

# THE CONSTITUTION

Adopted August 7, 1960

And Last Amended March 8, 2015

## PART I

### **NAME**

1. The name of this Church shall be First United Church of Christ of Carlisle, Pennsylvania.

### **PURPOSE**

2. The purpose of this Church is to function as a part of the Body of Christ and to maintain a congregation and place of worship in accordance with the tenets and Constitution of the United Church of Christ or its continuing body.

### **AFFILIATION**

3. This Congregation shall be an organic part of the United Church of Christ and shall be governed by its Constitution and By-Laws, or those of its continuing body, if not covered in the local Constitution and By-Laws.

### **DOCTRINE**

4. The Holy Scripture of the Old and New Testament were recognized as the Word of God and the ultimate rule of Christian faith and practice interpreted through the guidance of the Holy Spirit.

## PART II

### **MEMBERSHIP**

5. In accordance with the custom and usage of this local Church, a person can become a Member of this Congregation by: (a) baptism and either confirmation or profession of faith in Jesus Christ as Lord and Savior; (b) reaffirmation or reprofession of faith; or (c) letter of transfer or certification from other Christian churches.

## PART III

### **GOVERNANCE**

6. Congregational Meeting - The supreme governing power of the Congregation is vested in the Congregation itself assembled in meeting, duly and legally called, as provided in the By-Laws.
7. The Congregation, with a quorum present as defined in the By-Laws, shall hold meetings in May and November of each year, and such other meetings as may be called.
8. The administration of the Congregation is entrusted to the Consistory, which is chosen and composed as provided in the By-Laws.

## PART IV

### **AMENDMENTS**

9. Proposed amendments to this Constitution shall be presented as required in the By-Laws and shall become effective upon the affirmative vote of two-thirds of the Communicant members present at any meeting of the Congregation called for that purpose.

## **BY-LAWS**

### **PART I**

#### **GOVERNANCE**

1. The governing body of this Congregation shall consist of all Communicant members.

### **PART II**

#### **MEMBERSHIP**

##### **Members**

2. Persons baptized in the Congregation are members. Baptized persons received into full Communion with this Congregation by Confirmation, Profession of Faith, or Letter of Transfer shall be Communicant members. Baptized members shall be instructed in the Christian way of life and the standards of Faith and Doctrine of the Denomination in preparation for Communicant membership.
3. Members of the Congregation shall strive to live sober, righteous, and Godly lives and labor to bring others to Christ. They are encouraged to take an active part in the life and work of the Church. Members are urged to work toward the attainment of the following goals:
  - a. Attend worship services regularly.
  - b. Observe the Holy Sacraments to include:
    - (1) Partaking of Holy Communion.
    - (2) Presenting children for Holy Baptism in early infancy and later for instruction to become confirmed members.
  - c. Display generous financial and moral support toward the maintenance of the Church and its benevolent projects.
  - d. Strive to conduct private and family devotions.

- e. Show respect for law and authority.
  - f. Attend Congregational meetings.
  - g. Work toward bringing the unchurched into the life of this Congregation.
  - h. Sincerely strive to apply the teachings of Jesus to all relationships.
4. All Communicant members are entitled to voice, vote, and hold office, unless otherwise stated in the Constitution or By-Laws.
5. All Communicant members are entitled to the fellowship and spiritual blessings of the Church, and to the service of its Pastors, officials, and other workers, as well as the Christian sympathy and support of all members.

#### **Forfeiture of Communicant Membership**

6. A Communicant member may be removed if he or she fails to:
- a. Partake of Holy Communion, and
  - b. Contribute to the financial support of the Congregation, and
  - c. Attend worship service during the year.

Such member's name will be placed on a list of members who are of special concern of the Spiritual Council (defined in Paragraphs 9 and 23 of these By-Laws). The Spiritual Council will work toward returning the member to an active and supportive role in the life of the Congregation. In the event these actions are not successful, the member may be removed from the membership roll. The member will be notified of this action by certified letter.

7. If any member of the Congregation unites with another Congregation without a Letter of Transfer, the Spiritual Council shall remove the member from the membership roll. The former member will be notified of this action by certified letter.
8. If a member moves to a distant community, that member will be encouraged to unite with a Church in that area and they shall be removed from the membership roll unless they indicate they wish to continue as a member.

## PART III

### **ELDERS AND DEACONS**

#### Elders

9. An Elder is a Communicant member elected by this Congregation to serve on the Consistory and the Spiritual Council. An Elder shall have served at least one full term as a Deacon, shall be ordained to the office, and shall remain an Elder and thereby a member of the Spiritual Council for the duration of membership in this Congregation. An Elder serving on Consistory is expected to serve on at least one Council.
10. An Elder is expected to:
  - a. Assist and support the Pastors in the spiritual affairs of the Congregation, and
  - b. Be a Christian example to others, and
  - c. Guard faithfully all the spiritual interests of the Congregation, and
  - d. Aid in visiting the sick, and
  - e. Attend Consistory, Council, and Congregational meetings regularly while serving his or her elected or appointed terms.

#### Deacons

11. A Deacon is a Communicant member elected by this Congregation to serve on the Consistory. A Deacon shall be ordained to the office and shall remain a Deacon for the duration of membership in this Congregation.. A Deacon serving on Consistory is expected to serve on at least one Council.
12. A Deacon is expected to:
  - a. Aid in securing the funds necessary for the support of the Congregation in its various activities, and
  - b. Foster the principles of stewardship among the members, and
  - c. Be a Christian example to others, and

- d. Attend Consistory, Council, and Congregational meetings regularly, while serving his or her elected or appointed terms.
13. Nomination for Elders and Deacons shall be made in the following manner:
    - a. The President of the Consistory shall appoint a Nominating Committee consisting of a Chairman appointed from the Consistory and four Communicant members, no more than one of whom shall be a current member of the Consistory whose term is about to end.
    - b. The Nominating Committee will canvass the Communicant members of the Congregation and present a nominee for each vacancy to be filled. Names will be published and announced to the Congregation by the Nominating Committee at least two weeks before the day of the election. Persons nominated must have previously consented to serve. The Congregation may nominate one or more additional persons for each position to be filled at a Congregational meeting called for this purpose and as provided for in these By-Laws. Persons so nominated must also have consented to serve.
  14. Elders and Deacons shall be elected by a majority vote cast at a Congregational meeting to be held the first Sunday in May or on such alternate date as determined by the Consistory.
  15. When elected for the first time in this Congregation, the Elders and Deacons shall be publicly ordained and installed in their respective offices; thereafter, simply installed.
  16. Vacancies on the Consistory shall be filled by the Consistory with the appointed individual filling the balance of the term. The individual may, at their option, seek election for a full term.

#### PART IV

### **CONGREGATIONAL MEETINGS**

17. Congregational meetings shall be held each year on the first Sunday of May and November. Other Congregational meetings may be called by the

Consistory. At least two weeks published notice shall be given of all Congregational meetings. Thirty Communicant members present at a duly called Congregational meeting, as defined by the By-Laws, shall constitute a quorum.

18. If, at any time, fifteen Communicant members of the Congregation desire a Congregational meeting, they may, by written petition, request the Consistory to call such meeting. Within two weeks of the receipt of said petition, the Consistory shall call said meeting to be held within four weeks of receipt. Two weeks written notice of such meeting shall be sent to the membership by the Consistory.

## PART V

### **CONSISTORY**

19. The Consistory shall be the administrative body of this Congregation, as contrasted with the supreme governing power of the Congregation, as set forth in paragraphs six and eight of the Constitution. The Consistory shall consist of:
  - a. Six Elders elected for three-year terms. Two elders shall be elected each year. Elders shall serve from June 1 of the year in which elected. Elders may serve two consecutive terms subject to being nominated and elected for a second term. Upon completion of two full terms, an Elder may not serve on the Consistory for one full year.
  - b. Seven Deacons elected for two-year terms. Four Deacons elected in even-numbered years and three Deacons elected in odd-numbered years. Deacons may serve three consecutive terms subject to being nominated and elected for a second and third term. Upon completion of three full terms, a Deacon may not serve on the Consistory for one full year.
  - c. The Pastor(s), as non-voting member(s).

Seven voting members shall constitute a quorum.

It is preferable that immediate family members (defined as spouses, parent/children, or siblings) not serve concurrently on the Consistory.

20. The Consistory shall organize itself. A President, Vice-President, Secretary and Treasurer shall be elected for a term of one year. A Consistory member must serve at least one full year as a Deacon or Elder before being eligible to serve as an officer of the Consistory.
  - a. The President shall be the chief executive officer of the Consistory; shall preside at all meetings of the Consistory; shall appoint the members of all standing and special committees and Councils, subject to the approval of the Consistory; shall be an ex-officio member of all Councils; shall have general control and management of the business and affairs of the Congregation, subject, however, to the Constitution and By-Laws. The President shall be an Elder and shall have served at least one year as Vice-President, Secretary or Treasurer before being eligible for election to the office of President. These provisions may be waived by a majority vote of the Consistory when no person is eligible for the office. The President may not serve more than two consecutive years.
  - b. The Vice-President shall assist the President in the performance of his executive duties, and shall preside and have all the President's powers and duties in the absence of the President.
  - c. The Secretary shall be responsible for the minutes of all meetings, conduct all correspondence, and shall be the custodian of all official records of the Consistory.
  - d. The Treasurer shall be the custodian of the funds and securities of the Congregation, and shall be responsible for the deposit of all moneys and valuable effects of the Congregation in its name and to its credit in such depository as may be designated by the Consistory. The Officers of Consistory shall be authorized to sign all checks and shall give fidelity bond with sufficient security as required by the Consistory.
  - e. The election of officers will be conducted in a manner that is agreed upon each year.
21. The Consistory shall be responsible, and have final approval for the total program of the Congregation including Worship, Evangelism, Education and



relationships between the Congregation and the Community-at-large. It shall be responsible, through the various Councils, to take care of the property; make provision for the preparation of the annual budget for the Congregation, as well as for Our Church's Wider Mission and other benevolent projects; the distribution of alms; and, the adequate support of the staff of workers. It shall keep a complete and accurate record of its proceedings and report to the Congregation at its regular and special meetings. The following Councils will be established with duties and responsibilities outlined by the Consistory:

- a. Advisory Council.
  - (1) Personnel Committee.
- b. Christian Caring and Fellowship Council.
- c. Christian Education Council.
- d. Church and Ministry Council.
- e. Evangelism/Outreach Council.
- f. Property Management Council.
- g. Stewardship Council.

These Councils shall consist of a Consistory member as Chairperson and may also have one Consistory member as a Consistory Representative and strive to have no less than six members-at-large from the Congregation.

22. The Consistory shall meet at least once every month for the transaction of such business as may properly come before it; however, by action of Consistory, a monthly meeting may be waived on occasion. Special meetings may be called at any time by the President. If, at any time, five members of the Consistory desire a special meeting, they may request that such a meeting be called by the President or they may call the meeting themselves by written notice to all Consistory members. The purpose of the special meeting will be stated in the written notification. In the event urgent action is required by Consistory and it is not feasible to convene a meeting of Consistory, the issue may be presented to Consistory via e-mail, Consistory members can discuss the issue via e-mail, and an e-mail vote may be called by the President of Consistory or in the absence of the President of Consistory, the Vice President of Consistory, with action to be taken upon vote by not less than a Consistory quorum.

## PART VI

### **SPIRITUAL COUNCIL**

23. It shall be the responsibility of the Pastor(s) to call the Spiritual Council into session as often as necessary, for the purpose of reviewing and discussing the spiritual life of the Community of Faith . The presence of fifteen Elders shall constitute a quorum.

A Pastor shall preside at all meetings of the Spiritual Council.

## PART VII

### **THE PASTOR(S)**

24. The Congregation should elect as Pastors only those who have been ordained, recommended or subsequently approved by the Mercersburg Association of the United Church of Christ, of which this Congregation is a part.
25. The Consistory shall nominate one candidate at a time for a vacancy to be voted upon by the Congregation. The Congregation shall consider only that candidate at a Congregational meeting and shall vote by ballot for or against the candidate's election. If elected, the Consistory shall then tender a Call according to the form prescribed by the General Synod. The Call should be confirmed by the Mercersburg Association. An Agreement will be drawn up between the Consistory and the Pastor covering such aspects as salary; housing; health insurance; Social Security payments; mileage; number of day's vacation; etc.
26. The calling, disciplining or removing of a Pastor shall be in accordance with the By-Laws of the United Church of Christ or its continuing body. In all such instances a Congregational meeting will be called by the President of Consistory.

27. The Pastors, as employees of the Congregation, shall be elected for an indefinite period. In order to terminate this relationship, at least three months notice shall be given to a Pastor by the Consistory, or thirty days notice shall be given to the Consistory by a Pastor.
28. It shall be the duty of the Pastor(s) to set a good example to the Congregation and the Community at large; to conduct corporate worship services as directed by the Consistory; administer the Rites and Holy Sacraments; visit the sick; comfort the distressed; and perform all such duties as belong to the pastoral office of the United Church of Christ or its continuing body. Pastors shall make a monthly report of work, as well as potential problems, to the Consistory.
29. The Pastor(s) are ex-officio members of the Councils.

#### PART VIII

#### **AUXILIARY ORGANIZATIONS**

30. All organizations and groups, such as Church School classes, Men's and Women's Fellowship, Choir, etc. are administered and work through the appropriate Council to the Consistory.

#### PART IX

#### **PROPERTY**

31. The property of the Congregation, whether real or personal and all monies and legacies, shall be under the care of the Consistory. The Consistory shall hold the property as a sacred trust for the Congregation and keep the church edifice and other buildings in proper repair and adapted for such uses as the Congregation approves. No real property shall be sold, purchased or traded without the approval of the Congregation at a duly called Congregational meeting.

## PART X

### **RULES OF ORDER**

32. Robert's Rules of Order (revised) shall be the parliamentary authority for matters of procedure not specifically covered by these By-Laws.

## PART XI

### **AMENDMENTS**

33. Amendments to the Constitution of this Congregation and these By-Laws shall be presented in writing to the Consistory. Upon the approval of Consistory, the proposed amendments shall be presented to the Congregation for ratification. At least one month's notice shall be given to the Congregation of any meeting called for considering amendments. Proposed amendments will be in writing and furnished to the members when requested.

Amendments shall become effective upon affirmative vote of two thirds of the Communicant members present at any meeting of the Congregation called for that purpose.

## PART XII

### **LIABILITY OF CONSISTORY OFFICERS AND MEMBERS**

34. Officers and members of the Consistory shall not be personally liable for monetary damages for any action taken, or for the failure to take any action, as a Consistory officer or member unless: (1) the Consistory officer or member has breached or failed to perform the duties of his or her office under Chapter 57 of the Pennsylvania Associations Code (15 Pa.C.S. §§ 5701-5793), and (2) the breach or failure to perform constitutes self-dealing, willful misconduct, or recklessness. This By-Law shall not apply to the responsibility or liability of a Consistory officer or member pursuant to any criminal statute or the liability of

a Consistory officer or member for the payment of taxes pursuant to Federal, State, or local law.

The First United Church of Christ shall indemnify and hold harmless any and all of its Consistory officers or members and former Consistory officers or members, who is a party or who is threatened to be made a party to any threatened, pending, or completed action or proceeding, whether civil, criminal, administrative or investigative (other than an action by or in the right of The First United Church of Christ), by reason of the fact that he or she is either a present or former Consistory officer or member of The First United Church of Christ, against expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred by him or her in conjunction with the action or proceeding if he or she acted in good faith and in a manner he or she reasonably believed to be in, or not opposed to, the best interests of The First United Church of Christ and, with respect to any criminal proceeding, had no reasonable cause to believe his or her conduct was unlawful.

Indemnification shall not be made by The First United Church of Christ in any case where the act or failure to act giving rise to the claim for indemnification is determined by a court of appropriate jurisdiction to have constituted willful misconduct or recklessness of the present or former Consistory officer or member seeking indemnification.

The indemnification provided for by this By-Law shall not be deemed exclusive of any other rights to which a present or former Consistory officer or member seeking indemnification may otherwise be entitled.

Expenses (including attorneys' fees) incurred by a present or former Consistory officer or member in defending any action or proceeding referred to in this By-Law may be paid by The First United Church of Christ in advance of the final disposition of the action or proceeding upon the receipt of an undertaking by the present or former Consistory officer or member seeking the advancement of expenses to repay the advanced amount if it is ultimately determined that he or she is not entitled to be indemnified by The First United Church of Christ. The decision to advance such expenses shall be authorized by a majority vote of the Consistory officers and members who are not parties to the action or proceeding.