

Bylaws of the Missouri Union Presbytery, Presbyterian Church (U.S.A.)

Adopted: May 19, 2018

Amended: August 24, 2019

ARTICLE I - ORGANIZATION AND GUIDING PRINCIPLES

Section 1 Missouri Union Presbytery exists to fulfill the responsibilities for the mission and governance of the church throughout its district as stated in the Constitution of Presbyterian Church (U.S.A.).

Section 2 The Missouri Union Presbytery is incorporated under the General Not-for-Profit Corporation law of the State of Missouri and is subject to the laws of the state of Missouri as they pertain to organization of religious institutions. The General Presbyter shall be the registered agent for the corporation. The Moderator of the Presbytery shall serve as the President of the corporation, and the Stated Clerk of the Presbytery shall serve as secretary of the corporation and the Treasurer shall serve as treasurer of the corporation.

Section 3 The Presbytery shall be governed and guided by the Constitution of the Presbyterian Church (U.S.A.), as amended, the Articles of Incorporation filed on June 15, 1970, as amended on March 9, 1973, these Bylaws, as amended, and the Standing Rules of Missouri Union Presbytery, the latter which shall contain policies and procedures adopted by the Presbytery. In cases of conflict or inconsistency, the documents shall govern in the order named.

ARTICLE II – CONSTITUENCY

Section 1 Geographic Bounds. The Missouri Union Presbytery is a governing body of the Presbyterian Church (U.S.A.), having boundaries determined and established by the Presbyterian Church (U.S.A.), which currently are marked by the boundaries of the state of Missouri on the north and east and including all of Pike, Lincoln, Warren, Montgomery, Osage, Miller, Camden, and Morgan Counties in the south; and on the west by and including all of Pettis (including Knob Noster in Johnson County), Saline, Chariton, Carroll, Livingston, Grundy, and Mercer Counties -- all within the State of Missouri.

Section 2 Membership.

- a. Membership in the Presbytery shall be consistent with the provisions of the Constitution of the Presbyterian Church (U.S.A.). The voting body acting on behalf of the Presbytery may be called the Presbytery Assembly.
- b. In accordance with the Constitution of the Presbyterian Church (U.S.A.), members include ordained Ministers of the Word and Sacrament/Teaching Elders received into membership by the Presbytery, commissioned lay pastors/commissioned ruling elders commissioned to serve congregations by the Presbytery, Ruling Elders commissioned by the churches within the Presbytery, Certified Christian Educators who are Ruling Elders, and all persons serving as officers of the Presbytery, members of the Presbytery Council, and the General Presbyter.
- c. Each church shall be entitled to appoint at least one Ruling Elder as a Commissioner on its behalf for purposes of participating in the Presbytery Assembly as a member of that voting body as further provided through the Standing Rules and consistent with the Constitution of the Presbyterian Church (U.S.A.).

ARTICLE III – OFFICERS

Section 1 Officers. The officers of the Missouri Union Presbytery shall be the Moderator, Vice Moderator, Immediate Past Moderator, Stated Clerk, and Treasurer in accord with those provisions set forth in the Constitution of Presbyterian Church (U.S.A.).

Section 2 Moderator. The Moderator of the Missouri Union Presbytery shall fulfill the duties and responsibilities set forth in the Constitution of Presbyterian Church (U.S.A.), these Bylaws, and the Standing Rules of Missouri Union Presbytery, including, but not limited to presiding at all meetings of the Presbytery; presiding at all installations and ordinations or approving a designee to do so and performing such other duties and functions as requested by the Presbytery.

The Moderator of the Missouri Union Presbytery shall be elected for a term of one (1) year. In the absence of the Moderator, the Vice Moderator shall serve as Moderator. If the Vice Moderator is not available, the Immediate Past-Moderator shall serve as Moderator. The Presbytery Council will appoint a Moderator (*ad hoc*) if none of the above is available.

Section 3 Vice Moderator. The Vice Moderator of the Missouri Union Presbytery shall be elected for a term of one (1) year, shall be a member of the Presbytery Council, and shall fulfill the responsibilities of the Moderator of the Presbytery in the Moderator's absence and such other duties and functions as requested by the Presbytery.

Section 4 Immediate Past-Moderator. Upon completion of a term as Moderator, without re-election, an out-going Moderator shall serve as the Immediate Past-Moderator. The Immediate Past-Moderator shall be a member the Presbytery Council.

Section 5 Stated Clerk. The Presbytery shall elect and employ a Stated Clerk to a term established by the Standing Rules. The Stated Clerk shall fulfill the duties and responsibilities set forth in the Constitution of Presbyterian Church (U.S.A.), these Bylaws, and the Standing Rules of Missouri Union Presbytery, including, but not limited to maintaining membership rolls and attendance of all Teaching Elders, Certified Christian Educators, Certified Associate Christian Educators, and Commissioned Ruling Elders within the Missouri Union Presbytery, serving as Parliamentarian of the Missouri Union Presbytery, staff for such Presbytery committees and commissions as set forth in the Standing Rules or as determined by the Presbytery, and fulfilling such other administrative and/or program responsibilities as directed in the Standing Rules or requested by the Presbytery. A Recording Clerk and a Parliamentarian may be elected to serve at a meeting of the Presbytery upon the nomination of the Stated Clerk.

The Stated Clerk shall receive an annual performance review by the Presbytery's Personnel Committee

Section 6 Treasurer. The Presbytery shall elect a Treasurer to a term established by the Standing Rules. The Treasurer shall fulfill the duties and responsibilities set forth in the Constitution of Presbyterian Church (U.S.A.), these Bylaws, and the Standing Rules of Missouri Union Presbytery. The Treasurer shall be a member of the Finance Committee and Council. The Treasurer shall be bonded by the Missouri Union Presbytery.

The Treasurer shall receive an annual performance review by the Presbytery's Personnel Committee.

Section 7 Vacancies. Whenever a vacancy occurs during the term of any office except that of Moderator, the office shall be filled by election of the Presbytery Assembly for the remainder of the unexpired term in a manner consistent with the Constitution of Presbyterian Church (U.S.A.) and the Standing Rules of Missouri Union Presbytery.

ARTICLE IV - PRESBYTERY STAFF

Section 1 General Presbyter. The General Presbyter of the Missouri Union Presbytery shall be elected by the Presbytery in accordance with the process and procedures set forth in the Constitution of Presbyterian Church (U.S.A.), these Bylaws and the Standing Rules of Missouri Union Presbytery. The General Presbyter shall fulfill the duties and responsibilities set forth in the Constitution of Presbyterian Church (U.S.A.), these Bylaws, and the Standing Rules of Missouri Union Presbytery, including, but not limited to, serving as Moderator of the Presbytery Council with voting rights.

An annual performance review shall be conducted by the Presbytery's Personnel Committee.

Section 2 Other Staff. Other staff with administrative and/or program responsibilities may be added. Such additional staff members shall be considered the Presbytery Staff and shall work under the direction of the General Presbyter.

ARTICLE V - PRESBYTERY ASSEMBLY

Section 1 The Presbytery Assembly. Missouri Union Presbytery may be referred to herein as the Presbytery Assembly when it is acting in its role as a governing body comprised of all voting members of Missouri Union Presbytery. Likewise, references to the Presbytery Assembly should be construed as references to Missouri Union Presbytery whenever it is acting as a body, such as in its exercise of any deliberative and decision-making responsibilities.

Section 2 Responsibilities. The Presbytery Assembly shall conduct the business of Missouri Union Presbytery by fulfilling the duties and responsibilities required by the Constitution of the Presbyterian Church (U.S.A.), these Bylaws and the Standing Rules of Missouri Union Presbytery, including, but not limited to adopting goals, objectives and policies of the Presbytery, establishing the functions and entities of the Presbytery, overseeing the work of the Presbytery, approving the budget for the Presbytery and electing members for and assigning responsibilities to all commissions and standing committees, and creating create new standing and ad hoc committees and commissions as needed, subject to the procedures adopted in the Standing Rules of Missouri Union Presbytery and in accord with the Constitution of the Presbyterian Church (U.S.A.).

Section 3 Stated Meetings. The Presbytery shall hold regular ["Stated"] meetings at least two times a year, on such dates as are recommended by Presbytery Council and approved by the Presbytery Assembly, with one of such meetings serving as the corporation's annual meeting. The place, date, or time of any stated meeting of the Presbytery Assembly may be changed by the Presbytery Assembly or the Council in accordance with the Constitution of the Presbyterian Church (U.S.A.), these Bylaws and the Standing Rules of Missouri Union Presbytery.

Section 4 Special Meetings. The Moderator or the Stated Clerk shall call a special meeting at the request, or with the concurrence, of two Ministers of Word & Sacrament [MWS] and two elders, the elders being of different churches. Should they be unable to act, three MWSs and three elders, the elders being from different churches, may call a special meeting. Notice of the meeting must be given at least seven days prior and must include the purpose for the meeting.

Section 5 Quorum. A quorum for the transaction of any business at any meeting of the Presbytery Assembly shall be at least ten percent (10%) of the total number of congregations of the Presbytery, and at least ten percent (10%) of the total number of resident active Ministers of Word and Sacrament/Teaching Elders, which numerical equivalents shall be calculated annually by the Stated Clerk.

Section 6 Voting. All members of Missouri Union Presbytery, as determined consistent with the provisions of the Constitution of the Presbyterian Church (U.S.A.), shall be eligible to vote at all stated and special meetings of the Presbytery.

Section 7 Rules of Order. The most recent edition of Robert's Rules of Order shall govern the proceedings of the Presbytery Assembly, except in those cases where Constitution of the Presbyterian Church (U.S.A) provides otherwise.

Section 8 Distribution of Papers or Other Materials at a Presbytery Assembly. Only papers or other materials approved by Presbytery Council, presbytery committees, the General Presbyter, Presbytery Staff, the Stated Clerk, the Moderator, or Moderator-elect may be distributed to those who attend meetings of the Presbytery.

Section 9. Meeting Technology. All Presbytery entities may use non-face-to-face technologies for conducting any business provided the method used abides by the principles of the Constitution and the current edition of Robert's Rules of Order.

- a. E-mail voting by Presbytery entities may be permitted, providing the issue has been previously presented where a quorum was present, and the result of the vote shall be ratified at the next meeting of the entity.

ARTICLE VI - PRESBYTERY COUNCIL

Section 1 Presbytery Council. The Presbytery Council shall consist of the Moderator, Vice Moderator, Immediate Past-Moderator, Stated Clerk, Treasurer, General Presbyter, Moderators of each Standing Committee, the Mission Team Liaison, the Moderator of Presbyterian Women, and such other members, including members-at-large, as provided by the Standing Rules of Missouri Union Presbytery. Each of the foregoing shall have voice and vote.

Section 2 Responsibility and Authority Conferred Upon Council. The Presbytery Council shall have all authority and responsibilities described by the Constitution of the Presbyterian Church (U.S.A.), and the Standing Rules of Missouri Union Presbytery, including, on behalf of the Presbytery, oversight of all activities and assets, including real property, of Missouri Union Presbytery.

Missouri Union Presbytery delegates all necessary authority to the Presbytery Council to conduct the traditional work performed by a board of trustees overseeing all properties of Missouri Union Presbytery, including, but not limited to, the responsibilities and authorization necessary to receive, hold, encumber, manage, and transfer property, real or personal for the Presbytery, and to accept and execute deeds of title to such property and to hold and defend title to such property, consistent with the provisions of the Constitution of the Presbyterian Church (U.S.A.), including approval of any sales, purchases, leases and mortgages or other encumbrances of property held by congregations in trust, subject to ratification by the Presbytery. All actions that receive, lease, sell, transfer or encumber property, real or personal, for the Presbytery shall require the signatures of two officers of the corporation (president, vice president, or treasurer).

The Presbytery may, in accordance with and not contrary to the Constitution of the Presbyterian Church (U.S.A.), delegate by standing rule such additional authority and responsibilities to the Council as the Presbytery determines.

Section 3 Delegation of Duties. The Council may appoint *ad hoc* committees, task forces, and working groups for the duration and of a size as necessary to address the responsibilities assigned to the Council, which groups shall report to the Council and be subject to its oversight and other authority.

ARTICLE VII – PRESBYTERY STANDING COMMITTEES AND COMMISSIONS

The standing committees and commissions of the Presbytery shall be those required by the Constitution of the Presbyterian Church (U.S.A.) and such additional committees and commissions as the Presbytery deems appropriate for the long-term mission and operation of the Presbytery. The Standing Rules shall set forth applicable procedures and any responsibilities and duties of such standing committees and commissions.

ARTICLE VIII- NOMINATIONS AND ELECTIONS

Eligibility for office or service on a standing committee, as a commissioner, as a delegate for any Presbyterian Church (U.S.A.) governing council or other entity, or as a member-at-large on Presbytery Council of the Presbytery shall be consistent with the Constitution of the Presbyterian Church (U.S.A.). Nominations shall be made by a Nominating Committee which shall be formed and shall conduct its business in accordance with the Constitution of Presbyterian Church (U.S.A.), these Bylaws, the Standing Rules of Missouri Union Presbytery, and any additional directives of the Presbytery Council.

ARTICLE IX STANDING RULES

The Presbytery Assembly may adopt by majority vote Standing Rules of Missouri Union Presbytery to govern the procedures and the implantation of policies established by the Presbyterian Church (U.S.A.), the Constitution of Presbyterian Church (U.S.A.), Bylaws, or as may be adopted by the Presbytery Assembly. The Standing Rules shall be construed to be consistent with the Constitution of Presbyterian Church (U.S.A.) and these Bylaws. Any Standing Rules adopted by Missouri Union Presbytery shall, to the extent possible, be interpreted to maintain consistency with these Bylaws. In the event consistent interpretation is not possible, these Bylaws shall prevail.

ARTICLE X AMENDMENTS

These Bylaws may be amended, subject to the Articles of Incorporation of Missouri Union Presbytery, the Constitution of the Presbyterian Church (U.S.A.), and the laws of the state of Missouri, by approval of the Presbytery at any Stated meeting of the Presbytery by a 2/3rds majority vote of those present, with quorum being established, provided that a full reading of the proposed changes, or a distribution by any printed or electronic means of the same, shall have been made in connection with the call of a previous Stated meeting of the Presbytery, providing such notice at least 60 days in advance of the vote. These Bylaws may not be amended contrary to or so as to not include any require provisions of the Constitution of the Presbyterian Church (U.S.A.).

ARTICLE XI – REVIEW OF BYLAWS

These Bylaws shall be reviewed by the Presbytery Council at least every five (5) years.