



St. James Lutheran Church
... a community connected in Christ

*CHURCH CONSTITUTION, BYLAWS,
& CONTINUING RESOLUTIONS*



2010

ST. JAMES CONSTITUTION

DRAFTED FOR THE APPROVAL OF THE CONGREGATION AT THEIR ANNUAL MEETING IN FEBRUARY 2010

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INTRODUCTION

The *Model Constitution for Congregations of the Evangelical Lutheran Church in America* originally was adopted by the Constituting Convention of this church in Columbus, Ohio, on April 30, 1987. This was done as required by the *Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.

This current edition of the *Model Constitution for Congregations of the Evangelical Lutheran Church in America* contains changes adopted by the 1989, 1991, 1993, 1995, 1997, 1999, 2001, 2003, 2005, 2007, and 2009 Churchwide Assemblies.

The model is consistent with the requirements of the constitutional governing documents of the ELCA's churchwide organization and synods.

➤ **Required provisions:** Sections of this constitution marked by an asterisk [*] are required when a congregation amends its governing documents. These sections must be used without alteration or amendment of the text in any manner (neither additions nor deletions). This is in keeping with provision 9.52. in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. This provision stipulates that when a congregation of this church "wishes to amend any provision of its governing documents, the governing documents of that congregation shall be so amended to conform to 9.25.b." in the churchwide constitution. The provisions herein marked by an asterisk are those that are indicated as required in ELCA constitutional provision 9.25.b.

➤ **Review by synod:** In keeping with provisions that apply to all congregations of this church, each congregation is to provide a copy of its governing documents to the synod. As specified by ELCA bylaw 9.53.03. (numbering as listed in the 1991 and subsequent editions):

All proposed changes in the constitution or incorporation documents of a congregation shall be referred to the synod with which the congregation is affiliated. The synod shall approve or disapprove the proposed changes within 120 days of receipt thereof, and shall notify the congregation of its decision; in the absence of a decision, the changes shall go into effect.

➤ **Codification explanation:** A numerical codification indicates (a) general subject, (b) constitutional provisions, (c) bylaws, and (d) continuing resolutions.

a. Major sectors are designated as chapters. The chapter designation becomes the first number in the codification sequence and is followed by a period. Thus, provisions in "Chapter 8. Membership" are preceded by "8."

b. Constitutional provisions are codified with two sets of numbers: the chapter number and a two-digit number preceding the second period in the codification. Thus, one constitutional provision related to "Membership" is codified *C8.02.

c. Bylaw provisions are codified with three sets of numbers: the chapter number, the related constitutional provision number, and a two-digit number. Thus, one bylaw provision related to "Membership" would be codified C8.02.01. Because bylaws and continuing resolutions normally are so specifically related to details of each congregation's organization, operation, and life, no model set of bylaws or continuing resolutions is provided. Each congregation may develop its own bylaws and continuing resolutions, but no such bylaws or continuing resolutions may conflict with this constitution, the constitution and bylaws of the Evangelical

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Lutheran Church in America, and the constitution of the synod, as indicated in *C6.03.e.

d. The Congregation Council may adopt “continuing resolutions,” which may provide descriptions of operational patterns or of the ongoing responsibilities of committees or other units within the organizational structure of the congregation. Within the governing documents of a congregation, continuing resolutions are the provisions most easily amended. Unlike constitutional provisions and bylaws, continuing resolutions may be updated regularly by the Congregation Council without the necessity of calling a regular or special Congregation Meeting. Continuing resolutions also are codified with three sets of numbers except that the third set is preceded by a capital letter. Thus, a continuing resolution might be numbered C13. to designate the chapter; C13.07. to designate the subject matter within the chapter; and the third set might be numbered A07. in the codification C13.07.A07. to indicate by the “A” that it is the first continuing resolution regarding that subject and to indicate by the “07” that it was adopted in 2007.

➤ **Ease of use:** The provisions of your congregation’s constitution, the bylaws, and the continuing resolutions that pertain to the same matter should be placed together for clarity and ease in use.

If chapter numbers are considered the major sequence number, constitution numbers as a fraction of the chapter number, and bylaw numbers as a fraction of the constitution number, then the codification can be said to provide a progressive sequence. Thus, *C5.01. will precede C5.03.10., and C9.11.16. will precede *C9.13.

All provisions in the *Model Constitution for Congregations* are prefaced with “C” to distinguish these provisions from comparable ones in the synodical and churchwide constitutions.

➤ **Missing numbers:** As you work with the *Model Constitution for Congregations*, you may notice that certain numbers seem to be missing from the numbering sequence in some chapters. That is intentional. In the style followed here, the number “.10.” and multiples thereof have been reserved for possible use as section headings in future editions. Therefore, in the sequence, for example, of Chapters 1, 9, and 12, these “.10.” numbers do not appear.

➤ **Selection of options:** Alternatives are provided in certain places within the model. Those are noted by square brackets. For example, *C9.01. offers the alternative of election of a call committee by the congregation or by the Congregation Council. One alternative should be chosen in each instance where square brackets appear in the text.

Optional texts are provided in separate paragraphs in Chapters 11 and 12 regarding the Congregation Council and its membership. Each congregation will need to select one of those options for council membership or a variation thereof, subject to approval through the synod’s constitutional review process.

➤ **References to church:** In the governing documents, “Church” with a capital letter is used in references to the one, holy, catholic, and apostolic Church. In references to the Evangelical Lutheran Church in America, the words “church” and “this church” in lower case letters are employed, although, for clarity in this constitution, the full name or “ELCA” normally is used.

The specific congregation may be identified, as provided in C1.02., as “this congregation.”

➤ **Guidelines:** A list of guidelines for a congregation engaging in review and amendment of its constitution is available through each synod office and on the ELCA

Web site. The task of amending a constitution is not easy. It is, however, an important endeavor that merits thoughtful work. In your constitutional responsibilities, God grant you wisdom, mutual love, clear understanding of good order, and commitment to the unity of this church in faithful witness to our Lord and Savior, Jesus Christ.

DAVID D. SWARTLING
Secretary
Evangelical Lutheran Church in America

September 4, 2009

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***PREAMBLE**

We, baptized members of the Church of Christ, responding in faith to the call of the Holy Spirit through the Gospel, desiring to unite together to preach the Word, administer the sacraments, and carry out God's mission, do hereby adopt this constitution and solemnly pledge ourselves to be governed by its provisions. In the name of the Father and of the Son and of the Holy Spirit.

Chapter 1.

NAME AND INCORPORATION

- C1.01. The name of this congregation shall be St. James Evangelical Lutheran Church.
- C1.02. For the purpose of this constitution and the accompanying bylaws, the congregation of St. James Evangelical Lutheran Church is hereinafter designated as "this congregation."
- C1.11. This congregation shall be incorporated under the laws of the State of Rhode Island and Providence Plantations.

Chapter 2.

CONFESSION OF FAITH

- *C2.01. This congregation confesses the Triune God, Father, Son, and Holy Spirit.
- *C2.02. This congregation confesses Jesus Christ as Lord and Savior and the Gospel as the power of God for the salvation of all who believe.
 - a. Jesus Christ is the Word of God incarnate, through whom everything was made and through whose life, death, and resurrection God fashions a new creation.
 - b. The proclamation of God's message to us as both Law and Gospel is the Word of God, revealing judgment and mercy through word and deed, beginning with the Word in creation, continuing in the history of Israel, and centering in all its fullness in the person and work of Jesus Christ.
 - c. The canonical Scriptures of the Old and New Testaments are the written Word of God. Inspired by God's Spirit speaking through their authors, they record and announce God's revelation centering in Jesus Christ. Through them God's Spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.
- *C2.03. This congregation accepts the canonical Scriptures of the Old and New Testaments as the inspired Word of God and the authoritative source and norm of its proclamation, faith, and life.
- *C2.04. This congregation accepts the Apostles', Nicene, and Athanasian Creeds as true declarations of the faith of this congregation.

* Required provision

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- *C2.05. This congregation accepts the Unaltered Augsburg Confession as a true witness to the Gospel, acknowledging as one with it in faith and doctrine all churches that likewise accept the teachings of the Unaltered Augsburg Confession.
- *C2.06. This congregation accepts the other confessional writings in the Book of Concord, namely, the Apology of the Augsburg Confession, the Smalcald Articles and the Treatise, the Small Catechism, the Large Catechism, and the Formula of Concord, as further valid interpretations of the faith of the Church.
- *C2.07. This congregation confesses the Gospel, recorded in the Holy Scripture and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God's mission in the world.

Chapter 3.

NATURE OF THE CHURCH

- *C3.01. All power in the Church belongs to our Lord Jesus Christ, its head. All actions of this congregation are to be carried out under his rule and authority.
- *C3.02. The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the Church, and the universal Church exists in and through congregations. The Evangelical Lutheran Church in America, therefore, derives its character and powers both from the sanction and representation of its congregations and from its inherent nature as an expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in the historic continuity of the communion of saints; in breadth, it expresses the fellowship of believers and congregations in our day.

Chapter 4.

STATEMENT OF PURPOSE

- *C4.01. The Church is a people created by God in Christ, empowered by the Holy Spirit, called and sent to bear witness to God's creative, redeeming, and sanctifying activity in the world.
- *C4.02. To participate in God's mission, this congregation as a part of the Church shall:
 - a. Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, and service.
 - b. Proclaim God's saving Gospel of justification by grace for Christ's sake through faith alone, according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.
 - c. Carry out Christ's Great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministry with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.
 - d. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity and justice for all people, working for

peace and reconciliation among the nations, and standing with the poor and powerless, and committing itself to their needs.

- e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.
- f. Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity which the Spirit gives.

*C4.03. To fulfill these purposes, this congregation shall:

- a. Provide services of worship at which the Word of God is preached and the sacraments are administered.
- b. Provide pastoral care and assist all members to participate in this ministry.
- c. Challenge, equip, and support all members in carrying out their calling in their daily lives and in their congregation.
- d. Teach the Word of God.
- e. Witness to the reconciling Word of God in Christ, reaching out to all people.
- f. Respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.
- g. Motivate its members to provide financial support for the congregation's ministry and the ministry of other parts of the Evangelical Lutheran Church in America.
- h. Foster and participate in interdependent relationships with other congregations, the synod, and the churchwide organization of the Evangelical Lutheran Church in America.
- i. Foster and participate in ecumenical relationships consistent with churchwide policy.

*C4.04. This congregation shall develop an organizational structure to be described in the bylaws. The Congregation Council shall prepare descriptions of the responsibilities of each committee, task force, or other organizational group and shall review their actions. [Such descriptions shall be contained in continuing resolutions in the section on the Congregation Council.]

*C4.05. This congregation shall, from time to time, adopt a mission statement which will provide specific direction for its programs.

C4.05.A10 Our vision statement will direct and shape our programs. We belong to Christ. Our faith in this truth shapes our lives and makes us noticeably different from the culture around us. Our faith in action is reflected in our priorities and values:

- a. Worship is central to our life.
- b. We are committed to growing as disciples of Jesus Christ.
- c. We understand and profess what it means to be Lutheran.
- d. Our faith - nourished in worship - is expressed as a deep and personal

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- connection with the needs of our community.
- e. Our ministries are led by empowered laypersons who fully understand that their ministry is a visible sign of God's love in this world.
- f. Welcoming hospitality and generous stewardship are outward signs of the love we feel for our church home and ministries.

Chapter 5.

POWERS OF THE CONGREGATION

- *C5.01. The powers of this congregation are those necessary to fulfill its purpose.
- *C5.02. The powers of this congregation are vested in the Congregation Meeting called and conducted as provided in this constitution and bylaws.
- *C5.03. Only such authority as is delegated to the Congregation Council or other organizational units in this congregation's governing documents is recognized. All remaining authority is retained by the congregation. The congregation is authorized to:
 - a. call a pastor as provided in Chapter 9;
 - b. terminate the call of a pastor as provided in Chapter 9;
 - c. call or terminate the call of associates in ministry, deaconesses, and diaconal ministers in conformity with the applicable policy of the Evangelical Lutheran Church in America;
 - d. adopt amendments to the constitution, as provided in Chapter 17, and amendments to the bylaws, as specified in Chapter 16.
 - e. approve the annual budget;
 - f. acquire real and personal property by gift, devise, purchase, or other lawful means;
 - g. hold title to and use its property for any and all activities consistent with its purpose;
 - h. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
 - i. elect its officers and Congregation Council and require them to carry out their duties in accordance with the constitution, bylaws, and continuing resolutions; and
 - j. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.
- *C5.04. This congregation shall choose from among its voting members laypersons to serve as voting members of the Synod Assembly as well as persons to represent it at meetings of any conference, cluster, coalition, or other area subdivision of which it is a member. The number of persons to be elected by the congregation and other qualifications shall be as prescribed in guidelines established by the New England Synod of the Evangelical Lutheran Church in America.
- C5.05. **This congregation shall have a mission endowment fund that will operate as specified in this congregation's continuing resolutions. The purpose of the mission endowment fund is to provide for mission work beyond the operational budget of this congregation. [This is new language that is not yet required. NOTE: We recommend rewriting C5.05 to reflect specifically our financial commitment to the Synod.]**

Chapter 6.

CHURCH AFFILIATION

- *C6.01. This congregation shall be an interdependent part of the Evangelical Lutheran Church in America or its successor, and of the New England Synod of the Evangelical Lutheran Church in America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America.
- *C6.02. This congregation accepts the Confession of Faith and agrees to the Purposes of the Evangelical Lutheran Church in America and shall act in accordance with them.
- *C6.03. This congregation acknowledges its relationship with the Evangelical Lutheran Church in America in which:
 - a. This congregation agrees to be responsible for its life as a Christian community.
 - 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 clergy roster 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.
 - d. This congregation agrees to consider associates in ministry, deaconesses, and diaconal ministers for call to other staff positions in the congregation according to the procedures of the Evangelical Lutheran Church in America.
 - e. This congregation agrees to file this constitution and any subsequent changes to this constitution with the synod for review to ascertain that all of its provisions are in agreement with the constitution and bylaws of the Evangelical Lutheran Church in America and with the constitution of the synod.
- *C6.04. Affiliation with the Evangelical Lutheran Church in America may be terminated as follows:
 - a. This congregation takes action to dissolve.
 - b. This congregation ceases to exist.
 - c. This congregation is removed from membership in the Evangelical Lutheran Church in America according to the procedures for discipline of the Evangelical Lutheran Church in America.
 - d. This congregation follows the procedures outlined in *C6.05.
- *C6.05. This congregation may terminate its relationship with the Evangelical Lutheran Church in America by the following procedure:
 - a. A resolution indicating the 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 a copy of the resolution to the

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synodical bishop and shall mail 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 mailed 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.
- f. Notice of termination shall be forwarded by the synodical bishop to the secretary of this church and published in the periodical of this church.
- g.¹ Since this congregation was a member of the Lutheran Church in America, it shall be required, in addition to the foregoing provisions in *C6.05., to receive synodical approval before terminating its membership in the Evangelical Lutheran Church in America.
- h.² Since this congregation was established by the Evangelical Lutheran Church in America, it shall be required, in addition to the foregoing provisions in *C6.05., to receive synodical approval before terminating its membership in the Evangelical Lutheran Church in America.

*C6.06. If this congregation considers relocation, it shall confer with the bishop of the synod in which it is territorially located before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is effected.

Chapter 7.

PROPERTY OWNERSHIP

- *C7.01. If this congregation ceases to exist, title to undisposed property shall pass to the New England Synod of the Evangelical Lutheran Church in America.
- *C7.02. If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline, title to property shall continue to reside in this congregation.
- *C7.03. If a two-thirds majority 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

¹ *This provision is to be used in the constitutions of all congregations that formerly were a part of the Lutheran Church in America, in accord with provision 9.62.g. in the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America.*

² *This provision is to be used in the constitutions of all congregations that have been established by the Evangelical Lutheran Church in America, in accord with provision 9.62.h. in the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America.*

another Lutheran church body, it shall consult with representatives of the New England Synod.

- *C7.04. If a two-thirds majority 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, title to property of this congregation shall continue to reside in this congregation only with the consent of the Synod Council. The Synod Council, after consultation with this congregation by the established synodical process, may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of this congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America.

Chapter 8.

MEMBERSHIP

- *C8.01. Members of this congregation shall be those baptized persons on the roll of this congregation at the time that this constitution is adopted and those who are admitted thereafter and who have declared and maintain their membership in accordance with the provisions of this constitution and its bylaws.
- *C8.02. Members shall be classified as follows:
- a. *Baptized* members are those persons who have been received by the Sacrament of Holy Baptism in this congregation, or, having been previously baptized in the name of the Triune God, have been received by certificate of transfer from other Lutheran congregations or by affirmation of faith.
 - b. *Confirmed* members are baptized persons who have been confirmed in this congregation, those who have been received by adult baptism or by transfer as confirmed members from other Lutheran congregations, or baptized persons received by affirmation of faith.
 - c. *Voting* members are confirmed members. Such confirmed members, during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of the congregation.
 - d. *Associate* members are persons holding membership in other Lutheran congregations who wish to retain such membership but desire to participate in the life and mission of this congregation, or persons who wish to retain a relationship with this congregation while being members of other congregations. They have all the privileges and duties of membership except voting rights and eligibility for elected offices or membership on the Congregation Council of this congregation.
- *C8.03. All applications for confirmed membership shall be submitted to and shall

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require the approval of the Congregation Council.

- *C8.04. It shall be the privilege and duty of members of this congregation to:
- a. make regular use of the means of grace, both Word and sacraments;
 - b. live a Christian life in accordance with the Word of God and the teachings of the Lutheran church; and
 - c. support the work of this congregation, the synod, and the churchwide organization of the Evangelical Lutheran Church in America through contributions of their time, abilities, and financial support as biblical stewards.
- *C8.05. Membership in this congregation shall be terminated by any of the following:
- a. death;
 - b. resignation;
 - c. transfer or release;
 - d. disciplinary action by the Congregation Council; or
 - e. removal from the roll due to inactivity as defined in the bylaws.
- Such persons who have been removed from the roll of members shall remain persons for whom the Church has a continuing pastoral concern.

Chapter 9.

THE PASTOR

- *C9.01. Authority to call a pastor shall be in this congregation by at least a two-thirds majority ballot vote of 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 the advice and help of the bishop of the synod.
- *C9.02. Only a member of the clergy roster of the Evangelical Lutheran Church in America or a candidate for the roster of ordained ministers who has been recommended for the congregation by the synodical bishop may be called as a pastor of this congregation.
- *C9.03. Consistent with the faith and practice of the Evangelical Lutheran Church in America,
- a. Every ordained minister shall:
 - 1) preach the Word;
 - 2) administer the sacraments;
 - 3) conduct public worship;
 - 4) provide pastoral care; and
 - 5) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.
 - b. Each ordained minister with a congregational call shall, within the congregation:
 - 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
 - 2) supervise all schools and organizations of this congregation;
 - 3) install regularly elected members of the Congregation Council; and
 - 4) with the council, administer discipline.

- c. Every pastor shall:
 - 1) strive to extend the Kingdom of God in the community, in the nation, and abroad;
 - 2) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
 - 3) impart knowledge of this church and its wider ministry through distribution of its periodicals and other publications; and
 - 4) endeavor to increase the support given by the congregation to the work of the churchwide organization of the Evangelical Lutheran Church in America (ELCA) and of the New England Synod of the ELCA.
- *C9.04. The specific duties of the pastor, compensation, and other matters pertaining to the service of the pastor shall be included in a letter of call, which shall be attested by the bishop of the synod.
- *C9.05.
 - a. The call of a congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which, except in the case of the death of the pastor, shall be terminated only following consultation with the synodical bishop and for the following reasons:
 - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the pastor, which shall become effective, unless otherwise agreed, 30 days after the date on which it was submitted;
 - 3) inability to conduct the pastoral office effectively in the congregation in view of local conditions, without reflection on the competence or the moral and spiritual character of the pastor;
 - 4) the physical or mental incapacity of the pastor;
 - 5) disqualification of the pastor through discipline on grounds of doctrine, morality, or continued neglect of duty;
 - 6) the dissolution of the congregation; or
 - 7) suspension of the congregation as a result of discipline proceedings.
 - b. When allegations of physical or mental incapacity of the pastor or ineffective conduct of the pastoral office have come to the attention of the bishop of the synod, the bishop in his or her sole discretion may, or when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of the congregation, the bishop shall, investigate such conditions personally in company with a committee of two ordained ministers and one layperson.
 - c. In case of alleged physical or mental incapacity, competent medical testimony shall be obtained. When such disability is evident, the bishop of the synod with the advice of the committee shall declare the pastorate vacant. Upon the restoration of a disabled pastor to health, the bishop of the synod shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another field of labor.
 - d. In the case of alleged local difficulties that imperil the effective

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functioning of the congregation, all concerned persons shall be heard, after which the bishop of the synod together with the committee described in *C9.05.b. shall decide on the course of action to be recommended to the pastor and the congregation. If they agree to carry out such recommendations, no further action shall be taken by the synod. If either party fails to assent, the congregation may dismiss the pastor at a legally called meeting after consultation with the bishop, either (a) by a two-thirds majority vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a simple majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.

- e. If, in the course of proceedings described in *C9.05.d., the committee concludes that there may be grounds for disciplinary action, the committee shall make recommendations concerning disciplinary action to the synodical bishop, who may bring charges in accordance with the provisions of the constitution and bylaws of the Evangelical Lutheran Church in America and the constitution of this synod.
 - f. If, following the appointment of the committee described in *C9.05.b. or d., it should become apparent that the pastoral office cannot be conducted effectively in the congregation(s) being served by the ordained minister due to local conditions, the bishop of the synod may temporarily suspend the pastor from service in the congregation(s) without prejudice and with pay provided through a joint synodical and churchwide fund and with housing provided by the congregation(s).
- *C9.06. At a time of pastoral vacancy, an interim pastor shall be appointed by the bishop of the synod with the consent of this congregation or the Congregation Council.
- *C9.07. During the period of service, an interim pastor shall have the rights and duties in the congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or Congregation Council. The interim pastor and any ordained pastor providing assistance shall refrain from exerting influence in the selection of a pastor.
- *C9.08. This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation and before beginning service in a call to another congregation or employment in another ministry setting related to the Evangelical Lutheran Church in America.
- *C9.09. When a pastor is called to serve in company with another pastor or pastors, the privileges and responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted in consultation involving the pastors, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
- *C9.11. With the approval of the bishop of the synod, the congregation may depart from *C9.05.a. and call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the

completion of a term, the bishop or a designated representative of the bishop shall meet with the pastor and representatives of the congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of *C9.05.a.

- *C9.12. The pastor of this congregation:
 - a. shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation;
 - b. shall submit a summary of such statistics annually to the synod; and
 - c. shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.
- *C9.13. The pastor(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.
- *C9.14. The parochial records of this congregation shall be maintained by the pastor and shall remain the property of the congregation. The secretary of this congregation shall attest in writing to the bishop of this synod that such records have been placed in his or her hands in good order by a departing pastor before the installation of that pastor in another field of labor or the granting by the synod of retired status to the pastor.

- C9.20. Ecumenical pastoral ministry
- C9.21. Under special circumstances, subject to the approval of the synodical bishop and the concurrence of this congregation, an ordained minister of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion may serve temporarily as pastor of this congregation under a contract between the congregation and the ordained minister in a form proposed by the synodical bishop and approved by the congregation.

Chapter 10.

CONGREGATION MEETING

- C10.01. The annual meeting of this congregation shall be held at a time specified in the bylaws.
- C10.02. A special Congregation Meeting may be called by the pastor, the Congregation Council, or the president of this congregation, and shall be called by the president of the congregation upon the written request of 25% 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.
- C10.03. Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays and by mail to all voting members at least 10 days in advance of the date of the meeting. The posting of such notice in the regular mail, with the regular postage affixed or paid, sent

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- to the last known address of such members shall be sufficient.
- C10.04. Ten percent (10%) voting members shall constitute a quorum.
 - C10.05. Voting by proxy or by absentee ballot shall not be permitted.
 - C10.06. All actions approved by the congregation shall be by majority vote of those voting members present and voting, except as otherwise provided in this constitution or by state law.
 - C10.07. *Robert's Rules of Order*, latest edition, shall govern parliamentary procedure of all meetings of this congregation.

Chapter 11.
OFFICERS

- C11.01. The officers of this congregation/council shall be a president, vice president, secretary, and treasurer.
 - a. Duties of the officers shall be specified in the bylaws.
 - b. The officers shall be voting members of the congregation.
 - c. Officers of this congregation/council shall be voting members of St. James Evangelical Lutheran Church.
 - d. If the Congregation Council elects its officers, the president, vice president, and secretary shall be selected from the elected membership of the Congregation Council. If the treasurer is not selected from the elected membership of the Congregation Council, the treasurer shall have voice but not vote at the meetings of the Congregation Council.
- C11.02. Congregation Council shall elect its officers and they shall be the officers of the congregation. The officers shall be elected by written ballot and shall serve for one year or until their successors are elected. Their terms shall begin at the close of the annual meeting at which they are elected.
- C11.03. No officer shall hold more than one office at a time. No elected officer shall be eligible to serve more than two consecutive terms in the same office.

Chapter 12.
CONGREGATION COUNCIL

- C12.01. The voting membership of the Congregation Council shall consist of the pastor(s) the officers of the congregation/council, and not more than 9 members of the congregation. Any voting member of the congregation may be elected, subject only to the limitation on the length of continuous service permitted in that office. A member's place on the Congregation Council shall be declared vacant if the member a) ceases to be a voting member of this congregation or b) is absent from four successive regular meetings of the Congregation Council without cause. Consistent with the laws of the state in which this congregation is incorporated, the congregation may adopt procedures for the removal of a member of the Congregation Council in other circumstances.
- C12.02. The members of the Congregation Council except the pastor(s) shall be elected at a legally called meeting of the congregation during the month of January. Their term of office shall be for 3 years, with the term of office

beginning on March 1 and ending on the last day of February. Newly elected Congregation Council members shall be installed at worship the Sunday prior to the date they assume office.

- C12.03. Should a member's place on the Congregation Council be declared vacant, the Congregation Council shall elect, by majority vote a successor until the next annual meeting. Individuals who have served less than one-half of a regular term shall be eligible for nomination and possible election to a full term.
- C12.04. The Congregation Council shall have general oversight of the life and activities of this congregation, and in particular its worship life, to the end that everything be done in accordance with the Word of God and the faith and practice of the Evangelical Lutheran Church in America. The duties of the Congregation Council shall include the following:
- a. To lead this congregation in stating its mission, to do long-range planning, to set goals and priorities, and to evaluate its activities in light of its mission and goals.
 - b. To seek to involve all members of this congregation in worship, learning, witness, service, and support.
 - c. To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.
 - d. To maintain supportive relationships with the pastor(s) and staff and help them annually to evaluate the fulfillment of their calling or employment.
 - e. To be examples individually and corporately of the style of life and ministry expected of all baptized persons.
 - f. To promote a congregational climate of peace and goodwill, and, as differences and conflicts arise, to endeavor to foster mutual understanding.
 - g. To arrange for pastoral service during the sickness or absence of the pastor.
 - h. To emphasize partnership with the synod and churchwide organization of the Evangelical Lutheran Church in America as well as cooperation with other congregations, both Lutheran and non-Lutheran, subject to established policies of the synod and the Evangelical Lutheran Church in America.
 - i. To recommend and encourage the use of program resources produced or approved by the Evangelical Lutheran Church in America.
 - j. To seek out and encourage qualified persons to prepare for the ministry of the Gospel.
- C12.05. The Congregation Council shall be responsible for the financial and property matters of this congregation.
- a. The Congregation Council shall be the board of directors of this congregation, and as such shall be responsible for maintaining and protecting its property and the management of its business and fiscal affairs. It shall have the powers and be subject to the obligations that pertain to such boards under the laws of the State of Rhode Island, except as otherwise provided herein.

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- b. The Congregation Council shall not have the authority to buy, sell, or encumber real property unless specifically authorized to do so by a meeting of the congregation.
 - c. The Congregation Council may enter into contracts of up to 2.5% of total annual budget for items not included in the budget.
 - d. The Congregation Council shall prepare an annual budget for adoption by this congregation, shall supervise the expenditure of funds in accordance therewith following its adoption, and may incur obligations of more than 2.5% of total annual budget in excess of the anticipated receipts only after approval by a Congregation Meeting. The budget shall include this congregation's full indicated share in support of the wider ministry being carried on in partnership with the synod and churchwide organization.
 - e. The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of benevolence monies to the synodical treasurer.
 - f. The Congregation Council shall be responsible for this congregation's investments and its total insurance program.
- C12.06. The Congregation Council shall see that the provisions of this constitution, its bylaws, and the continuing resolutions are carried out.
- C12.07. The Congregation Council shall provide for an annual review of the membership roster.
- C12.08. The Congregation Council shall be responsible for the employment and supervision of the salaried lay workers of this congregation.
- C12.09. The Congregation Council shall submit a comprehensive report to this congregation at the annual meeting.
- C12.11. The Congregation Council shall normally meet once a month. Special Congregational Council meetings may be called by the pastor, the president of the Congregational Council, or by the Congregational Council president at the request of at least one-half of its members. Notice of each special meeting shall be given to all who are entitled to be present.
- C12.12. A quorum for the transaction of business shall consist of a majority of the members of the Congregation Council, including the pastor or interim pastor, except when the pastor or interim pastor requests or consents to be absent and has given prior approval to the agenda for a particular regular or special meeting, which shall be the only business considered at that meeting. Chronic or repeated absence of the pastor or interim pastor who has refused approval of the agenda of a subsequent regular or special meeting shall not preclude action by the Congregation Council, following consultation with the synodical bishop.

Chapter 13.

CONGREGATION COMMITTEES

- C13.01. The officers of the Congregational Council and the pastor shall constitute the Executive Committee.
- C13.01.A10 Officers include the President, Vice-President, Treasurer, and Secretary. Together, the members of the Executive Committee work to promote and

encourage programs that support the stated missions and objectives of St. James Lutheran Church.

- a. Each office of this congregation shall be a voting member of the congregation.
- b. Each office shall be elected at the first Council meeting following the Annual Congregational Meeting. Terms begin in March. Each officer shall serve for a one-year term and is eligible for re-election for one additional year.

C13.01.B10 *Objectives of the Council President:* To serve as the presiding officer of the congregation and, subject to the Council, exercise general administrative responsibility for the business affairs of the congregation and be responsible for ensuring that all elected or appointed officers, teams and committees function and carry out their duties and responsibilities. The President will work closely with the Church Council and other committees/teams to promote and encourage programs that support the stated missions and objectives of St. James Lutheran Church. In addition, the President will:

- a. Preside at congregational meetings and all church council meetings.
- b. Attend committee meetings as called upon.
- c. Prepare agendas for council meeting.
- d. Represent the congregation in matters of business and sign or countersign all legal documents, including bank checks.
- e. Meet periodically with the pastor and/or the vice president to review past progress and plan future efforts and priorities to promote and encourage programs that meet the stated missions and objectives of St. James Lutheran Church.
- f. Serve as a member of the Executive Committee.
- g. Prepare, complete, and/or sign legal documents required for the church to maintain normal operations.
- h. Prepare President's report for Annual Report.
- i. Serve as an ex officio a member of all committees/teams, except the Nominating Committee

C13.01.C10 The President shall be elected by the Church Council.

- a. Election of President shall be as soon as possible after the Annual Meeting, normally at the first Council meeting following the Annual Meeting.
- b. The term for President shall be one year. Council may elect the President for one additional consecutive term; however, the President is not eligible to serve more than two consecutive terms.

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c. The President remains President until the next President is elected.

C13.01.D10 *Objectives of the Vice President:* To serve as the second-level officer of the congregation and work with all elected and appointed officers, teams and committees to assist them in promoting and encouraging programs that support the stated missions and objectives of St. James Lutheran Church. In addition, the Vice-President will:

- a. Preside at all meetings of the Church Council at the request of, or in the absence of the President.
- b. Perform the duties of the President in the event of his/her death, inability, or refusal to act, and, when so acting, shall have the powers of and be subject to all the restrictions upon the President.
- c. Attend committee/team meetings as called upon.
- d. Meet periodically with the Pastor and/or President to review past progress and plan future efforts and priorities to promote and encourage programs that support the stated missions and objectives of St. James Lutheran Church.
- e. Perform the duties of the Secretary in the individual's absence.
- f. Work closely with the Pastor and President to keep communication lines open.
- g. Serve as a member of the Executive Committee.
- h. Organize Nominating Committee and serve on same.
- i. Special projects as called upon.
- j. Attend workshops and other meetings as called upon.

C13.01.E10 The Vice-President shall be elected by the Church Council.

- a. Election of Vice-President shall be as soon as possible after the Annual Meeting, normally at the first Council meeting following the Annual Meeting. The term for Vice-President shall be one year. Council may elect the Vice-President for one additional consecutive terms; however, the Vice-President is not eligible to serve more than two consecutive terms.
- b. The Vice President remains Vice President until the next Vice President is elected.

C13.01.F10 *Objectives of the Treasurer:* To oversee the financial affairs of the congregation. The Treasurer shall be chief financial officer of the congregation and shall be responsible for the overall financial program of the congregation in accordance with policies approved by the church council and the voters' assembly. As such, the Treasurer shall be responsible for the safekeeping of all funds, securities and fiduciary documents of the congregation. In addition, the Treasurer shall:

- a. Be the disbursing agent of the congregation. All checks shall be issued under the authority and supervision of the Treasurer, who shall be

responsible for the establishment of appropriate fiscal controls over congregational funds.

- b. Be responsible for the financial accounting system, the preparation of financial statements and the periodic reporting of them to the congregation, and the establishment or review of all financial accounting procedures. All accounting procedures are subject to the approval of the church council.
- c. Sign all checks.
- d. Serve as a member of the Finance & Stewardship Team.
- e. In cooperation with the Finance Secretary, perform or oversee all accounting functions necessary to keeping records of the church. These duties include:
 - i. Payment of invoices.
 - ii. Payment of taxes.
 - iii. Payment of payroll.
 - iv. Prepare monthly statements of income and disbursement and report to the council each month.
 - v. Prepare annual statements for the congregation's review.
 - vi. Prepare condensed statement showing all receipts and disbursements.
 - vii. Keep in close contact with pastors and President about financial situations.

C13.01.G10 *Appointment* - The Treasurer shall be elected by the Church Council.

- a. Election of Treasurer shall be as soon as possible after the Annual Meeting, normally at the first Council meeting following the Annual Meeting. The term for Treasurer shall be one year. Council may elect the Treasurer for one additional consecutive term; however, the Treasurer is not eligible to serve more than three consecutive terms.
- b. The Treasurer remains Treasurer until the next Treasurer is elected.

C.13.01.H10 *Objectives of the Secretary*: To keep accurate record and/or minutes of church council meetings, congregational meetings (including the Annual Meeting), or other church meeting as needed. The Secretary shall be primarily responsible for recording the business of the council and congregation:

- a. Attend all church council and congregational meetings; appoint an acting secretary if unable to attend.
- b. Take minutes at council and congregational meetings. Publish council minutes as soon after council meeting as possible.
- c. See that all notices are duly given in accordance with the provisions of the constitution.
- d. Provide a complete set of minutes to the church office.
- e. Liaison with the Communications Team to periodically report significant actions of the church council to the congregation.
- f. Receive all other records, reports and minutes and properly store them in the church archives.

C.13.01.I10 *Appointment* - The Secretary shall be elected by the Church Council.

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- a. Election of Secretary shall be as soon as possible after the Annual Meeting, normally at the first Council meeting following the Annual Meeting.
 - b. The term for Secretary shall be one year. Council may elect the Secretary for one additional consecutive term; however, the Secretary is not eligible to serve more than two consecutive terms.
 - c. The Secretary remains Secretary until the next Secretary is elected.
- C13.02. The Nominating Committee shall be the outgoing members of the Congregation Council and may be appointed at the annual meeting for a term of one year. Members of the Nominating Committee are not eligible for consecutive reelection.
- C13.02.A10. The Nominating Committee shall nominate candidates to fill council seats which are becoming vacant, due to expiration of present terms and other reasons and shall bring those nominees to the congregation in the annual meeting, to be voted on for the office.
- C13.02.B10. The council vice president shall organize and serve on the nominating committee. Membership of the committee shall consist of those members of council who will be retiring at the end of their terms. The committee will then be augmented by 3 other volunteers from the congregation. Service will be until the congregation has voted and filled the vacant seats.
- C13.02.C10. Members of the Nominating Committee will use the tools given to them for deciding which members of the congregation they think might be able and willing to serve at least 1 3-year term on council. The tools might include gift assessments, time and talent sheets, and personal knowledge. They will then interview the candidates to determine their availability and willingness to serve.
- C13.03. An Audit Committee of three voting members shall be elected by the Congregation Council. Audit Committee members shall not be members of the Congregation Council. Term of office shall be three years, with one member elected each year. Members shall be eligible for reelection.
- C13.03.A10. The Audit Committee shall be responsible for assuring that there are appropriate controls over all financial matters of the congregation. Such responsibilities include verifying that all financial processes have appropriate checks and balances and assuring that good stewardship is being used in handling and accounting for the funds and assets of the congregation.
- C13.03.B10. The tasks of the audit committee shall include:
- a. Examining and reviewing the congregation's financial statements and results versus budget (semi-annually)
 - b. Querying Finance committee members as to specific assigned roles to assure that all financial transactions, income postings, expense payments, cash counting, and any financial reconciliations are always conducted in teams of two (2) or more qualified individuals.
 - c. Conducting an annual audit or overseeing an audit performed by a qualified outside accounting firm or individual congregants;
 - d. Examining church insurance policies in a schedule prepared by Finance Committee;
 - e. Examining securities and investments, prepared in a schedule by Finance Committee;

- f. Preparing and submitting a written report of findings, along with supporting documentation, including recommendations for change and improvement; and
 - g. Verifying that the congregation's financial activities comply with Federal and State tax laws and regulations.
- C13.03.C10. It is recommended that a professional audit be conducted by a qualified, independent accounting firm at least every three (3) years. Another alternative is to have an independent member(s) of the congregation with the appropriate credentials audit and report their findings to the Church Council.
- C13.04. The Mutual Ministry Committee shall be appointed jointly by the president and the pastor. The committee shall consist of 3 members each serving a term of three years. Terms will be staggered so that a new person will be seated each year.
- C13.04.A10 Organization:
- a. One member will be a member of the Church Council who will serve as chair.
 - b. One member will be a member from the congregation.
 - c. One member will be either a member of the congregation or Council
- C13.04.B10. Purpose: The Mutual Ministry Committee shall be a standing committee of the Congregational Council whose purpose is to provide an ongoing facilitative body through which the pastor, lay professionals and congregation can bring forward issues or concerns. This committee shall provide a private and confidential forum for listening and clarifying, sharing and communicating, reviewing and reflecting. They shall bring focus to issues of concern, taking appropriate action in a climate of Christian love and caring thus ensuring a shared and unified ministry.
- C13.04.C10. The committee will report to the Council on a regular basis not less than twice per calendar year.
- C13.04.D10 In the event a position on the Mutual Ministry team is vacated before the term expires a substitute will be appointed by the Council for the duration of that term. No one shall serve more than two consecutive terms. The term begins March 1 and ends the last day of February. The committee is disbanded upon the formation of a Call Committee.
- C.13.04.E10. In the event that a Call Committee is formed for the hiring of a new pastor, three members of that committee will serve as the Mutual Ministry Committee. The Call Committee will appoint which of its members will serve on the Mutual Ministry Committee. One member of the Call Committee will serve for one year, one for two years and one for three years.
- C13.04.F10 Problem Resolution: The committee shall...
- a. Meet as needed with staff members providing listening and feedback.
 - b. Serve as a resource for conflict resolution for the Pastor and salaried staff.
 - c. Listen, interpret, advise, confer, evaluate and recommend affirmation and

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forgiveness to resolve differences and disputes within the congregation that might impede the goal of shared and unified ministry.

- d. Listen to concerns of spiritual, emotional and/or physical needs of the Pastor or lay professionals.
- e. Meet as needed to discuss indentified issues and to share any general perceptions of strengths and weaknesses.
- f. Provide a safe place for confidential mutual conversations and consolation in times of stress. A place for forgiveness, absolution and resolution.

C13.04.G10. Reporting: The committee will:

- a. Report activities to the Church Council periodically withholding any confidential disclosures made to the committee.
- b. Submit a report of activities as prepared by the Chair for inclusion in the Annual Report to the Congregation.

C13.04.H10. Qualities and Skills: Committee members must:

- a. Understand grace as our means to salvation.
- b. Be able to keep confidences.
- c. Have sensitivity for the feelings of others.
- d. Have the ability to speak candidly and with discretion.

C13.05. When a pastoral vacancy occurs, a Call Committee of six voting members shall be elected by the Congregation Council. The Call Committee is formed after the pastor's farewell and departure. . Term of office will terminate upon installation of the newly called pastor; however, it is recommended that representatives of the Call Committee also serve on the Mutual Ministry Committee upon selection of a new pastor.

C13.05.A10. It is recommended that the chair of the committee be a member of the council. It is recommended that the committee be composed with a majority of persons who do not currently serve on the congregation council. The composition of the call committee should intentionally reflect the make-up of the congregation, assuring that all the different categories of age, gender, ethnic group, and differing lengths of membership in the congregation are represented. Youth may be considered for this committee, assuming they will be able to attend the meetings. It is recommended that members of the same family not serve on the call committee.

C13.05.B10. The council should appoint persons carefully. Suggested questions about potential members of the committee may include:

- a. Is this person firmly grounded in a relationship with Jesus Christ and committed to the search process as a prayerful journey under the guidance of the Holy Spirit?
- b. Does this person have the respect and trust of members of the congregation?
- c. Does this person understand the church but have no other agendas?
- d. Is this person able to respect confidentiality?
- e. Is this person open to future mission possibilities for the congregation and not simply eager to maintain the status quo?
- f. Is this person able to listen to others' opinions, and participate in an open and respectful discussion with other members of the committee?
- g. Is this person a confirmed and communing member of the congregation

who attends worship regularly and participates in the life of the community of faith?

- h. Will this person be able to attend all meetings and interviews and be able to attend worship in another setting to experience the candidate's worship leadership?
- i. Is this person one who can think theologically?

C13.05.C10 The Call Committee shall elect a chairperson - ideally a member of the council - who shall be responsible for all communication with the bishop and chairs all Call Committee meetings. However, when calling an associate pastor, the senior pastor may, with the council's approval, serve as the chairperson. When calling a senior pastor, an associate pastor already serving in the congregation does not normally participate in the call process. However, the prospective senior should be interviewed by the pastor associate pastor for at least an hour.

C13.05.D10. The Call Committee shall elect a recorder/secretary. This person:

- a. Communicates with the congregation through weekly or monthly notices.
- b. Is responsible for all letters informing candidates of their acceptance or release and all other correspondence.
- c. Returns Reports of Interviews to the synod office.
- d. Is responsible for having and seeing that the call letter of the congregation is properly filled out and signed by the congregational president and secretary.
- e. Consult with the other teams, officers, and members of the congregation, including the Treasurer, in order to formulate a letter of call appropriate in all respects.

C13.05.E10. The Call Committee shall at all times keep the name of the candidates confidential. No one outside the Church Council and Call Committee should know who is being considered. This is necessary for the sake of the candidate who may not want it known they are seeking a call.

C13.05.F10. The Call Committee shall use ELCA's most recent version of *Healthy Transitions* guidelines for the call process. The March 2009 version can be found at:
http://www.nesynod.org/documents/Healthy_Transitions_Rev_Mar_2009.pdf

C13.05.G10. The Call Committee's duties include all aspects of the call including seeking, interviewing, attending services of prospective pastors, and making a recommendation to the council.

C13.05.H10. Upon the Call Committee's recommendation to the council, the council shall:

- a. Conduct its own interview(s) and vote on whether to approve the candidate for congregational approval. A positive vote to call the candidate results in a meeting of the whole church which will be run by the Bishop's office.

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- b. Handle the business part of the pastoral call such as salary, housing, health, pension, job description, hours of work, etc.
- C13.06. The Personnel Committee carries out the obligations of the congregation as an employer. The committee reports to the Council. The Personnel Committee makes recommendations to the council rather than making decisions or policies on its own. This committee will act as a resource for church employees.
- C13.06.A10 The Personnel Committee shall serve as a Personnel Resource and shall:
- a. Maintain a supportive relationship with the pastor and staff and help them annually to evaluate the fulfillment of their calling or employment.
 - b. Be responsible for the writing and updating of job descriptions for salaried staff.
 - c. After seeking input from committees as appropriate, conduct annual evaluations with the lay professionals. Review results shall be provided to the appropriate committee/individual i.e. Sexton to Property Committee, Minister of Music to Worship and Music Committee, Congregational Life Coordinator to the Council.
 - d. Conduct an annual evaluation with the Pastor. The annual assessment shall also include a review of working conditions, compensation, housing, benefits etc. Review results shall be provided to the Council.
 - e. Help plan continuing education that benefits both the mission of the congregation and the ministry of rostered leaders.
 - f. Affirm rostered leaders in their ministry.
 - g. Work to ensure a safe and secure working environment for each employee.
- C13.06.B10 The Personnel Committee shall be comprised of
- a. Council President
 - b. one member of the Finance Team
 - c. one member of the congregation as appointed by the Church Council.
- C13.06.C10 Members of the Personnel Committee will serve a three year term. They cannot serve more than two consecutive terms.
- C13.06.D10 Annual Reviews Participants
- a. With the Personnel Committee, the Pastor and Chair of the Worship & Music Team will participate in the annual review for the Minister of Music.
 - b. With the Personnel Committee the chair of the Property Team will participate in the annual review for the Church Sexton.
 - c. With the Personnel Committee the Pastor will participate in the annual review for the Secretary / Administrative Assistant.
 - d. With the Personnel Committee the Pastor will participate in the annual review for the Congregational Life Coordinator.
- C13.07. Other committees of this congregation may be formed, as the need arises, by decision of the Congregation Council.
- C13.07.A10. Committees of the congregation are:
- a. Communications Team
 - b. Cultivating Community in Christ
 - c. Finance & Stewardship

- d. Ministry with Youth
- e. Outreach Ministries
- f. Property Committee
- g. Worship & Music Team

C13.07.B10. The chairperson of each committee detailed in section C13.06.A10 shall serve as a representative on the church council.

C13.07.C10. Roles and responsibilities of these committees of this congregation shall be specified in Addendum A – G.

C13.08. The pastor of this congregation shall be *ex officio* a member of all committees and boards of the congregation. The president of this congregation shall be *ex officio* a member of all committees and boards of the congregation, except the Nominating Committee.

Chapter 14.

ORGANIZATIONS WITHIN THE CONGREGATION

C14.01. All organizations within this congregation shall exist to aid it in ministering to the members of this congregation and to all persons who can be reached with the Gospel of Christ. As outgrowths and expressions of this congregation's life, the organizations are subject to its oversight and direction. This congregation at its meeting shall determine their policies, guide their activities, and receive reports concerning their membership, work, and finances.

C14.02. Special interest groups, other than those of the official organizations of the Evangelical Lutheran Church in America, may be organized only after authorization has been given by the Congregation Council and specified in a continuing resolution.

Chapter 15.

DISCIPLINE OF MEMBERS AND ADJUDICATION

*C15.01. Denial of the Christian faith as described in this constitution, conduct grossly unbecoming a member of the Church of Christ, or persistent trouble-making in this congregation are sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation will be attempted following Matthew 18:15-17, proceeding through these successive steps: a) private admonition by the pastor, b) admonition by the pastor in the presence of two or three witnesses, and c) citation to appear before the Congregation Council. If, for any reason, the pastor is unable to administer the admonitions required by a. and b. hereof, the president (if not the pastor) or vice president shall administer such admonitions.

*C15.02. The process for discipline of a member of the congregation shall be governed as prescribed by the chapter on discipline in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. If discipline against a member proceeds beyond counseling and admonition by

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the pastor, charges against the accused member(s) that are specific and in writing shall be prepared by member(s) of the congregation who shall sign the charges as the accuser(s). The written charges shall be filed with the pastor, who shall advise the Congregation Council of the need to issue a written citation to the accused and the accusers that specifies the time and place of the hearing before the Congregation Council. The written charges shall accompany the written citation to the accused. A member charged with the offense shall appear before the Congregation Council after having received a written citation, at least ten days prior to the meeting. If the member charged with the offense fails to appear at the scheduled hearing, the Congregation Council may proceed with the hearing and may pass judgment in the member's absence.

- *C15.03. Members of the Congregation Council who participate in the preparation of the written charges or who present evidence or testimony in the hearing before the Congregation Council are disqualified from voting upon the question of the guilt of the accused member. Should the allegations be sustained by a two-thirds majority vote of the members of the Congregation Council who are not disqualified but who are present and voting, and renewed admonition prove ineffectual, the council shall impose one of the following disciplinary actions:
 - a. censure before the council or congregation;
 - b. suspension from membership for a definite period of time; or
 - c. exclusion from membership in this congregation.Disciplinary actions b. and c. shall be delivered to the member in writing.
- *C15.04. The member against whom disciplinary action has been taken by the Congregation Council shall have the right to appeal the decision to the Synod Council. Such right may not be abridged and the decision of the Synod Council shall be final.
- *C15.05. Disciplinary actions may be reconsidered and revoked by the Congregation Council upon receipt of a) evidence that injustice has been done or b) evidence of repentance and amendment.
- *C15.06. For disciplinary actions in this congregation, "due process" shall be observed as specified in 20.41.04. in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.
- *C15.07. No member of a congregation shall be subject to discipline for offenses that the Congregation Council has previously heard and decided, unless so ordered by the Synod Council after an appeal.
- *C15.10. Adjudication
- *C15.11. When there is disagreement among factions within this congregation on a substantive issue that cannot be resolved by the parties, members of this congregation shall have access to the synodical bishop for consultation after informing the chair of the Congregation Council of their intent. If the consultation fails to resolve the issue(s), the Consultation Committee of the synod shall consider the matter. If the Consultation Committee of the synod shall fail to resolve the issue(s), the matter shall be referred to the Synod Council, whose decision shall be final.

Chapter 16.

BYLAWS

- *C16.01. This congregation may adopt bylaws. No bylaw may conflict with this constitution.
- *C16.02. Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a majority vote of those voting members present and voting.
- *C16.03. Changes to the bylaws may be proposed by any voting member provided, however, that such additions or amendments be submitted in writing to the Congregation Council at least 60 days before a regular or special Congregation Meeting called for that purpose and that the Congregation Council notify the congregation's members by mail of the proposal with the council's recommendations at least 30 days in advance of the Congregation Meeting.
- *C16.04. Approved changes to the bylaws shall be sent by the secretary of this congregation to the synod.

Chapter 17.

AMENDMENTS

- *C17.01. Unless provision *C17.04. is applicable, those sections of this constitution that are not required, in accord with the *Model Constitution for Congregations of the Evangelical Lutheran Church in America*, may be amended in the following manner. Amendments may be proposed by at least 25% voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the congregation's members by mail of the proposal together with the council's recommendations at least 30 days in advance of the meeting.
- *C17.02. An amendment to this constitution, proposed under *C17.01., shall:
 - a. be approved at a legally called Congregation Meeting according to this constitution by a majority vote of those present and;
 - b. be ratified without change at the next annual meeting by a two-thirds majority vote of those present and voting; and
 - c. have the effective date included in the resolution³ and noted in the constitution.
- *C17.03. Any amendments to this constitution that result from the processes provided in *C17.01. and *C17.02. shall be sent by the secretary of this congregation to the synod. The amendment shall become effective within 120 days from the date of the receipt of the notice by the synod unless the synod informs this congregation that the amendment is in conflict with the constitution and

³ Such an effective date must be stated in relation to the requirements of *C17.03. to allow time for synodical review of the amendment.

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bylaws of the Evangelical Lutheran Church in America or the constitution of the New England Synod of the ELCA.

- *C17.04. This constitution may be amended to bring any section into conformity with a section or sections, either required or not required, of the *Model Constitution for Congregations of the Evangelical Lutheran Church in America*—as most recently amended by the Churchwide Assembly—by a simple majority vote of those voting members present and voting at any legally called meeting of the congregation without presentation at a prior meeting of the congregation, provided that the Congregation Council has submitted by mail notice to the congregation of such an amendment or amendments, together with the council’s recommendations, at least 30 days prior to the meeting. Upon the request of 25% voting members of the congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of the congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following a vote of approval.

Chapter 18.

CONTINUING RESOLUTIONS

- *C18.01. The congregation in a legally called meeting or the Congregation Council may enact continuing resolutions. Such continuing resolutions may not conflict with the constitution or bylaws of this congregation;
- *C18.02. Continuing resolutions shall be enacted or amended by a majority vote of a meeting of the congregation or a two-thirds vote of all voting members of the Congregation Council.

Chapter 19.

INDEMNIFICATION

- *C19.01. Consistent with the provisions of the laws under which this congregation is incorporated, this congregation may adopt provisions providing indemnification for each person who, by reason of the fact that such person is or was a Congregation Council member, officer, employee, agent, or other member of any committee of this congregation, was or is threatened to be made a party to any threatened, pending, or completed civil, criminal, administrative, arbitration, or investigative proceeding.

Continuing Resolutions

Herein described are descriptions of the roles and responsibilities of the seven(7) standing committees/teams detailed in section C13.06.A10. Committees of the congregation are:

- a. Communications Team
- b. Cultivating Community in Christ
- c. Finance & Stewardship
- d. Ministry with Youth
- e. Outreach Ministries
- f. Property Committee
- g. Worship & Music Team

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Continuing Resolutions Addendum A Communications Team

Mission Statement

Invite all people to share in God's story Through a wide range of media and mechanisms, this team reaches out to the larger community to share the good news of God's story and to invite all people to share in that story as part of the St. James faith community.

Responsibilities:

- Design, create, and maintain a web presence for St. James.
- Provide a "public relations" program to include (but not limited to):
 - Design, creation, and distribution of brochures;
 - Regular press releases;
 - Contact with local organizations for distribution of brochures, DVDs, and other materials;
 - Registering St. James with appropriate internet search engines.
- Develop and maintain a program of invitation to visitors to include:
 - Personal and written contact (Greeters, letters);
 - Pew cards;
 - Welcome packet.
- Outreach to prospective members (neighbors, new residents).
- Design, create and publish the monthly newsletter, St. James' Scroll. In this role, the team shall encourage submission of all relevant news, events, prayers, photographs and other materials from members, groups, and committees.
- Increase visibility of St. James via appropriate street signage and lighting.
- Publish the St. James Pictorial Membership Directory regularly (every 12 - 18 months)

Team Coordinator: The Team Coordinator represents the team on the Congregational Council. In that role, s/he keeps the council informed of the team's progress toward meeting goals. S/He brings forth issues and concerns that require council input and/or a council vote, and is responsible for providing meeting minutes to the council. Term of office as documented in the St. James Constitution is three years. The team coordinator (committee chair) may serve no more than two consecutive terms.
(Last modified October 2009)

**Continuing Resolutions Addendum B
Cultivating Community in Christ**

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Continuing Resolutions Addendum C
Finance & Stewardship

Purpose:

This committee is charged with the gathering of God's gifts entrusted to the members for the ministry of the whole church and for financial management of the parish. This committee shall include the Treasurer, Financial Secretary, The Pastor and other members as appointed by the Chair.

Responsibilities:

Stewardship Committee:

- To provide a year round program of stewardship education and development: communicating the congregation's vision and needs.
- Encourage each member of the congregation to use his/her time, talent and treasures so as to facilitate, through committees, the meeting of congregational needs by congregational resources.
- To provide oversight and coordination appeals made to the congregation from the community, Synod and ELCA, so as to develop a broader sense of ministry, making recommendations to the Congregation Council.

Finance Committee:

- Develop a proposed annual budget to be presented at the December Church Council Meeting.
- To monitor and accept budget throughout the year.
- To invest and regulate church operating and other designated funds.
- To provide a financial plan to the Council for any capital improvements.
- To provide oversight and direction to the counters, treasurer and financial secretary.

Committee Chair:

The Committee Chair represents the membership of their committee on the Congregational Council. In that role, they keep the council informed of the work of their committee. They bring forth issues and concerns that require council input and/or a council vote. They are responsible for providing minutes of committee meetings to the council. Committee Chairs are responsible for providing ongoing and timely communication of their committee's work for inclusion in the monthly Scroll and/or weekly bulletins as appropriate. Term of office as documented in the St. James Constitution is three years. The committee chairs may serve no more than two consecutive terms.

July 2011

Continuing Resolutions Addendum D
Ministry with Youth

Purpose: This committee will seek to provide a unified approach in ministry with youth. Through programs of Sunday Church School, Confirmation and Youth Ministry consistent with the teachings of the Lutheran Church and its Order, we seek to give youth opportunity for belonging, celebrating, nurturing, witnessing, serving, developing leadership, being faithful stewards, doing justice and learning. Responsibilities:

Education

- Establishing curricular for Sunday Church School, Confirmation and Vacation Bible School.
- Securing staff and providing training for these educational programs.
- The maintenance of the Cradle Roll.

Youth Ministry

- Development and oversight of a Youth Ministry Program.
- Promotion of Synodical and National Lutheran ministries with youth.

Committee Chair: The Committee Chair represents the membership of their committee on the Congregational Council. In that role, they keep the council informed of the work of their committee. They bring forth issues and concerns that require council input and/or a council vote. They are responsible for providing minutes of committee meetings to the council. Committee Chairs are responsible for providing ongoing and timely communication of their committee's work for inclusion in the monthly Scroll and/or weekly bulletins as appropriate. Term of office as documented in the St. James Constitution is three years. The committee chairs may serve no more than two consecutive terms.

(Last Revised October 2009)

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Continuing Resolutions Addendum E
Outreach Ministries Team

Mission:

To share God's Grace and nurture growth of the spirit through local and global outreach, supporting programs and initiatives that will improve the quality of life for those in need.

Responsibilities:

- Maintain and raise awareness and understanding of local, national and international needs, and working within the resources of the congregation, to provide members with opportunities to witness, serve and learn.
- Provide for the congregation's education regarding social outreach initiatives of the larger church.
- Provide organization and coordination for the outreach ministries of the congregation.
- Review, evaluate and recommend to the membership appeals and initiatives from community action groups.

Team Chair:

The Team Chair represents the membership of their team on the Congregational Council. In that role, she/he shall keep the council informed of the work of the team. He/she brings forth issues and concerns that require council input and/or a council vote. The Chair is responsible for providing minutes of committee meetings to the council. The Team Chair is responsible for providing ongoing and timely communication of the committee's work for inclusion in the monthly Scroll and/or weekly bulletins as appropriate. Term of office as documented in the St. James Constitution is three years. The committee chair may serve no more than two consecutive terms.

Acts 20:35 In everything I did, I showed you that by this kind of hard work we must help the weak, remembering the words of the Lord Jesus himself said: "It is more blessed to give than to receive."

(Last revised October 2009)

**Continuing Resolutions Addendum F
Property Committee**

Purpose:

The property committee is responsible for the stewardship of our building and grounds.

Responsibilities:

- Oversee the general maintenance of the church facilities, grounds and equipment.
- Schedule and coordinate all repair and maintenance. This includes the maintenance of service contracts and warranties.
- Hire and supervise the Sexton, establishing a job description and conducting performance appraisals.
- Oversee the security of the building. This includes building safety and fire inspection compliance, as well as building codes. Consideration should be given to fire drills for Sunday School children and staff.
- Establish building use guidelines for groups using the building.
- Regularly review our insurance coverage.
- Develop a regular maintenance schedule, and a long-term capital expenditure plan for repair, replacement, or improvement.

Committee Chair:

The Committee Chair represents the membership of their committee on the Congregational Council. In that role, they keep the council informed of the work of their committee. They bring forth issues and concerns that require council input and/or a council vote. They are responsible for providing minutes of committee meetings to the council. Committee Chairs are responsible for providing ongoing and timely communication of their committee's work for inclusion in the monthly Scroll and/or weekly bulletins as appropriate. Term of office as documented in the St. James Constitution is three years. The committee chairs may serve no more than two consecutive terms.

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Continuing Resolutions Addendum G
Worship & Music Committee

Purpose: There shall be a standing team of the Congregation Council whose purpose shall be to plan for the worship life of St. James Lutheran Church, to the end that Word and sacrament be celebrated in accordance with the Word of God and the faith and practice of the Evangelical Lutheran Church in America.

Responsibilities:

1. Planning for both contemporary and traditional Sunday worship hours based on the liturgical calendar so that the congregation's worship shall richly reflect the seasons, festivals and Commemorations of the Church Year and Lectionary.
2. Provide ongoing instruction in the meaning, tradition, order and symbolism of Lutheran worship.
3. Provide for worship leadership by members of the congregation, through the recruitment, training, and scheduling of:
 - Acolytes
 - Ushers
 - Assisting Ministers
 - Lectors
 - Worship Leaders
4. Development, maintenance and review of procedures, equipment and decoration of the chancel, nave and narthex
5. Give oversight to the music program. This includes the recruitment and support of musicians, choir members, and worship leaders, as well as the support for and evaluation of the Minister of Music.
6. Give oversight to selection of music, with the primary responsibility belonging to Pastor and Minister of Music.
7. Coordinate worship planning with the Altar Guild.

Team Chair: The Team Chair represents the membership of his/her team on the Congregational Council. In that role, he/she keep the council informed of the work of his/her team. He/she brings forth issues and concerns that require council input and/or a council vote. He/she is responsible for providing minutes of team meetings to the council and team members. Team Chairs are responsible for providing ongoing and timely communication of his/her team's work for inclusion in the monthly Scroll and/or weekly bulletins as appropriate. Term of office as documented in the St. James Constitution is three years. The team chairs may serve no more than two consecutive terms.

(Last Revised October 2009)