

**BY-LAWS**  
For  
**Hope Lutheran Church, Virginia Beach, Inc.**

**Article I: Baptized Member**

A Baptized Member is an individual who has been baptized in the name of the Triune God and is under the spiritual care of this congregation.

**Article II: Communicant Member**

A Communicant Member is a Baptized Member who has accepted and believes the doctrinal standards of Constitution Article IV and has been received by this congregation through the rite of confirmation, by transfer from a partner congregation, by profession of faith, or by reaffirmation of faith. A person will remain a Communicant Member until their membership is terminated as per By-Laws Article V.

**Article III: Voting Member**

- A. A Voting Member is a Communicant Member who:
1. Is least 18 years of age;
  2. Has attended a Voters' Assembly and was a Communicant Member for at least sixty days prior to the date of that meeting;
  3. Has expressed a desire to become a Voting Member at that assembly; and
  4. Was accepted by the majority of the Voting Members present at that assembly.
- B. A person will remain a Voting Member as long as he/she remains a Communicant Member.

**Article IV: Responsibilities of Membership**

- A. It shall be the responsibility of all Baptized Members of Hope Lutheran Church to grow in faith by:
1. Regular attendance in worship and Christian education programs;
  2. Conforming their lives to their baptismal vows;
  3. Attending confirmation classes and instruction on Holy Communion.
- B. It shall be the responsibility of all Communicant Members of Hope Lutheran Church to:
1. Acknowledge Jesus Christ as Savior and Lord;
  2. Participate in worship services regularly;
  3. Participate in the Lord's Supper frequently;
  4. Participate in small groups, Bible studies, and/or Christian fellowship;

5. Discover, develop, and use their Spiritual gifts to spread the Gospel of Jesus Christ;
  6. Contribute regularly and faithfully, through tithes and offerings, toward the building of Christ's Kingdom in the Congregation and throughout the world;
  7. Provide a setting for sharing Christian values from generation to generation;
  8. Support the Pastors and staff financially within the means of the congregation, and through prayer, honor, and respect for their ministry.
- C. It shall be the duty of all Voting Members to:
1. Conscientiously and prayerfully exercise the right to vote in all matters placed before them.
  2. Encourage others to be active in accepting the responsibilities and privileges of voting membership.
  3. Willingly serve in any office or capacity for which their spiritual gifts equip them.

### **Article V: Termination of Membership**

- A. Transfers: A member desiring transfer to another congregation shall make that fact known to the Senior Pastor. The Senior Pastor shall initiate the transfer by letter of transfer to the receiving congregation.
- B. Abandonment or Whereabouts Unknown: The names of members who abandon the church for over one year or whose whereabouts are unknown and cannot be established after a period of one year will be removed from membership.
- C. Discipline: When a member persists in living as manifest and impenitent sinners, despite reasonable attempts to affect reconciliation, their names will be removed from membership by two-thirds vote of the Voters' Assembly.
- D. Request from the member: If a member requests to be released from membership, the Senior Pastor shall initiate the peaceful release from the membership roster.
- E. Death of a member: Upon the death of a member, the procedures identified in the Hope Lutheran Church Policy Manual shall be followed.
- F. Rights and Restoration: Persons whose membership has been properly terminated forfeit all rights as members of the congregation and all claims upon the property of the congregation as such, or upon any part thereof, so long as they are not reinstated into membership. Restoration of membership, under the provisions of the Constitution and By-Laws may take place upon the recommendation of the Senior Pastor.

### **Article VI: Voters' Assembly**

- A. The Voters' Assembly shall meet at least twice a year. The election of the Church Council members and the approval of the annual operating budget will take place a reasonable time prior to the start of the church's fiscal year. Except for the requirements identified in Article XII of the Constitution and Article XVIII of the By-Laws, the time and date of the meeting shall be set by the Church Council and announced in the congregational newsletter, the service bulletin, and/or by written notification mailed to

Voting Members at least 21 days in advance. The announcement/notification shall contain an agenda of items to be considered at that Voters' Assembly.

- B. No issue will be submitted to the Voting Members for a vote unless the issue has been placed on the agenda and announced in the congregational newsletter, the service bulletin, and/or by written notification mailed to Voting Members at least 21 days before the Voters Assembly.
- C. The Voters' Assembly may meet at other times of the year subject to a call by the Church Council or at the request of at least 25 Voting Members of the congregation. A notice of a special meeting shall be announced in the congregational newsletter, the service bulletin, and/or by written notification mailed to Voting Members as far in advance as possible, but no less than 21 days before the Voters Assembly. The notice shall contain an agenda of items to be considered.
- D. The President, Vice-President, or a Council Member designated by the President shall preside at all Voters' Assembly's.
- E. Upon request by any Voting Member present at the meeting, voting will be conducted by written ballot.

## **Article VII: Called Workers and Other Workers**

- A. The process for calling Pastors or Commissioned Ministers of Religion will be as stated in Constitution Article VIII.
- B. When a vacancy in the office of a pastor or commissioned minister of religion occurs, the congregation will establish a Call Committee, which will guide and guard the process of calling a pastor or commissioned minister of religion. The Call Committee has no authority to make any decisions for the congregation, but will ensure that members of the congregation have access to, and are fully informed regarding, all information rightfully belonging to the entire congregation. The Voters' Assembly will elect at least five other Voting Members to serve on the Call Committee. No more than one third of the Call Committee shall be members of the Church Council. The President of the congregation is an automatic voting member of the Call Committee. If the position of an assistant or associate pastor or commissioned minister of religion is vacant, the senior pastor will also serve on the Call Committee.
- C. At a Voters' Assembly called to fill a vacancy, any voting member may place in nomination the name of any candidate qualified to fill the vacant position. With the approval of the Voters' Assembly, candidates placed in nomination are considered valid and will be forwarded to the district president for inclusion with other eligible candidates selected from the district roster. The Call Committee will review and evaluate the call list provided by the district president and shall consult those in the affected ministry. The Call Committee will obtain all available information on each candidate and develop recommendations to be presented at a properly called Voters' Assembly.
- D. The decision to call one of the candidates at the Voter's Assembly shall be made by a two-thirds majority vote; however, a concerted effort shall be made to make a Call unanimous.

## **Article VIII: Interim Pastor**

During a vacancy in a pastoral office, the Church Council may engage a rostered pastor of the Lutheran Church – Missouri Synod as Interim Pastor after consulting with the Circuit Counselor or other official representatives of the Synod or District. In the absence of an Interim Pastor, the President or other designated Council Member shall be responsible for the arrangement of a rostered pastor of the Lutheran Church – Missouri Synod or a lay member to provide pastoral care, lead worship services, conduct confirmation classes, provide pastoral counseling, visit the sick, and perform other pastoral services.

## **Article IX: Removal from Office**

- A. Any pastor, commissioned minister of religion, or officer may be removed from office in a Christian and lawful manner by two-thirds majority vote of the Voters' Assembly for:
  - 1. Persistent adherence to false teachings contrary to the Confessional Standard of this Congregation;
  - 2. Living a scandalous life;
  - 3. The inability to perform the assigned duties due to physical or mental health;
  - 4. Failure to fulfill the assigned duties due to neglect or incompetence; or
  - 5. Alterations in programs or financial circumstances that may result in the elimination of a Called Worker.
- B. The Church Council shall initiate proceedings required under paragraph A of By-Laws Article IX. This action will be taken only after the pastor, commissioned minister of religion, or officer has been advised of the action to be taken and given reasonable and fair opportunity to respond. The Circuit Counselor and District President will be advised and fully consulted regarding removal procedures when they are preferred against any called minister of religion (ordained or commissioned) or the congregational president.
- C. Paid Staff may be removed from office in a Christian and lawful manner for:
  - 1. Persistent adherence to false teachings contrary to the Confessional Standard of this Congregation;
  - 2. Living a scandalous life;
  - 3. The inability to perform the assigned duties due to physical or mental health;
  - 4. Failure to fulfill the assigned duties due to neglect or incompetence; or
  - 5. Alterations in programs or financial circumstances that may result in the elimination of a Paid Staff position.
- D. Should proceedings required under paragraph C of By-Laws Article IX be taken against a Paid Staff individual, the Church Council or their designated representative will investigate and take appropriate action. The Church Council will ensure that proper steps are taken in accordance with the Hope Lutheran Church Policy Manual.

## **Article X: Change in Office**

- A. Position changes affecting Paid Staff positions may be implemented by the Church Council or their designated representatives only for changes that result in an increase or decrease of 20% or less in the salary of the Paid Staff individual.
- B. Position changes affecting Paid Staff positions must be implemented by the Voters' Assembly for changes that result in an increase or decrease of more than 20% in the salary of the Paid Staff individual.

## **Article XI: The Church Council**

### **A. Purpose and Membership**

The Church Council represents the entire congregation and ensures that the mission plans of the congregation are accomplished. The Church Council shall consist of the President, Vice-President, Secretary, Treasurer, and five At-Large officers that were elected by the Voters' Assembly. Church Council members may not receive compensation from the Congregation and may not serve on any group that reports directly to the Church Council except the Call Committee or the Nominating Committee. All Called Pastors of Hope Lutheran Church are non-voting ex officio members of the Church Council.

### **B. Assumption of Duties**

The officers will assume their duties on the first day of the church's new fiscal year following their election.

### **C. Meetings**

The Church Council shall normally meet monthly and may be called more frequently at the request of the President or when requested by three council members. The currently elected President, or in his/her absence the Vice-President, shall be present and preside with five other members of the Church Council to constitute a quorum for transaction of business at any lawfully called meeting. All decisions of the Church Council, except where noted within the Constitution or By-Laws, shall be by majority vote of the Council members present. Normal means such as service bulletins and/or the congregational newsletter shall announce each meeting. The minutes of each meeting shall fully disclose all action and be signed by the President and the Secretary. Minutes of the meetings shall be posted and made available to Voting Members upon request.

## **Article XII: Church Officers**

- A. Any Voting Member of the congregation is eligible for elective office on the Church Council. Termination of voting membership will automatically cause the office in question to be vacated. The Church Council will consist of those persons identified in Article XI of these By-Laws.
- B. Duties of the Officers:
  - 1. President:

- a. Presides at all meetings of the Voters' Assembly and the Church Council.
  - b. Appoints any necessary boards, committees, task groups, or ministry teams, subject to confirmation by the Church Council and paid staff.
  - c. Enforces the Constitution and By-Laws
  - d. Signs all legal documents on the behalf of the Congregation.
  - e. Performs the general duties as are common for the office, including such additional duties as may be directed by the Voters' Assembly.
  - f. Regularly attends the Church Council meetings.
  - g. Serve as a legal trustee and/or representative of the congregation in the purchase, sale and mortgaging of the property.
2. Vice President:
- a. Performs all the duties of the President in the absence of the President and such other additional duties as may be directed by the Voters' Assembly or by the President. .
  - b. Chairs and appoints a Nominating Committee with the advice and consent of the Church Council.
  - c. Regularly attends the Church Council meetings.
  - d. Serve as a legal trustee and/or representative of the congregation in the purchase, sale and mortgaging of the property.
3. Secretary:
- a. Conducts those tasks commonly required of that office, especially the recording and preserving of accurate records of all Church Council and Voters' Assembly meetings and handling such correspondence as the congregation may require.
  - b. Posts minutes of all Church Council and Voters' Assembly meetings, once approved by the President, in a timely manner.
  - c. Maintains the approved official copy of the Constitution and By-Laws.
  - d. Maintains an up-to-date roster of Voting Members.
  - e. Regularly attends the Church Council meetings.
  - f. Signs legal documents, as required of the position, on the behalf of the Congregation.
4. Treasurer:
- a. Keeps and preserves the accurate records of all receipts and disbursements, and submits a written report of them at all regular meetings of the Voters' Assembly.
  - b. Assures accuracy and propriety of all financial transactions of the congregation.
  - c. Archives all necessary financial records of the congregation.
  - d. Regularly attends the Church Council meetings.

5. At-Large Officer:

- a. Actively participates in all Church Council functions.
- b. Serves as liaison to each of the Ministry Teams of the congregation, providing support to the Ministry Teams and bringing feedback to the Church Council.
- c. Regularly attends the Church Council meetings.

C. Elections

1. Nominations:

- a. The Vice-President of the Church Council shall annually appoint a Nominating Committee whose responsibility will be to develop a slate of candidates for Officers to be elected each year. The committee shall contain a majority of non-council members, shall function for one year only, and shall report their nominations to the Voters' Assembly. The Senior Pastor shall be a non-voting ex officio member of the Nominating Committee.
- b. All nominees shall be Voting Members noted for their Christian knowledge, zeal, and experience in the spiritual work in the Kingdom. The Nominating Committee shall outline specific criteria for elected officers prior to accepting any nominations. In addition, to the Nominating Committee's slate of candidates, any Voting Member may nominate candidates. Such nominations shall be called for in the Voters' Assembly meeting prior to the time that nominations are closed.

2. Elections and term of office.

- a. The Voters' Assembly shall elect the members of the Church Council based on the recommendations of the Nominating Committee and any other nominations made at the Voters' Assembly. The term of Office shall be a maximum of two years, with approximately one half of the Council being elected each year. Officers may succeed themselves in the same office for one additional term if they go through the election process described below. After a second elected term, they must vacate the office for at least two years. An Officer who was appointed by the Church Council to serve a term of less than one year created by a vacancy may succeed him/herself for two elected terms. An Officer who was appointed to fill a vacancy and serves a term greater than one year may only succeed him/herself for one elected term. Election to another office is not considered succeeding oneself.
- b. The President, Treasurer, and two At-Large Officers will be elected in odd years. The Vice President, Secretary, and three At-Large Officers will be elected in even years. Every term of office shall begin on the first day of the church's new fiscal year following the election.
- c. In the event of a vacancy on the Council for all positions other than the President, the Nominating Committee shall provide the President with a list of candidates. Appointments to fill unexpired terms will be made from such list and must be ratified by a majority vote of the Council. The individual shall finish the term of the Council member that he/she replaces. In addition to the Nominating Committee's slate of candidates, any voting member may nominate candidates to fill a vacancy. If the President's position becomes

vacant for any reason before the completion of his/her term, the Vice President will fill unexpired term. The Church Council will follow the above procedures to fill the Vice President's position.

### **Article XIII: Powers of the Church Council**

The Church Council shall have the power to develop policies as required to fulfill the mission and purpose and to execute the goals approved by the Voters' Assembly. The Council shall have no authority beyond that which has been conferred upon them by the Constitution, the By-Laws, or the Voters' Assembly.

## **Article XIV: Duties of the Church Council**

- A. The Church Council, as the chief governing body of the congregation, shall act in all matters pertaining to the legal and general welfare of the congregation, except those reserved for the Voters' Assembly in Article VII A.1 of the Constitution.
- B. The Church Council is the primary planning body for the congregation. It will develop and present for approval by the Voters' Assembly short-term and long-term plans to support the mission and vision of the congregation.
- C. The Church Council shall ensure that all activities of the church support the mission and purpose and strengthen the faith of the congregation.
- D. The Church Council shall be responsible for establishing all policies governing the activities of the congregation, including the implementation of the mission, purpose, vision, budget, and plans adopted by the Voters' Assembly. The Church Council shall ensure that all approved policies are maintained in a Policy Manual available to all church members.
- E. The Church Council may appoint any entity needed to support the congregational mission and purpose. It shall oversee and have authority over all other appointed ministry teams, boards, committees, task forces, or other entities of the congregation. For the purposes of these By-Laws, the term "ministry team" will include boards, committees, task forces, and any other entities so appointed under this Article.
- F. The Church Council will proactively seek the views and ideas of the members of the Congregation to ensure that the Congregation is properly represented in Council actions.
- G. The Church Council will present the proposed budget for the upcoming fiscal year to the Voters' Assembly at a reasonable time prior to the start of the church's fiscal year.
- H. The Church Council will ensure that the policy and financial decisions by the Council and the Congregation are executed in accordance with the Constitution, By-Laws, and approved policies.
- I. The Church Council is the body of the congregation chiefly responsible for the well-being of the ministry staff. As such, the Church Council will:
  - 1. Provide assistance and support to the Pastor(s) in all matters concerning the spiritual well-being of the congregation.
  - 2. Oversee the doctrine and administration of the office of the Pastor(s).
  - 3. Monitor the well-being of the Pastor(s) and all Paid Staff, providing for their care as needed, and seeking guidance from the Circuit Councilor and/or District officers when it seems appropriate.
  - 4. Supervise the Senior Pastor and ensure proper supervision of all other Called Workers and Paid Staff.

## **Article XV: Ministry Teams**

- A. Ministry Team Purpose.

Ministry Teams may be appointed by the Church Council to support the mission and purpose of the congregation. Ministry Teams may either be a standing team or a

temporary team. Standing Ministry Teams will be appointed to support those ministry areas of the congregation that are of a continuing nature. Temporary Ministry Teams may be appointed to support those ministry areas of the congregation that are of a short-term, non-repetitive nature.

B. Ministry Team Charter.

The Church Council will charter each type of Ministry Team. The charter will identify specific ministry, mission, vision, and goals for the Ministry Team.

C. Ministry Team Operating Procedures

Each Ministry Team will develop any applicable and necessary standard operating procedures to ensure all spiritual, moral, ethical, and legal issues are addressed. These procedures will be consistent with the requirements of the Constitution, By-Laws, and established church policy and approved by the Church Council.

D. Ministry Team Members

Ministry Team Members shall be Communicant Members of the congregation. Each Ministry Team shall determine the number of team members, unless otherwise dictated by the Church Council.

E. Ministry Team Leaders

1. The Voters' Assembly shall approve the Ministry Team Leaders for the standing teams based upon recommendations of the Church Council. Ministry Team Leaders for standing teams shall serve one-year terms, with the ability to succeed themselves in this position at the pleasure of the Voters' Assembly. At each Voters' Assembly held just prior to the beginning of the new calendar year, the Voters' Assembly will approve new Ministry Team Leaders or reaffirm Ministry Team Leaders succeeding themselves, as appropriate.
2. Church Council may temporarily appoint new Ministry Team Leaders for any Ministry Team Leader vacancy. This appointment shall be approved or overturned at the next Voters' Assembly following the temporary appointment.
3. Church Council shall appoint a Ministry Team Leader for each temporary team. This Ministry Team Leader is responsible for:
  - a. The staffing of the Ministry Team with the appropriate number of team members, unless otherwise dictated by the Church Council.
  - b. The development of necessary objectives, strategies, tactics, and plans to achieve the goal of the Ministry Team.
  - c. Providing appropriate feedback to the Church Council on team status, activities, progress, needs, etc.
  - d. The timely completion of the tasking.
4. The Church Council has the authority to appoint a new Ministry Team Leader for a standing team if Church Council determines – by a two-thirds majority vote – that the current team leader should be removed for:
  - a. Persistent adherence to false teachings contrary to the Confessional Standard of this Congregation;

- b. Living a scandalous life;
- c. The inability to perform the assigned duties due to physical or mental health;  
or
- d. Failure to fulfill the assigned duties due to neglect or incompetence.

### **Article XVI: Duties and Responsibilities of the Paid Staff**

Paid Staff will be guided by the rules and procedures identified by the Hope Lutheran Church Policy Manual. In addition, Paid Staff shall coordinate responsibilities with the appropriate Ministry Teams that are established to support the ministry of the Paid Staff.

### **Article XVII: Rules of Order**

Besides the principles stated in the Scriptures, the latest addition of Robert's Rules of Order will be followed in any meeting of the Voters' Assembly, Church Council, and any boards or committees of the congregation. The President of the Church Council will be responsible for parliamentary procedures.

### **Article XVIII: Amendments**

These By-Laws may be amended in a properly convened Voters' Assembly by a two-thirds majority of the voting members present. Any proposed amendment will be mailed to each Voting Member at least 30 days prior to the Voters' Assembly at which the amendment is to be voted upon. In the event more than one amendment is being considered, each amendment will be voted on separately if any Voting Member present so requests. Under exceptional circumstances, administrative amendments to these By-Laws may be enacted by two-thirds majority vote of the Church Council at a properly called meeting provided there is no change to the policy or intent of the original document.