

**CONSTITUTION AND BY-LAWS  
OF TRINITY LUTHERAN CHURCH  
WEST SENECA, NEW YORK  
July 2013**

**THE CONSTITUTION PREAMBLE**

The word of God requires that a Christian congregation shall conform to his Divine Word in doctrine and practice (Ps.119:105; Matt.28:18-20; Gal.1:6-8; and Tim.4: 15) and that all things be done decently in order (ICor.14:40). Therefore, we the members of *Trinity Lutheran Church* accept and subscribe to the following Constitution and By-laws in accordance with which all spiritual and material affairs of our congregation shall be governed.

**ARTICLE I**

***NAME / SYNODICAL AFFILIATION***

1. The name of this congregation shall be Trinity Lutheran Church, located in West Seneca, New York.
2. Since 1850, this congregation has held membership in The Lutheran Church Missouri Synod.

**ARTICLE II**

***VISION / MISSION***

*The Vision of Trinity Lutheran Church is to be a body of believers in Jesus Christ which exists to reach out to others with God's love, providing a caring environment for people to learn and celebrate as growing disciples, merciful servants, and joyful witnesses of Jesus Christ.*

*Our mission is to make more and better disciples of Jesus Christ.*

**ARTICLE III**

***CONFESSIONS***

This congregation accepts and acknowledges all the canonical books of the Old and New Testaments as the inspired Word of God and all the Symbolical Books of the Evangelical Lutheran Church (The Three Ecumenical Creeds, the Apostolic, Nicene, and the Athanasian; The Unaltered Augsburg Confession; The Apology of the same; The Smalcald Articles; Luther's Large Catechism; Luther's Small Catechism; and The Formula of Concord) contained in the Book of Concord as the true and sound exhibition of Christian Doctrine taken from and in full agreement with the Holy Scriptures.

**ARTICLE IV**

***MEMBERSHIP***

The membership of this congregation includes the following:

**A. BAPTIZED MEMBERSHIP**

Baptized members are all members who have been baptized yet have not confirmed their personal faith in Jesus Christ as their Lord and Savior.

**B. CONFIRMED MEMBERSHIP**

Confirmed Members are all baptized persons who profess Jesus Christ as their Savior and Lord, and who have completed a course of instruction for membership including major areas of Lutheran doctrine.

### **C. MEMBERSHIP RESPONSIBILITIES**

As part of body of Christ here at Trinity each person desiring to be a member accepts:

1. The Old and New Testament as the only divine rule and standard of faith and life.
2. Make a profession of faith in Jesus Christ before the congregation.
3. Successfully completes the initial class on membership including major Lutheran Doctrines.
4. Regularly Partake of The Lord's Supper, in accordance with our Membership Covenant.
5. Provide for the Christian training of their children, making use of our Lutheran Day School or one of the other Christian Educational opportunities of the congregation.
6. Submit willingly and joyfully to the mission, direction and leadership of our church provided such do not conflict with the Word of God.
7. Identify and use their Spiritual Gifts in ministry to God's people.
8. Actively work toward financially supporting the mission and ministry of our church at the level of the Tithe (10%) or beyond.
9. Actively participate in Worship, Bible Study, Christian Growth opportunities and to be intentional in prayer.
10. Always seek ways to share the love for God with fellow members and the Good News of Salvation, God's love in Christ, with those who do not know Him as Lord and Savior of their life.

### **D. VOTING MEMBERSHIP**

Only those who are confirmed and active members of the congregation shall be considered voting members and eligible to vote.

## **ARTICLE V**

### ***THE OFFICE OF PASTOR AND OTHER CALLED PERSONNEL***

The pastoral office of this congregation as well as the offices of all other "Called" personnel shall be conferred upon respectively such ministers and candidates who profess and adhere to the confessional standard set forth in Article III of this constitution, are well qualified for their work, and are members of The Lutheran Church Missouri Synod.

## **ARTICLE VI**

### ***POWERS OF THE CONGREGATION***

#### **A. GENERAL POWERS**

The congregation as a body, through the *Voter's assembly and the Church Council*, shall have the power to administer and manage all its external and internal affairs. The congregation shall, however, not be empowered to decide anything contrary to the word of God and the Confessions of the Lutheran Church (Article III). Matters of doctrine and conscience shall be decided in accordance with the Word of God. Other matters shall be decided by a simple majority vote of the voting members in attendance at a Voters Assembly meeting unless otherwise specified by this constitution

#### **B. RIGHT OF CALLING**

The right of calling pastors and teachers shall be vested in the congregation, *through the Voter's Assembly*, and shall not be delegated to a smaller body or to an individual.

### **C. DECISIONS**

The Church Council shall obtain prior approval of *the Voter's assembly* on the following actions/items:

1. Annual Financial Ministry Plan (Budget)
2. Acquisition or disposal of any single asset or liability that exceeds 2% of the annual operating budget.
3. Calling or removal of called staff. *(The Church Council may authorize the hiring of non-called staff, as long as it is within budgeting limitations)*
4. Dissolution of the congregation.

### **D. POWERS OF OFFICERS**

Congregational officers shall have no authority beyond that which has been conferred upon them.

### **E. REMOVAL FROM OFFICE**

Any officer, pastor, or teacher may be removed from office by the congregation by a **majority ballot of the Voter's Assembly** in Christian and lawful order for one of the following causes: removal of the staff position, persistent adherence to false doctrine, scandalous life, inability to perform his or her official duties, or willful neglect of duties.

## **ARTICLE VII**

### **OFFICERS**

#### **A. Officers**

The Officers of this congregation shall consist of the Chairman, Secretary and Vice-Chairman. They shall be members of the Executive Board and Church Council along with the elected four (4) standing Executive Board members. The Vice-Chairman shall be appointed from the elected members of the Executive Board as stated in the By-Laws. Any two of the Officers shall be empowered to sign all legal documents.

#### **A. Officers**

The Officers of this congregation shall consist of the Chairman, Secretary and Vice-Chairman. They shall be members of the Executive Board and Church Council along with elected (3) standing Executive Board members. *The Chairman and Vice Chairman shall be elected or appointed from members of the Executive Board as stated in the By-Laws.* Any two of the Officers shall be empowered to sign all legal documents.

#### **B. Eligibility**

To be eligible to hold an elected office each member shall:

1. Be an active member of the congregation (per the Membership Covenant)
2. Identify and use their spiritual gifts to assist the congregation in accomplishing its missions and ministry.
3. Be faithful in attendance at voter's assembly meetings.
4. Be of legal age according to New York State Law in order to be eligible to sign legal documents.

**ARTICLE VIII**  
***PROPERTY RIGHTS***

All property of this congregation shall be held in the corporate name as stated in Article I. If at any time a separation should take place in this congregation, the property of the congregation and all benefits pertaining thereto shall remain with the majority of voters. In the event of the dissolution of this congregation, all property of the congregation shall be disposed of by the final Voter's Assembly to provide for the payment of debts. Any and all surplus, after due settlement of just claims against this congregation, shall be conveyed to and become the property of the parent body with which the congregation is identified at the time of such dissolution.

**ARTICLE IX**  
***SYNODICAL MEMBERSHIP***

This congregation with its pastor and called staff shall hold membership in the Lutheran Church-Missouri Synod. The congregation shall send its pastor and a lay delegate to the District Convention of the Synod, and shall support the work of Synod, as long as the vision, mission and ministry of Synod is in keeping with the will of God and the vision, mission, and ministry of Trinity Lutheran Church.

**ARTICLE X**  
***BY-LAWS***

This congregation may adopt such by-laws as may be required for the accomplishment of its purposes.

**ARTICLE XI**  
***CHANGING THE CONSTITUTION***

**Amendments**

Amendments and or changes to this constitution and by-laws may be adopted at a regular Voter's Assembly provided:

1. They do not conflict with the provisions laid down in Article III or with any section of any other Article that pertains to Scriptural doctrine and practice; and
2. The proposed amendment has been submitted in writing at a previous Voter's Assembly. The affirmative vote of a two-thirds majority of the voting membership present at the Voter's Assembly shall be required for the adoption of the amendment.

**BY-LAWS**

**ARTICLE I**  
***MEMBERSHIP***

Anyone desiring to experience a close personal relationship with our Lord Jesus Christ here at Trinity shall be accepted into membership during a regular worship service by:

### **A. Confirmation**

Confirmation is to verbally confirm your faith in Jesus Christ as you Lord and Savior as well as the desire to be part of the worshiping body of believers here at Trinity.

### **B. Transfer**

These persons have a “Letter of Transfer” from a congregation with which our church body is in fellowship.

### **C. Profession of Faith**

Other persons shall, after having given to the Pastor satisfactory evidence of their qualifications for communicant membership, be received as communicant members of our church.

## ***RESPONSIBILITIES OF MEMBERS***

It shall be the *right and privilege* of every member to *regularly partake of the Lord’s Supper* (per our Membership Covenant), to attend an initial membership class, to be actively growing spiritually through Bible Study groups or Christian Growth classes, to work actively toward a Tithe (10%) or more for the financial support of our church’s mission, and to willingly use their time and ability for programs, activities, and events that will accomplish our stated purpose and mission as a church.

## ***TERMINATION OF MEMBERSHIP***

### **A. Transfer to Other Congregations**

Communicant members desiring to join a congregation in church fellowship shall present their request for transfer to the Pastor, to whom authorization is granted to issue such transfers. Such transfers of membership shall be approved by the *Executive Committee* in a subsequent meeting.

### **B. Joining Other Churches**

In cases where communicant members have joined another congregation outside our own fellowship, they shall, upon recommendation of the Pastor, be considered such as have terminated their membership and their names shall be removed from the membership list by a resolution of the *Executive Committee*.

### **C. Whereabouts Unknown**

The names of members, whose whereabouts are unknown and cannot be established, shall be removed from the membership list by the *Executive Committee* and forthwith-such membership is terminated.

### **D. Excommunication and Self-Exclusion**

Any member who conducts himself or herself in an unchristian manner shall be admonished according to Mat. 18: 15-20. Each case shall be considered individually by the *Executive Committee or its appointed committee*. A simple majority vote is required to remove from our membership roster those who have, for whatever reason, chosen “Self-Exclusion”. A 2/3 of the majority vote shall be required for excommunication.

### **E. Status**

A person-whose communicate membership has been terminated has forfeited all rights as a member of this congregation and all claims upon property of the congregation as such, or upon any part thereof, so long as they are not reinstated into membership.

## **ARTICLE II**

### ***MEETINGS***

1. There shall be two (2) Semi-annual meetings of the voter's assembly, one of which will be held for the purpose of ***election of Congregational Officers and the adoption of the Church Budget***. The second for an update on budget, special projects, reports on the progress in areas which relate to our Mission Statement. The slate of candidates and the proposed budget will be available at least one week prior to the Budget meeting.
2. Special meetings of the voter's assembly may be called when necessary by the ***Executive Board or Church Council***.
3. The voters present at a meeting will constitute a quorum. However, for the purpose of amending the Constitution, any of its Articles or by-laws, the erection of buildings, purchase or sale of property, or the removal of a pastor or some other staff member from office, a quorum of one third of the voting members is necessary and two thirds majority shall be required for adoption of a resolution, unless otherwise provided by state law. The time and place of such meeting will be announced at least two (2) weeks prior to the date of the meeting.
4. In questions of parliamentary procedure not covered by this Constitution and Bylaws, ***"Roberts Rules of Order"*** shall prevail.

## **ARTICLE III**

### ***CALLING OF PASTORS AND TEACHERS***

#### **1. NOMINATIONS**

At a meeting of the Voters Assembly properly convened the list of candidates having been received from the ***District President or his designate*** and presented; candidates for the office of pastor or teacher shall be submitted by the ***Nominations Committee from Trinity Lutheran Church, appointed by the Executive Board***. Any voter is entitled to make additional nominations to the Nominations Committee at this meeting. The list of candidates chosen by the Voters Assembly shall be published in the church bulletin for 2 weeks prior to the official Call Meeting.

#### **1. Nominations**

***"At a meeting of the Voters' Assembly properly convened, the list of candidates having been received from the District President or his designate and presented; candidates for the office of Pastor or Teacher shall be submitted by the Nominations Committee from Trinity Lutheran Church, appointed by the Executive Board. At least one member of the Executive Board and one member of the Board of Elders shall be included on the Nominations Committee. The list of candidates chosen by the Voter' Assembly shall be published in the church bulletin for 2 weeks prior to the official Call Meeting"***

## **2. ELECTIONS**

The election of pastor or teacher from the list of candidates chosen by the congregation shall be by ballot at a special Call Meeting set by the discretion of the Chairman of the Congregation. The candidate receiving the majority of all the votes cast shall be considered elected. The election shall be made unanimous, and the call shall be sent to the pastor or teacher elect.

## **ARTICLE IV**

### ***ELECTION OF CONGREGATIONAL OFFICERS***

***&***

### ***EXECUTIVE BOARD MEMBERS***

#### **1. NOMINATIONS**

A nomination committee, *appointed by the Chairman of the congregation*, will present a slate of candidates at the summer meeting of the Voters Assembly. The nominating committee shall whenever possible, consider the spiritual gifts of the candidates being nominated. *If possible*, the proposed slate of candidates shall consist of at least two names for each office.

#### **2. ELECTIONS**

The *election of Congregational Officers* shall be by ballot, and shall be decided by a simple plurality. Two tellers shall be appointed by the Chairman to assist in the elections. The *officers elect shall assume their respective duties* following their installation on the 2<sup>nd</sup> Sunday in September.

#### **2A. ELECTION OF EXECUTIVE BOARD MEMBERS / SECRETARY**

The election of Executive Board members and the Secretary shall be by ballot, and shall be decided by a simple plurality. Two tellers shall be appointed by a current Board member, not up for election, to assist in the election. The newly elected Executive Board members shall assume their respected duties following their installation on the 2<sup>nd</sup> Sunday in September.

#### **2B. ELECTION OF CONGREGATIONAL CHAIRMAN AND VICE-CHAIRMAN**

At the first monthly meeting in September, the Executive Board will appoint the Chairman and Vice-Chairman from the current elected Executive Board members. The Chairman and Vice-Chairman will hold their positions for one year or until their respective successors are appointed. The officers appointed shall assume their respective duties at this meeting.

### **3. VACANCY**

In case of vacancy of any elected officer due to illness, death, transfer or any other reason, such vacancy shall be filled by appointment of the *Executive Board*, with the approval of the Church Council for the remainder of the term. The appointee shall assume the position immediately.

### **4. TENURE**

Officers shall be permitted to hold the same office for two 3-year terms or until their successors has been elected. Officers shall be elected for the terms specified in these By-Laws and shall hold office until their successors shall have been elected and installed.

### **4. TENURE**

Chairman and Vice-Chairman shall hold their position for one year or until their respective successor is appointed. Officers shall be appointed for the term specified in these By-Laws and shall hold office until their successors shall have been appointed and installed. Executive Board members and Secretary shall be permitted to hold the same position for two 3 - year terms or until their successors has been elected and installed.

## **ARTICLE V**

### **OFFICERS**

The elected Officers of this congregation shall consist of the Chairman, Vice Chairman and Secretary. The Vice-Chairman shall be appointed from the elected members of the Executive Board. The Officers shall be empowered to sign all legal documents, and be members Of the Executive Board.

### **OFFICERS**

The Officers of this congregation shall consist of the Chairman, Vice-Chairman and Secretary. The Officers shall be empowered to sign all legal documents, and be members of the Executive Board.

### **EXECUTIVE BOARD**

The Executive Board shall consist of the following elected members: Chairman of the Congregation, the Secretary of the Congregation and four (4) confirmed and active Lay members, of which one (1) shall be appointed to the position of Vice-Chairman. The Senior Pastor, the Day School Principal and Coordinator of Family Ministry shall be advisory members of the Executive Board.

### **EXECUTIVE BOARD**

Executive Board shall consist of the following elected members:



Five (5) Confirmed active Lay members and the Secretary of the Congregation. The Senior Pastor shall be advisory member of the Executive Board.

## ARTICLE VI *CHURCH COUNCIL*

### CHURCH COUNCIL

1. The Church Council shall be made up of The Chairman, Vice-Chairman, Secretary, The Executive Board Lay members, The Senior Pastor, Day School Principal, Coordinator of Family Ministry and all standing Boards and Committees serving to accomplish the purpose and mission of the Church.

#### Duties of the Officers and Church Council

1. The Executive Board shall establish such committees as needed to accomplish the purpose and mission of Trinity Lutheran Church. The Council Boards and Committees may be involved if they so desire.
2. Requirements of Board/Committee membership.
  - a. Must be an active member of the Church
  - b. Must participate in at least one formal Bible Study Group or Christian Growth class each year.
  - c. Must set a Christian example for others in their Christian life and express a deep desire to see people reached for Jesus Christ and maturing in their faith.
3. Such Committees as established by the Executive Board will operate and function According to guidelines provided by the Executive Board, as well as any procedures they may develop as a committee to accomplish their specific goal of mission and ministry. Whenever a committee is established and it is appropriate, said committee should seek to enlist as an associate member of the committee as confirmed youth of the congregation for the purpose of acquainting him or her with the duties and function of such committees. The committee shall encourage the confirmed youth to participate fully in all its meetings and actions.
4. In those matters which do require the approval of the Voters Assembly, namely the right of calling Pastors and teachers, the election of Officers, the removal of any Officer, Pastor, or Teacher, the amending of the Constitution or by-laws, the erection of buildings, purchase or sale of property, and the adoption of the Church Budget, the Church Council shall submit recommendations to the Voting Members for their consideration.

## ARTICLE VII

## ***DUTIES OF OFFICERS AND CHURCH COUNCIL***

### **A. OFFICERS**

#### **1. CHAIRMAN OF THE CONGREGATION:**

The chairman shall be the lead person of the Executive Board, preside at all meetings of the Voters Assembly and the Church Council, and shall be an ex-officio member of all committees. In the absence of the Chairman, the Vice-Chairman shall perform the duties of the office.

#### **2. SECRETARY:**

The Secretary shall be a member of the Executive Board, shall record the proceedings of the Church Council and the Voters assembly, register all members attending the meetings and submit the minutes of the proceedings for adoption.

#### **3. VICE-CHAIRMAN:**

The Vice-Chairman will be an elected Executive Board member and will be appointed by the members of the Executive Board. The vice-chairman shall assist the chairman with duties assigned by the Executive Board.

### **B. CHURCH COUNCIL**

- 1. The Executive Board shall establish such committees as needed to accomplish the stated purpose and mission of Trinity Lutheran Church.**
- 2. Requirements of Board/Committee Membership.**
  - a. Must be an active member of Trinity Lutheran Church.
  - b. Must participate in at least one formal Bible Study Group or Christian Growth class each year.
  - c. Must set a Christian example for others in their Christian life, and express a deep desire to see people reached for Christ and matured in their faith.
- 3. Such Committees as established by the Executive Board will operate and function according to guidelines provided by the Executive Board, as well as any procedures they may develop as a committee to accomplish their specific goals of mission and ministry.** Whenever the Executive Board establishes a committee, and it is appropriate, the committee shall seek to enlist as an associate member such as a confirmed youth of the congregation to serve on the committee for the purpose of acquainting him or her with the duties and function of the committee and shall encourage his or her input and participation in all committee activities.

## **ARTICLE VIII**

### ***CHANGE IN REGULATIONS***

The congregation shall, from time to time, adopt, alter, or amend rules and regulations (or directives) for the guidance of officers and committees in their work.

## **ARTICLE IX**

### ***SUGGESTED ORDER OF BUSINESS***

Assembly of Voters is at the discretion of the Chairman of the congregation or his or her representative.

A. The following order of business may or may not be used for any meeting of the Voters.

1. DEVOTION
2. CALL TO ORDER
3. ROLL CALL
4. READING OF LAST MEETING MINUTES
5. REPORTS (COMMITTEES AND OFFICERS)
6. UNFINISHED BUSINESS
7. NEW BUSINESS
8. ADJOURNMENT
9. PRAYER

B. At the Budget and elections meeting of the Voters Assembly “Election of Officers” and “Adoption of the Budget” should be inserted as #5 & #6 and there should be no other business conducted unless the Chairman deems it urgent or necessary.