



# KEEP YOUR **CHURCH** OUT OF **COURT** **SEMINAR**

Section 7  
**Constitution/Bylaws  
& Administration**



# KEEP YOUR CHURCH OUT OF COURT SEMINAR

## Section 7 Constitution/Bylaws & Administration

Section 7 Outline.....	185
Church Bylaws Summary.....	187
“Suggested Language for Church Bylaws” .....	191
by Alliance Defending Freedom	
“Five Things All Churches Should Have in Their Bylaws” .....	193
by Alliance Defending Freedom	
First West 2025 Constitutional Amendment .....	199
First West 2015 Bylaw Revisions Overview .....	203
Admin & Tax Forms Summary .....	207



## Section 7 Outline

### Constitution/Bylaws & Administration

#### Church Bylaws Summary\* ..... 187

- Constitution & Bylaw Legal Protections
  - Marriage & Sexuality – Churches need a Biblical definition of marriage in their bylaws. This protects the church in the event an employee engages in an unbiblical sexual relationship or if an unmarried couple seeks to participate in events designed for married couples.
  - Biblical Authority – Legal challenges to church policies or bylaws may require a ruling on the interpretation of Scripture. Defining a governing body or group as the church's sole authoritative interpreter of Scripture specifies how this will occur should a dispute or legal challenge arise.
  - Membership Definition – Develop a clear definition of a member in good standing. Clarify that full agreement with the church's statement of faith is a prerequisite for church membership.
  - Member Discipline Procedure – Since we are a fallen people living in a fallen world, situations will arise requiring church discipline. Outline the process and forum where these delicate and sometimes difficult conversations will occur.
  - Procedure for Rescinding Membership – Define the bylaw-defined group that will make an official determination on rescinding member status for an individual.
- "Suggested Language for Church Bylaws" ..... 191  
by Alliance Defending Freedom (ADF)\*  
ADF offers suggested church bylaw language in three areas:
  1. Biblical Authority
  2. Membership
  3. Marriage and Sexuality
- "Five Things All Churches Should Have in Their Bylaws" by ADF\* ..... 193  
While there is no "magic language" that offers total protection from legal challenges, ADF offers additional suggestions to strengthen the bylaws of a church and ensure the broadest possible protections of church autonomy. The five areas that should be covered by a church's bylaws include:
  1. Statement of Religious Belief Regarding Marriage, Gender and Human Sexuality
  2. Identify the Governing Body That Is the Sole Authoritative Interpreter of Scripture
  3. Formal Membership Policy
  4. Procedure for Member Discipline/Membership Revocation
  5. Procedure for Rescinding Membership



• <u>First West 2025 Constitutional Amendment*</u> .....	199
○ Statement of Faith and Doctrine – Churches may reference a doctrinal or confessional statement in their Biblical authority statements. Southern Baptist churches might use language that references The Baptist Faith and Message.	
○ Final Interpretive Authority – As referenced above, it's important to define a governing body or group as the church's sole authoritative interpreter of Scripture. This provides a bylaw-defined process for a ruling on the interpretation of Scripture should a dispute or legal challenge arise.	
• <u>First West 2015 Bylaw Revisions Overview*</u> .....	203
○ Membership – Answer the question: Who can become a member? Clarify that church members must adhere to a clearly-defined Statement of Faith. A member's failure to abide by the church's policies, doctrines and teaching can result in church discipline.	
○ Church Discipline – Define a Church Discipline Process in your bylaws. It is important to Detail how (who, what, when and where) church discipline will occur.	
○ Pastor Search Process – In many churches, pastor search committees are formed once a Lead Pastor vacancy occurs. Detail how this committee is nominated and elected as well as other steps in the process.	
○ Ministerial Staff – Clarify how ministerial staff are selected and approved. Note that this selection process typically differs from the process used for Lead Pastor vacancies.	
○ Deacons – Answer the question: Who is eligible to serve as a deacon?	
○ Trustees – Church trustees or elders usually hold (and authorize transfers) church property in trust as representatives of church membership. Define how many trustees are authorized for election by the church, and specify their roles and responsibilities, especially with relation to church property and real estate.	
○ Committees – Define the roles, responsibilities and composition of all standing committees in the church's bylaws.	
○ Regular Meetings – Ensure regular meetings specified in church bylaws match current practice.	
○ Quorum – Provide a reasonable, attainable rule (likely meaning a lower threshold) for establishing a quorum.	
<b>Admin &amp; Tax Forms Summary*</b> .....	207

- Law & Tax Resources
- IRS Information for Churches, General IRS Forms & IRS Gateway Web Sites
- Church Management Consultants
- Church Finance & Church Administration Reading Lists

\* Document Attached



## Church Bylaws



STEWARDSHIP ▾ BUDGET ▾ STAFFING ▾ TEAMS ▾ MULTIPLICATION ▾ LOGISTICS ▾

### Legal Services

**Michael Best** – Michael Best is a full-service firm with multiple specializations in the legal, organizational, governance and other faith-based issues affecting nonprofits and churches. Michael Best offers consulting services and legal advice in these areas and many others. Church leaders will appreciate their wise counsel, which is both proactive and price predictable.

Contact James Forrest

Contact Keith Richardson

### Legal Protections

Legal protection from potential challenges and lawsuits is becoming more important in a changing U.S. cultural, political and judicial environment. Alliance Defending Freedom and other organizations recommend that churches address several key issues in their bylaws:

- Marriage & Sexuality
- Biblical Authority
- Membership Definition
- Member Discipline Procedures
- Procedure for Rescinding Membership

[Suggested Language for Church Bylaws by ADF](#)

[Five Things All Churches Should Have in Their Bylaws by ADF](#)

“Suggested Language for Church Bylaws” and “Five Things All Churches Should Have in Their Bylaws” from Alliance Defending Freedom

### Marriage & Human Sexuality

Churches need a Biblical definition of marriage in their bylaws. This protects the church in the event an employee engages in an unbiblical sexual relationship or if an unmarried couple seeks to participate in events designed for married couples.

Churches may also be confronted with marriage candidates wanting to use church facilities and personnel for unbiblical civil unions and weddings.

Sample marriage and human sexuality language for use in a church constitution & bylaws might look like this:

**Marriage** – Marriage is an institution established by God as clearly described in the Bible. This church recognizes that marriage is the uniting of one man and one woman in covenant commitment for a lifetime. As a result of this firm belief, this church, its pastors, staff and members will not participate in same sex civil unions or same sex marriages, nor shall its property or resources be used for such purposes.

**Human Sexuality** – The Bible teaches that legitimate sexual relations are exercised solely within the God-ordained institution of marriage. This church regards as sinful and stands in opposition to all forms of sexual immorality, including adultery, homosexuality, bisexual conduct, bestiality, incest, pornography or any attempt to change one's biological sex.



[Sample Definition of Marriage](#)



[Sample Definition of Marriage](#)



[Covenant Marriage Summary](#)



[Covenant Marriage Summary](#)



[Covenant Marriage Position Paper](#)

## Biblical Authority Statements

Legal challenges to church policies or bylaws may require a ruling on the interpretation of Scripture. Defining a governing body or group as the church's sole authoritative interpreter of Scripture specifies how this will occur should a dispute or legal challenge arise.

Sample Biblical authority language for use in a church constitution & bylaws might look like this:

We accept the Bible as the inspired Word of God and as the ultimate authority in matters of faith, doctrine and Christian living. For purposes of church doctrine, practice, policy and discipline, our church-elected deacon body is the church's final interpretive authority on the Bible's meaning and application.

These Bylaws and any amendments made at a future date shall be the governing documents of this church but they should always be interpreted and applied in conformity with the Bible.

In addition, churches may reference a doctrinal or confessional statement in their Biblical authority statements. Southern Baptist churches might use language that references The Baptist Faith and Message:

We accept the Bible as the inspired Word of God and as the ultimate authority in matters of faith, doctrine and Christian living. This church accepts "The Baptist Faith and Message," as most recently adopted by the Southern Baptist Convention, as an affirmation of our basic Christian beliefs and as a general statement of our faith.

Alliance Defending Freedom sample language reads this way:

The statement of faith does not exhaust the extent of our faith. The Bible itself, as the inspired and infallible Word of God that speaks with final authority concerning truth, morality, and the proper conduct of mankind, is the sole and final source of all that we believe. For purposes of church doctrine, practice, policy, and discipline, our [governing board][pastor][elders][Doctrinal Committee] is the church's final interpretive authority on the Bible's meaning and application.

"Suggested Language for Church Bylaws" from Alliance Defending Freedom

## Membership Definition

Sample membership language for use in a church constitution & bylaws might look like this:

Every pastor, staff member and church member, by virtue of their membership in this church, affirms their agreement with the church's Bylaws and statements of faith and agrees to conduct themselves in a manner consistent with them.

Alliance Defending Freedom sample language reads this way:

The membership of this Church shall be composed of individuals who are believers in the Lord Jesus Christ and affirm the tenets of the church's Constitution, and who offer evidence, by their confession and their conduct, that they are living in accord with their affirmations and this Constitution and Bylaws, and are actively pursuing and continuing in a vital fellowship with the Lord, Jesus Christ. The membership of the Church shall have final authority in all matters of church governance, as set forth and described in the Bylaws.

"Suggested Language for Church Bylaws" from Alliance Defending Freedom

Sample Church Bylaws by MinistryMaker

## Additional Resources

 Forms & Documents

 Admin & Tax Forms



## Notes



## SUGGESTED LANGUAGE FOR CHURCH BYLAWS

June 2010

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### Statement of Biblical Authority

The statement of faith does not exhaust the extent of our faith. The Bible itself, as the inspired and infallible Word of God that speaks with final authority concerning truth, morality, and the proper conduct of mankind, is the sole and final source of all that we believe. For purposes of church doctrine, practice, policy, and discipline, our [governing board][pastor][elders][Doctrinal Committee] is the church's final interpretive authority on the Bible's meaning and application.

### Membership

The membership of this Church shall be composed of individuals who are believers in the Lord Jesus Christ and affirm the tenets of the \_\_\_\_\_ Church Constitution, and who offer evidence, by their confession and their conduct, that they are living in accord with their affirmations and this Constitution and Bylaws, and are actively pursuing and continuing in a vital fellowship with the Lord, Jesus Christ. The membership of the Church shall have final authority in all matters of church governance, as set forth and described in the Bylaws.

### Statement on Marriage and Sexuality

We believe that term "marriage" has only one meaning and that is marriage sanctioned by God which joins one man and one woman in a single, exclusive union, as delineated in Scripture. We believe that God intends sexual intimacy to only occur between a man and a woman who are married to each other. We believe that God has commanded that no intimate sexual activity be engaged in outside of a marriage between a man and a woman.

We believe that any form of sexual immorality, such as adultery, fornication, homosexuality, bisexual conduct, bestiality, incest, pornography or any attempt to change one's sex, or disagreement with one's biological sex, is sinful and offensive to God.

We believe that in order to preserve the function and integrity of the church as the local Body of Christ, and to provide a biblical role model to the church members and the community, it is imperative that all persons employed by the church in any capacity, or who serve as volunteers, should abide by and agree to this Statement on Marriage and Sexuality and conduct themselves accordingly.

We believe that God offers redemption and restoration to all who confess and forsake their sin, seeking His mercy and forgiveness through Jesus Christ.

We believe that every person must be afforded compassion, love, kindness, respect, and dignity. Hateful and harassing behavior or attitudes directed toward any individual are to be repudiated and are not in accord with scripture nor the doctrines of the church.



## Notes



## FIVE THINGS ALL CHURCHES SHOULD HAVE IN THEIR BYLAWS

*Proactively Protecting the Church's Right to Be the Church*

In the wake of battles in several states over the issue of same-sex “marriage” and the adoption by states and local governments of special rights for those engaging in homosexual behavior, many churches are unsure of their legal rights. Churches have broad constitutional protections designed to ensure the free exercise of religion and to prevent intrusion by the state into matters of doctrine and church independence. While these broad constitutional provisions protect the church’s ability to minister freely according to its own dictates, there are proactive steps that churches can and should take to further protect and insulate themselves from attacks that threaten the church’s independence.

The following items are suggestions to strengthen the bylaws of a church to ensure the broadest possible protections of church autonomy. There is no “magic language” in any of these areas and churches should incorporate their own language and traditions. The point is not to create specific language to be copied, but merely to ensure that these areas are covered by the church’s bylaws.

### **#1: STATEMENT OF RELIGIOUS BELIEF REGARDING MARRIAGE, GENDER, AND HUMAN SEXUALITY**

With the rise of same-sex “marriage,” domestic partnerships, and civil unions, churches are regularly being confronted with these marriage counterfeits and asked to recognize these relationships. This can arise in the area of employment, use of church facilities, or whenever churches offer classes, retreats, or other events designed for married couples. Churches should include in their bylaws a Biblical definition of marriage and a statement that marriage is the only legitimate and accepted sexual relationship. This will help protect the church if it is forced to terminate/punish an employee for engaging in unbiblical sexual relationships,<sup>1</sup> or if the church declines to allow an unmarried couple to participate in events designed for married couples.

Below is a sample statement of religious belief on marriage and sexuality. Churches should utilize this sample to craft their own unique statement of religious beliefs. Including scriptural references is always helpful, although not legally required.

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<sup>1</sup> See, e.g., *Bryce v. Episcopal Church in the Diocese of Colorado*, 121 F. Supp.2d 1327 (D. Col. 2000) (Holding that a lesbian youth minister that was terminated as a result of her “commitment ceremony” could not bring a claim against the church for her termination because such a claim was barred by the First Amendment); see also *Gunn v. Mariners Church*, 2005 WL 1253953 at \*2 (Cal.App. 4 Dist. 2005). *Gunn* involved the termination of a worship pastor who was engaging in homosexual conduct. The pastor tried to argue that the church’s doctrine did not prohibit homosexuality. But because the church was able to demonstrate otherwise, the court refused to second-guess the church’s employment decision. *Id.*



### **Sample Statement on Marriage, Gender, and Sexuality**

We believe that God wonderfully and immutably creates each person as male or female. These two distinct, complementary genders together reflect the image and nature of God. Rejection of one's biological gender is a rejection of the image of God within that person.

We believe that term "marriage" has only one meaning and that is marriage sanctioned by God which joins one man and one woman in a single, exclusive union, as delineated in Scripture. We believe that God intends sexual intimacy to only occur between a man and a woman who are married to each other. We believe that God has commanded that no intimate sexual activity be engaged in outside of a marriage between a man and a woman.

We believe that any form of sexual immorality (including adultery, fornication, homosexuality, lesbianism, bisexual conduct, bestiality, incest, pornography, and attempting to change one's biological sex or otherwise acting upon any disagreement with one's biological sex) is sinful and offensive to God.

We believe that in order to preserve the function and integrity of the church as the local Body of Christ, and to provide a biblical role model to the church members and the community, it is imperative that all persons employed by the church in any capacity, or who serve as volunteers, should abide by and agree to this Statement on Marriage, Gender, and Sexuality and conduct themselves accordingly.

We believe that God offers redemption and restoration to all who confess and forsake their sin, seeking His mercy and forgiveness through Jesus Christ.

We believe that every person must be afforded compassion, love, kindness, respect, and dignity. Hateful and harassing behavior or attitudes directed toward any individual are to be repudiated and are not in accord with scripture nor the doctrines of the church.

### **#2: IDENTIFY GOVERNING BODY THAT IS THE SOLE AUTHORITATIVE INTERPRETER OF SCRIPTURE**

It is impossible to anticipate every doctrinal dispute that a church could encounter. Thus, churches should include a statement in the bylaws that its governing body (e.g. elder board, executive committee, etc.) is the church's sole authoritative interpreter of Scripture. This will allow the governing body to issue an interpretation of Scripture whenever a dispute arises that cannot be questioned by courts.<sup>2</sup>

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<sup>2</sup> *Gunn*, 2005 WL 1253953 at \*2. (courts "cannot undertake...a mission" of finding what is and is not "moral" or "sinful" within the beliefs of a particular church).



Below is a sample statement of Biblical authority that your church can adopt in whole, or can use as a template to create its own unique statement.

### **Statement of Biblical Authority**

The statement of faith does not exhaust the extent of our faith. The Bible itself, as the inspired and infallible Word of God that speaks with final authority concerning truth, morality, and the proper conduct of mankind, is the sole and final source of all that we believe. For purposes of church doctrine, practice, policy, and discipline, our [governing board][pastor][elders][Doctrinal Committee] is the church's final interpretive authority on the Bible's meaning and application.

### **#3: FORMAL MEMBERSHIP POLICY**

Some churches do not have formal members.<sup>3</sup> However, those churches that do should always have a formal process by which congregants become members. Churches enjoy substantial freedom under the U.S. Constitution to govern themselves as they see fit without fear of legal consequences. Courts “do not exercise jurisdiction over the internal affairs of religious organizations.”<sup>4</sup> The Supreme Court has recognized “a spirit of freedom for religious organizations, an independence from secular control or manipulation, in short, power to decide for themselves, free from state interference, matters of church government as well as those of faith and doctrine,” and has recognized that this freedom is rooted in the Free Exercise Clause of the U.S. Constitution.<sup>5</sup> Thus, the Constitution protects church conduct, even where that conduct causes personal injury that would otherwise be actionable in court: “When the imposition of liability would result in the abridgment of the right to free exercise of religious beliefs, recovery in tort is barred.”<sup>6</sup>

But this freedom has limitations. “Only those ‘who unite themselves’ in a religious association impliedly consent to its authority over them and are ‘bound to submit to it.’”<sup>7</sup> So, in order for a church to claim immunity against a possible tortious act,<sup>8</sup> the alleged victim must be (or have been) a member of the church. This is very difficult to determine if the church does not have a formal membership policy.

<sup>3</sup> Churches that choose not to have formal membership should be aware that their ability to impose church discipline is severely limited, especially when it comes to public disclosure of unrepentant sin in an individual’s life. Churches without formal membership should read #4 and #5 in this Memo carefully to gain an understanding of how church discipline can result in legal liability to a church that attempts to discipline someone who is not a member of the church.

<sup>4</sup> *Tomic v. Catholic Diocese of Peoria*, 442 F.3d 1036, 1037 (7<sup>th</sup> Cir. 2006).

<sup>5</sup> *Kedroff v. St. Nicholas Cathedral of Russian Orthodox Church in N. Am.*, 344 U.S. 94, 116 (1952).

<sup>6</sup> *Paul v. Watchtower Bible and Tract Society of New York, Inc.*, 819 F.2d 875, 880 (9<sup>th</sup> Cir. 1987).

<sup>7</sup> *Guinn v. Church of Christ of Collinsville*, 775 P.2d 766, 779 (Okla. 1989); *accord Owen v. Bd. of Directors of Rosicrucian Fellowship*, 342 P.2d 424, 426 (Cal. App. 1959) (“A person who joins a church covenants expressly or impliedly that in consideration of the benefits which result from such a union he will submit to its control and be governed by its laws, usages, and customs”).

<sup>8</sup> A tort is any wrongful act that results in injury to another’s person, property, or reputation. Examples include breach of contract, assault, defamation, invasion of privacy, intentional infliction of emotional distress, etc.



#### **#4: PROCEDURE FOR MEMBER DISCIPLINE/MEMBERSHIP REVOCATION**

Generally speaking, a church cannot be held liable for disciplining a church member or terminating his or her membership. “Courts generally do not scrutinize closely the relationship among members (or former members) of a church. Churches are afforded great latitude when they impose discipline on members or former members.”<sup>9</sup> There are exceptions, however. The most common is when a church disciplines a member or terminates a person’s membership because that person refuses to stop engaging in sinful behavior, and the church leaders reveal the sinful behavior to the congregation. This can lead to claims against the church for invasion of privacy, intentional infliction of emotional distress, defamation, etc.<sup>10</sup>

There are some simple steps a church can take to help avoid such claims. First, a church should have each step of its procedure for discipline and membership termination explained in its bylaws. If the church believes that it may be necessary to reveal to the congregation the reason for the discipline/termination, it is essential that this be a part of that procedure. Second, as part of the process for becoming a member, a church should provide all prospective members a copy of the bylaws and have them sign a statement that they have read them. And, of course, the church should *always* follow the procedures in the bylaws.<sup>11</sup>

As part of the church discipline process, the church should also consider including a provision in its bylaws that a member cannot voluntarily withdraw or resign membership once the discipline process has begun. See the explanation in #5 below for more details on this provision.

If these steps are followed, then courts are much less likely to consider a tort claim against a church for its internal discipline process, unless the church’s conduct was so “extreme and outrageous” as to justify intruding on the church’s religious liberty.<sup>12</sup>

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<sup>9</sup> *Paul*, 819 F.2d at 883.

<sup>10</sup> See, e.g., *Snyder v. Evangelical Orthodox Church*, 216 Cal.App.3d 297, 307 (1989) (allowing case against church to go forward because the church’s bylaws were silent about whether confessions could be revealed to the congregation).

<sup>11</sup> The Supreme Court has repeatedly affirmed that churches have the right to decide purely religious and ecclesiastical matters for themselves, but has recognized that if “fraud, collusion, or arbitrariness” is present, the civil courts may be empowered to intervene to decide such a case. See *Gonzalez v. Roman Catholic Archbishop*, 280 U.S. 1, 16 (1929). Some state courts have reviewed cases brought to challenge membership decisions if the church did not comply with its procedures and bylaws. See, e.g., *Konkel v. Metropolitan Baptist Church, Inc.*, 572 P.2d 99 (Ariz. 1977) (finding that the court had jurisdiction to determine if removal of church members complied with the procedures in the church bylaws); *LeBlanc v. Davis*, 432 So. 2d 239 (La. 1983) (same); *First Baptist Church v. State of Ohio*, 591 F. Supp. 676 (S.D. Ohio 1983) (finding jurisdiction to adjudicate claim that expulsion of members was a result of fraud or collusion); *Hatcher v. South Carolina Dist. Council of the Assemblies of God*, 552 S.W.2d 865 (Tex. 1977) (same).

<sup>12</sup> *Snyder*, 216 Cal.App.3d at 309.



## #5: PROCEDURE FOR RESCINDING MEMBERSHIP

Just as the church should have a written policy for terminating membership, it should also have a written policy for how members can disassociate from the church. Courts have held that church members have a First Amendment right to terminate their membership.<sup>13</sup> Once a member has rescinded her membership, she is no longer consenting to the church's doctrine. This could limit a church's legal protection if it is sued for disciplining someone *after* they have revoked their membership. At least one state court has allowed a suit to proceed against the elders of a church who attempted to discipline an individual after she had formally withdrawn her membership.<sup>14</sup> But that court also held that an individual can waive their constitutional right to withdraw from church membership in the midst of a discipline process as long as the waiver is "voluntary and intentional."<sup>15</sup> With a formal revocation policy, it is easy for all parties involved, including the court, to identify when the membership was terminated – otherwise a court will decide on its own.

The church should place a provision in its bylaws for formally terminating membership and this provision should prohibit the voluntary resignation or withdrawal of membership of a member once the discipline process has begun. Because the waiver of a church member's right to resign his membership must be voluntary and intentional, it is a good idea to have church members sign an explicit statement that they have read and agree to this provision of the bylaws.

Some churches do not want to limit their members' ability to resign from the church and want to allow their members to resign voluntarily from church membership at any time, even in the midst of a disciplinary policy. However, should churches choose not to place an explicit procedure for rescinding membership in their bylaws, they should be aware that their ability to discipline a member *after* the member has resigned is strictly limited and a court may intervene to halt discipline directed against a member that has already resigned their membership.

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<sup>13</sup> See, e.g., *Guinn*, 775 P.2d at 776 ("Just as freedom to worship is protected by the First Amendment, so also is the liberty to recede from one's religious allegiance").

<sup>14</sup> See *Guinn*, 775 P.2d at 766 (permitting lawsuit against church and elders to proceed when the elders disclosed the details of the conduct of the individual to the church after the individual had explicitly resigned her membership).

<sup>15</sup> *Guinn*, 775 P.2d at 779.



## Notes

**CONSTITUTION AND BYLAWS**  
**First Baptist Church of West Monroe, Louisiana**  
**July 18, 2010**

July 18, 2010	Proposed 2025
<p><b>Constitution</b></p> <p><b>Preamble</b></p> <p>We declare and establish this constitution to preserve and secure the principles of our faith and to govern the body in an orderly manner. This constitution will preserve the liberties of each individual church member and the freedom of action of this body in its relation to other churches.</p> <p><b>Article I. <i>Name</i></b></p> <p>This body shall be known as the First Baptist Church of West Monroe, Louisiana.</p> <p><b>Article II. <i>Purpose</i></b></p> <p>The primary purpose of our church is to lead people to a saving knowledge of Jesus Christ. The church recognizes the Bible alone, especially the New Testament, as the guide for its ministry. Its purpose is to seek and to follow the leadership of the Holy Spirit in understanding the purpose of God in the development of the various aspects of its ministry, and to be a channel for God to work out His will through witnessing to the unsaved, both at home and abroad; through the study of the teachings of the Bible concerning every aspect of life; through the development of the Christian life as it is revealed in the Bible; through fostering cordial and helpful Christian fellowship among our members; through the maintenance of opportunities for the worship of God, including regular observances of the ordinances; through ministering unselfishly to those in spiritual or material need in our community; and through the spread of the gospel message throughout the world in cooperation with other churches of like faith and order.</p>	<p><b>Constitution</b></p>

**Article III. *Statement of Faith***

Ours is a New Testament church. We recognize the Bible as the inspired Word of God and as authoritative in all matters of faith and practice. For a statement of faith, reference is made to the "Baptist Faith and Message," adopted by the Southern Baptist Convention on May 9, 1963.

**Article III. *Statement of Faith***

We accept the Bible as the inspired Word of God and as the ultimate authority in matters of faith, doctrine and Christian living. This church accepts "The Baptist Faith and Message 2000," as adopted by the Southern Baptist Convention, as an affirmation of our basic Christian beliefs and as a general statement of faith.

This statement of faith does not exhaust the extent of our faith. The Bible itself, as the inspired and infallible Word of God that speaks with final authority concerning truth, morality, and the proper conduct of mankind, is the sole and final source of all that we believe. For purposes of church doctrine, practice, policy, and discipline our Church Council is the church's final interpretive authority on the Bible's meaning and application.

**Article IV. *Relationships***

Our church is an autonomous body. Its government is vested in the membership. It is subject to the control of no other ecclesiastical body. However, we are voluntarily affiliated with the Northeast Louisiana Baptist Association, the Louisiana Baptist Convention, and the Southern Baptist Convention, and therefore, cooperate with and support financially these bodies. We are also glad to cooperate, insofar as it is practical, with other Christian groups in worthy endeavors.

**Article V. *Covenant***

Having been led, as we believe, by the Spirit of God, to receive the Lord Jesus Christ as our Savior, and on the profession of our faith, having been baptized in the name of the Father, and of the Son, and of the Holy Spirit, we do now, in the presence of God and this assembly, most solemnly and joyfully enter into covenant with one another as one body in Christ.

We pledge, therefore, by the aid of the Holy Spirit, to strive for the advancement of this church in seeking to lead people to a saving knowledge of Jesus Christ, in nurturing and developing the Christian life, in ministering to the spiritual and material needs of those in the community, and in furthering the spread of the gospel to all people;

To provide opportunities for the worship of God, including regular observance of the ordinances, and to provide a program of Christian education based on the study of the Bible;

To support the total church program by contributing regularly and cheerfully of our time, talent, and resources.

We also pledge, with the Bible as our guide, to set a Christian example to the world by our attitudes, morals, and lifestyle, actively seeking justice for all and exemplifying a Christ-like spirit of love for our fellowman;

To educate our children in Christian principles and to seek the salvation of the lost;

Through prayer and study of the Bible, to seek knowledge of God's will and to pursue growth in Christian maturity.

We further pledge to walk together in loving Christian fellowship, to pray for one another, to aid one another in times of need, and to rejoice with one another in times of gladness;

To cultivate Christian compassion and courtesy in speech, to be slow to take offense, but always ready for reconciliation.

We moreover pledge that when we move from this location, we will, as soon as possible, unite with another church, where we can carry out the spirit of this covenant and the principles of God's Word.

**Article VI. *Amendments***

This constitution may be amended at any regular business meeting of the church by a vote of two-thirds (2/3) majority of the members present who shall represent at least ten percent (10%) of the resident membership of the church, provided that the proposed amendment has been provided to the church at least thirty (30) days previously.

Notification of the vote for the proposed constitutional amendment shall be presented to each church family at least two (2) weeks before the proposed amendment is to be acted upon.



# FIRST WEST | Proposed Bylaw Revisions Overview

## Amend “Senior Pastor” to “Lead Pastor” throughout First West’s Bylaws

### Article I. Membership

#### Section 1. Membership (p. 1)

- Every staff member and every church member affirm their agreement with the Church’s Bylaws and Statements of Faith and agrees to conduct themselves in a manner consistent with them.
- Ministerial staff determines members who have met the conditions of membership prior to presentation and affirmation by the church body.
- **Bylaws are brought into harmony with current practice.**

#### Section 6. Discipline (p. 3)

- Discipline is administered by a two-thirds vote of the active deacon fellowship.
- **This change from a two-thirds vote of members in a business meeting helps preserve unity within the body.**

### Article II. Church Officers

#### Section 1. Lead Pastor (p. 4)

- The formation of a Pastor Search Committee shall be as follows: the Committee on Committees and Church Council shall prepare a list of thirty (30) names representative of the church membership.
- **This change removes the Personnel Committee at this stage of the process to reduce the size of the nominating group for the Pastor Search Committee.**
- Personnel is represented by the chairman who shall serve on Church Council and is also an ex-officio member of the Search Committee.
- Additionally, the Personnel Committee becomes more actively involved in the process once a candidate has been identified.

#### Section 1. Lead Pastor (p. 5)

- The eight persons with the highest number of votes shall form the Pastor Search Committee, along with the chairperson of the Personnel and Finance Committees, as well as the chairman of Deacons.
- **This change removes 2 alternates to make the committee size more manageable.**
- Because the chair of the Committee on Committees guides the nomination process, this position shall not be eligible to serve on the Pastor Search Committee.

#### Section 2. Ministerial Staff (p. 7)

- The Personnel Committee and chairperson of the Finance Committee (who serves as an ex-officio member of Personnel), working with the Lead Pastor and the Executive Pastor, shall select ministerial staff members.

- All ministerial staff recommendations shall be presented to the deacons before selection is announced to the church membership.
- **Bylaws are brought into harmony with current practice.**

### **Section 3. Deacons (p. 7)**

- If a Deacon has attained the age of 75 (instead of 70) or older and he has served at least two three-year terms (instead of one three-year term), he will be given the opportunity of being placed on the Lifetime Deacon Fellowship.
- **This change provides for a longer period of service before consideration as a lifetime deacon.**

### **Section 3. Deacons (p. 8)**

- **To be eligible, deacon candidates must be supportive of the vision of the Church as demonstrated through worship and LIFE Group attendance and giving.**
- The nomination process will continue for four weeks (instead of three weeks).
- **Bylaws are brought into harmony with current practice.**

### **Section 3. Deacons (p. 8)**

- Upon nomination (instead of a single nomination), each man will be screened by the Deacon Screening Committee.
- **Bylaws are brought into harmony with current practice.**

### **Section 3. Deacons (p. 9)**

- Men who have not been previously ordained shall be ordained as soon as is practical (instead of after the beginning of the new year).
- **This change gives the church more flexibility in scheduling multisite ordination services.**

### **Section 4. Trustees (p. 9)**

- There shall be at least three trustees (instead of only three).
- **Since there are situations when signatures of two trustees are required, having additional trustees provides more options when a trustee is unavailable due to travel, illness, or other reasons.**

### **Article IV. Committees (p. 11)**

- The Committee on Committees shall be composed of the Senior Leadership Team (which includes the Lead Pastor), Chairman of Deacons, and Chairman of the Committee on Committees.
- **Since missions mobilization is accomplished in continually changing ways, the WMU president has been removed from this group.**

### **Article V. Church Council (p. 12)**

- The regular members of the Church Council shall be the Lead Pastor, Executive Pastor, Trustees, Deacon Chairman; and all church committee chairmen (Committee on Committees, Finance, Personnel, and Long Range Planning).

- **This bylaw revision deletes the reference to the Stewardship Committee, which no longer exists.**
- The functions of stewardship education and promotion will be coordinated by the Finance Committee.

#### **Article VII. Meetings (p. 13)**

- The meetings of the church shall be as follows: Services of worship each Sunday and Wednesday as the Ministerial Staff deems appropriate.
- **This change provides for Wednesday service schedule adjustments.**

#### **Article X. Church Year (p. 14)**

- The church year shall be determined by the Church Council and shall be the day the new committees (with the exception of the Finance Committee) shall become effective.
- **This revision removes the reference to the Stewardship Committee.**

#### **Article XI. Quorum (p. 15)**

- A majority vote of the members present shall comprise a quorum (instead of 5% of the resident membership) with the exception of the calling of a lead pastor, which shall require ten (10) percent.
- **This change is proposed due to lower attendance at regularly scheduled First West business meetings.**
- **Lower attendance at church business meetings is a nationwide trend, reflecting high trust in church-elected committees, deacons and ministry staff teams.**



## Notes



## Admin & Tax Forms



STEWARDSHIP ▾ BUDGET ▾ STAFFING ▾ TEAMS ▾ MULTIPLICATION ▾ LOGISTICS ▾

### Law & Tax Resources

**Church Law & Tax** – Access the online library of law, tax, finance and risk management articles at the Church Law & Tax website. Church Law & Tax offers reliable, up-to-date tax information and prepares you for new legal developments that directly impact ministry.

**Michael Best** – Michael Best is a full-service firm with multiple specializations in the legal, organizational, governance and other faith-based issues affecting nonprofits and churches. Michael Best offers consulting services and legal advice in these areas and many others. Church leaders will appreciate their wise counsel, which is both proactive and price predictable.

Contact James Forrest

Contact Keith Richardson

### IRS Information for Churches

**Tax Guide for Churches and Religious Organizations** – A quick reference guide of federal tax law and procedures for churches and religious organizations, to help them comply with tax rules.

**Exemption Requirements – Section 501(c)(3) Organizations** – A brief description of the requirements for exemption under IRC Section 501(c)(3).

**Unrelated Business Income Tax** – Unrelated business income tax requirements for tax-exempt organizations.

**Church Filing Requirements** – A brief description of annual filing requirements for tax-exempt churches and religious organizations.

**The Restriction of Political Campaign Intervention by Section 501(c)(3) Tax-Exempt Organizations – Political Campaign Activity** by section 501(c)(3) tax-exempt organizations. Note related material on this topic provided by the Family Research Council.

**Special Rules Limiting IRS Authority to Audit a Church** – Overview of rules on tax inquiries and examinations of churches.

**Tax Information for Charitable Organizations** – Tax information for charitable, religious, scientific, literary, and other organizations exempt under Internal Revenue Code ("IRC") section 501(c)(3).

**Publication 4573 – Group Exemptions** – A publication in Q&A format describing the federal tax rules that apply to group rulings of exemption under Internal Revenue Code section 501.

## General IRS Forms

**Form W-9 – Request for Taxpayer Identification Number and Certification** – This form is used by employers to report annual compensation, withheld income and FICA taxes for each employee. Churches must issue this form to each employee on or before January 31. Ordained ministers pay self-employment taxes instead of FICA taxes.

**Form W-4 – Employee's Withholding Allowance Certificate**

**Form 1099 – Miscellaneous Income** (for Self-Employed Contractors) – Churches use this form to report compensation of \$600 or more paid to non-employees for services during any one year. This includes but is not limited to evangelists, guest speakers and self-employed persons who perform miscellaneous services for the church (plumbers, cleaning, lawn maintenance, etc.) who are not incorporated.

**Form I-9 – Employment Eligibility Verification** (Department of Homeland Security, U.S. Citizenship and Immigration Services)

**Form 941 – Employer's Quarterly Federal Tax Return** – Churches must file this form quarterly with the IRS if they have at least one employee other than ordained staff. The amounts reported on a church's W-2 forms at year-end must reconcile with the 941 forms filed during the year. Churches with only one employee, when that employee is ordained, are required to file only a W-2 form.

**Publication 517 – Social Security and Other Information for Members of the Clergy and Religious Workers**

 Publication 517 (2024 Update)

 Publication 517 Updates

## IRS Gateway Web Sites

**Tax Information for Churches and Religious Organizations**

**Tax Information for Charities & Other Non-Profits**

## Church Management Consultants

**Frieze Consulting** – Frieze Consulting is a Church Management Consulting Firm that assists and equips church leaders in their organizational, operational and administrative functions. Frieze manuals and materials cover a wide range of proper business, organizational, personnel and financial practices and procedures. Resources can be purchased directly from the Frieze website.

**The Church Operations Toolkit** – The Church Operation Toolkit is a comprehensive resource that provides practical tips, insights, and tools to effectively operate a church, covering areas such as

finances, administration, security, church management systems, information technology, project management, event planning, volunteer management, and human resources.

**The Church Network** – Formerly known as the National Association of Church Business Administration or NACBA, The Church Network is an inter-denominational, professional, Christian organization which exists to serve local church administrators with resources, training and networking. If you are involved in any capacity with church administration, or if you desire a professional relationship with NACBA, there is a membership classification for you.

**Coach Approach Ministries** – Coach Approach Ministries offers training and workshops to help church staff teams build trust, develop more effective communication patterns, and get better results. The “Working Better Together” workshop is a one-day coaching workshop for teams of four to twenty-four members.

## Church Finance Reading List

Crumroy, Otto F., Jr., Stan Kukawka and Frank M. Witman, *Church Administration and Finance Manual: Resources for Leading the Local Church* (Harrisburg, PA: Morehouse Publishing, 1998).

Graham, Casey, and Joseph Sangl, *Funded and Free: Fund Your Church and Free Yourself from Financial Worry* (NIN Publishing, 2010).

## Church Administration Reading List

Anthony, Michael, and James Estep, eds., *Management Essentials for Christian Ministries* (Nashville: Broadman & Holman Publishers, 2005).

Powers, Bruce P., *Church Administration Handbook* (Nashville: Broadman Press, 1985).

Robert, Henry M., et. al., *Robert's Rules of Order Newly Revised*, 12th ed. (New York: PublicAffairs, 2020).

Tidwell, Charles A., *Church Administration: Effective Leadership for Ministry* (Nashville: Broadman Press, 1985).

Tidwell, Charles A., *The Educational Ministry of a Church: A Comprehensive Model for Students and Ministers* (Nashville: Broadman Press, 1996).

Welch, Robert H., *Church Administration: Creating Efficiency for Effective Ministry* (Nashville: Broadman & Holman Publishers, 2005).

White, James Emery, *Rethinking the Church: A Challenge to Creative Redesign in an Age of Transition* (Grand Rapids, MI: Baker Books, 1997).

## Additional Resources



Emergency Response Plans by GuideOne Insurance



## Notes