of the congregation shall consist of the president, vice-president, secretary, treasurer, at-large members of the Ministry Council, and members of the Board of Elders. All nominees shall be voting members who have proven faithful to the Lord and His church by attending worship faithfully, being involved in ongoing Bible study, and leading a committed life of growing discipleship. The president, vice-president, and elders are to be male. Elected officials may not receive compensation from the congregation.

ARTICLE IV

OFFICERS

A. President

The President shall:

1. Preside at all meetings of the Voters' Assembly and the Ministry Council.
2. In conjunction with the pastor(s), appoint any necessary boards, committees, task groups or ministry teams with approval of the Ministry Council.
3. Enforce the constitution and bylaws.

4. Perform the general duties as are common for the office, including such additional duties as may be directed by the Voters' Assembly from time to time.
- B. Vice-President** – The Vice-President shall perform all of the responsibilities of the president in the latter's absence and such other additional duties which may be directed by the Voters' Assembly or by the president from time to time.
- C. Secretary**
The Secretary shall:
1. Keep and preserve accurate records of all Voters' Assembly and Ministry Council meetings.
 2. Handle correspondence required by the Ministry Council.
 3. Complete other responsibilities commonly required of the office.
- D. Treasurer**
The Treasurer shall:
1. Keep and preserve the accurate records of all receipts, disbursements, and all fund balances, and submit a written report of them at all regular meetings of the Voters' Assembly and the Ministry Council.
 2. Assure accuracy and propriety of all financial transactions of the congregation.
 3. Secure assistance as required to fulfill all duties.
- E. Term of Office** – Each officer shall serve for a term of two years and shall serve no more than two full successive terms in that position without a break of at least one year. The term of office commences January following the election. Terms of officers can be staggered with one-half of the officers elected each year.

ARTICLE V MINISTRY COUNCIL

- A. Membership** – The Ministry Council shall consist of three members elected at-large by the Voters' Assembly, plus the congregation officers listed in Article IV. The Pastor shall be an ex-officio member.
- B. Term of Office** – The term of office shall be two years, with approximately one-half of the Ministry Council being elected each year. Members shall serve no more than two full successive terms in that position without a break of at least one year. The term of office commences January following the election.
- C. Meetings** – The Ministry Council shall meet at least bi-monthly and may be called more frequently at the request of the president or any three Ministry Council members. The President or Vice-president shall be present and preside with a total of five members of the Ministry Council to constitute a quorum for any meeting. Notice of each meeting shall be publicized. The minutes shall fully disclose all actions taken

and be signed by the president and secretary. Minutes of the meetings shall be available to voting members.

- D. **Powers** – The Ministry Council shall have the power to develop policies as required to execute the goals approved by the Voters' Assembly. Written policies shall be available upon request and should be distributed to the affected board, committee or group. The Ministry Council shall have no authority beyond that which has been conferred upon it by the constitution, bylaws, or the Voters' Assembly.

E. **Responsibilities**

The responsibilities of the Ministry Council include:

1. Function as the chief governing council of the congregation, and act in all matters pertaining to the legal and general welfare of the congregation, except those reserved for the Voters' Assembly in Article VII of the Constitution and Article I of the Bylaws.
2. Ensure that all activities of the church reflect the mission and faith of the congregation.
3. Concern itself with establishing all policies governing the activities of the congregation and with the implementation of the mission, vision, budget, and plans adopted by the Voters' Assembly.
4. Establish any ministry group needed. It shall oversee and have authority over all other boards, committees, task forces, ministry teams, or other entities of the congregation. The Ministry Council may request regular reports from each.
5. Submit to the Voters' Assembly a yearly budget.
6. Approve expenditures not exceeding 5% of the budget.
7. Review and approve short-term borrowing of monies (not to exceed \$20,000 and a three-year amortization).
8. Receive and review a complete financial report; arrange for an annual independent financial review.
9. Review and approve the disposal of the congregation's personal property.
10. Establish and approve the disposition of gifts, bequests, and estates.
11. Act upon recommendations from the pastor(s) for the hiring or termination of any staff position.
12. Call specific meetings of the Voters' Assembly to deal with any appropriate business.
13. Authorize an annual performance and salary review of all called and other paid workers of the congregation.

ARTICLE VI BOARD OF ELDERS

- A. **Membership** – The Board of Elders shall consist of seven or more male communicant members elected by the Voters' Assembly.
- B. **Term** – The term of office shall be two years, with approximately one-half of the Board of Elders being elected each year. Members shall serve no more than two full successive terms in that position without a break of at least one year. The term of office commences January following the election.
- C. **Responsibilities**
The responsibilities of the Board of Elders include:
1. Elect a chairman and secretary from its membership.
 2. Assist the pastor(s) in his/their spiritual duties, including specific functions of the pastoral office, preaching, teaching, counseling, public administration of the sacraments, church discipline, and admonishment of members who are neglecting the means of grace or fail to share in their support of congregational endeavors.
 3. Schedule the appropriate number of elders for each service to organize and maintain a proper atmosphere of worship, such as overseeing ushers and acolytes.
 4. See that the pastor(s), other professional church workers and the congregation receive due honor and love, and that they are supported and cared for according to Holy Scripture.
 5. Maintain Christian doctrine within the congregation.
 6. Submit an activities report to the Ministry Council upon request and to the Voters' Assembly annually.

ARTICLE VII

ELECTION, VACANCY, AND REMOVAL FROM OFFICE FOR OFFICERS, MINISTRY COUNCIL, AND BOARD OF ELDERS

A. Election

1. Nomination

- a) The Ministry Council shall annually appoint a Nominating Committee whose responsibility will be to develop a slate of candidates to be elected each year. The committee shall contain a majority of non-council members, shall function for one year only, and shall report their nominations to the Voters' Assembly. The pastor(s) shall be ex-officio member(s) of the Nominating Committee.

- b) Specific criteria for elected positions shall be outlined by the Nominating Committee prior to accepting any nominations. In addition to the Nominating Committee's slate of candidates, any voting member may nominate candidates. Such nominations shall be called for in the Fall Voters' Assembly meeting prior to the time that nominations are closed.
- 2. **Election** – Nominees who receive a simple majority of the ballots cast at the Voters' Assembly shall be the elected officers.
- B. **Vacancy** – In the event of a vacancy, the previous Nominating Committee shall appoint an individual to serve until the next election.
- C. **Removal from Office** – Any officer, Ministry Council member, or member of the Board of Elders who is unable or unwilling to perform their official duties, may be removed from office by the Voters' Assembly by a two-third majority ballot vote. Such action shall be initiated by the Ministry Council.

ARTICLE VIII OTHER MINISTRY GROUPS

- A. Other ministry groups, task forces, and committees with specific areas of decision-making and responsibilities may be established by the Ministry Council in order to encourage all members to use their spiritual gifts within the body of Christ. These may include, but not be limited to: planning groups, stewardship committee, educational ministries, small group leaders, building study committees, feasibility study task forces, care committees, evangelism committee, trustees, school board and women's groups.
- B. When establishing such groups, the Ministry Council shall define the purpose and focus for the group to provide direction and to eliminate gaps or duplications with other ministry groups. Under this guidance from the Ministry Council, each group will establish its own methods and procedures as required to accomplish its purpose.

ARTICLE IX ENDOWMENT FUND

- A. **Name and Purpose** - This congregation shall have an Endowment Fund. This fund shall be called the First Lutheran Church Endowment Fund. This fund's purpose shall be to receive gifts and bequests and to use them for the mission and ministry of First Lutheran Church and The Lutheran Church—Missouri Synod, its districts, seminaries, colleges, institutions, or agencies.

B. Governing Board and Duties – The endowment fund shall be promoted and managed by the First Lutheran Church Endowment Fund Committee. The First Lutheran Church Endowment Fund Committee shall consist of the following members:

1. The President of the Ministry Council, ex-officio member,
2. Stewardship Committee member,
3. The Treasurer of the Congregation, permanent member,
4. Three appointed members.

ARTICLE X AMENDING THE BYLAWS

Amendments to these bylaws may be made in the following manner:

Any proposed amendment to the bylaws shall be distributed to the congregation assembled for worship on the two consecutive Sundays prior to the date upon which the amendment is presented for action at a Voters' Assembly meeting. At this meeting the vote shall be taken on the proposed amendment and shall require the affirmative vote of the two-thirds of the voting members present.

September 28, 2003