

CHURCH TRUSTEES

The responsibilities of trustees are normally located in the church's Articles of Incorporation and/or the Bylaws or the Church Constitution and Bylaws. In some churches the trustee group is treated as a committee and members serve on a rotating schedule.

Porter W. Routh states, "The office of a trustee is called into being by the relationship of the church to the state rather than by any scriptural injunction."* Therefore the trustees serve as legal officers for the church. If a church is incorporated (all churches should be incorporated), the Articles of Incorporation will state the duties of the Trustees. If a church is not incorporated, "it is necessary that the legal titles be conveyed to trustees who hold the property in trust for the society (church) as beneficiary."*A corporation normally has a Board of Directors with more expansive authority than that which is given to the Trustees in a Southern Baptist Church. Because of the limitations on their authority, and because of the traditional use of Trustees in churches prior to the days when most churches incorporated, the title of Trustee seems a more fitting term to describe the limited but important function Trustees provide in Southern Baptist Churches today. However, the method in which Trustees are established within the corporation is akin to a Board of Directors notwithstanding the more limited scope of authority they exercise.

Responsibilities:

1. Serve as legal representatives under the direction and on behalf of the church body. Trustees act as directed by the church. If trustees act without church authority, they become personally liable for their actions. At the will of the body they shall have the power to buy, sell, mortgage, lease or transfer church property. They are the signatories for all legal documentation.

2. Preserve all legal documents. The Trustees can be responsible for maintaining inventory of all church legal documents such as deeds, loans, contracts, etc. The Trustees should maintain a safe deposit box for such documents. If the church does not have an Insurance Committee, the Trustees can be the responsible party for church property insurance.

3. Advise the church body, church officers and church authorized leadership groups (committees, teams, and councils) regarding legal concerns. The Trustees may be asked to secure and/or provide information and counsel to those in leadership positions. However, the Trustees have no authority for making decisions without the church's action.