



## Upper Susquehanna Synod Evangelical Lutheran Church in America

God's work. Our hands.

### Procedure for updating a congregation's constitution

“When a Churchwide Assembly amends provisions in the *Model Constitution for Congregations of the Evangelical Lutheran Church in America* [\*C16.04.] specifies the way in which a congregation may incorporate those amendments into the congregation's constitution”<sup>1</sup> [see reference below]

For congregations to remain with the ELCA they need to ensure their constitutions do not conflict with the constitution and bylaws of the ELCA; therefore, whenever a congregation wants to amend its constitution it must adopt at the same time those amendments required by the Churchwide Assembly.

The Constitution Committee of the Upper Susquehanna Synod strongly encourages congregations to consult the *Guide for Use of the Model Constitution for Congregations* as they seek to amend their constitutions. The committee recommends the following procedure for congregations of the Upper Susquehanna Synod to ensure proper review and approval of amendments.

1. Congregations should review their constitutions at least every three years in order to keep current with amendments adopted by the triennial Churchwide Assembly.
2. Any proposals to amend the congregation's constitution should be submitted to the bishop's office prior to a congregation vote, allowing sufficient time for review by the synod constitution committee (two months or more). If the amendments are strictly verbatim from Churchwide Assembly this step may be skipped.
  - a. Whenever possible submissions should be by email to [info@uss-elca.org](mailto:info@uss-elca.org). Hardcopy may be sent to Upper Susquehanna Synod, P.O. Box 36, Lewisburg PA 17837
3. Once proposed amendments are received the chair of the Constitution Committee will assign two members of the committee to review them. Comments and recommendations from the reviewers will be given to the chair who will send a report to the congregation.
4. Congregations will incorporate the recommendations from the committee and adopt the amendments at a legally called meeting of the congregation, adhering to the appropriate chapters of the current constitution regarding amendment.
5. Upon adoption of the amendments by the congregation, submit a copy of the amended constitution to the bishop's office along with certification of the congregation's action using a form such as that below.
  - a. [CONGREGATION NAME], at a legally called meeting on [DATE ], a quorum being present, adopted amendments to its constitution, bylaws [and continuing resolutions]. These amendments will take effect no later than [specify a time at least two months from the date of adoption]. In accordance with Chapter 16/17 of the *Model Constitution for Congregations of the Evangelical Lutheran Church in America* we enclose a copy of the amended constitution, bylaws [and continuing resolutions] with this certification.  
Certified by  
Congregation Secretary                                  Congregation President
  - b. As above, submit this certification by email to [info@uss-elca.org](mailto:info@uss-elca.org), or hardcopy to Upper Susquehanna Synod, P.O. Box 36, Lewisburg PA 17837.

<sup>1</sup> From *Guide for Use of the Model Constitution for Congregations*; available on the ELCA website.

6. The Secretary of the synod or her/his designee will review the amended constitution and issue a notice of approval within one month of receiving the certification.

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## Chapter 16.

### AMENDMENTS

- \*C16.01.** Unless provision \*C16.04. is applicable, those sections of this constitution that are not required, in accord with the *Model Constitution for Congregations of the Evangelical Lutheran Church in America*, may be amended in the following manner. Amendments may be proposed by at least \_\_\_\_\_ voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the congregation's members of the proposal together with the council's recommendations at least 30 days in advance of the meeting. Notification may take place by mail or electronic means, as permitted by state law.
- \*C16.02.** An amendment to this constitution, proposed under \*C16.01., shall:
- be approved at a legally called Congregation Meeting according to this constitution by a majority vote of those voting members present and voting;
  - be ratified without change at the next annual meeting by a two-thirds vote of those voting members present and voting; and
  - have the effective date included in the resolution<sup>2</sup> and noted in the constitution.
- \*C16.03.** Any amendments to this constitution that result from the processes provided in \*C16.01. and \*C16.02. shall be sent by the secretary of this congregation to the synod. The synod shall notify the congregation of its decision to approve or disapprove the proposed changes; the changes shall go into effect upon notification that the synod has approved them.
- \*C16.04.** This constitution may be amended to bring any section into conformity with a section or sections, either required or not required, of the *Model Constitution for Congregations of the Evangelical Lutheran Church in America* as most recently amended by the Churchwide Assembly. Such amendments may be approved by a majority vote of those voting members present and voting at any legally called meeting of the congregation without presentation at a prior meeting of the congregation, provided that the Congregation Council has submitted by mail or electronic means, as permitted by state law, notice to the congregation of such an amendment or amendments, together with the council's recommendations, at least 30 days prior to the meeting. Upon the request of at least two (2) voting members of the congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of the congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following a vote of approval.

## Chapter 17.

### BYLAWS

- \*C17.01.** This congregation may adopt bylaws. No bylaw may conflict with this constitution.
- \*C17.02.** Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a two-thirds vote of those voting members present and voting.
- \*C17.03.** Changes to the bylaws may be proposed by any voting member, provided that such additions or amendments be submitted in writing to the Congregation Council at least 60 days before a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the congregation's members of the proposal with the council's recommendations at least 30 days in advance of the Congregation Meeting. Notification may take place by mail or electronic means, as permitted by state law.
- \*C17.04.** Approved changes to the bylaws shall be sent by the secretary of this congregation to the synod.

## Chapter 18.

### CONTINUING RESOLUTIONS

- \*C18.01.** The congregation in a legally called meeting or the Congregation Council may enact continuing resolutions. Such continuing resolutions may not conflict with the constitution or bylaws of this congregation.
- \*C18.02.** Continuing resolutions shall be enacted or amended by a majority vote of a meeting of the congregation or a two-thirds vote of all voting members of the Congregation Council.

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<sup>2</sup> Such an effective date must be stated in relation to the requirements of \*C16.03. to allow time for synodical review of the amendment.