

Constitution of the AMERICAN CHURCH IN BERLIN

In the name of the Father and of the Son and of the Holy Spirit. Amen

Preamble

We, members of the Church of Christ, desiring to be blessed together with Word and Sacrament and to unite as a congregation in the common confession, defense and propagation of our faith in Jesus Christ our Savior, do hereby adopt this constitution and solemnly pledge ourselves to be governed by its provisions.

Article I Name and Organization

The name of this congregation shall be the "AMERICAN CHURCH IN BERLIN." It shall be organized as an "eingetragener Verein" under pertinent German law.

Article II Purpose

The purpose of this congregation shall be to extend the Kingdom of God by preaching his Word, administering the Sacraments, and providing Christian Education for youth and adults. The congregation further recognizes its responsibilities to foster Christian fellowship, to provide a witness through charity and service in the community, and to support the mission of the Christian Church at large.

Article III Confession of Faith

This congregation accepts the Holy Scriptures as the divinely inspired and revealed Word of God, and submits to them as the standard by which the faith and life of the Church is measured.

Article IV Membership and Participation

(A) Prerequisites

- (1) This congregation asserts its belief in the freedom and responsibility of the Christian under the guidance of the Holy Spirit and adheres to the basic principle that a person is justified by faith apart from works prescribed by the law (Romans 3:28)
- (2) Christians who profess this belief and principle shall not be required to assent to other written confessions of faith apart from the Apostles' Creed as a prerequisite for membership in this congregation.
- (3) Membership in this congregation shall not require the severance of membership ties with another congregation (1 Corinthians 12:12-13). The congregation shall receive letters of transfer when an individual desires that sole membership be held in this congregation.

(B) Communion Participation

- (1) Members and visitors who have been admitted into the fellowship of Holy Communion in other congregations (or communions) are welcome and shall be encouraged to participate in the celebration of the Holy Communion with this congregation.
- (2) Baptized adults not previously admitted into the fellowship of Holy Communion will be admitted after first receiving instruction in the Christian faith and secondly affirming their faith. Method of instruction will be determined by the pastor in consultation with the Church Council.
- (3) Adults baptized in this congregation, who, in preparation for baptism, received instruction in the Christian faith will be admitted into the fellowship of Holy Communion.

(C) Membership.

- (1) Any person who:
 - (a) is baptized with water in the Name of the Father and of the Son and of the Holy Spirit;
 - (b) participates in the worship life of the congregation; and
 - (c) has made his/her desire to associate with the congregation known to the Church Council or Pastor by signing a membership formmay become a member of the AMERICAN CHURCH IN BERLIN.
- (2) The Church Council will act on all applications for voting membership at one of its regularly scheduled meetings.
- (3) It shall be the privilege and duty of members of the congregation to:
 - (a) Make diligent use of the Means of Grace, both Word and Sacraments;
 - (b) Live a life in accordance with the Word of God, and
 - (c) Support the work of the congregation through contributions of time, abilities and financial support as biblical stewards.

Article V Living and Working Together

As servants of our one and only Master, our Lord Jesus Christ, who commanded us to continue in his love, loving one another as He loved us (John 15:9, 12), we will:

- address disputes related to the church's affairs -- theological, financial, legal, administrative, or disciplinary -- in the spirit of His love and Christian charity.
- strive discreetly, humbly and prayerfully in all circumstances and at all times to achieve reconciliation and agreement, peace and harmony by all means as far as possible within the Body of Christ.

Although it is the right of any party to seek a solution outside the realm of the procedure delineated below, we recommend that the decision to do so be prayerfully considered in light of I Corinthians 6:1, 5, 6 and Matthew 18:22.

(A) Parties to a dispute, having failed initially to resolve their differences on their own accord in light of Matthew 18:15, and in harmony and to their mutual satisfaction, may request or shall be invited to:

- (1) Private counseling with the Pastor, followed, if necessary by:
- (2) Deliberation with the Pastor and three members of the congregation (one chosen by the Pastor and two by the parties of the dispute), followed, if necessary by:
- (3) Deliberation with an Ad Hoc Committee composed of the Council, Pastor, and three ordinary members of the congregation (one chosen by the Pastor and two by the parties of the dispute.)
 - (a) A written invitation to attend a meeting with the Ad Hoc Committee shall be sent to the parties involved in the dispute at least ten days in advance and shall state the nature of the dispute under review.
 - (b) After hearing the issues, the Ad Hoc Committee shall recommend a course of action designed to achieve a peaceful resolution of the issues debated, and shall purposefully promote the healing and reconciliation of the parties involved. Should a party to the dispute prove unwilling to seek reconciliation as previously recommended, the Ad Hoc Committee may recommend:
 - Suspension from voting, serving, and leadership privileges for a definite period of time, not to exceed six months;
 - Indefinite suspension from voting, serving and leadership privileges; this decision shall be reviewed by an Ad Hoc Committee after a period of time, not less than six months.

Members of the Ad Hoc Committee who are parties to the dispute are disqualified from deciding upon the recommendation. A two-thirds majority of those persons not disqualified but present is required to validate the recommendation, which shall be presented in writing to the parties of the dispute.

- (c) To promote a process of reconciliation and healing, and to allow for a period of reflection and meditation, all action on the Ad Hoc Committee's recommendation will be adjourned for 6 weeks. If, by the end of this period, mutual agreement between the parties of the dispute has not been established, the matter may be brought before the Congregation by any party, after informing the other parties of the intention to do so.
- (4) Deliberation by the Congregation:
Presentation of the issues to the congregation will be made at a congregational meeting by the parties involved in the dispute. Preparation for this presentation may take place at any time

following the Ad Hoc Committee's recommendation and full access to the Church Record is granted.

After hearing the issues, the Congregation shall decide upon a course of action. Should a party to the dispute prove unwilling to seek reconciliation, the Congregation may recommend:

- Suspension from voting, serving, and leadership privileges for a definite period of time, not to exceed six months.
- Indefinite suspension from voting, serving and leadership privileges; this decision shall be reviewed by an Ad Hoc Committee after a period of time, not less than six months.

(c) A simple majority is necessary for a valid decision.

- (B) When a dispute involves the Pastor, reconciliation will be sought following the principles outlined in this article.
- (C) A course of action taken either by the Ad Hoc Committee or the Congregation may be revoked if new evidence comes to light, if mutual agreement and reconciliation have been achieved, or if amends have been made.
- (D) The assistance of a third party or forum outside the congregation may be requested at any time to aid the process of resolution and reconciliation.

Article VI The Office of Pastor

- (A) Only a member of the clergy roster of the EVANGELICAL LUTHERAN CHURCH IN AMERICA (ELCA) or who has been recommended for it by a synod bishop may be called as a pastor of this congregation.
 - (1) Consistent with the faith and practice of the ELCA and the AMERICAN CHURCH IN BERLIN (ACB), every ordained minister shall:
 - (a) preach the Word;
 - (b) administer the Sacraments of Baptism and Holy Communion;
 - (c) conduct public worship;
 - (d) provide pastoral care; and
 - (e) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.
 - (2) Each ordained minister with a congregational call shall, within the congregation:
 - (a) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
 - (b) install regularly elected members of the Church Council; and
 - (c) with the council, administer discipline.
 - (3) Every pastor shall:

- (a) strive to extend the Kingdom of God in the community, in the nation and abroad;
- (b) seek out and encourage qualified persons to prepare for the ministry of the Gospel.

Article VII The Call of a Pastor

- (A) Due to the affiliation with the ELCA, the congregation receives the benefit of the DIVISION FOR GLOBAL MISSION (DGM) search for prospective candidates to fill the office of ministry; and shall call a pastor only after consultation with the DGM of the ELCA.
- (B) To call a pastor, a written ballot at a properly called congregational meeting is required. In order for the call to be extended, the ballot must have a two-thirds majority of ballots cast in favor. Candidates are presented to the congregation by the Church Council which functions as the Call Committee of the congregation. Only one candidate at a time shall be presented to the congregation.

Article VIII Departure of a Pastor

- (A) The regular call of the congregation, when accepted, shall constitute a permanent relationship terminated only by the following:
 - (1) death of a pastor;
 - (2) resignation;
 - (3) disqualification of the pastor by discipline of the ELCA;
 - (4) physical or mental disability of the pastor;
 - (5) continued neglect of duty;
 - (6) inability to conduct pastoral office due to local conditions; or
 - (7) a majority vote at a congregational meeting.
 - (8) In contingencies (4), (5), (6) and (7) above, it shall be the duty of the Church Council in conjunction with the ELCA's DGM to determine the proper sequence leading to the termination of the relationship.

When a pastor desires to terminate the period of service, the resignation is submitted to the Church Council for report to the congregation. There shall be a six month written notice, barring a tragedy or other unforeseen circumstances.

- (B) When a pastor leaves the office of pastor of the congregation, the ministerial records shall be completed and turned over to the Church Council. An inventory of congregational property shall be made and compared with current property inventory; it shall be signed by the pastor. Any questions regarding damage shall be determined by the Church Council or a special committee appointed by the Council. Restitution, if required, shall be determined by the Church Council. The Church Council is responsible for maintaining a current property inventory.

Article IX Powers of the Congregation

- (A) General
 - (1) The congregation as a body, through the voting members, shall be responsible for administering and managing all its external and internal

affairs. The establishment and conduct of all institutions and societies within the congregation shall at all times be subject to the approval and supervision of the congregation. The power and authority of the congregation shall be exercised through the congregational meeting, called and held in conformity with civil laws and provisions of the constitution and the by-laws of the congregation.

- (2) In all matters not specifically provided for, procedure shall be according to Robert's Rules of Order.

(B) Right of Calling a Pastor

The right of calling a pastor shall be vested in the congregation.

(C) Reports

All committees and organizations within the congregation shall submit a report in writing to the congregation annually. These reports, together with the reports of the officers and pastor, shall be compiled and distributed to the congregation at one of its mandated meetings.

Article X By-Laws

This congregation may adopt such by-laws as may be required for the accomplishment of its purpose, except that no by-law may conflict with this constitution.

Article XI Changing the Constitution

(A) Unalterable Articles

The following articles of this constitution or sections thereof shall be unalterable and irrevocable: Preamble, II, III, X.

(B) Amendments

Amendments to this constitution may be adopted at a regularly called congregational meeting, provided:

- (1) that they do not conflict with the provisions laid down in Article XI (A) or with any section of any article that pertains to Scriptural doctrine or practice; and
- (2) that the proposed amendment has been submitted in writing at a previous congregational meeting.