

CONSTITUTION AND BYLAWS
Northeastern Pennsylvania Synod,
Evangelical Lutheran Church in America

Chapter 13
CONGREGATIONS

- *S13.01.** Each congregation, except those certified as congregations of the Evangelical Lutheran Church in America by the uniting churches, prior to being listed in the register of congregations of this Synod, shall adopt the Model Constitution for Congregations or one acceptable to this Synod, which is not in contradiction to the constitution and bylaws of the Evangelical Lutheran Church in America.
- a. **New Congregations.** A congregation newly formed by this church and any congregation seeking recognition and reception by this church shall:
 - 1) Accept the criteria for recognition and reception as a congregation of this church, fulfill the functions of the congregation, and accept the governance provisions as provided in Chapter 9 of the ELCA constitution and bylaws.
 - 2) Adopt governing documents that include fully and without alterations the Preamble, Chapter 1, where applicable, and all required provisions of Chapters 2, 3, 4, 5, 6, 7, 8, 9, 15, 16, 17, and 18 in the *Model Constitution for Congregations* consistent with requirements of this constitution and the constitution of this church. Bylaws and continuing resolutions, appropriate for inclusion in these chapters and not in conflict with these required provisions in the *Model Constitution for Congregations*, the constitution of this synod, or the *Constitution, Bylaws, and Continuing resolutions of the Evangelical Lutheran Church in America*, may be adopted as described in Chapter 16 of the *Model Constitution for Congregations*.
 - 3) Accept the commitments expected of all congregations of the ELCA as stated in *C6.01., *C6.02., and *C6.03. of the *Model Constitution for Congregations*.
 - b. **Congregations from another church body.** If a congregation is a member of another church body, the leaders of the congregation first should consult with the appropriate authorities of that church body before taking action to leave its current church body. After such consultation, leaders of the congregation should make contact with the ELCA Synod Bishop or staff where the congregation is located.
 - c. **Recognition and reception.** Recognition and reception into this church of transferring or independent congregations by the Evangelical Lutheran Church in America is based on the judgment of the Synod and action by the synod through the Synod Council and Synod Assembly. The synod bishop shall provide for prompt reporting of such additions to the Secretary of this church for addition to the register of congregations.
- *S13.02.** It shall be the responsibility of each congregation of this synod annually to choose from among its voting members laypersons to serve as members of the Synod Assembly as well as persons to represent it at meetings of any conference, cluster, coalition, or other area subdivision of which it is a member. The number of persons to be elected by each congregation and other qualifications shall be as prescribed in guidelines established by this synod.

S13.11. When a pastor, an associate in ministry, a deaconess, or diaconal minister resigns a call, the Congregation Council shall receive the letter of resignation, report it to the congregation, and at once notify the Bishop of this Synod.

S13.12. A congregation under financial obligation to its former pastor, associate in ministry, deaconesses, or diaconal minister shall make satisfactory settlement of the obligation before calling a successor.

S13.21. The alignment of congregations in pastoral charges, the location or relocation of a congregation's building, and the merger, consolidation, or dissolution of a congregation in any alignment, shall require the approval of the Synod Assembly or the Synod Council.

BLS13.21.The term “pastoral charge” shall mean the basic unit of pastoral care in charge of at least one pastor. The word “congregation” shall mean the basic unit into which are organized persons baptized in the faith confessed in the laws of the church. A pastoral charge may include one or more congregations. When a pastoral charge contains only one congregation it may be referred to interchangeably by either term.

***S13.22. Each congregation of the Evangelical Lutheran Church in America within the territory of this Synod, except those which are in partnership with the Slovak Zion Synod, shall establish and maintain a relationship with this Synod.**

***S13.23. Provision 9.71. of the ELCA constitution shall govern the relationship of this Synod and a congregation of this Synod regarding the property of the congregation. This synod may transfer or convey property to a congregation of the synod, subject to restrictions accepted by the congregation, including provision that if the Synod Council, in its sole and exclusive discretion, determines (1) that the property is not being used to serve the mission and ministry needs of this church, or (2) that the congregation has transferred, encumbered, mortgaged, or in any way burdened or impaired any right, title, or interest in the property without the prior approval of the Synod Council, then title to the property shall revert to the synod, and the congregation, upon written demand, shall reconvey the property to the synod.**

S13.24. If any congregation of this Synod has disbanded, or if the members of a congregation agree that it is no longer possible for it to function as such, or if in the opinion of the Synod Council the membership of a congregation has become so scattered or so diminished that it is necessary for this Synod to protect the congregation's property from waste and deterioration, the Synod Council, itself or through trustees appointed by it, may take charge and control of the property of the congregation to hold, manage, and convey the same on behalf of this Synod. The congregation shall have the right to appeal the decision to the Synod Assembly.

S13.25. This Synod may temporarily assume administration of a congregation upon its request or with its concurrence.

S13.30. Discipline

***S13.31. Congregations and members of congregations are subject to discipline in accordance with the provisions of Chapter 20 of the ELCA constitution and bylaws.**

BLS13.31. The provisions of the ELCA constitution 20.11. through 20.16., inclusive, and of the ELCA bylaws 20.31.01. through 20.31.05., inclusive, with respect to congregations are incorporated herein by reference. The provisions of the ELCA constitution 20.11. through 20.16., inclusive, and of the ELCA bylaws 20.41.01. through 20.41.05., inclusive, with respect to members of the congregations are incorporated herein by reference.