

# CONSTITUTION AND BYLAWS

FOR THE

TRINITY EVANGELICAL FREE CHURCH  
OF SOUTH BEND, INDIANA

AS AMENDED JUNE 20, 2017

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# **CONSTITUTION**

## **PREAMBLE**

We, the members of the Trinity Evangelical Free Church of South Bend, in order to carry out more efficiently the commission given by Jesus Christ to His Church do ordain and establish the following Constitution to which we voluntarily submit ourselves.

This congregation is organized as a church exclusively for charitable, religious, educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Revenue Law).

## **ARTICLE I – NAME**

The legal name of this organization shall be TRINITY EVANGELICAL FREE CHURCH OF SOUTH BEND, INC., and is herein referred to as this church.

## **ARTICLE II – AUTHORITY AND AFFILIATION**

Section 1. The congregation is the governing body of this church.

Section 2. This church shall be affiliated with the Evangelical Free Church of America through its Great Lakes District Conference and shall send delegates to their conferences, support their home and overseas missions and unite in all mutual efforts for the furtherance of the Gospel of Christ in the measure that the church itself may officially decide.

## **ARTICLE III – PURPOSE**

The purpose of this church shall be to glorify God by spreading the Gospel of Jesus Christ in order that the commitment of the members be strengthened first to God, then to the Body of Christ and to the world.

## **ARTICLE IV – STATEMENT OF FAITH**

The Statement of Faith of this church shall be the same as that of the Great Lakes District Conference and the Evangelical Free Church of America which, adopted as of October 2010, reads as follows:

## **God**

1. We believe in one God, Creator of all things, holy, infinitely perfect, and eternally existing in a loving unity of three equally divine Persons: the Father, the Son and the Holy Spirit. Having limitless knowledge and sovereign power, God has graciously purposed from eternity to redeem a people for Himself and to make all things new for His own glory.

## **The Bible**

2. We believe that God has spoken in the Scriptures, both Old and New Testaments, through the words of human authors. As the verbally inspired Word of God, the Bible is without error in the original writings, the complete revelation of His will for salvation, and the ultimate authority by which every realm of human knowledge and endeavor should be judged. Therefore, it is to be believed in all that it teaches, obeyed in all that it requires, and trusted in all that it promises.

## **The Human Condition**

3. We believe that God created Adam and Eve in His image, but they sinned when tempted by Satan. In union with Adam, human beings are sinners by nature and by choice, alienated from God, and under His wrath. Only through God's saving work in Jesus Christ can we be rescued, reconciled and renewed.

## **Jesus Christ**

4. We believe that Jesus Christ is God incarnate, fully God and fully man, one Person in two natures. Jesus-Israel's promised Messiah-was conceived through the Holy Spirit and born of the virgin Mary. He lived a sinless life, was crucified under Pontius Pilate, arose bodily from the dead, ascended into heaven and sits at the right hand of God the Father as our High Priest and Advocate.

## **The Work of Christ**

5. We believe that Jesus Christ, as our representative and substitute, shed His blood on the cross as the perfect, all-sufficient sacrifice for our sins. His atoning death and victorious resurrection constitute the only ground for salvation.

## **The Holy Spirit**

6. We believe that the Holy Spirit, in all that He does, glorifies the Lord Jesus Christ. He convicts the world of its guilt. He regenerates sinners, and in Him they are baptized into union with Christ and adopted as heirs in the family of God. He also indwells, illuminates, guides, equips and empowers believers for Christ-like living and service.

## **The Church**

7. We believe that the true church comprises all who have been justified by God's grace through faith alone in Christ alone. They are united by the Holy Spirit in the body of Christ, of which He is the Head. The true church is manifest in local churches, whose membership should be composed only of believers. The Lord Jesus mandated two ordinances, baptism and the Lord's Supper, which visibly and tangibly express the gospel. Though they are not the means of salvation, when celebrated by the church in genuine faith, these ordinances confirm and nourish the believer.

### **Christian Living**

8. We believe that God's justifying grace must not be separated from His sanctifying power and purpose. God commands us to love Him supremely and others sacrificially, and to live out our faith with care for one another, compassion toward the poor and justice for the oppressed. With God's Word, the Spirit's power, and fervent prayer in Christ's name, we are to combat the spiritual forces of evil. In obedience to Christ's commission, we are to make disciples among all people, always bearing witness to the gospel in word and deed.

### **Christ's Return**

9. We believe in the personal, bodily and premillennial return of our Lord Jesus Christ. The coming of Christ, at a time known only to God, demands constant expectancy and, as our blessed hope, motivates the believer to godly living, sacrificial service and energetic mission.

### **Response and Eternal Destiny**

10. We believe that God commands everyone everywhere to believe the gospel by turning to Him in repentance and receiving the Lord Jesus Christ. We believe that God will raise the dead bodily and judge the world, assigning the unbeliever to condemnation and eternal conscious punishment and the believer to eternal blessedness and joy with the Lord in the new heaven and the new earth, to the praise of His glorious grace. Amen.

## **ARTICLE V – MEMBERSHIP**

The membership of this church shall be composed of individuals who are believers in the Lord Jesus Christ, and who give evidence by their confession and their conduct that they are living in real fellowship with the Lord Jesus Christ, as detailed in Article I of the Bylaws.

## **ARTICLE VI – PROPERTY**

Section 1. This church shall have the authority to receive, either by gift or purchase, and to hold such real, personal, or mixed property as is authorized by the laws of the United States of America and the State of Indiana and as is deemed necessary for the purpose of this church, and shall have the power to dispose of such property by mortgage, deed, or otherwise. All such property shall be held in the name of this church.

Section 2. In case of a division of this church (from which we pray God by His mercy to preserve us), the property of this church shall belong to those who abide by its Constitution and Bylaws as determined by the Great Lakes District Conference of the Evangelical Free Church of America.

Section 3. In case of dissolution of church organization, the property shall be assigned to the Great Lakes District Conference of the Evangelical Free Church of America to enable said conference to renew the work or use the values thereof for further Gospel enterprises. This church shall be considered dissolved if so decided by the organization, or when this church has not held an annual meeting for three years, or when fewer than six members remain.

## **ARTICLE VII – AMENDMENTS**

This church may make any change in the Constitution and Bylaws which may seem necessary, but such changes must be submitted to the church membership by the Church Board in a written form at least two weeks before the proposed meeting and can be adopted by a two-thirds majority vote.

## **BYLAWS**

### **ARTICLE I – MEMBERSHIP**

#### **Section 1 – Eligibility**

Any person who confesses faith in the Lord Jesus Christ, who has the assurance of salvation, and whose character, conduct and reputation is in accordance with the confession, who subscribes to the above Statement of Faith, who accepts the Constitution and Bylaws of this church, and who is willing to support this church in attendance, prayers, and material means, may make application for membership to this church.

#### **Section 2 – Application**

The procedure for membership, open to all described in Section 1, shall be outlined in Policy Papers written by the Pastoral Staff and Church Board and then reviewed upon request by a member of the Pastoral Staff or Church Board.

#### **Section 3 – Guidelines**

##### **A. Service**

A member aged 18 or older shall exercise full membership rights in voting and serving with full respect to this church unless otherwise exempted by this Constitution or its Bylaws. Only voting members are eligible to serve in an elective leadership position.

Membership in good standing is required for voting, serving in an elected position, serving in an appointed leadership position and for serving on a search committee.

Upon request the Church Board will consider special circumstances (i.e. under 18 or missionaries, etc.) on an individual basis.

## B. Absences and Withdrawals

1. If any member is absent from services for more than one year without giving satisfactory reason for such absence, the church may remove this person from membership.
2. Any member who wishes to withdraw/transfer from this church may request a letter of withdrawal/transfer from the Senior Pastor.
3. Any member involved in extended missions or parachurch ministries away from Trinity and who wishes to maintain membership at Trinity may do so by staying in regular communication with the church office or staff.
4. At the annual congregational business meeting, the names of members added and/or removed (with reason for removal, whether by voluntary resignation, lapse in attendance, transfer of membership or member discipline) will be reported to the membership. A special congregational meeting may be called at the discretion of the church board for the health of the church.

## Section 4 – Conduct

Members are asked to abide by a covenant of membership that includes the following:

- a. Trust in Jesus Christ as Savior and Lord.
- b. Commitment to honor our Statement of Faith and never teach in contradiction to it.
- c. Faithful support of the church through attendance, giving, and serving as possible.
- d. Biblical lifestyle that gives a positive picture of faith in Christ.

## Section 5 – Restoration/Discipline of Members

All members of this fellowship are expected to live in accordance with this church's Statement of Faith and lead a lifestyle that is exemplary of a Christ follower as represented in Scripture. In the event that a member begins to live in a way that brings disrepute upon him/her or this fellowship, church discipline will be exercised as follows:

- A. The straying individual will be approached in accordance with the steps outlined in Matthew 18:15-17.
- B. A formal discipline group, if needed, shall include a pastor, at least one elder and a third person appointed by the Church Board. The individual shall be interviewed and counseled by the group as indicated in the Word of God (Matthew 18:15-17; Galatians 6:1). The restoration or reconciliation of the erring member shall be the single purpose, and love the sole motivating force in these interviews.
- C. If, however, the member should choose to continue in an unrepentant condition, the disciplinary group shall recommend to the Elders that the member be deprived of membership. Should the Elders agree, loss of membership is finalized by a unanimous vote

of the Church Board. This action shall be reported to the church membership in accordance with Section 3.B.4 above.

### **Section 6 – Mediating Disputes**

When disputes arise between Trinity members and an impasse is reached, it is our expectation that members seek mediation and arbitration from church leadership in keeping with 1 Corinthians 6:1-8.

### **Section 7 – Property Rights**

- A. The private property of the individual members of this church shall be exempt from its corporate debt.
- B. No individual shall have rights of ownership to the church property, real or personal, since all contributions to this nonprofit organization are freely given for the work of the gospel ministry.
- C. All records pertaining to the church are the sole property of the church. Individuals holding official church documents must surrender them to the church upon request.

## **ARTICLE II – GOVERNMENT**

### **Section 1 – Administration of Government**

- A. The ultimate authority of the church is the Word of God, as revealed in the clear guidelines for the church in the Bible.
- B. We are congregational in that our membership as a corporation owns our property and votes as a membership on the largest issues of church decisions:
  - Call of the Senior Pastor
  - Call of the members of the Church Board
  - Purchase or sale of real property and building programs
  - Constitution and by law adoption and changes
  - Annual budget
- C. All other matters of the church and issues not directly addressed by these Bylaws will be conducted under the leadership/supervision of the Church Board.

### **Section 2 – Church Board**

- A. The Church Board shall include the Senior Pastor, three at large members and six elders from the congregation. The elders and at-large members shall be called by the congregation and serve nonconsecutive three year terms. This Church Board shall only deliberate on issues of

their responsibility, the ministry framework, when they are together as one board at a meeting duly called for that purpose, for all the members of the board.

- B. The responsibility of the Church Board is to establish and be the guardian of the ministry policies of the church under which all pastors and volunteers serve. This ministry framework can be envisioned as four sides:
  - 1. Trinity's foundations: theology, Constitution, Bylaws, discipline process, etc.;
  - 2. Our resources: finances, buildings and property (capital), volunteers, missions dollars and salaries;
  - 3. Guidelines: church-wide ministry policies;
  - 4. Goals: mission, vision long-term, culture of the church emphasis on core values, etc. The Church Board has oversight over the four sides and the pastors have oversight over the actual ministry.
- C. The Church Board may overrule the Senior Pastor if they believe a decision or ministry is inconsistent with our Trinity foundations (Scripture, statement of faith, Constitution, Bylaws and policies).
- D. The Church Board shall also conduct annual reviews of the Senior Pastor's ministry and work in conjunction with the Compensation Committee to determine appropriate compensation.
- E. A Board Chairman and Vice-Chairman shall be selected by the Church Board from among the elders on the board to serve for one year, which runs concurrent with their three-year term. A Secretary and Finance Chairman shall also be designated from among the Church Board. The Board Chairman shall be an ex-officio member of all church committees.
- F. Any action of the Church Board may be addressed by the membership at any Constitutionally called business meeting. Any unexpired term on the Church Board will be filled by the Church Board.

### **Section 3 – Senior Pastor**

- A. Call: The pastor shall be called after recommendation of the Church Board and a search committee by a 75% vote of membership voting by written, secret ballot. This shall be after a clearly defined process of search and then candidacy before the church.
- B. Responsibilities: The pastor shall be the leader of church ministries, pulpit, and staff, seeking to obey the responsibilities defined in the Bible for the pastor-shepherd. He will be a member of the Church Board, an ex-officio member of all committees of the church, and pastor within the guidelines defined in the ministry framework of our church.
- C. Other responsibilities shall be as determined by the Church Board and reviewed annually.

- D. Resignation: The pastor shall give at least two months notice to the Church Board and the church upon resigning from his ministry.
- E. Dismissal: The pastor can be dismissed because of moral misconduct, theological heresy or ineffectiveness by a two-thirds vote of the Church Board, after careful investigation. This must be affirmed by the majority of church members at a special meeting called for that purpose, with proper notification. In such a case, dismissal is immediate.

#### **Section 4 – Additional Pastoral Staff**

- A. Call: They shall be selected by the Senior Pastor with approval of the Church Board and in line with the budget.
- B. Tenure: All staff serves at the will of the Senior Pastor, but any dismissal of a pastoral staff or ministry director must be approved by the Church Board.

#### **Section 5 – Interim Pastors**

An Interim Pastor shall be appointed by the Church Board for an agreed upon period of time to perform specific functions or duties identified by the Church Board subject to the congregationally approved budget. The Congregation shall be informed of any such appointment(s).

#### **Section 6 – Support Staff**

Positions requiring an increase in the budget must be approved by the Church Board. Duties and accountability shall be as determined by staff leadership.

#### **Section 7 – Elders**

- A. Number – A minimum of six elders shall be called by the membership to serve non-consecutive three-year terms to assist the pastor in any spiritual ministries of the church and to serve on the Church Board along with three at-large members also called by the membership. The elders shall not function as a separate board or group for recommendations or deliberations in areas that are assigned to the Church Board, but function that way only as they are part of a duly called Church Board meeting.
- B. Affirmation - Elders may be nominated by any members through a process defined by church Policy Papers, and will be vetted by the pastoral staff, Church Board, and the nominating committee before being presented to the membership for an affirmation vote at our annual meetings. As far as possible, a third of them will be called each year.
- C. Qualifications - An elder will be a man recognized for godliness in character (see 1 Timothy 3:1-7, Titus 1:5-9), a person who has been a member of Trinity at least three years, and someone who supports the ministry of Trinity with service, giving, and unity.

## **Section 8 – At-large Members**

- A. Number – Three at-large members shall be called by the membership to serve non-consecutive three-year terms on the Church Board. Their responsibilities shall be consistent with those covered in Article II, Section 2B.
- B. Affirmation – At-large members may be nominated by any members through a process defined by church Policy Papers, and will be vetted by the pastoral staff, Church Board, and the nominating committee before being presented to the membership for an affirmation vote at our annual meetings. As far as possible, a third of them will be called each year.
- C. Qualifications - An at-large member will be someone recognized for godliness in character, a person who has been a member of Trinity at least three years, and someone who supports the ministry of Trinity with service, giving, and unity.

## **Section 9 – Ministry Teams and Church Volunteers**

- A. Responsibility - The pastoral staff and ministry directors on staff shall have as one of their main responsibilities the recruitment and training of volunteers to serve in all the areas of church life and outreach, locally and to the world.
- B. Qualifications - Policy Papers approved by the Church Board shall state which volunteer teaching and ministry positions require membership in the church.
- C. Call - All positions shall be for a one-year term, renewable as mutually desired.

## **Section 10 – Trustees**

In accord with the requirements of the state, the fiduciary trustees of the church shall be the Board Chairman, Secretary, Finance Chairman, and the staff Director of Administration.

## **Section 11 – Standing Committees**

### **A. Nominating Committee**

Three members shall be affirmed by the membership at its annual meeting to serve along with the Senior Pastor and at least one outgoing member of the Church Board. They shall present names for affirmation for three-year terms on the Church Board and also present names for the Nominating Committee.

### **B. Compensation Committee**

The compensation committee shall consist of the Chairman of the Church Board, Vice-chairman of the Church Board and the Finance Chairman. They exist for the purpose of overseeing the establishment of an equitable compensation package for the Senior Pastor, pastoral staff and support staff. They will meet on an annual basis, to coordinate with the annual budget.

### C. Senior Pastor Search Committee

- a. When necessary, this committee shall consist of the Chairman and Vice-chairman of the Church Board and two to four other members of the church selected by the Church Board.
- b. Procedure
  1. The Church Board shall give approval, by a three-fourths majority, before the candidate is presented to the church membership at a meeting called for that purpose.
  2. The Senior Pastor Search Committee shall then make its recommendation to the church membership. The church members shall vote by written, secret ballot, and a three-fourths majority vote by those voting is necessary for a call to be issued. Absentee ballots shall be made available upon request to any member and submitted prior to the congregational vote.
  3. If a call is not issued to the candidate recommended by the Senior Pastor Search Committee, the members of that committee will resign and a new committee shall be formed as outlined above. Committee members may be re-elected to serve on the Senior Pastor Search Committee.

### **Section 12 – Organizations within the Church**

Any organization formed within or considered to be a part of the activities of this church requires the approval of the Church Board. Once approved, the Church Board shall determine how the church partners with these organizations.

### **Section 13 – Bylaw Review**

These Bylaws shall be reviewed every two years by a team of no fewer than three people designated by the Church Board.

### **Section 14 – Fiscal Year**

The fiscal year shall be determined by the Church Board.

### **Section 15 – Policy Papers**

The Church Board must approve any Policy Papers that become standards for ministries of the church, none of which may contradict anything in these Bylaws.

## **ARTICLE III – MEETINGS**

### **Section 1 – Services**

The main worship services shall be conducted at such times as decided by the Church Board after recommendation by the pastoral staff. Classes, seminars, and special events shall be the responsibility of the Pastor and staff.

### **Section 2 – Annual Business Meeting**

The Annual Business Meeting of this church shall be held no more than 30 days after the close of the fiscal year at such time as may be decided by the Church Board. The Chairman of the Church Board shall conduct the Annual Business Meeting. The meeting shall include but not be limited to affirmation of leaders and budget approval. The existing annual budget will remain in place until a new budget is approved. The rules of order contained in Robert's Rules of Order (revised) or an acceptable equivalent shall guide this organization when it is not inconsistent with its Constitution and Bylaws.

### **Section 3 – Special Business Meeting**

Special business meetings may be called by the Church Board or by the church membership. Members may call a meeting by written request to the Church Board signed by no less than 10 percent of the membership. Notice of such special meetings shall be given by announcement at the regular services at least two Sundays, and on the website, and by two email mailings to all the church as possible.

### **Section 4 – Quorum**

When appropriate notice has been given to announce a special business meeting or the annual business meeting, a quorum shall consist of 15 percent of the current membership.

### **Section 5 – Voting**

All members age eighteen or older have the right to vote in all matters coming before the business meetings. All matters shall be determined by a majority vote (one more than one-half of all votes cast) except where otherwise specified in these Bylaws. When it is determined that a paper ballot will be cast, it will be by secret ballot. Absentee ballots shall be made available upon request when a vote is to be held. These absentee ballots shall be signed and submitted prior to the vote.

### **Section 6 – Request to Inspect**

By written request to the Church Board, a member may inspect prepared financial statements of the church and the minutes of any business meeting. Given the sensitive issues of privacy and confidentiality, the Church Board shall consider the request and act accordingly.

## ARTICLE IV – FINANCIAL STEWARDSHIP

The Church Board shall establish written policies that:

- (a) are designed to assure financial accountability and integrity;
- (b) govern how Church funds are to be spent, by whom, and how financial accountability is maintained; and
- (c) govern the use of the Church’s property and other matters necessary for the efficient operation and use of Church resources.

Church funds shall be spent consistent with the approved annual budget. The Church Board may spend up to three percent over and above the approved total annual budget without receiving advance approval from the membership. Such action will be reported to the membership. The Church Board shall establish written overspending policies for ministries, and other groups of the Church.

The church shall act as a conduit for all funds designated to Church Board approved ministries beyond the scope of our general fund.

All fundraising requests shall be submitted in writing for the approval by the Church Board of this church.

## APPENDIX I – SCRIPTURE REFERENCE CITATIONS

### **Matthew 18:15-17 (Article I, Section 5)**

15 “If your brother sins against you, go and tell him his fault, between you and him alone. If he listens to you, you have gained your brother. 16 But if he does not listen, take one or two others along with you, that every charge may be established by the evidence of two or three witnesses. 17 If he refuses to listen to them, tell it to the church. And if he refuses to listen even to the church, let him be to you as a Gentile and a tax collector.” (ESV)

### **Galatians 6:1 (Article I, Section 5)**

Brothers, if anyone is caught in any transgression, you who are spiritual should restore him in a spirit of gentleness. Keep watch on yourself, lest you too be tempted. (ESV)

### **1 Corinthians 6:1-8 (Article I, Section 6)**

1 When one of you has a grievance against another, does he dare go to law before the unrighteous instead of the saints? 2 Or do you not know that the saints will judge the world? And if the world is to be judged by you, are you incompetent to try trivial cases? 3 Do you not know that we are to judge angels? How much more, then, matters pertaining to this life! 4 So if you have such cases, why do you lay them before those who have no standing in the church? 5 I say this to your shame. Can it be that there is no one among you wise enough to settle a dispute between the brothers, 6 but brother goes to law against brother, and that before unbelievers? 7 To have lawsuits at all with one another is already a defeat for you. Why not rather suffer wrong?

Why not rather be defrauded? 8 But you yourselves wrong and defraud—even your own brothers! (ESV)

**1 Timothy 3:1-7 (Article II, Section 7.C)**

1 The saying is trustworthy: If anyone aspires to the office of overseer, he desires a noble task. 2 Therefore an overseer must be above reproach, the husband of one wife, sober-minded, self-controlled, respectable, hospitable, able to teach, 3 not a drunkard, not violent but gentle, not quarrelsome, not a lover of money. 4 He must manage his own household well, with all dignity keeping his children submissive, 5 for if someone does not know how to manage his own household, how will he care for God's church? 6 He must not be a recent convert, or he may become puffed up with conceit and fall into the condemnation of the devil. 7 Moreover, he must be well thought of by outsiders, so that he may not fall into disgrace, into a snare of the devil. (ESV)

**Titus 1:5-9 (Article II, Section 7.C)**

5 This is why I left you in Crete, so that you might put what remained into order, and appoint elders in every town as I directed you— 6 if anyone is above reproach, the husband of one wife, and his children are believers and not open to the charge of debauchery or insubordination. 7 For an overseer, as God's steward, must be above reproach. He must not be arrogant or quick-tempered or a drunkard or violent or greedy for gain, 8 but hospitable, a lover of good, self-controlled, upright, holy, and disciplined. 9 He must hold firm to the trustworthy word as taught, so that he may be able to give instruction in sound doctrine and also to rebuke those who contradict it. (ESV)