

# **CONSTITUTION OF ST. MARK LUTHERAN CHURCH**

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# CONSTITUTION OF ST. MARK LUTHERAN CHURCH

In the name of the Father, and of the Son, and of the Holy Spirit. Amen.

## **PREAMBLE**

Recognizing our unity in Christ and our common practice in the Christian faith, desiring to express our fellowship in worship and work, knowing our spiritual needs, mindful of our Christian privileges and duties, and wishing to observe orderly cooperation, we adopt the following constitution.

## **Article I – NAME AND INCORPORATION**

1. The name of this Congregation shall be Saint Mark Lutheran Church – Lindenhurst, Illinois, operating as St. Mark Lutheran Church.
2. This Congregation shall be incorporated under the laws of the State of Illinois in accordance with the Illinois Religious /Corporations Act, 850 ILCS 110/et. Seq. pursuant to an affidavit of organization filed with the Lake County Recorder's Office, June 20, 1961.

## **Article II – STATEMENT OF FAITH**

1. The Congregation accepts all the canonical books of the Old and New Testaments as a whole and in all their parts as the divinely inspired, revealed, and inerrant Word of God and submits to this as the only infallible authority in all matters of faith and life.
2. As brief and true statements of the doctrines of the Word of God, the Congregation accepts and confesses the following standards: (1) the ancient ecumenical creeds: the Apostles', the Nicene, and the Athanasian; (2) the Unaltered Augsburg Confession and Luther's Small Catechism.
3. As further elaboration of and in accord with these Lutheran standards, the Congregation also receives the other documents in the Book of Concord of 1580: the Apology, Luther's Large Catechism, the Smalcald Articles, and the Formula of Concord; and recognizes them as normative for their theology.

## **Article III – PURPOSE**

1. The Congregation of St. Mark Lutheran Church is a part of the worldwide family of believers, relying on the Holy Spirit and living in the faith as proclaimed in the good news of the gospel. We are united around the living hope of the Word, the sacraments, and prayer.
2. Our mission is to give glory to God through the proclamation of the Word of God and through worship and the sacraments, and to build up the body of Christ, that we might give witness to God's love and salvation. We encourage all members to grow in grace and in the knowledge of our Lord Jesus Christ, to seek to do God's

will, and to use their time, talents, and possessions in service to God and all people, especially those of the household of faith (Gal. 6:10).

#### **Article IV – POWERS**

1. All power in the Congregation has its source in the Lord Jesus Christ its head, as revealed in the Scriptures, which are the norm for its faith and life. All individuals and groups within the Congregation shall submit to the authority of the Word of God, and the life and activity of the Congregation and its organizations shall conform to it.
2. The powers of this Congregation shall be those necessary to fulfill its purposes, as set forth in this Constitution.
3. The powers of this Congregation shall be vested in the Congregational Meeting, called and conducted as provided in the Constitution and Bylaws, and, to the extent conveyed by them or as assigned from time to time by the Congregational Meeting, in the Church Council.
4. In the fulfillment of its purpose, the Congregation is empowered to:
  - a. Call a Pastor and terminate the Call of a Pastor;
  - b. Adopt amendments to this Constitution and its Bylaws;
  - c. Create or terminate its affiliation with any association or denomination;
  - d. Approve the annual budget;
  - e. Acquire real and personal property by gift, devise, bequest, purchase, or other lawful means;
  - f. Hold title to its property and use it for any and all activities consistent with its purpose;
  - g. Sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
  - h. Enter into contract;
  - i. Sue and be sued; and
  - j. Elect its officers and Church Council and require them to conduct their affairs in accordance with this Constitution, its Bylaws, and the resolutions of the Congregation.
5. All property of the Congregation shall be titled to Saint Mark Lutheran Church – Lindenhurst, Illinois. Real property shall not be purchased, disposed of, or encumbered in any manner except by a resolution adopted by not less than a two-thirds majority vote of the members present and voting at a legally called meeting of the Congregation.
6. Should the Congregation vote to disband, all property and funds remaining after the payment of its obligations shall be distributed to organizations existing for religious or charitable purposes. Selection of recipients of such distributions of property and funds shall be made by vote of the Congregation.

### **Article V – AFFILIATION**

1. For the better attainment of its purpose, the Congregation may affiliate with Lutheran associations or denominations of its choosing.
2. The Congregation may also choose to sever its affiliation with an association or denomination at any time.
3. Affiliation or severance of affiliation shall require a two-thirds majority vote of those present and voting, at a legally called Congregational Meeting.

### **Article VI – MEMBERSHIP**

1. Members of this Congregation shall be those persons on the roll of this Congregation at the time that this Constitution is adopted and those who are admitted thereafter. They shall maintain their membership in accordance with the provisions of this Constitution and its Bylaws.
2. 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.
  - c. Support the work of this Congregation through contributions of their time, spiritual gifts (1 Corinthians 12), abilities, and financial resources.

### **Article VII – DISCIPLINE**

1. A member who advocates doctrines which are contrary to Holy Scripture and the Confessions of the Church or who is guilty of conduct that is unbecoming a member of the Body of Christ, and who refuses to repent, shall be subject to discipline.
2. Discipline in the Congregation shall be exercised in accordance with Matthew 18: 15-18.
3. Procedures for the exercise of discipline shall be those provided in the Bylaws (Sections 8 and 9).
4. The purpose of discipline is to restore the erring brother or sister to fellowship with the Lord and His people.

## **Article VIII – THE PASTOR**

1. A Pastor of the Congregation shall be a person whose soundness in the faith, aptness to teach, and educational qualifications have been examined and approved by the Church Council. The Pastor shall be properly ordained and shall accept and adhere to the Confession of Faith as described in Article II of this Constitution.
2. Authority to call a Pastor shall rest in the Congregation. Such authority to call shall be exercised by not less than a two-thirds majority vote of members present and voting at a meeting legally called for that purpose.
3. Authority to dismiss a Pastor shall rest in the Congregation. Such authority to dismiss shall be exercised by not less than a two-thirds majority vote of members present and voting at a meeting legally called for that purpose.
4. In the event of a vacancy in the pastoral office, the Church Council shall provide for interim pastoral service.

## **Article IX – OFFICERS AND BOARDS**

1. The Church Council shall be comprised of the Officers of the Congregation, and the members of the Board of Elders and the Board of Trustees. The Pastor(s) shall, by virtue of their office, serve without vote on the Church Council and all Boards and Committees.
2. Responsibilities, eligibility, election procedures, and terms of office of the Officers, Board of Elders, Board of Trustees, and Pastors are further specified in the Bylaws.
3. All candidates for Church Council shall exhibit the fruit of the Spirit as described in Galatians 5: 22-23. In addition, the Congregation shall be guided by the following passages in its elections: for Elders, 1 Timothy 3: 1-7 and Titus 1: 5-9; for Trustees, 1 Timothy 3: 8-13.

### **Part A: Officers**

1. The Officers of this Congregation shall be the President, Vice President, Treasurer, and Secretary. They shall serve as the Executive Board of the Congregation.
2. The President, Treasurer, and Secretary shall be elected by the Congregation.
3. The Vice President shall be selected and approved by the Church Council from among its members.

### **Part B: Board of Elders**

1. The Board of Elders shall consist of three persons elected by the Congregation, plus the President serving *ex officio*.
2. The Board of Elders shall oversee the Pastor(s), the spiritual welfare of the Congregation, and its witness, worship, and service.

### **Part C: Board of Trustees**

1. The Board of Trustees shall consist of the Treasurer and three persons elected by the Congregation, plus the President serving *ex officio*.
2. The Board of Trustees shall oversee legal and corporate affairs, maintenance of properties, and administration of finances.

### **Article X – MEETINGS OF THE CONGREGATION**

1. The power and authority of the Congregation shall be exercised through Congregational Meetings, which shall be called and conducted in conformity with the provisions of this Constitution and its Bylaws.
2. A quorum for any annual or special meeting of the Congregation shall be 10% of the voting members.
3. The Congregation shall hold its Annual Meeting as specified in the Bylaws, for the purpose of:
  - a. Receiving reports from the Pastor(s) and the Church Council;
  - b. Electing council members; and
  - c. Approving a budget for the next calendar year.
4. A special meeting of the Congregation may be called by:
  - a. Action of the Congregation, by petition of at least 10% of the voting members; or
  - b. The Church Council; or
  - c. The President of the Congregation; or
  - d. The Pastor(s).

### **Article XI – BYLAWS**

1. The Congregation may adopt Bylaws. No Bylaw may conflict with this Constitution.
2. Bylaws may be adopted or amended at any legally called meeting of the Congregation with a quorum present, and by a two-thirds majority vote of those voting members present and voting.
3. A proposed new Bylaw, or amendment to an existing Bylaw:
  - a. May be brought by any voting member.
  - b. Shall be submitted in writing to the Church Council at least 60 days prior to an Annual Meeting or special Congregational Meeting called for that purpose.
  - c. If the Church Council approves the proposal, it shall notify the members of this Congregation with its recommendation at least 30 days in advance of the Congregational Meeting.

## **Article XII – AMENDMENTS**

1. Article II – Statement of Faith, and paragraph 1 of Article XII (i.e., this paragraph), shall be unalterable; and no amendment to this Constitution shall conflict therewith.
2. A proposed amendment to this Constitution may be brought by any voting member, and shall be submitted in writing to the Church Council at least 90 days prior to the Annual Meeting of the Congregation.
3. If the Church Council approves the proposal, it shall notify the members of this Congregation with its draft recommendation at least 60 days in advance of the Annual Meeting, inviting members' consideration and comment.
4. The Church Council shall give the final draft of the proposed amendment to the Congregation at least 30 days before the Annual Meeting.
5. At the Annual Meeting, the proposed amendment must either be rejected or approved without change, by a majority vote of those present and voting.
6. In order to take effect, a proposed amendment so approved must be ratified without further change at the next Annual Meeting, by a two-thirds majority vote of those present and voting.

## **Article XIII – INDEMNIFICATION**

The Church Council may adopt provisions providing indemnification for each person who, by reason of the fact that such person is or was a Church Council member, officer, employee, agent, or other member of any committee of the Congregation, was or is threatened to be made a party to any threatened, pending, or completed civil, criminal, administrative, arbitration, or investigative proceeding.



