

Almost every local church has a document that it uses to describe how it is organized and governed. Usually this is a constitution and bylaws. Normally the constitution is the broader body of mutually agreed upon principles and purposeful structure that govern the affairs and action of the church. The bylaws are the subordinate rules adopted by the church to augment the constitution. Sometimes there is no constitution, so bylaws serve the purpose. Such documents allow a church to maintain an orderly, efficient and clear church life that meets the needs of the members.

## History and Background

According to the Constitution of the United Church of Christ, local churches determine their own methods of organization, worship and education; make covenants; admit members; call and dismiss pastors; acquire, manage and dispose of property; control benevolences; and can withdraw from the United Church of Christ. Constitution and bylaws of local churches tell how they may do those things.

## Common Practices

When a church member asks, "What's the purpose? Who's in charge here? Why do it that way?" it may be time to consult the constitution and bylaws. You may not like what you find there, especially if it hasn't been updated recently.

The particulars of local mission may change and be restated as the Spirit leads. Churches find it helpful regularly and systematically to review and revise their constitution and bylaws to conform to and complement the mission strategy, size, abilities and commitments of the present congregation. Many churches have found they needed to revise their documents because the language used in them wasn't inclusive. The language implied that only men could chair committees, for instance. Others have revised their governing statement as positions, such as deacon or trustee, have been opened to women.

Most churches have a constitution that states the mission and general governing rules. The bylaws, which often are more easily amended, have more specifics. Some churches are discovering that one simple document may be all they need; therefore, they set up bylaws only.

## What to Include in a Governing Statement

Whether you have a constitution and bylaws, only a constitution or only bylaws, the following should be covered in a document that tells how the church governs itself:

- Name. Include the full name, exactly as in your charter or articles of incorporation. If an abbreviation is to be used later in the document, state "hereinafter referred to as \_\_\_\_."

- Affiliation with the association, conference and United Church of Christ.
- Purpose, covenant or mission statement. Here the church sets its course in relation to the authority of the Bible, the life and teachings of Jesus and the history and hope of the church. The mission statement includes the faith affirmations and doctrines, perhaps in the form of a covenant, which are revealed by the Bible, rooted in church history and theology, and related to contemporary human needs. These affirmations hold the church together and set it apart from other churches.
- Membership qualifications, privileges and responsibilities.
- Officers. Tell which are elected and which appointed. Describe eligibility, term of office, nominating procedures, how vacancies are filled and special duties.
- Pastoral and other professional leadership selection procedures and tenure.
- Meetings of the membership. Specify the number of regular meetings each year, rules for giving notice of the meetings and how the schedule may be changed. Define the business of the annual meeting, such as election of officers and making of annual reports. Make provision for special meetings and tell who may call them and how.

Specify a quorum, the number of members necessary to be present to conduct business, either a percentage of the members or a specific number.

- Governing board composition, powers, duties and limitations. Describe the meetings, quorum and rules as required.
- Standing committees or commissions. Explain formation, term and accountability. Responsibilities may be included briefly or may go into standing rules.
- Special committee authorization.
- Finances. Including budget, audit, bonding, fiscal year.
- Parliamentary authority governing its meetings.
- Procedures for amending and revising the document. Usually this is a two-thirds vote with previous notice (state how notice will be given).

## Supplemental Documents

In addition to the basic document governing the church, you may need the following:

- Articles of incorporation or a charter. This is necessary when a group desires to have corporate recognition under the laws of the state, giving it the right to hold property, hire employees, make

contracts and engage in legal action. Required documents must be obtained from and filed with the secretary of state.

- Standing rules. These are additional policy or procedural provisions to deal with the details of meeting dates, expenses and order of business, usually adopted by majority vote (amended or rescinded by a two-thirds vote). Unlike bylaws, these can be suspended by a majority vote for one meeting.

## Action Suggestions

- Review your church's constitution and bylaws for inclusive language and revise it if necessary.
- Review and evaluate the mission statement in your constitution or bylaws. If it does not reflect the current understanding of your congregation and your needs for your current structure, take time to revise it in an all-church process before finalizing your constitutional revisions.
- Ask a professional parliamentarian to review your governing documents and advise you about their adequacy. There's no need to

be unnecessarily restrictive. Neither should you be without guidance from the documents in sticky situations.

- Ask an attorney to review your constitution and bylaws to determine if you are in conformity with state law and to clarify your incorporation status and requirements.
- Review your constitution and bylaws to see that every item suggested above is covered and amend it if necessary.

## Issues Facing the Church

- Some parliamentarians refer to constitutions as "outdated." How does that fit with your church's understanding of the necessity of a constitution?
- What is the difference between having a covenant and having a constitution?

## Questions

- What is the purpose of having a constitution and bylaws?
- What should be included in a constitution and bylaws?
- What is the purpose of standing rules? Do you have any? If not, would it help if you did?