

# **CONSTITUTION**

## **LIVING FAITH**

**(CLBA) WATFORD CITY, NORTH DAKOTA 58854**

**(CHANGES ADOPTED AT LIVING FAITH CONGREGATIONAL MEETING JANUARY 2014)**

### **ARTICLE I NAME**

The name of this congregation is Living Faith (CLBA) of Watford City, North Dakota.

### **ARTICLE II SYNODICAL AFFILIATION**

This congregation shall be affiliated with the Church of the Lutheran Brethren of America and incorporated under the laws of the State of North Dakota.

### **ARTICLE III CONFESSION OF FAITH**

1. The Bible, including both Old and New Testaments as originally given, is the verbally and plenary inspired Word of God and is free from error in the whole and in the part, and is therefore the final authoritative guide for faith and conduct.
2. There is one God eternally existent in three distinct persons in one divine essence, Father, Son, and Holy Spirit.
3. God the Father has revealed Himself as the Creator and preserver of the universe, to whom the entire creation and all creatures are subject.
4. God created Adam and Eve in His image to live in fellowship with Him. They fell into sin through the temptation of Satan and thereby lost fellowship with God. Through their disobedience the entire human race became totally depraved, that is, self-centered sinners who oppose God, and who by nature are unable to trust, fear or love Him. They are subject to the devil and are condemned to death under the eternal wrath of God.
5. Jesus Christ, the Eternal Son, is the image of the invisible God. To accomplish our redemption, He became fully human, being conceived of the Holy Spirit and born of the Virgin Mary. Jesus Christ, who is true God and true man, by His perfect obedience and substitutionary death on the cross, has purchased our redemption. He arose from the dead for our justification in the body in which He was crucified. He ascended into heaven, where He is now seated at the right hand of God, the Father, as our interceding High Priest. He will come a second time personally, bodily, and visibly to gather the believers unto Himself and to establish His millennial kingdom.

He will judge the living and the dead and make an eternal separation between believers and unbelievers. His kingdom shall have no end.

6. The Holy Spirit is a divine person eternally one with the Father and with the Son. Through the Word of God, He convicts people of sin, persuades them to confess their sinfulness to God and calls them to faith through the Gospel. He regenerates, sanctifies, and preserves believers in the one true faith. He comforts, guides, equips, directs and empowers the church to fulfill the great commission.

7. The knowledge and benefit of Christ's redemption from sin is brought to the human race through the means of grace, namely the Word and the sacraments.

a. Through the Word of the Law, God brings sinners to know their lost condition and to repent. Through the Word of the Gospel, He brings sinners to believe in Jesus Christ, to be justified, to enter the process of sanctification, and to have eternal life. This occurs as the Holy Spirit awakens them to see their sin, convicts them of their guilt of sin, and calls them to repent and believe, inviting and enabling them to accept God's grace in Christ. Each one who thus believes is instantly forgiven and credited with Christ's righteousness. The Word then teaches and guides the believer to lead a godly life.

b. In the Sacrament of Baptism, God offers the benefits of Christ's redemption to all people and graciously bestows the washing of regeneration and newness of life to all who believe. God calls the baptized person to live in daily repentance, that is, in sorrow for sin, in turning from sin, and in personal faith in the forgiveness of sin obtained by Christ. By grace we are daily given the power to overcome sinful desires and live a new life in Christ. Those who do not continue to live in God's grace need to be brought again to repentance and faith through the Law and Gospel.

Because the sinfulness of human nature passes on from generation to generation and the promise of God's grace includes little children, we baptize infants, who become members of Christ's believing church through baptism. These children need to come to know that they are sinners with a sinful nature that opposes God. Through the work of the Holy Spirit, they need to confess their sinfulness and yield to God; and possess for themselves forgiveness of their sin through Jesus Christ, as they are led from the faith received in infant baptism into a clear conscious personal faith in Christ as their Lord and Savior and being assured of salvation, rely solely on the finished work of Christ, and the power of the Gospel to live as children of God.

c. The Sacrament of Holy Communion, Christ gives to the communicants His body and blood in, with, and under the bread and wine.

He declares the forgiveness of sin to all believers and strengthens their faith.

8. Eternal salvation is available to every living human being on earth by God's grace alone through faith alone in Christ alone. This salvation consists of an instantaneous aspect and an ongoing, continual aspect.

a. Justification is God's gracious act by which He, for Christ's sake, instantaneously acquits repentant and believing sinners and credits them with Christ's righteousness. At that moment, God gives each one who believes a new and godly nature and the Holy Spirit begins the process of sanctification. There is no place for human effort in justification.

b. Sanctification is God's gracious, continual work of spiritual renewal and growth in the life of every justified person. Through the means of grace, the Holy Spirit works to reproduce the character of Christ within the lives of all believers, instructing and urging them to live out their new nature. The Holy Spirit enables believers more and more to resist the devil, to overcome the world, and to count themselves dead to sin but alive to God in Christ Jesus. The Holy Spirit produces spiritual fruit in and bestows spiritual gifts upon all believers. He calls, empowers, and equips them to serve God in the home, in the community, and as part of the Church Universal. The process of sanctification will be complete only when the believer reaches glory.

9. The Church Universal consists of all those who truly believe in Jesus Christ as Savior. The local congregation is an assembly of believers in a certain locality among whom the Gospel is purely taught, and the sacraments are rightly administered. The confessing membership of the local congregation shall include only those who have been baptized into "the name of the Father, and of the Son and of the Holy Spirit," confess personal faith in the Lord Jesus Christ, maintain a good reputation in the community and accept the constitution of the Church of the Lutheran Brethren. It cannot, however, be avoided that hypocrites might be mixed in the congregation; that is, those whose unbelief is not evident to the congregation.

10. The Church of the Lutheran Brethren practices the congregational form of church government and the autonomy of the local congregations. The office of pastor and elder is to be filled by men only. The synodical administration has an advisory function as it relates to the congregation, and an administrative function as it relates to the cooperative efforts of the congregations.

11. The Lutheran confessions are a summary of Bible doctrine. We adhere to the following confessional writings: The Apostles' Creed, Nicene and Athanasian Creeds, unaltered Augsburg Confession, and Luther's Small Catechism.

## ARTICLE IV MISSION STATEMENT

Our mission is in accordance with the teaching and example of Christ and the Apostles: to win souls for Christ by the preaching of the Word and personal witnessing, and to strengthen the believers through Christian fellowship in the Word and Sacraments.

## ARTICLE V MEMBERSHIP

Members of the congregation are classified as Confessing Members and/or Baptized Children of the Congregation.

1. **Confessing members:** Confessing members shall have been baptized into “the name of the Father, and the Son and of the Holy Spirit,” confess personal faith in the Lord Jesus Christ, maintain a good reputation in the community and accept this constitution. All requests for confessing membership are made to the Board of Elders, which recommends candidates to the congregation. Baptized children of the congregation who have become confessing Christians may request confessing membership when they reach confirmation age. Only confessing members of the congregation who have reached the voting age of 18 years may vote at congregational business meetings. They shall not have membership in any secret society or other organization, which in its official statements or rites assert that individuals are reconciled to God outside of Jesus Christ and his atonement.

2. **Baptized children** of the congregation: Children baptized in the congregation and all baptized children of confession members shall be designated baptized children of the congregation. This status continues until they reach the voting age, or is accepted as confessing members of the congregation, whichever occurs first. Those not requesting adult membership shall become parishioners.

The congregation shall diligently guide these children and youth by teaching the Word of God and modeling godly attitudes and behavior. Every congregation shall arrange for Sunday schools, Bible schools, youth ministries, pastoral instruction, confirmation and other Christian training programs. These young people shall be made the objects of prayer as the congregation seeks to guide them to conscious faith, spiritual growth and confessing membership in the church.

## **ARTICLE VI CHURCH BOARDS AND OFFICIERS**

### **1. Christ is the head of the church**

Christ is the Head of the Church. Through His Spirit He guides the Church by His Word. According to his Word, He bestows upon the Church of grace necessary for the effectual performance of its various ministrations. Among these ministrations we especially emphasize the office of the pastor, and teaching and governing elders. [Acts 14:23; 20:17, 28; Titus 1:5; I Peter 5:1-4; I Thessalonians 5:12, 13; Ephesians 4:11; 2 Timothy 4:5; Acts 6:2-6; Philippians 1:1]

### **2. Church Council**

At the congregational level, we follow the New Testament model of choosing elders and trustees in organizing the leadership team. The Pastors, Elders and Trustees constitute the Church Council and to this body the congregation as a whole commits its direction. The Church Council acts for the church in all matters pertaining to the spiritual and temporal affairs of the congregation. It may delegate, as appropriate, business or ministry functions to the Finance and Property Committee (Trustees) and other ministry committees established by the congregation. No organization under the jurisdiction of the congregation shall organize or disband without the approval of the Church Council. Elections and other matters of primary importance shall be considered by the Church Council before being brought to the business meeting of the congregation for discussion and final decision.

### **3. Officers**

#### **a) Chairman**

The chairman of the congregation leads the business meetings of the congregation and chairs the Church Council. He shall, in consultation with the Church Council, set the agendas for the meetings. Candidates for the position shall be members of the Church Council. The congregation at its annual meeting elects the chairman for a one-year term.

#### **b) Vice-Chairman**

The vice-chairman, in the absence of the chairman, leads the business meeting of the congregation and chairs the Church Council. Candidates for the position shall be members of the Church Council. The congregation at its annual meeting elects the vice-chairman for a one-year term.

#### **c) Secretary**

The vice-chairman, in the absence of the chairman, leads the business meeting of the secretary records and maintains the minutes and correspondence

congregational business meeting. The secretary shall be a confessing member of the congregation. The congregation at its annual meeting elects the secretary for a one-year term.

**d) Treasurer**

The treasurer maintains the financial records of the congregation. He/she deposits funds, pays all authorized expenses, issue receipts to donors and provide monthly financial reports to the Church Council and to the congregational business meetings. The treasurer shall be a confessing member congregation and a member of the Finance and Property Committee (Trustees). The congregation at its annual meeting elects the treasurer for a one-year term.

## **ARTICLE VII PROPERTY**

All property of the congregation shall be deeded to the congregation itself and held in its corporate name. No property of the congregation shall be sold, leased, or mortgaged or otherwise disposed of without the same having first been approved by a two-thirds (2/3) vote of the membership in attendance at a business meeting duly called for the specific consideration of the proposal. The secretary of the congregation and the chairman of the congregation shall certify in such conveyance, lease, or mortgage, that the same has been duly authorized and approved by the congregation.

## **ARTICLE VIII DISSOLUTION**

Upon dissolution of the congregational corporation or the winding down of its affairs, the assets of the corporation shall be distributed exclusively to an organization(s) which qualifies under the provisions of section 501 (c) (3) of the Internal Revenue Code and its regulations as they now exist or as they may hereafter be amended, and in accordance with the following provision:

If a division should ever occur in this congregation, it's properties and assets shall belong to that part of the congregation which abides by this constitution and votes to retain its membership in the church of the Lutheran Brethren of America, whether that part be in the majority or minority. In the event that this congregation is dissolved, the property shall be deeded over to the Church of the Lutheran Brethren of America. This paragraph is unalterable as long as the Church of the Lutheran Brethren of America makes no changes to its Statement of Faith.

## **ARTICLE IX AMENDMENTS**

This Constitution can be amended by the Annual Meeting only and requires a three-fourths (3/4) majority vote. Such an Amendment must be proposed to the Board of Elders one (1) month prior to the Annual Meeting. An amendment must be approved by the Board of Elders to be permitted at the Annual Meeting.

# **BY-LAWS TO THE CONSTITUTION**

## **ARTICLE I MEETINGS**

### **SECTION 1. Services of the Congregation shall include:**

1. Sunday services consisting of Sunday school classes for all ages, and worship service(s). These shall be conducted in a free and orderly manner.
2. A Holy Communion service, which shall be held as often as determined by the Pastors and Elders.

### **SECTION 2. Business Meetings of the Congregation:**

1. The congregation's fiscal year extends from January 1 through December 31.
2. The General Business Meeting of the Congregation has the highest authority to make decisions. There shall be two kinds of General Business Meetings: namely, the Annual Meeting and Special Meetings.
3. The Annual Meeting shall be held in January, at which time the following items of business shall be transacted:
  - a. Each confessing member shall receive and be prepared to discuss written reports from the Pastor, Secretary, Treasurer, Auditors, and heads of each of the other departments and committees.
  - b. Adopting a budget for the coming year.
  - c. Adopting plans and recommendations regarding spiritual and material developments in our congregation.
  - d. Electing and appointing the necessary officers and committees for the coming year.
4. Special Meetings shall be held quarterly, with the date being set at the previous business meeting. Any other special meetings may be held when the Board of Elders deem it necessary or when desired by two thirds of the confessing



membership. All meetings shall be announced at least one Sunday prior to their occurrence.

5. A quorum shall be forty percent (40%) of the active resident confessing members of voting age, (attendance necessary to conduct business). All confessing members of this congregation, who have reached legal voting age of eighteen (18) years, shall have the right to vote and to be elected. Except for Elder and Pastor, those candidates receiving the most votes shall be elected.
6. All meetings of the Church shall be conducted according to Robert's Rules of Order.

## **ARTICLE II MEMBERSHIP**

### **SECTION 1: Procedure for receiving Confessing Members into the Church:**

1. Anyone desiring membership in this church must be examined by the Pastor and Elders and be recommended by them to the congregation. At a General Business Meeting, at least one week after the recommendation of the Elder Board and announcement of such recommendation to the congregation at the Sunday Morning Worship Service, they shall be accepted and recognized as confessing members of this church by the vote of the congregation.
2. Anyone who desires to become a confessing member of this congregation by transfer from another congregation, shall present a letter of transfer to the Board of Elders, and be examined and approved in the same manner as described in Article II of the By-laws, Section 1, Item 1.
3. A member who desires to be transferred to another congregation shall ask the Pastor for a letter of recommendation. The Pastor shall issue the same after it has been approved by the Board of Elders. When notified that the person being transferred has been received as a member of the congregation to which he or she has been transferred, the name of such shall be stricken from the membership roll of this congregation.

### **SECTION 2: The responsibilities of the member:**

1. It is expected that each member will pray for, and as far as possible, be present and take part in the meetings of the Church.
2. It will also be expected that each will contribute to the support of the Church as God has prospered them.

### **SECTION 3: The discipline of the members:**

1. The Church takes heed to exercise careful watch over the faith and conduct of its members. If it is discovered that a member is not true to the faith set forth in Article III, or that their conduct brings disgrace to the Christian Church, or that they are apparently staying away from the Church without a good reason, a special effort constrained by love shall be made to help the erring one unto repentance and restoration through the means of exhortation from the Word and brotherly intercession. If there is no response, discipline will be exercised by the Board of Elders according to: Matthew 18: 15-18, I Corinthians 5, and/or I Timothy 5:19, 20.
2. Those members who are absent for a year without giving support, or who show no interest in the congregation, shall be dropped from the membership upon recommendation by the Board of Elders and vote of the congregation.

## **ARTICLE III THE CHURCH COUNCIL**

### **SECTION 1: The Church Council shall consist of the Board of Elders and the Board of Trustees:**

1. The Board of Elders shall include the Pastor(s) and the other Elders.
2. The Board of Trustees shall include the Trustees, the Secretary, and the Treasurer, the latter two without voting power.

### **SECTION 2: Decisions of the Council**

1. Next to the congregation, the Church Council has the highest authority to make decisions.
2. It is understood, therefore, that any decisions or program initiated by either of the two boards is subject to approval of the congregation.

### **SECTION 3: The duties of the Church Council are as follows:**

#### **1. The Board of Elders:**

- a. The Pastor shall be recognized as the Shepherd of the Flock, and as such, shall give his time to watching over the spiritual welfare of the church. He shall be responsible for the preaching of the Word; the administering of the sacraments; and other necessary ministerial acts. He shall also take charge of the teaching and visitation ministry of the church and shall encourage its members in practical Christian work.

b. The Elders shall be recognized as the spiritual overseers of the church, together with the Pastor, and shall be responsible for such things as: an annual ministry plan, executing plans for evangelism, examining candidates for baptism and church membership, church discipline, etc. In the absence of the Pastor, they shall be responsible for the regular services and work of the church.

## **2. The Board of Trustees:**

a. The Trustees shall be recognized as the financial overseers of the church and shall be responsible for such things as the management and care of the church property and securing necessary funds for the general expenses and salaries to operate the church.

b. The Secretary shall keep a record of all the meetings of the congregation and church council, the church membership record, the ministerial acts, and other necessary files of the church.

c. The Treasurer shall keep an accurate account of the church funds and be prepared to give a report of the congregational and church council meetings.

## **SECTION 4: The Church Council shall be elected as follows:**

### **1. Pastor(s):**

a. **Call Process:** The voting membership is responsible for calling the pastor(s) of the congregation. A call committee shall be appointed by the Board of Elders. The call committee shall be made up of five to seven people, reflecting a balance of elders and other representatives of the congregation. The call committee shall interview possible candidates and prepare a recommendation for the congregation. The call process shall be conducted in harmony with the CLB documents entitled The Pastoral Calling Process and The Pastoral Office Policies of the Church of the Lutheran Brethren. The letter of call shall be approved by a minimum of two-thirds of the voting membership at a duly called congregational business meeting.

b. **Pastoral Work:** The pastor shall conduct himself and his ministry according to the guidelines set forth in the synodical policy statement entitled, The Pastoral Office Policies of the Church of the Lutheran Brethren. He shall follow the Ministerial Acts of the Church of the Lutheran

Brethren in leading the services of the church and conduct regular membership classes.

c. Dismissal: The dismissal of a pastor shall take upon the recommendation of the Church Council at a duly called business meeting of the congregation. The dismissal requires approval by a minimum of two-thirds of the voting membership present at the meeting. If dismissed, the pastor shall be provided his current compensation package, prorated for one month per year of former service within the congregation, for a maximum of three months, or until he is placed in another call or other employment, whichever occurs first. If he is living in a parsonage he is entitled to remain in the parsonage for up to three months.

d. Resignation: The resignation of a pastor shall be accepted by a simple majority vote of the members present at duly called congregational business meeting. The pastor's departure from the congregation shall take place within a negotiated period of one to three months.

## **2. Elders:**

When the congregation feels that any male members have the necessary gifts and qualifications, they may, upon recommendation from the Board of Elders, elect them by a three-fourths (3/4) majority vote. They shall be installed into the office by the congregation and shall be elected for a term of three years. If practical, after serving two, three-year terms the elder will be given a one-year leave before returning to active service upon affirmation by the congregation. An elder who violated the responsibilities of his office may be removed from office by applying the following procedures based on Matthew 18:15-17 and 1 Timothy 5:19: An elder or other member of the congregation must bring the charge before the Church Council, which will review its validity. The elder in question shall have opportunity to answer the charge before the council. If by a majority vote, the council concurs with the charge, the elder shall forfeit his position and duties, or be allowed to resign gracefully. If the elder feels he has been unfairly treated, he may request that the matter be referred to a duly called congregational business meeting for a vote. His removal from office by the congregation requires approval by a minimum of two-thirds of the voting membership present at the meeting.

## **3. Trustees:**

As many trustees as are considered necessary shall be elected for a term of three years, with one third of them being elected each year.

#### **4. The Secretary and Treasurer:**

Shall be elected for a term of one year.

#### **5. In case of a vacancy**

In case of a vacancy created by resignation in any office or Committee (except Elder or Pastor), the church council shall appoint a replacement until the Annual Meeting.

### **ARTICLE IV OTHER CHURCH OFFICERS AND COMMITTEES**

1. Sunday School Superintendent and the head of any other organization or committee shall be elected for a term of one year and shall be responsible for the supervision of their departments.
2. Chairman of the Church: The congregation annually elects a Chairman who shall lead all meetings of the Congregation. The Chairman shall be a member of the Church Council.
3. Auditors: Two Auditors shall be elected by the Congregation annually. They shall examine the financial records of the church and submit a report to the Annual Meeting.
4. Finance and Property Committee (Trustees):
  - a. Manage the financials of the congregation and the day-to-day business of all real and personal properties belonging to the congregation on behalf of the Church Council, and submit financial reports, minutes from its business meetings and proposals to the Church Council.
  - b. Transact all other business of the congregation assigned to it by the congregational meeting or by the Church Council.
  - c. Maintain the congregational property and buildings.
  - d. Submit to the Church Council, three weeks prior to the congregational annual meeting, and a budget for the coming year.

## **ARTICLE V LIMITS TO EXPENDITURES**

Non-budgeted expenditures, such as unforeseen repairs or replacements, special opportunities, shall be approved by the Board of Trustees. Expenditures exceeding \$15,000.00 must be approved by the congregation, except any emergencies to protect the assets of the corporation.

## **ARTICLE VI THE BOARD OF CHRISTIAN EDUCATION**

### **SECTION 1: Purpose:**

1. The overall purpose of the Board of Christian Education will be that of Article IV of the Church Constitution.
2. Specifically, the purpose of the Board of Christian Education will be to provide, promote, maintain and direct educational programs of the congregation: such as Sunday School, Lutheran Brethren Youth Fellowship, Vacation Bible School, Younger Youth Bible Clubs, and to select materials and teachers to conduct these activities. The Board shall also be responsible for the choice and distribution and sale of all literature in the church (tracts, books, church library).
3. The Board will plan, coordinate and promote the entire educational program of the church. This includes, but is not limited to, the Sunday School, Vacation Bible School, Leadership Training, Lutheran Brethren Youth Fellowship, Younger Youth Bible Clubs and Children's Church.
4. The Board will approve or adopt all curriculum and teaching material used in the church's educational program.
5. In cooperation with other boards, it will assign space for meeting facilities and equipment to be used.
6. The Board will be responsible for a continuous program of recruiting and training leaders, teachers, counselors and other workers in Christian education.
7. The Board will make and submit each year a budget for the needs of Christian education for the coming year to be included in the total church budget.
8. The Board will decide policy and standards for both personnel and the educational agencies.

## **SECTION 2: Membership of the Board of Christian Education:**

1. The Board of Christian Education shall consist of five (5) members: the Pastor, Sunday School Superintendent, one Elder, (Elder to be elected from within its own respective board) and two members to be elected from the membership of the church, elected by the congregation at the Annual Meeting. For the first year, one will be elected for a two-year term, the other for a one-year term.

## **SECTION 3: Organization:**

1. The chairman shall be elected annually by the Board of Christian Education. He/she shall have the power to appoint such subcommittees as are needed to fulfill the duties and responsibilities of the Board. He/she shall preside over all board meetings.
2. The secretary of the Board shall be selected by the Board annually to fulfill the following duties: notify members of meetings, enter accurate minutes of proceedings in an official records book, and be responsible for other duties assigned by the chairman.
3. The vice-chairman shall be selected by the Board annually to serve in the absence of the chairman.

## **ARTICLE VII AMMENDMENTS TO THE BY-LAWS**

These by-laws shall be amended only when a motion to that effect has been made at a previous general business meeting of the congregation. Such proposals shall be submitted to the Board of Elders for review and processing for the next general business meeting. The motion shall be discussed and voted upon at the next general business meeting of the congregation. Its adoption requires a two-thirds (2/3) majority of the votes cast.

## **APPENDIX**

The officers of this church shall be elected by the confessing members as they are led of the Holy Spirit through fasting and prayer, and they shall be installed the following Sunday morning.

Our hearts desire and prayer for this church is that it shall continue to be spiritual witness to the glory of God and the salvation of souls, and that the members shall always be faithful to the Articles of this Constitution.