



WRITING AN EFFECTIVE CHURCH CONSTITUTION

The purpose of this Ministry Guide is to help you write a church Constitution that both complies with EFCA requirements and serves as an effective tool for governing and guiding your church.

EFCA REQUIREMENTS

Here are the elements that should be present in an EFCA church's Constitution:

1. An EFCA church includes their relationship to the EFCA in their legal name. It does not have to be in the church name. An example would be:

Grace Bible Church
(an Evangelical Free Church)

2. An EFCA church accepts and adopts without reservation, revision, deletion or addition, the Statement of Faith of the EFCA as its own Statement of Faith. The EFCA Statement of Faith should be included verbatim in the church's Constitution.

Any additional theological distinctives or position statements that your church holds must not contradict the EFCA Statement of Faith, and, if included in your Constitution, must be clearly delineated from the EFCA Statement of Faith. (e.g., a statement on Marriage and Sexuality)

3. An EFCA church has as its local polity a form of congregationalism that fits the size and demographics of the congregation.

Congregationalism is that form of government wherein the highest authority under Christ in a local church resides in the corporate understanding of the mind of Christ and in which a realistic process and reasonable opportunity exists by which that understanding is determined and carried out, especially as it affects such matters as:

- Selection or appointment of the principal governing board (elders, etc.).
- Selection of the senior pastor or senior directional leader(s).
- Approval or alteration of the Constitution.
- Approval of an annual church budget.
- Approval of any major capital purchase.
- Approval of the dissolution of the church.

Elders in an EFCA church must be approved by the congregation, and they must be periodically re-elected or re-affirmed by the congregation.

4. An EFCA church includes a clause in their constitution stating that in case of dissolution, the assets of the church will be turned over to the district to use for the furtherance of district ministries. (The IRS requires a dissolution clause.)

We have a sample Constitution available as a template. We strongly encourage you to use our template as a reference and guide when developing your church's Constitution.



GENERAL RECOMMENDATIONS

1. A good Constitution is written for the rainy days, not the sunny ones.

A good Constitution will help preserve unity by providing an objective referee for future disagreements. It will anticipate and arbitrate potential conflicts. The scope of congregational and elder authority and accountability especially needs to be clearly defined in this regard.

2. A good Constitution will only be as detailed as is absolutely necessary.

You need enough detail in your Constitution to provide meaningful guidance, but not so much that if you make even slight changes to a program, process, or policy, you'll have to take it to a congregational vote. If you write it well, amendments to your Constitution should be infrequent and rare. You need to include guidance for the non-negotiables, but you also want to allow yourself some flexibility for those things that are negotiable or may change as your church grows. Items which are of secondary importance or which may require revision or rewording over time should be placed in other documents. (position statements, policy & procedures manuals, strategic plans, etc.)

3. A good Constitution should be readable and useful.

Ideally, your Constitution will not just be a dry legal document that gets written and then filed away in a computer or file cabinet somewhere, never to be seen again. It should be a working document that you share with new members so they can understand what your church believes, how decisions are made, and what their responsibilities are as members. As such, it should not be excessively long, and it should be written in a style that is readable for the average person.

4. A good Constitution does not require additional Bylaws.

There is a lot of wisdom in this advice from Attorney Richard Hammar in the Church Law & Tax Report:

In the past, it was common for churches to have both a constitution and bylaws. Routine rules of administration were placed in the bylaws, which could be amended without notice at any duly called membership meeting by a simple majority vote. But more fundamental matters, such as church doctrine and the disposition of property, were placed in a constitution that was more difficult to amend...In recent years, the more common practice among churches and other nonprofit organizations is to have only one governing document. There are two main advantages to this approach. First, a single document is more accessible since items can more readily be found in one document than in two documents. Second, a single document avoids the inconsistencies that often characterize two documents.¹

For these reasons, we recommend that you have only one governing document and that you utilize your Constitution for that purpose.

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¹ <https://www.churchlawandtax.com/stay-legal/governance/qa-combining-a-churchs-constitution-bylaws/>