



**Constitution
and
By-Laws**

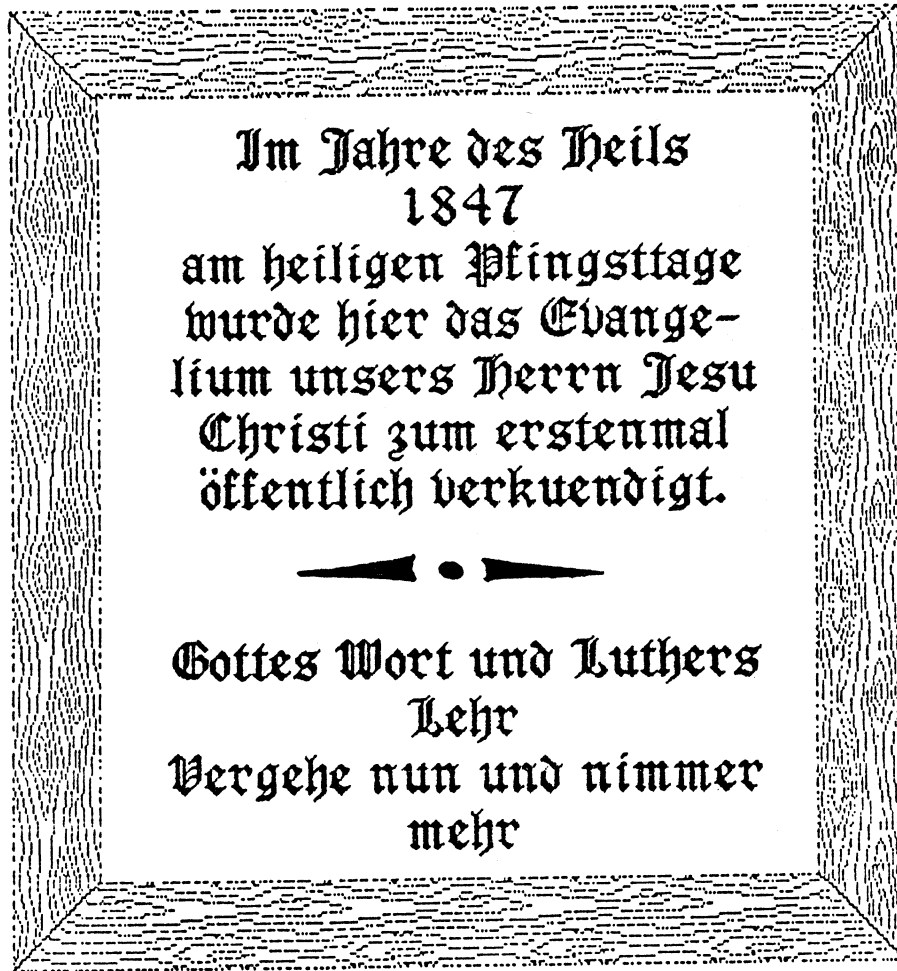
of

Immanuel

**Evangelical
Lutheran
Church**

Mayville, Wisconsin

In the narthex of our church, above the inner doors, is a plaque with these words in German:



Translated into English, these words read:

In the year of grace, 1847,
on Holy Pentecost Day,
the Gospel of our Lord Jesus Christ
was publicly proclaimed here
for the first time.

God's Word and Luther's doctrine pure
Shall now and evermore endure.



CONSTITUTION and BY-LAWS
of
IMMANUEL EVANGELICAL LUTHERAN CHURCH
Town Theresa, Dodge County
N8092 Cty. Tk. AY Mayville, WI 53050

PREAMBLE

- WHEREAS**, according to the Word of God it is the duty of Christians:
1. To conform to the Word of God in doctrine and practice (Matthew 28:18-20, Romans 16:17).
 2. To practice fellowship with those who confess the true faith (Acts 2:42-47, Hebrews 10:24-25, 1 John 2:19, I Corinthians 1:10-11).
 3. To endeavor to keep the unity of faith (Ephesians 4:3-6).
 4. To administer the Office of the Keys as a body (Matthew 18:17, John 20:22-23).
 5. To conduct all the internal and external affairs of such a body "decently and in order" (1 Corinthians 14:40).

THEREFORE BE IT RESOLVED that we, a number of Lutheran Christians, declare ourselves united as a congregation, and herewith adopt the following Constitution and By-Laws in accordance with which our congregational affairs, spiritual and material, shall be conducted.

This printing of the Constitution was adopted by the voting members at the October 9, 1989 meeting.

CONSTITUTION

Article I **Name**

The name of this congregation shall be: Immanuel Evangelical Lutheran Church, Town Theresa, Dodge County - located at N8092 County Tk. AY, Mayville, Wisconsin 53050.

Article II **Confessional Articles of Faith**

Section 1.

This congregation, and each individual member thereof, declares unreserved adherence to all the canonical books of the Old and New Testaments as the inspired Word of God and the only rule of faith and life.

Section 2.

This congregation, and each individual member thereof, declares unreserved adherence to all the Symbolical Books of the Evangelical Lutheran Church as found in the Book of Concord of the year 1580 as a true exposition of the Word of God.

These Symbolical Books are:

- A. The three Ecumenical Creeds
 1. The Apostolic
 2. The Nicene
 3. The Athanasian

B. The six Lutheran Confessions

1. Dr. Martin Luther's Small Catechism
2. Dr. Martin Luther's Large Catechism
3. The Unaltered Augsburg Confession
4. The Apology of the Augsburg Confession
5. The Smalcald Articles
6. The Formula of Concord

Section 3.

No doctrine shall be taught nor tolerated in this congregation which is in any way at variance with the Holy Scriptures and these Symbolical Books.

Article III Purpose and Objectives

Section 1.

The continuing purposes of this congregation in accordance with the confessional ARTICLES OF FAITH shall be:

- A. To serve all people in God's world through the gospel of Jesus Christ on the basis of Holy Scripture (Matthew 28:18-20).
- B. To give honor and glory to God; Father, Son and Holy Spirit.
- C. To manifest the unity of our faith in Jesus Christ as God and Savior.
- D. To foster Christian fellowship and love.
- E. To carry out the will of God as expressed in Holy Scripture.

Section 2.

The primary objectives of this congregation shall be:

- A. To proclaim Law and Gospel, in order to lead sinners to repentance and faith in Jesus Christ for life and salvation (2 Timothy 4:2, Luke 24:26-48).
- B. To strengthen believers in faith and sanctification through the means of grace (Romans 10:17).
- C. To equip believers as disciples, stewards and witnesses for sharing the Gospel of Jesus Christ with our fellow men (Ephesians 4:11-12).

Section 3.

To this end we obligate ourselves:

- A. To conduct regular church services in which hymns and church forms are used whose contents are in harmony with our confessions.
- B. To provide pastoral care for all our members, including thorough instruction in the chief parts of Christian doctrine.
- C. To provide for Christian education through, but not limited to the establishment and maintenance of a Christian day school.

- D. To support to the best of our ability the work of Christ's Great Commission (Matthew 28:19) to go and make disciples of all nations. . . as it is being carried out on a synodical level.
- E. To nurture a saving relationship with Jesus Christ so that it may grow and bear fruit to God's glory through prayer and Bible study.
- F. To become aware of our responsibility both as individuals and as a congregation to give a clear testimony to the Biblical emphasis that the new life in Christ is the life lived in thankful response to the grace of God in keeping with the moral imperatives which God declares in His Word (Galatians 5:19-23, Ephesians 5:1-12). Furthermore, we obligate ourselves to show and share concerns and warnings about literature, professed beliefs, attitudes and conduct in life that are at variance with the Word of God.

Article IV Synodical Affiliation

This congregation shall affiliate itself only with a synod that holds to all the truths of God's Word in doctrine and practice and is bound to the confessions of faith as set forth in Article II, if, and as long as, such a synod exists as determined by the majority of the communicant membership of this congregation.

Article V Membership

Section 1. Classification

- A. Baptized members of this congregation are those who have been baptized with water into the Christian faith in the name of the Triune God, Father, Son, and Holy Spirit, and who are under the spiritual care of the pastor of this congregation.
- B. Communicant members are those baptized souls who confess the chief parts of Christian doctrine as set down in Dr. Martin Luther's Small Catechism, who have been confirmed in the Lutheran faith, and who have declared their adherence to all the Articles of Faith and Confession as set forth in Article II of this Constitution.
- C. Voting members are those communicant male members who are 18 years of age and have signed the Constitution in the presence of the Voters' Assembly signifying acceptance by the congregation.

Section 2. Privileges and Responsibilities

- A. Our God has given us His Word which alone can save our souls and tells us how to live a God-pleasing life (2 Timothy 3:15-17). Consequently, a member of His church will consider it a distinct privilege and responsibility to:

1. Hear and receive the Word of God diligently through
 - a. Regular Worship Service Attendance
 - b. Participation in Bible study/classes
 - c. Personal/Family devotion
 2. Provide and promote opportunities for Christian education, recognizing the fact that children of the congregation are the responsibility of all congregational members.
 3. As parents, bring up their children in the training and instruction of the Lord (Ephesians 6:4).
- B. Our God has given us two sacraments: Holy Baptism and Holy Communion, which are means that our Lord uses to bring His grace to us. Consequently, members of His church will:
1. Have their children baptized early in life for "baptism now also saves you" (1 Peter 3:21).
 2. Frequently partake of Holy Communion (1 Corinthians 11:23-26) if they are recognized as such who can properly examine themselves (1 Corinthians 11:28). Only those in the confessional fellowship of faith are permitted to commune at our altar (close communion) (Romans 16:17, 2 Corinthians 6:14-15).
- C. Our God has given us the privilege and responsibility of being managers over a certain portion of His estate and assures He will graciously bless such faithful management (2 Corinthians 9:6). Therefore a member of His church will:
1. Cheerfully contribute according to ability towards the maintenance of church and school and other expenses of the congregation, not omitting the work of the church at large.
 2. Devote time and talents to that which the congregation has made its concern.
 3. If eligible, become a voting member, regularly attend the voters meeting, and lend the congregation his counsel and aid.
- D. Our God has implanted within us who are Christians the new man, who desires to live righteously (2 Corinthians 5:17, Ephesians 4:24). Consequently, members of His church will:
1. Not live in manifest works of the flesh, but lead a Christian life (Galatians 5:19-25).
 2. Not hold membership in anti-Christian societies, secret or otherwise, whose teaching and practice conflict with the Word of God (John 5:23, 8:31-32, 2 Corinthians 6:14-18).
 3. Readily submit to the rules and regulations of this congregation and when they have erred, permit themselves to be fraternally admonished and corrected according to Matthew 18:15-18.
 4. That in the spirit of Christian love, we encourage those who have transgressed to be subject to such fraternal admonition and spiritual discipline "that others also may fear" (1 Timothy 5:20).

Section 3. Church Discipline and Excommunication

Communicant members who conduct themselves in an un-christian manner shall be admonished according to Matthew 18:15-20; if they remain impenitent after proper admonition, they shall be excommunicated. Each case shall be presented individually to the Voters Assembly for a decision. If such members deliberately absent themselves from the meetings(s) at which their case is to be discussed, they shall be regarded as having excluded themselves from the membership of the congregation.

Section 4. Reinstatement

When an excommunicated member, by the grace of God, repents of his/her sin and seeks forgiveness from God and the congregation, he/she is to be reinstated with Christian love to all former rights and privileges (2 Corinthians 2:6-8).

Section 5. Termination of Membership

Members forfeit their membership and all congregational rights due to:

- A. Transfer or release to another congregation.
- B. Death.
- C. Self exclusion - by purposeful and willful neglect of Word and Sacrament for an extended period of time, or by written request for exclusion.
- D. Excommunication.

Article VI Powers and Rights of the Congregation

- A. The Word of God is supreme in all matters of doctrine and conscience (Psalm 119:105).
- B. The congregation, represented by the Voters' Assembly, shall have the right of decision in all matters not decided by the Word of God (Romans 12:10, 14:19, Ephesians 5:21).
- C. The Church Council, any other elected board or committee, and any of its elected or appointed officers, shall have no power or authority beyond that conferred upon them by the congregation.
- D. The establishment and conduct of all organizations and societies within the congregation, or related directly to it, shall be subject to the approval and supervision of the pastor and Voters' Assembly.
- E. In case of emergency (as defined in article IV.H.1 of the By-Laws) the Board of Elders, in consultation with the pastor, may act in the name of and for the welfare of the congregation.

- F. In the absence of the pastor, the Elders shall not be restricted from consulting with other members of the church council. Any action taken must be approved at the next voters' meeting.
- G. The congregation may receive gifts, devises, and bequests. Prior to making a donation the donor shall seek the approval of the congregation. The congregation shall have the right to refuse a gift, devise, or bequest if the membership shall determine that any restriction limitation, requirement, or donation attached to such gift, devise, or bequest is not in the furtherance of the purpose of this congregation.

Article VII Church and Ministry

- A. The congregation has the exclusive right to call pastors and teachers. The voting membership may never delegate this right to a lesser body.
- B. The pastorate in this congregation shall be conferred only on such male ministers and ministerial candidates who declare their acceptance of and adherence to the Articles of Faith enumerated in Article II of this Constitution, who are qualified for this work, who have been endorsed by and are members of the Synod in which this congregation holds membership.
- C. It shall be the duties of the pastor to:
 - 1. Subscribe to the doctrinal standard of the Evangelical Lutheran Church and adhere to the Constitution and By-Laws of this congregation;
 - 2. Minister to the spiritual needs of the congregation;
 - 3. Lead God's people here in this congregation as their faithful Shepherd by faithfully preaching God's Word and administering the Sacraments according to their divine institution;
 - 4. Initiate and/or supervise all programs dealing with the preaching of the Word of God and the administration of the Sacraments;
 - 5. Regularly and faithfully pray for the members entrusted to his care;
 - 6. Faithfully perform the duties as set forth in his Call document.
- D. The teachers called by this congregation shall be such who declare their acceptance of and adherence to the Articles of Faith enumerated in Article II of this Constitution and who are qualified for this field of work.
- E. In case a vacancy occurs in the office of pastor or teacher, the congregation shall notify and seek the advice of the appropriate officer of the district of the Synod in which the congregation holds membership, in order to assist in filling the vacancy.

F. Any officer of the congregation, including pastor or teacher, may be removed from office in a Christian and lawful order by a 2/3 majority ballot vote of the Voters' Assembly for any of the following reasons:

1. Persistent adherence to false doctrine.
2. Scandalous life.
3. Willful neglect of duty.
4. Prolonged incapacity.
5. General incompetence.

The District President shall be consulted first with regard to consideration of the removal of the pastor or teacher. The party involved may be given the opportunity to resign before the formal step of removal is exercised.

G. When a pastor or teacher is to be called, the congregation shall ask the President of the Synodical District for nominations. Every member of the congregation shall have the privilege of making one or more nominations, which shall be approved by the District President. At the voters' meeting called for purpose of electing a call candidate, the screening process of the nominations submitted shall be determined by the majority of voters present. Election shall proceed by means of a secret ballot. A majority is needed in order to determine the disposition of the call.

Article VIII Boards and Officers

A. Boards and Officers

1. Board of Elders
2. Board of Parish Education
3. Board of Trustees
4. Chairman
5. Secretary
6. Treasurer
7. Financial Secretary

The above board members and officers shall constitute the Church Council. The pastor is an ex-officio voting member of the Council and its chairman. The called school principal is also a voting member of the Council. In case of a vacancy in the pastorate, the chairman of the congregation shall serve as chairman of the Council.

The terms of office, the mode of election, and any other rules pertaining to them, shall be fixed in the By-Laws. Apart from the Church Council, the congregation may appoint or elect committees as it may deem necessary.

Article IX Separation and Dissolution

A. If at any time a division should take place on account of doctrine, the property of the congregation and all benefits connected therewith shall remain with those communicant members who continue to adhere in confession and practice to Article II of this Constitution.

- B. If disagreement takes place for any reason other than doctrine, the congregation shall use all resources God supplies to resolve the controversy. In the event no resolution is reached, the majority of the Voters' Assembly shall rule.
- C. In the event the congregation should dissolve, the property and all assets shall be equally transferred, on the basis of communicant membership, to, and only to, one or more congregation(s):
 - 1. With which this congregation is in fellowship, or which subscribes to the Articles of Faith enumerated in Article II;
 - 2. And into which the respective communicant member has applied for membership

Article X Meetings

- A. The congregation is supreme in the administration of its affairs, and shall hold regular meetings of its voting members, and special meetings as occasion requires.
- B. Regular meetings of the Voters' Assembly shall be held as determined in the By-Laws. Announcement of the meetings shall be given in print and/or orally in the regular church services of two consecutive Sundays immediately preceding the meeting and any regular church service held during the interim of the same time lapse.
- C. Special meetings may be called by:
 - 1. Voting members of the congregation, while in session.
 - 2. The Pastor;
 - 3. A majority of the Church Council.
- D. Special meetings and their purpose shall be announced according to the general rule set forth in section B of this article except for situations as may be defined in the By-Laws. No other business than that announced as the purpose of the meeting shall be transacted at a special meeting.

Article XI Alterations

This Constitution or any of its paragraphs may be revised, altered or repealed at a regular or special meeting provided:

- A. The proposal in question was presented in writing, discussed, and placed on the agenda at the previous regular meeting.
- B. It does not conflict with the Word of God and the confessions enumerated in Article II.
- C. Is passed by a two-thirds majority of the voters present.

BY-LAWS

Article I Synodical Affiliation

The criterion for synodical affiliation has been set down in Article IV of our Constitution, which guards against binding the congregation in perpetuity to membership in any synod that loses its orthodoxy. At present this congregation shall be a member of The Lutheran Church-Missouri Synod, and remain a member as long as the synod is in conformity with the congregation's confessional standard. If the majority of the communicant members of the congregation determine that such conformity does no longer exist, the Voters' Assembly shall be requested to honor the wishes of the Communicant membership majority.

Article II Meetings of the Congregation

- A. The annual meeting of the Voters' Assembly is to be held on the first Monday after Epiphany. In this meeting the necessary elections shall take place. The voting members present at a duly called meeting shall constitute a quorum.
- B. Other regular meetings shall be held quarterly, viz, on the second Monday of April, July, and October. The date of the meetings may be changed by three officers of the Church Council together with the pastor for good and valid reasons.
- C. Special meetings, which can be classified as being urgent, may be called by the same parties as set forth in Article X of the Constitution. Any special meeting and its purpose must be announced in at least one regular Sunday service prior to the meeting, and/or all eligible voting members notified by means of personal contact. (Mail, telephone, or personally calling on them.) Such action must be fully explained at the voters' meeting and be held subject to approval or ratification. Special meetings are limited to the purposes for which they have been called and which has been announced. No voting member, including the pastor, shall have a veto right over calling special meetings. Full authority is vested in the Voters' Assembly (which represents the congregation in all meetings, special and regular) in order to give the voters' the opportunity to hear, discuss and take necessary action in matters pertaining to the welfare of this congregation and of the church-at-large.
- D. The Order of business for all regular meetings shall be:
 - 1. Meeting to be opened with devotion;
 - 2. Reading and approval of minutes;
 - 3. Acceptance of new members;
 - 4. Transfers, releases or removal from membership;

5. Reports:
 - a. Finance secretary
 - b. Treasurer
 - c. Board of Elders
 - d. Board of Education
 - e. Board of Trustees
 - f. Pastors report
 - g. Principals report
 - h. Committee reports
 6. Unfinished business;
 7. New business;
 8. Other business properly coming before the Assembly; and
 9. Adjournment with prayer
- E. The order of business for special meetings shall be:
1. Meeting to be opened with devotion
 2. Ratification of meeting by the Voters' Assembly
 3. Necessary action by the Voters' Assembly on announced purpose of meeting
 4. Adjournment with prayer
- F. No one shall bring to any meeting a charge or complaint against any member or against a pastor or teacher unless he has first admonished him/her in a Christian manner according to Matthew 18:15-20.

Article III Voting Membership

- A. Only voters' present at the meeting of the Voters' Assembly shall have the right to vote.
- B. The right to vote may not be exercised by the voter until the first called meeting following the voters' meeting at which he was accepted into voting membership.
- C. Ordinarily, the voters' present at the meeting shall constitute a quorum (Article II-A) with the following business exceptions:
 1. Purchase of property
 2. Erection of buildings
 3. Removal of Pastor or professional servant. With the above-stated business, a majority of all voting members shall be required for a quorum. In the absence of a majority, those present may fix a date for an adjourned meeting for which at least ten (10) days notice shall be given. The members present at such adjourned meeting shall constitute a quorum.
- D. An updated list of eligible voting members shall be made available to every member of the Church Council annually.

Article IV Election, Terms and Duties of Officers

A. Board of Elders

1. The Board of Elders shall consist of four members. Each member shall be elected by ballot for a term of two years and shall be eligible to serve two successive terms.
2. This board shall concern itself with the total spiritual life of the congregation. This board shall assist the pastor in visiting, counseling and admonishing members who have manifested a lack of concern for the hearing of God's Word and the reception of the Lord's Supper and who have shown a general disregard for the work of the church.
3. The board shall see to it that the services in God's house be held regularly and conducted decently and in order.

B. Board of Education

1. The Board of Education shall consist of four members. Each member shall be elected by ballot for a term of two years and shall be eligible to serve two successive terms.
2. The board shall be entrusted with the supervision and welfare of the Christian day school and promote any and all educational agencies which the congregation may maintain.
3. The board shall see to it that the instructions are conscientiously given and the attendance be regular. It shall also be its duty to see that the school equipment be kept in good condition and the necessary cleanliness and discipline be observed.

C. Board of Trustees

1. The Board of Trustees shall consist of six members. Each member shall be elected by ballot for a term of two years and shall be eligible to serve two successive terms.
2. The board shall be the legal representatives of the congregation and the custodian of all its property, including the valuable papers, as deeds, insurance policies, articles of incorporation, etc.
3. The board shall see to it that all the property of the congregation is kept in good repair according to the direction given to it by the Voters' Assembly.

D. Chairman

1. The chairman of the congregation shall be elected by ballot for a term of one year. He shall be eligible to serve two successive terms.
2. He shall preside at all meetings of the congregation and conduct all its business affairs according to established good order.
3. In the absence of the chairman, the congregation shall elect a temporary chairman.

E. Secretary

1. The Secretary shall be elected by ballot for a term of one year. He shall be eligible to serve two successive terms.
2. He shall keep an accurate record of the transactions of all meetings and submit the minutes to the congregation at the regular meetings of the Voters' Assembly for approval.
3. He shall attend to the correspondence of the congregation.

F. Financial Secretary

1. The Financial Secretary shall be elected by ballot for a term of two years. He shall be eligible to serve two successive terms.
2. He shall receive all contributions for the congregation and keep an accurate account of the same.
3. He shall submit to all members a quarterly report of their contributions.
4. He shall give a report at the regular meetings of the Voters' Assembly and submit his books for audit annually or at any time the congregation so desires.

G. Treasurer

1. The Treasurer shall be elected by ballot for a term of two years. He shall be eligible to serve two successive terms.
2. He shall deposit into the appropriate funds all monies received by the Financial Secretary and keep an accurate account of the same, including such special funds as the congregation may designate.
3. He shall make payments of all due accounts as authorized by the congregation, the Trustees, or any board or committee that has congregational authorization to release funds for payment of money due.
4. He shall keep an account of all receipts, vouchers, disbursements, etc.
5. He shall give a report at the regular meetings of the Voters' Assembly, including an annual report and submit his books for audit annually or at any time the congregation so desires.

H. Other specific duties and limitations of officers

1. An emergency that disallows the calling of a special congregational meeting for lack of time but nevertheless requires immediate action shall come under the jurisdiction of the Board of Elders. The procedure under Article VI.E of the Constitution shall apply.
2. The Church Council shall meet in regular sessions quarterly. Special meetings may be called by the chairman or any three members of the Church Council by contacting each member at least 24 hours in advance.
3. The Church Council or any individual board thereof shall not convene to transact any official business without the knowledge of the pastor.
4. The elected officers shall be installed into office on the first Sunday following their election.

5. The members of the Church Council shall consult with each other concerning the total spiritual and physical well-being of the congregation giving due attention to the work of the Lord in the church-at-large.
6. The Church Council may implement resolutions and present them to the Voters' Assembly for consideration and carry out such assignments as are directed to them by the voters'.
7. The Church Council shall recommend to the Voters' Assembly the annual budget of the congregation at the October meeting.
8. In the event of a vacancy on the Church Council. the vacancy shall be filled by appointment by the Church Council electing an eligible member from the voting membership to serve until the next election, at which time the normal electing procedure shall be followed.
9. The Chairman of the Trustees, Chairman of the Congregation, and the Secretary of the Congregation are authorized to sign bank notes in the event money needs to be borrowed.

Article V Committees

A. Nominating Committee

1. A five member nominating committee shall be appointed by the Church Council at the Council's October meeting.
2. The Nominating Committee shall select from the voting membership a slate of candidates for each vacancy on the Church Council. Two or more candidates for each vacancy is recommended. The names of the candidates shall be published on at least two consecutive Sundays, prior to the annual meeting.

B. Auditing Committee.

1. A three member auditing committee shall be appointed by the Voters' Assembly at the annual meeting.
2. Prior to the annual meeting the auditing committee shall audit all the books and accounts of the Treasurer and Finance Secretary and report its findings to the Voters' Assembly.

Article VI Membership

A. Reception into membership

1. Persons who wish to be received into membership in this congregation other than through the Sacrament of Holy Baptism or rite of Confirmation shall bring their request to the attention of the pastor or the Church Council. The Council shall honor the request and formal acceptance shall be ratified by the regular meeting of the Voters' Assembly, provided the request is accompanied by a letter of transfer or other recommendation from a sister congregation.

2. Other means of acceptance are:
 - a. Through consent of one or both parents in the case of children who have been baptized into the Christian faith by another Christian congregation.
 - b. Through profession or reaffirmation of faith provided the qualifications for membership as specified in Article V Section 2-D of the Constitution have been met.
 3. Since reception into membership signifies acceptance and submission to this Constitution and By-Laws, each family shall be given a copy of the same prior to their reception, so that they may become familiar with its provisions.
- B. Transfer and Release from membership
1. Those desiring a transfer or release from membership shall bring their request to the attention of the pastor or Board of Elders for action by the Voters' Assembly at the next meeting.
 2. Transfer of membership shall apply only to those who desire membership in a congregation which is in agreement with this congregation in doctrine and practice.
 3. Release of membership shall apply only to those who desire membership in a congregation which is not in agreement with this congregation in doctrine and practice.

Article VII Rules of Order

- A. In addition to principles laid down in Scripture, the latest edition of Robert's Rules of Order shall serve as a guideline in conducting all meetings.

Article VIII Amendments of By-Laws

- A. These By-Laws may be amended, repealed or altered in a properly convened meeting of the Voters' Assembly by a majority of all voting members present, provided the proposed change has been announced in a previous meeting and placed on the agenda and has been properly announced in the required church services.