

Christ the King Lutheran Church
October 21, 2019

REPORT FROM THE CONSTITUTION REVIEW COMMITTEE

PROCESS:

October 2019: council receives the draft

November 2019: council amends (if needed) and approves the draft for presentation to the congregation

January 2020: the draft is made available to the congregation

February 2020: the congregation amends (if needed) and approves the constitution

June 2020: the congregation ratifies the constitution

SUMMARY OF SUBSTANTIVE CHANGES (chapter by chapter). Changes over which the congregation has no discretion are in regular type; **changes over which the congregation does have discretion are in bold type.**

■ Chapter 3:

- C3.02. and C3.04 constitutionalize our commitment to Christian unity and to the work of the Lutheran World Federation, respectively

■ Chapter 5:

- C5.04. 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. Because of the timing of our two regular congregational meetings, that election would best be done in February prior to the Synod Assembly (usually in May or June each year).

■ Chapter 6:

- 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 changes in this section make slight changes in 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 8:

- C8.02.e. introduces a new membership category, Seasonal Members.

■ Chapter 9:

- Section C9.03. pertains to the duties of a minister of Word and Sacrament. The new *Model* sorts the duties differently, but the duties remain much the same. The most substantive is in C9.03.b.2). In our current constitution the

pastor “supervises all schools and organizations ...” in the new *Model* the pastor “relates to all schools and organizations ...”

- Sections C9.21. through C9.31. are new. They pertain to the calling of a deacon.
- Chapter 10:
 - **If we elect to follow the new *Model* in section C10.01 we would designate one of our regular congregational meetings as the annual meeting of the corporation.**
 - **If we elect to accept the proposed addition to C10.02. the Congregation Council president would be empowered to call a special congregational meeting at the bishop’s request.**
 - **C10.03. established criteria that would allow us to notify members of meeting through electronic means.**
 - **C10.04. would change how we establish a quorum.**
 - **C10.08. allows for remote meetings and remote participation in meetings.**
- Chapter 11:
 - **C11.01. removes the financial secretary from the list of officers.**
 - **C11.02. the deletion of the word “officer” is then consistent with the proposed change in C11.01.**
- Chapter 12:
 - **C12.02. provides flexibility in setting the date for installation of members of the Congregation Council.**
 - **In C12.11. the new *Model* inserts the word “senior” in several places. The rationale is that in multi-staff congregations, the senior pastor generally shoulders the administrative burden of the role. Even though Christ the King is not currently a multi-staff congregation, the language is helpful so that the constitution would not have to be amended should a second pastor be called. It may be that better language could be used. For example, the phrase, “the pastor whose call includes responsibility for administration” would allow for the possibility that the second called pastor serves as the administrative pastor.**

EXTENDED NOTE: in 2014, Christ the King experimented with a new way of nominating and electing members of the Congregation Council. Instead of nominating and electing people to the council at-large, members were recruited, nominated, and elected to particular “seats” on the Council *and were assumed to occupy that seat for their entire three-year term.* The constitution was never amended to reflect this experiment.

The Constitution Review Committee (CRC) discussed at length the pros and cons of the two ways of doing things. The chief pros of the experiment are that the Nominating Committee could look for nominees who had the necessary gifts for vacant roles and that nominees would know exactly what they were signing up for. The chief con of the experiment is reduced flexibility. (Under the old system, moving Allie to secretary and Mark to president would have been routine.)

The Constitution Review Committee proposes *no changes* in Chapter 11 or 12 with respect to the nomination and election of council members. The CRC thereby proposes that we bring the experiment to an end and return to the practice of nominating and electing members to the Council at-large. The council then, at its June meeting, would elect officers and assign Council positions as needed.

And, in order to preserve the positive aspect of the experiment, the CRC intends to propose a Bylaw that would mandate the Council at its April meeting to assign all members of the Council whose terms are not about to expire to their roles for the following year. The Council could still then inform the Nominating Committee about which offices or roles are expected to be open for the coming year.

- Chapter 13
 - **The CRC recommends the addition of C13.08.**
- Chapter 15
 - 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 16 (new numbering)
 - The only substantive change needed in Chapter 16 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 18
 - C18.03. makes the process for Continuing Resolutions parallel to that of the process of Bylaws with respect to notifying the synod
- Chapter 20
 - 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.