

CONSTITUTION & BY-LAWS

EMMAUS EVANGELICAL LUTHERAN CHURCH

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THE CONSTITUTION OF EMMAUS EVANGELICAL LUTHERAN CHURCH
(Lutheran Church—Missouri Synod)
South Bend, Indiana

PREAMBLE

In the Name of the Father and of the Son and of the Holy Spirit. Amen.

The Holy Triune God requires that a Christian congregation shall conform to **H**is divine Word in doctrine and practice (Ps. 119:105; Matt. 28:18–20; Gal. 1:6-8; 2 Tim. 4:1-5), and that all things be done decently and in order (1 Cor. 14:40). Therefore we, the members of Emmaus Evangelical Lutheran Church, located at South Bend, Indiana, accept and subscribe to the following Constitution and Bylaws, in accordance with which all spiritual and material affairs of our congregation shall be governed.

ARTICLE I
NAME

The name of this congregation shall be Emmaus Evangelical Lutheran Church **U.A.C.** (Missouri Synod) of South Bend, Indiana.

ARTICLE II
PURPOSE

The purpose of this congregation shall be to seed the honor and glory of God, to carry out His will, to manifest the unity of our faith in Jesus Christ as God and Savior, to spread the kingdom of God and to foster Christian Fellowship and love, by the preaching of the Word of God, by the administration of the Sacraments, and by the religious instruction of all its members, according to the confessional standard of the Evangelical Lutheran Church (Article III).

ARTICLE III
DOCTRINAL STANDARD

A. This congregation acknowledges and accepts all the canonical books of the Old Testament and the New Testament as the revealed and inerrant Word of God, verbally inspired, and submits to them as the only infallible authority in all matters of faith and life.

B. This congregation acknowledges and accepts all the confessional writings of the Evangelical Lutheran Church, contained in the Book of Concord of the year 1580, as true and genuine expositions of the doctrines of the Bible. These confessional writings are the three Ecumenical Creeds (Apostles', Nicene, and Athanasion), the Unaltered Augsburg Confession, The Apology of the Augsburg Confession, the Smalcald Articles, Luther's Large and Small Catechisms, and the Formula of Concord.

ARTICLE IV MEMBERSHIP

The membership of this congregation includes the following:

a. Baptized Membership

i. Definition

Baptized members are all members who have been baptized in the name of the Triune God and who are under the spiritual care of the Pastor of this congregation, including the children who have not yet confirmed their baptismal vow.

ii. Reception

Baptized members are received through the Sacrament of Holy Baptism, through transfer, or with the consent of one or both parents or guardians in the case of children who have been baptized in another Christian congregation.

iii. Duties

Baptized members shall conform their lives to their baptismal vow.

4.

Termination

Baptized members who have not been received as communicant members shall have their membership terminated for the same reasons that communicant membership is terminated insofar as these reasons are applicable.

b. Communicant Membership

i. Definition

Communicant members are those baptized members who have been confirmed in the Lutheran faith, accept the doctrinal standards of Article III of this constitution, are familiar at least with the contents of Luther's Small Catechism, and who are not members of organizations whose principles and conduct conflict with the Word of God.

ii. Reception

Communicant members are received through the rite of confirmation, by transfer from a sister congregation, upon profession of faith, or by reaffirmation of faith, provided they conform to the requirements for membership in this congregation. Their reception shall be approved by the Church Council and subsequently by the Voters' Assembly.

iii. Duties

Communicant members shall conform their entire lives to the rule of God's Word and to that end make diligent use of the means of grace, exercise faithful stewardship of God's gifts, and impart and accept fraternal admonition as the need for such admonition becomes apparent.

iv. Termination

- (a) Communicant members in good standing may be transferred by the Pastor to a sister congregation immediately upon their request. Such transfer shall be reported to the Voters' Assembly for approval at its next meeting. Members who move out of the community and thereby become inactive shall be encouraged to transfer their membership to the sister congregations nearest to them.
- (b) Communicant members who join congregations outside of our fellowship thereby terminate their membership. Their names shall be removed from the membership list by resolution of the Voters' Assembly.
- (c) Communicant members whose whereabouts are unknown and whose addresses cannot be established shall have their names removed by resolution of the Voters' Assembly.
- (d) Communicant members who conduct themselves in an unchristian manner shall be admonished according to Matthew 18:15-20; if they remain impenitent after proper admonition, they shall be excommunicated. Each case shall be presented individually to the Voters' Assembly for action.

A two-thirds (2/3) vote by the voters present shall be required for excommunication. If such member deliberately absents himself from the meetings at which his case is to be discussed, or in some other manner makes it impossible to deal with him, he thereby excommunicates himself.

C. Voting Membership

1. Definition

Voting members are communicants who have reached the age of eighteen (18) years and who have been received by the Voters' Assembly. A voting member under age twenty-one (21) shall not be eligible to serve on the Board of Directors of the Congregation.

2. Reception

Applicants for voting membership shall be received as voting members by resolution of the Voters' Assembly, provided they meet the requirements for such membership in this congregation.

3. Duties

Voting members shall attend the meetings of the Voters' Assembly regularly, participate in the work of the congregation, and willing accept responsibility according to ability.

4. Termination

Voting membership shall be terminated because of continued unexcused absence of six (6) consecutive regular meetings. And excuse must be filed with the recording secretary prior to the meeting. Termination of the communicant membership automatically terminates voting membership.

5. All officers shall be members of the Voters' Assembly.

6. Only male voting members may be elected to office of, President, Vice-President, and Board of Elders.

ARTICLE V
The Office of the Pastor

The pastoral office of this congregation shall be conferred only on such ministers and candidates who profess and adhere to the confessional standard set forth in Article III of this Constitution and who are qualified for their work. Pastors shall be pledged to this confessional standard.

ARTICLE VI Authority of the Congregation

A. General

The Voters' Assembly shall be the governing body of this congregation and shall be empowered to administer and manage all its affairs. The establishment and conduct of all organizations and societies within the congregation shall be subject to the approval and supervision of the Voter's Assembly

B. Right of Calling

The right of calling pastors shall be vested in the Voters' Assembly and shall never be delegated to a smaller group or to an individual.

C. Decisions

All matters of doctrine and of conscience shall be decided only by the Word of God. All other matters shall be decided by a majority vote of the Voters' Assembly unless otherwise specified by this Constitution or Bylaws.

D. Removal from Office

1. Any pastor or officer may be removed from office by the Voters' Assembly by a two-thirds (2/3) majority ballot vote, in Christian and lawful order, for one of the following reasons:
 - a. Persistent adherence to false doctrine.
 - b. Scandalous life.
 - c. Willful neglect of duties.
2. The congregation may request the resignation of any Pastor or officer from his position in the congregation in the case of prolonged incapacity or general incompetence.

E. Removal from Membership

The Voters' Assembly shall have authority to exclude any communicant member according to Matthew 18:15-18. The person so excluded (excommunicated) shall forfeit all rights of a member.

ARTICLE VII
Officers

- A. Officers of this congregation shall be such officers, boards or committees as the Bylaws of this Constitution may prescribe
- B. Congregational officers or committees, whether elected or appointed, shall have no authority beyond that which has been conferred upon them, and whatever authority may have been delegated to them may at any time be altered or revoked.

ARTICLE VIII
Division

If at any time a division should take place on account of doctrine, the property of the congregation and all benefits connected therewith shall remain with those communicant members who continue to adhere in confession and practice to Article III of this Constitution. If division take place for any other reason, the property shall remain with the majority of the communicant members. In the event the congregation should totally disband, the property and all rights connected therewith shall be transferred to that District of the Lutheran Church-Missouri Synod of which the congregation has been a member at the time of disbanding.

ARTICLE IX
Doctrinal Conformity

Only such hymns, prayers, and liturgies shall be used in the public services of the congregation and in all ministerial acts as conform to the confessional standard of Article III.

ARTICLE X
Synodical Membership

This Congregation shall hold membership in The Lutheran Church-Missouri Synod as long as this Synod remains true to the Word of God and the Lutheran Confessions. It shall send its Pastor(s) and a lay delegate to the District conventions of the Synod.

ARTICLE XI

By-Laws

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

ARTICLE XII Board of Directors

The Board of Directors shall be:

1. The President of the Voters' Assembly
2. The Treasurer
3. The Financial Secretary
4. The Chairman of the Board of Elders
5. The Chairman of the Board of Trustees.
6. The Chairman of the Board of Christian Education.
7. The Chairman of the Board of Discipleship.
8. The Chairman of the Board of Stewardship.
9. And the Pastor

ARTICLE XIII Changing the Constitution

A. Unalterable Articles:

Articles II, III, V and IX of this Constitution shall not be subject to change or repeal.

B. Amendments:

Amendments to this Constitution may be adopted at a regular Voters' Assembly provided:

1. That they do not conflict with the provisions laid down in Article III, or with any other article that pertains to a Scriptural doctrine and practice; and
2. That the proposed amendment has been submitted in writing at a previous meeting of the Voters' Assembly and published prior to the meeting at which the proposed amendment will be acted upon.
3. That an affirmative vote of a two-thirds (2/3) majority of the voters present is secured.

BY-LAWS OF EMMAUS EVANGELICAL LUTHERAN CHURCH
(Lutheran Church-Missouri Synod)
South Bend, Indiana

ARTICLE I
Voters' Assembly

A. Meetings

1. Regular meetings of the Voters' Assembly shall be held every other month starting with the month of January
2. The annual election meeting of the Voters' Assembly shall be held in November.
3. Special meetings of the Voters' Assembly may be called by the Pastor, the President of the congregation, or by the Church Council provided that the members of the Voters' Assembly have been notified by mail at least three (3) days prior to such a special meeting. Personal notification may be used in emergency situations.

B. Quorum

Ordinarily the voters present at a properly called meeting shall constitute a Quorum to do business. However, for amending the Constitution, for the purchase of property, for the erection of buildings, or for the removal from office of a called Pastor, a majority of all voting members shall be required for a quorum. In the absence of a majority, those present may fix the date for an adjourned meeting for which at least five (5) days written notice shall be given. The members who are present at such adjourned meeting shall constitute a quorum.

C. Order of Business

The meetings of the Voters' Assembly shall be conducted in accordance with the Constitution and By laws and shall include:

1. An opening devotion.
2. Approval of the minutes of the previous meeting.
3. Roll call or registration.
4. Reception of new members.
5. Reports of officers and standing committees and action thereon.
6. Unfinished business.
7. Recommendations of the Church Council
8. Other business
9. Adjournment with devotional close.

In questions of parliamentary procedure not covered by this Constitution and Bylaws, the generally accepted rules of order shall prevail.

ARTICLE II Procedure in Calling of Pastors

A. Nominations and Elections

1. At any properly called meeting of the Voters' Assembly, eligible and qualified candidates for the office of pastor shall be submitted by the nominating committee. The Church Council shall serve as the nominating committee for the office of Pastor. Any voter is entitled to make additional nominations from the floor. The candidates shall then be chosen by ballot under the majority rule.
2. The list of candidates shall be publicly announced to the congregation on two successive Sundays or by mail at least one week before the meeting at which the call is to be extended. Barring any sustained protest, the candidates shall become eligible for calling at any subsequent properly called meeting of the Voters' Assembly. The election shall proceed by ballot. A majority of all ballots cast shall be required to elect. The election shall, if possible, be made unanimous.

ARTICLE III Officers

The officers of this congregation shall be: a President, a Vice-President, a Recording Secretary, a Financial Secretary, a Treasurer, a Board of Elders, a Board of Trustees, a Board of Christian Education, a Sunday School Superintendent, a Board of Discipleship, and a Board of Stewardship.

ARTICLE IV The Church Council

A. Membership

The Church Council shall consist of the President, Vice-President, the Recording Secretary and the Treasurer, the Chairmen of the Boards of Elders, Trustees, Christian Education, Stewardship, Discipleship, and WSL - LWML or representatives from their respective boards. The Pastor shall be an ex-officio member of the Church Council with full rights and privileges to vote. The vice-president of the congregation shall be chairman of the Church Council.

B. Meetings

The Church Council shall meet in regular session once each month. The Pastor or any three (3) members of the Church Council may call special meetings by personally informing each member of the council of the time and place of such meeting at least twenty-four (24) hours in advance.

C. Quorum

Any six (6) council members present at a properly called meeting shall constitute a quorum and majority rules. In the absence of a majority, those present may fix the date for an adjourned meeting for which at least twenty-four (24) hours notice shall be given. The members who are present at such adjourned meeting shall constitute a quorum

D. Duties

It shall be the duty of the Church Council to consider and discuss all matters pertaining to the general welfare of the congregation, to review all reports, and to present recommendations to the congregation. The Church Council shall act in matters committed to it by the Voters' Assembly. In cases of emergency it shall have power to act in behalf of the congregation between meetings of the Voters' Assembly. Each member of the Church Council and Financial Secretary shall prepare a written annual report due the third (3rd) Sunday in January, for publication in the February newsletter.

ARTICLE V
Nomination and Election of Officers

A. Procedure in Nomination and Election of Officers

A nomination committee, of at least three (3), (appointed by the president of the congregation, and announced at the September Voters' Assembly) shall present a slate of candidates at the annual election meeting of the Voters' Assembly. The slate proposed by

the nominating committee shall normally consist of two names for each office. Additional nominations may be made from the floor. No person shall be nominated without his consent.

The nominating committee shall then prepare the ballot for the election to be held in the annual election meeting. All officers shall be elected by a majority ballot vote. The officers-elect shall assume their respective duties on January 1 of the following year. They shall be inducted into office in a public service of the congregation.

In case of a vacancy in an elective office, the Voters' Assembly shall elect a successor to fill the unexpired term at the next regular meeting, and the officer elected shall assume office immediately.

B. Terms of Office

	OFFICE	NUMBER	TERM	ELECT YEARLY
1.	President	1	1 yr.	1
2.	Vice-President	1	1 yr.	1
3.	Recording Secretary	1	1 yr.	1
4.	Treasurer	1	2 yrs.	As Required
5.	Financial Secretary	1	1 yr.	1
6.	Elder	1 for every 20 families	3 yrs.	As Required
7.	Trustee	6	3 yrs.	2
8.	Christian Education	1 (up to 9)	3 yrs.	As Required
9.	S. S. Superintendent	1	2 yrs.	As Required
10.	Discipleship	2	3 yrs.	1
11.	Stewardship	3	3 yrs.	1

C. Other Congregational Positions

	OFFICE	NUMBER	TERM	ELECT YEARLY
1.	Delegate to the Association Of Lutheran Church of St. Joseph County	1	3 yrs	As Required
2.	Lutheran Mission Association	1	2 yrs.	As Required

ARTICLE VI
Duties of Officers

A. President

The duties of the president shall include presiding at all meetings of the Voters' Assembly, appointing committees according to the instructions of the Bylaws or the resolutions of the Voters' Assembly are carried out.

B. Vice-President

The vice-president shall perform the duties of the president in his absence, his disability, or at his request. He shall serve as the chairman of the church council

C. Recording Secretary

The recording secretary shall record the proceedings of the Voters' Assembly, and Church Council, register all members attending the meetings, and submit his minutes for adoption at the following regular meetings. He shall be the custodian of all church records pertaining to his office and at the expiration of his term of office shall deliver them to his successor. He shall perform such other duties as may be delegated to him.

D. Treasurer

The treasurer shall disburse the funds of the congregation in accordance with its resolutions and under the direction of the Board of Trustees. Items which remain the same from month to month, such as salaries, may be approved by the Board of Trustees by a standing motion, and the treasurer shall not require further authorization. All other items shall be disbursed only with the written order of at least two members of the board of trustees, or by their signature on the invoice. The treasurer shall prepare and submit to the board of trustees, no later than the next council meeting, a statement of all receipts and disbursements during the preceding month. The treasurer shall be bonded in such amounts as the board of trustees may determine, and the cost of such bonds will be borne by the congregation. The treasurer is an ex-officio member of the board of trustees. He shall attend all meetings of the Board of Directors.

E. Financial Secretary

The Financial Secretary will record all income of the congregation except that of the Sunday School and church societies.

His records will show the source and the distribution by date. He will give a receipt to the treasurer for all funds delivered for deposit.

His books, records, basic methods and systems are subject to the approval of the board of Stewardship.

The Financial Secretary shall provide each member (of family) an itemized quarterly report of their contributions. Contributions for specific purposes shall be noted as such.

He is to submit monthly written reports to the Voters' Assembly, and at least once each four (4) months he will submit to them a statistical report. An annual statistical report will also be submitted at the next meeting following the closing of the books for the year.

He shall attend all meetings of the Board of Directors.

The financial secretary is an ex-officio member of the board of Stewardship

F. Board of Elders

The Board of Elders, together with the Pastor, shall concern itself with the spiritual life of the congregation and, under his direction, shall be charged with the spiritual life of the congregation and, under his direction, shall be charged with the supervision of public worship, church discipline, and church publications. To that end it shall;

1. admonish members who are neglecting the means of grace and who fail to share in the support of congregational endeavors;
2. direct and supervise the visitation of newly received members, and make every effort to bring them into the life and work of the congregation;

3. Ushers;
 - a. Appoint annually a chief usher.
 - b. Supervise the work of the ushers' society and cooperate with the members of this group in maintaining proper church decorum at all services;
4. supervise the music for all services and cooperate with the organist, the choir director, and choir members in maintaining high standards for all services;
5. supervise the Mary Martha Circle (altar Guild) of the WSL - LWML and encourage the members to achieve the objectives of their organization;
6. supervise the publications of the congregation and encourage the dissemination of Christian literature.

The board shall elect annually its own chairman and secretary. It shall be authorized to appoint annually such officers and committees (e.g., members of the diaconate, visitation committee, music committee, etc.) As are necessary to carry out its duties, subject to the ratification of the Church Council.

G. Board of Trustees

The board of trustees shall be charged with supervision of the church property and financial affairs, and to that end it shall;

1. Have the custody and control of the corporate property and make such rules and regulations as it may deem expedient for the maintenance and improvement of the church property. Upon proper authorization by the congregation the Board of Trustees may sell, mortgage, lease, or otherwise convey and dispose of the property of the corporation.
2. Supervise the work of the treasurer, the financial secretary and his assistants in the accounting for all contributions.
3. Supervise and direct the work of the section, and the office secretary and authorize the purchase of all equipment and supplies necessary for the efficient operation of the church office.

The board shall elect annually its own chairman and secretary. It shall be authorized to appoint annually such committees as are necessary to carry out its duties, subject to ratification by the Church Council

H. Board of Christian Education

The Board of Christian Education together with the Pastor shall be charged with the supervision of the educational agencies and of the church societies, and to that end it shall;

1. Assist the superintendent in the supervision of the Sunday School, provide the best materials available for instruction of the Sunday School pupils, assist the officers of the Sunday School in maintaining an adequate teaching staff and in general, do all that is possible to increase the effectiveness of this agency;
2. Foster and encourage a program of in-service teacher training for the purpose of maintaining a high level of instructional competence among the faculty members of the Sunday School'
3. Encourage the development of a Bible Class program in the congregation and do all that is possible to increase the participation of the congregation in organized Bible study;
4. Supervise all societies of the congregation and encourage the officers and leaders of these various groups to increase the effectiveness of their organization as an agency of Christian education;
5. See to it that an adequate program of youth activity is sponsored by the congregation, that the programs of the youth organizations contribute to the spiritual edification of the participants, and that every effort be made to enroll all the young people in the congregation in the field of Christian education.
6. Promote and supervise other educational agencies with the parish which would enlarge the opportunities of the congregation in the field of Christian education.
7. Plan and organize Vacation Bible School, church picnic, and the Sunday School Christmas program.

The members of the teaching staff of the Sunday School shall be chosen by the Board of Education upon the recommendation of the Pastor and the superintendent. The names of the members of the teaching staff shall be presented to a Voters' meeting for ratification and approval.

The board shall elect annually its own chairman and secretary. It shall be authorized to appoint annually such officers and committees (e.g., youth committee, etc.) as are necessary to carry out its duties, subject to ratification by the Church Council.

I. Sunday School Superintendent

1. The Sunday School superintendent shall supervise and administer the affairs of the Sunday School under direction of the Pastor and the board of Christian Education of which he is an ex-officio member.
2. He shall actively promote the work of soliciting members for the Sunday School both within and without the congregation.
3. He shall arrange for regular meetings of the Sunday School teachers to insure thorough and systematic preparation for each lesson.
4. He shall conduct the opening and closing devotional portion of each Sunday School session.
5. He shall prepare a written report of the Sunday School and its activities for submission to the bi-monthly Voters' Assembly.

J. Board of Discipleship

The Board of Discipleship together with the Pastor shall be charged with the supervision of all missionary education and endeavor within the congregation, and to that end it shall;

1. Supervise the organization and activity of the mission society;
2. Sponsor periodic canvasses of the community of the congregation and see that an up-to-date list of prospects is maintained in the church office;
3. Provide for a systematic and continuous program of lay visitation of prospects to win them for Christ and for active membership in the congregation;
4. Supervise the work of public relations of the congregation.

The board shall elect annually its own chairman and secretary. It shall be authorized to appoint annually such officers and committees (e.g., a mission committee, a child evangelism committee, a committee on public relations, etc.) as are necessary to carry out its duties, subject to ratification by the Church Council.

K. Board of Stewardship

The board of Stewardship shall be charged with;

1. Preparing the annual budget, in cooperation with other members of the Church Council, for the approval of the congregation.
2. Supervise and direct the annual solicitation of financial pledges.
3. Seek out the God given talents of the membership and enlist them in the appropriate committees.
4. Supervise the raising of all funds within the congregation.
5. Make known to the congregation the needs of Christ's work in the world and aid the congregation in fulfilling these needs.

The board shall elect annually its own chairman and secretary. It shall be authorized to appoint annually such committees as are necessary to carry out its duties, subject to ratification by the Church Council.

ARTICLE VII Coordinating Council

The Pastor, the president of the congregation, the chairmen of all boards, and the presidents of all auxiliary organizations in the congregation shall constitute the coordinating council. It shall meet annually at the call of the Pastor to review the parish program for the year in order to effect good coordination among all departments of the congregation, draw up the church calendar, and clear all meeting dates for the various groups within the church. Ordinarily the coordinating council will meet in early summer after the various boards and church organizations have prepared a tentative program of activities for the ensuing year.

ARTICLE VIII Committees

The committees of the congregation shall include;

1. An auditing committee, consisting of three (3) members (none of whom shall be a member of the board of trustees), appointed by the president before December 31st. The auditing committee shall make an audit of the books and records of the treasurer, of the financial secretary, and of such other financial records the audit of which the congregation may assign to it. It shall make its report to the March Voters' Assembly;
2. A nominating committee, consisting of at least three (3), appointed by the president of the congregation, and announced at the September meeting of the Voters' Assembly. The Pastor shall be an ex-officio member of the coordinating committee;

3. Such other committees as may be authorized or created by the congregation, the members of which shall be appointed by the president, unless a different method of selection is authorized by the voting members.

ARTICLE IX Amendments

These Bylaws may be amended in a properly convened meeting of the Voters' Assembly by a majority of all voting members present, provided the proposed change has been announced at least one week prior to the meeting in which the amendment is voted upon..

Reasonable rules to implement these bylaws may be made with the approval of the Voters' Assembly.