



CHURCH ADMINISTRATION, FINANCE, AND LAW

PREPARED AND FACILITATED BY CHRIS ARGO

CLASS DATE: August 2020



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ADMIN

FINANCE

LAW

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1. B.A. Church Ministries, Pastoral Ministries Concentration, Southeastern University
2. B.S. Business, Accounting Concentration, Southwestern Assemblies of God University
3. M.A. Christian Thought, Bethel Seminary
4. Associate Pastor—26 years, 1999 -2020 at The Crossing
5. Chris-argo@bethel.edu or 205-281-0363

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ADMIN THE IMPORTANCE OF THE LEGAL ENVIRONMENT

FINANCE ACCOUNTING PROCEDURES, REPORTS & CONCEPTS

LAW MANAGING THE CHURCH'S BUSINESS

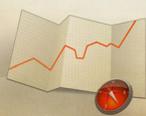
THE IMPACT OF THE LAW ON THE CHURCH AND CLERGY



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UNIT 1

THE IMPORTANCE OF THE LEGAL ENVIRONMENT



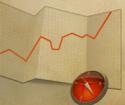
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ADMIN Important Business Relationships for the Church

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- Attorney
- Accountant
- Banker
- Experienced Church Administrators



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Management

FINANCE

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The process of organizing, planning, staffing, directing, and controlling the operations of an organization to achieve established goals.

Church management is stewardship of all of the church's resources.



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Church Government and Leadership

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- Purpose
- Leadership Styles
- Constitution & Bylaws
- Staffing



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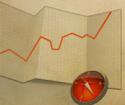
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Pastor & Trustees

FINANCE

LAW

- What is an *ex officio* member?
- What is a Trustee?
- What do Trustees actually do?



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What church document describes the management duties of the church leadership and establishes their legal authority?



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Financing (Borrowing Money)

- The Importance of Giving Units
- What is a note?
- What is a mortgage?
- What is bond financing?
- The Importance of Capital Fund Drives



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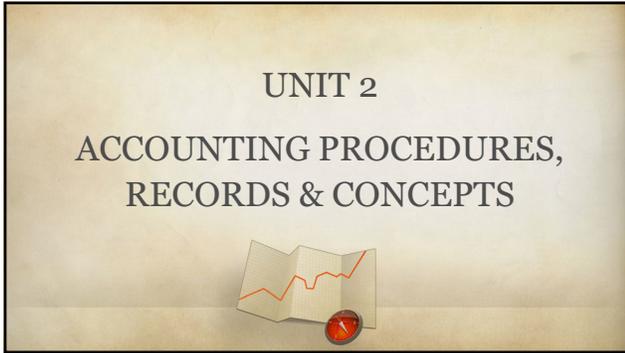
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Financing (Operations)

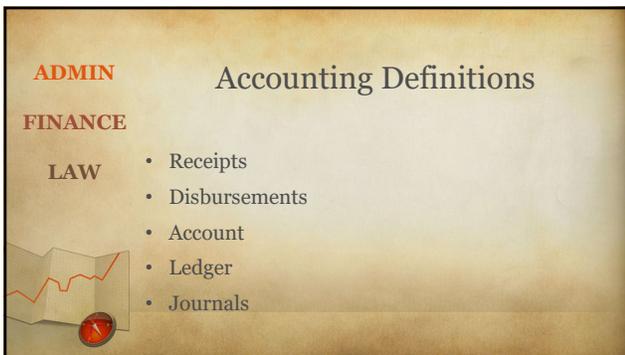
- Tithes & Offerings
- Stewardship Campaigns
- Historical Approaches at The Crossing
- Staff Modeling



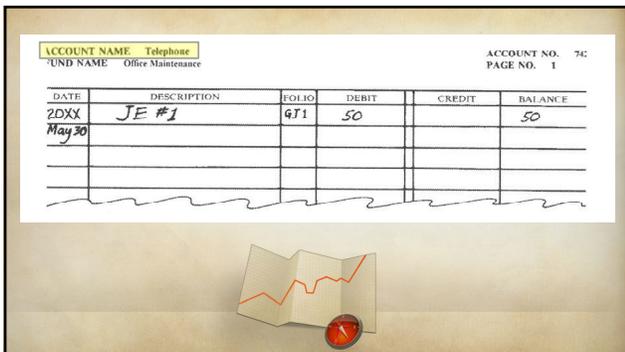
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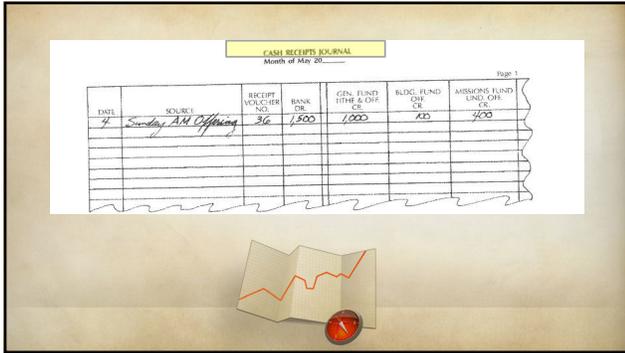
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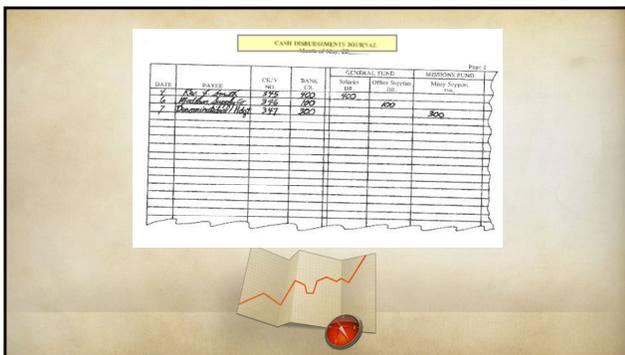
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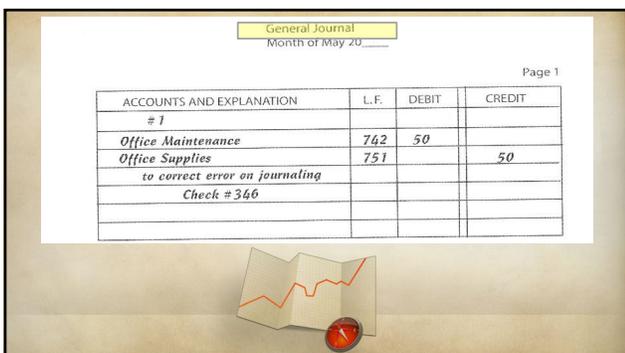
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FINANCE

Accounting Procedures

LAW

- Preliminary Comments
- Receipt Procedures
- Worksheets
- The Importance of Written Procedures



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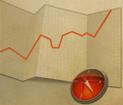
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FINANCE

Accounting Reports

LAW

- Statements of Receipts/Expenses
- Statement of Financial Position (Balance Sheet)
- Report Preparation Guidelines
- How to Use Financial Reports



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FINANCE

Accounting Reports

LAW

- Statements of Receipts/Expenses
- Statement of Financial Position (Balance Sheet)
- Report Preparation Guidelines
- How to Use Financial Reports



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Accounting Records

- The Filing System
- How Long Do I Keep Records?
- Church Audits



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Accounting Concepts

- The Basics
- The Different Accounting Bases (Approaches)
- Depreciation Expense

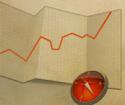


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Accounting Systems

- Double-entry Bookkeeping
- Single-entry Bookkeeping
- Fund Accounting



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Why should churches use accounting principles and concepts?

Who benefits from the use of accounting principles and concepts?



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UNIT 3

MANAGING THE CHURCH'S BUSINESS



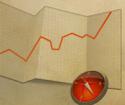
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What are internal controls?

What are the benefits of internal controls?

Internal Control Resources



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Cash Receipts

- Why Should All Monies Go Through The Checking Account?
- Should Churches Invest Idle Cash?



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Cash Disbursements

- Purchase Orders
- Payment Vouchers
- Check Requisitions
- The Importance of Receipts
- Cash Disbursement Funds



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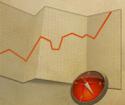
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FINANCE

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Fixed Assets

- A Master Plan for Church Growth
- Maintenance Issues
- Equipment and Vehicles
- Personal Use



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Church Insurance

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- Our Text: Liability, Accident, Health, Multi-Peril, Umbrella
- Other Insurances
- Additional Insurances: The Crossing's Experience



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Church Budgets

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- What Is A Budget?
- How Are Church Budgets Helpful?
- The Budgeting Process
- Stewardship Potential



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Stewardship Potential Example

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- Annual Household Income: \$100,000
- Minimum Tithe of 10%
- # of Families in the Church: 50
- $(\$100,000) \times (.1) \times (50) = \$500,000$



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Balancing Church Budgets

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- Increases
- Reductions
- Eliminations
- Additions
- Adoption
- Once adopted, are budgets set in stone?



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LAW

Are Monthly Financial Statements Helpful In The Budgeting Process?

Why Or Why Not?



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UNIT 4

THE IMPACT OF THE LAW ON THE CHURCH AND CLERGY



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The Law and the Pastor

- The Selection of a Pastor
- The Legal Authority of Ministers
- Clergy Privileges



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Clergy Liabilities, Limitations and Restrictions

- Negligence (Key Concepts)
 - Reasonable Care
 - Foreseeable
 - Unreasonable Risk
- Imputed Negligence



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Clergy Liabilities, Limitations and Restrictions

- Defamation: slander, willfully harming another's reputation
- The Components of Defamation
- Defamation Concerns in the Church
- Defamation Lessons from Court Cases
- Ministers as Victims of Defamation



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Clergy Liabilities, Limitations and Restrictions

- Sexual Misconduct
- Civil and Criminal Liability
- Why Are Ministers Liable When the General Public Is Not?



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A Church's Legal Identity and Leadership

- Incorporation
- Bylaws
- Church Voting
- Minutes (Board/Leadership Meetings and Business Meetings)



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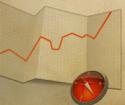
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The Church as Property Owner and Employer

- Zoning Laws
- Premises Liability
- Workers Comp/Workers Termination
- Churches Are Engaged In Commerce
- Americans With Disabilities Act



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LAW

The Church as Property Owner and Employer

- Sexual Orientation and Employment
- Fair Labor Standards Act
- Reference Letters
- Employment Practices Insurance
- The Importance of Attorneys



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FINANCE

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Government Regulation and Church Liability

- Copyright Law
 - The Exclusive Rights of the Owner
 - When Is A Work Copyrighted?
 - Do Exceptions for Church Use Exist?
- Works Made For Hire



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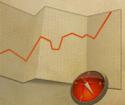
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Negligent Selection of Workers

- Legal/Financial Concerns
- The Well-Being of People
- Failure to Exercise Care in the Selection Process of Employees/Volunteers
- If the church is negligent, the church will most likely be held liable.



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FINANCE Negligent Retention of Workers

LAW

- Investigation
- Restriction



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Negligent Supervision of Workers

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- Reasonable Oversight
- Factors That Affect Reasonable Oversight
- Our Goal
 - Aware of Risk
 - Take Steps to Adopt/Enforce Suitable Policies/Procedures



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ADMINISTRATION

FINANCE

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ALSOM—MIN 327

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**BUSINESS,
FINANCE, AND
LAW**

APPENDICES

STRUCTURE

Structure

Our Local Structure and Form of Government

Christ the Head

In the Assemblies of God Christ is recognized as the head of the Church. He is supreme; and His life is the pattern for all ministry and conduct of the church (Ephesians 5:23; Colossians 1:18).

Elected Leadership

The pastor is elected by the local congregation. He leads through preaching and teaching of the Word as well as by example. The pastor is responsible for much of the public ministry and day-to-day operation of the local church. A board of deacons is elected to assist the pastor in spiritual matters and to help conduct the business operation of the church (Ephesians 4:11, 12; 1 Timothy 3:8-13).

Sovereignty of Local Assemblies

Within the fellowship of the Assemblies of God there are two classifications of churches - General Council affiliated churches and district affiliated churches. General Council affiliated churches enjoy full autonomy, having developed to the point of where they are self-governing and self-supporting. These fundamental principles have been catalysts for growth in the Fellowship. District affiliated churches are those which have not yet developed to the point where they qualify for full autonomy. All assemblies are required to adhere to the Statement of Fundamental Truths and a biblical pattern of conduct.

Our System of Leadership and Accountability

District and General Council Functions

Each assembly operates its ministries under both a district and national structure. The 67 districts basically follow state boundaries or are set according to specific language groups. Districts oversee the ministries in their areas, such as camps and outreaches, as well as provide ministry opportunities and avenues of fellowship for ministers and constituents. Districts also recommend ministers for national credentialing. They are authorized to lead, solving matters of leadership and direction for local assemblies. They operate as a type of regional leadership between the local church and the national Fellowship.

The national church is called "The General Council of the Assemblies of God." In keeping with the original intention of the founding body, the Assemblies of God is considered a cooperative fellowship instead of a denomination. As a result the national headquarters operation exists primarily as a service organization - providing educational curriculum, organizing the missions programs, credentialing ministers, overseeing the church's colleges and seminary, producing communication channels for the church and non-church publics, and providing leadership for many national programs and ministries of the Assemblies of God (Acts 16:4, 5; Hebrews 13:17).

<https://ag.org/About/About-the-AG/Structure>

**CLERGY
MANDATED
REPORTING**

WHAT'S INSIDE

Privileged
communications

Chart summarizing State
provisions

Full-text excerpts of
State laws

**To find statute
information for a
particular State,
go to**

<https://www.childwelfare.gov/topics/systemwide/laws-policies/state/>



Clergy as Mandatory Reporters of Child Abuse and Neglect

Every State, the District of Columbia, American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands have statutes that identify persons who are required to report child maltreatment under specific circumstances.¹ Approximately 28 States and Guam currently include members of the clergy among those professionals specifically mandated by law to report known or suspected instances of child abuse or neglect.² In approximately 18 States and Puerto Rico, any person who suspects child abuse or neglect is required to report it.³ This inclusive language appears to include clergy.

¹ For more information on mandated reporters, see Child Welfare Information Gateway's *Mandatory Reporters of Child Abuse and Neglect* at <https://www.childwelfare.gov/topics/systemwide/laws-policies/statutes/manda/>.

² The word "approximately" is used to stress the fact that States frequently amend their laws. This information is current only through April 2019. States that include clergy as mandated reporters are Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Georgia, Illinois, Louisiana, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nevada, New Hampshire, New Mexico, North Dakota, Ohio, Oregon, Pennsylvania, South Carolina, Vermont, Virginia, West Virginia, and Wisconsin.

³ Delaware, Florida, Idaho, Indiana, Kentucky, Maryland, Mississippi, Nebraska, New Hampshire, New Jersey, New Mexico, North Carolina, Oklahoma, Rhode Island, Tennessee, Texas, Utah, and Wyoming. Three of these States (Mississippi, New Hampshire, and New Mexico) also enumerate clergy as mandated reporters.

Privileged Communications

As a doctrine of some faiths, clergy must maintain the confidentiality of pastoral communications. This is sometimes referred to as "clergy-penitent privilege," where "penitent" refers to the person consulting the clergy. Mandatory reporting statutes in some States specify the circumstances under which a communication is "privileged" or allowed to remain confidential. Privileged communications may be exempt from the requirement to report suspected abuse or neglect. The privilege of maintaining this confidentiality under State law must be provided by statute. Most States do provide the privilege, typically in rules of evidence or civil procedure.⁴ If the issue of privilege is not addressed in the reporting laws, it does not mean that privilege is not granted; it may be granted in other parts of State statutes.

This privilege, however, is not absolute. While clergy-penitent privilege is frequently recognized within the reporting laws, it is typically interpreted narrowly in the context of child abuse or neglect. The circumstances under which it is allowed vary from State to State, and in some States it is denied altogether. For example, among the States that list clergy as mandated reporters, Guam, New Hampshire, and West Virginia deny the clergy-penitent privilege in cases of child abuse or neglect. Four of the States that enumerate "any person" as a mandated reporter (North Carolina, Oklahoma, Rhode Island, and Texas) also deny clergy-penitent privilege in child abuse cases.

In States where neither clergy members nor "any person" are enumerated as mandated reporters, it is less clear whether clergy are included as mandated reporters within other broad categories of professionals who work with children. For example, in Washington, clergy are not enumerated as mandated reporters, but the clergy-penitent privilege is affirmed within the reporting laws.

Many States and territories include Christian Science practitioners or religious healers among professionals who are mandated to report suspected child maltreatment. In most instances, they appear to be regarded as a type of health-care provider. Only 10 States explicitly include Christian Science practitioners among classes of clergy required to report.⁵ In those States, the clergy-penitent privilege also is extended to those practitioners by statute.

⁴ The issue of clergy-penitent privilege also may be addressed in case law, which is beyond the scope of this publication.

⁵ Christian Science practitioners are included as clergy in Arizona, Arkansas, Louisiana, Massachusetts, Missouri, Montana, Nevada, South Carolina, Pennsylvania, and Vermont. Alaska and Pennsylvania include religious healing practitioners as mandatory reporters, and they are allowed to claim privilege. South Dakota also designates religious healing practitioners as mandatory reporters, but the issue of privilege is not addressed in the statute. American Samoa requires Christian Science practitioners to report, but it is not clear from the context whether they are considered clergy or health-care providers.

The following chart summarizes how States have or have not addressed the issue of clergy as mandated reporters (either specifically or as part of a broad category) and/or clergy-penitent privilege (either limiting or denying the privilege) within their reporting laws.

| | Privilege granted but limited to pastoral communications | Privilege denied in cases of suspected child abuse or neglect | Privilege not addressed in the reporting laws |
|--|--|---|--|
| Clergy enumerated as mandated reporters | Alabama, Arizona, Arkansas, California, Colorado, Georgia, Illinois, Louisiana, Maine, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nevada, New Mexico, North Dakota, Ohio, Oregon, Pennsylvania, South Carolina, Vermont, Virginia, Wisconsin | Guam, New Hampshire, West Virginia | Connecticut, Mississippi |
| Clergy not enumerated as mandated reporters but may be included with "any person" designation | Delaware, Florida, Idaho, Kentucky, Maryland, Utah, Wyoming | North Carolina, Oklahoma, Rhode Island, Texas | Indiana, Nebraska, New Jersey, Tennessee, Puerto Rico |
| Neither clergy nor "any person" enumerated as mandated reporters | Alaska, Washington ⁶ | Not applicable | American Samoa, District of Columbia, Hawaii, Iowa, Kansas, New York, Northern Mariana Islands, South Dakota, Virgin Islands |

This publication is a product of the State Statutes Series prepared by Child Welfare Information Gateway. While every attempt has been made to be complete, additional information on these topics may be in other sections of a State's code as well as agency regulations, case law, and informal practices and procedures.

Suggested citation:

Child Welfare Information Gateway. (2019). *Clergy as mandatory reporters of child abuse and neglect*. Washington, DC: U.S. Department of Health and Human Services, Children's Bureau.

⁶ Clergy are not mandated reporters in Washington, but if they elect to report, their report and any testimony are provided statutory immunity from liability.

Alabama

Current Through April 2019

Citation: Ala. Code § 26-14-3(a), (f)

Members of the clergy (as defined in Rule 505 of the Alabama Rules of Evidence) shall be required to report, or cause a report to be made, immediately when a child is known or suspected to be a victim of child abuse or neglect—either by telephone or direct communication, followed by a written report—to a duly constituted authority.

A member of the clergy shall not be required to report information gained solely in a confidential communication, privileged pursuant to Rule 505 of the Alabama Rules of Evidence, as such communications shall continue to be privileged as provided by law.

Alaska

Current Through April 2019

Citation: Alaska Stat. § 47.17.020(d)

This section does not require a religious healing practitioner to report as neglect of a child the failure to provide medical attention to the child if the child is provided treatment solely by spiritual means through prayer in accordance with the tenets and practices of a recognized church or religious denomination by an accredited practitioner of the church or denomination.

American Samoa

Current Through April 2019

Citation: Ann. Code § 45.2002(a), (b)(11)

Any mandatory reporter who has reasonable cause to know or suspect that a child has been subjected to abuse or neglect, or who has observed the child being subjected to circumstances or conditions that would reasonably result in abuse or neglect, shall immediately report or cause a report to be made of that fact to the agency, who immediately informs the department.

Persons required to report the abuse or neglect or its circumstances or conditions include any Christian Science practitioner.

Arizona

Current Through April 2019

Citation: Rev. Stat. § 13-3620(A), (L)

Any member of the clergy, priest, or Christian Science practitioner who reasonably believes that a minor is or has been the victim of injury, abuse, child abuse, a reportable offense, or neglect shall immediately report or cause a report to be made.

A member of the clergy, a Christian Science practitioner, or a priest who has received a confidential communication or a confession in that person's role as a member of the clergy, a Christian Science practitioner, or a priest in the course of the discipline enjoined by the church to which the member of the clergy, Christian Science practitioner, or priest belongs may withhold reporting of the communication or confession if the member of the clergy, Christian Science practitioner, or priest determines that it is reasonable and necessary within the concepts of the religion. This exemption applies only to the communication or confession and not to the personal observations the member of the clergy, Christian Science practitioner, or priest may otherwise make of the minor.

In any civil or criminal litigation in which a child's neglect, dependency, physical injury, abuse, child abuse, or abandonment is an issue, a member of the clergy, a Christian Science practitioner, or a priest shall not, without his or her consent, be examined as a witness concerning any confession made to him or her in his or her role as a member of the clergy, a Christian Science practitioner, or a priest in the course of the discipline enjoined by the church to which he or she belongs. This subsection does not discharge a member of the clergy, a Christian Science practitioner, or a priest from the duty to report as required above.

Arkansas

Current Through April 2019

Citation: Ann. Code § 12-18-402

A clergy member shall immediately notify the child abuse hotline if he or she:

- Has reasonable cause to suspect that a child has been subjected to child maltreatment, has died as a result of child maltreatment, or has died suddenly and unexpectedly
- Observes a child being subjected to conditions or circumstances that would reasonably result in child maltreatment

A clergy member includes a minister, priest, rabbi, accredited Christian Science practitioner, or other similar functionary of a religious organization or an individual reasonably believed to be so by the person consulting him or her. Clergy must report suspected child maltreatment except to the extent the clergy member:

- Has acquired knowledge of suspected child maltreatment through communications required to be kept confidential pursuant to the religious discipline of the relevant denomination or faith
- Received the knowledge of the suspected child maltreatment from the alleged offender in the context of a statement of admission

A privilege or contract shall not prevent a person from reporting child maltreatment when he or she is a mandated reporter and required to report under this section.

Citation: Ann. Code § 12-18-803(b)

No privilege, except that between a lawyer and client or between a minister, including a Christian Science practitioner, and a person confessing to or being counseled by the minister, shall prevent anyone from testifying concerning child maltreatment.

California

Current Through April 2019

Citation: Penal Code § 11166(d)

A clergy member who acquires knowledge or reasonable suspicion of child abuse during a penitential communication is not required to make a report. For the purposes of this subdivision, 'penitential communication' means a communication intended to be in confidence—including, but not limited to, a sacramental confession—made to a clergy member who in the course of the discipline or practice of his or her church, denomination, or organization is authorized to hear or is accustomed to hearing those communications and under the discipline, tenets, customs, or practices of his or her church, denomination, or organization, has a duty to keep those communications secret.

Nothing in this subdivision shall be construed to modify or limit a clergy member's duty to report known or suspected child abuse when a clergy member is acting in some other capacity that would otherwise make the clergy member a mandated reporter.

On or before January 1, 2004, a clergy member or any custodian of records for the clergy member may report to an agency specified in § 11165.9 that the clergy member or any custodian of records for the clergy member, prior to January 1, 1997, in his or her professional capacity or within the scope of his or her employment, other than during a penitential communication, acquired knowledge or had a reasonable suspicion that a child had been the victim of sexual abuse and that the clergy member or any custodian of records for the clergy member did not previously report the abuse to an agency specified in § 11165.9.

This paragraph shall apply even if the victim of the known or suspected abuse has reached the age of majority by the time the required report is made.

The local law enforcement agency shall have jurisdiction to investigate any report of child abuse made pursuant to this paragraph even if the report is made after the victim has reached the age of majority.

Citation: Penal Code § 11165.7(a)(32)-(33)

A mandated reporter is defined as any of the following:

- A clergy member, as specified in § 11166(c)
- Any custodian of records of a clergy member, as specified in this section and § 11166(c)

As used in this article, 'clergy member' means a priest, minister, rabbi, religious practitioner, or similar functionary of a church, temple, or recognized denomination or organization.

Colorado

Current Through April 2019

Citation: Ann. Stat. § 13-90-107(1)(c)

A clergy member, minister, priest, or rabbi shall not be examined without both his or her consent and also the consent of the person making the confidential communication as to any confidential communication made to the clergy member, minister, priest, or rabbi in his or her professional capacity in the course of discipline expected by the religious body to which he or she belongs.

Citation: Ann. Stat. § 19-3-304(2)(aa)

Persons required to report abuse or neglect or circumstances or conditions shall include any clergy member.

The provisions of this paragraph shall not apply to a person who acquires reasonable cause to know or suspect that a child has been subjected to abuse or neglect during a communication about which the person may not be examined as a witness pursuant to § 13-90-107(1)(c), unless the person also acquires such reasonable cause from a source other than such communication.

For purposes of this paragraph, unless the context otherwise requires, 'clergy member' means a priest; rabbi; duly ordained, commissioned, or licensed minister of a church; member of a religious order; or recognized leader of any religious body.

Connecticut

Current Through April 2019

Citation: Gen. Stat. § 17a-101(b)

The following persons shall be mandated reporters: members of the clergy.

Delaware

Current Through April 2019

Citation: Ann. Code Tit. 16, § 909

No legally recognized privilege, except that between attorney and client and that between priest and penitent in a sacramental confession, shall apply to situations involving known or suspected child abuse, neglect, exploitation, or abandonment and shall not constitute grounds for failure to report as required or to give or accept evidence in any judicial proceeding relating to child abuse or neglect.

Citation: Ann. Code Tit. 16, § 903

Any person, agency, organization, or entity that knows, or in good faith suspects, that child abuse or neglect has occurred shall make a report in accordance with § 904 of this title.

District of Columbia*Current Through April 2019*

This issue is not addressed in the statutes reviewed.

Florida*Current Through April 2019***Citation: Ann. Stat. § 39.201(1)**

Any person who knows or has reasonable cause to suspect that a child is abused, abandoned, or neglected by a parent, legal custodian, caregiver, or other person responsible for the child's welfare, or that a child is in need of supervision and care and has no parent, legal custodian, or responsible adult relative immediately known and available to provide supervision and care, shall report such knowledge or suspicion to the department.

Citation: Ann. Stat. § 39.204

The privileged quality of communications between husband and wife and between any professional person and his or her patient or client, or any other privileged communications except that between attorney and client or the privilege provided by § 90.505 (providing for the confidentiality of communications made to a clergy member for the purpose of spiritual counsel), as such communication relates both to the competency of the witness and to the exclusion of confidential communications, shall not apply to any communication involving the perpetrator or alleged perpetrator in any situation involving known or suspected child abuse, abandonment, or neglect and shall not constitute grounds for failure to report as required by the reporting laws regardless of the source of information requiring the report, failure to cooperate with law enforcement or the department in its activities pursuant to this chapter, or failure to give evidence in any judicial proceeding relating to child abuse, abandonment, or neglect.

Georgia*Current Through April 2019***Citation: Ann. Code § 19-7-5**

A member of the clergy shall not be required to report child abuse reported solely within the context of confession or other similar communication required to be kept confidential under church doctrine or practice. When a clergy member receives information about child abuse from any other source, the clergy member shall comply with the reporting requirements of this code section, even though the clergy member may have also received a report of child abuse from the confession of the perpetrator.

The term 'clergy' includes ministers, priests, rabbis, imams, or similar functionaries, by whatever name called, of a bona fide religious organization.

Guam*Current Through April 2019***Citation: Ann. Code Tit. 19, § 13201**

Persons required to report suspected child abuse include, but are not limited to, any clergy member of any religious faith, or other similar functionary or employee of any church, place of worship, or other religious organization whose primary duties consist of teaching, spreading the faith, church governance, supervision of a religious order, or supervision or participation in religious ritual and worship.

No person may claim 'privileged communications' as a basis for his or her refusal or failure to report suspected child abuse or neglect or to provide child protective services or the Guam police department with required information. Such privileges are specifically abrogated with respect to reporting suspected child abuse or neglect or of providing information to the agency.

Hawaii

Current Through April 2019

This issue is not addressed in the statutes reviewed.

Idaho

Current Through April 2019

Citation: Ann. Code § 16-1605

Any other person having reason to believe that a child has been abused, abandoned, or neglected shall report or cause a report to be made within 24 hours.

The term 'duly ordained minister of religion' means a person who has been ordained or set apart, in accordance with the ceremony, ritual, or discipline of a church or religious organization that has been established on the basis of a community of religious faith, belief, doctrines, and practices, to hear confessions and confidential communications in accordance with the bona fide doctrines or discipline of that church or religious organization.

The notification requirements do not apply to a duly ordained minister of religion, with regard to any confession or confidential communication made to him or her in his or her ecclesiastical capacity in the course of discipline enjoined by the church to which he or she belongs if any of the following apply:

- The church qualifies as tax-exempt under Federal law.
- The confession or confidential communication was made directly to the duly ordained minister of religion.
- The confession or confidential communication was made in the manner and context that places the duly ordained minister specifically and strictly under a level of confidentiality that is considered inviolate by canon law or church doctrine.

A confession or confidential communication made under any other circumstances does not fall under this exemption.

Illinois

Current Through April 2019

Citation: Comp. Stat. Ch. 325, § 5/4

Any member of the clergy having reasonable cause to believe that a child known to that member of the clergy in his or her professional capacity may be an abused child as defined by law shall immediately report or cause a report to be made to the Department of Children and Family Services.

Whenever such person is required to report under this act in his or her capacity as a member of the clergy, he or she shall make a report immediately to the department in accordance with the provisions of this act and also may notify the person in charge of the church, synagogue, temple, mosque, or other religious institution, or his or her designated agent, that such a report has been made. Under no circumstances shall any person in charge of the church, synagogue, temple, mosque, or other religious institution, or his or her designated agent to whom such notification is made, exercise any control, restraint, modification, or other change in the report or the forwarding of such report to the department.

The privileged quality of communication between any professional person required to report and his or her patient or client shall not apply to situations involving abused or neglected children and shall not constitute grounds for failure to report.

A member of the clergy may claim the privilege under § 8-803 of the Code of Civil Procedure.

Citation: Comp. Stat. Ch. 735, § 5/8-803

A member of the clergy or practitioner of any religious denomination accredited by the religious body to which he or she belongs shall not be compelled to disclose in any court, or to any administrative body or agency, or to any public officer, a confession or admission made to him or her in his or her professional character or as a spiritual advisor in the course of the discipline enjoined by the rules or practice of such religious body or of the religion that he or she professes, nor be compelled to divulge any information that has been obtained by him or her in such professional character or such spiritual advisor.

Indiana

Current Through April 2019

Citation: Ann. Code § 31-33-5-1

Any individual who has reason to believe that a child is a victim of child abuse or neglect shall make a report as required by this article.

Iowa

Current Through April 2019

This issue is not addressed in the statutes reviewed.

Kansas

Current Through April 2019

This issue is not addressed in the statutes reviewed.

Kentucky

Current Through April 2019

Citation: Rev. Stat. § 620.030(1), (4)

Any person who knows or has reasonable cause to believe that a child is dependent, neglected, or abused shall immediately cause an oral or written report to be made.

Neither the husband-wife nor any professional-client/patient privilege, except the attorney-client and clergy-penitent privilege, shall be grounds for refusing to report or for excluding evidence regarding a dependent, neglected, or abused child, or the cause thereof, in any judicial proceedings resulting from a report. This subsection shall also apply in any criminal proceeding in district or circuit court regarding a dependent, neglected, or abused child.

Louisiana

Current Through April 2019

Citation: Children's Code Art. 603(17)(b)-(c)

'Mental health/social service practitioner' is any individual who provides mental health or social services diagnoses, assessment, counseling, or treatment, including a psychiatrist, psychologist, marriage or family counselor, social worker, member of the clergy, aide, or other individual who provides counseling services to a child or his or her family.

'Member of the clergy' is any priest, rabbi, duly ordained deacon or minister, Christian Science practitioner, or other similarly situated functionary of a religious organization.

A member of the clergy is not required to report a confidential communication, as defined in Code of Evidence article 511(A)(2), from a person to a member of the clergy who in the course of the discipline or practice of that church, denomination, or organization is authorized to hear and is accustomed to hearing confidential communication and, under the discipline or tenets of that church, denomination, or organization, has a duty to keep such communication confidential. In that instance, the member of the clergy shall encourage that person to report the allegations to the appropriate authorities.

Maine

Current Through April 2019

Citation: Rev. Stat. Tit. 22, § 4011-A(1)(A)(27); (C)

Any clergy member who knows or has reasonable cause to suspect that a child has been or is likely to be abused or neglected as a result of information gained through clerical professional work, except for information received during confidential communications, shall immediately report or cause a report to be made to the State Department of Health and Human Services.

Mandatory reporters also include any person affiliated with a church or religious institution who serves in an administrative capacity or has otherwise assumed a position of trust or responsibility to the members of that church or religious institution and, while acting in that capacity, knows or has reasonable cause to suspect that a child has been or is likely to be abused or neglected, regardless of whether the person receives compensation.

Maryland

Current Through April 2019

Citation: Fam. Law § 5-705(a)(1), (a)(3)

Except as provided below, notwithstanding any other provision of law, including a law on privileged communications, a person other than a health practitioner, police officer, or educator or human services worker who has reason to believe that a child has been subjected to abuse or neglect shall notify the local department or the appropriate law enforcement agency.

A minister of the gospel, clergy member, or priest of an established church of any denomination is not required to provide notice when they have reason to believe that a child has been subjected to abuse or neglect if the notice would disclose matters in relation to any communication that is protected by the clergy-penitent privilege and either of the following applies:

- The communication was made to the minister, clergy member, or priest in a professional character in the course of discipline enjoined by the church to which the minister, clergy member, or priest belongs.
- The minister, clergy member, or priest is bound to maintain the confidentiality of that communication under canon law, church doctrine, or practice.

Massachusetts

Current Through April 2019

Citation: Gen. Laws Ch. 119, § 21

Mandatory reporters include the following:

- Priests, rabbis, clergy members, ordained or licensed ministers, leaders of any church or religious body, or accredited Christian Science practitioners
- Persons performing official duties on behalf of a church or religious body that are recognized as the duties of a priest, rabbi, clergy, ordained or licensed minister, leader of any church or religious body, or accredited Christian Science practitioner
- Persons employed by a church or religious body to supervise, educate, coach, train, or counsel a child on a regular basis

Citation: Gen. Laws Ch. 119, § 51A(j)

Any privilege relating to confidential communications, established by §§ 135 to 135B, inclusive, of chapter 112 (pertaining to social worker-client privilege) or by §§ 20A (clergy-penitent privilege) and 20B (psychotherapist-patient privilege) of chapter 233, shall not prohibit the filing of a report under this section or a care and protection petition under § 24, except that a priest, rabbi, clergy member, ordained or licensed minister, leader of a church or religious body, or accredited Christian Science practitioner need not report information solely gained in a confession or similarly confidential communication in other religious faiths. Nothing in the general laws shall modify or limit the duty of a priest, rabbi, clergy member, ordained or licensed minister, leader of a church or religious body, or accredited Christian Science practitioner to report suspected child abuse or neglect under this section when the priest, rabbi, clergy member, ordained or licensed minister, leader of a church or religious body, or accredited Christian Science practitioner is acting in some other capacity that would otherwise make him or her a mandated reporter.

Michigan

Current Through April 2019

Citation: Comp. Laws § 722.623

A member of the clergy who has reasonable cause to suspect child abuse or neglect shall make immediately, by telephone or otherwise, an oral report, or cause an oral report to be made, of the suspected child abuse or neglect to the Department of Human Services.

Citation: Comp. Laws § 722.631

Any legally recognized privileged communication, except that between attorney and client or that made to a member of the clergy in his or her professional character in a confession or similarly confidential communication, is abrogated and shall not constitute grounds for excusing a report otherwise required to be made or for excluding evidence in a civil protective proceeding resulting from a report made pursuant to this act. This section does not relieve a member of the clergy from reporting suspected child abuse or child neglect if that member of the clergy receives information concerning suspected child abuse or child neglect while acting in any other capacity listed under § 722.623.

Minnesota

Current Through April 2019

Citation: Ann. Stat. § 626.556, Subd. 3(a)

A person who knows or has reason to believe a child is being neglected or physically or sexually abused shall immediately report the information to the local welfare agency, agency responsible for assessing or investigating the report, police department, or the county sheriff if the person is employed as a member of the clergy and received the information while engaged in ministerial duties, provided that a member of clergy is not required to report information that is otherwise privileged under § 595.02(1)(c) (regarding clergy-penitent privilege).

Mississippi

Current Through April 2019

Citation: Ann. Code § 43-21-353(1)

Any minister who has reasonable cause to suspect that a child is a neglected child or an abused child shall cause an oral report to be made immediately, by telephone or otherwise, to be followed as soon thereafter as possible by a report in writing to the Department of Child Protection Services.

Missouri

Current Through April 2019

Citation: Ann. Stat. § 210.140

Any legally recognized privileged communication, except that between an attorney and client or involving communications made to a minister or clergy member, shall not apply to situations involving known or suspected child abuse or neglect and shall not constitute grounds for failure to report as required or permitted, to cooperate with the division in any of its activities, or to give or accept evidence in any judicial proceeding relating to child abuse or neglect.

Citation: Ann. Stat. § 210.115

When any minister, as provided by § 352.400, has reasonable cause to suspect that a child has been or may be subjected to abuse or neglect or observes a child being subjected to conditions or circumstances that would reasonably result in abuse or neglect, that person shall immediately report or cause a report to be made to the Children's Division.

Citation: Ann. Stat. § 352.400

'Minister' means any person who while practicing as a minister of the gospel, clergy member, priest, rabbi, Christian Science practitioner, or other person serving in a similar capacity for any religious organization is responsible for or who has supervisory authority over one who is responsible for the care, custody, and control of a child or who has access to a child.

When a minister or designated agent has reasonable cause to suspect that a child has been or may be subjected to abuse or neglect under circumstances required to be reported, the minister or designated agent shall immediately report or cause a report to be made.

Notwithstanding any other provision of this section or any section of the reporting laws, a minister shall not be required to report concerning a privileged communication made to him or her in his or her professional capacity.

Montana

Current Through April 2019

Citation: Ann. Code § 15-6-201(2)(b)

The term 'clergy' means any of the following:

- An ordained minister, priest, or rabbi
- A commissioned or licensed minister of a church or church denomination that ordains ministers if the person has the authority to perform substantially all the religious duties of the church or denomination
- A member of a religious order who has taken a vow of poverty
- A Christian Science practitioner

Citation: Ann. Code § 41-3-201(2)(h), (6)(b)

Professionals and officials required to report include members of the clergy.

A member of the clergy or priest is not required to report under this section if any of the following apply:

- The knowledge or suspicion of the abuse or neglect came from a statement or confession made to the member of the clergy or priest in that person's capacity as a member of the clergy or priest.
- The statement was intended to be a part of a confidential communication between the member of the clergy or the priest and a member of the church or congregation.
- The person who made the statement or confession does not consent to the disclosure by the member of the clergy or priest.

A member of the clergy or priest is not required to make a report under this section if the communication is required to be confidential by canon law, church doctrine, or established church practice.

Nebraska

Current Through April 2019

Citation: Rev. Stat. § 28-711

When any person has reasonable cause to believe that a child has been subjected to child abuse or neglect or observes that child being subjected to conditions or circumstances that reasonably would result in child abuse or neglect, he or she shall report such incident or cause a report of child abuse or neglect to be made to the proper law enforcement agency or to the Department of Social Services.

Nevada

Current Through April 2019

Citation: Rev. Stat. § 432B.220(4)(d)

A report must be made by a clergy member, practitioner of Christian Science, or religious healer, unless he or she has acquired the knowledge of the abuse or neglect from the offender during a confession.

New Hampshire

Current Through April 2019

Citation: Rev. Stat. § 169-C:29

A priest, minister, or rabbi having reason to suspect that a child has been abused or neglected shall report the same in accordance with this chapter.

Citation: Rev. Stat. § 169-C:32

The privileged quality of communication between husband and wife and any professional person (including a priest, minister, or rabbi) and his or her patient or client, except that between attorney and client, shall not apply to proceedings instituted pursuant to this chapter and shall not constitute grounds for failure to report as required by this chapter.

New Jersey

Current Through April 2019

Citation: Ann. Stat. § 9:6-8.10

Any person having reasonable cause to believe that a child has been subjected to child abuse, including sexual abuse, or acts of child abuse shall report the same immediately to the Division of Child Protection and Permanency by telephone or otherwise.

New Mexico

Current Through February 2019

Citation: Ann. Stat. § 32A-4-3(A)

Every person, including a member of the clergy who has information that is not privileged as a matter of law, who knows or has a reasonable suspicion that a child is an abused or a neglected child shall report the matter immediately.

New York

Current Through April 2019

This issue is not addressed in the statutes reviewed.

North Carolina

Current Through April 2019

Citation: Gen. Stat. § 7B-301

Any person or institution that has cause to suspect that any juvenile is abused, neglected, or dependent, or has died as the result of maltreatment, shall report the case of that juvenile to the director of the Department of Social Services in the county where the juvenile resides or is found.

Citation: Gen. Stat. § 7B-310

No privilege shall be grounds for any person or institution failing to report that a juvenile may have been abused, neglected, or dependent, even if the knowledge or suspicion is acquired in an official professional capacity, except when the knowledge is gained by an attorney from that attorney's client during representation only in the abuse, neglect, or dependency case.

No privilege, except the attorney-client privilege, shall be grounds for excluding evidence of abuse, neglect, or dependency in any judicial proceeding (civil, criminal, or juvenile) in which a juvenile's abuse, neglect, or dependency is an issue nor in any judicial proceeding resulting from a report submitted under this article, both as the privilege relates to the competency of the witness and to the exclusion of confidential communications.

North Dakota

Current Through April 2019

Citation: Cent. Code § 50-25.1-03(1)

Any member of the clergy having knowledge of or reasonable cause to suspect that a child is abused or neglected or has died as a result of abuse or neglect shall report the circumstances to the department if the knowledge or suspicion is derived from information received by that person in that person's official or professional capacity. A member of the clergy, however, is not required to report such circumstances if the knowledge or suspicion is derived from information received in the capacity of a spiritual advisor.

Northern Mariana Islands

Current Through April 2019

This issue is not addressed in the statutes reviewed.

Ohio

Current Through April 2019

Citation: Rev. Code § 2151.421(A)(4)(b)-(d)

A cleric is not required to make a report concerning any communication the cleric receives from a penitent in a cleric-penitent relationship if, in accordance with § 2317.02(C), the cleric could not testify with respect to that communication in a civil or criminal proceeding.

The penitent in a cleric-penitent relationship is deemed to have waived any testimonial privilege with respect to any communication the cleric receives from the penitent in that cleric-penitent relationship, and the cleric shall make a report with respect to that communication if all of the following apply:

- The penitent, at the time of the communication, is either a child under age 18 or a person under age 21 with a developmental disability or physical impairment.
- The cleric knows, or has reasonable cause to believe based on facts that would cause a reasonable person in a similar position to believe, as a result of the communication or any observations made during that communication, the penitent has suffered or faces a threat of suffering any physical or mental wound, injury, disability, or condition of a nature that reasonably indicates abuse or neglect of the penitent.
- The abuse or neglect does not arise out of the penitent's attempt to have an abortion performed upon a child under age 18 or upon a person under age 21 with a developmental disability or physical impairment without the notification of her parents, guardian, or custodian in accordance with § 2151.85.

The above sections do not apply in a cleric-penitent relationship when the disclosure of any communication the cleric receives from the penitent is in violation of the sacred trust.

Citation: Rev. Code § 2151.421(A)(4)(a)

No cleric and no person, other than a volunteer, designated by any church, religious society, or faith acting as a leader, official, or delegate on behalf of the church, religious society, or faith who is acting in an official or professional capacity who knows, or has reasonable cause to believe based on facts that would cause a reasonable person in a similar position to believe, that a child under age 18 or a person under age 21 with a developmental disability or physical impairment has suffered or faces a threat of suffering any physical or mental wound, injury, disability, or condition of a nature that reasonably indicates abuse or neglect of the child, and who knows, or has reasonable cause to believe based on facts that would cause a reasonable person in a similar position to believe, that another cleric or another person, other than a volunteer, designated by a church, religious society, or faith acting as a leader, official, or delegate on behalf of the church, religious society, or faith caused or poses the threat of causing the wound, injury, disability, or condition that reasonably indicates abuse or neglect shall fail to immediately report that knowledge or reasonable cause to believe to the entity or persons specified in this division.

Oklahoma

Current Through April 2019

Citation: Ann. Stat. Tit. 10A, § 1-2-101

Every person having reason to believe that a child under age 18 is a victim of abuse or neglect shall report the matter promptly to the Department of Human Services.

No privilege or contract shall relieve any person from the requirement of reporting pursuant to this section.

Oregon

Current Through April 2019

Citation: Rev. Stat. § 419B.005(5)(h)

Public or private officials that are mandated to report include members of the clergy.

Citation: Rev. Stat. § 419B.010(1)

Any public or private official having reasonable cause to believe that any child with whom the official comes in contact has suffered abuse, or that any person with whom the official comes in contact has abused a child, shall immediately report or cause a report to be made.

Nothing shall affect the duty to report imposed by the reporting laws, except that a psychiatrist, psychologist, member of clergy, or attorney shall not be required to report such information communicated by a person if such communication is privileged under §§ 40.225 to 40.295.

Pennsylvania

Current Through April 2019

Citation: Cons. Stat. Tit. 23, § 6311(a)(6)

Adults who are required to report suspected child abuse include a clergy member, priest, rabbi, minister, Christian Science practitioner, religious healer, or spiritual leader of any regularly established church or other religious organization.

Citation: Cons. Stat. Tit. 23, § 6311.1

The privileged communications between a mandated reporter and a patient or client of the mandated reporter shall not:

- Apply to a situation involving child abuse
- Relieve the mandated reporter of the duty to make a report of suspected child abuse

Confidential communications made to a member of the clergy are protected under title 42, § 5943 (relating to confidential communications to members of the clergy).

Puerto Rico

Current Through April 2019

Citation: Ann. Laws Tit. 8, § 446(b)

Any person who has knowledge of or suspects that a minor is a victim of abuse, institutional abuse, neglect, and/or institutional neglect shall report that fact through the hotline of the Department of the Family, to the Puerto Rico police, or to the local office of the department.

Rhode Island

Current Through April 2019

Citation: Gen. Laws § 40-11-11

The privileged quality of communication between husband and wife and any professional and his or her patient or client, except that between attorney and client, is hereby abrogated in situations involving known or suspected child abuse or neglect and shall not constitute grounds for failure to report as required by this chapter, failure to cooperate with the department in its activities pursuant to this chapter, or failure to give or accept evidence in any judicial proceeding relating to child abuse or neglect. In any family court proceeding relating to child abuse or neglect, notwithstanding the provisions of other statutes, no privilege of confidentiality may be invoked with respect to any illness, trauma, incompetency, addiction to drugs, or alcoholism of any parent.

Citation: Gen. Laws § 40-11-3(a)

Any person who has reasonable cause to know or suspect that any child has been abused or neglected or has been a victim of sexual abuse by another child shall, within 24 hours, transfer that information to the Department of Children, Youth and Families.

South Carolina

Current Through April 2019

Citation: Ann. Code § 63-7-420

The privileged quality of communication between husband and wife and any professional person and his or her patient or client—except that between attorney and client or clergy member, including a Christian Science practitioner or religious healer, and penitent—is abrogated and does not constitute grounds for failure to report or the exclusion of evidence in a civil protective proceeding resulting from a report pursuant to this article. However, a clergy member, including a Christian Science practitioner or religious healer, must report in accordance with this subarticle, except when information is received from the alleged perpetrator of the abuse and neglect during a communication that is protected by the clergy and penitent privilege, as defined in § 19-11-90.

Citation: Ann. Code § 63-7-310(A)

Persons required to report include members of the clergy, including Christian Science practitioners or religious healers, and clerical or nonclerical religious counselors who charge for services.

South Dakota

Current Through April 2019

Citation: Ann. Laws § 26-8A-3

Persons mandated to report include religious healing practitioners.

Tennessee

Current Through April 2019

Citation: Ann. Code § 37-1-403(a)

Any person who has knowledge of or is called upon to render aid to any child who is suffering from or has sustained any wound, injury, disability, or physical or mental condition shall report such harm immediately if the harm is of such a nature as to reasonably indicate that it has been caused by brutality, abuse, or neglect or that, on the basis of available information, reasonably appears to have been caused by brutality, abuse, or neglect.

Citation: Ann. Code § 37-1-605(a)

Any person who knows or has reasonable cause to suspect that a child has been sexually abused shall report such knowledge or suspicion to the department.

Texas

Current Through April 2019

Citation: Fam. Code § 261.101

A person having cause to believe that a child's physical or mental health or welfare has been adversely affected by abuse or neglect by any person shall immediately make a report as provided by this subchapter.

The requirement to report under this section applies, without exception, to an individual whose personal communications may otherwise be privileged, including an attorney, a member of the clergy, a medical practitioner, a social worker, a mental health professional, and an employee of a clinic or health-care facility that provides reproductive services.

Utah

Current Through April 2019

Citation: Ann. Code § 62A-4a-403

When any individual has reason to believe that a child has been subjected to abuse or neglect, or observes a child being subjected to conditions or circumstances that reasonably would result in abuse or neglect, that individual shall immediately report the alleged abuse or neglect to the nearest peace officer, law enforcement agency, or office of the division.

The notification requirements do not apply to a clergy member or priest with regard to any confession made to the member of the clergy while functioning in the ministerial capacity of the member of the clergy and without the consent of the individual making the confession, if both of the following apply:

- The perpetrator made the confession directly to the member of the clergy.
- The member of the clergy is, under canon law or church doctrine or practice, bound to maintain the confidentiality of that confession.

When a member of the clergy receives information about abuse or neglect from any source other than confession of the perpetrator, the member of the clergy is required to report that information even though the member of the clergy may have also received information about abuse or neglect from the confession of the perpetrator.

Exemption of the reporting requirement for a member of the clergy does not exempt the member of the clergy from any other efforts required by law to prevent further abuse or neglect by the perpetrator.

Vermont

Current Through April 2019

Citation: Ann. Stat. Tit. 33, § 4913(a), (h)-(i)

Any member of the clergy who has reasonable cause to believe that any child has been abused or neglected shall report or cause a report to be made in accordance with the reporting laws.

Except as provided below, a person may not refuse to make a report required by this section on the grounds that making the report would violate privilege or disclose a confidential communication.

A member of the clergy shall not be required to make a report under this section if the report would be based upon information revealed in a communication that is as follows:

- Made to a member of the clergy acting in his or her capacity as spiritual advisor
- Intended by the parties to be confidential at the time the communication is made
- Intended by the communicant to be an act of contrition or a matter of conscience
- Required to be confidential by religious law, doctrine, or tenet

When a member of the clergy receives information about abuse or neglect of a child in a manner other than as described above, he or she is required to report on the basis of that information, even though he or she may have also received a report of abuse or neglect about the same person or incident in the manner described above.

Citation: Ann. Stat. Tit. 33, § 4912(12)

'Member of the clergy' means a priest; rabbi; clergy member; ordained or licensed minister; leader of any church or religious body; accredited Christian Science practitioner; or a person performing official duties on behalf of a church or religious body that are recognized as the duties of a priest, rabbi, clergy, nun, brother, ordained or licensed minister, leader of any church or religious body, or accredited Christian Science practitioner.

Virgin Islands

Current Through April 2019

This issue is not addressed in the statutes reviewed.

Virginia

Current Through April 2019

Citation: Ann. Code § 63.2-1509

A minister, priest, rabbi, imam, or duly accredited practitioner of any religious organization or denomination must report, unless the information supporting the suspicion of child abuse or neglect is required by the doctrine of the religious organization or denomination to be kept in a confidential manner or would be subject to § 8.01-400 or 19.2-271.3 (regarding clergy-penitent communications) if offered as evidence in court.

Washington

Current Through April 2019

Citation: Rev. Code § 26.44.030(7)

Information considered privileged by statute and not directly related to reports required by this section must not be divulged without a valid written waiver of the privilege.

Citation: Rev. Code § 26.44.060(3)

Conduct conforming with reporting requirements shall not be deemed a violation of the confidential communication privilege of §§ 5.60.060 (3) and (4) (regarding clergy-penitent and physician-patient privilege), 18.53.200 (regarding optometrist-patient privilege), and 18.83.110 (regarding psychologist-client privilege).

West Virginia

Current Through April 2019

Citation: Ann. Code § 49-2-811

The privileged quality of communications between husband and wife and between any professional person and his or her patient or client, except that between attorney and client, is hereby abrogated in situations involving suspected or known child abuse or neglect.

Citation: Ann. Code § 49-2-803

When any member of the clergy has reasonable cause to suspect that a child is neglected or abused, or observes the child being subjected to conditions that are likely to result in abuse or neglect, such person shall immediately, and not more than 24 hours after suspecting this abuse, report the circumstances or cause a report to be made to the Department of Health and Human Resources.

Wisconsin

Current Through April 2019

Citation: Ann. Stat. § 48.981(2)(bm)

A member of the clergy shall report suspected child abuse or neglect if the member of the clergy has reasonable cause to suspect that a child seen by the member of the clergy in the course of his or her professional duties has been abused or has been threatened with abuse and abuse of the child will likely occur.

A member of the clergy shall report if the member of the clergy has reasonable cause, based on observations made or information that he or she receives, to suspect that a member of the clergy has done any of the following:

- Abused a child
- Threatened a child with abuse and abuse of the child will likely occur

A member of the clergy is not required to report child abuse information that he or she receives solely through confidential communications made to him or her privately or in a confessional setting, if he or she is authorized to hear or is accustomed to hearing such communications and, under the disciplines, tenets, or traditions of his or her religion, has a duty or is expected to keep those communications secret. Those disciplines, tenets, or traditions need not be in writing.

The term 'member of the clergy' has the meaning given in § 765.002(1) or means a member of a religious order. The term includes brothers, ministers, monks, nuns, priests, rabbis, and sisters. A 'member of a religious order' is an individual who has taken vows devoting himself or herself to religious or spiritual principles and who is authorized or appointed by his or her religious order or organization to provide spiritual or religious advice or service.

Wyoming

Current Through April 2019

Citation: Ann. Stat. § 14-3-205(a)

Any person who knows or has reasonable cause to believe or suspect that a child has been abused or neglected, or who observes any child being subjected to conditions or circumstances that would reasonably result in abuse or neglect, shall immediately report it to the child protective agency or local law enforcement agency or cause a report to be made.

Citation: Ann. Stat. § 14-3-210

Evidence regarding a child in any judicial proceeding resulting from a report made pursuant to the reporting laws shall not be excluded on the grounds it constitutes a privileged communication, and the privilege of confidential communication may not be claimed, as follows:

- Between husband and wife
- Claimed under any provision of law other than § 1-12-101(a)(i) (regarding attorney-client or physician-patient privilege) and § 1-12-101(a)(ii) (regarding privilege of a clergy member or priest as it relates to a confession made to him or her in his or her professional character if enjoined by the church to which he or she belongs)
- Claimed pursuant to § 1-12-116 (regarding the confidential communication between a family violence and sexual assault advocate and victim)



U.S. Department of Health and Human Services
Administration for Children and Families
Administration on Children, Youth and Families
Children's Bureau



STARTING A NEW CHURCH

STARTING A NEW CHURCH?

PICK AN AVAILABLE CHURCH NAME

Set up a PO Box or an address

Solidify the members of your church board¹³

Ensure denominational support

INCORPORATE WITH YOUR STATE'S STATE CORPORATION COMMISSION

To incorporate you should:

- Include nonprofit wording¹
- Identify board responsibilities
- Incorporate provisions required by the IRS
- Draft organizing documents from Secretary of State
- Dissolution Clause needs to be available²

GET FEDERAL EMPLOYER IDENTIFICATION NUMBER (EIN).³

Required before you file for 501(c)(3) status.
Need this to open bank account and PO Box.

Church bylaws should include:

- Qualifications, selection, expulsion of members
- Time and place of annual business meetings
- Purchase and conveyance of property
- Selection, tenure, and removal of officers & directors
- Policy for staff and clergy compensation⁴
- Filling of vacancies on the church board
- Calling of special business meetings; notice for annual and special meetings; quorums; voting rights
- Responsibilities of directors and officers
- Method of amending the bylaws

HAVE THE FIRST BOARD OF DIRECTORS MEETING.

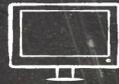
Adopt bylaws⁵, elect officers, adopt required policies, and authorize opening a bank account.





CONSIDER OBTAINING IRS RECOGNITION OF 501(C)(3) STATUS⁶

IRS processing time is between 12-18 months.^{7,8}



Attach your bylaws and constitution¹⁰

SET UP A CHURCH BANK ACCOUNT¹¹

Put safeguards in place now for smart financial management and oversight.



Make your account a nonprofit account. If you do not have 501(c)(3) status, set up a regular account and change it to a nonprofit account later.

OBTAIN SALES TAX EXEMPTION¹²

You'll need your IRS 501(c)(3) determination letter, so this portion may take over a year to complete.

If your state does not allow tax exemption, you'll need to fill out and submit a separate form.



YOU'RE NOW A LEGAL CHURCH!

Links to more information:



1. [http://www.irs.gov/Charities-&-Non-Profits/Suggested-Language-for-Corporations-and-Associations-\(per-Publication-557\)](http://www.irs.gov/Charities-&-Non-Profits/Suggested-Language-for-Corporations-and-Associations-(per-Publication-557))
2. <http://www.churchlawandtax.com/cltr/2013/march-april/when-two-churches-become-one.html>
3. <http://www.irs.gov/pub/irs-pdf/fss4.pdf>
4. <http://store.churchlawtodaystore.com/20cohaforchsl.html>
5. <http://www.churchlawandtax.com/cltr/2009/july-august/governing-well.html>
6. <http://www.irs.gov/pub/irs-pdf/p4220.pdf>
7. [http://www.irs.gov/Charities-&-Non-Profits/Charitable-Organizations/Exemption-Requirements-Section-501\(c\)\(3\)-Organizations](http://www.irs.gov/Charities-&-Non-Profits/Charitable-Organizations/Exemption-Requirements-Section-501(c)(3)-Organizations)
8. <http://www.irs.gov/pub/irs-pdf/f8718.pdf>
9. <http://www.churchlawandtax.com/web/2013/march/safeguard-church-treasury.html>
10. <http://www.churchlawandtax.com/web/2013/march/church-documents-and-records.html>
11. http://blog.managingyourchurch.com/2011/09/shopping_for_a_bank_1.html
12. <http://www.churchlawandtax.com/cltr/2013/september-october/churches-should-note-irs-private-letter-ruling-policy.html>

**RECOMMENDED
BYLAWS**

PASTOR-LED MODEL

This is a sample Bylaws for local assemblies wishing to follow the Pastoral or “Pastor-Led” model in their local church government.

BYLAWS for (local church name) (location)

These Bylaws of _____ (local church name), a local Christian Church, were adopted this _____ day of _____ in the year of our Lord _____.

Preamble

For the purpose of creating a loving, growing community of Spirit-filled believers actively engaged in worship, evangelism, discipleship, and ministries of compassion at the personal, small group and corporate levels, we, whose names appear upon the church roster under the above date, do hereby recognize ourselves as a local church, and adopt the following articles of church order, and submit ourselves to be governed by them. These articles shall always be subordinate to the Bible in the life and conduct of this church.

ARTICLE I. NAME

The name of this local church shall be _____
Street or Route _____
City _____ State _____ Zip _____

ARTICLE II. PREROGATIVES

Section 1. This church shall have the right to govern itself according to the standards of the New Testament Scriptures, making “... every effort to keep the unity of the Spirit through the bond of peace ... until we all reach unity in the faith and in the knowledge of the Son of God and become mature, attaining to the whole measure of the fullness of Christ.” (Eph. 4:3, 13)

Section 2. In accordance therewith, or incidental thereto, it shall have the right to purchase or acquire by gift, bequest, or otherwise, either directly, or as trustee, and to own, hold in trust, use, sell, convey, mortgage, lease or otherwise dispose of any real estate or chattels as may be necessary for the furtherance of its purposes; all in accordance with its Bylaws or as the same may be hereafter modified or amended.

ARTICLE III. VOLUNTARY AFFILIATION

Section 1. While maintaining its inherent rights to sovereignty in the ownership of its property and the conduct of all of its own affairs, this church shall voluntarily enter into full cooperative fellowship with churches associated in the Alabama District Council and the General Council of the Assemblies of God with headquarters at Montgomery, Alabama and Springfield, Missouri, respectively. It shall actively participate with the other assemblies in completing the mission for which God has raised up this Fellowship. The members and ministers of this church shall recognize and respect the officers of the Section, District, and General Council. All subsequent references to “District” and “Section” in these

Bylaws refer to the Alabama District Council and the Section within which this church is located, respectively, unless otherwise stated.

Section 2. This local church voluntarily enters into this affiliation, voluntarily remains in this affiliation, and may voluntarily end this affiliation. If this church is a General Council affiliated church and not a district affiliated church, then in accordance with the General Council Bylaws Article VI, Preservation of Affiliation, Section 4, Paragraph D, the church may terminate its affiliation with the Assemblies of God only through the following process:

- (a) The Pastor shall speak privately with the District Superintendent or his representative to inform him of the church's potential disaffiliation and to receive counsel.
- (b) Then, the Pastor shall invite the District Superintendent or his representative to attend a special business meeting of the church to address the congregation and present the benefits of continued affiliation with the Fellowship. A subsequent vote of three-fourths (75%) of the members present at the special business meeting would be required to withdraw from the Fellowship.
- (c) Failure to follow this procedure shall invalidate any disaffiliation and shall bring the church immediately under district supervision.
- (d) If this church is a district affiliated church, not a General Council affiliated church, it does not have the right of disaffiliation.

ARTICLE IV. TENETS OF FAITH

Section 1. The Holy Scriptures

This church shall accept the Holy Scriptures, the fifty-six canonical books of the Old and New Testament in the Christian Bible, as the revealed will of God, the all-sufficient rule of faith and practice. This church shall be guided in its understanding of Scripture by the teaching ministry of its Pastors, who have been properly trained to correctly interpret the Bible by Christian Teachers of historic, orthodox, evangelical faith.

Section 2. Statement of Fundamental Truths

For the purpose of maintaining general unity with our Fellowship, this church subscribes to the statement of faith found in the Constitution of the General Council of the Assemblies of God, Article V. Statement of Fundamental Truths.

Section 3. Morality, Marriage, Family, Gender, and Human Relationships

(a) According to the Bible, we relate to each other as brothers and sisters committed to this family of God and we build strong biblical families in Jesus Christ, meeting the special needs of children, youth, adults, seniors, and godly families of every kind in Christ. Therefore, we value the monogamous marriage of one man to one woman, as defined in Scripture, as the only kind of marriage-like relationship God values or accepts. (*Acts 16:31, Mt 19:13-14, Eph 5:22-6:4*)

(b) According to the Bible, God has defined men/males, and women/females, by His order in creation and procreation, based on their biological and physiological gender at birth. Therefore, this church recognizes in all of its relationships, ministries, use of facilities, and property only that gender so defined by God as a person's true identity before God. For us, this is a matter of religious faith. (*Genesis 1:26-28; 2:15-25; 3:1-20; Matthew 5:31-32; 18:2-5; 19:3-9, 13-14; Mark 10:6-12*)

(c) According to the Bible, marriage is the uniting of one man and one woman in covenant commitment for a lifetime. It is God's unique gift to reveal the union between Christ and His church and to provide for the man and the woman in marriage the framework for intimate companionship, the only acceptable channel of sexual expression according to the Bible, and the means for procreation of the human race. (*Genesis 1:26-28; 2:15-25; 3:1-20; Song of Songs; Matthew 5:31-32; 18:2-5; 19:3-9, 13-14; Mark 10:6-12; Ephesians 5:21-6:4; 6:1-4*)

(d) According to the Bible and in the spirit of Christ, we oppose all attempts to define morality, marriage, family, human identity, and human relationships in ways other than those the Bible portrays as acceptable to God. We oppose all forms of sexual immorality, including adultery, incest, homosexuality, so-called same-sex marriage, transgendered relationships, and pornography. (*Romans 1:18-32; 1 Corinthians 7:1-16; Ephesians 5:21-6:4; 6:1-4; Colossians 3:5-10, 18-21; 1 Timothy 5:8,14; 2 Timothy 1:3-5; Titus 2:3-5; Hebrews 13:1-5; 1 Peter 3:1-7.*)

(e) According to the Bible and in the spirit of Christ, we oppose all forms of human trafficking, racism, exploitation, slavery, violence, greed, selfishness, oppression, and any other attitude, activity, or relationship that degrades humans, and denies them the dignity which they were created in the image of God to enjoy. We speak and work to provide for and protect the poor, the powerless, the child, the orphaned, the abused, the aged, the sick, and the unborn. We contend for the sanctity of all human life from conception to natural death.

(Genesis 1:26-28; 2:15-25; 3:1-20; Exodus 20:12; Deuteronomy 6:4-9; Joshua 24:15; 1 Samuel 1:26-28; Psalms 51:5; 78:1-8; 127; 128; 139:13-16; Proverbs 1:8; 5:15-20; 6:20-22; 12:4; 13:24; 14:1; 17:6; 18:22; 22:6,15; 23:13-14; 24:3; 29:15,17; 31:10-31; Ecclesiastes 4:9-12; 9:9; Malachi 2:14-16; Matthew 5:31-32; 18:2-5; 19:3-9, 13-14; Mark 10:6-12; Acts 16:31; Romans 1:18-32; 1 Corinthians 7:1-16; Ephesians 5:21-6:4; 6:1-4; Colossians 3:5-10, 18-21; 1 Timothy 5:8,14; 2 Timothy 1:3-5; Titus 2:3-5; Hebrews 13:1-5; 1 Peter 3:1-7.)

ARTICLE V. PURPOSE

Section 1. Mission Statement

(a) **Our mission is to turn pre-Christian people into fully devoted, Spirit-filled disciples of Jesus Christ.**

(b) Our Mission is the number one task God has commanded us to accomplish, the most important job He has given us to do. The Mission Statement is the simplest possible expression of our number one job.

(c) Fulfilling our mission requires both our own initiative and action, and partnering with other churches, in evangelism, education, discipleship, compassion, missions, and church planting.

Section 2. Vision Statement

(a) **We shall be a loving, growing community of Spirit-filled believers actively engaged in worship, evangelism, discipleship, and ministries of compassion at the personal, small group and corporate levels.**

(b) Our Vision is what God has shown us we must become in order to accomplish our Mission. Our Vision is the context from which we accomplish our Mission.

ARTICLE VI. GOVERNMENT

Section 1. The authority to govern this assembly shall be vested in those called, gifted and equipped to govern according to the scriptures: the Pastor and his Leadership Team (Eph 4, Rom 12, 1 Tim, 2 Tim, Titus, Acts 14, 15, Heb 13). This is an article of religious faith for us.

Section 2. The government of this assembly in matters of pastoral call and property shall be shared by the Pastor, Leadership Team (Official Board) and active membership of the assembly, as described in these Bylaws.

ARTICLE VII. MEMBERSHIP

The members of this church will be those who have met the requirements for membership as stated in the Bylaws, have been received into membership, and have not been removed from the membership roll.

Section 1. Qualifications.

The standard of membership for this church shall be:

(a) Testimony and evidence of a genuine experience in regeneration and a consistent Christian life marked by the fruit of the Spirit, not the sins of the flesh (John 1:1-13, 3:3-8, 2 Cor 5:17, 1 Peter 1:18-25, Matt 27:34, Rom 6:4, 8:12-13, 13:13-14, Eph 4:17-32, 5:1-2,15, 2 Tim 1:7, 1 John 1:6-7, 1 Cor 6:9-11, 2 Cor 7:1, Gal 5:19-25, Prov 20:1, 23:29-32, 1 Sam 15:22-23).

(b) Baptism in water by immersion unless prevented by age or physical infirmity (Matt. 28:19; Acts 10:47; Romans 6:4).

(c) To fully subscribe to the Tenets of Faith as set forth in these Bylaws, and to fully submit to be governed by these Bylaws, as they now exist or are later amended (Amos 3:3, 1 Cor 6:1-8, Phlp 1:27, 2:2).

(d) To be in agreement with, and active support of, the mission, vision, core values, philosophy of ministry and Pastoral leadership of this church (Phlp 2:12-14, Heb 13:17).

(e) To faithfully participate in the life and ministry of the church by regular attendance in all services of every kind, by tithing and giving, and by involvement in a ministry (Heb 10:25, Mal 3:8-10, 2 Cor 16:1-2, Eph 4:12, 16, James 2:17-18, 26).

(f) Successful completion of whatever teaching, study or interviews the Pastor deems necessary.

Section 2. Reception of Members

(a) All applicants for membership shall fill out the application prepared by the Leadership Team and submit it to the Pastor or his representative(s).

(b) Applicants for membership shall be interviewed by the Pastor or his representative(s) to determine readiness for membership.

(c) Those transferring from an Assemblies of God church must have a recommendation from that assembly, and we will seek to follow the same process with other fellowships as well. The appropriate leadership personnel from both churches shall communicate to verify the circumstances of the applicant's departure from the previous church and readiness for membership in this church. No one will be received into membership who has left another church under questionable circumstances or under discipline until the matter is biblically resolved to the satisfaction of their previous Pastor and our Pastor. The Pastor, in consultation with the Leadership Team, shall render the final decision. This standard and process is a fundamental aspect of kingdom relationships and ministerial ethics.

(d) The Pastor and Leadership Team may require any or all applicants, including transfers, to successfully complete such courses as they deem necessary before approving them for membership.

Section 3. Ministerial Membership

By virtue of their positions, the Pastor, ministerial staff and their spouses may choose to be active adult members of this local church with all of the privileges of membership.

Section 4. Active Membership

Those individuals, 18 years of age and older, fulfilling the requirements of Section 1, having been received according to Section 2, and not having been removed, shall constitute the active voting membership of this church.

Section 5. Associate Membership

Associate non-voting membership may be granted by the Pastor and the Leadership Team to formerly active members who wish to maintain direct relationship to this church although presently prevented by legitimate cause from active attendance and participation.

Section 6. Inactive Membership

(a) Formerly active members who:

i) no longer meet some qualification in Section 1.

ii) in the opinion of the Pastor have without good cause for 30 days or more:

1. not attended the services of this church and sat under the ministry of the Pastor;
and / or

2. not supported the church with their whole tithe and offerings.

(b) Inactive members lose all of the privileges of active membership.

(c) The Pastor in consultation with the Leadership Team may move active members to inactive status, and restore inactive members to active status at any time.

Section 7. Junior Membership

Those young people from the ages of 12 through 17, provided they meet the standards of membership other than age, may be enrolled as junior members upon their application and approval. They

shall have none of the privileges of active membership, shall automatically move off the Junior role at age 18, at which point they must apply and be approved as would anyone else for active adult membership.

Section 8. Revision of Membership Roll

The Pastor in consultation with the Leadership Team, shall at least annually, and may at any time, revise the membership roll by moving from active to inactive, or by removing entirely, the names of those who have died, transferred, moved, voluntarily ceased attendance for at least 30 days from all services at which the Pastor is ministering, or are under discipline as described elsewhere in these Bylaws. Those moved or removed for cause shall be notified by the Secretary as directed by the Pastor.

Section 9. Transferal of Membership

A letter of transfer, signed by the Pastor and Secretary, shall be granted upon request, at the approval of the Pastor. The letter shall be addressed to the Pastor or Secretary of the receiving church and shall state whether the member is classified as active, inactive, associate or junior, and the overall status of the departing member.

Section 10. Waiver

Membership in this church shall be granted upon the condition that suspension or discipline of a member shall not give the suspended or disciplined member cause for legal action against the church, Pastor, staff or any member taking part in the suspension or disciplinary process. The acceptance and continuance of membership in the church shall be evidence of a waiver by the member of all rights of action, any cause of action and all claims and demands against the church, or any member or officer of this church or the Assemblies of God, related to suspension, disciplinary proceedings, or removal from membership as described in these Bylaws. This is an article of religious faith and practice for this church as a whole and every member in particular. (1 Cor 6:1-8)

ARTICLE VIII. LEADERSHIP:

QUALIFICATIONS, DUTIES, SELECTION, TERMS AND DISMISSAL

Section 1. Officers

The officers of this church shall be:

(a) **The Lead Pastor** / Chief Executive Officer, hereafter referred to as the Pastor;

(b) **The Leadership Team** (the Official Board).

The Elders or Leadership Team is composed of the sitting lay elders and those ordained ministers on staff who have been deemed qualified and appointed as ordained elders by the Pastor, subject to ratification by a majority of the Leadership Team.

(c) **The Secretary** (may be combined with the Treasurer at discretion of Leadership Team).

(d) **The Treasurer** (may be combined with the Secretary at discretion of Leadership Team).

(e) This church recognizes that according to the Bible either men or women may serve in any of these offices. (Rom 16, 1 Cor 11:5, Acts 18:24-28)

Section 2. Leadership Development

(a) Leadership development shall be one of the primary functions of the Pastor, and those serving on his Leadership Team shall have proven themselves ready to his satisfaction.

(b) The normal leadership discipling track progresses as follows: conversion / transfer, miscellaneous service, discipleship modules, servanthood (deacon) training and service, teacher / small group leader, leadership training and service, lay elder, ordained elder (credentialed minister).

Section 3. The Lead Pastor

(a) QUALIFICATIONS

1. The Pastor of this church shall be a credentialed minister of the Assemblies of God with an up-to-date fellowship certificate. Any exception to this shall be approved in

advance by the appropriate District officials as described in the District Bylaws or protocols. The Leadership Team shall be notified in writing by a District official.

2. The Pastor is to be the shepherd of the flock, a servant of God and God's people, a student of the Word, a spiritual person of prayer, a Spirit-filled and Spirit-led leader who meets all biblical requirements as the Teaching Shepherd and Ruling Elder of this community of faith (Acts 2:4, 6:3, Rom 12:8, Eph 4:11f, 1Thess 5:12, 1Tim 3:1-7, 5:17,22, 2 Tim 4:1-2, Titus 1:5-9, 1 Peter 5:1-4).

(b) DUTIES - The Pastor is the spiritual overseer of the church and shall direct all of its activities.

1. The primary duty of the Pastor shall be prayer and the ministry of the Word. To that end, every other worker in this church serves as an extension of the Pastor's ministry, lightening her load, preserving her for prayer and the study and ministry of the Word (Acts 6:1-6).

2. The Pastor seeks God for the direction of the church and all of its ministries in order to fulfill our mission and vision. She communicates his/her vision to the Leadership Team and the rest of the body, creating, approving modifying or terminating ministries as necessary (Acts 10, 13:1-4, 16:6-10, 1 Peter 5:1-4).

3. Leadership development shall be one of the primary functions of the Pastor, as he works to develop those people he sees God gifting and raising up for ministry in the body. The Pastor shall mentor, disciple and season those persons, working with the Holy Spirit in equipping them to serve the body as servant-leaders who will disciple others and lead ministries. No person shall serve in any office or ministry of this church without the Pastor's approval (Mark 3:13-15, Eph 4:11-13).

4. The Pastor shall be the President of the corporation and shall act as chairperson of all of the business meetings of the church and of the Leadership Team, and shall, with the Secretary, sign all official papers for the corporation.

5. The Pastor shall be an ex-officio member of all departments and ministry teams.

6. The Pastor shall provide for all regular and special services of the church. No person shall be invited to minister in any way in any service, department, class, ministry or extension of the church without his prior approval.

7. All paid employees of any kind, ministerial, clerical, maintenance, etc., shall be under the general supervision of the Pastor. The Pastor or his representative(s) shall have all hiring, disciplining, promoting, demoting, employee salary setting, and firing authority without appeal beyond the Pastor.

8. The Pastor shall develop or approve all policies and procedures of the church.

(c) SELECTION

1. If the Pastorate is vacant for any reason, the Leadership Team shall serve as a Pastoral Search Team. At her discretion, the Pastor departing in good standing shall appoint, or the Leadership Team shall elect from among the Leadership Team members, one interim chairperson to serve the Leadership Team.

2. If the departing Pastor had a significant ministry and tenure in this community of faith and departs in good standing, the new Pastor will be chosen by one of three means.

(a) The departing Pastor may appoint the new Pastor subject to ratification by two-thirds of the Leadership Team, or 100% of the Team if the appointee is a non-Council minister. Non-council ministers must be also approved by the appropriate District officials as described in the District Bylaws or protocols, and no appointment can be made until after that approval is received.

(b) The departing Pastor may recommend a series of candidates to the Leadership Team. His recommendations shall be made known to the entire congregation. His recommendation(s) for potential Pastors shall be contacted, interviewed, permitted to preach and voted on by the congregation before other applicants are considered.

(c) If said departing Pastor recommends no candidates, the pastoral search shall proceed as follows.

3. The Leadership Team may contact the District Office for recommendations of Pastoral candidates, may receive suggestions from the congregation, and shall conduct such visits and in-depth interviews as they deem necessary.

4. The Leadership Team shall satisfy itself that potential Pastors agree with the mission, vision, core values, and philosophy of ministry of this church, in word and in previous ministry.

5. At least a two-thirds (2/3) majority of the Leadership Team shall be required to choose one minister as a candidate for Pastor, call that person and their family in for ministry to, questions from, and fellowship with, the church. Given the seriousness of this decision, Leadership Team members dissenting in the call of a candidate should feel free to share their perspective at the congregational vote. If the minister is not a credentialed Assemblies of God minister with an up-to-date fellowship certificate, 100% approval by the Leadership Team is required as described above. In advance of their consideration, such ministers must also be approved by the appropriate District officials as described in the District Bylaws and protocols.

6. The candidate shall spend at least one weekend with the church, having opportunity to fellowship with the people, receive questions from the congregation, teach at least once and preach at least twice to the church.

7. The active members of the church shall vote on the candidate in a special business meeting chaired by the interim chairperson of the Leadership Team. Only one candidate at a time may be heard and voted on by the church. A two-thirds majority of all votes cast shall constitute an election.

8. The Pastor departing in good standing may ask any or all of the staff to resign or remain at any time after he has resigned but before his termination date. All staff and employees asked by the Pastor to remain shall continue to fulfill their portfolios until a new Pastor is installed, who will then decide upon their retention or release, without appeal.

9. While the pastorate is vacant, the Leadership Team shall see that the pulpit is filled for every service by qualified persons other than potential Pastors. No person asked to serve as interim minister or pulpit supply may become a candidate for permanent pastor.

(d) TERM - The Pastor shall be elected for an indefinite period of time, and shall not be voted on again, unless otherwise specified and agreed to by the candidate at the time of election.

(e) DISMISSAL

1. The Pastor may be dismissed for reasons of violating in doctrine or lifestyle the biblical ministerial qualifications of the Assemblies of God, and the qualifications for active membership in this church.

2. To begin dismissal, charges must be brought by two or more witnesses to each offense, first to the Pastor, then to the Leadership Team, then to the District Officials (1 Tim 5:19-20).

3. The District Officials shall conduct an appropriate investigation according to their protocols, and shall render a final judgment. Removal of the Pastor's ministerial credentials shall constitute dismissal from the Pastorate of this church. Exoneration by the District officials means retention of the Pastorate of this church. The discipline of the credentialed ministers is in the hands of the appropriate Sectional, District and General Council ministers, not the local church. Any subsequent disciplinary or rehabilitation program will be the decision of the appropriate District and General Council body. The ultimate result of any denominational appeals process pursued by the disciplined minister will be accepted by the church and will be final. Restoration to ministry in this local church will be in accordance with provisions elsewhere in these Bylaws.

4. If the Pastor is not dismissed, but a majority of a secret ballot vote of the combined District Executive Committee, Sectional Committee and local Leadership Team feels it is in the best interest of the church to conduct a vote of confidence, this shall be done after appropriate notice to the active members. In a special business meeting chaired by the

District Superintendent or his representative, two-thirds (2/3) of the members present must vote no confidence in order to dismiss the Pastor.

5. Upon exoneration of the Pastor, he may at his discretion through the ministry of church discipline seek repentance and restoration for those members and adherents of this community of faith who brought the charges, in accordance with these Bylaws.

Section 4. Ministerial Staff

The Ministerial Staff is composed of those credentialed ministers assisting the Pastor by serving and leading in whatever way requested, including but not limited to secretary, treasurer, music, evangelism, discipleship, children, youth, missions, seniors and administrative ministries. They oversee all lay workers and answer directly and only to the Pastor.

(a) QUALIFICATIONS –

1. The Ministerial Staff is chosen by the Pastor and shall be qualified as he requires.
2. They are to be the under-shepherds of the flock, servants of God, the Pastor, and God's people, students of the Word, spiritual persons of prayer, Spirit-filled and Spirit-led leaders who could meet all biblical requirements as the Elders of this community of faith should they be so appointed (Acts 2:4, 6:3, Rom 12:8, Eph 4:11f, 1Thess 5:12, 1 Tim 3:1-7, 5:17,22, 2 Tim 4:1-2, Titus 1:5-9, 1 Peter 5:1-4).

(b) DUTIES –

1. The Ministerial Staff shall fulfill whatever duties assigned by the Pastor.
2. Under the Pastor's direction they shall direct the ministries of the church, answering directly and only to the Pastor.
3. When the Pastor judges that an ordained staff member is sufficiently mature, seasoned, loyal, and otherwise qualified, after consulting with the Leadership Team he may appoint that staff member to the Leadership Team.
4. When the Pastor is to be away for a season, he may normally designate a staff member to serve as his temporary representative to make decisions in his stead should he be unable to be reached.

(c) SELECTION, TERM, DISMISSAL –

1. The Ministerial Staff is chosen by the Pastor, serves at the discretion of the Pastor, and is dismissed by the Pastor, without appeal.

(d) NON-AG MINISTERS. Any minister on the staff of this church, whether paid or unpaid, whether holding no ministerial credentials or holding credentials with any church or organization other than the General Council of the Assemblies of God, shall be held to the same standards of conduct in life and ministry that are defined for General Council ministers in the Constitution and Bylaws of the General Council of the Assemblies of God. For us this is a matter of religious faith. (Psalm 133, 2 Cor 12:18, Eph 4:11-13, 1 Peter 5:1-4)

Section 5. The Leadership Team

The Elders or Leadership Team (Official Board) is composed of the sitting lay elders and those ordained ministers on staff who have been deemed qualified and appointed as ordained elders by the Pastor, subject to ratification by a majority of the Leadership Team. The Pastor, and the ordained ministers appointed by the Pastor, are full members of the Leadership Team, with all privileges associated therewith.

(a) QUALIFICATIONS -

1. The Leadership Team shall be made up of people of spiritual depth and sensitivity, mature Christian experience, stability, faithfulness, sound judgment, loyalty and humility (1 Tim 3:1-13).
2. They should be baptized in the Holy Spirit and currently living a Spirit-filled life, spiritually gifted to serve as lay elders (Acts 2:4, 6:3, 1 Tim 3:1-13, 5:22, Titus 1:5-9, 1 Peter 5:1-5, 1 John 4:7-8).

3. We understand the phrase “one woman man” in 1 Timothy 3:2 and Titus 1:6 to mean “faithful to his wife,” a description of one’s current lifestyle not of his past, and having no reference to a previous divorce or remarriage. The Leadership Team shall satisfy itself that all potential lay elders are now living above reproach and able to serve.
4. We affirm that women may serve in all levels of leadership (Rom 16, 1 Cor 11:5, Acts 18:24-28).
5. They shall have been active members for at least 12 months, fulfilling all of the membership requirements in an exemplary fashion, not under 23 years of age.
6. They shall publicly and privately be in full agreement with, and active support of, the mission, vision, and philosophy of ministry of the Pastor and church, following the Pastor and staff in a loyal and loving relationship, faithful to all of the regular and special services of the church. Any attitude, speech, or behavior that creates dissension, in any way to any degree, disqualifies one from service on the Leadership Team (2 Cor 2:9, 7:12, 8:8, 12:18).
7. They shall have been proven and prepared by completing whatever discipling, training and ministry experience the Pastor deems necessary.
8. They must be actively serving in the church in some capacity before and during their service on the Leadership Team.
9. The Pastor shall decide when these qualifications have or have not been met and kept as he is led by the Holy Spirit. (1 Cor 12, 14, Rom 12)

(b) DUTIES - The Leadership Team shall serve with the Pastor in the leadership, oversight and spiritual watch-care of the church.

1. They shall meet at least quarterly or as requested by the Pastor, and never without his presence, except with his permission or when the Pastorate is vacant.
2. They shall serve as needed by the Pastor to extend his ministry and fulfill the mission, vision and philosophy of ministry of this Pastor and church, actively promoting love, unity, sound doctrine and holy living.
3. They shall serve as advisors to the Pastor in matters of ministry initiation, evaluation, development and termination, leadership training, special projects and planning, redefining mission, vision, philosophy of ministry, etc.
4. They shall act as trustees for the church in all business and legal matters, handling such matters at the direction of the Pastor or church membership as specified in these Bylaws.
5. They shall serve as the finance team for the church, reviewing financial reports on a monthly basis, advising the Pastor when necessary in the receiving and disbursing of funds, reviewing and raising the Pastor’s salary at least annually after receiving his salary proposal and, at the Pastor’s request, consulting with outside advisers to insure the raises and remuneration package are sufficient. The salaries of all paid staff are determined by the Pastor, in consultation with the Leadership Team.
6. They shall assist the Pastor as needed in providing leadership to all ministries, departments, programs, projects, etc., leading by involvement and example as role models for the church.
7. They shall continue to receive whatever discipleship, equipping, and training that the Pastor deems necessary throughout their tenure as elders.
8. They shall serve in addition to the ministerial staff as advisors to, and accountability partners for, the Pastor. If, in their opinion, the Pastor has acted questionably in some way less than that requiring formal charges or dismissal, but serious enough to merit ministerial counsel, having first spoken with the Pastor without an appropriate response, the Leadership Team may then contact Sectional or District officials or other appropriate professionals to request counsel for themselves and the Pastor.

(c) SELECTION

1. When the Pastor judges that an ordained staff member is sufficiently mature, seasoned, loyal, and otherwise qualified to serve as an elder, after consulting with the Leadership Team he may appoint that staff member to the Leadership Team.

2. Lay members of the Leadership Team shall normally be chosen from the pool of people having previously served and those apprenticed in preparation for potential service. (1 Tim 3:6, 10)
3. They shall be nominated by the Pastor and Leadership Team. Their names shall be made known to the church for one month. If a written, signed objection to their service from an active member of the church is given to the Pastor, the Pastor shall investigate the matter in consultation with the Leadership Team and render a judgment. If there is no such objection, they shall be appointed by the Pastor, and the action made known to the church.
4. There shall be at least three or more lay members on the Leadership Team, depending on the need and the availability of qualified people.
5. The normal selection process shall be conducted annually, with terms running approximately concurrent to the calendar year.
6. If an emergency need for additional lay elders arises, the Pastor in consultation with his Leadership Team may waive the one month nomination period and appoint lay elders as needed.

(d) TERMS

1. Ministerial staff appointed to the Leadership Team serve for one year and are reappointed at the Pastor's discretion.
2. At the initial selection of the lay elders for the Leadership Team, one shall be selected to serve for 3 years, one for 2 years and one for 1 year. Thereafter, one or more shall be selected each year to serve for 3 years. This shall be a revolving team.
3. No lay member(s) should normally succeed themselves in office until at least 1 year has elapsed since their last term of service, if other properly qualified and prepared potential replacements are available.
4. Exceptions: when deemed necessary by the Pastor, any lay elder may be asked by the Pastor to extend their term on an annual basis.

(e) DISMISSAL -

1. When in the Pastor's judgment any elder on the Leadership Team has failed to maintain the qualifications, fulfill the duties, or respond to restoration as described above, the Pastor, after consulting the Leadership Team, may either suspend or remove them from the Leadership Team.
2. The suspension of an elder suspends all of her rights, privileges, and authority as an elder, and requires no approval by the Leadership Team.
3. The removal of a lay elder must be ratified by a majority of the Leadership Team present at a properly called meeting of the Leadership Team. The suspension or removal of an ordained elder (credentialed minister) appointed by the Pastor does not require Leadership Team consultation or ratification.
4. The Leadership Team will work with the Pastor in any restoration ministry deemed appropriate by the Pastor to spiritually restore a suspended or removed elder.
5. The suspended or removed elder will be notified of her suspension personally.
6. Suspended elders may be returned to the Leadership Team to finish their term only at the initiative of the Pastor, after consultation with the Leadership Team.

Section 6. Secretary

(a) QUALIFICATIONS - The Secretary shall normally be an existing member of the Leadership Team, but if not, shall be similarly qualified. The same person may or may not serve as both Secretary and Treasurer. If not a member of the Leadership Team, the Secretary shall attend Leadership Team meetings by invitation of the Pastor, and shall have neither voice nor vote.

(b) SELECTION - The Secretary shall be appointed by the Pastor after consulting the Leadership Team.

(c) DUTIES

1. The Secretary shall record and keep the minutes from the meetings of the Leadership Team and business meetings of the church, sign all business and legal documents of the church as necessary and directed, and perform any other work necessary to the discharge of his/her duties.

(d) TERM - The term shall be 1 year, with succession in office permitted.

(e) DISMISSAL - After consulting the Leadership Team the Pastor may dismiss the Secretary for failure to maintain the qualifications, fulfill the duties, or respond to restoration as described above. The Pastor will notify the dismissed officer of his termination personally, and officially by a letter.

Section 7. Treasurer

(a) QUALIFICATIONS - The Treasurer may or may not be chosen from among members of the Leadership Team, but shall be similarly qualified. The same person may or may not serve as both Secretary and Treasurer. If not a member of the Leadership Team, the Treasurer shall attend Leadership Team meetings by invitation of the Pastor, and shall have neither voice nor vote.

(b) SELECTION - The Treasurer shall be appointed by the Pastor, after consulting with the Leadership Team.

(c) DUTIES

1. The Treasurer shall see that all funds received by the church are deposited in a responsible bank, in the name of the church, and shall see to the disbursement of the same by check as authorized by the Pastor, or by the Pastor and Leadership Team.

2. He shall present an itemized monthly financial report to the members of the Leadership Team, and a summarized annual financial report for distribution to the members of the church.

3. His accounts may be audited annually under the direction of the Pastor and Leadership Team.

(d) TERM - The Treasurer shall serve for 1 year, with succession in office permitted.

(e) DISMISSAL - After consulting the Leadership Team the Pastor may dismiss the Treasurer for failure to maintain the qualifications, fulfill the duties, or respond to restoration as described above. The Pastor will notify the dismissed treasurer of his termination personally, and officially by a letter.

Section 8. The Servanthood Team

The Deacons or Servanthood Team is composed of people who have proven themselves specially gifted by the Holy Spirit as servants to the body, and who have been equipped and appointed by the Pastor and Leadership Team (Rom 12, 1 Tim 3). The Servanthood Team also serves as a proving place for those of its members recognized as potentially gifted for service on the Leadership Team.

(a) QUALIFICATIONS

1. The ministry of deacon is a function / ministry that one performs as the Holy Spirit enables them, not an office one holds (Rom 12:7).

2. The deacons ministry consists of people specially gifted by the Holy Spirit to minister as church servants, growing in their Christian walk, exhibiting a servant's heart and lifestyle, actively serving in a spirit of harmony, humility and love flowing from a proven Christian character (1 Tim 3:1-13).

3. They should be baptized in the Holy Spirit and currently living a Spirit-filled life, or earnestly seeking this experience, (Acts 2:4, 6:3, 1 Tim 3:1-13, 5:22, Titus 1:5-9, 1 Peter 5:1-5, 1 John 4:7-8).
4. They shall have been active members for at least 12 months, fulfilling all of the membership requirements in an exemplary fashion, not under 21 years of age.
5. They shall be in full agreement with, and active support of, the mission, vision and philosophy of ministry of the Pastor and church, following the Pastor and staff in a loyal and loving relationship, faithful to all of the regular and special services of the church (2 Cor 2:9, 7:12, 8:8, 12:18).
6. They shall have been proven and prepared by completing whatever discipling, equipping, and ministry experience the Pastor deems necessary (1 Tim 3, Titus 1).
7. The Pastor shall decide when these qualifications have or have not been met and kept (1 Tim 3, Titus 1).

(b) DUTIES

1. They shall serve however needed by the Pastor to fulfill the mission, vision, and philosophy of ministry of this Pastor and church.
2. They shall continue whatever discipleship, equipping, and training the Pastor deems necessary.
3. The team shall meet as requested by the Pastor, and never without his presence, except with his permission or when the Pastorate is vacant.
4. They shall be under the supervision of the Leadership Team during a vacancy in the Pastorate.

(c) SELECTION

1. As led by the Holy Spirit, the Pastor shall recognize as deacons those individuals in whom he sees the Spirit's gifting, people who are already effectively serving the church in meaningful way (Rom 12:6-7, 1 Tim 3:10).
2. After consulting the Leadership Team the Pastor shall appoint qualified individuals to the Servanthood Team.
3. From among those deacons who serve especially well, who continue to grow spiritually and show potential gifting for additional servant leadership responsibility, members may be selected for mentoring as potential lay elders, for possible service on the Leadership Team.

(d) TERMS AND DISMISSAL

1. Deacons shall serve for one year and may or may not be re-appointed by the Pastor.
2. As led by the Holy Spirit, the Pastor may dismiss any deacon who fails to meet the qualifications and fulfill the duties described above. No ratification by the Leadership Team is required.

ARTICLE IX. PASTORAL DEVELOPMENT and SPIRITUAL CARE

Section 1. Continuing Education

- a.** Continuing education, spiritual formation, and equipping for ministry is something taught and practiced as a priority in Scripture, and therefore incumbent upon all ministers of Christ who long to grow deeper in the Word and more effective in ministry. The Pastor and staff of this church are expected to regularly be engaged in some form of continuing education, spiritual formation, and equipping as a ministry priority.
- b.** This church will help meet this need by paying for not less than half (50%), and if possible all (100%), of the cost of all such continuing education, formation, and equipping which the Pastor (and if possible the staff) choose to pursue, from informal seminars to formal, properly accredited education.
- c.** In accessing continuing education through reputable institutions this church and its pastors shall abide by the directions provided for ministers and local assemblies in the Alabama District

Council Bylaws Article VII Section 8, and the General Council Bylaws Article VII Section 15 Integrity in Educational Credentials, and Article IX Section 13 Accountability in Educational Attribution.

Section 2. Retreats

- a. This church shall pay for the pastor to take such retreats as the pastor deems beneficial, for the rest and renewal of the pastor and spouse.
- b. The benefit shall also be provided to the pastoral staff and their spouses.

Section 3. Sabbaticals

- a. **Basis.** The concept of a Sabbatical leave for Pastors is based on Scripture (Genesis 2:1-3; Exodus 20:8-11; Deuteronomy 5:12-15; Matthew 11:28-30; Mark 6:31-32; Luke 5:15-16; John 6:14-15).
- b. **Purpose.** The Sabbatical is for spiritual, mental, emotional, and physical rest, renewal, and growth. It will normally be focused on study, spiritual formation, receiving spiritual direction and counseling, spiritual travel, or occasionally simply doing something uniquely different and refreshing, all as chosen by the Pastor. The Sabbatical is therefore normally not to be simply an extended vacation.
- c. **Frequency and Duration.**
 1. The Lead Pastor will be granted a 1 month Sabbatical for every 3 years that he/she serves. That is, after 3 years the Pastor receives 1 month, after 3 more years he receives another month for a total of 2 months, and so forth, until 3 months is accumulated after 9 years. Thereafter, those 3 months may be taken as one Sabbatical every 3 years or may be taken annually or biannually in increments no less than 1 month.
 2. Vacation or personal time may be added to the beginning or the end of a Sabbatical.
- d. **Finance.**
 1. This Sabbatical will be in addition to any regular vacation, sick leave, or personal time off that the Pastor would normally receive according to this church's vacation/time-off policy.
 2. The Pastor will receive his/her full remuneration package of salary, allowances, and benefits during the course of the Sabbatical.
 3. The church will pay the costs of study, spiritual formation, counseling, associated travel, and so forth associated with the Sabbatical.
- e. **Benefits.** The Pastor will receive an important break from the powerful mental, emotional, spiritual, and physical pressures of pastoral ministry. He/she will receive critically needed renewal, refreshing, and growth from the insights and ministry received during the Sabbatical. This will bless with new life the family and ministry of the Pastor, and therefore directly do the same for the church.
- f. **Other full-time pastors** and/or staff may be granted similar sabbaticals at the discretion of the lead Pastor and Leadership Team.

Section 4. Intellectual Property Rights

All rights to and ownership of all creations of the mind, such as inventions, literary and artistic works, books, music, sermons, and so forth, using whatever medium, all designs, symbols, names and images used in ministry or commerce, and the like, shall belong completely and unreservedly to the creating pastor(s), with this church having no interest in or claim on said creations. This is the case whether the creating pastor(s) is employed full-time, part-time, or volunteer, whether creation occurred during work or personal hours, on or off church property, using church-owned or personally owned equipment or material. All such creations shall be the personal private property of the creating pastor(s), and the church shall never have any claim on these creations or on any revenue generated from them from their creation in perpetuity. Any contributions to the church by the creating pastor(s) shall be solely at the discretion of creating pastor(s).

Section 5. Integrity of Use

If the Leadership Team of this church sees that the Lead or Staff Pastors of this church are engaging the Pastoral Development and Spiritual Care benefits mentioned in this article either too

little or in excess, after first addressing the issue with the pastor(s) in question without success, they may contact the Alabama District Leadership for counsel in caring for our pastor(s) and for this church.

ARTICLE X. VACANCIES

Section 1. Pastorate

- (a) Vacancy in the Pastorate for any reason shall be filled according to the Bylaws above.
- (b) Should the Pastor resign, he shall give the Leadership Team a minimum of 30 days notice before his resignation is effective.
- (c) Should the Pastor fail to sustain a vote of confidence as described above, or should he resign, he shall, upon his last day of service, receive severance pay of 1 week of his current gross pay for each year of service, or 1 month's current gross pay, whichever is greater.
- (d) Should the Pastor be dismissed for moral failure the church is not required to pay any severance.

Section 2. Leadership Team

Vacancies may created or filled at any time as described elsewhere in these Bylaws under "Leadership Team."

Section 3. Others

All other offices, ministries, and positions must approved or appointed by the Pastor or his representative, some in consultation with the Leadership Team, and may be declared vacant by the Pastor in consultation with the Leadership Team as described in these Bylaws.

ARTICLE XI. MEETINGS

Section 1. Worship Services

- (a) Corporate services for worship, evangelism, and discipleship shall be held each Lord's Day and during the week as deemed best by the Pastor and Leadership Team.
- (b) All other meetings of any kind, including those for ministries of compassion, shall be held as deemed best by the Pastor and Leadership Team.

Section 2. Special Business Meetings

- (a) Special Business Meetings of the church may be called as deemed necessary by the Pastor or by a two-thirds (2/3) majority of the Leadership Team. (Acts 15)
- (b) Such meetings shall be announced at the service(s) on 2 Sundays prior to the meeting, or with the approval of two-thirds of the Leadership Team, at one corporate worship service prior to the meeting.

Section 3. Leadership Meetings

The Leadership Team shall meet at least quarterly per year, or as often as deemed necessary by the Pastor. No meeting of the Leadership Team or Servanthood Team may be held without the Pastor's presence or permission.

Section 4. Other Ministry Teams

All ministry teams shall meet as often as deemed necessary by the Pastor or team leader. All ministry teams shall be subordinate to, and receive direction from, Pastor and Leadership Team.

ARTICLE XII. FINANCES

Section 1. Contributions

All funds for the operation and ministries of the church shall be provided by the tithes, offerings and contributions of members and friends. All funds shall be received at such times and in such ways as agreed upon by the Pastor and Leadership Team. All funds shall be disbursed by the Treasurer as directed by the Pastor, or by the Leadership Team in consultation with the Pastor. This is a matter of religious faith for us. (Mal. 3:10, Luke 6:38, 1 Cor 16:1-2, 2 Cor 9:6-8)

Section 2. Reports

(a) A copy of the Monthly Financial Report prepared by the Treasurer for the Leadership Team shall be available for review by any active adult member who asks the church office for such a review, and any active adult member may address any questions arising from the reports to the Pastor and Leadership Team.

(b) An Annual Financial Report shall be prepared by the Treasurer for the Leadership Team no later than two months after fiscal year-end. After the Leadership Team has accepted the report, it shall be released to the active adult members of this church for review. Active adult members may address any questions arising from the report to the Pastor and Leadership Team.

Section 3. Finance Team

The Leadership Team shall serve as Finance Team with duties as outlined in these Bylaws.

ARTICLE XIII. PROPERTY

Section 1. This church shall be incorporated under the laws of the State of Alabama. All property of this church shall be deeded to this church and held in its corporate name.

Section 2. Should this local church's affiliation with the Assemblies of God ever be terminated, either through its own voluntary action according to these Bylaws or by the action of the Assemblies of God, the majority of the membership of this local church shall retain ownership of all of the church's property, real and chattel.

Section 3. In the event this church ceases to function as a Christian church, then its property, real or chattel, shall be voluntarily given to the Alabama District Council of the Assemblies of God, Inc., whose headquarters are located in Montgomery, Alabama. The Alabama District Council of the Assemblies of God shall immediately have full authority to use or dispose of the property according to their policies and at their discretion. In the event of the sale of the property by the Alabama District Council of the Assemblies of God, the proceeds derived shall be used by the Alabama District Council in furtherance of the gospel of Jesus Christ according to their policies and at their discretion.

Section 4. Real or chattel property of the church valued up to thirty percent of the church's previous year's income may be bought, sold, leased, mortgaged or otherwise alienated by a two-thirds vote of the Leadership Team at a special Leadership Team meeting called in accordance with these Bylaws. Transactions valued above 30% of the church's previous years income must be authorized by a majority vote of the church membership present at a special business meeting.

Section 5. Proper Use of Church Finances, Assets, Facilities, and Property

a. General Use. No finances, assets, facilities, or property of this church, shall be used to promote, host, assist, or support events, organizations, or persons that support philosophies, causes, lifestyles, or behaviors which violate the core doctrinal or lifestyle commitments of this church as defined in these Bylaws. When any question arises regarding the application of this standard, the final interpretive authority shall be the Senior Pastor, a minister credentialed by the General Council of the Assemblies of God. Appeal from the Senior Pastor's decision may only be made to the appropriate Sectional Committee, and the Alabama District Council Executive Committee. For us, this is a matter of religious faith.

b. Marriages, Renewal of Vows, and Similar Marriage-Like Ceremonies. Marriages, renewal of vows, and similar marriage-like ceremonies shall only be performed, promoted, hosted, assisted, or supported when the bride, the groom, or both are adult active members in good standing of this church, according the membership standards of these Bylaws.

c. Even within these requirements, the pastors of this church shall be free to follow their conscience and the leading of the Holy Spirit in declining to perform marriage ceremonies for any couple.

d. For us, this is a matter of religious faith. (Psalm 1, 2 Cor 6:14-17, Eph 4:11-13, 1 Thess 5:22, 2 John 1:9-11)

ARTICLE XIV. DISCIPLINE

Section 1. Discipline of Members

(a) In order to preserve the peace and purity of this community of faith, this church recognizes its accountability to the Pastor and Leadership Team in matters of scriptural conduct and discipline. All decisions regarding discipline as described in this section shall be prayerfully made and administered by the Pastor and Leadership Team, according to the Scriptures, with an ultimate goal of repentance and restoration (Matt 18:15-20, Rom 16:17-18, 1 Cor 5:9-13, 2 Thess 3:11-15, Gal 1:8-9, Titus 3:1-15, etc.)

(b) Violation of the scriptural standards of doctrine and lifestyle described in Article "Membership," Section "Qualifications" shall be the reason for disciplinary ministry. All members of this community of faith, whether or not they have officially joined as active members of the church, shall by their participation among us be subject to the disciplinary ministry of the Pastor and Leadership Team. (Heb 13:17)

(c) Rebellion, division, dissension, slander, gossip, faction and strife are recognized as especially heinous sins in regard to the body as a whole, and will not be tolerated in this church (1 Sam 15:22-23, Prov 6:16-19, Rom 13:13, 16:17-18, 1 Cor 3:16-17, 5:11, 6:9-11, Gal 5:19f, Eph 4:29-32, Phlp 2:1-4,14, James 3:6-18, 2 Thess 3:6,14, etc.).

(d) Discipline may include such scriptural actions as deemed necessary, including, but not limited to, removing from all ministry, moving from active to inactive membership, or removing from all membership, and requesting departure from this community of faith (Matt 16:19, John 20:23, Acts 5:1-11, 1 Cor 5:4,7, 2 Cor 2:9, 1 Tim 1:20, Titus 3:10, 2 Thess 3:6,14, 1 Tim 1:19-20).

(e) Restoration shall be prayerfully administered, including such return to a particular ministry or membership as the Pastor deems appropriate, following evidence of genuine repentance and a time of proving (Luke 3:8, Acts 26:20, Gal 6:1, 2 Cor 2:9-10, 7:8-12).

(f) While scripture provides opportunity for individuals, small groups, and the church as a whole to participate in correction and discipline when appropriate, the final authority for deciding and directing discipline rests with the Pastor in consultation with the Elders, and the community of faith is expected to carry out its leaders instructions (Matt 16:19, 18:15-20, John 20:23, Acts 5:1-11, 1 Cor 5:3-5, 2 Cor 2:5-11, 7:8-16, Heb 13:17, 2 Tim 3:2).

(g) Any appeals from the disciplinary ministry must come from the disciplined individual(s) and must be directed first to the Pastor and Leadership Team, then to the Sectional Committee, and then to the combined Sectional Committee and District Executive Committee, the latter two committees having power to review and recommend, but not require, changes in the disciplinary ministry of the Pastor and Leadership Team.

(h) This church hereby fully empowers the Pastor or Leadership Team to use any legal means necessary to prevent disciplined or otherwise troublesome or disruptive persons from entering church property at any time under any circumstances.

(i) All matters in this section, Discipline of Members, are articles of religious faith for us.

Section 2. Discipline of Ministers

(a) The discipline of ministers credentialed with the Assemblies of God is in the hands of the appropriate Sectional, District, and General Council officials, not the local church. Members may bring such doctrinal or lifestyle failures of their ministers as require disciplinary action to the attention of the Sectional and District Council officials.

(b) The discipline of any ministers credentialed other than with the Assemblies of God shall be in the hands of the Pastor and Leadership Team. They shall use the guidelines of this local church and Assemblies of God ministerial disciplinary and rehabilitation protocols, adjusting them as is necessary.

(c) The restoration of any disciplined and rehabilitated minister to ministry in this local church shall be at the Pastor's discretion, following the appropriate guidelines of this local church and of the Assemblies of God. If the Pastor was the disciplined minister, his return to ministry in this local church shall require the approval of two-thirds of the Leadership Team.

ARTICLE XV. QUORUMS

Section 1. Leadership Team

(a) The majority of Leadership Team members actually present at any properly called Leadership Team meeting shall constitute a quorum for that meeting.

Section 2. Church Business Meetings

(a) Given proper notification, at least one-fifth (1/5) of the active adult members of the church must be present to constitute a quorum and conduct an official business meeting.

(b) Failure to achieve or maintain a quorum for a church business meeting shall empower the Pastor and Leadership Team to properly call a Leadership Team meeting and conduct whatever business was on the agenda for that church business meeting.

Section 3. Absentee Ballots

No absentee ballots shall be accepted in Leadership Team or church business meetings.

ARTICLE XVI. DEPARTMENTS AND MINISTRIES

Section 1. The Pastor, or the Pastor and his Leadership Team, shall approve, create, staff, evaluate, modify, and terminate such departments and ministries as they deem necessary to enable this church to fulfill our mission and vision of worship, evangelism, discipleship, and ministries of compassion in the most effective manner possible.

Section 2. All departments, ministries, and workers shall be under the direction of the Pastor and his representatives. All departments, ministries, and workers shall be in agreement with and fully supportive of the core values, mission, vision, philosophy of ministry, and biblical standards of this church and its Pastoral leadership. They shall serve together in an integrated manner, in unity and harmony.

Section 3. The departments and ministries of this church may include, but shall not be limited to, the following: Christian education, small groups, worship, children's, youth, women's, men's, singles, seniors, compassion, missions, outreach, and media.

Section 4. Service of any kind, in any degree, in any department or ministry, is a privilege, not a right. All workers shall be discipled and trained to the satisfaction of the Pastor, Leadership Team, and their representatives, and may be appointed or removed as the Pastor, Leadership Team, and their representatives see fit.

ARTICLE XVII. ORDER OF BUSINESS

Any Leadership Team or special business meeting of the church where parliamentary order is extremely important for legal or other reasons shall be conducted according to the most current edition of Roberts Rules of Order Newly Revised, as modified by the spirit of Christian love, the leading of the Holy Spirit, under the supreme authority of the Bible. A possible order of business is:

1. Devotional and Prayer
2. Reading of Previous Minutes by Secretary
3. Financial Report of the Treasurer
4. Report of Teams or Committees
5. Unfinished Business
6. New Business
7. Adjournment

ARTICLE XVIII. ARBITRATION OF DISPUTES

Inasmuch as the Scriptures require Christians to take their disputes to the saints and not to the civil courts (1 Corinthians 6:1-8), all disputes which may arise (1) between any member of this church and the church itself, or (2) between any member of this church and any pastor, officer, director, employee, volunteer, or other worker of this church, shall be resolved by binding arbitration if efforts to mediate or conciliate the dispute have failed. Either party to the dispute may initiate the arbitration process by filing with the other party a written request for arbitration within a reasonable time after the dispute has arisen and efforts to mediate or conciliate have failed. In such a case, the member and the church shall each name an arbitrator, and the two so selected shall name a third. All arbitrators must be born-again, Spirit-filled believers who are members of an Assemblies of God church. The third arbitrator chosen by the other two shall disclose, before accepting the appointment, any financial or personal interest in the outcome of the arbitration, and any existing or past financial, professional, family, or social relationships which are likely to affect impartiality or which might reasonably create an appearance of partiality or bias. Either of the parties to the arbitration, on the basis of such disclosures, may disqualify such a candidate from serving as the third arbitrator. A third arbitrator who serves without objection from either party has a continuing duty to disclose relationships or interests which may impair his impartiality. Either party, regardless of the stage of the arbitration process, may on the basis of such disclosures disqualify such a person from further participation. The arbitration process shall not proceed until the third arbitrator is selected. The arbitrators shall appoint the time and place for the hearing and cause notification to the parties to be served personally or by registered mail not less than 30 days before the hearing. Appearance at the hearing waives such notice. The arbitrators may adjourn the hearing from time to time as necessary and, on request of a party and for good cause or upon their own motion, may postpone the hearing to a later date. The arbitrators may hear and determine the controversy upon the evidence produced notwithstanding the failure of a party duly notified to appear. The parties are entitled to be heard, to present evidence material to the controversy, and to cross-examine witnesses appearing at the hearing. The hearing shall be conducted by all the arbitrators, but a majority of them may determine any question and render a final award. If during the course of the hearing an arbitrator for any reason ceases to act, he shall be replaced in the same manner in which he was originally selected. The arbitrators may in their absolute discretion admit as evidence any affidavit or declaration concerning the matters in dispute, a copy thereof having been given at least 5 days previously to the party against whom the same is offered, but the person whose evidence is so taken shall be subject to cross-examination by such party. The arbitrators shall have the power to order and direct what they shall deem necessary to be done by either of the parties relating to the matters in dispute. Cost of the arbitration shall be determined and assessed by the arbitrators. Any submission of a dispute to arbitration shall not be revoked by the death of any party to the dispute, and any award will be binding upon such person's heirs and successors. The decision of the arbitrators shall be binding on both parties, and both parties submit themselves to the personal jurisdiction of the civil courts in this state (including federal courts), as well as the courts of any other state which may have jurisdiction over any dispute contemplated by this Article, for the entry of a judgment confirming the arbitrators' award. The arbitration process is not a substitute for any disciplinary process set forth in the constitution or bylaws of the church, and shall in no way affect the authority of the church to investigate reports of misconduct, conduct hearings, or administer discipline. Any matter not provided for herein shall be governed by the provisions of the Uniform Arbitration Act. If a dispute may result in an award of monetary damages, then use of this arbitration procedure is conditioned on acceptance of the procedure by the liability insurer of the church, and the insurer's agreement to honor any arbitration award up to any applicable policy limits.

ARTICLE XIX. AMENDMENTS

Section 1. Substantive changes to these Bylaws must be made in the form of amendments. Amendments to these Bylaws may be submitted by any member of the Leadership Team at any called meeting of the Team. If the Pastor is in favor of the amendment, a simple majority of the Leadership Team is required to adopt it. If the Pastor is opposed to the amendment, the amendment will be tabled for prayer until a subsequent meeting. If the Pastor remains opposed, a unanimous vote of the Leadership Team is required to adopt the amendment.

Section 2. The Pastor and Leadership Team shall inform the District Superintendent before making any changes to these Bylaws affecting the articles on “Voluntary Affiliation” or “Property.” They shall receive counsel and then proceed according to these Bylaws.

Section 3. When the need arises for non-substantive Bylaws changes without a formal amendment, a Bylaws Editorial Team shall be appointed by the Pastor from the membership of the Leadership Team. Members should be selected on the basis of their familiarity with the Bylaws and their editorial skills. The editorial team shall have the power to recommend such revisions to these Bylaws as are, in its judgment, non-substantive modifications or clarifications, reorganization or renumbering, or revisions made necessary because of punctuation, spelling, or other errors of grammar or expression. The recommended revisions must be approved by the Leadership Team by a majority vote, after which they become effective immediately and shall be permanent subject to revocation by the membership of the Leadership Team at any duly called meeting.

**DISTRICT
AFFILIATED
CHURCH**

REQUIREMENTS for DISTRICT AFFILIATED CHURCHES

COPIES OF:

1. The Church Name, Location Address, Mailing Address, Email Address, Phone number
2. The Lead Pastor's name
3. The recorded Articles of Incorporation
4. The EIN (Federal Employer Identification Number)
5. The local church Bylaws – The District approved Pastor-Led model
6. Proof of insurance – Insurance policies must include coverage for property, Multi-peril, malpractice, sexual misconduct, vehicles, liability, etc.
7. Background checks on any non-credentialed staff, workers, volunteers
8. Financial reports – produced monthly, provided to District whenever requested

NAMES OF:

1. Advisory board / Leadership Team members
2. Staff members
3. Contact information for these people

The EIN can be obtained by calling the IRS toll free at 1-800-829-4933, or by applying online at www.irs.gov.

Articles of Incorporation (Certificate of Formation) for non-profit entities can be found on the Alabama Secretary of State website at <https://www.sos.alabama.gov/sites/default/files/2019-02/sosdf-5.pdf>

STATE OF ALABAMA

**DOMESTIC NONPROFIT CORPORATION
CERTIFICATE OF FORMATION**

PURPOSE: In order to form a Nonprofit Corporation under Section 10A-1-3.05 and 10A-3-3.02 of the Code of Alabama 1975 this Certificate Of Formation and the appropriate filing fees must be filed with the Office of the Judge of Probate in the county where the corporation's initial registered office is located. **The information required in this form is required by Title 10A.**

INSTRUCTIONS: Mail one (1) signed original and two (2) copies of this completed form and the appropriate filing fees to the Office of the Judge of Probate in the county where the corporation's registered office is/will be located. Contact the Judge of Probate's Office to determine the county filing fees. **Make a separate check or money order payable to the Secretary of State for the state filing fee of \$100.00** and the Judge of Probate's Office will transmit the fee along with a certified copy of the Certificate to the Office of the Secretary of State within 10 days after the Certificate is recorded. You may pay the Secretary of State fees by credit card if the county you are filing in will accept that method of payment (see attached). Your filing will not be indexed if the credit card does not authorize and will be removed from the index if the check is dishonored (\$30.00 fee).

(For County Probate Office Use Only)

This form must be typed or laser printed.

1. The name of the corporation: _____

2. **A copy of the Name Reservation certificate from the Office of the Secretary of State must be attached.**

3. This nonprofit corporation (MUST check one):

___ has Members **or** ___ has no Members

This form was prepared by: (type name and full address)

(For SOS Office Use Only)

DOMESTIC NONPROFIT CORPORATION CERTIFICATE OF FORMATION

4. Street (**No PO Boxes**) address of principal office of the corporation: _____

Mailing address of principal office (if different from street address): _____

5. The name of the Registered Agent: _____

6. Street (**No PO Boxes**) address of Registered Agent (if different from principal office address): _____

Mailing address of Registered Agent (if different from street address): _____

7. Purpose for which corporation is formed: _____
_____ ; the
purpose includes the transaction of any lawful business for which nonprofit corporations may be
incorporated in Alabama under Title 10A, Chapter 3 of the Code of Alabama.

8. Period of duration shall be perpetual unless stated otherwise by an attached exhibit.

9. The name(s) of the Incorporator(s): _____

Street (**No PO Boxes**) address of Incorporator(s): _____
_____ Mailing address of Incorporator(s) – (if
different from street address): _____

Attach a listing if more Incorporators need to be added (type “see attached” in the name line).

10. The number of Directors constituting the initial Board of Directors is _____. The initial Directors names
and addresses must be listed in this Certificate of Formation.

Director’s Name: _____

Street (**No PO Boxes**) address of Director: _____
_____ Mailing address of Director(s) - (if different
from street address): _____

DOMESTIC NONPROFIT CORPORATION CERTIFICATE OF FORMATION

Director's Name: _____

Street (**No PO Boxes**) address of Director: _____

_____ Mailing address of Director(s) - (if different from street address): _____

Director's Name: _____

Street (**No PO Boxes**) address of Director: _____

_____ Mailing address of Director(s) - (if different from street address): _____

Attach listing if more Directors need to be added (type "see attached" in the name line for the first Director on this form).

11. Unless an attachment to this Certificate of Formation provides that a change in the number of directors shall be made only by amendment to the Certificate of Formation, a change in the number of directors made by amendment to the bylaws shall be controlling. In all other cases, whenever a provision of the Certificate of Formation is inconsistent with a bylaw, the provision of the Certificate of Formation shall be controlling.

___ Attached are any other provisions that are not inconsistent with law relating to organization, ownership, governance, business, or regulation of the internal affairs of the nonprofit corporation, including any provisions for distribution of assets on dissolution or final liquidation.

Date (MM/DD/YYYY)

Signature as required by 10A-1-3.04

Typed Name of Above Signature

Typed Title/Capacity to Sign under 10A-1-3.04

Secretary of State Credit Card or Prepaid Payment Option/Return/Hold Sheet: If you do not send an acknowledgement copy and a pre-addressed postage paid envelope with the filing or provide an email return on this form, you will not receive a credit card or prepaid account receipt from the Secretary of State's Office. Hold for pickup request will have the receipt attached. The document of record will be stamped showing the receipt of the filing fee and expedite fee but will not show convenience fees which will be charged; (generally these fees are between 2% and 5% of the total charge).

Information MUST be typed or filing will be returned without review.

Entity Name: _____

AL Entity ID Number: _____ - _____ (ex: 000-000)

Service Requested: X \$100.00 Formation filing fee
 _____ \$100.00 Expedited Processing fee (**must be included with initial filing**)

Hold at Front Desk for Pick-up by: _____
(Service providers who run couriers for pick-up)
There is no notification service and there will not be a call for pick-up.

Return via email (only one email): _____
(ONLY for expedited filings) No paper copy will be mailed

_____ Charge fees to prepaid account: Account Number _____
and Account Name _____

Typed Name & Signature of Authorized Individual on Account

_____ Credit Card Type: _____ (Visa, MC, Discover & AmEx)

Card Number: _____ Expiration Mo/Yr: ____/____ (MM/YY)

Card Holder Name: _____

Complete Billing Address: _____
Street or PO

City State Zip

Signature of Card Holder: _____
MUST be Signature of Card Holder

The General Council of the Assemblies of God
DISTRICT COUNCIL AFFILIATED CHURCH CHARTER

Fill in the form electronically (TAB from field to field) and print it. Or print a hardcopy to be completed. Sign and send to the General Secretary's Office.

District _____

1. Name of Church _____

2. Location Address of Church _____
(Street)

(City, State, Zip Code)

3. Mailing Address of Church _____
(Street/PO Box)

(City, State, Zip Code)

4. Phone # _____ 5. Email of Church _____

6. Federal EIN _____ - _____
(required) 7. County _____ 8. Section _____

9. Environs: check ONE box indicating the community in which the church is located.

CN – open country side

VG – village (less than 1,000)

TW – town (1,000-4,999)

SC – small city (5,000-9,999)

MC – medium city (10,000-49,000)

If population is 50,000+ is it:

DT – downtown (in the central business district)

NB – neighborhood (within city limits but not downtown)

SU – suburban (in the same county as a central city of

50,000+ but not in the city limits)

10. Ethnicity: the majority (51% or more) of the congregation is (Anglo, Hispanic, Chinese, etc.): _____

11. Lead Pastor _____ 12. Lead Pastor's Account # _____

13. Lead Pastor's type of credential: Ordained Licensed Certified No AG credential

14. Lead Pastor's Address _____
(Street/PO Box, City, State, Zip Code)

15. Lead Pastor's Phone # _____ 16. Lead Pastor's Email _____

17. Name of Church Board Secretary or Corporate Secretary _____

18. Total Church Membership _____ 19. Adherents _____ 20. Sunday a.m. or major Worship Service Attendance _____

21. This church was opened by our district on _____ **OR** Projected launch date is _____

22. This church was reopened by our district on _____

23. By whose initiative was this church started? _____

24. If this is an existing church, what was its status prior to this action: Independent Other (please specify denomination): _____

25. Comments: _____

26. Signature of church's Lead Pastor _____ Date _____
(required)

Signature of District Superintendent or Secretary

Date _____

**GENERAL
COUNCIL
AFFILIATED
CHURCH**

REQUIREMENTS FOR GENERAL COUNCIL AFFILIATION (Summary)

The Church must ...

1. Have demonstrated sufficient maturity, harmony, and stability in the evaluation of the Pastor, Sectional Committee, and District Executive Committee to be set in order as a GC church.
2. Have a Lead Pastor who holds ministerial credentials with the General Council of the Assemblies of God.
3. Have a Board / Leadership Team as prescribed in this local church's Bylaws.
4. Have a copy of its Articles of Incorporation.
5. Have a local church Bylaws approved by the district office.
6. Have 20 or more active adult members according to its Bylaws, listed in a membership roster.
7. Have an Application for Recognition as a GC Affiliated Church completed and reviewed by the District Superintendent or District Secretary-Treasurer.
8. Having given the membership notice at least 2 Sundays prior to the meeting, hold a properly called business meeting ...
 - a. approved in advance by the District Superintendent or District Secretary-Treasurer,
 - b. chaired by a member of the District Executive Committee or other district official appointed by them,
 - c. for the purpose of considering a resolution to request General Council affiliation,
 - d. with 20 or more of the church members present,
 - e. where the congregation votes by a simple majority in favor of requesting General Council affiliation.
9. The minutes of the meeting and the completed Application for Recognition as a General Council Affiliated Church shall be returned to the district office, along with the \$100.00 application fee. Copies should be retained by the local church or may be sent back to the church by the district office.

The District Secretary-Treasurer will examine the completed documents, process and forward them to the General Secretary's office at the General Council.

NOTE: If the church does not yet have a Board / Leadership Team, one may be elected or appointed according the approved local church Bylaws in this meeting.

INSTRUCTIONS FOR ORGANIZATION AND RECOGNITION AS A GENERAL COUNCIL AFFILIATED CHURCH

RELATIONSHIPS

A General Council affiliated church (local congregation, assembly, etc.) is one which has applied for and has received a Certificate of Affiliation from The General Council of the Assemblies of God. (For requirements see current General Council Constitution Article XI and General Council Bylaws Article VI.)

In making this application for affiliation as a General Council affiliated church, it is understood that this local congregation shall have full recognition and be entitled to all the privileges granted by and subject to the provisions of the Constitution and Bylaws of the General Council. It shall have the right of self-government under Jesus Christ, its living Head, and shall have the power to choose or call its pastor, have an official board / Leadership Team, and transact all other business pertaining to its life as a local unit. It shall have the right to receive members and maintain a membership roster in accordance with its own governance documents and applicable state corporate laws. It shall have the power to acquire and hold title to property in its own right, either through trustees, or in its corporate name as a self-governing body.

It shall be the privilege of this local congregation to send properly accredited delegates to both the General and District Council meetings as per applicable bylaws and guidelines. It shall have access to the general oversight and pastoral care of district officials who shall lend their assistance, provide training, and give counsel when called upon for those purposes. It shall also be entitled to district aid in the preparation and adoption of governance documents, conducting business, and the election or appointment of officers, including the choice of a pastor.

The congregation shall be entitled to avail itself of all the avenues of cooperative effort provided through the Fellowship, such as General Council and district council meetings, conferences, literature, media resources, curriculum, periodicals, higher education, and training events.

While the right of a local sovereign church to self-government is outlined in General Council Constitution Article XI, it is also recognized that the local church has a responsibility to the district council and General Council, and both have a responsibility to the local church. All three are interdependent, and none is completely independent.

It is understood that this local congregation shall recognize its obligation to the Fellowship as a whole to maintain proper standards of doctrine, church order, and polity. It agrees to participate in the mission of the church through the General Council and district council in both home and foreign lands.

All the foregoing privileges and responsibilities are involved in the application which is now being made for recognition as an Assemblies of God church, affiliated and identified with The General Council of the Assemblies of God with headquarters at 1445 N. Boonville Ave., Springfield, Missouri 65802.

RECOGNITION OF ASSEMBLIES

There are four categories of local congregations which may receive recognition by the Assemblies of God:

1. *General Council affiliated churches* are local congregations (with an adult membership of not less than 20 persons) which have matured sufficiently to accept their full share of self-governance and financial responsibility for the maintenance of scriptural order. They shall be organized under the guidance of the district council, with proper governance and corporate documents. They shall cooperate with the Assemblies of God Fellowship in doctrine, in polity, and all other matters which may affect the peace and harmony of the whole.

2. *District Affiliated churches* are local congregations which have been brought into being as the result of evangelistic or church planting efforts and are still in a formative state in need of maturing. These local congregations should be held under the general supervision of the district presbytery, which shall provide for pastoral care, appoint the necessary officers, etc., until such time as the local congregation gives evidence of sufficient maturity to warrant full recognition as a General Council affiliated church. A letter and/or certificate of affiliation with the district council shall be issued by the district involved.

3. *Parent Affiliated churches (PAC)* are an outreach of an existing General Council affiliated church or duly authorized District Council affiliated church resulting in a worshipping community with a congregational life distinct from the Parent Church (PC). A PAC is subject to the ecclesial supervision and authority of the PC, in such manner, and upon such terms and conditions, as are determined by the PC.

4. *Cooperative Churches* are local congregations which agree with the Statement of Fundamental Truths of the General Council of the Assemblies of God and wish to enter into a cooperative status with their local district council and the General Council on a temporary basis (4-year term, renewable by the request of the local church congregation at the discretion of the district in cooperation with the General Council Executive Presbytery) before officially affiliating with the district council and the General Council. Cooperative churches do not have the same privileges and responsibilities as General Council or district council affiliated churches (General Council Constitution, Article XI, Section 4).

HOW TO ORGANIZE THE LOCAL CHURCH

When a pastor considers that the local congregation has developed sufficiently in biblical understanding, and that the members have matured in Christian experience so that they can be entrusted with the full responsibility for maintaining proper scriptural order, he or she may take steps toward the organization of the congregation in accordance with the principles and practices of the Assemblies of God Fellowship. Although the local church shall contact the district office for proper procedures, the following steps generally outline this process:

1. Contact the district office and notify the district of the church's desire to become a General Council affiliated church.
2. Confirm the church's active corporate status by checking with the appropriate Secretary of State's office. If needed (for instance, if the church is changing its name), prepare amendments to the Articles of Incorporation to be given to the Secretary of State
3. Draft a set of governance documents (i.e., Bylaws) to be approved in advance by the district office. The district office can supply sample governance documents. Also, see 4.b. below.
4. Business Meeting. Communicate with the district officers and arrange with them for the appointment of a certain day and time for a business meeting. The business meeting shall then be announced on not less than 2 Sundays prior to the date of the meeting. The purpose of the meeting must be clearly stated, and when held shall be conducted by the district official who has this responsibility. The rest of the meeting should include the

following agenda items:

- a. A resolution to become a General Council affiliated church.
- b. Adopt Articles of Incorporation (or Certificate of Formation) and a Bylaws compatible with models recommended by the district council, or district approved governance models that provide for adequate accountability, amenability, and safeguards (if not already adopted).
- c. An election or appointment of the pastor (if not already in place).
- d. An election or appointment of the officers/Board/Leadership Team (if not already in place).
- e. The signing of the roster of members in attendance. (No less than 20 members must be present to sign the roster unless an exception has been granted by the district (see *2015 General Council Constitution, Article XI, Local Assemblies, Section 1, paragraph a, subparagraph 3*).
- f. Complete and sign the Application of Recognition as a General Council Affiliated Church and return to the district office with appropriate fee.
- g. Other steps as may be recommended by the district council.

A simple majority vote in favor of the resolution to become a General Council church, by those members present, is required.

NOTE: Some of these steps could be different, depending upon the governance model selected and the procedures of the district. Contact your district office for specific direction.

These organizational guidelines should be retained for the church's files along with a copy of the application.

**APPLICATION FOR RECOGNITION
AS A GENERAL COUNCIL AFFILIATED CHURCH WITH
THE GENERAL COUNCIL OF THE ASSEMBLIES OF GOD**

General Council Account Number _____

Whereas, The _____
Name of Church
located in the City of _____, County of _____
and State of _____, has in a duly called meeting held this _____ day of _____ 20____
declared its intention to share in the privileges extended to General Council affiliated churches, and for the purpose of
cooperating with other churches of like precious faith in assuming the responsibilities incidental thereto, as set forth in the
Constitution and Bylaws of the General Council, and the Constitution and Bylaws of the _____
District Council, we whose names appear on the assembly membership records as members in good standing, do hereby
make application to the Executive Presbytery of The General Council of the Assemblies of God for recognition as a
General Council affiliated church.

Location of Church _____
(Street, City, State, Zip Code)

Mailing Address for Church _____
(Street/PO Box, City, State, Zip Code)

Church Phone # _____ Church Fax # _____ E-mail _____

Number of Members _____ Sunday Morning or Major Worship Service Attendance _____ Total Adherents _____
Sunday Night Attendance _____

Status of this church prior to this action: District Affiliated Parent Affiliated Independent Other
If other, state previous affiliation _____

Lead Pastor _____ General Council Account Number _____

Lead Pastor's address _____

Status of Lead Pastor's credentials AG Ordained AG Licensed AG Certified
 Other _____

Name of Church Board or Corporate Secretary _____

Names of Board of Deacons/Directors _____
(at least three required)

Federal Employer Identification Number _____
(required)

Endorsement By _____
Signature of Pastor
_____ District Council _____
Signature of Church Board or Corporate Secretary

Signed by Superintendent or Secretary *(strike out one)* _____ Signature of Presiding District Officer _____

Note: The original and one copy are to be sent to the district office for endorsement accompanied by a fee of \$100. Of this fee \$50 is for the General Council and \$50 is for the district council. Please make separate checks. The district will forward the original with the fee to the general secretary's office. A copy is to be retained for the permanent records of the church. Names of the charter members should be listed on page 4 of this application.

