

STRUCTURES AND BYLAWS

THE PRESBYTERY OF THE MIDWEST EVANGELICAL PRESBYTERIAN CHURCH

INTRODUCTION

- Section 1. **Name:** The name of the presbytery shall be the Presbytery of Midwest (hereafter referred to as “the Presbytery”.)
- Section 2. **Definitions:** The Presbytery of the Midwest shall be the expression of the unity of the church among its constituent congregations as defined by the **Book of Order** of the Evangelical Presbyterian Church.
- Section 3. **Purpose:** The purpose of the Presbytery of the Midwest is to serve the Lord Jesus Christ by furthering the life and work of the Church. In this effort we will seek to be guided by the Scriptures, enlightened by the Holy Spirit, and instructed by the constitution of the Evangelical Presbyterian Church.

In light of our high calling, we conceive our presbytery to be responsibly involved in the following:

- A. Developing and furthering the evangelistic work of the church.
- B. Strengthening believers in the churches.
- C. Seeking support of the General Assembly for the mission of the Presbytery, and giving support to the General Assembly.
- D. Pursuing opportunities to establish new churches.
- E. Establishing such policies and procedures and providing financial and human resources to further the mission of the church.
- F. Developing programs of outreach for needy people.
- G. Showing pastoral concern to ministers, candidates for the ministry and their families.
- H. Speaking prophetically to issues facing the church, such as abortion and pornography.
- I. Cooperating with other Christian bodies when both mission and unity can be served.

Article I
Membership of Presbytery

Section 1: Regular Members

- A. The membership of the Presbytery shall consist of all the Teaching Elders who are credentialed in the Evangelical Presbyterian Church and on the rolls of the Presbytery, and at least two Ruling Elders from each church, within the bounds of Presbytery.
- B. Every church shall be represented by two Ruling Elders for each credentialed Teaching Elder on its staff.
- C. Every church without credentialed Teaching Elders shall be entitled to representation in Presbytery by two Ruling Elders.
- D. A Ruling Elder who is an officer of the Presbytery (Moderator or Stated Clerk) shall be enrolled as a member of Presbytery for the tenure of his office. Such members shall not be counted as part of their home church's representation unless they are specifically designated as commissioners by their church. (Refer to Book of Government 16-15 – Officers of the Presbytery).

Section 2: Corresponding Members

- A. Teaching Elders and Ruling Elders in good standing in other presbyteries, or in any Church in correspondence with the General Assembly of this Church, being present at a meeting of Presbytery, may be invited to sit as corresponding members.
- B. Corresponding members shall be entitled to deliberate and advise, but not to vote in any decision of Presbytery.

Section 3: Other Persons

- A. Members of the committees of Presbytery shall have the right to the floor of Presbytery to speak on matters relevant to their responsibilities but cannot vote when not members of Presbytery.
- B. Presbytery may, at its discretion and upon motion duly passed, grant to other persons the privilege of the floor of Presbytery.

Article II
Meetings of Presbytery

Section 1: Quorum

- A. A quorum to conduct business shall be ten percent of the Membership of Presbytery, (the number of Teaching Elders multiplied by three), from at least ten percent of the particular churches of the Presbytery.
- B. The provisions of this section shall apply to both stated meetings and special meetings of Presbytery.

Section 2: Worship

- A. All meeting of Presbytery shall be constituted and closed with prayer.
- B. There shall be a devotional service at each stated meeting of Presbytery by arrangement of the Moderator. (The service at the September meeting will include a Communion service.)

Section 3: Stated Meetings

- A. There shall not be less than three stated meetings of Presbytery held each year.
- B. The date, time and place of meetings shall be determined by the Presbytery Council. Notice of the Stated meeting shall be sent no less than 30 days in advance to each Teaching Elder and to the Clerk of each church session.
- C. The docket shall be prepared by the Presbytery Council.
- D. The September meeting shall be the annual meeting of the Presbytery at which time officers and committee members shall be elected and an annual budget adopted.

Section 4: Special Meetings

- A. When any emergency shall require a meeting earlier than the time to which Presbytery stands adjourned, the Moderator shall, at the request of or with the concurrence of two Teaching Elders and four Ruling Elders being from at least two churches, call a special meeting of Presbytery.
- B. Should the Moderator be for any reason unable to act, the Stated Clerk shall, under the same requirements, issue the call.

- C. If both the Moderator and the Stated Clerk are unable to act, any three Teaching Elders and six Ruling Elders, being from at least three churches, shall have power to call a meeting.
- D. Notice of the special meeting shall be sent not less than ten days in advance to each minister and each church session.
- E. In the notice, the purpose of the meeting shall be stated and no business other than that named in the notice shall be transacted.

Section 5: Attendance

- A. It is the duty of all members of Presbytery to attend all meetings thereof, and it is the duty of each church to be represented by duly appointed Ruling Elder Commissioners at each meeting of Presbytery.
- B. Request to be excused from attendance at a meeting of Presbytery shall be presented to the Stated Clerk in writing, with the reason stated. If the Presbyter is confronted by an emergency, and there is not sufficient time for a written notice, the Presbyter may notify the Stated Clerk by phone.
- C. If a Teaching Elder is absent without excuse for three consecutive Presbytery meetings, the Ministerial Committee will consult with him.
- D. When a church has failed to be represented by a Ruling Elder - Commissioner for three successive stated meetings, the Stated Clerk shall communicate with the clerk of said session, calling the attention of the session to this rule. It shall be the duty of the session to ascertain the reasons for such failure to be represented and to communicate them to Presbytery through the Stated Clerk.
- E. If a Teaching Elder is absent without excuse or a church is not represented for three consecutive Presbytery meetings without excuse, the Ministerial Committee may bring the matter to the Presbytery for disposition.

Article III
The Officers of Presbytery

Section 1: Moderator and Moderator-Elect

- A. The Moderator-Elect shall become Moderator beginning January 1 of the 2nd year following the year of election as Moderator-Elect. He shall serve for one year or until his successor takes office.

- B. It shall be the duty of the Moderator:**
- (1) to discharge the duties prescribed in these by-laws and also such special duties as may be required by these by-laws or by action of Presbytery;**
 - (2) to appoint all Special Committees except those for which other provisions are made by these by-laws or by action of Presbytery;**
 - (3) to maintain at the meeting of Presbytery the order and dignity becoming a judicatory of the Church of Christ;**
- C. The Moderator-Elect shall be elected at the (September) meeting of Presbytery and shall take office on January 1 next succeeding.**
- D. It shall be the duty of the Moderator-Elect:**
- (1) to preside at Presbytery Council meetings in the absence of the Moderator or as the Moderator requests;**
 - (2) to serve as secretary for the Presbytery Council in the absence of the Stated Clerk;**
 - (3) to give the report of Presbytery Council at meeting of the Presbytery;**
 - (4) to coordinate preparations for meetings of Presbytery.**

Section 2: Stated Clerk

- A. The Stated Clerk shall be elected at a September Meeting of Presbytery for a term of three years and may be re-elected for an indefinite number of terms. He shall take office on January 1 next succeeding. In case of the office becoming vacant, Presbytery may elect an Acting Stated Clerk at any stated meeting to serve until a regularly elected Stated Clerk shall take office.**

It shall be the duty of the Stated Clerk:

- (1) to give notice of all meetings of Presbytery;**
- (2) to secure from Presbytery Council the docket for all meetings of Presbytery and to provide copies of the same for such meetings;**

- (3) to have at every meeting of Presbytery the book of minutes, a current copy of the Constitution of the Church, and at least five copies of these by-laws;
- (4) to receive all overtures, memorials, and miscellaneous papers which may be presented; to make a record of the same; and after reporting them to Presbytery to deliver those otherwise not disposed of to the appropriate committees.
- (5) to keep a record of attendance at Presbytery and to notify ministers and sessions of any delinquency as provided in Article II, Section 5 of these by-laws;
- (6) to make a transcript of the proceedings of the Presbytery from the minutes; to mail copies thereof to all Teaching Elders and Clerks of Session; and after the approval thereof by Presbytery, to write them on its permanent record;
- (7) to file all reports and papers upon which action is taken or is pending including the administrative and judicial cases tried by judicial commissions of Presbytery, and to write upon the records only such resolutions and recommendations as are adopted by Presbytery, together with such portions of reports or statements as may be essential to the proper understanding of the matters under consideration;
- (8) to notify promptly by mail all members of committees and other officers of Presbytery concerning their election or appointment, and in similar manner to give due notice to Teaching Elders, sessions, or committee chairmen concerning such matters as may require their attention;
- (9) to prepare and file statistical reports of Presbytery for the General Assembly, and to file the reports of the Treasurer;
- (10) to keep the following rolls: (a) churches, (b) Teaching Elders, (c) Teaching Elders ordained by Presbytery in order of their ordination, (d) retired Teaching Elders, (e) inactive Teaching Elders, (f) licentiates, (g) candidates;

- (11) to provide a suitable book in which he shall record:
 - (a) the name and location of each church; the date of its organization, reception into Presbytery, dismissal, or dissolution; and a list of its Teaching Elders in the order of their service, with the date of the beginning and expiration of the period of service of each;
 - (b) the name of each Teaching Elder, with the date of his birth, ordination, reception, installation, dissolution of pastoral relations, dismissal from Presbytery, suspension or disposition from ministry, retirement, and death;
- (12) to conduct all official correspondence of Presbytery not otherwise provided for.

C. The Stated Clerk shall be reimbursed for all expenses incurred by him in the proper discharge of his duties. He shall also receive an annual stipend as recommended by the Presbytery Council and included in the budget.

Section 3. Treasurer

- A. The Treasurer shall be elected at a September meeting of Presbytery for a term of three years and may be re-elected for an indefinite number of terms. He shall take office on January 1 next succeeding. In case of the office becoming vacant, Presbytery may elect an Acting Treasurer at any stated meeting to serve until a regularly elected Treasurer shall take office.
- B. It shall be the duty of the Treasurer:
 - (1) to receive all funds belonging to the Presbytery, to deposit them under the direction of Presbytery, and to disburse them by its order;
 - (2) to keep proper books of accounts of all receipts and disbursements, which books shall be audited annually, and the audit report shall be presented to the annual meeting of Presbytery;
 - (3) to notify all churches of Presbytery at least ten days before the September meeting of the total amount of their apportionment for Presbytery, and General Assembly.

- C. The Treasurer shall be reimbursed for all expenses incurred by him in the proper discharge of his duties. He shall also receive an annual stipend as recommended by the Presbytery Council and included in the budget.

Article IV Committees of Presbytery

Section 1: General Introduction

A. Types of Committee

There shall be three types of committees: Administrative, Program, and Special.

B. Membership

- (1) The membership of Administrative committees should consist entirely of Teaching Elders and Ruling Elders of the Presbytery.
- (2) The membership of Program Committees may include unordained communicant members from the churches of the Presbytery, provided that at least half of each committee, including the chairman, shall be Teaching Elders and Ruling Elders.
- (3) The membership of the Special Committees shall be determined by Presbytery or its designated agent in each individual case.

C. Terms of Office

- (1) The membership of Administrative and Program Committees shall be divided into three equal classes, of which one class shall be elected at the last stated meeting of each year of Presbytery to serve for three years under the rotary system. A second term of three years may be allowed, after which one year must elapse before re-election. The term of office shall correspond to the calendar year. Resignations shall be reported promptly to the Presbytery Council.
- (2) The terms of office for Special Committees will be determined by presbytery or its designated agent in each individual case.

- D. Each Administrative and Program Committee shall be represented on the Presbytery Council by its chairman.
- E. The Presbytery Council will appoint annually chairmen for all committees from among those elected to the committee by the Presbytery. All chairmen will serve one year terms and may repeat as chairmen as often as appointed.

Section 2: Administrative Committees

A. Ministerial Committee

- (1) Membership: There shall be eight members of this committee, of whom four shall be Teaching Elders and four shall be Ruling Elders. A quorum shall consist of a simple majority.
- (2) Duties
 - (a) This committee shall have responsibilities as outlined in the Book of Government, 16-27.A, and additional responsibilities as follows: necrology of Teaching Elders and Ruling Elders, pensions, health and welfare of Teaching Elders and their families, pastoral counseling services, personal interviews with Teaching Elders called to specialized ministries within the Presbytery.
 - (b) The committee shall function as Presbytery's agent giving counsel to Teaching Elders and churches when sought regarding problems such as the remarriage of divorced persons.
 - (c) The committee is authorized to dissolve pastoral relationships and dismiss Ministers according to the Book of Order when both the congregation and the Pastor concur in the dissolution.

B. Candidates Care Committee

- (1) Membership: There shall be six members of the committee, of whom two shall be Teaching Elders and four shall be Ruling Elders. A quorum shall consist of a simple majority.
- (2) Duties:
 - (a) To secure personal knowledge about those members of the churches under the jurisdiction of the Presbytery who are seeking to be candidates to the gospel ministry in order to recommend to Presbytery a course of action regarding their request for candidacy.
 - (b) To oversee the training program of each candidate

with a special emphasis on the spiritual growth and practical ministry experiences of the candidate.

- (c) To oversee the written examination of the candidate when he is ready to be presented for ordination.
- (d) To examine the candidate orally as to his beliefs, opinions, and understanding in the areas of English Bible, theology, sacraments and polity.
- (e) To present those candidates who have passed their written and oral examination to Presbytery for its oral examination and approval for ordination.
- (f) To work with the Moderator-Elect in planning the schedule of preachers at Presbytery so that each candidate has the opportunity to deliver a sermon or devotional message before Presbytery takes action on his request for ordination.

C. Nominating Committee

1) Membership: There shall be six members of this committee consisting of 3 teaching elders and 3 ruling elders. Members shall be elected by the Presbytery at large at the annual meeting. Terms shall be for no less than three years except to initiate the committee or to fill vacancies. There must be at least three classes, and any member who has served a term shall be ineligible for re-election. Membership shall be rotated fairly among the churches and the active members of the Presbytery.

2) Duties:

a) To place in nomination candidates for Presbytery officers, members of all Presbytery committees and to perform additional duties, which may be required by Presbytery.

b) In the event of vacancies occurring prior to the ending of a term of office, seek to provide appropriate nominations for the vacancies at the next succeeding meeting of the Presbytery.

3) Normally only one name shall be placed in nomination for each vacancy to be filled. The committee shall consider suggestions from individuals or committees with respect to proposed nominations, but shall not be bound thereby.

4) In no case shall a name be placed in nomination without the person being nominated having adequate knowledge of the duties of the position to be filled and having agreed to serve if elected. Nominations may also be made from the floor of Presbytery with the same requirements.

Section 3: Program Committees

- A. Presbytery may create Program Committees for specific areas of ministry, and dissolve them at its discretion.
- B. Each committee shall have six members, except the Church Development Committee shall have twelve as defined above, IV1B2. In addition, communicant members from churches of the Presbytery may be invited to join in the work of the committee at its discretion, but shall not have voting privileges.

Section 4: Special Committees

Presbytery may constitute Special Committees from time to time as circumstances shall require. The membership and duties of such committees shall be determined by Presbytery or its designated agent.

Article V Presbytery Council

Section 1: Membership

- A. **Regular Members:** Two Teaching Elders and four Ruling Elders, of whom one Teaching Elder and two Ruling Elders shall be elected at each September meeting of Presbytery to serve for two years under the rotary system. A second term of two years may be allowed, after which one year must elapse before re-election. The terms of office shall correspond to the calendar year.
- B. **Ex-officio Members (with voting rights):** The Moderator, the Moderator-Elect, the Stated Clerk, the Treasurer, and the chairman of each Administrative and Program Committee. Whether the chairman of Special Committees are on the Council shall be determined by the Presbytery in each individual case.
- C. **Attendance:** Excused absences from stated meetings of the Presbytery Council may be granted for pastoral or personal reasons which shall be reported. The secretary shall report to the Presbytery Council when two consecutive unexcused absences have occurred. The Council may then declare the position vacant and proceed to fill the vacancy.

Section 2: Officers

- A. The chairman, who shall be the Moderator of Presbytery;
- B. The vice-chairman, who shall be the Moderator-Elect of Presbytery;
- C. The secretary, who shall be the Stated Clerk of Presbytery.

Section 3: Duties

- A. To receive the reports of all the committees and agencies of Presbytery, to coordinate and give oversight to their work and to coordinate their work with that of the General Assembly within Presbytery.
- B. To prepare the docket for the meetings of Presbytery.
- C. To correspond and cooperate with the General Council of the General Assembly, and to bring to Presbytery such recommendations as may come from this Council.
- D. To prepare and propose an annual budget to the Presbytery.
- E. The respective chairmen of each Presbytery committee and the Stated Clerk of the Presbytery for all budgeted spending not assigned to a committee have authority to authorize spending up to the amounts approved by the Presbytery as part of its annual budget for his committee or the budget line item amounts for items not under a Presbytery committee. This authority includes the power to reallocate among line items within a committee's total budget. Presbytery Council has authority to approve spending in excess of the amounts authorized to the Presbytery committee chairmen and the Stated Clerk in the paragraph above up to an aggregate total of ten percent (10%) of the Presbytery approved budget and, further, may reallocate Presbytery approved budget amounts between Presbytery committees and/or non-committee budget line items. Spending in excess of ten percent of Presbytery's approved budget requires approval of Presbytery.
- F. To see that the Presbytery's financial records are audited annually.
- G. To determine the date, time and location of stated meetings of Presbytery.
- H. To be responsible for the execution of the will of the Presbytery as and when instructed by Presbytery.
- I. To perform an annual review of the records of proceedings of each church session and the church register of pastors, officers, communicants, baptisms, marriages performed in the Church or by its Teaching Elders, and deaths of communicants.
- J. To give oversight to the Office of Stated Clerk.

Article VI Trustees of Presbytery

Section 1: Incorporation

The Presbytery of the Midwest is a legal entity incorporated under the laws of the State of Michigan as a Michigan corporation on April 16, 1982.

Section 2: Membership

The membership shall be the personnel of the Presbytery Council, and shall serve concurrently with the terms of office of the Presbytery Council.

Section 3. Duties

- A. To take and hold all property, real or personal, which may be acquired by or be devised, bequeathed, transferred or conveyed to the said Presbytery or the said Board for the use and benefit of the said Presbytery or the denomination which it represents within its bounds.
- B. To manage and dispose of such property according to the directions of said Presbytery subject to such restrictions as might be imposed by the terms of the will, deed, or other instrument by which such property was acquired.

Section 4: Reports

- A. The Trustees shall report to Presbytery annually on the assets held and on the liabilities incurred on behalf of the Presbytery.
- B. The Trustees shall also report at other times at their discretion or upon request from Presbytery.

Article VII

Duties of Sessions and Churches to Presbytery

Section 1: Commissioners to Presbytery

- A. The session of each church shall designate the Ruling Elder - Commissioners and alternates for every meeting of Presbytery.
- B. The manner of selection, length of service, and active or inactive status of such Ruling Elder - Commissioner and alternate shall be at the discretion of each session.
- C. If unable to attend a meeting of Presbytery, a Ruling Elder - Commissioner shall notify his alternate. If neither can attend, then the Commissioner or the Clerk of Session shall petition Presbytery for an excused absence for his church.

Section 2: Session Records

- A. The session of each church shall keep a legible and accurate record of all its proceedings, including all meetings of the congregation, in a suitable book. The record shall be submitted to Presbytery for annual review.
- B. Each session shall also keep a legible and accurate church register of pastors, officers, communicants, baptized children, baptisms, marriages performed in the church or by its Teaching Elders, and deaths of communicants. This register shall be submitted to Presbytery for periodic review.

- C. Each session shall procure and keep with its records a current copy of the Constitution of the Evangelical Presbyterian Church and a current copy of the Bylaws of the Presbytery of the Midwest.

Section 3: Ministerial Matters

- A. The session of each church shall report annually to the Ministerial Committee the full details of contractual arrangements with all persons whose employment is under the jurisdiction of Presbytery. Any proposed modification of such contractual arrangements shall be reported to Presbytery.
- B. When a church is without an installed pastor, the session shall immediately seek the guidance of the Ministerial Committee.
- C. A church desiring to call a pastor or associate pastor shall through its duly constituted committee, consult the Ministerial Committee before the name of any minister is presented to the congregation.
- D. A session shall consult the Ministerial Committee concerning any contemplated termination of contractual arrangements with any person whose employment is under jurisdiction of Presbytery.

Section 4: Financial Responsibilities

- A. The session of each church is responsible for the sound financial operation of that church.
- B. Each session shall lead that particular church in interpretation and support of the mission of the Church through the work of the General Assembly and the Presbytery.
- C. Each session shall encourage and practice financial support for the program and mission of the Evangelical Presbyterian Church, giving consideration to the guidelines established by the General Assembly.

Section 5: Church Property

- A. The session is responsible for the incorporation of the church under the laws of the State in which it is located.
- B. The session is responsible to review regularly the insurance program of the church including fire and extended coverage, workmen's compensation, public liability and hospitalization.

**Article VIII
Operation of Bylaws**

Section 1: Amendments to the Bylaws

These bylaws may be amended only at a stated meeting of the Presbytery and by a two-thirds vote, and only when notice of the proposed change has been given at a previous stated meeting.

Section 2: Suspension of the Bylaws

These bylaws, with the exception of Article VIII, may be suspended, but only at a stated meeting and by a three-fourths vote.

END OF BYLAWS

(bylaws95)
Amended 3/19/96
Amended 11/12/99
Amended 9/14/00
Amended 2/8/02
Amended 2/8/08
Amended 5/14/10
Amended 9/9/11
Amended 9/14/12
Amended 5/10/13
Amended 11/14/14

