

Constitution on Officers, Council, and Committees.

St. Mark's adopted January 2017	Model Constitution ELCA August 2019	Comment
<ul style="list-style-type: none"> • Preamble • Charter 1- Name and Incorporation • Chapter 2- Confession of Faith • Chapter 3- Nature Of the Church • Chapter 4.01,4.02,4.04 	<p>Removed</p>	<p>Edits on the St. Mark's Constitution have been reviewed by Diane Nissen, Herb Geier and Church Council prior to recommending the new 2021 version of the Constitution to the Congregation for ratification.</p>
<p>*C4.03. To fulfill these purposes, this congregation shall: a,b,c,d,e,f,h,l</p> <p>*C4.03. To fulfill these purposes, this congregation shall: g. Motivate its members to provide financial support for the congregation's ministry and the ministry of other parts of the Evangelical Lutheran Church in America</p>	<p>Removed</p> <p>*C4.03. To fulfill these purposes, this congregation shall: g. Motivate its members to provide financial support for this congregation's ministry and the ministry of the other expressions of the Evangelical Lutheran Church in America.</p>	
<p>*C4.05. This congregation shall, from time to time, adopt a mission statement which will provide specific direction for its programs.</p>	<p>*C4.05. This congregation shall, adopt and Periodically review a mission statement which will provide specific guidance for its programs.</p>	
<p>*C5.01. *C5.02.</p>	<p>Removed</p> <p>*C5.03. Only such authority as is delegated to the Congregation Council or other organizational units in this congregation's governing documents is recognized. All remaining authority is retained by this congregation.</p>	

<p>*C5.04. This congregation shall choose from among its voting members laypersons to serve as voting members of the Synod Assembly as well as persons to represent it at meetings of any conference, cluster, coalition, or other. Area subdivision of which it is a member. The number of persons to be elected by the congregation and other qualifications shall be as prescribed in guidelines established by the Pacifica Synod of the Evangelical Lutheran Church in America.</p>	<p>*C5.04. This congregation shall elect from among its voting members laypersons to serve as voting members of the Synod Assembly as well as persons to represent it at meetings of any conference cluster, coalition, or other area subdivision of which member. The number of persons to be elected by this congregation and other qualifications shall be as prescribed in guidelines established by the Synod of the Evangelical Lutheran Church in America.</p> <p>*C5.05. Removed</p>	
<p>*C6.01. This congregation shall be an interdependent part of the Evangelical Lutheran Church in America or its successor, and of the Synod of the Evangelical Lutheran Church in America. Congregation is subject to the discipline Of the Evangelical Lutheran Church in America.</p>	<p>*C6.01 This congregation shall be an interdependent part of the Evangelical Lutheran Church in America or its successor, and of the Synod of the Evangelical Lutheran Church in America. Congregation is subject to the discipline of the Evangelical Lutheran Church in America.</p>	
<p>*C6.03. This congregation acknowledges its relationship with Evangelical Lutheran Church in America.</p> <ol style="list-style-type: none"> a. This congregation agrees to be responsible for its life as a Christian community. b. This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America. c. This congregation agrees to call pastoral leadership from the roster of ministers of 	<p>Removed a, b,c</p> <p>*C6.03. This congregation acknowledges its relationship with Evangelical Lutheran Church in America.</p> <ol style="list-style-type: none"> d. This congregation agrees to consider ministers of Word Services for call to other staff position in this according to the procedures of the Evangelical Lutheran Church in America. 	

<p>the Word and Sacrament of the Evangelical Lutheran Church in America in Accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod. These special circumstances are limited either to calling a candidate approved for the roster of ministers of Word and Sacrament or a church which the Evangelical Lutheran Church in America officially has established</p> <ul style="list-style-type: none"> a. relationship of full communion. d. This congregation agrees to consider ministers of Word and Service for call to other staff positions in the congregation according to the procedures of the Evangelical Lutheran Church in America. 		
<p>*C6.04. Affiliation with the Evangelical Lutheran Church in America may be terminated as follows:</p> <ul style="list-style-type: none"> a. This congregation takes action to dissolve. b. This congregation ceases to exist. c. This congregation is removed from membership in the Evangelical Lutheran Church in America according to the procedures for discipline of the Evangelical Lutheran Church in America. d. This congregation follows the procedures outlined in C6.05. 	<p>Removed a,b,</p> <p>*C6.04. Affiliation with the Evangelical Lutheran Church in America is terminated as follows:</p> <ul style="list-style-type: none"> c. This congregation is removed from membership in the Evangelical Lutheran Church in America according to the procedures for discipline of the Evangelical Lutheran Church in America or in accordance with provision 9.23 of the constitution and bylaws of the Evangelical Lutheran Church in America. d. The Synod takes charge and control of the property of this congregation to hold, manage, and convey the same on behalf of the synod pursuant to 13.24 of the synod constitution. This congregation shall have the right to appeal the decision to the next Synod Assembly. 	

<p>*C6.05 This congregation may terminate its relationship with the Evangelical Lutheran Church in America by the following procedure:</p> <ul style="list-style-type: none"> a. A resolution indicating the desire of this congregation to terminate its relationship must be adopted at a legally called and conducted special meeting of this congregation by a two-thirds majority of the voting members present. b. The secretary of this congregation shall submit <ul style="list-style-type: none"> a copy of the resolution to the synodical bishop and shall send by mail or electronic means, as permitted by state law, a copy of the resolution to voting members of this congregation. This notice shall be submitted within 10 days after the resolution has been adopted. c. The bishop of the synod shall consult with this congregation during a period of at least 90 days. d. If this congregation, after consultation, still desires to terminate its relationship, such action may be taken at a legally called and conducted special meeting by a two-thirds majority of the voting members present, at which meeting the bishop of the synod or an authorized representative shall be present. Notice of the meeting shall be sent by mail or electronic means, as permitted by state law, to all voting members at least 10 days in advance of the meeting. e. A certified copy of the resolution to terminate its relationship shall be sent to the synodical bishop, at which time the relationship between this congregation and the Evangelical Lutheran Church in America shall be terminated. 	<p>*C6.05. This congregation may terminate its relationship with Evangelical Lutheran Church in America by the following procedure:</p> <ul style="list-style-type: none"> a) A resolution indicating the intent to terminate its relationship must be adopted at legally called and conducted special meetings of this congregation by a two-thirds vote of the voting members present at each meeting. The first such meeting may be held no sooner than 30 days after written notice of the meeting is received by the bishop of the Synod, during which time this congregation shall consult with the bishop and the bishop's designees, if any. The times and manner of the consultation shall be determined by the bishop in consultation with the Congregation Council. Unless he or she is a voting member of this congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the first meeting. b) Within 10 days after the resolution has been voted upon at the first meeting, the secretary of this congregation shall submit a copy of the resolution to the bishop, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, and shall send copies of the resolution and certification to voting members of this congregation. c) If the resolution was adopted by a two-thirds of the voting members present at the first meeting, the bishop of the synod and this congregation shall continue in consultation, as specified in paragraph a. above, during a period of at least 90 days after receipt by the bishop 	
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<p>f. Notice of the termination shall be forwarded by the synodical bishop to the secretary of the ELCA, who shall report the termination to the Churchwide Assembly.</p> <p>g. This congregation shall abide by these covenants by and among the three expressions of this church:</p>	<p>of the attestation and certification as specified in paragraph b. above.</p> <p>d) If this congregation, after such consultation is still considering termination of its relationship with this church, such action may be taken at a legally called and conducted special meeting by two-thirds vote of the voting members present. Notice of the second meeting shall be sent to all voting members and to the bishop at least 10 days in advance of the meeting. Unless he or she is a voting member of this congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the second meeting.</p> <p>e) With 10 days after the resolution has been voted upon, the secretary of this congregation shall submit a copy of the resolution to the bishop, attesting that the second special meeting was legally called and conducted and certifying the outcome of the vote, and shall send copies of the resolution and certification to the voting members of the congregation. If the resolution was adopted by a two-thirds vote of the voting members present at the second meeting, the relationship between the congregation and this church shall be terminated subject to Synod Council approval as required by paragraphs f, and g, below.</p> <p>f) Unless this notification to the bishop also certifies that congregation has voted to affiliate with another Lutheran denomination, this congregation shall be deemed an independent or non-church, in which case *C7.04. shall apply.</p> <p>g) This congregation which had been members of the Lutheran Church in America shall be required</p>	
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	<p>in addition to complying with the foregoing provisions in *C6.05, to receive synod approval before terminating their membership in this church.</p> <p>h) If this congregation fails to achieve the required two-thirds vote of voting members present at this congregation's first meeting as specified in paragraph a. above, or fails to achieve the required two-thirds vote of voting members present at congregation's second meeting as specified in paragraph d. above, another attempt to consider termination of relationship with this church must follow all requirements of *C6.05, and may begin no sooner than six months after the meeting at which the two-thirds vote was not achieved.</p>	
*C6.05	Removed	
	<p>*C6.06. If this congregation considers relocation, it shall confer with the bishop of the synod in which it is territorially located and the appropriate unit of the churchwide organizations before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is taken.</p>	

<p>*C7.02. If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline, title to property shall continue to reside in congregation.</p>	<p>*C7.02. If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline, or pursuant to 9.23. of the constitution and bylaws of the Evangelical Lutheran Church in America, title to property shall continue to reside in this congregation.</p>	
<p>*C7.03. If two-thirds of the voting members of This congregation present at a legally Called and conducted special meeting of This congregation vote to transfer to Another Lutheran church body, title to Property shall continue to reside in this congregation. Before this congregation takes action to transfer to another Lutheran Church body, its shall consult with representatives of the Pacifica Synod.</p>	<p>*C7.03. If the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to transfer to another Lutheran church body, title to property shall continue to reside in this congregation. Before this congregation takes action to transfer to another Lutheran Church body, its shall consult with representatives of the Pacifica Synod.</p>	
<p>*C7.04. If two-thirds of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to become independent or relate to a non-Lutheran church body and have followed the process for termination of relationship in *C6.05. Title to property of this congregation shall continue to reside in this congregation only with the consent of the Synod Council. The Synod Council, after consultation with this congregation by the</p>	<p>*C7.04. The voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to become independent or relate to a non-Lutheran church body and have followed the process for termination of relationship in *C6.05. Title to property of this congregation shall continue to reside in this congregation only with the consent of the Synod Council. The Synod Council, after consultation with this congregation by the process established by the Synod, may give approval to the request to</p>	

<p>established Synodical process, may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of this congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America.</p>	<p>become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of this congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America. In neither case does title to this congregation's property transfer to the synod.</p>	
	<p>*C7.05 Notwithstanding the provisions of *C7.02. and *C7.03, above where this congregation has Received property from the synod pursuant to a deed or other instrument containing restrictions under provision 9.71.a. of the <i>Constitutions Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America</i>, this congregation accepts such restrictions and:</p> <ul style="list-style-type: none"> a. Shall not transfer, encumber, mortgage, or in any way burden or impair any right, title, or interest in the property without prior approval of the Synod Council. b. Shall-upon written demand by the Synod Council, Pursuant to *S13.23, of the constitution of the Pacifica Synod. 	
<p>*C8.01</p>	<p>Removed</p>	
<p>*C8.02. c. <i>Voting</i> members are confirmed members. Such confirmed members, during the current or</p>	<p>A,b,d Removed *C8.02. Members shall be classified as follows: c. <i>Voting</i> members are confirmed members. Such confirmed members, during the</p>	

<p>preceding calendar year, shall have communion in this congregation and shall made a contribution of record to this congregation. Members who have satisfied these basic standards shall have the privilege of voice and vote regular and special meeting of the congregation as well as the other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.</p>	<p>current or preceding calendar year, shall have communion in this congregation and shall made a contribution of record to this congregation. Members who have satisfied these basic standards shall have the privilege of voice and vote regular and special meeting of this congregation as well as the other rights and privileges ascribed to voting members the provisions of this constitution and its bylaws. They shall not have voted as a seasonal member of another congregation of this church in the previous two calendar months.</p> <p>e. Seasonal members are voting members of other congregations of this church who wish to retain such membership but desire to participate in the life and mission of this congregation, including exercising limited voting rights in this congregation. The Congregation Council may grant seasonal membership to such persons provided that this congregation is a member of a synod where the Synod Council has approved seasonal member voting on its territory. Such seasonal members shall have all the privileges and duties of voting members except that:</p> <p>3) They shall not have the right to vote on any matter concerning of affecting the affiliation of this congregation with this church.</p>	
*C8.03.	Removed	
* C8.04	Removed	
*C8.05. Membership in this congregation shall be terminated by any of the following: a. Death;	*C8.05. Membership in this congregation shall be terminated by any of the following:	

<ul style="list-style-type: none"> b. Resignation; c. Transfer or release; d. Disciplinary action in accordance with ELCA constitutional provision 20.41 and the accompanying bylaws; or e. Removal from the roll due to inactivity in accordance with the provisions of this constitution and its bylaws. Such persons who have been removed from the roll of members shall remain persons for whom church has a continuing pastoral concern. 	<ul style="list-style-type: none"> d. Disciplinary action in accordance with Chapter 20 of the constitution and bylaws of the Evangelical Lutheran Church in America. 	
<p>*C9.01</p>	<p>Removed</p>	
<p>*C9.03. Consistent with the faith and practice of the Evangelical Lutheran Church in America,</p> <ul style="list-style-type: none"> a. Every minister of Word and Sacrament shall: <ul style="list-style-type: none"> 1) Preach the Word; 2) Administer the Sacraments; 3) Conduct public care; and 4) Provide pastoral care; and 5) Seek out and encourage qualified persons to prepare for the ministry of the Gospel: 6) Impart knowledge of this church and its wider ministry through distribution of this communications and publications; 7) Witness to the Kingdom of God in the community, in the nation and abroad; and 8) Speak publicly to the word in solidarity with the poor and oppressed, calling for 	<p>*C9.03. Consistent with the faith and practice of the Evangelical Lutheran Church in America,</p> <ul style="list-style-type: none"> a. Every minister of Word and Sacrament shall: <ul style="list-style-type: none"> 6) Impart knowledge of this church and its wider ministry through available channels of effective communication; b. Each Pastor with a congregational call shall, within the congregation: <ul style="list-style-type: none"> 4) With the council, administer discipline 5) Endeavor to increase the support given by the congregation to the work of the churchwide organization and of the Pacifica Synod and; 6) Encourage adherence to covenantal relationship with this church as expressed in the <i>Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America.</i> 	

<p>justice and proclaiming God's love for the world.</p> <p>b. Each Pastor with a congregational call shall, within the congregation:</p> <ol style="list-style-type: none"> 1) Offer instruction, confirm, marry, visit the sick and distressed, and bury the dead; 2) Relate to all schools and organizations of this congregation; 3) Regularly install elected members of the Congregation Council 4) With the council, administer Discipline 5) Endeavor to increase the support given by the congregation to the work of the ELCA a of the Pacifica Synod of the ELCA. 		
*C9.04.	Removed	
*C9.06. At time of pastoral vacancy, an interim pastor shall be appointed by the bishop of the synod with the consent of this Congregation or the Congregation Council.	Removed	
*C9.07. During the period of service, an interim pastor and any rostered minister providing assistance shall refrain from exerting influence in the selection of a pastor. Unless previously agreed upon by the Synod Council, an interim pastor in	*C9.07. During the period of service, an interim pastor and any rostered minister providing assistance shall refrain from exerting influence in the selection of a pastor. Unless previously agreed upon by the Synod Council, an interim pastor in not available for a regular call to the congregation served.	

<p>not available for a regular call to the congregation served.</p>		
<p>*C9.09</p>	<p>Removed</p>	
<p>*C9.13</p>	<p>Removed</p>	
<p>*C9.14. The parochial records of this congregation shall be maintained by the pastor and shall remain the property of the congregation. The secretary of this congregation shall attest in writing to bishop of this synod that such records have been placed in his or her hands in good order by departing pastor before the installation of that pastor in another field of labor the granting by the synod of retired status to the pastor.</p>	<p>*C9.14. The parochial records of this congregation shall be maintained by the pastor and shall remain the property of this congregation. The secretary of this congregation shall attest in writing to bishop of this synod that such records have been placed in his or her hands in good order by departing pastor before the installation of that pastor in another call or approval of a request for change in roster status.</p>	
<p>*C9.21. Authority to call a shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by the Congregation Council to recommend the call, shall see advice and help of the bishop of the synod.</p>	<p>*C9.21. Authority to call a minister of Word and Service shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by the Congregation Council to recommend the call, shall seek advice and help of the bishop of the synod.</p>	
<p>*C9.23. h. Share knowledge of the ELCA and its wider ministry of the gospel, and advocate for</p>	<p>Removed a,b,c,d,e,f,g,i h. Share knowledge of this church and its wider ministry of the gospel, and advocate for the</p>	

<p>the work of all expressions of this church; and</p>	<p>work of all expressions of this church; and</p>	
<p>*C9.24.</p>	<p>Removed</p>	
	<p>*C9.25. The provisions for termination of the mutual relationship between a minister of Word and Service and a congregations shall be as follows:</p> <ul style="list-style-type: none"> a. The call a congregation, when accepted by a deacon, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by the deacon's death or following consultation with the synodical bishop, for the following reason c. In case of alleged physical disability or mental incapacity under paragraph a.4 above, the bishop's committee shall obtain and document competent medical opinion concerning the deacon's condition. When a disability or incapacity is evident to the committee. The bishop of this synod may declare the position vacant. When the position is declared vacant, the Synod Council shall list the deacon on the roster of Ministers of Word and Service with disability status. Upon removal of the disability and the restoration of the deacon to health the bishop shall take steps to enable the deacon to resume the ministry, either in the congregation last served or in another call. 	

<p>* C9.26. The deacon shall make satisfactory settlement of all financial obligations to a former congregational before:</p> <p>a. Installation in another field of labor, or b. The issuance of a certificate of dismissal or transfer.</p>	<p>*C.9.26. This congregation shall make a satisfactory settlement of all financial obligations to a former deacon before calling a successor. A deacon shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting.</p>	
<p>*C9.27, *C9.28, *C9.29, *C9.31</p>	<p>Removed</p>	
<p>*C10.01 The annual meeting of this congregation shall be held at a time specified in the bylaws. A special Congregation Meeting may be called by the senior pastor, the Congregation council.</p>	<p>*C10.01 This congregation shall have at least one regular meeting per year. The regular meeting(s) of the congregation shall be held at the time(s) specified in the bylaws. Consistent with the laws of the State of California, the bylaws shall designate one regular meeting per year as the annual meeting of this congregation.</p>	
<p>*C10.02 The president of this congregation, and shall be called by the president of the congregation upon the written request of ten percent(10%) of the voting members. The call for each special meeting shall specify the purpose for which it is to be held and no other business shall be transacted.</p>	<p>*C10.02 A special Congregation Meeting may be called by the (Senior) Pastor, the Congregation Council, or the president of this congregation, and shall be called by the president of this congregation upon the written request of ten percent(10%) of the voting members. The president of the Congregation Council shall a special meeting upon request of the synod bishop. The call</p>	

	for each special meeting shall specify the purpose for which it is to be held and no other business shall be transacted.	
*C10.03	Removed	
	*C10.08 This congregation may hold meetings by remote communication, including electronically and by telephone conference, as long as there is an opportunity for simultaneous aural communication. To the extent permitted by state law, notice of all meetings may be provided electronically.	
*C11.03	Removed	
*C12.01 The voting membership of the Congregation Council shall consist of the pastor(s), Synodical Authorized Ministers of Word and Service, and not more than 14 members of the congregation.	C12.01 The voting membership of the Congregation Council shall consist of the pastor(s), the officers of this congregation, and not more than 14 nor fewer than 4 members of this congregation, at least one of whom shall be a junior or senior in high school or equivalent, and at least one of whom shall be a young adult (under 30), when available in this congregation.	
*C12.04 a,b,c,d,e,f,g,l,j	Removed *C12.04 Congregation, and in particular its worship life, to the end that everything done in accordance with the Word of God and the faith and practice of the Evangelical Lutheran Church in America. The du12.04 The Congregation Council shall have general oversight to the life and activities of this cites of the Congregation Council shall include the following: h. To emphasize support of the synod and	

	churchwide organizations of the Evangelical Lutheran Church in America as well as cooperation with other congregations, both Lutheran and no-Lutheran, subject to established policies of the synod and the Evangelical Lutheran Church in America.	
*C12.06, *C12.07, *C12.09, *C12.09, *C12.11	Removed	
*C13.01, *C13.02, *C13.03, *C13.04, *C13.06, *C13.07, *C13.09	Removed	
*C13.05. When a pastoral vacancy occurs, in a position for which this congregation calls a rostered minister, a Call Committee of six voting members shall be elected by this congregation. Term of office will terminate upon installation of the newly called pastor.	*C13.05. When a vacancy occurs, in a position for which this congregation calls a rostered minister, a Call Committee of six voting members shall be elected by this congregation. Term of office will terminate upon installation of the newly called rostered minister.	
*C14.01, *C14.02	Removed	
*C15.03, *C15.04	Removed	
*C15.11. When there is disagreement among factions within this congregation on a substantive issue that Cannot be resolved by the parties, members of this congregation shall have access ti the synodical Bishop for consultation after incoming the chair if the Congregation Council Committee of their intent. If the consultation committee of the synod shall fail to resolve the issue The matter shall be referred to the synod Council	*C15.11. When there is disagreement between or among factions within this congregation on a substantive issue which cannot be resolved by the parties, members of this congregation may petition the synod bishop for consultation after informing the president of this congregation of their intent to do so. The synod bishop shall seek a timely resolution of the dispute. If the issue relates directly to the pastor, the bishop	

<p>whose decision Shall be final.</p>	<p>may begin the process in C14.18 In all matters, if the Bishop consultation fails to resolve the issue the bishop shall referred the matters to the Consultation Committee of the synod which shall undertake efforts to find an appropriate solution. If the Consultation Committee efforts fail to resolve the dispute, the entire matte shall be referred to the Synod Council for adjudication by whatever process the Council deems necessary. The Synod Council Decision shall be final.</p> <p>*C16.02. An amendment to this constitution, Proposed under *C16.01, shall,</p> <ul style="list-style-type: none"> a. Be approved at legally called meeting of this congregation by a majority vote of those voting members present and voting; b. Be ratified without change at the next regular meeting of this congregation held pursuant to C10.01 by a two-thirds vote of those voting members present and voting; and c. Have the effective date included in the resolution and noted in the constitution. 	
<p>*C17.01, * C17.02</p>	<p>Removed</p>	
<p>*C17.04. Approved changes to the adopted or amended bylaws shall be sent to the secretary of the congregation to the synod.</p>	<p>*C17.04. Adopted or amended bylaws shall be sent to the secretary of the congregation to the synod.</p>	
<p>*C19.00, *C19.01</p>	<p>Removed</p>	