

THE CONSTITUTION OF CHRIST THE KING LUTHERAN CHURCH, INCORPORATED GREAT FALLS, VIRGINIA

In both 2016 and 2019, the Churchwide Assembly of the Evangelical Lutheran Church in America made changes to the *Model Constitution for Congregations*. The *Model Constitution* is the base document for the constitutions of all congregations that are part of the ELCA. Some of the changes made by the ELCA had to be considered by the synods of the ELCA before being passed along to the congregations. The Synod Council of the Metropolitan D.C. Synod, of which Christ the King is a part, has reviewed the *Model Constitution*, made its necessary decisions, and has now requested that the congregations of the synod update their constitutions so that they align with the amended *Model*.

The Congregation Council of Christ the King Lutheran Church appointed a Constitution and Bylaw Review Committee chaired by then-Congregational/Council Secretary Marie Petersen. The committee includes Kristine Heine, Brenda Rian, Dave Rudorfer, Scott Wainner, Suzanne Gaibler, Antonia Siebert, and Pastor Hank Langknecht.

What follows comes from that Constitution Review Committee; it is the complete *proposed amended* constitution of Christ the King with all recommended amendments highlighted according to the following key: ORANGE highlights indicate substantive changes made to the *Model Constitution* over which Christ the King has no discretion because they are required elements (marked in the left margin by an asterisk *).

GRAY highlights indicate substantive changes made to the *Model Constitution* over which the congregation has discretion.

PURPLE highlights indicate changes necessitated by changes in the ELCA's new terminology used to refer to rostered ministers. At the 2016 Churchwide Assembly, the ELCA unified the so-called "lay roster,"—made up of Associates in Ministry, Deaconesses, and Diaconal Ministers—into the roster of Ministers of Word and Service. Members of this roster are to be called *deacons*. At the 2019 Churchwide Assembly, the ELCA determined that Ministers of Word and Service would be *ordained* into their office (they were previously *consecrated* or *commissioned*). Those changes meant that the term *ordained minister*, which formerly applied only to pastors, now applies to all rostered leaders. This necessitated some adjustments to the *Model Constitution* so that it's clear when the language refers to pastors and when it refers to deacons.

GREEN highlights indicate minor typographical or grammatical changes.

BLUE highlights indicate changes of lettering or numbering.

Chapters or sections of marked with an asterisk (*) are "required provisions"; their language must align with the language of the ELCA *Model Constitution*.

After each chapter or major section, the Constitutional Review Committee has posted notes describing the substantive changes, providing some context, and giving the committee's understanding of the reasons for the changes.

***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 Christ The King Lutheran Church, Incorporated.
- C1.02. For the purpose of this constitution and the accompanying bylaws, the congregation of Christ The King Lutheran Church, Incorporated is hereinafter designated as "this congregation."
- C1.03. The seal of this Congregation presents a crown and cross surrounded by the words "Christ The King Lutheran Church, Great Falls, Virginia."
- C1.04. This congregation shall be incorporated under the laws of the Commonwealth of Virginia.

Constitution Review Committee Commentary:

Chapter 1 of the current Christ the King Constitution is in compliance with the *Model Constitution*.

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.
- *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.

Constitution Review Committee Commentary:

Chapter 2 of the current Christ the King Constitution is in compliance with the *Model Constitution*.

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. This church confesses the one, holy, catholic, and apostolic Church and is resolved to serve Christian Unity throughout the world.
- *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.
- *C3.04. This church, inspired and led by the Holy Spirit, participates in The Lutheran World Federation as a global communion of churches, engaging in faithful witness to the gospel of Jesus Christ and in service for the sake of God's mission in the world.

~~*C3.03-05~~ The name Evangelical Lutheran Church in America (ELCA or “this church”) as used herein refers in general references to this whole church, including its three expressions: congregations, synods, and the churchwide organization. The name Evangelical Lutheran Church in America is also the name of the corporation of the churchwide organization to which specific references may be made herein.

Constitution Review Committee Commentary:

C3.02. is new; it constitutionalizes our commitment to Christian unity.

C3.04. is new; it constitutionalizes our commitment to the worldwide work and witness of the Lutheran World Federation.

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 this~~ congregation's ministry and the ministry of ~~other parts the other expressions~~ 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.
- *C4.05. This congregation shall, ~~from time to time~~, adopt and periodically review a mission statement, which will provide specific direction for its programs.
- *C4.06. References herein to the nature of the relationship between the three expressions of this church—congregations, synods, and the churchwide organization—as being interdependent or as being in a partnership relationship describe the mutual responsibility of these expressions in God's mission and the fulfillment of the purposes of this church as described in this chapter, and do not imply or describe the creation of partnerships, co-ventures, agencies, or other legal relationships recognized in civil law.

Constitution Review Committee Commentary:

With the exception of the minor changes highlighted above, Chapter 4 of the current Christ the King Constitution is in compliance with the *Model Constitution*.

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 this~~ congregation. ~~The This~~ congregation is authorized to:
- call a pastor, as provided in Chapter 9;
 - terminate the call of a pastor, as provided in Chapter 9;
 - call a minister of Word and Service;
 - terminate the call of a minister of Word and Service in conformity with the applicable policy of the Evangelical Lutheran Church in America;
 - adopt amendments to the constitution, as provided in Chapter 16, amendments to the bylaws, as specified in Chapter 17, and continuing resolutions, as provided in Chapter 18;
 - approve the annual budget;
 - acquire real and personal property by gift, devise, purchase, or other lawful means;
 - hold title to and use its property for any and all activities consistent with its purpose;
 - sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
 - elect its Congregation Council and require them to carry out their duties in accordance with the constitution, bylaws and continuing resolutions; and
 - terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.
- *C5.04. This congregation shall ~~choose~~ elect from among its voting members laypersons to serve as voting members of the Synod Assembly as well as persons to represent it at meetings of any conference, cluster, coalition or other area subdivision of which it is a member. The number of persons to be elected by ~~the this~~ congregation and other qualifications shall be as prescribed in guidelines established by the Metropolitan Washington D.C. 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 bylaws and continuing resolutions. The purpose of the mission endowment fund is to provide for mission work beyond the operational budget of this congregation.

Constitution Review Committee Commentary:

The changes in green are minor typographical/grammatical matters. The changes in purple pertain to the renaming of rostered leaders.

The change in C5.04. is significant: it calls for us to elect those who serve as voting members of the Synod Assembly. Currently, those persons are chosen from among those who volunteer to serve.

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 Metropolitan Washington, D.C. 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~~ 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:
- This congregation agrees to be responsible for its life as a Christian community.
 - This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.
 - This congregation agrees to call pastoral leadership from the ~~clergy~~ roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod. These special circumstances are limited either to calling a candidate approved for the roster of ~~ordained ministers~~ Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or to contracting for pastoral services with ~~an ordained~~ a minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion.
 - This congregation agrees to consider ~~associates in ministry, deaconesses, and diaconal~~ ministers of Word and Service for call to other staff positions in ~~the this~~ congregation according to the procedures of the Evangelical Lutheran Church in America.
 - 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~~ is 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 or in accordance with provision 9.23. of the constitution and bylaws of the Evangelical Lutheran Church in America.
 - d. The Metropolitan Washington, D.C. Synod takes charge and control of the property of this congregation to hold, manage, and convey the same on behalf of the synod pursuant to S13.24. of the synod constitution. This congregation shall have the right to appeal the decision to the next Synod Assembly.
 - e. This congregation follows the procedures outlined in *C6.05.
- *C6.05. This congregation may terminate its relationship with ~~this church~~ the Evangelical Lutheran Church in America by the following procedure:
- a. A resolution indicating the intent to terminate its relationship must be adopted at ~~a two~~ legally called and conducted special meetings of ~~the this~~ congregation by a two-thirds vote of the voting members present at each meeting. ~~Such The first such~~ meeting may be held no sooner than 30 days after written notice of the meeting is received by the bishop of the synod, during which time ~~the this~~ congregation shall consult with the bishop and the bishop's designees, if any. The times and manner of the consultation shall be determined by the bishop in consultation with the Congregation Council. Unless he or she is a voting member of ~~the this~~ congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the first meeting.
 - b. ~~The~~ Within 10 days after the resolution has been voted upon at the first meeting, the secretary of ~~the this~~ congregation shall submit a copy of the resolution to the bishop, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, and shall ~~mail a copy~~ send copies of the resolution and certification to voting members of ~~the this~~ congregation. ~~This notice shall be submitted within 10 days after the resolution has been adopted.~~
 - c. ~~The~~ If the resolution was adopted by a two-thirds vote of the voting members present at the first meeting, the bishop of the synod and ~~the this~~ congregation shall continue in consultation, as specified in paragraph a. above, during a period of at least 90 days after receipt by the ~~synod of the notice~~ bishop of the attestation and certification as specified in paragraph b. above.
 - d. If ~~the this~~ congregation, after such consultation, ~~still seeks to terminate its relationship~~ is still considering termination of its relationship with this church, such action may be taken at a legally called and conducted special meeting by a two-thirds vote of the voting members present. Notice of the ~~second~~ meeting shall be ~~mailed sent~~ to all voting members and to the bishop at least 10 days in advance of the meeting. Unless he or she is a voting member of ~~the this~~ congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the ~~second~~ meeting.
 - e. ~~A copy of the resolution, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, shall be sent to the bishop within 10 days after the resolution has been adopted, at which time the relationship between the congregation and this church shall be terminated subject to paragraphs g., h., and i. below.~~ Within 10 days after the resolution has been voted upon, the secretary of this congregation shall submit a copy of the resolution to the bishop, attesting that the second special meeting was legally called and conducted and certifying the outcome of the vote, and shall send copies of the resolution and certification to the voting members of this congregation. If the resolution was adopted by a two-thirds vote of the voting members present at the second meeting, the relationship between this congregation and this church shall be terminated subject to Synod Council approval as required by paragraphs f. and g. below.
 - f. Unless this notification to the bishop also certifies that ~~the this~~ congregation has voted by a two-thirds vote to affiliate with another Lutheran denomination, ~~the this~~ congregation ~~will be conclusively presumed to be~~ shall be deemed an independent or non-an independent or non-Lutheran church, in which case *C7.04. shall apply.
 - ~~f. Notice of termination shall be forwarded by the bishop to the secretary of this church the ELCA, who shall report the termination to the Churchwide Assembly.~~
 - g. This congregation shall abide by these covenants by and among the three expressions of this church:
 - 1) Congregations seeking to terminate their relationship with this church which fail or refuse to comply with each of the foregoing provisions in *C6.05. shall be required to receive **Synod Council** approval before terminating their membership in this church.
 - 2) Congregations which had been members of the Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in *C6.05., to receive **synodical** approval before terminating their membership in this church.
 - 3) Congregations established by the Evangelical Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in *C6.05., to satisfy all financial obligations to this church and receive **Synod Council** approval before terminating their membership in this church.
 - h. If this congregation fails to achieve the required two-thirds vote of voting members present at ~~the this~~ congregation's first meeting as specified in paragraph a. above, ~~another special meeting to consider termination of relationship with this church may be called no sooner than six months after that first meeting.~~ If this congregation or fails to achieve the required two-thirds vote of voting members present at ~~the this~~ congregation's second meeting as specified in paragraph d. above, another attempt to consider termination of relationship with this church must follow all requirements of

- *C6.05. and may begin no sooner than six months after ~~that second~~ the meeting at which the two-thirds vote was not achieved.
- *C6.06. If this congregation considers relocation, it shall confer with the bishop of the synod in which it is territorially located and the appropriate program unit of the churchwide organization before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is effected taken.
- *C6.07. If this congregation considers developing an additional site to be used regularly for worship, it shall confer with the bishop of the synod in which it is territorially located and the appropriate program unit of the churchwide organization before any steps are taken leading to such action.

Constitution Review Committee Commentary:

The changes in green are minor typographical/grammatical matters. The changes in purple pertain to the renaming of rostered leaders.

*C6.04. c. Provision 9.23. of the ELCA constitution allows the ELCA to terminate a congregation’s relationship with the ELCA if the congregation maintains a pastor who has been removed from the roster of Ministers of Word and Sacrament or has not been approved for the roster of Ministers of Word and Sacrament.

*C6.04.d. S13.24. of the synod constitution refers to congregations that have become so scattered or diminished in resources that they can no longer function as congregations.

*C6.05. The amendments here change the process by which a congregation elects to terminate its relationship with the ELCA. The most substantive change is in C6.05.a. where it specifies that two congregational meetings, rather than just one, are required. The other changes pertain to the process of notification and seem intended to clarify rather than change the process.

Chapter 7: PROPERTY OWNERSHIP

- *C7.01. If this congregation ceases to exist, title to undisposed property shall pass to the Metropolitan Washington, D.C. 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~~ two thirds of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to transfer to another Lutheran church body, title to property shall continue to reside in this congregation, provided the process for termination of relationship in *C6.05. has been followed. Before this congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of the Metropolitan Washington, D.C. Synod.
- *C7.04. If ~~a two-thirds majority~~ two thirds of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to become independent or relate to a non-Lutheran church body and have followed the process for termination of relationship in *C6.05., title to property of this congregation shall continue to reside in this congregation only with the consent of the Synod Council. The Synod Council, after consultation with this congregation by the ~~established synodical~~ process established by the synod, 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. ~~In neither case does title to this congregation’s property transfer to the synod.~~
- *C7.05. Notwithstanding the provisions of *C7.02. and *C7.03. above, where this congregation has received property from the synod pursuant to a deed or other instrument containing restrictions under provision 9.71.a. of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*, this congregation accepts such restrictions and:
- a. Shall not transfer, encumber, mortgage, or in any way burden or impair any right, title, or interest in the property without prior approval of the Synod Council.
 - b. Shall—upon written demand by the Synod Council, pursuant to †S13.23. of the constitution of the Metropolitan Washington, D.C. Synod—reconvey and transfer all right, title, and interest in the property to the synod.

Constitution Review Committee Commentary:

The changes in C7.03. and C7.04. eliminate some redundant language. The last line of C7.04. clarifies a common misunderstanding.

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~~ this congregation as well as the other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws. They shall not have voted as a seasonal member of another congregation' of this church in the previous two calendar months.
 - ~~d. **Associate** members are persons holding membership in other Christian 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 another congregation. 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.~~
 - d. **Associate** members are persons holding membership in other Christian congregations who wish to retain such membership but desire to participate in the life and mission of this congregation. These individuals have all the privileges and duties of membership except voting rights or other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.
 - e. **Seasonal** members are voting members of other congregations of this church who wish to retain such membership but desire to participate in the life and mission of this congregation, including exercising limited voting rights in this congregation. The Congregation Council may grant seasonal membership to such persons provided that this congregation is a member of a synod where the Synod Council has approved seasonal member voting on its territory. Such seasonal members shall have all the privileges and duties of voting members except that:
 - 1) they shall not be eligible for elected office in, or for membership on the Congregation Council or on a call committee of, this congregation;
 - 2) they shall not have the right to vote on any matter concerning or affecting the call or termination of call of any minister of this congregation;
 - 3) they shall not have the right to vote on any matter concerning or affecting the affiliation of this congregation with this church;
 - 4) they shall not be eligible to serve as voting members from this congregation of the Synod Assembly or the Churchwide Assembly;
 - 5) they shall not, even if otherwise permitted by this congregation, vote by proxy or by absentee ballot; and
 - 6) they shall not, within any two calendar month period, exercise voting rights in this congregation and in the congregation where they remain voting members.
- *C8.03. All applications for confirmed membership shall be submitted to and shall 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;~~ in accordance with Chapter 20 of the constitution and bylaws of the Evangelical Lutheran Church in America; or
 - e. removal from the roll due to inactivity ~~as defined in the bylaws.~~ in accordance with the provisions of this constitution and its bylaws.

Such persons who have been removed from the roll of members shall remain persons for whom the church has a continuing pastoral concern.

Constitution Review Committee Commentary:

C8.02.c. The first sentence in the addition clarifies that there are other rights and privileges of membership beyond simply voting at a congregational meeting. The second sentence clarifies the voting rights of seasonal members.

C8.02.d. The old version (the struck-through version) was confusing in that it seemed to suggest that Associate Members are classified as associate members in both congregations with which they are connected. The new language (highlighted in yellow) makes it clearer that such members are Confirmed or Voting Members of one congregation and Associate Members of the other.

C8.03.e. is a new category of membership.

The change in C8.05.d. gives access to the specific rules of discipline in the ELCA constitution.

The change in C8.05.e. reflects that these provisions may be found in both the constitution and the bylaws.

Chapter 9: ROSTERED MINISTER

- *C9.01. Authority to call a pastor shall be in this congregation by at least a two-thirds ~~majority ballot~~ vote of ~~voting~~ members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by the Congregation Council to recommend the call, shall seek the advice and help of the bishop of the synod.
- *C9.02. Only a member of the ~~clergy~~ roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or a candidate for the roster of ~~ordained ministers~~, Ministers of Word and Sacrament who has been recommended for ~~the~~ ~~this~~ 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 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 Metropolitan Washington D.C. Synod of the ELCA.

- a. Every minister of Word and Sacrament shall:
 - 1) preach the Word;
 - 2) administer the sacraments;
 - 3) conduct public worship;
 - 4) provide pastoral care;
 - 5) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
 - 6) impart knowledge of this church and its wider ministry through ~~distribution of its communications and publications;~~ available channels of effective communication;
 - 7) witness to the Kingdom of God in the community, in the nation, and abroad; and
 - 8) 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 pastor with a congregational call shall, within the congregation:
 - 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
 - 2) relate to all schools and organizations of this congregation;
 - 3) install regularly elected members of the Congregation Council;
 - 4) with the Congregation Council, administer discipline; ~~and~~
 - 5) endeavor to increase the support given by the congregation to the work of the ELCA churchwide organization and of the Metropolitan Washington D.C. Synod of the ELCA; and

6) encourage adherence to covenantal relationship with this church as expressed in the *Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.

*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. The provisions for termination of the mutual relationship between a minister of Word and Sacrament and this congregation shall be as follows:

- a. The call of ~~the~~ this 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 by ~~the pastor's death or,~~ 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 the 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~~ this 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;~~
 - 5) suspension of the pastor through discipline for more than three months;
 - 6) resignation or removal of the pastor from the roster of Ministers of Word and Sacrament of this church;
 - 7) termination of the relationship between this church and this congregation;
 - 6) 8) the dissolution of ~~the~~ this congregation or the termination of a parish arrangement; or
 - 7) ~~suspension of the congregation as a result of discipline proceedings.~~
 - 9) suspension of this congregation through discipline for more than six months.

- 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 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).

- b. When allegations of physical disability or mental incapacity of the pastor under paragraph a.4) above, or ineffective conduct of the pastoral office under paragraph a.3) above, have come to the attention of the bishop of this synod,
 - 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or

2) 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 this congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.

c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the pastor's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the pastorate vacant. When the pastorate is declared vacant, the Synod Council shall list the pastor on the roster of Ministers of Word and Sacrament with disability status. Upon removal of the disability and the restoration of the pastor to health, the bishop shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call.

d. In the case of alleged local difficulties that imperil the effective functioning of this congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the pastor and then to this congregation. The recommendations of the bishop's committee must address whether the pastor's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by this congregation and by the pastor, if appropriate. If the pastor and congregation agree to carry out such recommendations, no further action need be taken by the synod.

e. If either party fails to assent to the recommendations of the bishop's committee concerning the pastor's call, this congregation may dismiss the pastor only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds 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 majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.

f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.

*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 this 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. Unless previously agreed upon by the Synod Council, an interim pastor is not available for a regular call to the congregation served.

*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 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 this~~ congregation may depart from *C9.05.a. and call a pastor for a specific term of years. 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 this~~ congregation for a review of the call. Such 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 this~~ 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 this~~ 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.~~ call or approval of a request for change in roster status.

~~C9.20. Ecumenical pastoral ministry~~

~~C9.21.~~ C9.15. Under special circumstances, subject to the approval of the synod ~~and~~ bishop and the concurrence of this congregation, ~~an ordained minister~~ a minister of Word and Sacrament 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 this congregation and the ordained minister pastor in a form proposed by the synodical bishop and approved by the this congregation.

C9.16-C9.20 Are reserved for future additions to the *Model*.

*C9.21. Authority to call a deacon shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by the Congregation Council to recommend the call, shall seek the advice and help of the bishop of the synod.

*C9.22. Only a member of the roster of Ministers of Word and Service of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of Word and Service who has been recommended for this congregation by the synod bishop may be called as a deacon of this congregation.

*C9.23. Consistent with the faith and practice of the Evangelical Lutheran Church in America, every minister of Word and Service shall:

- a. Be rooted in the Word of God, for proclamation and service;
- b. Advocate a prophetic diakonia that commits itself to risk-taking and innovative service on the frontiers of the Church's outreach, giving particular attention to the suffering places in God's world;
- c. Speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world, witnessing to the realm of God in the community, the nation, and abroad;
- d. Equip the baptized for ministry in God's world that affirms the gifts of all people;
- e. Encourage mutual relationships that invite participation and accompaniment of others in God's mission;
- f. Practice stewardship that respects God's gift of time, talents, and resources;
- g. Be grounded in a gathered community for ongoing diaconal formation;
- h. Share knowledge of this church and its wider ministry of the gospel and advocate for the work of all expressions of this church; and
- i. Identify and encourage qualified persons to prepare for ministry of the gospel.

*C9.24. The specific duties of the deacon, compensation, and other matters pertaining to the service of the deacon shall be included in a letter of call, which shall be attested by the bishop of the synod.

*C9.25. The provisions for termination of the mutual relationship between a minister of Word and Service and a congregation shall be as follows:

- a. The call of this congregation, when accepted by a deacon, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by the deacon's death or, following consultation with the synod bishop, 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 deacon, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
 - 3) inability to conduct the ministry of Word and Service effectively in this congregation in view of local conditions;
 - 4) physical disability or mental incapacity of the deacon;
 - 5) suspension of the deacon through discipline for more than three months;
 - 6) resignation or removal of the deacon from the roster of Ministers of Word and Service of this church;
 - 7) termination of the relationship between this church and this congregation;
 - 8) dissolution of this congregation or the termination of a parish arrangement; or
 - 9) suspension of this congregation through discipline for more than six months.
- b. When allegations of physical disability or mental incapacity of the deacon under paragraph a.4) above, or ineffective conduct of the office of minister of Word and Service under paragraph a.3) above, have come to the attention of the bishop of this synod,
 - 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
 - 2) 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 this congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
- c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the deacon's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the position vacant. When the position is declared vacant, the Synod Council shall list the deacon on the roster of Ministers of Word and Service with disability status. Upon removal of the disability and the restoration of the deacon to health, the bishop shall take steps to enable the deacon to resume the ministry, either in the congregation last served or in another appropriate call.
- d. In the case of alleged local difficulties that imperil the effective functioning of this congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the deacon and then to this congregation. The recommendations of the bishop's committee must address whether the deacon's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be

undertaken by this congregation and by the deacon, if appropriate. If the deacon and congregation agree to carry out such recommendations, no further action need be taken by the synod.

e. If either party fails to assent to the recommendations of the bishop's committee concerning the deacon's call, this congregation may dismiss the deacon only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds 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 majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.

f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.

*C9.26. This congregation shall make satisfactory settlement of all financial obligations to a former deacon before calling a successor. A deacon shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting.

*C9.27. When a deacon is called to serve in company with another rostered minister or other rostered ministers, the privileges and responsibilities of each rostered minister shall be specified in documents to accompany the call and to be drafted in consultation involving the rostered ministers, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.

*C9.28. With the approval of the bishop of the synod, this congregation may depart from *C9.25.a. and call a deacon 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 deacon and representatives of this congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of *C9.25.a.

*C9.29. The deacon shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the deacon shall hold membership in one of the congregations.

*C9.31. The deacon(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.

Constitution Review Committee Commentary:

In C9.01. The word "voting" has been added for emphasis.

The enumeration of expectations of ministers of Word and Sacrament in C9.03. is essentially the same but has been sorted into two rather than three categories. For clarity, the old listing is in the text box; the new listing is highlighted in yellow.

Some substantive changes within the listing:

- In our current constitution in b.2) the pastor "supervises all schools and organizations ..." in the new *Model* the pastor "relates to all schools and organizations ..."
- In the current constitution, b.3) and b.4) were combined into b.3), in the new *Model* they are separated.
- In the current constitution, c.1) called on the pastor to "strive to extend the Kingdom ..." in the new a.7) the pastor is expected to "be a witness to the Kingdom ..."
- In the current constitution, c.3) refers to "periodicals and publications" in the new a.6) it is "communications and publications."

C9.05. Has been given a summary heading, and includes the new terminology of minister of Word and Sacrament.

C9.05.a..5) in the current constitution refers to the "disqualification" of a pastor and then names certain grounds for that disqualification. C9.05.a.5) in the new constitution uses the language of "suspension" (consistent with the ELCA constitution) and does not specify the grounds. It also adds the three-month time line.

C9.05.a.6) and 7) are new entries in this list.

C9.05.a.9) in the new *Model* is similar to C9.05.a.7) of the current constitution but adds the six-month time line.

C9.05.b. through C9.05.f have to do with the role of the congregation, the Congregation Council, and the synod bishop in cases where a pastor is unable to fulfill the pastor role in the congregation (whether because of the pastor's incapacity or because of "local difficulties" in the congregation or area of service. Again, for clarity's sake, the current language for C9.05.b. – C9.05.f. is in a text box; the new language is highlight in yellow.

C9.20 in our current constitution seems to have been a typographical error; it's a title with no substance.

C9.21 through C9.31 are new language that pertain to the call, expectations, and discipline of deacons (ministers of Word and Service). The language throughout this section is essentially the same as the language pertaining to pastors (ministers of Word and Sacrament) in the early part of the chapter.

Chapter 10: CONGREGATION MEETING

CURRENT CONSTITUTION:

C10.01. The semi-annual meetings of this congregation shall be held at the times specified in the bylaws.

MODEL CONSTITUTION

- C10.01. This congregation shall have at least one regular meeting per year. The regular meeting(s) of this congregation shall be held at the time(s) specified in the bylaws. Consistent with the laws of the Commonwealth of Virginia, the bylaws shall designate one regular meeting per year as the annual meeting of this congregation.
- C10.02. A special Congregation Meeting may be called by the senior pastor, the Congregation Council, or the president of this congregation, or may be called at the written request of ten percent of the voting members. The president of the Congregation Council shall call a special meeting upon request of the synod bishop. 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 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 to the last known address of such members shall be sufficient. Electronic notice of meetings may be provided in lieu of notice by regular mail provided the following conditions are met:
- a. communication is directed to a recipient specifically identified as a voting member;
 - b. recipient has agreed to accept electronic communication;
 - c. recipient accepts responsibility for keeping their electronic identity current by notifying either the secretary of the Congregation Council or the staff person responsible for managing this congregation's electronic mailing list;
 - d. sender is clearly identified as authorized officer of Christ the King or staff representative.
- C10.04. ~~The presence of 50 or more~~ Fifteen percent (15%) of the voting members, in person or by proxy, shall constitute a quorum.
- C10.05. Voting by proxy shall be permitted.
- C10.06. All actions approved by ~~the this~~ congregation shall be by majority vote of those 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.
- C10.08. This congregation may hold meetings by remote communication, including electronically and by telephone conference, as long as there is an opportunity for simultaneous aural communication. To the extent permitted by state law, notice of all meetings may be provided electronically.

Constitution Review Committee Commentary:

- C10.01. The text in the box is a suggested replacement from the *Model Constitution*. This change is not required.
- C10.02. contains two changes. The addition of the word “senior” would limit the authority of any future associate or assistant pastors to call a special meeting. The authority of the president to call a special meeting at the synod bishop’s request is not in our current constitution (and we are not required to add this provision).
- C10.03. contains language that pertains to electronic notification for congregational meetings. The language is not required, but the Constitution Review Committee thought it was prudent to include.
- C10.04. contains a change in the determination of a quorum for congregational meetings. This change is proposed by the Constitution Review Committee.
- C10.08. is new language proposed by the current *Model Constitution*. This change is not required.

Chapter 11: OFFICERS

- C11.01. The officers of this congregation shall be a president, vice-president, secretary, ~~and treasurer, and financial secretary.~~
- a. Duties of the officers shall be specified in the bylaws.
 - b. The officers shall be voting members of ~~the this~~ congregation.
 - c. Officers of this congregation shall serve similar offices of the Congregation Council and shall be voting members of the Congregation Council.
 - 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.
- C11.02. The officers shall be elected by the Congregation Council by written ballot, and shall serve for one year. The term shall begin on July 1 and end on June 30, of the subsequent year. The ~~officer~~ positions of treasurer and financial secretary may be filled by the appointment of any qualified voting member of ~~the this~~ congregation.
- C11.03. No officer shall hold more than one office at a time. No elected officer shall be eligible to serve more than three consecutive terms in the same office.

Constitution Review Committee Commentary:

Only two changes are being recommended by the Constitution Review Committee: eliminating the financial secretary from the list of officers of the congregation in C11.01. and deleting the word “officer” in C11.02. since the appointment provision applies to both the treasurer (an officer) and the financial secretary (no longer an officer).
By not making more substantive changes to the language in Chapter 11, the Review Committee is recommending a return to the practice by which all people elected to the Congregation Council are elected at-large and not to a particular position.

That said, the Review Committee does intend, through the language of the Bylaws and Continuing Resolutions to articulate a process that will enable Christ the King to maintain the positive aspects of our current non-constitutional process of nominating and electing council members into particular roles.

Chapter 12: CONGREGATION COUNCIL

- C12.01. The voting membership of the Congregation Council shall consist of the pastor(s), the deacon(s), the officers and not more than 20 members of the this congregation. Any voting member of the this 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 Commonwealth of Virginia, the this 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) and deacon(s) shall be elected at a semi-annual meeting of the this congregation during the month of June. The term of office shall be for three years with the term of office beginning on July 1 and ending on June 30, of the third subsequent year. Newly elected officers and other Congregation Council members shall be installed at worship the Sunday prior to the date they assume office, at a time appointed by the Congregation Council.
- C12.03. Should a member's place on the Congregation Council be declared vacant, the Congregation Council shall, upon the recommendation of the Nominating Committee, elect, by majority vote, a successor to serve until the next June congregational meeting.
- 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:
- 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.
 - To seek to involve all members of this congregation in worship, learning, witness, service, and support.
 - To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.
 - To maintain supportive relationships with the pastor(s) rostered minister(s) and staff and help them annually to evaluate the fulfillment of their calling, appointment, or employment.
 - To be examples individually and corporately of the style of life and ministry expected of all baptized persons.
 - To promote a congregational climate of peace and goodwill and, as differences and conflicts arise, to endeavor to foster mutual understanding.
 - To arrange for pastoral service during the sickness or absence of the pastor.
 - To emphasize partnership with support of 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.
 - To recommend and encourage the use of program resources produced or approved by the Evangelical Lutheran Church in America.
 - 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.
- 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 Commonwealth of Virginia, except as otherwise provided herein.
 - 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 this congregation.
 - 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 more than 5% 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 collaboration with the synod and churchwide organization.
 - 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 mission support monies to the synodical treasurer.
 - 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 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. Nothing in this provision shall be deemed to affect ~~the~~ **this** congregation's responsibility for the call, terms of call, or termination of call of any employees who are on a roster of this church.
- C12.09. The Congregation Council shall submit a comprehensive report to this congregation at the annual meeting.
- C12.10. The Congregation Council shall normally meet once a month. Special meetings may be called by the pastor or the president, and shall be called by the 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.
- C12.11. A quorum for the transaction of business shall consist of a majority of the members of the Congregation Council, including the **senior** pastor or interim pastor, except when the **senior** pastor or interim pastor requests or consents to be absent and has given prior approval to an agenda for a particular regular or special meeting, which shall be the only business considered at that meeting. Chronic or repeated absence of the **senior** 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.
- C12.12. The Congregation Council and its committees may hold meetings by remote communication, including electronically and by telephone conference and, to the extent permitted by state law, notice of all meetings may be provided electronically.

Constitution Review Committee Commentary:

The change proposed in C12.02. gives us some flexibility with respect to when we install council members. The addition of the word "senior" in C12.12. is not meant to exclude other pastors or deacons from participation on the Congregation Council but rather to clarify that in multiple staff congregations not all staff need to be present to establish a quorum.

Chapter 13: CONGREGATIONAL COMMITTEES

- C13.01. An *Executive Committee* shall consist of the elected officers of this congregation and the pastor.
- C13.02. A *Nominating Committee* of five voting members of this congregation, at least two of whom are outgoing members of the Congregation Council, shall be appointed by the Congregation Council at least two months prior to any election and shall serve a one-year term.
- C13.03. A *Staff Relations (Mutual Ministry) Committee* shall be appointed jointly by the president and the ~~pastor~~ **rostered minister**. A Congregation Council member shall chair this committee which shall consist of the chairman and 6 voting members of this congregation each serving a 2-year term, with three (3) new members appointed each successive year.
- C13.04. When a ~~pastoral~~ vacancy occurs **in a position for which this congregation calls a rostered minister**, a *Call Committee* of at least six voting members shall be appointed by the Congregation Council. The term of office of this committee will terminate upon installation of the newly-called **pastor rostered minister**.
- C13.05. An *Audit Committee* of three voting members of this congregation shall be appointed annually by the Executive Committee of the Congregation Council. Members of the Congregation Council shall not be eligible to serve on this committee. Members of this committee are eligible for reelection.
- C13.06. Other congregational committees may be formed as the need arises, by decision of the Congregation Council
- C13.07. Duties of congregational committees shall be specified in the bylaws or continuing resolutions of this congregation.
- C13.08. The senior pastor of this congregation shall be *ex officio* a member of all committees and boards of this congregation. The president of this congregation shall be *ex officio* a member of all committees and boards of this congregation.

Constitution Review Committee Commentary:

As with C12.12., the addition of C13.08. is not meant to limit the participation of other pastors or deacons. It is only to signal that the administrative functions of pastoral leadership rest on the senior pastor.

Chapter 14: ORGANIZATIONS WITHIN ~~THE~~ **THIS 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.

Constitution Review Committee Commentary:

Chapter 14 of the current Christ the King Constitution is in compliance with the *Model Constitution*.

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 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. The written citation that specifies the time and place of the hearing before the Congregation Council and requests the presence of a member charged with the offense shall be sent 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;
- censure before the council or congregation;
 - suspension from membership for a definite period of time; or
 - 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 15. DISCIPLINE OF MEMBERS AND ADJUDICATION

- *C15.01. Persistent and public denial of the Christian faith, willful or criminal conduct grossly unbecoming a member of the Church of Christ, continual and intentional interference with the ministry of this congregation, or willful and repeated harassment or defamation of member(s) of this congregation is sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation and repentance will be attempted following Matthew 18:15-17, proceeding through these successive steps, as necessary: a) private counsel and admonition by the pastor, b) censure and admonition by the pastor in the presence of two or three witnesses, c) written referral of the matter by the Congregation Council to the vice president of the synod, who will refer it to a consultation panel drawn from the Consultation Committee of the synod, and d) written referral of the matter by the consultation panel to the Committee on Discipline of the synod. If, for any reason, the pastor is unable to administer the admonitions required by paragraphs a. and b. hereof, those steps may be performed by another pastor chosen by the Executive Committee of the Congregation Council.

- *C15.02. The process for discipline of a member of this 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 the counseling, censure, and admonitions pursuant to *C15.01. do not result in repentance and amendment of life, charges against the accused member(s) that are specific and in writing may be prepared by the Congregation Council, signed, and submitted to the vice president of the synod. The vice president shall select from the synod's Consultation Committee a panel of five members (three laypersons and two ministers of Word and Sacrament). A copy of the written charges shall be provided to the consultation panel and the accused member(s). The consultation panel, after requesting a written reply to the charges from the accused member(s), shall consider the matter and seek a resolution by means of investigation, consultation, mediation, or whatever other means may seem appropriate. The panel's efforts to reach a mutually agreeable resolution shall continue for no more than 45 days after the matter is submitted to it.
- *C15.03. If the consultation panel fails to resolve the matter, that panel shall refer the case in writing, including the written charges and the accused member's reply, to the Committee on Discipline of the synod for a hearing. A copy of the panel's written referral shall be delivered to the vice president of the synod, the Congregation Council, and the accused member(s) at the same time it is sent to the Committee on Discipline of the synod. The Executive Committee of the Synod Council shall then select six members from the Committee on Discipline to decide the case and shall appoint a member of the Synod Council to preside as nonvoting chair. Those six members, plus the nonvoting chair, comprise the discipline hearing panel for deciding the case. The Congregation Council and the accused member(s) are the parties to the case.
- *C15.04. The discipline hearing panel shall commence and conduct the disciplinary hearing in accordance with the provisions governing discipline of congregation members prescribed in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.
- *C15.05. By the vote of at least two-thirds of the members of the discipline hearing panel who are present and voting, one of the following disciplinary sanctions can be imposed:
- suspension from the privileges of congregation membership for a designated period of time;
 - suspension from the privileges of congregation membership until the pastor and Congregation Council receive evidence, satisfactory to them, of repentance and amendment of life;
 - termination of membership in this congregation; or
 - termination of membership in this congregation and exclusion from the church property and from all congregation activities.
- *C15.06. The written decision of the discipline hearing panel shall be sent to the vice president of the synod, the accused member(s), and the Congregation Council as required by the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. The decision of the discipline hearing panel shall be implemented by the Congregation Council and recorded in the minutes of the next Congregation Council meeting.
- *C15.07. No member of this congregation shall be subject to discipline a second time for offenses that a discipline hearing panel has heard previously and decided pursuant to this chapter.
- *C15.10. **Adjudication**
- *C15.11. When there is disagreement between or among factions within this congregation on a substantive issue which cannot be resolved by the parties, members of this congregation may petition the synod bishop for consultation after informing the president of this congregation of their intent to do so. The synod bishop shall seek a timely resolution of the dispute. If the issue related directly to the pastor, the bishop may begin the process in S14.18.d. In all other matters, if the bishop's consultation fails to resolve the issue, the bishop shall refer the matter to the Consultation Committee of the synod, which shall undertake efforts to find an appropriate solution. If the Consultation Committee's efforts fail to resolve the dispute, the entire matter shall be referred to the Synod Council for adjudication by whatever process the Council deems necessary. The Synod Council's decision shall be final.

Constitution Review Committee Commentary:

Chapter 15 of the current Christ the King Constitution is at many points at variance with Chapter 15 in the *Model Constitution*. Showing the differences through interlinear strikethroughs and color-coding results in an unreadable document, so the current Chapter 15 is shown in its entirety inside the box; the *Model* Chapter 15 is highlighted in yellow. Close reading of the two version will reveal a few minor changes in wording made for clarity.

Two substantive changes have been made in the process.

- In the current CTK constitution, step c) in C15.01 is to refer the disciplinary matter to the Congregation Council. In step c) of the *Model Constitution* the referral is made to the vice president of the synod. Most of the changes in the remainder of Chapter 15 relate to this change in the process.
- In cases where the pastor of this congregation is unable to administer the disciplinary steps, the current constitution refers the matter to the president or vice-president. The new *Model* refers the matter to another pastor chosen by the Executive Committee.

The Constitution Review Committee consulted with the synod to get some background into why that change was made in the process. The rationale in both cases seems to be that the ELCA considers it wise to move a disciplinary matter to a neutral party sooner rather than later in the process. And because the resolution of a disciplinary matter may involve the use of the means of grace (private confession or Holy Communion or both), the presence of a pastor would be necessary.

~~Chapter 17~~ Chapter 16: AMENDMENTS

- *C16~~17~~.01. Unless provision *C16~~17~~.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 five 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 this~~ congregation's members by mail of the proposal together with the Council's recommendations at least 30 days in advance of the meeting.
- *C16~~17~~.02. An amendment to this constitution, proposed under *C16~~17~~.01, shall:
- be approved at ~~a any~~ legally called ~~Congregation Meeting according to this constitution~~ meeting of this congregation by a majority vote of those voting members present and voting;
 - be ratified without change at the next ~~annual meeting~~ regular meeting of this congregation held pursuant to C10.01. by a two-thirds majority vote of those voting members present and voting; and
 - have the effective date included in the resolution and noted in the constitution.
- *C16~~17~~.03. Any amendments to this constitution that result from the processes provided in *C16~~17~~.01 and *C16~~17~~.02 shall be sent by the secretary of ~~the 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 ~~the this~~ congregation that the amendment is in conflict with the constitution and bylaws of the Evangelical Lutheran Church in America, or the constitution of the Metropolitan Washington, D.C. Synod of the ELCA.
- *C16~~17~~.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. Such amendments may be approved by a ~~simple~~ majority vote of those voting members present and voting at any legally called meeting of ~~the this~~ congregation without presentation at a prior meeting of ~~the this~~ congregation, provided that the Congregation Council has submitted by mail notice to ~~the this~~ 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 at least ~~five two~~ voting members of ~~the this~~ congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of ~~the this~~ congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following a vote of approval.

Constitution Review Committee Commentary:

The only substantive change needed in Chapter 16 (Chapter 17 of the current CTK constitution) is in C16.04. This reduces to two (from five) the number of members who may request that the Congregation Council initiate the amendment process *but only when the amendments are to bring this congregation's constitution into conformity with changes made in the Model Constitution.*

~~Chapter 16~~ Chapter 17: BYLAWS

- *C16.17.01. This congregation may adopt bylaws. No bylaw may conflict with this constitution.
- *C16.17.02. Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a ~~majority~~ two-thirds vote of those voting members present and voting.
- *C16.17.03. 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. The Congregation Council shall notify ~~the this~~ congregation's members by mail of the proposal with the Council's recommendations at least 30 days in advance of the Congregation Meeting.
- *C16.17.04. ~~Approved changes to the~~ Adopted or amended bylaws shall be sent by the secretary of this congregation to the synod.

Constitution Review Committee Commentary:

C17.02. increases the majority needed to adopt or amend Bylaws from a simple majority to two-thirds.

Chapter 18: CONTINUING RESOLUTIONS

- *C18.01. ~~The This~~ 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 this~~ congregation or a two-thirds vote of all voting members of the Congregation Council.
- *C18.03. Adopted or amended continuing resolutions shall be sent by the secretary of this congregation to the synod.

Constitution Review Committee Commentary:

C18.03. makes the process for Continuing Resolutions parallel to that of the process of Bylaws with respect to notifying the synod.

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.

Constitution Review Committee Commentary:

Chapter 19 of the current Christ the King Constitution is in compliance with the *Model Constitution*.

Chapter 20: PARISH AUTHORIZATION

[* Required provisions when congregation is part of a parish]

*C20.01. This congregation may unite with one or more other congregations recognized by the synod named in *C6.01. to form a parish. Except as provided in *C20.02. and *C20.03., a written agreement, developed in consultation with the synod and approved by the voting members of each congregation participating in the parish, shall specify the powers and responsibilities that have been delegated to the Parish Council. The Parish Agreement shall identify which congregation of the parish issues calls on behalf of the member congregations or shall establish a process for identifying which congregation issues calls on behalf of the member congregations.

*C20.02. One congregation of a parish shall issue a call on behalf of the member congregations to a minister of Word and Sacrament or a candidate for the roster of Ministers of Word and Sacrament who has been recommended by the synod bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregational meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.

*C20.03. One congregation of a parish may issue a call on behalf of the member congregations to a minister of Word and Service or a candidate for the roster of Ministers of Word and Service who has been recommended by the synod bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregational meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.

*C20.04. Any one of the congregations of the parish may terminate their relationship with the pastor as provided in †S14.18.d. of the synod constitution of the synod named in *C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.

*C20.05. Any one of the congregations of the parish may terminate their relationship with a minister of Word and Service as provided in †S14.43.d. of the synod constitution of the synod named in *C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.

*C20.06. Whenever a parish agreement is terminated, the call of any rostered minister serving that parish is terminated. Should any congregation that was formerly part of the parish agreement desire to issue a new call to that rostered minister, it may do so in accordance with the call process of this church.

Constitution Review Committee Commentary:

The current CTK constitution does not contain Chapter 20. This Chapter pertains to congregations that have formal partnerships with other congregations. Even though Christ the King is not currently considering such an arrangement, local conditions could arise that would make such an arrangement advantageous. The Constitution Review Committee recommends adoption of Chapter 20 so that the constitutional provisions are in place should such an arrangement arise.