

Guidelines for Constitutions and Bylaws of LCC Congregations

The Synodical Constitution of Lutheran Church—Canada states the following concerning prerequisites for membership: “A community of believers may not be received as a Member Congregation unless a Convention or the Board has passed a resolution confirming that it is satisfied that the constitution of the community submitted by that community contains nothing contrary to the Scriptures or the Confessions” (Article IV).

In addition, the Synodical Bylaws state the following concerning congregation constitutions: “A Member Congregation which translates, revises or amends its constitution or adopts a new constitution shall submit such translation, revision, amendment, or new constitution to the president, who shall direct it through existing channels for review. Upon favourable action by the Board, the congregation shall be notified that the changes are valid and approved and that the congregation is empowered to function under the new or changed constitution. Such actions shall be submitted to the next Convention for ratification” (1.15 b.).

While it is impossible to fashion one constitution and bylaws to fit every congregation, the following are guidelines to assist congregations drawing up or making revisions to their constitutions. It is recommended that the constitution and bylaws of a congregation be brief, allowing the congregation to move forward in its mission without having to make constant, time-consuming amendments. For example, instead of listing a detailed description of duties for various congregation officers in the bylaws, a congregation may want to consider putting such in a policy and procedure manual that may be changed and adjusted without going through the process of amending its constitution and bylaws.

1. Name

Congregations should consult legal counsel as well as laws governing each province regarding Articles of Incorporation. Some provinces make this a requirement, while others do not. All congregations must, however, have a registered charitable status with the federal government. The name “Lutheran” must appear in the name of the congregation.

2. Mission

A brief paragraph to state the mission or purpose of the congregation should be included. It can contain, although not be restricted to, the Mission Statement of the congregation, if such a statement has been written; or it may contain statements on the nature and purpose of the church from Luther’s Small and Large Catechisms.

3. Confessional Standard

To become a member of Lutheran Church—Canada, congregations confess and accept the confessional basis of Article II of the Synodical Constitution. It is necessary to adopt something very similar in the congregation’s constitution.

4. Membership

Membership in the congregation consists of three categories: (a) Baptized members are all who have been baptized in the name of the Triune God and who are under the spiritual care of the pastor, including the children who have not yet confirmed their baptismal vows; (b) Communicant members are those who have been baptized in the name of the Triune God, instructed in Luther’s Small Catechism, made public confession of the Lutheran faith, accept the Confessional Standard of the congregation’s constitution, and are not members of organizations whose principles and conduct conflict with the

Word of God (i.e., lodges); (c) Voting members are communicant members who have reached the age of majority, have been received by the Voters Assembly, and have signed the constitution of the congregation. Many congregations restrict voting membership to those who have reached the legal age of majority since officers and the Voters Assembly itself also deal with legal matters, contracts, and the like. In some congregations all communicant members over the age of majority are automatically voting members and are not required to first sign the constitution and be formally received as such.

5. Called Church Workers

As a member of LCC, the congregation will call only pastors and deacons who are Individual Members of the synod (Synodical Constitution, Article V Additional Conditions of Membership, 5; Synodical Bylaws, 5.01), or pastors and deacons who are members of a church body in fellowship with LCC. Pastors and deacons are to be called by the entire Voters Assembly and not by any small group within the congregation. The congregation must consult with the Regional Pastor regarding calling procedures (Synodical Bylaw, 5.03 Advising Member Congregations).

6. Authority of the Congregation

All officers, boards and committees are to be accountable to the Voters Assembly and not to an individual or small group within the congregation. Auxiliaries and other organizations operating in the congregation are encouraged to make regular reports to the congregation through the Voters Assembly.

7. Officers and Boards

Congregations are free to use any governance model that assists the congregation in their mission and does not conflict with the doctrinal stance of the congregation's constitution. The congregation, in its initial stages, will benefit by having only those officers and boards that are required for them to carry out the mission of the congregation (Chairman, Secretary, Treasurer, Financial Secretary). Additional officers, boards, and committees can be added as circumstances demand; such as, Elders or Deacons, Missions or Evangelism, Stewardship, Education. Job descriptions may be listed in the bylaws of the congregation, with more detailed descriptions set forth in a policy and procedure manual. Instead of the term "Church Council," the congregation may opt for "Board of Directors." Offices in the congregation relating to the pastoral office (i.e., chairman, deacons or elders) are to be held only by qualified male members (see LCC CTCR document, "The Role of Women in the Church").

8. Division

When conflict in the congregation cannot be resolved through reconciliation and the end result is a parting of the ways as the congregation divides, the property of the congregation and all benefits shall remain with those voting members who continue to adhere in confession and practice to Article III of the constitution. In the event the congregation should disband, the property and all rights shall be transferred to Lutheran Church—Canada.

9. Synodical Membership

A congregation shall hold membership with Lutheran Church—Canada as long as the confessions and constitution of the Synod are in agreement with Scripture, the Lutheran Confessions, and the congregation's constitution as set forth in its "Confession" article. A change in affiliation shall require a three-quarters majority ballot vote at a properly called voters' meeting, and take place only after a thorough consultation with the Regional Pastor.

10. Amendments

Every constitution should provide a method for its own amendment. Legally there are no unalterable articles. Normally, articles that are not changed are those which maintain and refer to our confessional heritage. All amendments need to be submitted for approval through the synod president (Synodical Bylaws, 1.15). Amendments to the constitution may be adopted by a two-thirds majority ballot vote at a properly called Voters Assembly meeting. From a congregation's perspective, the following articles may be defined as unalterable: "Confession," "Called Workers," "Division."

11. Nominations and Elections

Congregations may choose to elect all the officers of the congregation and all the members of the various boards or committees, or elect only the officers of the congregation and the chairs of the various boards and have the Church Council appoint the members of the boards and committees. Staggered terms of office ensure continuity in the congregation's work. While limitations of terms of office may be adopted in order to train and mentor new workers; such, however, may preclude having individuals with the necessary gifts and talents and knowledge being able to serve.

12. Resources

Canadian Council of Christian Charities, www.cccc.org

The Lutheran Church-Missouri Synod, www.lcms.org/ccm ("LCMS Guidelines for the Constitutions and Bylaws of Lutheran Congregations")