

Before You Start

Revising your church's governing documents, in four pages

THE TIMING IS THE WHOLE THING

The time to revise your bylaws is when things are good. The time not to is in the middle of the conflict.

A church in conflict cannot do this work. Every clause becomes a proxy for the fight. The quorum number stops being a quorum number and becomes a question about whether one side can win a vote. The termination threshold stops being a threshold and becomes about this pastor. Nobody can read the sentence in front of them, because everyone is reading the sentence behind it.

In a peaceful year the same conversation takes twenty minutes: the committee picks fifteen percent because that is what the church can gather on a Sunday night, and moves on. So a church at peace right now is in the best position there is to do this. That is not a reason to wait; it is the reason to start. **And if your church is in conflict right now, do not begin.** Ask the CBA office for help with the conflict itself, and come back to the documents later.

THE RISK IS NOT BAD BYLAWS. IT IS NOT FOLLOWING THEM.

Not following your own bylaws is worse than having bad ones.

Anyone can pull up your document and say: *we were not supposed to do this*. A member, a former employee, an attorney, a court. And they will be right, because it is written down and the church adopted it.

Courts generally do not second-guess a church's doctrine or polity. What they look at is whether the church followed its own stated procedure. Bylaws requiring thirty days' notice, when you have always used two weeks and a Wednesday announcement, are a standing liability. So is a quorum you have not reached in a decade.

Which is why the less you have in your bylaws, the better off you are.

Every sentence is a promise. Fewer pages means fewer promises to keep and fewer ways to be in the wrong. Operational detail belongs in the policy manual, where a simple majority in one meeting can change it. Ask of every line: does this need to be that hard to change? If not, move it.

DISCLAIMER

This model is provided by the Chilton Baptist Association as a starting point for your church's own work. It is general educational material. It is not legal advice, and it is not a substitute for legal counsel. Every Baptist church is autonomous. Your church alone is responsible for its governing documents and for whatever it adopts.

REVIEW BEFORE YOU ADOPT (THIS IS STEP 6, NOT FINE PRINT)

Send the draft to the **Alabama Baptist State Board of Missions** for review. They keep staff who work with churches on governing documents and incorporation, and that review is available to Alabama Baptist churches. Have **your own attorney** review anything touching incorporation, property, employment, or liability. Call the **CBA office** and we will help make the connection.

THE PROCESS, IN EIGHT STEPS

1 Elect a special committee. Do not let the pastor drive it.

Five to seven people, elected by the church: someone who has been here thirty years, someone who joined three years ago, someone who will disagree. The pastor serves as a resource, not the chairman. This is not about trust. A document the congregation believes belongs to the pastor is a document it will re-open when the pastor leaves.

2 Ask four questions of the document you have.

Gather every governing document you can find, and read the amendment article first, because it governs how you will adopt whatever you write. Then work the four diagnostic questions on the worksheet at the back, article by article. Diagnose before you draft.

3 Work and present section by section.

Do not drop a finished document on the congregation. A church handed forty pages at once will either rubber-stamp it, which teaches the church that its documents do not matter, or reject it. Take up two or three articles per meeting, report at every business meeting, and post the drafts. By the vote, nothing is a surprise.

4 Split operational detail into the policy manual as you go.

Keep a running list titled "this is a policy, not a bylaw." Office hours, mileage rates, keys, kitchen rules, committee duties, van rules. Every item you move out makes the bylaws shorter and easier to keep. Do not throw them away; they become Document 2, and the church has already voted most of them.

5 Expect some controversy anyway.

Even in a healthy church, three or four places generate heat: the voting age, the quorum, the termination threshold, and anything touching the deacons. That is normal. Slow down there rather than trading the article away to keep the peace. Explain what each option does in practice, using the Notes in Document 1.

6 Send the draft out for review.

Before the vote, send the complete draft to the Alabama Baptist State Board of Missions; that review is available to Alabama Baptist churches. Then have your own attorney review anything touching incorporation, property, employment, or liability. Call the CBA office and we will help make the connection.

7 Adopt on the notice and thresholds in your amendment article.

Whatever your present bylaws require is what you must do, even if the new document sets a different standard. If the article calls for two consecutive meetings, hold both. Record the vote count, not just the outcome. Then print one dated master copy, have it signed, give it to the Clerk, and keep a copy off site.

8 Put it on a two-year review cycle with a standing committee.

This is the step that means you never do this from scratch again. Assign the review to a standing committee, put the date on the church calendar, and let them report every two years: still accurate, or here are three changes. Twenty minutes every other year instead of a year of work every generation.

TWO ALABAMA QUESTIONS WE ALWAYS GET

Our church incorporated a long time ago. Is that still good?

Maybe not. Alabama's nonprofit corporation law was substantially revised, and churches incorporated **before 1984** may need to re-incorporate under current state law. Some were formed under statutes that no longer work the way the church assumes; some were never completed properly.

What to do: find the incorporation papers, the registered agent on file with the Alabama Secretary of State, and the deed from the Chilton County probate office. Check that the church's name is the same on all three and matches the sign. If anything is missing or inconsistent, stop and call. An agent who moved away or died also means state notices are going nowhere, and a corporation can be administratively dissolved.

Does our pastor have to report suspected child abuse?

Yes. Under Alabama law, ministers are among those required to report suspected child abuse or neglect to civil authorities, as are teachers and childcare workers. The duty is **personal** and **immediate**. Telling the pastor is not reporting. No deacon, committee, or church vote can excuse or delay a report, and confidentiality in a discipline process does not override it.

What to do: adopt a written child and youth protection policy (Document 2, OP-3), teach it annually with signatures on file, and have your attorney confirm the current requirements. This is the one area where guessing is unacceptable.

START HERE

Most churches finish the bylaws in nine to fifteen months, meeting twice a month; the policy manual takes longer and is adopted in pieces. Nobody wakes up wanting to do a bylaw revision, which is exactly why starting is this small: elect the committee, read your amendment article out loud, fill out one worksheet. That is the whole first month. Then call the CBA office. You are not doing this alone, and you are not the first of our churches to do it.

WORKSHEET · FOUR QUESTIONS FOR ONE ARTICLE

One sheet per article of your current document. Write on it, and bring it to the committee meeting. This is Step 2, and it is the only assignment for your first month.

Article or section: _____

Reviewed by: _____ Date: _____

1. What is outdated because of our current structure or ministry plan?

Committees that no longer meet. Offices nobody fills. Programs we stopped in 2006. Numbers we cannot reach.

2. What do we keep exactly as it is?

Language the church loves, language that still works, language it would cost us to reopen. Saying so shortens the work.

3. What do we exclude, and where does it go instead?

Operational detail moves to the policy manual. Mark each item **policy** or **delete**. Do not lose it; it becomes Document 2.

4. What do we keep but edit?

Right idea, wrong number, or unclear wording. Write the change you propose and the reason, one sentence each.

FLAG FOR REVIEW

- ☐ Send to ALSBOM
- ☐ Send to our attorney
- ☐ Ask the CBA office

EXPECT DISCUSSION

- ☐ This one will be debated
- ☐ Present as labeled options
- ☐ Report to church before voting