

**WE RESPOND TO CHRIST’S CALL TO PRESBYTERY OF DETROIT**  
**GATHERED AS THE BODY OF CHRIST**  
**FOR WORSHIPFUL WORK**  
**9am, February 25, 2023**  
***First Presbyterian Church of Pontiac***

*Empowering Collaborative Community In Service of Christ*

ON-LINE VIDEO: Introduction to the Meeting

**8:30 Registration (Waiting Room)**

**9:00 WE GATHER IN GOD’S NAME (5)**

Convening prayer  
Land acknowledgment  
Declaration of a quorum

**9:05 WE CELEBRATE OUR CONNECTIONS IN CHRIST (20)**

**Business under the Moderator**—Elder Kevin Smith (10)

Appointment: Assistant to the Stated Clerk  
Welcome to new commissioners and ministers  
Welcome from the host church

**Business under the Stated Clerk**—Rev. Marianne Grano (10)

Omnibus Motion #1 (Paper A-1)  
Special Standing Rules for Hybrid Meetings (Paper A-2)  
Hybrid Meeting Instructions

**9:25 WE LISTEN FOR THE WORK OF THE SPIRIT IN OUR COMMUNITY  
REPORTS FROM PRESBYTERY AFFILIATED ORGANIZATIONS (15)**

Synod of the Covenant (5)  
Presbyterian Investment and Loan (5)  
Board of Pensions (5)

**9:40 WE RESPOND TO CHRIST’S CALL TO MISSION AND MINISTRY (5)**

Associate Executive Presbyter’s Report, Elder Charon Barconey (5)

**9:45 WE PROCLAIM THE GOOD NEWS (30) (Paper B)**

Worship—Installation of Rev. Teresa Peterson as Vice-Moderator; Rev. Michael Johnson, Preaching

**10:15 Hybrid Meeting Instructions (5)**

**10:20 Treasurer’s Report (5) (Paper C)**

**10:25 Trustees’ Report: Elder Greg Sykes (5) (Paper D)**

**10:30 Committee on Nominations: Elder Rosy Latimore (5) (Paper E)**

**10:35 General Assembly Proposed Amendments (15)(Paper F, F-1, F-2)**

**10:50 REFRESHMENTS BREAK**

**11:10 Coordinating Cabinet: Rev. Jasmine Smart (45) (Paper G)**

Bylaws (5)  
Terms of call for called staff (10) (Paper G-1)  
Operations Report Re: Stated Clerk, Treasurer (5) (Paper G-1)  
Operations Report Re: Staff Bonuses (10) (Paper G-1)  
Planning and Visioning - Presbytery Response Team, Extra Commitment Opportunities (5)  
Mission Interpretation Ministry Team (5) (Paper G-2)  
Social Justice – Ranney-Balch Grants (5) (Paper G-3)

- 11:55**     **Committee on Preparation for Ministry: Rev. Jim Faile and Elder Marilyn Thibodeau (30)** (Paper H)  
Examination of Candidate for Candidacy – Lon Kuehn  
Examination of Candidate for Candidacy - Robyn Hudgins
- 12:25**     **Committee on Ministry: Rev. Melissa Allison (20)** (Paper I)  
Retirement of Rev. John Judson
- 12:45**     **Stated Clerk: Rev. Marianne Grano (15)** (Paper F and following F papers)  
Omnibus Motion #3  
Report of Administrative Commission—Dearborn-Littlefield (15)  
Report of Barbee-Watkins Separation Review Committee (5)
- 1:00**     New Business (10)
- 1:10**     **WE GO OUT IN GOD’S NAME**

Charge and Benediction

*Paid for with per capita dollars.*

**The Presbytery of Detroit, with all its meetings and activities, is a gun free zone.**

**By participating in this meeting, you consent to your use of your photograph or video recording of your participation in the same and distribution of such photographs and videos by the Presbytery. To withdraw this consent, you must email the Stated Clerk within one business day of the meeting at [marianne@detroitpresbytery.org](mailto:marianne@detroitpresbytery.org).**

The next stated meeting of Presbytery will be May 23, 2023, 4:00pm, at Detroit-Fort Street and by Zoom.

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**Presbytery of Detroit**  
**Omnibus Motion #1**  
**RECOMMENDATIONS FOR OPENING FORMALITIES PART OF THE DOCKET**  
**February 25, 2023**

**The Stated Clerk presents the following as Omnibus Motion #1:**

1. DOCKET: Adopt the docket as presented.
2. EXCUSES: Excuse all continuing minister and elder members of Presbytery who have asked to be excused.
3. STANDING RULES: Adopt the Special Standing Rules for Hybrid Meetings, Paper A-2.
4. MINUTES: Approve the minutes of the November 19, 2022 and January 30, 2023 meetings.
5. CORRESPONDING MEMBERS: Seat as corresponding members all eligible persons who are presented to the Presbytery and who register as corresponding members.

## Proposed Special Rules of Order

*For A Hybrid Meeting (in person or electronically via Zoom)*

The Following Rules are proposed for adoption at the meeting by the Stated Clerk:

1. Participants joining the meeting in person:
  - a. Will seek recognition by raising their hands,
  - b. When recognized to speak, will move to the lectern at the front of the center aisle.
2. Participants joining the meeting electronically are encouraged to use a desktop or laptop computer. The following are requirements for such computers:
  - a. High speed internet access.
  - b. Sound output device (*preferably* a headset, earbuds, or Bluetooth device that delivers the sound directly to the participant's ear rather than into an open room),
  - c. A microphone device.
  - d. A webcam (optional).

If joining by computer is not possible, those joining electronically may use a tablet or smart phone device, using the free "Zoom" app, available from the device's app store. Regarding audio/visual devices, the same requirements and preferences exist as for computers.

3. The following rules also apply to those joining the meeting electronically:
  - a. The "raise hand" feature will be used for both seeking recognition and voting. Raise hand is accessed by clicking on the word "Reactions" on the bottom of the main Zoom window (or top right on some tablet/phone devices), then clicking on the "Raise Hand" bar. Clicking on raise hand causes a "virtual hand" to be raised both on your webcam feed and beside your name on the Participants list (which you may also access by clicking on the word "Participants").
  - b. If you have an "interrupting motion" (a point of order, a request for preference in recognition, etc.), you may message the hosts through the "chat" function. If you are not recognized in a timely manner, you may unmute your microphone and say "Mr/Madam Moderator!"
  - c. You may send a motion to the hosts through "chat" if it is complex or in writing, but you must still seek recognition.
  - d. Voting will take place through a third-party voting system. You must open up another browser window and log in to the third-party website. Log-in information will be sent separately and it is your responsibility to prepare to vote and secure your log-in credentials prior to the meeting. You may contact the Stated Clerk or Presbytery staff if you have any difficulty getting access to the voting system.
4. In-person participants shall use the provided remote controls to vote, which will show the choice cast on a small screen on the device. Please note that for both in person and online participants, you may change your vote at any time before the vote closes.
5. The Stated Clerk and/or assistant will allow approximately ten seconds for voting before finalizing the result.
6. In the case of an internet outage in the location of the Presbytery meeting, votes shall be taken in the following manner: in-person participants will vote by a counted rising vote, or secret ballot upon demand. Electronic participants will vote through the online voting system. The totals will then be added to determine the result.

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**Presbytery of Detroit**  
**Minutes of the Special Meeting**  
**January 30, 2023**  
*Via Zoom Technology*

The Presbytery of Detroit convened with prayer in a special meeting at 12:00 p.m. on the above date, held electronically via Zoom technology.

The Moderator offered a land acknowledgement.

The Moderator recognized Rev. Jacqueline Spycher as Assistant to the Stated Clerk.

**Stated Clerk's Report:** The Stated Clerk reported receipt of a disciplinary allegation against a member of the Presbytery of Detroit on January 3, 2023. The Rules of Discipline provided at D-1.0101: "all participants are to be accorded procedural safeguards and due process, and it is the intention of these rules so to provide." After consultation with Flor Velez-Diaz, Manager of Judicial Process for the General Assembly of the PCUSA and the Stated Clerk of the Synod of the Covenant, the Clerk determined that the due to the nature, circumstances, and persons involved, including conflicts of interest at the Presbytery level, in order to accord procedural safeguards to all participants, it would be appropriate to request that the Synod assume original jurisdiction of this allegation for judicial processes only, and keep any other details regarding the allegation confidential. The Stated Clerk also spoke of an amended process that was approved at the last General Assembly and is still awaiting approval by the presbyteries; should it be received, special meetings by the entire presbytery will no longer be required in like situations.

Rev. Tom Oxtoby moved that the Presbytery of Detroit request that the Synod of the Covenant assume original jurisdiction, for ecclesiastical judicial processes only, of the written statement of an alleged offense received by the Stated Clerk of the Presbytery of Detroit on January 3, 2023.

No discussion or comments were made.

The moderator put the question on the main motion. The votes by secret electronic ballot were tallied as follows:

Yes: 99%

No: 1%

Motion carried.

The moderator closed the meeting with prayer at 12:09 p.m.

The next meeting of the Presbytery would be February 25, 2023, at 9:00am, at First Presbyterian Church of Pontiac and via Zoom.

ATTEST:

*Marianne J. Grano*



Marianne Grano, Stated Clerk

ATTACHMENT ONE: THE ROLL

**Presbytery of Detroit  
Minutes of the Stated Meeting  
November 19, 2022**

The Presbytery of Detroit convened with prayer and a land acknowledgment in a stated meeting at 9:01am at First Presbyterian Church of Saline. The meeting was moderated by Elder Kevin Smith. Stated Clerk Rev. Marianne Grano served as recording secretary.

The Moderator declared the presence of a quorum.

The Moderator appointed Rev. Jacqueline Spycher Assistant to the Stated Clerk.

The Moderator welcomed all new ministers and commissioners.

Rev. Kimberly Ashby welcomed the Presbytery on behalf of the host church.

Upon motion of Rev. Melissa Allison, Presbytery approved the following as Omnibus #1:

- Adopt the docket as presented.
- Excuse all continuing minister and elder members of Presbytery who have asked to be excused.
- Seat all eligible corresponding members.
- Approve the special standing rules for hybrid meetings. **Appendix A.**
- Approve the minutes of the September 27, 2022 Presbytery meeting.

Motion carried by unanimous consent.

The Stated Clerk presented hybrid meeting instructions. There was a brief internet outage and the electronic meeting was ended and restarted.

**Report from the Synod of the Covenant:** Elder Adrienne Adams reported that a scholarship was awarded to First-Pontiac. Rev. Lindsay Anderson (Synod outreach to communities of color) celebrated Elder Adams beginning her ministry as Moderator of Synod.

**Report from the Moderator:** Rev. Jasmine Smart thanked the Vice Moderator Kevin Smith for moderating the meeting as she began her ministry as Associate Pastor at Memorial-Grosse Pointe. Reflecting on her time as Moderator, Rev. Smart encouraged the Presbytery to review dockets in advance, and to contact Presbytery leadership in advance regarding any motions from the floor they expected to bring.

**Report from Associate Executive Presbyter:** Elder Charon Barconey reported that the current meeting was the fourth anniversary of her installation as Associate Executive Presbyter. Elder Barconey called the Presbytery's attention to the preliminary report of the Synod of the Covenant Administrative Commission for Detroit Presbytery. While the report described dysfunction in the Presbytery which had to be addressed, Elder Barconey encouraged the Presbytery to recognize the great work going on in its midst, especially through its many congregations. Elder Barconey

highlighted the work of the Vital Congregations Initiative to enliven our congregations.

**Worship:** The Assembly celebrated worship. Rev. Scott Phillips preached on Galatians 3:23-29 with the theme, “Can We Reboot?” Rev. Phillips urged the Presbytery to “reboot” after COVID-19 and to delete its “Random Access Memory.” Rev. Phillips also noted that the Holy Spirit sent this message by cutting out the wifi earlier in the meeting causing the meeting itself to reboot. The Vice Moderator asked the constitutional questions and led the prayer of installation for Rev. Kimberly Secrist-Ashby, being installed as Pastor of Saline-First. Rev. Brewster (Budge) Gere, honorably retired, gave the charge to the congregation of Saline-First as well as to the congregation of Detroit Presbytery, calling the Presbytery to follow both the rules and the Ruler of creation. Rev. Jackie Spycher gave the charge to the newly installed, encouraging her to reach out to the wonderful people of Detroit Presbytery and especially the strong network of clergy women. Elder Margaret Klammer, Elder Bari Livsey, and Ken Pendergrass also assisted in leading worship.

**Treasurer’s Report:** Treasurer Mike Gaubatz presented the report. **Appendix B.** The Treasurer reported that per capita receipts were higher than expected for this time of year. The Treasurer reported a forecast of a small surplus for 2022 based on reduced spending.

**Trustees’ Report:** Rev. Kara Hildebrandt reported on behalf of the Trustees. **Appendix C.** Rev. Hildebrandt invited Rev. Julie Delezenne to report on the Faith in Action Grants. A faithful giver of First Presbyterian Warren gave \$350k initially, \$100k during the pandemic, and \$300k in the current grant gift. This gift was distributed in three tracks according to the call of Matthew 25. Through Track 1, grants were issued to Samaritas and to congregations for refugee support and resettlement. Through Track 2, grants were distributed for Pastor Discretionary Funds. Track 3 grants were awarded for ministries connected to Matthew 25 to First Warren, First Royal Oak, University Rochester, and Westminster Ann Arbor. Rev. Shakira Gholami gave words of thanks for the support of Faith In Action in refugee resettlement.

**Report of the Committee on Nominations:** Elder Rosy Latimore presented for the Committee on Nominations.

On behalf of the Committee, Elder Latimore moved to elect the following committee, commission, and ministry team members:

#### COMMITTEES

##### Committee on Ministry (COM)

Chair-23	Melissa DeRosia Allison	TE	Ann Arbor Westminster
Class-23	vacancy		
Class-25	Mary Lloyd	Elder	Grosse Pointe Memorial
Class-25	Karen Stunkle	TE	Westminster-Detroit
Class-25	Mark Phillips	TE	Cherry Hill
Class-25	Kathi Johnson	RE	Detroit Jefferson Avenue
Class-25	Steven Voorhees	RE	Grosse Pointe Memorial
Class-25	Debbie Lennis	CRE	White Lake

Committee on Preparation for Ministry (CPM)

Chair-23	Jim Faile	TE	Dearborn First
Class-24	Vacancy		
Class-24	Vacancy		
Class-24	Vacancy		
Class- 24	Vacancy		
Class-25	Vacancy		
Class-25	Dianne Hockett	RE	Ann Arbor First
Class-25	Vacancy		
Class-25	Vacancy		
Class-25	Vacancy		
Class-25	Vacancy		

Committee on Representation (CoR)

Chair-23	Alvin Smith	RE	Detroit Broadstreet
Class-23	Greg Sykes	RE	Detroit Gratiot Ave.
Class-23	Alvin Smith	RE	Detroit Broadstreet
Class-25	Patricia Hollowell	RE	Detroit Broadstreet
Class-25	Vacancy		

BOARD OF TRUSTEES

Class-25	Greg Sykes	RE	Detroit Gratiot Ave
Class-25	Martha Blenman	RE	Birmingham First
Class-25	Maynard Timm	RE	Bloomfield Hills Kirk

Following discussion, the vote by secret electronic ballot was tallied as followed:

Yes: 71  
No: 0

Motion carried.

On behalf of the Committee, Elder Latimore moved to elect the following nominees from the floor:

Chair 2023: Dexter Snyder, Multicultural Ministry.

The vote by secret electronic ballot was tallied as followed:

Yes: 71  
No: 0

Motion carried.

On behalf of the Committee, Elder Latimore moved to elect the following Moderator and Vice Moderator:

Moderator:

Class-23      Kevin Smith                  RE      Warren First

Vice-Moderator:

Class-23      Teresa Peterson                  TE      Canton Geneva

The vote by secret electronic ballot was tallied as followed:

Yes: 71  
No: 0

Motion carried.

Elder Latimore shared that the written report included descriptions of the various teams and committees and an endorsement form. Elder Latimore also thanked the speakers from the worship service and reminded the Presbytery of its ordination vow to serve in the councils of the church.

**Stated Clerk's First Report:** Rev. Melissa Allison moved to approve the following proposed amendments to the Book of Order:

1. Amendment 22C (electronic meetings);
2. Amendment 22D (congregational meeting requirement of proposed new Rules of Discipline);
3. Amendment 22N (electronic meetings);
4. Amendment 22V (allowing laypersons to lead prayer after communion);
5. Amendment 22X (adding statements re: household worship);
6. Amendment 22Y (adding statements re: household worship, mealtime blessings);
7. Amendment 22AA (broadening description of pastoral ministries to which ministers may be called);
8. Amendment 22BB (amending Book of Order to reflect that "healing happens in a variety of ways and wholeness is not necessarily synonymous with physical recovery")
9. Amendment 22EE (investigating committee must inform both accuser and accused of a decision of no charges filed);
10. Amendment 22FF (amending "the accused" in Rules of Discipline to "the person accused" wherever it is found).

Following discussion, the vote by secret electronic ballot was tallied as follows:

Yes: 69

No: 2

Rev. Kara Hildebrandt moved to approve amendment 22-O (boundaries and child abuse prevention training). After discussion regarding the need for this training for all members, the vote by secret electronic ballot was tallied as follows:

Yes: 42

No: 28

The Stated Clerk clarified that the training, already provided for in the Presbytery's policies, would be required by this Amendment to be given for Session members and not all members of congregations.

#### **Report of the Administrative Commission for Littlefield Presbyterian Church-Dearborn:**

The life of the congregation was celebrated in a video presentation narrated by Elder Bob Beck. The congregation was organized January 5, 1930. The cornerstone was laid September 10, 1939, and dedication took place on February 11, 1940, with all 370 members. In May of 1953 Littlefield was honored, and well-deserved recognition came to its Pastor, Dr. Weir, when he was named Moderator of the General Assembly of the United Presbyterian Church of North America. In 1960, Littlefield's membership peaked at 1,250. The Rev. Harry L. Geissinger was called to serve Littlefield Church as senior pastor bringing a strong visionary leadership the congregation needed. Soon came Prof. Robert Lawson Sr., Chairman of the Music Department at Wayne State University and Littlefield's organist for 25 years, designed and oversaw the construction and installation of the Wick pipe organ.

Dr. William G. Gepford arrived October 1, 1979 to begin his work as Director of Arab-American Relations in Dearborn and Assistant Pastor of Littlefield. The Rev. Delmar Meester was called to serve Littlefield Church as Pastor and began his duties in 1985. Rev. Meester is a gifted musician and enhanced the church's music program during the nine years he served as Littlefield's pastor. In 1986 the first Interfaith Thanksgiving Service was held at Littlefield, with participants from the Muslim, Christian, and Jewish communities. wide range of services to immigrant families. Rev. Guysinger became Pastor Emeritus. The congregation had an amazing ministry of music; it was a congregation that loved to sing. Dr. Gepford left Littlefield to continue working on Arab-American relations through the Presbytery. In 1986 the first interfaith Thanksgiving service was held at Littlefield. In the 1980s and 1990s, Dearborn Public Schools began offering English as a Second Language instruction at Littlefield. Rev. Frances Hayes was called as Sr. Pastor in 1997. The Peace Camp ministry began at Littlefield to bring together local children of different racial, cultural, and religious backgrounds. In 2001, Littlefield began healing ministries for a nation reeling from the 9/11 attacks, and continued to work for peace in the Middle East in the following months and years. In 2019, The Islamic Center of America recognized Rev. Hayes with an award for interfaith service.

Elder Carol Hylkema, former moderator of Presbytery spoke about the painful event of the closure of Littlefield. She shared that Littlefield had an illustrious history of service to the community, service that would continue through Littlefield Action For Social Justice, a nonprofit that had been created which continued to meet and to offer book clubs and studies. Through the years, four women of Littlefield had served as Moderator of Presbyterian Women. The men's group was also continuing to meet following the dissolution of the congregation. Elder Hylkema shared that CRE Nancy Bass had provided valuable leadership during a challenging jke.

The assembly recessed for refreshments.

The assembly re-opened with prayer. The Moderator shared several logistical details, and the Stated Clerk reviewed voting instructions.

**Report of the Anti-Racism Committee:** Elder Adam Delezenne reported for the Committee that the reality of racism was deeply embedded in metro Detroit, including in the Presbytery of Detroit. For eighteen months, the Committee had been meeting to discern which way to proceed. The Committee was looking into anti-racism training for the Presbytery.

**Report of the Coordinating Cabinet:** Elder Dave Bunch reported on behalf of the Coordinating Cabinet. **Appendix D.** Elder Bunch thanked the Presbytery for the opportunity to serve. Elder Bunch invited Elder Stefanie Lewis to present the budget on behalf of the Planning and Visioning Team. Elder Lewis reviewed the process for generating the 2023 Budget according to Presbytery policies and past practices. Elder Lewis reported that the budget proposal included a slight deficit. Elder Lewis called upon the Presbytery to find new and sustainable ways to support expenditures moving forward.

On behalf of the Cabinet, Elder Lewis moved that Presbytery approve the operating and pass-through budgets. **Appendix E.** The Moderator stated that the motion also included the per capita increase to \$22.85. Following discussion regarding the compensation of the Hunger Action Coordinator, the increases to Per Capita, projected investment income.

The vote by secret electronic ballot was tallied as followed:

Yes: 68

No: 6

Motion carried by the required two-thirds.

On behalf of Coordinating Cabinet, Elder Bunch moved to elect the nominees to the Committee on Nominations.

Committee on Nominations (CoN)

Chair-23	Rosy Latimore	RE	Birmingham First
Class-23	Vacancy		
Class-24	Vacancy		

Class-25	Rosy Latimore	RE	Birmingham First
Class-25	John Pavelko	TE	H.R.
Class-25	Youn Kyu Park	RE	Southfield KPCMD
Class-25	Alvin Smith	RE	Detroit Broadstreet

The vote by secret electronic ballot was tallied as follows:

Yes: 70

No: 0

Motion carried.

Rev. Kara Hildebrandt reported on behalf of the Strategic Planning Committee (subcommittee of Planning and Visioning) and moved to approve the Mission and Vision Statements of the Presbytery as follows:

Vision:

Empowering collaborative community in service of Christ.

Mission:

Relying on the Holy Spirit, we follow God by unmasking idolatries in Church and culture, listening to the voices of people long silenced, empowering congregational vitality, confronting structural racism, and responding to systemic poverty.

After discussion regarding evangelism and outreach by the Presbytery the vote tallied by secret electronic ballot was tallied as followed:

Yes: 67

No: 7

Motion carried.

On behalf of Coordinating Cabinet, Elder Bunch moved to approve the locations for Presbytery meetings/events in 2023: January 28, time TBD, installation service and meal—Birmingham-First; February 25, 9am, Hybrid, Pontiac-First; May 23, 4pm, Hybrid—Detroit-Fort Street; July 24, social event, White Lake; September 26, 4pm, Hybrid—Beverly Hills-Northbrook; November 18, 9am, Hybrid—KPCMD-Southfield. Motion carried by unanimous consent.

Elder Bunch reported that Cabinet had made arrangements for its training and meetings in 2023.

**Committee on Preparation for Ministry:** Rev. Jim Faile reported for the Committee. **Appendix F.** On behalf of the Committee, Rev. Jim Faile reported that the Committee had several vacancies, and stated he might not leave the lectern until additional nominees came forward. Rev. Faile presented Brendan Ashley (Pittsburgh Seminary, Final Assessment completed by Pittsburgh Presbytery) for examination for ordination. Mr. Ashley had received a call to serve as Designated Associate Pastor at St. Clair Shores-Lake Shore.



Mr. Ashley shared a synopsis of his Statement of Faith, spoke about his call to ministry, and was questioned regarding God's mission for the church, God's work in a church experiencing a "stump" moment, and his experiences working outside the church at Starbucks. Elder Dyché Anderson moved to arrest the examination.

The vote by secret electronic ballot was tallied as follows:

Yes: 51

No: 0

Motion carried.

On behalf of the Committee, Rev. Jim Faile moved to sustain the examination and ordain Brendan Ashley. Following discussion, the vote by secret electronic ballot was tallied as follows:

Yes: 68

No: 0

Motion carried.

**Committee on Ministry:** Rev. Melissa Allison reported for the Committee. **Appendix G.** Rev. Allison greeted Mr. Ashley as another former Starbucks employee. Rev. Allison reported that trust, as defined by Brene Brown, was "choosing to make something important to you vulnerable to the actions of someone else."

Rev. Melissa Allison moved on behalf of the Committee to approve the following calls and contracts:

1. The Designated Associate Pastor Call (pending successful examination for ordination by the Presbytery of Detroit with the **Brenden Ashley and Lake Shore Presbyterian Church** effective December 1<sup>st</sup> 2022. 40 hours per week.  
Total Effective Salary: \$51,584  
Total Benefits: \$16,583  
Reimburse Expenses: \$1,2000 Study Leave, \$1,800 Professional Expenses  
Total Cost to the Church: \$71,167  
Moving Expenses up to \$2500  
4Weeks Vacations (including 4 Sundays)  
2Weeks Study leave (included 2 Sundays)  
Church to pay and allow pastor to attend Transition in Ministry Workshop

***Supply/ Interim/ CRE/ Parish Associate***

2. The Interim Pastor Contract between **Geneva Presbyterian Church** and **Rev. Teresa Peterson** effective October 15th 2022 through October 14<sup>th</sup> 2023. 40 Hours per week.

Total Effective Salary: \$ 62,400  
Total Benefits: \$27,862  
Other Benefits (403b Fidelity): \$ 5,200  
Reimburse Expenses: \$2,000 Study Leave, \$3,500 Professional Expenses  
Medical or FSA: \$2,200  
Total Cost to the Church \$97,962  
4 Vacations (including 4 Sundays)  
2 Weeks Study leave (included 2 Sundays)  
Church to pay and allow pastor to attend Transition in Ministry Workshop

3. The Supply Pastor contract between **Grosse Pointe Woods Presbyterian Church** and **Rev. Lindsey Andersen** effective September 1st 2022 through November 30th 2022. 6 Hours per week.  
Total Effective Salary: \$4,930  
Benefits (Social Security Reimbursements 7.65% of Effective): \$ 0  
Reimburse Expenses: \$0 Study Leave, \$500 Professional Expenses  
Total Cost to the Church \$5,630  
4 Vacations (including 4 Sundays)  
2 Weeks Study leave (included 2 Sundays)  
Church to pay and allow pastor to attend Transition in Ministry Workshop
4. The Supply Pastor contract between **Faith Community Presbyterian Church of Novi** and **Rev. Michelle James** effective September 8th 2022 through September 7th 2023. 40 Hours per week.  
Total Effective Salary: \$60,320  
Benefits: \$ 28,141  
Reimburse Expenses: \$1,000 Study Leave, \$1,500 Professional Expenses  
Total Cost to the Church \$90,961  
4 Vacations (including 4 Sundays)  
2 Weeks Study leave (included 2 Sundays)  
Church to pay and allow pastor to attend Transition in Ministry Workshop
5. The Supply Pastor contract between **Grosse Pointe Memorial Presbyterian Church** and **Rev. Jasmine Smart** effective November 1<sup>st</sup> 2022 through October 31<sup>st</sup> 2023. 40 Hours per week.  
Total Effective Salary: \$86,900  
Benefits: \$ 15,3339  
Reimburse Expenses: \$ 2,000 Study Leave, \$2,000 Professional Expenses  
Total Cost to the Church \$106,239  
4 Vacations (including 4 Sundays)  
2 Weeks Study leave (included 2 Sundays)  
Church to pay and allow pastor to attend Transition in Ministry Workshop
6. The Supply Pastor contract between **First Presbyterian Church of Troy** and **Rev. Dan Heaton** effective August 16th 2022 through August 15th 2023. 15 Hours per week.  
Total Effective Salary: \$24,786

Benefits \$ 24,786

Reimburse Expenses: \$500 Study Leave, \$944 Professional Expenses, Federal Income Tax \$3600

Total Cost to the Church \$29,830

4 Vacations (including 4 Sundays)

2 Weeks Study leave (included 2 Sundays)

Church to pay and allow pastor to attend Transition in Ministry Workshop

7. The Parish Associate contract between **First Presbyterian Farmington Hills Church** and **Rev. Craig Aue** effective November 7<sup>th</sup> 2022 through November 6<sup>th</sup> 2023. 10 Hours per week.  
Compensation and Benefits: \$25/hr  
Reimburse Expenses: Professional and Travel not to exceed \$500  
Church to pay and allow pastor to attend Transition in Ministry Workshop

Motion carried by unanimous consent.

On behalf of the Committee, Rev. Allison moved the following dissolutions:

1. The dissolution agreement between **First Presbyterian Church Farmington and Rev. Eddie Jusino** effective November 6<sup>th</sup>, 2022. Terms of the dissolution include payments of Salary, Equity Allowance, Board of Pension Coverage, and SECA, Professional/Travel Allowance for six month. Including provisional leave buy out \$3,769 and provision for relocation ½ of actual (not to exceed \$10,000). Total financial package of \$39,927.
2. The dissolution agreement between **Rev. Samuel An and New Hope Presbyterian Church** effective October 31st, 2022. Terms of dissolution have no financial impact.

Motion carried by unanimous consent.

On behalf of the Committee, Rev. Allison moved approval of the following installation and ordination commissions:

1. The Installation Commission to install the Rev. Mark Mares at First Presbyterian Church of Ann Arbor on Sunday, October 30, 2022 at 3:00 p.m. Members of the Commission are Moderator Rev. Jasmine Smart, Teaching Elders Rev. Jasmine Smart and Rev. Christina Hallam and Ruling Elders Jennifer Day (First Pres. AA) and Kevin Smith (First Warren)
2. The Installation Commission to install the Rev. Kathlyn Ferguson-Nealand at First Presbyterian Church Mount Clemens on October 9<sup>th</sup> at 3:00pm. Members of the Commission are Vice-Moderator Elder Kevin Smith; Teaching Elders Rev. Eddie Jusino, Rev. Adam Grosch; Ruling Elders Judy Jacobs (Mt. Clemens) and Rosy Latimore (First Presbyterian Birmingham).

3. The Installation Commission to install the Rev. Hae Kil Kim at Korean Presbyterian Church of Metro Detroit on November 13<sup>th</sup> 2022 at 3:00pm. Members of the Commission are Moderator Rev. Jasmine Smart; Teaching Elders Rev. Scott Phillips and Rev. Beth Delaney; Ruling Elders Kevin Smith (First Presbyterian Warren) and Rosy Latimore (First Presbyterian Birmingham).
4. The Installation Commission to install the Rev. Kimberly Ashby at Saline Presbyterian Church on November 19<sup>th</sup> at 9:30am. Members of the Commission are Vice-Moderator Ruling Elder Kevin Smith; Teaching Elders Scott Phillips, Rev. Budge Gere, Rev. Jackie Spycher and Ruling Elders Margaret Klammer (Westminster Ann Arbor), Bari Livsey (First Saline) and Ken Pendergrass (First Ypsi).

Motion carried by unanimous consent.

On behalf of the Committee, Rev. Allison moved approval of transfer to **Honorably Retired of Rev. Keith Cornfield.**

Motion carried by unanimous consent.

On behalf of the Committee, Rev. Allison moved the following transfers in and out of the Presbytery, and transfer to at-large:

1. Transfer of Membership of the Rev. Samuel An from Detroit Presbytery to Long Island Presbytery.
2. Transfer of Membership of the Rev. Andrew M Frazier from Detroit Presbytery to Mission Presbytery.
3. Transfer of Membership of the Rev. Eun Joo (Angela) Ryo from Detroit Presbytery to the Wabash Valley Presbytery.
4. Transfer of Membership of the Rev. Samuel An from Detroit Presbytery to Long Island Presbytery.

*At- Large*

1. Move Rev. Evans McGowan membership to member at large with the Presbytery of Detroit.
2. Move Rev. Eddie Justino membership to member at large with the Presbytery of Detroit.

Motion carried by unanimous consent.

**Stated Clerk's Report:** The Clerk's Report was presented. **Appendix H.** The following motions were moved in omnibus form by Rev. Hildebrandt:

1. ADMINISTRATIVE COMMISSIONS:

Approve the reports of the following Administrative Commissions (**Appendix I**):  
Interim Report of the Administrative Commission for Westminster Detroit  
Interim Report of the Administrative Commission for St. John's Detroit  
Interim Report of the Administrative Commission for Dearborn-Littlefield  
Interim Report of the Administrative Commission for Milford  
Interim Report of the Administrative Commission for Pontiac-Joslyn Ave.  
Report of the Administrative Commission for the Installation of Mark Mares  
Report of the Administrative Commission for the Installation of Kathlyn R.  
Ferguson- Nealand

2. Approve the report of the Moderator concerning actions taken following the last meeting. **Appendix J.**
3. Approve the results of the Review of Session Records. **Appendix K.**
4. Moved by the Committee to Analyze and Audit the Separation With Rev. Barbee-Watkins: to receive its first report on February 25, as the January 28 event is not a business meeting, and the Committee will not have a report before that date.

Motion carried by unanimous consent.

**Compensation:** Rev. Rosy Latimore made a motion from the floor to grant additional compensation to the Associate Executive Presbyter \$5000 to the AEP, \$2000 to Administrator Tanya Kudla, \$2000 to Business Manager Sarah Leight, for 2022. Following discussion regarding the source of funds, Rev. Neeta Nichols moved to refer the matter to the Operations Ministry Team.

Elder Stefanie Lewis requested a parliamentary opinion regarding whether the motion to refer would come back to the Presbytery in February 2023. The Vice Moderator opined that it would.

Rev. Gretchen Denton raised a point of order regarding the motion on the floor being the motion to refer, and comments should be limited to that topic. The Vice Moderator ruled the point of order well taken.

The decision of the chair was appealed from. However there was no second to the appeal.

Following extensive discussion the vote by secret electronic ballot was tallied as follows:

Yes: 49

No: 13

The Stated Clerk concluded her report. Elder Adrienne Adams, Synod Commissioner, allowed for questions regarding the Administrative Commission report from the Synod. No questions were raised.

The meeting adjourned with a prayer of benediction by the Vice Moderator at 1:40pm.

*Marianne J. Grano*

Marianne Grano, Stated Clerk

ATTACHMENT ONE: THE ROLL

APPENDICES:

Appendix A, Special Standing Rules

Appendix B, Treasurer's Report

Appendix C, Trustees' Report

Appendix D, Coordinating Cabinet Report

Appendix E, Operating and Pass-Through Budgets

Appendix F, Committee on Preparation for Ministry Report

Appendix G, Committee on Ministry Report

Appendix H, Stated Clerk's Report

Appendix I, Administrative Commission Reports

Appendix J, Moderator's Report

Appendix K, Review of Session Records

**ATTENDANCE ROLL 11/19/22 PRESBYTERY MEETING**

**COORDINATING CABINET**

	Dave	Bunch	Coordinating Cabinet
	Kevin	Smith	First Warren
	Adam	Delezenne	Antiracism Special Committee
	Rosy	Latimore	First Pres
	Suzanne	Leward	Operations team
	Stefanie	Lewis	Planning & Visioning

**CORRESPONDING MEMBER**

	Adrienne	Adams	The Synod of the Covenant
	Joelle	Jarrait	Certified Christian Educator

**CRE**

	Joshua	Archev	Crossroads Presbyterian
	Charon	Barconey	AEP, Presbytery of Detroit
	Nancy	Bass	Celtic Cross Presbyterian
	Joelly	Chiangong	Park United Presbyterian Church

**PAST MODERATOR**

	Keith	Geiselman	First Presbyterian Church of Ypsilanti
	Carol	Hylkema	Former Littlefield Church

**POD STAFF**

	Kudla	Tanya	POD
	Leight	Sarah	POD

**TEACHING ELDER**

	Melissa	Allison	Westminster Ann Arbor
	Linda A	Anderson	First Presbyterian church of south Lyon
	Lindsey	Anderson	Love Rising Lutheran Church
	Kimberly Secrist	Ashby	First Presbyterian of Saline
	Ashley	Ashley	First Presbyterian Church of Plymouth
	Michael	Beckman	Kirk of Our Savior
	Gregory	Bryant	Calvary Presbyterian
	linda	cochran	First Northville
	Beth	Delaney	Southminster Taylor
	Julie	Delezenne	First Presbyterian Church of Warren
	Gretchen	Denton	Social Justice and Peacemaking
	Gloria	Dukes	Hope Presbyterian
	Anders	Edstrom	Greenfield Presbyterian Church
	Jim	Faile	First Dearborn and CPM
	Brewster	Gere	HR
	Sarah	Godbehere	POD
	Marianne	Grano	Stated Clerk, Presbytery of Detroit
	Adam	Grosch	Lake Shore Church
	Rufus	Hatcher	Broadstreet Presbyterian
	Benjamin	Helmke	HR
	Kara	Hildebrandt	Lincoln Park Presbyterian Church
	Patricia	Jacobs	University Presbyterian Church
	Michelle	James	Faith Community Presbyterian Church

	Janice	Jones	Sashabaw
	Eddie	Jusino	At Large
	Kenneth	Kaibel	Belleville Presbyterian Church
	Laura	Kelsey	First Presbyterian Church
	Lon	Kuehn	HR
	Edward	Koster	HR
	Sarah	Logemann	Fort Street
	Hannah	Lundberg	First Presbyterian Church, Ann Arbor
	Julie	Madden	First Presbyterian Church Birmingham
	Tim	Marvil	Allen Park
	Scott	Miller	Drayton Presbyterian Church
	James	Monnett	Ann Arbor
	Garrett	Mostowski	Fort Street
	Kathy	Nealand	First Presbyterian of Mount Clemens
	Neeta	Nichols	Honorably Retired
	Emma	Nickel	Royal Oak First
	Thomas	Oxtoby	Retired Minister
	Teresa	Peterson	Geneva Canton
	Mark	Phillips	Cherry Hill Presbyterian Church
	Scott	Phillips	First Presbyterian Church of Brighton
	Joel	Puntigam	St Timothy Presbyterian Church
	Amy	Ruhf-Brien	US Navy
	Bre	Ryan	Lakeshore Presbyterian
	Charles	Sadler II	Starr Presbyterian Church
	Jacqueline	Spycher	First Presbyterian Church of Northville
	Karen	Stunkel	WCO Detroit
	Paul	Stunkel	HR
	Barbara	Swartzel	Hope Presbyterian
	Hotek	Tan	Taiwanese Community Fellowship Ann Arbor
	Dana	Wilmot	Community P.C. Waterford
<b>NON-VOTING GUEST</b>			
	Michael	Gaubatz	POD Treasurer



## Proposed Special Rules of Order

*For A Hybrid Meeting (in person or electronically via Zoom)*

The Following Rules are proposed for adoption at the meeting by the Stated Clerk:

1. Participants joining the meeting in person:
  - a. Will seek recognition by raising their hands,
  - b. When recognized to speak, will move to the lectern at the front of the center aisle.
2. Participants joining the meeting electronically are encouraged to use a desktop or laptop computer. The following are requirements for such computers:
  - a. High speed internet access.
  - b. Sound output device (*preferably* a headset, earbuds, or Bluetooth device that delivers the sound directly to the participant's ear rather than into an open room),
  - c. A microphone device.
  - d. A webcam (optional).

If joining by computer is not possible, those joining electronically may use a tablet or smart phone device, using the free "Zoom" app, available from the device's app store. Regarding audio/visual devices, the same requirements and preferences exist as for computers.

3. The following rules also apply to those joining the meeting electronically:
  - a. The "raise hand" feature will be used for both seeking recognition and voting. Raise hand is accessed by clicking on the word "Reactions" on the bottom of the main Zoom window (or top right on some tablet/phone devices), then clicking on the "Raise Hand" bar. Clicking on raise hand causes a "virtual hand" to be raised both on your webcam feed and beside your name on the Participants list (which you may also access by clicking on the word "Participants").
  - b. If you have an "interrupting motion" (a point of order, a request for preference in recognition, etc.), you may message the hosts through the "chat" function. If you are not recognized in a timely manner, you may unmute your microphone and say "Mr/Madam Moderator!"
  - c. You may send a motion to the hosts through "chat" if it is complex or in writing, but you must still seek recognition.
  - d. Voting will take place through a third-party voting system. You must open up another browser window and log in to the third-party website. Log-in information will be sent separately and it is your responsibility to prepare to vote and secure your log-in credentials prior to the meeting. You may contact the Stated Clerk or Presbytery staff if you have any difficulty getting access to the voting system.
4. In-person participants shall use the provided remote controls to vote, which will show the choice cast on a small screen on the device. Please note that for both in person and online participants, you may change your vote at any time before the vote closes.
5. The Stated Clerk and/or assistant will allow approximately ten seconds for voting before finalizing the result.
6. In the case of an internet outage in the location of the Presbytery meeting, votes shall be taken in the following manner: in-person participants will vote by a counted rising vote, or secret ballot upon demand. Electronic participants will vote through the online voting system. The totals will then be added to determine the result.

The Presbytery of Detroit  
Statement of Revenues and Expenditures  
From 1/1/2022 through 9/30/2022

*100 - Operating Fund  
(In Whole Numbers)*

	<u>This Month</u> <u>Actual</u>	<u>Year to Date</u> <u>Actual</u>	<u>Annual Budget</u>	<u>Percent of Total</u> <u>Budget Remaining</u>
<b>33% of the year remains</b>				
<b>Revenue</b>				
Shared Mission	11,277	75,394	140,000	46 %
Per Capita	28,389	258,178	382,298	32 %
Investments (Fund 200)	17,795	120,469	155,245	22 %
Joy & McKay Endowments	12,234	158,159	186,596	15 %
Social Justice	0	6,300	6,300	0 %
Other	0	0	0	
<b>Total Revenue</b>	<u>69,695</u>	<u>618,500</u>	<u>870,439</u>	<u>29%</u>
<b>Expense</b>				
Committee on Ministry	0	0	14,600	100 %
Preparation for Ministry	0	447	4,000	89 %
Trustees	11,371	95,171	141,383	33 %
Presbytery Operations	26,821	341,093	530,616	36 %
Congregation Develop't & Transform'n	0	5,875	9,000	35 %
Social Justice	0	27,000	30,000	10 %
Mission Interpretation	1,100	18,575	46,500	60 %
Leadership Equipping Ministry Team	0	2,990	25,300	88 %
New Church Dev/Redevelopment	0	15,000	15,000	0 %
Multicultural Ministry Team	0	0	6,200	100 %
Planning & Visioning	150	835	21,000	96 %
Coordinating Cabinet	0	1,100	11,700	91 %
Anti-Racism Committee	0	2,293	23,000	90 %
<b>Total Expense</b>	<u>39,442</u>	<u>510,379</u>	<u>878,299</u>	<u>42 %</u>
<b>Revenues Over (Under) Expenditures</b>	<u>30,253</u>	<u>108,121</u>	<u>(7,860)</u>	

*Total Shared Mission Received YTD:  
Total Shared Mission Spending YTD:*

*75,394  
69,440*

# The Presbytery of Detroit

## Balance Sheet

As of 9/30/2022

(In Whole Numbers)

	OPERATING FUNDS	RESTRICTED & ENDOWMENT FUNDS
Cash	87,865	189,967
Total Cash	87,865	189,967
Investment Securities		
General Investments	3,699,094	0
Endowment - Comerica	1,448,565	16,885,385
Investment - P.I.L.P	1,589,818	0
Total Investment Securities	6,737,478	16,885,385
Receivables		
Church Loan Receivable - Module	56,000	0
Church Line of Credit Receivable	0	0
Misc Receivables	(6,663)	1,130
POD Grant Mortgage	432,393	0
Total Receivables	481,730	1,130
Other Assets		
Total Other Assets	0	0
Total Assets	7,307,073	17,076,482
Miscellaneous Liabilities		
Accounts Payable - Module	805	5,921
Other	739,761	1,810
Total Miscellaneous Liabilities	740,566	7,731
Notes Payable to Presbyterian Church (U.S.A.)		
PCUSA Grant Mortgage Receivable	(194,018)	0
PCUSA Grant Mortgage Reserve	194,018	0
PCUSA Guaranteed Loans	(813,884)	0
P.I.L.P. Guaranteed Loans	(2,598,784)	0
Note Payable - PCUSA	813,884	0
Note Payable P.I.L.P	2,598,784	0
Total Notes Payable to Presbyterian Church (U.S.A.)	0	0
Notes Payable Others		
Pass Thru - Other	0	0
Total Notes Payable Others	0	0
Total Liabilities	740,566	7,731
Unrestricted Net Assets/Equity		
Total Unrestricted Net Assets/Equity	5,054,838	(1,390,369)
Restricted Net Assets/Equity		
Total Restricted Net Assets/Equity	1,511,669	18,459,120
Total Net Assets/Equity	6,566,507	17,068,751
Total Liabilities & Net Assets/Equity	7,307,073	17,076,482

## PAPER D

### **Presbytery of Detroit Report of the Trustees November 19, 2022**

The Trustees report the following for the information of Presbytery:

1. The Trustees reviewed and approved a letter to Rev. Barbee-Watkins and a separation agreement with Rev. Barbee-Watkins. This item was mistakenly omitted from the September 27 Trustees Report due to an administrative error on the part of the Stated Clerk.
2. The Trustees approved creation of a 510 account to hold the Trumbull Avenue funds.
3. The Trustees, having received information regarding property willed to the Presbytery by Garnett E. Bacalis, approved opening the probate estate to request that the property be moved into the Garnett E. Bacalis Trust. The Trustees approved further investigation of the possibility of sale of the property and retrieval of funds from the estate for the Presbytery.
4. The Trustees, upon the recommendation of the Administrative Commission for Dearborn-Littlefield and pursuant to the motion approved by Presbytery on September 19, approved the sale of the Dearborn-Littlefield property to National Asset Recovery at fair market value. The property sale would be as-is and would be conditional on the City of Dearborn's approval.
5. The Trustees allocated \$8,541.38 as receivable against sale of property for payment to Presbyterian Investment and Loan Program of a recorded grant mortgage for the Dearborn-Littlefield property, no recorded discharge having been found after a historical search of the Register of Deeds, and referred review and execution of an appropriate agreement with PILP to the President and Clerk.
6. The Trustees approved the sale of South Lyon's manse property, previously approved by Presbytery at fair market value, to Paul and Kathleen Parzuchowski, the purchase agreement having been provided to and reviewed by the Trustees.
7. The Trustees approved reasonable and necessary document retrieval expenses for Trustees and the Stated Clerk to assist congregations in discharging mortgages or securing evidence of prior discharge of those mortgages, not to exceed \$1000 total.

**Presbytery of Detroit  
Report of the Coordinating Cabinet  
September 27, 2022**

The Coordinating Cabinet recommends that Presbytery:

1. Approve the 2023 budget (Paper G-1). (Supporting documentation, Paper G-2, is for information only).
2. Elect the following to Nominations:
  - Chair-23 Rosy Latimore RE Birmingham First
  - Class-23 Vacancy
  - Class-24 Vacancy
  - Class-25 Rosy Latimore RE Birmingham First
  - Class-25 John Pavelko TE H.R.
  - Class-25 Young Kyu Park RE Korean Church Met Det
  - Class-25 Vacancy
3. Approve the following locations for Presbytery meetings/events in 2023, pending approval of the respective Sessions:
  - January 28, 2023 In-Person Installation Service and Refreshments: Birmingham-First;
  - February 25, 2023 Hybrid: Pontiac-First;
  - May 23, 2023 Hybrid: Detroit-Fort Street;
  - July 24 (social event)- White Lake;
  - September 26, 2023 Hybrid: Beverly Hills- Northbrook;
  - November 18, 2023 Hybrid: KPCMD- Southfield.
4. Approve the Mission and Vision Statements (Paper G-3).

The Coordinating Cabinet reports the following for the information of Presbytery:

1. Cabinet approved a training event for the 2023 Cabinet as follows:
  - A sensitivity training session,
  - A discussion of the proposed mission/vision, and strategy team status,
  - A review of the PoD Bylaws,
  - A overview and review of the Presbytery policies and procedures,
  - That the ministry teams/committees break out into their respective groups to review and understand their specific policies and procedures,
  - That the CC re-convene, and each ministry team share their policies and procedures with the rest of the group,
  - An understanding of each team/committee commitments for 2023, including the impact of the proposed vision/mission on them and their plans.

The training to be held January 28, 2022.

2. Cabinet approved the following dates for its meetings in 2023:
  - Sat. January 28 Coordinating Cabinet 101
  - Feb. 6 in advance of the Presbytery meeting on the 25th (Leadership would be Jan 30)
  - March 13 - Retreat
  - May 8 - before the May 23 meeting (Leadership would be May 1)

- July 23/31 OR August 7/14 (?) Summer Gathering at White Lake - Presbytery Social
  - September 11 before the September 26 presbytery meeting (Leadership Tues. Sept 5)
  - October 23 before the November 18 presbytery meeting (Leadership Oct 16).
3. Cabinet approved communion for the Presbytery installation worship service January 28 and the Leadership Equipping Team event.

**Presbytery of Detroit**                      **2023 Operating (Fund 100) Proposed Budget**

12-31-21 membership base for per capita:                      16,913

	<b>2022 Approved Budget</b>	<b>2023 Submitted Budget</b>	<b>2023 Proposed Budget Sept</b>	<b>2023 Submitted Budget Adjustments</b>	<b>2023 Ph 2 P&amp;V Budget Adjustments</b>
<b>Revenue</b>					
<i>Shared Mission (POD portion)</i>	<b>140,000</b>	<b>135,000</b>	<b>135,000</b>	<b>135,000</b>	<b>135,000</b>
* Per Capita (POD portion per member: \$ 21.60) \$	382,298	\$ 365,321	\$ 386,462	\$ 386,462	\$ 386,462
Less: Per Capita Arrearages	(15,000)	(15,000)	(15,000)	(15,000)	(15,000)
Prior Year Per Capita Receipts	15,000	15,000	15,000	15,000	15,000
Income from Fund 200 Capital Investment	44,245	48,828	48,828	48,828	48,828
Income from Fund 200 Cash Investment	100,000	107,000	107,000	107,000	107,000
Income from Joy Endowment	172,126	189,953	189,953	189,953	189,953
Income from McKay Endowment	14,470	15,969	15,969	15,969	15,969
Interest from PILP Investments	11,000	11,000	11,000	11,000	11,000
PCUSA Grant: Hunger Coordinator	6,300	6,300	6,300	6,300	6,300
	<u>\$ 870,439</u>	<u>\$ 879,371</u>	<u>\$ 900,512</u>	<u>\$ 900,512</u>	<u>\$ 900,512</u>
<b>Expenses</b>					
<i>Congregational Development</i>	9,000	12,500	11,050	11,500	11,500
<i>Social Justice</i>	30,000	30,500	30,500	30,500	30,500
<i>Mission Interpretation</i>	46,500	46,500	46,500	46,500	46,500
<i>Leadership Equipping</i>	25,300	31,250	31,250	31,250	31,250
<i>New Church Development</i>	15,000	22,500	7,500	7,500	7,500
<i>Multicultural</i>	6,200	8,200	8,200	8,200	8,200
<i>Mission Auxiliary Fund</i>	8,000	8,000	-	-	-
<b>Shared Mission Subtotal</b>	<b>140,000</b>	<b>159,450</b>	<b>135,000</b>	<b>135,450</b>	<b>135,450</b>
Nominations	-	-	-	-	-
Representation	-	500	500	500	500
Committee on Ministry	14,600	14,600	14,600	14,600	14,600
Committee on Preparation for Ministry	4,000	4,000	4,000	4,000	4,000
Trustees	141,383	138,165	138,165	138,165	138,165
Operations	522,756	590,689	564,719	590,689	572,985
Planning and Visioning	13,000	13,000	13,000	13,000	13,000
GA Meeting cost	8,000	-	-	-	-
Antiracism Committee	23,000	23,000	23,000	23,000	23,000
Coordinating Cabinet	3,700	3,300	3,300	3,300	3,300
	<u>\$ 870,439</u>	<u>\$ 946,704</u>	<u>\$ 896,284</u>	<u>\$ 922,704</u>	<u>\$ 905,000</u>
<b>Revenues Over (Under) Expenses</b>	<b>-</b>	<b>(67,333)</b>	<b>4,228</b>	<b>(22,192)</b>	<b>(4,488)</b>
PoD Per Capita by year	21.60	21.60	22.85	22.85	22.85

# Presbytery of Detroit

## 2023 Mission Pass-Thru (Fund 600) PROPOSED Budget

12-31-21 membership base for per capita: 16,913

		<b>2022 Proposed Budget</b>	<b>2023 Proposed Budget</b>
<b>Revenue</b>			
Per Capita Apportionment GA (\$8.98 per member)	9.85 \$	158,937	\$ 166,593
Per Capita Apportionment Synod (\$3.25 per member)	3.25	57,522	\$ 54,967
Shared Mission GA		30,810	28,688
Shared Mission Synod		5,438	5,063
PCUSA Offerings (OGHS, Pentecost, Peace, Xmas Joy))		110,000	120,000
PCUSA Personnel, Disaster, Etc		21,000	20,000
Income from Joy Fund for 3 Presbyteries		43,031	47,488
Income from Joy Fund for Fort Street		215,158	237,442
Income from Connor Fund for Fort Street		18,614	20,542
Income from Ranney Balch Fund to be distributed		52,354	57,777
POD Extra-Commitment Opportunites (ECO)		14,000	10,000
GA & Other Synod Grants		10,000	10,000
Synod Campus Ministry Grants		6,000	5,000
		<u>\$ 742,864</u>	<u>\$ 783,560</u>
<b>Expenses</b>			
Per Capita Apportionment GA		158,937	166,593
Per Capita Apportionment Synod		57,522	54,967
Shared Mission GA		30,810	28,688
Shared Mission Synod		5,438	5,063
Offerings (OGHS, Pentecost, Peacemaking, etc)		110,000	120,000
PCUSA Personnel, Disaster, Etc		21,000	20,000
Distribution of Joy Fund to 3 Presbyteries		43,031	47,488
Distribution of Joy Fund to Fort Street		215,158	237,442
Distribution of Connor Fund to Fort Street		18,614	20,542
Distribution of Ranney Balch Fund		52,354	57,777
POD Extra-Commitment Opportunites (ECO)		14,000	10,000
GA & Other Synod Grants		10,000	10,000
Synod Campus Ministry Grants		6,000	5,000
		<u>\$ 742,864</u>	<u>\$ 783,560</u>
<b>Revenues Over (Under) Expenses</b>		-	-

Note: All budgeted expenses are subject to receipt of the budgeted revenues.  
If revenues are different than budgeted, expenses will be adjusted to match them.



Committee on Preparation for Ministry Report to Presbytery November 19, 2022

**For Information:**

- On November 1, 2022 CPM met with Candidate Wesley Carl Smith (First, Port Huron; grad Pittsburgh Seminary May 2022) for Final Assessment. Mr. Smith was examined on his Statement of Faith, Biographical Statement, exegesis and sermon. CPM, in a unanimous vote, granted Final Assessment and permission to circulate a PIF.
- A sub-committee of CPM administered written examinations to CRE (trainee) MariJo Hockley and will report the results to CPM at the December meeting.
- CPM has scholarship funds available for Inquirers, Candidates and CRE trainees. Application is available on the Detroit Presbytery Website.

**For Action:**

- CPM presents Candidate Brendan Ashley (Pittsburgh Seminary, Final Assessment from Pittsburgh Presbytery) for examination for ordination. Mr. Ashley has received a call to serve as Designated Associate Pastor at Lake Shore Presbyterian Church.

**Biography** Brendan Ashley      November 19, 2022

My name is Brendan Ashley and I currently live in Detroit, MI. I am happily married to Ashley Ashley, who is the Associate Pastor at First Presbyterian Church of Plymouth. We have a cat named Augustine. If you are curious, yes, he is named after the theologian. I grew up in a military family and have lived all over the United States. I love sports of all forms and kinds, reading and writing, hanging with friends, cooking, exploring new places, and meeting new people.

I first heard the call to ministry at sixteen years old, when God spoke clearly through my grandmother who first articulated that I had gifts for ministry. In response to this encouragement, I attended Whitworth University in Spokane, WA, where I received a B.A. in Theology. While earning my B.A. I began to intern with a local church's youth group in order to explore my call to ministry. I also first learned about and felt drawn to missional theology while studying at Whitworth.

After graduating from Whitworth, I further pursued God's call to ministry by earning a Master of Divinity with a Church Planting Emphasis from Pittsburgh Theological Seminary. Over the course of my time in seminary, I was an intern at The Open Door and The Upper Room. I went on a number of lifechanging short-term mission trips with WMI. I was a Valentour award recipient, and explored the subject of the powers and principalities in Kenya, Guatemala, and Vietnam with my friend and ministry colleague Rev. Dr. Brian J. Lays. I also completed a Master of Divinity Thesis entitled, "*The missio Trinitatis in the Secular Age.*" Since graduating from seminary, I have served two churches in the Pittsburgh area as a student pastor. If the way be clear, I am excited and eager to serve a local congregation through my gifts of preaching, pastoral care, friendship and hospitality, and missional imagination and exploration.

I feel confident in my calling by God to be an ordained pastor in the PCUSA. I desire to help churches develop practices of worship, discipleship, and mission that allow space for churches to explore questions like "what is God up to in this world?" and "Who is my neighbor?"

This passion began through my experience with a local ministry called skate church. This church's willingness to connect with what my friends and I cared about allowed me to encounter the love and Grace of God in new ways. Now, as an adult, I want to continue this work and help congregations see that God works through our passions as a form of grace and a way to extend the gospel to those around us.

This calling intensified as I attended seminary and felt a particular call to church planting. I joined the Church Planting Initiative and interned with two missional communities. Through these experiences, I sensed my calling to ordained ministry, specifically as a missional pastor. I am excited to lead churches in radical hospitality and discernment of the Spirit's work in our world. I want to continue the work that God started with me at skate church.

Finally, after seminary as a student pastor I had an opportunity to explore my gifts for missional ministry. I took my experiences in skate church, my training from undergrad and seminary, and I applied it to my work with The Upper Room where I created a Missional Action Plan that incorporated mission into the worship and fellowship rhythms of the church. One specific example of this was a board game group that we used to help people see how the gospel connects the church with people in the neighborhood.

Brendan Ashley Statement of Faith November 19, 2022

I believe in the Triune God: Father, Son, and Holy Spirit. God is one in three persons, whose will is unified in creating, redeeming, and sustaining the universe.

I believe in Abba Father: a loving and trustworthy parent. God created the structure of the universe so that every good thing could inhabit it. God gave humans the gift of life, so that we would follow and reflect God's relational and trustworthy character in our obedience. We rebelled and rejected God's promise, and our relationship with God and one another became cracked and blurry. Despite this, God is faithful still.

I believe in Jesus Christ: fully human and fully God. The Virgin Mary conceived Jesus by the Holy Spirit, and gave birth to Jesus. His life and ministry revealed that he is the Lord and the long-expected Messiah of God's people. Jesus taught, healed, and called people to faithful discipleship. He challenged human boundaries and called for justice and reconciliation. Yet, in the sinfulness of humanity, we rejected and crucified Jesus. Jesus' sacrifice on the cross reveals God's victory over sin and death, and calls us to pick up our cross in faithful discipleship. The Father raised Jesus from the dead, and now we may share in the resurrection life by participating in the mission of God in the Church's witness. Jesus ascended to the right hand of the Father, assuring us that eternal life is offered to all of humanity. Jesus's saving work restores our relationship with God by the forgiveness of sins, and assures us that we will share in the resurrection.

I believe in the Holy Spirit: the one who gives inward assurance that the gospel of Jesus is true. The Spirit also invigorates us in our daily life. The Spirit works in us to establish faith and participate in God's mission, which calls, gathers and sends us as the church. In our weekly worship gathering, the Spirit both nourishes us by Word and Sacrament, and sends us forth on the mission of God in the world. The Spirit works in the reading, study, and proclamation of the Word, the saving work of Christ, and invites people to participate in the mission of God through Christian teaching and discipline. The Spirit sends the church as a witness of God's love and justice. The Church becomes a tangible sign of God's kingdom when God is known, loved, and obeyed. The kingdom of God is both present and coming; we participate in it by the Spirit, but it is yet to come in fullness. The mission of God compels the Church to break down divisions, seek justice, protect the vulnerable and speak words of hope.

Holy Scripture, the Old and New Testaments, is the unique and authoritative Word of God which sustains our life and faith. The people of God were inspired by the Spirit and wrote scripture as an account of the Triune God's movement and work in human history. The Bible still speaks to us today, through women and men, as it is studied, proclaimed, and lived. As such, we dwell in the Word together. The Spirit teaches us how to cultivate Christian community and participate in God's mission to bring the good news to the world.

The Church is sent by the God of mission to point to God's reign. The Church learns about God's mission as it gathers to worship God in Word and Sacrament. In doing so, the community of faith encounters the living and reigning Christ who calls it to go and live the gospel way. We first learn about this way in baptism, which is administered in the name of the Father, Son, and Holy Spirit, by which God declares to the Church that everyone has a place in God's family. When we celebrate the Lord's Supper, we receive the body and blood of Christ through the visible and tangible signs of bread and cup. The Lord's Supper provides a regular opportunity for us to be nourished in faith by encountering God in and through our senses.

God's redemption of the world will be fully experienced and intelligible when Jesus returns, as is promised at his Ascension. We live in the anticipatory hope of his return, and yet Jesus teaches us in the Gospels that we will not know the day or the hour of his appearing, so we should be prepared at any moment. For now, the Church participates in God's mission in faith, hope, and love, as a beacon to a waiting world.

November 2022 Meeting

**RECOMMENDATIONS TO THE PRESBYTERY**

THE COMMITTEE ON MONISTRY RECCOMENDS THAT PRESBYTERY:

***Calls / Contracts***

***Called and Installed Positions (Including Designated Pastor)***

1. **By Motion**, approve Designated Associate Pastor Call (pending successful examination for ordination by the Presbytery of Detroit with the **Brenden Ashley and Lake Shore Presbyterian Church** effective December 1<sup>st</sup> 2022. 40 hours per week.  
Total Effective Salary: \$51,584  
Total Benefits: \$16,583  
Reimburse Expenses: \$1,2000 Study Leave, \$1,800 Professional Expenses  
Total Cost to the Church: \$71,167  
Moving Expenses up to \$2500  
4Weeks Vacations (including 4 Sundays)  
2Weeks Study leave (included 2 Sundays)  
Church to pay and allow pastor to attend Transition in Ministry Workshop

***Supply/ Interim/ CRE/ Parish Associate***

2. **By motion**, approve the Interim Pastor Contract between **Geneva Presbyterian Church** and **Rev. Teresa Peterson** effective October 15th 2022 through October 14<sup>th</sup> 2023. 40 Hours per week.  
Total Effective Salary: \$ 62,400  
Total Benefits: \$27,862  
Other Benefits (403b Fidelity): \$ 5,200  
Reimburse Expenses: \$2,000 Study Leave, \$3,500 Professional Expenses  
Medical or FSA: \$2,200  
Total Cost to the Church \$97,962  
4 Vacations (including 4 Sundays)  
2 Weeks Study leave (included 2 Sundays)  
Church to pay and allow pastor to attend Transition in Ministry Workshop
3. **By motion**, approve the Supply Pastor contract between **Grosse Pointe Woods Presbyterian Church** and **Rev. Lindsey Andersen** effective September 1st 2022 through November 30th 2022. 6 Hours per week.  
Total Effective Salary: \$4,930  
Benefits (Social Security Reimbursements 7.65% of Effective): \$ 0

Reimburse Expenses: \$0 Study Leave, \$500 Professional Expenses  
Total Cost to the Church \$5,630  
4 Vacations (including 4 Sundays)  
2 Weeks Study leave (included 2 Sundays)  
Church to pay and allow pastor to attend Transition in Ministry Workshop

4. **By motion**, approve the Supply Pastor contract between **Faith Community Presbyterian Church of Novi** and **Rev. Michelle James** effective September 8th 2022 through September 7th 2023. 40 Hours per week.

Total Effective Salary: \$60,320  
Benefits: \$ 28,141  
Reimburse Expenses: \$1,000 Study Leave, \$1,500 Professional Expenses  
Total Cost to the Church \$90,961  
4 Vacations (including 4 Sundays)  
2 Weeks Study leave (included 2 Sundays)  
Church to pay and allow pastor to attend Transition in Ministry Workshop

5. **By motion**, approve the Supply Pastor contract between **Grosse Pointe Memorial Presbyterian Church** and **Rev. Jasmine Smart** effective November 1<sup>st</sup> 2022 through October 31<sup>st</sup> 2023. 40 Hours per week.

Total Effective Salary: \$86,900  
Benefits: \$ 15,339  
Reimburse Expenses: \$ 2,000 Study Leave, \$2,000 Professional Expenses  
Total Cost to the Church \$106,239  
4 Vacations (including 4 Sundays)  
2 Weeks Study leave (included 2 Sundays)  
Church to pay and allow pastor to attend Transition in Ministry Workshop

6. **By motion**, approve the Supply Pastor contract between **First Presbyterian Church of Troy** and **Rev. Dan Heaton** effective August 16th 2022 through August 15th 2023. 15 Hours per week.

Total Effective Salary: \$24,786  
Benefits \$ 24,786  
Reimburse Expenses: \$500 Study Leave, \$944 Professional Expenses,  
Federal Income Tax \$3600  
Total Cost to the Church \$29,830  
4 Vacations (including 4 Sundays)  
2 Weeks Study leave (included 2 Sundays)  
Church to pay and allow pastor to attend Transition in Ministry Workshop

7. **By motion**, approve the Parish Associate contract between **First Presbyterian Farmington Hills Church** and **Rev. Craig Aue** effective November 7<sup>th</sup> 2022 through November 6<sup>th</sup> 2023. 10 Hours per week.

Compensation and Benefits: \$25/hr

Reimburse Expenses: Professional and Travel not to exceed \$500  
Church to pay and allow pastor to attend Transition in Ministry Worksho

### *Dissolutions*

1. By Motion, approve the dissolution agreement between **First Presbyterian Church Farmington and Rev. Eddie Jusino** effective November 6<sup>th</sup>, 2022. Terms of the dissolution include payments of Salary, Equity Allowance, Board of Pension Coverage, and SECA, Professional/ Travel Allowance for six month. Including provisional leave buy out \$3,769 and provision for relocation ½ of actual (not to exceed \$10,000). Total financial package of \$39,927.
2. By Motion, approve the dissolution agreement between **Rev. Samuel An and New Hope Presbyterian Church** effective October 31st, 2022. Terms of dissolution have no financial impact.

### *Installation/ Ordination Commissions*

1. By motion, approve the Installation Commission to install the Rev. Mark Mares at First Presbyterian Church of Ann Arbor on Sunday, October 30, 2022 at 3:00 p.m. Members of the Commission are Moderator Rev. Jasmine Smart, Teaching Elders Rev. Jasmine Smart and Rev. Christina Hallam and Ruling Elders Jennifer Day (First Pres. AA) and Kevin Smith (First Warren)
2. By motion, approve the Installation Commission to install the Rev. Kathlyn Ferguson-Nealand at First Presbyterian Church Mount Clemens on October 9<sup>th</sup> at 3:00pm. Members of the Commission are Vice-Moderator Elder Kevin Smith; Teaching Elders Rev. Eddie Jusino, Rev. Adam Grosch; Ruling Elders Judy Jacobs (Mt. Clemens) and Rosy Latimore (First Presbyterian Birmingham).
3. By motion, approve the Installation Commission to install the Rev. Hae Kil Kim at Korean Presbyterian Church of Metro Detroit on November 13<sup>th</sup> 2022 at 3:00pm. Members of the Commission are Moderator Rev. Jasmine Smart; Teaching Elders Rev. Scott Phillips and Rev. Beth Delaney; Ruling Elders Kevin Smith (First Presbyterian Warren) and Rosy Latimore (First Presbyterian Birmingham).
4. By motion, approve the Installation Commission to install the Rev. Kimberly Ashby at Saline Presbyterian Church on November 19<sup>th</sup> at 9:30am. Members of the Commission are Vice-Moderator Ruling Elder Kevin Smith; Teaching Elders Scott Phillips, Rev. Budge Gere, Rev. Jackie Spycher and Ruling Elders Margaret Klammer (Westminster Ann Arbor), Bari Livsey (First Saline) and Ken Pendergrass (First Ypsi).

### *Retirements*

1. Grant the status of Honorably Retired to the Rev. Keith Cornfield effective January 31st 2023. Rev. Cornfield served as Stated Supply Pastor at Calvary Presbyterian Church of Ann Arbor.

### *Transfers out of the Presbytery of Detroit*

1. By motion, approve Transfer of Membership of the Rev. Samuel An from Detroit Presbytery to Long Island Presbytery.
2. By motion, approve Transfer of Membership of the Rev. Andrew M Frazier from Detroit Presbytery to Mission Presbytery.
3. By motion, approve Transfer of Membership of the Rev. Eun Joo (Angela) Ryo from Detroit Presbytery to the Wabash Valley Presbytery.
4. By motion, approve Transfer of Membership of the Rev. Samuel An from Detroit Presbytery to Long Island Presbytery.

### *At- Large*

1. Move Rev. Evans McGowan membership to member at large with the Presbytery of Detroit.
2. Move Rev. Eddie Justino membership to member at large with the Presbytery of Detroit.

### **INFORMATION TO THE PRESBYTERY**

#### THE COMMITTEE ON MINISTRY:

1. Approve sabbatical request from Rev. Joel Puntigam and St. Timothy's Presbyterian Church of Livonia in May-July 2023
2. First Presbyterian Church Brighton rationale for hiring Associate Pastor
3. Approval of Stated Supply Job Description for New Hope Presbyterian Church
4. Under successful completion of the Polity Ordination Exam, COM permits the Rev. Dr. Gregory Bryant to moderate the session at Calvary Presbyterian Church.
5. Updated the Validated Ministry Policy
6. Rev. Ken Kaibel nominated to serve as moderator of First Presbyterian Church in Farmington effective October 18<sup>th</sup>, 2022
7. Approve Parish Associate Craig Aue to continue contract until transitional pastor is in place at First Presbyterian Church Farmington.
8. Rev. Michelle James nominated to serve as moderator at New Hope Presbyterian Church effective November 3<sup>rd</sup>.
9. Approval of MIF for Jefferson Avenue
10. Lake Shore Presbyterian Church granted permission to call a congregational meeting to elect associate pastor.
11. Request to add the Rev. John Pavelko (HR) to the Pulpit Supply List
12. Request to add Eligible Commissioned Ruling Elder Pat Johnson to Pulpit Supply List
13. Review of Geneva Self Study









**RECOMMENDATIONS OF STATED CLERK MARIANNE GRANO  
TO THE PRESBYTERY OF DETROIT  
November 19, 2022**

**RECOMMENDATIONS UNDER BUSINESS**

**FOR ACTION AS OMNIBUS MOTION (2):**

Approve the following proposed amendments to the Book of Order (**Paper F-1**, all proposed amendments; **Paper F-2**, amendments voted on at this meeting):

1. Amendment 22C (electronic meetings);
2. Amendment 22D (congregational meeting requirement of proposed new Rules of Discipline);
3. Amendment 22N (electronic meetings);
4. Amendment 22O (requiring boundaries training and sexual abuse training);
5. Amendment 22V (allowing laypersons to lead prayer after communion);
6. Amendment 22X (adding statements re: household worship);
7. Amendment 22Y (adding statements re: household worship, mealtime blessings);
8. Amendment 22AA (broadening description of pastoral ministries to which ministers may be called);
9. Amendment 22BB (amending Book of Order to reflect that “healing happens in a variety of ways and wholeness is not necessarily synonymous with physical recovery”)
10. Amendment 22EE (investigating committee must inform both accuser and accused of a decision of no charges filed);
11. Amendment 22FF (amending “the accused” in Rules of Discipline to “the person accused” wherever it is found).

**FOR ACTION AS OMNIBUS MOTION (3):**

1. ADMINISTRATIVE COMMISSIONS:

Approve the reports of the following Administrative Commissions:

Interim Report of the Administrative Commission for Westminster Detroit (Paper F-3)

Interim Report of the Administrative Commission for St. John's Detroit (Paper F-4)

Interim Report of the Administrative Commission for Dearborn-Littlefield (Paper F-5)

Interim Report of the Administrative Commission for Milford (Paper F-6)

Interim Report of the Administrative Commission for Pontiac-Joslyn Ave. (Paper F-7)

Report of the Administrative Commission for the Installation of Mark Mares (Paper F-8)

Report of the Administrative Commission for the Installation of Kathlyn R. Ferguson-Nealand (Paper F-9)

2. Approve the report of the Moderator concerning actions taken following the last meeting. (Paper F-10)

3. Approve the results of the Review of Session Records. (Paper F-11).

4. Moved by the Committee to Analyze Separation Agreement: to receive its first report on February 25, as the January 28 event is not a business meeting, and the Committee will not have a report before that date.

**FOR INFORMATION**

1. The Synod of the Covenant Investigating Committee has completed its work regarding the disciplinary complaint which was referred to the Synod from the Presbytery of Detroit during the special meeting in January 2021 because the complaint involved conflicts of interest. “In response to the written statement of offense received by the stated clerk of the Presbytery of Detroit, and for which the Synod of the Covenant assumed jurisdiction. The Investigating Committee has determined, in accordance with G-3.0102 and D-2.0203b, that there

are no probable grounds or cause to believe an offense was committed by the accused. All parties were informed of the decision. This matter is closed.”

2. The Administrative Commission of the Synod of the Covenant formed to investigate and resolve issues involving Presbytery of Detroit executive level personnel issues submitted an interim report. The Synod at its October 20-22 Synod Assembly allowed members of the Detroit Presbytery to comment on the report. Based on the feedback received and its own analysis, the Administrative Commission would amend the report to remove statements that were not fully investigated. Further, the Administrative Commission would be expanded, some members having resigned, and new members being appointed based on their expertise. The reconstituted AC would then receive additional training and continue its work.

3. A report was received from the Synod of the Covenant and is attached as Paper F-12.

4. The Stated Clerk reports that after a process of over two years and a number of examinations she has received the credential of Registered Parliamentarian from the National Association of Parliamentarians, This is the second level of certification and qualifies her to provide advice to organizations on Robert's Rules of Order.

## 22-C — G-1.0501

### MEETINGS OF THE CONGREGATION

#### G-1.0501 MEETINGS (ROD-06 2)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

**Shall a new G-1.0501 be inserted into the Form of Government and the current G-1.0501 and subsequent sections be renumbered accordingly, as follows?**

(Added text is in *italics*.)

**“G-1.0501     *Meetings***

*“Meetings shall be opened and closed with prayer. Unless the congregation shall designate another parliamentary authority in its bylaws, meetings shall be conducted in accordance with the most recent edition of Robert’s Rules of Order Newly Revised, except when it is in contradiction to this constitution.*

*“In accordance with the requirement of Robert’s Rules of Order Newly Revised, congregations and their committees may meet electronically at the discretion of their sessions, provided that the technology employed allows for all members present to hear and be heard simultaneously. This includes joining one or more persons electronically to an otherwise in-person meeting. Congregations should adopt special rules of order and standing rules to govern such meetings.*

**“G-1.0502     Annual and Special Meetings**

**The congregation shall hold an annual meeting ...”**

#### Background and Rationale

Rationale for Recommendation 3 (Note: No additional rationale was included for Recommendation 2.)

The Foundations of Presbyterian Polity states that in our church “decisions shall be reached in councils by vote, following opportunity for discussion and discernment, and a majority shall govern” (F-3.0205). At the core of our understanding of church governance is the notion that the Holy Spirit is present “where two of three are gathered” and guides us in discerning the will of God in our decision making.

The absence of constitutional language authorizing electronic meetings has proved problematic at all levels of the PC(USA) since the arrival of the COVID-19 pandemic, including in disciplinary processes. The proposed language would remedy that by authorizing electronic meetings in congregations and councils of the church, while still requiring that for proper discernment and decision making to occur, participants must be able to “hear and be heard simultaneously,” or as it is stated in our parliamentary authority, provide for the “opportunity for simultaneous aural communication” (RONR 12th ed. 9:31).

It is not the intent of these additions to require electronic meetings or to mandate any specific processes or procedures. Congregations and councils may make those determinations themselves.

Additionally, the proposed revision of the Rules of Discipline sometimes explicitly states that meeting face to face is preferable. But as we all learned in 2020 and 2021, sometimes that is simply not possible. These additions provide the authorization required by our parliamentary authority to use electronic meetings whenever a congregation, council, or entity of a council determines that it should do so, in accordance with whatever rules that congregation or council so adopts.

**Advice—From the Advisory Committee on the Constitution (ACC)**

The Advisory Committee on the Constitution advises the 225th General Assembly to approve ROD-06. The adoption of these amendments assumes the adoption of the proposed revision of the Rules of Discipline of the *Book of Order* (Part II of the Constitution) and references the language of those amendments.

The amendments proposed in Recommendation 2 and 3 regarding electronic meetings enshrines the option in the constitution; thus, congregations and councils of the church have the ecclesiastical authority to meet by electronic means.

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The Assembly Committee on Rules of Discipline approved Item ROD-06 2, 24/1. The 225th General Assembly (2022) approved Item ROD-06 2, 378/1.

For the full report on ROD-06, go to <https://www.pc-biz.org/#/committee/3000083/business>.

## 22-D — G-1.0503

### MEETINGS OF THE CONGREGATION

#### G-1.0503 BUSINESS PROPER TO CONGREGATIONAL MEETINGS (ROD-06 1)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

#### **Shall G-1.0503 in the Form of Government be amended as follows?**

(Deleted text is in ~~strike through~~; added text is in *italics*.)

#### **“G-1.0503 Business Proper to Congregational Meetings**

**Business to be transacted at meetings of the congregation shall be limited to matters related to the following: ...**

**... f. approving a plan for the creation of a joint congregational witness, or amending or dissolving the joint congregational witness (G-5.05);**

***g. receiving a disciplinary decision against a member of the congregation as required by D-9.0102.”***

### Background and Rationale

#### Rationale for Recommendation 1

Adoption of these amendments is assumed in the proposed revision, which references the language of the amendments.

The proposed revision of the Rules of Discipline, to become Church Discipline, includes a new requirement for decisions with a finding of guilt in disciplinary processes against church members to be reported to the congregation of membership. This is to ensure that such findings are known to the body of membership as part of the overall goal of the restoration of trust in the community. It is a parallel to the requirement that disciplinary decisions against ministers of the Word and Sacrament be read to the entire presbytery of membership (current D-11.0700, and proposed D-9.0102b).

This provision is referenced in both proposed D-9.0102a (dealing with disciplinary decisions of sessions) and proposed D-9.0102c (dealing with disciplinary decisions of presbyteries against members of congregations). It should be noted that this meeting is also required when an alternative resolution is adopted, because of the requirement that such a resolution must be transmitted “to the clerk of session or the stated clerk, who shall report it according to the provisions of D-9.0102.”

The amendment is necessary because business at congregational meetings is limited to those matters specifically listed in G-1.0503.

**Advice—From the Advisory Committee on the Constitution (ACC)**

The Advisory Committee on the Constitution advises the 225th General Assembly to approve ROD-06. The adoption of these amendments assumes the adoption of the proposed revision of the Rules of Discipline of the *Book of Order* (Part II of the Constitution) and references the language of those amendments.

The amendment proposed in Recommendation 1 will synchronize the Form of Government with the Rules of Discipline.

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The Assembly Committee on Rules of Discipline approved Item ROD-06 1, 24/1. The 225th General Assembly (2022) approved Item ROD-06 1, 378/1.

For the full report on ROD-06, go to <https://www.pc-biz.org/#/committee/3000083/business>.



## 22-N — G-3.0105

### GENERAL PRINCIPLES OF COUNCILS

#### G-3.0105 MEETINGS (ROD-06 3)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

**Shall G-3.0105 in the Form of Government be amended as follows?**

(Added text is in *italics*.)

**“G-3.0105 Meetings**

**“Meetings of councils shall be opened and closed with prayer. Meetings shall be conducted in accordance with the most recent edition of Robert’s Rules of Order Newly Revised, except when it is in contradiction to this Constitution. Councils may also make use of processes of discernment in their deliberations prior to a vote as agreed upon by the body.**

*“In accordance with the requirement of Robert’s Rules of Order Newly Revised, councils and their commissions and committees may meet electronically, provided that the technology employed allows for all members present to hear and be heard simultaneously. This includes joining one or more persons electronically to an otherwise in-person meeting. Councils should adopt special rules of order and standing rules to govern such meetings.”*

#### Background and Rationale

##### Rationale for Recommendation 3

The Foundations of Presbyterian Polity states that in our church, “decisions shall be reached in councils by vote, following opportunity for discussion and discernment, and a majority shall govern” (F-3.0205). At the core of our understanding of church governance is the notion that the Holy Spirit is present “where two of three are gathered,” and guides us in discerning the will of God in our decision making.

The absence of constitutional language authorizing electronic meetings has proved problematic at all levels of the Presbyterian Church (U.S.A.) since the arrival of the COVID-19 pandemic, including in disciplinary processes. The proposed language would remedy that by authorizing electronic meetings in congregations and councils of the church, while still requiring that for proper discernment and decision making to occur, participants must be able to “hear and be heard simultaneously,” or as it is stated in our parliamentary authority, provide for the “opportunity for simultaneous aural communication” (RONR 12th ed. 9:31).

It is not the intent of these additions to require electronic meetings or to mandate any specific processes or procedures. Congregations and councils may make those determinations themselves. Additionally, the proposed revision of the Rules of Discipline sometimes explicitly states that meeting face to face is preferable. But as we all learned in 2020 and 2021, sometimes that is simply not possible. These additions provide the authorization required by our parliamentary authority to utilize electronic

meetings whenever a congregation, council, or entity of a council, determines that it should do so, and in accordance with whatever rules that congregation or council so adopts.

**Advice—From the Advisory Committee on the Constitution (ACC)**

The Advisory Committee on the Constitution advises the 225th General Assembly to approve ROD-06. The adoption of these amendments assumes the adoption of the proposed revision of the Rules of Discipline of the Book of Order (Part II of the Constitution) and references the language of those amendments.

The amendments proposed in Recommendation 2 and 3 regarding electronic meetings enshrines the option in the Constitution; thus, congregations and councils of the church have the ecclesiastical authority to meet by electronic means.

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The Assembly Committee on Rules of Discipline approved Item ROD-06 3, 24/1. The 225th General Assembly (2022) approved Item ROD-06 3, 378/1.

For the full report on ROD-06, go to <https://www.pc-biz.org/#/committee/3000083/business>.

## 22-O — G-3.0106

### GENERAL PRINCIPLES OF COUNCILS

#### G-3.0106 ADMINISTRATION OF MISSION (HSB-05 9)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

**Shall G-3.0106 in the Form of Government be amended as follows?**

(Added text is in *italics*.)

**“G-3.0106 Administration of Mission**

**Mission determines the forms and structures needed for the church to do its work. Administration is the process by which a council implements its decisions. Administration enables the church to give effective witness in the world to God’s new creation in Jesus Christ and strengthens the church’s witness to the mission of the triune God.**

**Councils higher than the session may provide examples of policies and procedures that may be gathered into advisory handbooks. These examples illumine practices required by the Constitution but left to councils for specific implementation. Such handbooks may also offer information that enhances or secures the ministry of the particular council.**

**Each council shall develop a manual of administrative operations that will specify the form and guide the work of mission in that council.**

**All councils shall adopt and implement a sexual misconduct policy and a child and youth protection policy. *Each council’s policy shall include requirements for boundary training which includes the topic of sexual misconduct, and child sexual abuse prevention training for its members at least every thirty-six months.*”**

#### **Background and Rationale**

This proposed amendment originated as a recommendation from the GA Health Safety and Benefits Committee as Recommendation 9 attached to the Survivors of Sexual Misconduct Task Force recommendations. The HSB committee concluded that the denomination needs to mandate boundary training and child protection training for all members of councils including sessions of congregations, presbyteries, synods and the general assembly.

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The Assembly Committee on Health Safety and Benefits amended the original Recommendation 4 and then approved Item HSB-05 9, 36/2. The 225th General Assembly (2022) approved Item HSB-05 9, 351/24.

For the full report on HSB-05, go to <https://www.pc-biz.org/#/committee/3000084/business>.

## 22-V — W-3.0414

### SACRAMENT

#### W-3.0414 COMMUNION (TWE-05 4)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

**Shall the second paragraph of W-3.0414 in the Directory of Worship be amended as follows?**

(Deleted text is in ~~strike~~through; added text is in *italics*.)

**“W-3.0414    Communion ...**

**“... When all have received the bread and cup, the remaining elements are placed on the table. ~~The minister of Word and Sacrament then leads the people in prayer.~~ *A prayer follows, thanking God for the gift of the Sacrament and asking for grace to live and serve faithfully until the coming of Christ’s realm in fullness.*”**

#### **Background and Rationale**

The recommendations in TWE-05 are in response to the following referral: 2018 Referral: Item 14-02. On Amending Portions of the Directory for Worship. Recommendation 1.–10. The Assembly Referred Recommendations 1.–10. To the Presbyterian Mission Agency, Office of Theology and Worship—From the Presbytery of Santa Fe (*Minutes*, 2018, Part I, pp. 14, 17, 355–58 of the print copy, pp. 1198–1205 of the electronic copy).

This amendment provides for more flexibility in the prayer after communion, including the use of a unison congregational prayer.

#### **Advice—From the Advisory Committee on the Constitution (ACC)**

The Advisory Committee on the Constitution advises the 225th General Assembly (2022) to approve Recommendation 4 of Item TWE-05. Recommendation 4 in this overture would eliminate the requirement that the prayer after communion be led only by a minister of the Word and Sacrament or ruling elder authorized by the presbytery to administer communion. The ACC finds that the language of W-3.0414 is unnecessarily restrictive and amendment is advisable.

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The Assembly Committee on Theology, Worship, and Education approved Item TWE-05 4, 31/0. The 225th General Assembly (2022) then approved Item TWE-05 4, 395/4.

For the full report on TWE-05, go to <https://www.pc-biz.org/#/committee/3000081/business>.

## 22-W — W-4.0403

### ORDINATION, INSTALLATION, AND COMMISSIONING

#### W-4.0403 ORDER OF WORSHIP (TWE-06)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

**Shall W-4.0403 in the Directory of Worship be amended as follows?**

(Added text is in *italics*.)

#### **“W-4.0403     Order of Worship**

**“A service of ordination, installation, or commissioning focuses on Christ and the joy and responsibility of serving him through the mission and ministry of the church. Following the sermon, the moderator (or designee) of the appropriate council briefly states the nature of the ministry to which persons are being ordained, installed, or commissioned. Those who are being ordained, installed, or commissioned gather at the baptismal font. The moderator (or designee) asks them the constitutional questions (see W-4.0404). A ruling elder asks the corresponding questions of the congregation. When all questions have been answered in the affirmative, those to be ordained will kneel, if able, for the laying on of hands and the prayer of ordination. (The presbytery commission lays on hands at the ordination of minister of the Word and Sacrament; its moderator may invite other ministers of the Word and Sacrament and ruling elders to participate. Members of the session lay on hands at the ordination of ruling elders and deacons; the session may invite other ruling elders and ministers of the Word and Sacrament to participate. Because ordination only takes place once for each office, the laying on of hands is not repeated.) Those previously ordained will stand, if able, along with the congregation, for the prayer of installation. *Signs and symbols of blessing may be conferred on the newly installed or commissioned person.* After this, the moderator makes the declaration of ordination, installation, or commissioning. Members of the session or presbytery welcome the newly ordained, installed, or commissioned person(s). In the case of the installation of a minister of the Word and Sacrament, persons may be invited to charge the minister of the Word and Sacrament and congregation to faithfulness in ministry and mutuality in relationship. When a minister of the Word and Sacrament is ordained or installed, it is appropriate for that person to preside at the Lord’s Supper in the same service; she or he may also give the blessing at the conclusion of the service. When ruling elders or deacons are ordained or installed, it is appropriate for one or more of them to give the charge to the congregation at the conclusion of the service.”**

#### **Background and Rationale**

[Editor’s note: The TWE Committee amended the overture following the advice of the Advisory Committee on the Constitution and the Presbyterian Mission Agency. This edited background and rationale is for the original overture’s proposed amendment. For the full rationale and original overture, see the PC-Biz link below.]

The laying on of hands is not a sacrament but an act of diverse meanings as witnessed in scripture and the Reformed tradition. It is affirmed by the *Book of Order* and Directory for Worship as an act that is appropriate to various situations in the worship of life of Presbyterians, an act that conveys the “gracious action of God and communicate[s] our grateful response” (W-1.0303, see also W-2.0202, W-3.0407, W-4.0401–.0403, W-5.0204).

The Confession of 1967 includes these words in 9.39–9.40: “... In recognition of special gifts of the Spirit and for the ordering of its life as a community, the church calls, trains, and authorizes certain members for leadership and oversight. The persons qualified for these duties in accordance with the polity of the church are set apart by ordination or other appropriate act and thus made responsible for their special ministries. The church thus orders its life as an institution with a constitution, government, officers, finances, and administrative rules. These are instruments of mission, not ends in themselves. ...”

Ordination is an act of the institution, one of the ways we order our life for mission. Candidates are ordained to a particular service, a call, emphasizing the pragmatic, functional nature of ordained ministry. As the *Book of Order* says, “In baptism, each Christian is called to ministry in Christ’s name. God calls some persons from the midst of congregations to *fulfill particular functions*, so that the ministry of the whole people of God may flourish. ...” (W-4.0401, emphasis added). And, “... The gifts of the Spirit are for building up the Church. Every action in worship is to glorify God and contribute to the good of the people. Worshipers and worship leaders must avoid actions that only call attention to themselves and fail to serve the needs of the whole congregation. ...” (W-2.0202)

The proposed change to the Directory of Worship is from restrictive language to permissive language: the laying on of hands would not be required at installations as there may be occasions when, because of ecumenical considerations or a candidate’s preferences regarding physical contact, it would not be appropriate or edifying. In such a change we reaffirm Calvin’s own guide for worship practices: “But love will best judge what may hurt or edify; and if we let love be our guide, all will be safe” (*Institutes*, IV.x.30).

### **Advice—From the Advisory Committee on the Constitution (ACC)**

This advice applies to the original overture.

Should the 225th General Assembly (2022) desire to authorize some act of the congregation to signify its blessing upon the newly installed or commissioned person, the Advisory Committee on the Constitution advises that W-4.0403 be amended as follows (suggestions appear in ~~strike through~~ and *italics*): “... [Because ordination only takes place once for each office, the laying on of hands is not repeated.] ~~The moderator may invite the commission and all members of the congregation to participate in the laying on of hands for commissioning and blessing the newly installed minister of Word and Sacrament, ruling elders, or deacons.~~ Those previously ordained will stand, if able, along with the congregation, for the prayer of installation. [*Signs and symbols of blessing may be conferred on the newly installed or commissioned person.*] After this, the moderator makes the declaration of ordination, installation, or commissioning. Members of the session or presbytery welcome the newly ordained, installed, or commissioned person(s).” (The remainder of the paragraph remains unchanged.)

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The Assembly Committee on Theology, Worship, and Education amended and approved Item TWE-06, 27/3. The 225th General Assembly (2022) approved Item TWE-06, 371/23.

For the full report on TWE-06, go to <https://www.pc-biz.org/#/committee/3000081/business>.

## 22-X — W-5.0104

### WORSHIP AND PERSONAL LIFE

#### W-5.0104 HOUSEHOLD WORSHIP (TWE-05 5)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

**Shall W-5.0104 in the Directory of Worship be amended as follows?**

(Added text is in *italics*.)

#### **“W-5.0104 Household Worship**

**“We respond to God’s grace in the context of personal relationships, particularly when Christians who live together worship together. *Household worship is a central and important practice within the Reformed tradition, an important means of faith formation.* Opportunities for household or family worship include: sabbath-keeping and rhythms of daily prayer; Bible reading, study, or memorization; prayers before meals; singing hymns, psalms, and spiritual songs; and expressions of giving, sharing, and service to others. Congregations are encouraged to nurture and equip households and families for these practices.”**

#### **Background and Rationale**

The recommendations in TWE-05 are in response to the following referral: 2018 Referral: Item 14-02. On Amending Portions of the Directory for Worship. Recommendation 1.–10. The Assembly Referred Recommendations 1.–10. To the Presbyterian Mission Agency, Office of Theology and Worship—From the Presbytery of Santa Fe (*Minutes*, 2018, Part I, pp. 14, 17, 355–58 of the print copy, pp. 1198–1205 of the electronic copy).

This amendment asserts the importance of household worship in faith formation.

#### **Advice—From the Advisory Committee on the Constitution (ACC)**

The Advisory Committee on the Constitution advises the 225th General Assembly (2022) that this item does not present issues of polity. Recommendation 5 of Item TWE-05 would add a sentence emphasizing the role of household worship. If the 225th General Assembly (2022) believes that the intent of Item TWE-05 Recommendation 5 is appropriate, the ACC advises that the proposed language is clear and consistent with that intent.

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The Assembly Committee on Theology, Worship, and Education approved Item TWE-05 5, 31/0. The 225th General Assembly (2022) approved Item TWE-05 5, 395/4.

For the full report on TWE-05, go to <https://www.pc-biz.org/#/committee/3000081/business>.

## 22-Y — W-5.0104

### WORSHIP AND PERSONAL LIFE

#### W-5.0104 HOUSEHOLD WORSHIP (TWE-05 6)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

**Shall W-5.0104 in the Directory of Worship be amended to add a third paragraph as follows?** (Added text is in *italics*.)

**“W-5.0104 Household Worship ...**

*“... Prayers of thanks and blessing, and lament at the household table draw upon ancient Jewish practice and the examples of Jesus, his disciples, and the early Christian community. Mealtimes provide opportunities to give thanks to God’s works of creation and redemption by which we are sustained for Christ’s service. We respond with heartfelt thanks and praise in the sharing of our daily bread.”*

#### **Background and Rationale**

The recommendations in TWE-05 are in response to the following referral: 2018 Referral: Item 14-02. On Amending Portions of the Directory for Worship. Recommendation 1.–10. The Assembly Referred Recommendations 1.–10. To the Presbyterian Mission Agency, Office of Theology and Worship—From the Presbytery of Santa Fe (*Minutes*, 2018, Part I, pp. 14, 17, 355–58 of the print copy, pp. 1198–1205 of the electronic copy).

This amendment stresses the significance of mealtimes prayers in household worship.

#### **Advice—From the Advisory Committee on the Constitution (ACC)**

The Advisory Committee on the Constitution advises the 225th General Assembly (2022) that this item does not present issues of polity. Recommendation 6 in TWE-05 would add a paragraph emphasizing the role of mealtimes prayers to the section on household worship. If the 225th General Assembly (2022) finds Recommendation 6 is appropriate, the ACC advises that the proposed language is clear and consistent with that intent.

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The Assembly Committee on Theology, Worship, and Education approved Item TWE-05 6, 30/1. The 225th General Assembly (2022) approved Item TWE-05 6, 395/4.

For the full report on TWE-05, go to <https://www.pc-biz.org/#/committee/3000081/business>.



## 22-AA — W-5.0204

### WORSHIP AND THE CHURCH'S MINISTRY WITHIN THE COMMUNITY OF FAITH

#### W-5.0204 PASTORAL CARE (TWE-05 7)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

**Shall the third paragraph of W-5.0204 in the Directory of Worship be amended as follows?** (Deleted text is in ~~strike through~~; added text is in *italics*.)

#### **“W-5.0204 Pastoral Care ...**

**“... All members are called to take part in the ministry of pastoral care, visiting the sick, supporting the weak, and comforting those who mourn. Ruling elders, deacons, and ministers of the Word and Sacrament have particular responsibility for the exercise of pastoral care within the community of faith. Those with special gifts and appropriate training may be called to *the particular specialized pastoral care ministries of pastoral counseling, or chaplaincy*. In certain circumstances, persons may need to be referred to other qualified and credentialed professionals to receive appropriate counseling and care.”**

#### **Background and Rationale**

The recommendations in TWE-05 are in response to the following referral: 2018 Referral: Item 14-02. On Amending Portions of the Directory for Worship. Recommendation 1.–10. The Assembly Referred Recommendations 1.–10. To the Presbyterian Mission Agency, Office of Theology and Worship—From the Presbytery of Santa Fe (*Minutes*, 2018, Part I, pp. 14, 17, 355–58 of the print copy, pp. 1198–1205 of the electronic copy).

This amendment includes spiritual direction among the examples of specialized ministries of pastoral care while seeking to avoid the appearance of an exhaustive list.

#### **Advice—From the Advisory Committee on the Constitution (ACC)**

The Advisory Committee on the Constitution advises the 225th General Assembly (2022) that Recommendation 7 of Item TWE-05 presents issues that the assembly should consider. This recommendation would add “spiritual direction” to the already named ministries of pastoral care. It has added “particular specialized” and “such as” so that the list created by the addition of “spiritual direction” would not be presumed to be exhaustive. However, the addition of more language is counter to recent constitutional changes that give various councils parameters and responsibility to define their own practices. Decisions about appropriate validated ministries are properly left to the individual presbyteries. In addition, the creation of a list invites more items to be added to it.

The ACC finds that if the assembly believes it is appropriate to expand the understanding of pastoral care ministries, it can be better accomplished, while addressing the issues presented above, by striking “the ministries of pastoral counseling or chaplaincy” in W-5.0204 and inserting “particular specialized pastoral care ministries” so that it would read “Those with special gifts and appropriate

training may be called to ~~the ministries of pastoral counseling or chaplaincy~~ [*particular specialized pastoral care ministries*].”

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The Assembly Committee on Theology, Worship, and Education amended and approved Item TWE-05 7, 32/0. The 225th General Assembly (2022) approved Item TWE-05 7, 395/4.

For the full report on TWE-05, go to <https://www.pc-biz.org/#/committee/3000081/business>.

## 22-BB — W-5.0204

### WORSHIP AND THE CHURCH'S MINISTRY WITHIN THE COMMUNITY OF FAITH

#### W-5.0204 PASTORAL CARE (TWE-05 8)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

**Shall the fourth paragraph of W-5.0204 in the Directory of Worship be amended as follows?** (Deleted text is in ~~strike through~~; added text is in *italics*.)

#### **“W-5.0204 Pastoral Care...**

**“Services of wholeness and healing are one way of enacting the church’s ministry of pastoral care. The central element in these services is prayer, calling upon God’s saving grace or giving thanks for healing received, *in life and in death, in body, mind, or spirit*. A service of wholeness includes the proclamation of the Word, focusing on the promise of *peace and abundant life in Christ*. Prayer may be enacted through the laying on of hands and anointing with oil, provided that these actions are carefully introduced and interpreted: healing ~~always~~ *in its many forms* comes as a gift from God, not as a product *an accomplishment* of human prayer. The Lord’s Supper is a fitting way to seal the promise of wholeness proclaimed in the Word. Services of wholeness are to be authorized by the session and are under the direction of the minister of Word and Sacrament, but may involve leadership from ruling elders, deacons, and others with gifts for prayer. They may take place on a regular basis, as an occasional event, or as a part of the Service for the Lord’s Day.”**

#### **Background and Rationale**

The recommendations in TWE-05 are in response to the following referral: 2018 Referral: Item 14-02. On Amending Portions of the Directory for Worship. Recommendation 1.–10. The Assembly Referred Recommendations 1.–10. To the Presbyterian Mission Agency, Office of Theology and Worship—From the Presbytery of Santa Fe (*Minutes*, 2018, Part I, pp. 14, 17, 355–58 of the print copy, pp. 1198–1205 of the electronic copy).

This amendment offers theological and pastoral perspective on the nature of healing and wholeness: that healing happens in a variety of ways and wholeness is not necessarily synonymous with physical recovery.

#### **Advice—From the Advisory Committee on the Constitution (ACC)**

The Advisory Committee on the Constitution advises the 225th General Assembly (2022) to approve Recommendation 8 of Item TWE-05. This recommendation would amend the paragraph describing services of wholeness and healing. The ACC finds that the first proposed amendment, the insertion of the words “in life and in death, in body, mind, or spirit;” the deletion of “abundant” and insertion of “ultimate well-being through” are unnecessary stylistic changes that do not present issues of polity. The ACC finds that a) deletion of the word “always” and insertion of “in its many forms” and b)

deletion of “a product” and insertion of “not an accomplishment of human prayer” are helpful clarifications.

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The Assembly Committee on Theology, Worship, and Education approved Item TWE-05 8, 31/0. The 225th General Assembly (2022) approved Item TWE-05 8, 395/4.

For the full report on TWE-05, go to <https://www.pc-biz.org/#/committee/3000081/business>.

## 22-EE — D-10.0303

### COMMUNICATE DETERMINATION

#### D-10.0303 PETITION FOR REVIEW (ROD-04 1)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

**Shall the first paragraph of D-10.0303 in the current Rules of Discipline be amended as follows?**

(Deleted text is in ~~strike~~through; added text is in *italics*.)

#### **“D-10.0303    Petition for Review**

**“If no charges are filed, the investigating committee shall file a written report of that fact alone with the clerk of session or stated clerk of the presbytery, and notify ~~the person who submitted the written statement~~, *in writing, both the person who has been accused and the person making the accusation.*”**

#### **Background and Rationale**

[Editor’s note: The assembly approved these proposed amendments to the current Rules of Discipline in the event that the Rules of Discipline will not be replaced by Church Discipline. If Church Discipline is approved by majority vote of presbyteries, it will replace the entire current Rules of Discipline, including any amendments to the current Rules of Discipline.]

Accusations are extremely easy to make, whether made by an individual or by a person doing so on behalf of another. When the credibility of those accusations has been substantiated, the Constitution clearly and unambiguously states that an investigative committee “shall promptly inform the accused” if charges are to be made. However, it is silent about the accused’s right to be notified when no charges are to be filed, even though written notice of this outcome is provided to the accuser. When individuals in positions of trust have gone through the protracted ordeal of being forced to defend themselves against charges and accusations that can neither be substantiated by objective facts and/or are deemed to be completely untrue, equity requires they be expeditiously notified of this conclusion as well. This omission constitutes a procedural error and undermines the justice process.

The Constitution’s current language also conveys an impression of bias and partiality, in that it describes one member (the “accused”) by way of labeling but uses supportive and affirming language to describe the other (“the person who submitted the written statement”). Labeling one and not the other is harmful because, consciously or subliminally, it fosters a presumption of guilt on the accused and freedom from guilt on the person making the accusation. Reframing the Constitution’s language removes these false assumptions and more faithfully takes into consideration the purpose of church discipline (D-1.01011).

The additional word revisions would, respectively, promote language consistency throughout the document and provide grammatical clarity.

### **Advice—From the Advisory Committee on the Constitution (ACC)**

The Advisory Committee on the Constitution advises the 225th General Assembly to disapprove ROD-04.

ROD-03 requests the amendment of the current Rules of Discipline. The proposed Church Discipline revision is before the same assembly which would, if approved, replace the current Rules of Discipline section of the *Book of Order*. Should the General Assembly affirmatively adopt Church Discipline as proposed by the Rules of Discipline Task Force, the ACC would recommend that this overture be answered by the assembly's action on Church Discipline (ROD-03).

Should the General Assembly not adopt Church Discipline as proposed by the Rules of Discipline Task Force, the ACC advises the General Assembly as follows:

The overture proposes three changes to the current Rules of Discipline.

The Advisory Committee on the Constitution recommends to the 225th General Assembly that Recommendation 1 be approved. Recommendation 1 changes the requirement that, if no charges are filed, the clerk or stated clerk notifies in writing both the person who has been accused and the person making the accusation. Equity requires that both parties be advised of the investigating committee's decision not to file charges and is an appropriate change to the Rules of Discipline.

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The Assembly Committee on Rules of Discipline amended and approved Item ROD-04 1, 18/4. The 225th General Assembly (2022) approved Item ROD-04 1, 326/19.

For the full report on ROD-04, go to <https://www.pc-biz.org/#/committee/3000083/business>.

## 22-FF — AMENDING “THE ACCUSED”

### AMENDING THE USE OF “THE ACCUSED” IN THE CURRENT RULES OF DISCIPLINE (ROD-04 2)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

**Further, that all other sections referring to “the accused” in the current Rules of Discipline be modified to read *the person accused*.**

#### Background and Rationale

[Editor’s note: The assembly approved the above proposed amendments to the current Rules of Discipline in the event that the Rules of Discipline are not be replaced by Church Discipline. If Church Discipline is approved by a majority vote of presbyteries, it will replace the entire current Rules of Discipline, including any amendments to the current Rules of Discipline.]

Accusations are extremely easy to make, whether made by an individual or by a person doing so on behalf of another. When the credibility of those accusations has been substantiated, the Constitution clearly and unambiguously states that an investigative committee “shall promptly inform the accused” if charges are to be made. However, it is silent about the accused’s right to be notified when no charges are to be filed, even though written notice of this outcome is provided to the accuser. When individuals in positions of trust have gone through the protracted ordeal of being forced to defend themselves against charges and accusations that can neither be substantiated by objective facts and/or are deemed to be completely untrue, equity requires they be expeditiously notified of this conclusion as well. This omission constitutes a procedural error and undermines the justice process.

The Constitution’s current language also conveys an impression of bias and partiality, in that it describes one member (the “accused”) by way of labeling but uses supportive and affirming language to describe the other (“the person who submitted the written statement”). Labeling one and not the other is harmful because, consciously or subliminally, it fosters a presumption of guilt on the accused and freedom from guilt on the person making the accusation. Reframing the Constitution’s language removes these false assumptions and more faithfully takes into consideration the purpose of church discipline (D-1.01011).

The additional word revisions would, respectively, promote language consistency throughout the document and provide grammatical clarity.

#### Advice—From the Advisory Committee on the Constitution (ACC)

The Advisory Committee on the Constitution advises the 225th General Assembly to disapprove ROD-04.

ROD-03 requests the amendment of the current Rules of Discipline. The proposed Church Discipline revision is before the same assembly which would, if approved, replace the current Rules of Discipline section of the *Book of Order*. Should the General Assembly affirmatively adopt Church Discipline as proposed by the Rules of Discipline Task Force, the ACC would recommend that this overture be answered by the assembly’s action on Church Discipline (ROD-03).

Should the General Assembly not adopt Church Discipline as proposed by the Rules of Discipline Task Force, the Advisory Committee on the Constitution advises the General Assembly as follows:

The overture proposes three changes to the current Rules of Discipline.

The Advisory Committee on the Constitution recommends to the 225th General Assembly that Recommendation 2 presents issues that should be considered.

Recommendation 2 would amend “the accused” to “the person accused,” in order to neutralize what appears to be bias against one who is accused of an offense as opposed to the person who submits the written statement. However, the identification of “the person who submits the written statement,” is appropriate within the context of the Rules of Discipline in that a person may be filing a statement from their own personal knowledge; or, may be filing a written statement based upon their knowledge of information from any source that an offense has occurred (See D-10.0101(b)). The term “the accused” accurately reflects the position one is in when an accusation has been made. It should also be noted that within the Rules of Discipline, being accused of an offense does not imply in any way that the person is guilty of the offense. Should the General Assembly believe that this language should be adopted, there is no constitutional impediment in making such a change.

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The Assembly Committee on Rules of Discipline amended and approved Item ROD-04 2, 18/4. The 225th General Assembly (2022) approved Item ROD-04 2, 326/19.

For the full report on ROD-04, go to <https://www.pc-biz.org/#/committee/3000083/business>.



November 1.2022

To: Presbytery of Detroit

From: Administrative Commission Camp Westminster (Westminster Church of Detroit)

1. Adam Delezenne appointed Executive Director.
2. The AC will now concentrate on the development of a governance structure.

Martha R. Blenman, Chairperson

**Report of the Administrative Commission for St. John's Presbyterian Church**

**November 2022**

Dear Members and Friends of the Presbytery of Detroit,

The Administrative Commission for St. John's Presbyterian Church, acting as the Session, continues to work collaboratively with Commissioned Pastor Caleb Jones and the committee leadership of St. John's to support the church in our mutual goal of a healthy and vibrant worshipping community. On November 13<sup>th</sup>, 2022, we will hold our first annual congregational meeting since 2019, electing Elders and Deacons from the congregation. With the devotion and dedication of the St. John's membership, Pastor Jones, and the Administrative Commission, it is hoped that together, we will set St. John's on a path to a sustainable future. Church officer training has been completed and building issues are being addressed. While financial challenges remain, working together in the unity of the Spirit, we are hopeful and encouraged with the direction that St. John's is headed in, and grateful for the support of the congregation and the community.

Yours in Christ,

Rev. Lindsey Anderson and Rev. Laura Kelsey, Co-Moderators

Elder Rosy Latimore

Elder Tim Ngare

Rev. Paul Stunkel, HR

Commissioned Ruling Elder Joshua Archey, Clerk

**Littlefield Administrative Commission Report  
November 19, 2022**

Littlefield Administration Commission, consisting of Kenneth Kaibel, Kenneth Hollowell, Wendy Beck and Timothy Marvil, continues to monitor the membership and property and records of the Littlefield Presbyterian church.

We are requesting 30 minutes of docket time at the November 19 meeting to celebrate the life and mission of Littlefield Church.

Since our last report, we have listed the building with MiRealSource. We received two offers at above asking price and accepted one. The sale has not been closed as of the writing of this report.

Kenneth Kaibel (TE),  
Chairperson

## **Milford AC Report: November 4, 2022**

### **Members:**

Mark Dunny  
Bryan Smith

Alexander Haines  
Dana Stonerook

Debbie Lennis  
Marjorie Wilhelmi

### **Actions to date:**

1. Elected Bryan Smith as our chairperson, Marjorie Wilhelmi as recording clerk.
2. Attended Milford Session meeting of October 18 to introduce ourselves and our charter to the session. Posed three initial questions for their written response:
  - a. How would you describe the way things are going in your church right now?
  - b. What do you think are the 2 – 3 contributing factors?
  - c. What do you see as a way forward?
3. Collected key documents to understand current status of the congregation, including:
  - a. Church mission and vision statements
  - b. Most current annual report
  - c. Church by-laws
  - d. Session structure / committee structure, including names and contact details of chair persons, clerks and members
  - e. Current budget and financial statements
  - f. Personnel policies and procedures
  - g. Session minutes for 2022
  - h. Holy Cow Survey results
4. Convened small group Listening Circles with the session on November 1 to hear their assessment of their feedback on the initial questions.
5. Identified next steps to include:
  - a. conduct listening circles with the Staff, Self-Study Team, Choir, Deacons;
  - b. meet with COM Cluster to learn their support plan for Milford;
  - c. return to next session meeting with an initial framework for moving forward.

Respectfully submitted,

Marjorie Wilhelmi  
Parish Associate, Kirk in the Hills

November 7, 2022

To: Presbytery of Detroit

From: Administrative Commission Joslyn Presbyterian Church

- The Administrative Commission received training from the Stated Clerk and the Associate Executive Presbyter
- The Administrative Commission obtained the records of Joslyn Church from the Stated Clerk and are in the process of reviewing

Rev. Beth Delaney, Chairperson

Debbie Lennis

Edwin Fabre

COMMISSION REPORT  
ORDINATIONS AND INSTALLATIONS  
PRESBYTERY OF DETROIT

\*

The Commission to **install Mark Mares as Associate Pastor** was convened with prayer by the moderator, Jasmine Smart, at 2:30, on October 31, 2022 at **First Presbyterian Church, Ann Arbor**. The Commission members present were:

**Rev. Melissa Anne Rogers,  
First Ann Arbor**

**Elder Jennifer Day, First Ann Arbor**

**Rev. Christina Hallam, Northminster**

**Elder Kevin Smith, First Warren**

The Commission approved the seating of the following members as corresponding members:

**The Rev. Dr. Miriam Barnes, Zeeland Classis, Reformed Church of America  
The Rev. Eric Barnes, Zeeland Classis (RCA)**

The Commission invited the following persons to participate in the worship service:

**Rev. David Prentice-Hyers, First Ann Arbor**

**Rev. Jay Sanderford, First Ann Arbor**

**Rev. Megan Berry, First Ann Arbor**

**Rev. Hannah Lundberg, First Ann Arbor**

**Jenna Mares, First Ann Arbor**

**David VanderMeer, First Ann Arbor**

**Beca Torres-Davenport, First Ann Arbor**

**Dr. Alberto La Rosa Rojas, Western Theological Seminary**

After approving the order of worship, the Commission proceeded to worship, where it **installed Rev. Mark Mares as Minister of Word and Sacrament to the position of Associate Pastor at First Presbyterian Ann Arbor. In the course of the installation service, Mark Mares gave affirmation to the obligations undertaken in the ordination questions found in W-4.0404.** Upon conclusion of the worship service, the commission and congregation were dismissed with prayer and benediction by Rev. Mares.

Rev. Jasmine Smart  
Moderator

Date: October 31, 2022

COMMISSION REPORT  
ORDINATIONS AND INSTALLATIONS  
PRESBYTERY OF DETROIT

\*

The Commission to **install Kathlyn R. Ferguson-Nealand as Designated Pastor of First Presbyterian Church Mount Clemens to the ordered ministry of teaching elder.** Was convened with prayer by the moderator, Kevin Smith, at 2:30pm, on October 9th, 2022 at First Presbyterian Church Mount Clemens. The Commission members present were:

**The Rev. Eddie Jusino**  
**The Rev. Adam Grosch**

**of Farmington Presbyterian Church**

**of Lake Shore Presbyterian Church**

**Elder Judy Jasobs of First Presbyterian Church Mount Clemens**

**Elder Rosy Laitimore of First Presbyterian Church Birmingham**

After approving the order of worship, the Commission proceeded to worship, where it **installed Kathlyn R. Ferguson-Nealand as Designated Pastor of First Presbyterian Church Mount Clemens to the validated ministry as Designated Pastor. In the course of the ordination service, Kathlyn R. Ferguson-Nealand gave affirmation to the obligations undertaken in the ordination questions found in W-4.4003.** Upon conclusion of the worship service, the commission and congregation were dismissed with prayer and benediction by Rev. Kathlyn R. Ferguson-Nealand.

Kevin Smith  
Vice-Moderator

Date: October 9th, 2022

### **Update from the Moderator**

At the September 24 meeting of the Presbytery of Detroit, a motion was made from the floor: "... that the Moderator in collaboration with the Committee on Nominations of the Presbytery of Detroit, select three people whose committee or any individual which was not involved with the approval of \$10,000.00 separation payment given to Rev. Dr. Floretta Barbee-Watkins after her resignation, to analyze and audit the why and how of this transaction, for proper procedures/complete transparencies, and report its findings to this presbytery no later than the 2023 January Presbytery meeting." The motion passed with 38 Yes votes and 34 No votes. Nominations Committee (of which the Moderator is a part) quickly identified three individuals who accepted this role and have begun the work:

Rev. Gretchen Denton, Honorably Retired;  
Rev. John Judson, First Birmingham;  
Elder Sharon Moore, St. John's.

The team is already hard at work and plans to have a report for the February meeting, since the January meeting is not a business meeting. We will continue to keep you updated as this progresses.

In Christ,

Rev. Jasmine Smart, Moderator  
November 2022



# PAPER F-11

Approved w/o Exception	Approved	Appr w/ Exception	Not Approved at This Time
Royak Oak, First	Waterford, Community	Auburn Hills	Detroit, Trinity
Troy, First	Berkley, Greenfield	Detroit, St. John	Saline, First
Brighton, First	Highland Park, Park United	Detroit, Calvary	Troy, Northminster
Rochester, University	Royal Oak, Starr	Livonia, St. Timothy	Detroit-Westminster
Belleville	Detroit, Broadstreet	Commerce Twp, Crossroads	Milan-Peoples
Ann Arbor, Calvary	Clarkston, Sashabaw		
Berkley, Drayton			
Novi, Faith Community			
Ypsilanti, First			
Ann Arbor, Westminster			
Ann Arbor, Northside			
Milford			
Fort Gratiot, Lakeshore			
Warren, Celtic Cross			
Lincoln Park			
Taylor, Southminster			
Allen Park			
Detroit, Jefferson Ave.			
Ann Arbor, First			
Beverly Hills, Northbrook			
Plymouth, First			
Birmingham, First			
South Lyon, First			
Howell, First			
White Lake			
Detroit, Jefferson Avenue			
Grosse Pointe Farms, Memorial			
Shelby Twp., St. Thomas			
Mt. Clemens, First			
Berkley, Drayton			
Beverly Hills, Northbrook			
Southfield, KPCMD			
Port Huron-First			
Berkley, New Hope			
Livonia, St. Paul			
Northville			
Farmington, First			
Grosse Pointe Woods			
Pontiac, First			
Bloomfield Hills, Kirk in the Hills			
Detroit, Calvin			
Detroit-Gratiot			
St. Clair Shores, Lake Shore			
Warren, First			

**Treasurer's Report for Presbytery on February 25, 2023**

Due to a hardware issue with the server, the Treasurer's report will not be published for this meeting. (Note: all of the data is safe; it is just not accessible until the server is repaired and the software reloaded.)

The Treasurer will give a verbal update during the meeting with information about the expected 2022 year-end results. The paper report that would normally have been published for this meeting will be published for the May meeting, instead.

## PAPER D

### Presbytery of Detroit Report of the Trustees February 25, 2023

The Trustees recommend the following for Presbytery approval:

Pursuant to Art. IX, Sec. 5 of the Presbytery bylaws, to authorize the Trustees to sell the property described below (the “Bacalis Estate Property”):

1. The following described premises situated in the TOWNSHIP OF GROSSE ILE, GROSSE ILE, MICHIGAN County, Michigan, to wit:

UNIT 111, BUILDING 20, HAWTHORN PLACE CONDOMINIUM, ACCORDING TO THE MASTER DEED RECORDED IN LIBER 23108, PAGE 676, WAYNE COUNTY RECORDS AND AMENDED IN FIRST AMENDMENT IN LIBER 23155, PAGE 458, SECOND AMENDMENT IN LIBER 23264, PAGE 316, THIRD AMENDMENT IN LIBER 23795, PAGE 898, AND FOURTH AMENDMENT IN LIBER 23890, PAGE 918, WAYNE COUNTY RECORDS AND DESIGNATED AS WAYNE COUNTY CONDOMINIUM SUBDIVISION PLAN NO. 212, TOGETHER WITH RIGHTS IN GENERAL COMMON ELEMENTS AND LIMITED COMMON ELEMENTS AS SET FORTH IN THE ABOVE MASTER DEED AND AS DESCRIBED IN PUBLIC ACT 59 OF 1978 AS AMENDED,

9899 HAWTHORN GLEN DR. BLDG. 20 UNIT 111, GROSSE ILE, MICHIGAN.

At fair market value, fair market value to be finally determined by the Trustees, and to a qualified buyer; and to refer the review and execution of the closing documents to the Trustees.

Rationale: The April 15, 1992 Garnette Bacalis Agreement of Trust directs all property to be divided equally between:

- a. the Presbyterian Church (USA),
- b. the Synod of the Covenant, and
- c. the Presbyterian of Detroit.

Mrs. Bacalis died on May 19, 2022. Elder Jesse Bacalis was an attorney and active member of the Presbytery of Detroit. The Presbytery has been named Successor Trustee of the Trust and has, through its Board of Trustees and after consultation with interested parties, undertaken the responsibility for the sale of the property and distribution of the assets to the Synod and PC(USA) as required by the Trust.

The Presbytery is not the owner of the entirety of the Bacalis Estate Property, which is still in probate court at this time. However, as the Presbytery is acting as Trustee and the proceeds of the sale will partially go to the Presbytery, the Trustees are submitting this property transaction to the Presbytery pursuant to the Bylaws in the interest of full transparency.

The disposition of any proceeds of the sale that remain, after settlement of encumbrances, costs, and distribution to the Synod and PCUSA, will be subject to the budget approval and amendment provisions of the Bylaws and Policies and Procedures of the Presbytery.

The Trustees report the following for the information of Presbytery:

1. The Trustees authorized the expenditure of funds towards technology for a media studio congregations could utilize, not to exceed the budget for technology updates.

2. The Trustees informed the Presbytery's insurer of a potential liability regarding Howell Nature Center and an investigation of its staff.
3. The Trustees approved a listing agreement with realtor Joyce Reedy for selling the Bacalis Property, after authorization by Presbytery.
4. The Trustees elected the following for 2023:

2023 Corporate Officers:

President: Gregory Sykes

Vice President: Ben Beale (self-nominated)

Secretary: Rev. Marianne Grano, Stated Clerk\*

Treasurer: Michael Gaubatz, Treasurer\*

Authorized Signers on Checking & Investment Accounts

Gregory Sykes

Michael Gaubatz, Treasurer\*

Michael Starynychak, Asst Treasurer \*

Martha Blenman (self-nominated)

Audit Sub-Committee

Chair: Ben Beale

Karen Strandholm

Ruthanne Herrington (self-nominated)

Ken Hollowell (self-nominated)

Investment Sub-Committee

Chair: Ruthanne Herrington

Robert Lee

Martha Blenman (self-nominated)

Karen Strandholm (self-nominated)

\*The Stated Clerk, Treasurer, and Asst Treasurer terms expire March 31, 2023. Those elected to the positions beginning April 1, 2023 will automatically replace their predecessors as Officers and/or Signers (if the incumbent is not re-elected) without requiring a new vote on the matter.

5. The Trustees approved the Routine Bills List of the Presbytery.
6. The Trustees authorized Elder Blenman, Rev. Herrington, and Elder Beale to perform a requested financial review for Farmington-First.
7. The Trustees approved an internet installation agreement for Troy-First.
8. The Trustees authorized President Sykes to work with PILP to allocate invested funds for rebates to the churches with loans.

Presbytery of Detroit  
Committee on Nominations

February 25, 2023

Committee on Ministry (COM)

Class-23	vacancy	RE
Class-23	Vacancy	RE
Class-24	Vacancy	TE
Class-24	Vacancy	TE
Class-24	Vacancy	RE
Class-25	Vacancy	TE
Class-25	Vacancy	RE
Class=25	Vacancy	TE
Class-25	Vacancy	TE

Committee on Preparation for Ministry (CPM)

Class-24	Vacancy
Class-24	Vacancy
Class-24	Vacancy
Class- 24	Vacancy
Class-25	Vacancy
Class-25	Vacancy
Class-25	Vacancy
Class-25	Vacancy

Class-25    Vacancy

Class-25    Vacancy

#### Committee on Representation (CoR)

Class-25    Vacancy

#### Committee on Nominations (CoN)

Class-23    Vacancy

Class-24    Vacancy

#### Congregational Development and Transformation (CDT)

Class 25    Larry Hoxey            Non-Presbyterian            UCC wyandotte

#### Leadership Equipping

Class-24    Vacancy

#### New Church Development (NCD)

Co-Chair-23 Wand Moon            RE                            Northville

Class-25    Wanda Moon            RE                            Northville

#### Mission Interpretation (MIMT)

Class-24    Larry Hoxey            Non-Presbyterian            UCC-Wyandotte

Multicultural Ministry

Class-24    Vacancy

Class-25    Vacancy

Operations

Class-23    Vacancy

Social Justice

Class-23    Vacancy

Planning & Visioning (P & V)

Class-25    Vacancy

Presbytery Response Team (PRT)

Chair-23    Vacancy

Class-23    Vacancy

Class-24    Vacancy

Class-24    Vacancy

Committee on Nominations,

Rosy Latimore, Chair

248-840-5472

**Presbytery of Detroit**  
**Committee and Ministry Team Descriptions**

<i>Committee</i>	<i>Functions</i>	<i>Gifts Needed</i>
<p style="text-align: center;"><b>Board of Trustees</b>  <b>Meets: 1st Tuesday</b>  <b>6:00pm</b>  <b>Presbytery Offices</b></p>	<p>Oversee Presbytery's properties, insurance, investments, loans, mortgages; receive and review requests to sell, mortgage, lease or purchase property, manage cash flow and monitor; provide for annual audit, discharge legal obligations as required by laws of the State of Michigan.</p>	<p>Financial acumen; building management and organizational skills; comfortable in dealing with finances and budgets; make sound judgments.</p>
<p style="text-align: center;"><b>Committee on Ministry</b>  <b>COM</b>  <b>Meets: 1st Thursday</b>  <b>10:00am</b></p>	<p>Provides leadership and guidance to the Presbytery in the area of pastoral leadership and congregational support. COM members are assigned as liaisons to churches in a "cluster" model to facilitate supportive relationships and consistent communication. COM liaisons work together to assist congregations and leaders through pastoral transitions, calling new Teaching Leaders, commissioning Ruling elders, and recommending temporary pastoral leadership. Through the COM, the Presbytery promotes peace and justice within the congregations and inquiries into conflict and division.</p>	<p>Collaboration skills, effective communication, able to maintain confidentiality, exhibit gifts in compassion, resilient, administrative leadership, conflict management and spiritual development.</p>
<p style="text-align: center;"><b>Committee on Nominating</b>  <b>CON</b>  <b>Meets: 1st Monday</b>  <b>4:00pm</b>  <b>Zoom</b></p>	<p>Identify and nominate persons to serve on committees, ministry teams and board of trustees; nominate Vice Moderator and Moderator of Presbytery; nominate Commissioners and Youth Advisory Commissioners to General Assembly and Synod of the Covenant.</p>	<p>Committed to inclusiveness and diversity of races, cultures, genders and congregations; skill of networking; persistent; relate easily with people in person and on the phone.</p>
<p style="text-align: center;"><b>Committee on Preparation for Ministry</b>  <b>CPM</b>  <b>Meets: 1st Tuesday</b>  <b>10:00am</b>  <b>Rotate Churches</b>  <b>(Except April, July, Dec)</b></p>	<p>Instructs sessions on their role in the inquirer and candidacy process, provides an annual consultation with each inquirer and candidate; provides care and oversight for professional service to the church; certifies candidates ready to accept a call; monitors studies and other preparation for inquirers, and ruling elders who are seeking a commission.</p>	<p>Interviewing skills; able to give support and encouragement; exhibit concern for spiritual and mental health; understand and expresses sympathetic interest, ability to give guidance and instruction; interpersonal skills.</p>



<p><b>Committee on Representation COR</b> Meets: Twice per year</p>	<p>Assist the Committee on Nominations in finding diversity of leadership; advocate for fairness and diversity in all levels of Presbytery and congregational leadership; annually inform Presbytery of progress toward fair representation; consult with Coordinating Cabinet on employment</p>	<p>Committed to inclusiveness and justice; committed to diversity; graceful openness; fair; persistent; analysis; ability to evaluate.</p>
<p><b>Permanent Judicial Commission PJC</b> Meets: As needed</p>	<p>Serve in judicial matters in accordance with the Book of Order's Rules of Discipline.</p>	<p>Committed to justice, fairness, grace, and restoring trust in the Church; informed (or willing to learn) about ecclesiastical law; legal skills and knowledge helpful but not necessary.</p>
<p><i>Ministry Team</i></p>	<p><i>Functions</i></p>	<p><i>Gifts Needed</i></p>
<p><b>Congregational Development and Transformation CDT</b> Meets: 2<sup>nd</sup> Tuesday 1:00 pm Zoom</p>	<p>Find ways to equip congregations and their leadership to live into the new thing that God is doing there with Resources that include grants, consultants, church discernment tools and learning opportunities.</p>	<p>Ability to plan, good communication skills and ability to network. Interest and/or experience in redevelopment and transformation is helpful in the discernment process as a presbytery and resources the churches therein.</p>
<p><b>Leadership Equipping LEMT</b> Meets: Two Times per Year Feb and June</p>	<p>Establishes programs for education and training programs for lay and clergy leadership, educators, clergy support groups; Provide educational resources; Provide worship experiences at Presbytery Assemblies.</p>	<p>Ability to train clergy and laity; mediation skills; communication skills; commitment to being current in new developments in leadership. knowledge of Youth Ministry.</p>
<p><b>Mission Interpretation MIMT</b> Meets: 4th Wednesday 10:00am Zoom</p>	<p>Looks for new mission opportunities. Address local, national and international missions. Provide resources and leadership in helping local congregations to establish mission partnerships.</p>	<p>Experience and enthusiasm for mission.</p>

<p><b>Multicultural Ministries</b>  <b>MMMT</b>  <b>Meets: 2nd Thursday</b>  <b>12:00pm</b></p>	<p>Aid the Presbytery in moving towards multicultural diversity in our congregations and to be aware of racism by raising awareness and training.</p>	<p>A passion for cultural and racial diversity; ability to train and network.</p>
<p><b>New Church Development</b>  <b>NCD</b>  <b>Meets: 2nd Tuesday</b>  <b>1:00pm</b>  <b>Ashland Seminary</b></p>	<p>Seeks to identify innovative leaders within our Presbytery communities in order to train, encourage, and resource them for starting innovative new ministries within our Presbytery's geographic bounds. The end goal is to foster a culture of innovation in which our next generation of New Worshipping Community starters will arise.</p>	<p>Ability to use demographics, consultative skills; understanding of start-up organizations and businesses; ability to raise funds.</p>
<p><b>Planning &amp; Visioning</b>  <b>P&amp;V</b>  <b>Meets: 1st Wednesday</b>  <b>3:00pm</b>  <b>Zoom (May hybrid to Presbytery Office soon)</b></p>	<p>Develop plans and actions to lead Presbytery into its vision for future; Recommend and annual budget; Monitor Teams and Committees to meet Presbytery goals, policies and vision.</p>	<p>Planning skills; budget development; ability to apply a theological perspective; organizational structures, review and evaluation.</p>
<p><b>Presbytery Operations</b>  <b>Meets: 3rd Thursday</b>  <b>3:00pm</b>  <b>Presbytery Offices</b></p>	<p>Works with Executive Presbyter to evaluate personnel positions, structure, compensation, procedures in accounting, purchasing, payroll, administration, and policy.</p>	<p>Competency in human resources; Skills in financial processes or organizations; Understanding of administrative skills; Understanding of team collaboration and interrelations; Knowledge of policy making and of staff operations.</p>

<p><b>Presbytery Response Team</b>  <b>PRT</b>  <b>Meets: TBD</b></p>	<p>Enforces the Sexual Misconduct Policy by reviewing sexual misconduct matters that come to the attention of Presbytery, and invoking the Book of Order disciplinary process when appropriate. They also assist in ensuring that we provide boundary and prevention training.</p>	<p>A heart for the prevention of, and proper response to, sexual misconduct in all its forms;  An ability to investigate and consider different testimonies to evaluate matters and determine when further action is appropriate;  An ability to interpret policies and procedures;  An ability to speak with potential victims in a kind and compassionate manner and to listen</p>
<p><b>Social Justice</b>  <b>SJ</b>  <b>Meets: 3rd Wednesday</b>  <b>1:00pm</b></p>	<p>Develop programs on social justice and peacemaking; address issues of hunger and metro urban communities.</p>	<p>Commitment to address world and local hunger issues, homelessness, inter-personal relations;  Commitment to revitalization of urban areas.</p>

Updated 5-3-22

### The Presbytery of Detroit Endorsement Nomination Form

**TYPE OR PRINT LEGIBLY YOUR NAME OR THE NAME OF A PERSON WITH WHOM YOU HAVE HAD A CONSULTATION AND WHO IS WILLING SO SERVE, IF NOMINATED AND ELECTED.**

Nominee's name: \_\_\_\_\_ Date: \_\_\_\_\_

Endorse for (Committee or Team) \_\_\_\_\_

Nominee's address: \_\_\_\_\_ Apt # \_\_\_\_\_

City: \_\_\_\_\_ Zip Code \_\_\_\_\_

Preferred Phone: (\_\_\_\_) \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Occupation or Occupation before retirement: \_\_\_\_\_

Church name: \_\_\_\_\_

Church address: \_\_\_\_\_

Prior or current service to Congregation, Presbytery, Synod or GA (if known) \_\_\_\_\_

Special expertise/skills: \_\_\_\_\_

Preferred Time of Meetings: Morning \_\_\_\_\_ Afternoon \_\_\_\_\_ Evening \_\_\_\_\_

The following is needed to ensure inclusiveness:

Male \_\_\_\_\_ Female \_\_\_\_\_ Minister \_\_\_\_\_ Elder \_\_\_\_\_ Other \_\_\_\_\_

Racial ethnic identification: African American \_\_\_\_\_ Asian \_\_\_\_\_ Hispanic \_\_\_\_\_

White \_\_\_\_\_ Other \_\_\_\_\_

Age: Under 35 \_\_\_\_\_ 35-55 \_\_\_\_\_ 55+ \_\_\_\_\_

Name of Endorser: \_\_\_\_\_ Phone: (\_\_\_\_) \_\_\_\_\_

**PLEASE RETURN THIS FORM TO:**  
**The Committee on Nominations**  
The Presbytery of Detroit, 17575 Hubbell, Detroit, MI 48235

**RECOMMENDATIONS OF STATED CLERK MARIANNE GRANO  
TO THE PRESBYTERY OF DETROIT  
February 25, 2023**

**RECOMMENDATIONS UNDER BUSINESS:**

**FOR ACTION AS OMNIBUS MOTION (2):**

Approve the following proposed amendments to the Book of Order (**Paper F-1**, all proposed amendments; **Paper F-2**, amendments voted on at this meeting):

1. Amendment 22A (foundational statements - disability and gender identity inclusivity);
2. Amendment 22B (foundational statements - disability and gender identity inclusivity);
3. Amendment 22E (“Honorably Retired” designation amendment to “Retired”);
4. Amendment 22F (transfer of ministers from immigrant fellowships);
5. Amendment 22G (boundary and sexual abuse prevention training for inquirers);
6. Amendment 22H (sexual misconduct allegation reporting for inquirers and candidates);
7. Amendment 22J (authorizing commissioned ruling elders serving in multiple ministries);
8. Amendment 22K (boundary and sexual abuse prevention training for commissioned ruling elders);
9. Amendment 22L (boundary and sexual abuse prevention training for certified Christian educators);
10. Amendment 22M (electronic Session meetings)
11. Amendment 22P (requiring councils to establish a sexual misconduct policy, a harassment policy, a child and youth protection policy, and an antiracism policy).
12. Amendment 22Q (requiring Presbyteries to establish minimum compensation for dissolution terms, for pastoral calls and for those serving in temporary pastoral service);
13. Amendment 22R (permitting Synods to enroll additional members not commissioned by Presbyteries in order to provide greater participation and representation).

**FOR ACTION AFTER DISCUSSION:** To approve the recommendations of the Administrative Commission for Dearborn-Littlefield (Paper F-3):

1. MOTION: The Littlefield AC moves that \$100,000 of the proceeds of the sale of the Littlefield Presbyterian Church Building will be paid to Littlefield Action 4 Social Justice, a non-profit organization for promoting peace and social justice.
2. MOTION: The Littlefield AC moves that \$100,000 of the proceeds of the sale of the Littlefield Presbyterian Church Building be administered by Presbytery’s Congregational Development and Transformation Committee “to equip congregations and their leadership to live into the new thing that God is doing there with Resources that include grants and learning opportunities.” We encourage the Committee to consider using these funds, according to the desires of the former members of Littlefield, to support activities such as a music ministry or a special mission project for smaller congregations that could not support the activity themselves.”
3. MOTION: The Littlefield AC moves that \$50,000 of the proceeds of the sale of the Littlefield Presbyterian Church Building be administered by the session of the Cherry Hill Presbyterian Church. We encourage the session to consult with the former members of Littlefield PC who have joined that congregation in deciding the appropriate use for this money.
4. MOTION: The Littlefield AC moves that any remaining funds for the proceeds of the sale of the Littlefield Presbyterian Church Building after all applicable debts are satisfied, be administered by Presbytery’s New Church Development Committee. It seemed fitting to us that, from the grievous loss of one beloved congregation of the Presbytery, seeds for a new congregation might be planted.
5. MOTION: The Littlefield AC moves that the Littlefield Administrative Commission be dissolved as of today’s date,

February 25, 2023.

**FOR ACTION AS OMNIBUS MOTION (3):**

1. ADMINISTRATIVE COMMISSIONS:

Approve the reports of the following Administrative Commissions:

Interim Report of the Administrative Commission for Dearborn- Littlefield (Paper F-3)

Interim Report of the Administrative Commission for St. John's Detroit (Paper F-4)

Interim Report of the Administrative Commission for Southfield-Covenant (Paper F-5)

Interim Report of the Administrative Commission for Detroit-Westminster (Paper F-6)

Interim Report of the Administrative Commission for Milford (Paper F-7)

2. Approve the results of the Review of Session Records for 2021:

Submitted and not approved at this time:

Detroit- Calvin East

Sterling Heights- New Life

Approved with exceptions:

Dearborn Heights- St. Andrews

Approved without exceptions:

Dearborn-Cherry Hill

3. Approve the request of Dearborn Heights-St. Andrews for a waiver from the six-year term limit pursuant to G-2.0404.
4. To dissolve the Administrative Commission for Southfield-Covenant and thank the members for their service.

**FOR INFORMATION**

1. The Synod of the Covenant reports on the grants given in 2022 and additional items of interest. (Paper F-8). The Synod also reports that the reconfigured AC for Detroit has been named, and has had an orientation meeting. They'll begin their work early in January and plan to meet twice a month.

The members include

- Cal Bremer, TE, Lake Michigan
- Jeanne Gay, TE, Maumee Valley
- Jim Wilson, RE, Scioto Valley
- Jessie MacMillan, TE, Western Reserve
- Alice McCollum, RE, Miami Valley
- Robert Sullivan, RE, Cincinnati

Jeanne and Robert return from the previous incarnation of the AC. Alice has served as vice-moderator, moderator, and chair of council of her presbytery. Jeannie, Cal, and Jessie all have experience as EP (and in Jessie's case, also Stated Clerk).

2. The following transfers have been completed:

**FROM DETROIT PRESBYTERY**

**Rev. Samuel An, to Long Island**

**Rev. Andrew Frazier, to Mission**

**Rev Eun Joo (Angela) Ryo, to Wabash Valley**

3. The Investigating Committee formed to investigate a statement of alleged offense received May 21, 2022 has made its final report. (Paper F-9)



## **Proposed Amendments to the Constitution**

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These amendments to the *Book of Order* were approved by the 225th General Assembly (2022) and recommended to the presbyteries for their vote.



## FROM THE STATED CLERK

The 225th General Assembly (2022) of the Presbyterian Church (U.S.A.) approved and recommended to the presbyteries, for their affirmative or negative votes, proposed changes in the language of the *Book of Order* that, if approved, will amend the Constitution.

- It is recommended that prior to voting, presbyters and clerks review each proposed amendment and its related information. Some sections have more than one proposed amendment.
- The rationale and advice from the Advisory Committee on the Constitution and other advisory and advocacy entities have been abbreviated for each amendment for this booklet. Please note that the advice applies to the original item of business and not necessarily the final version approved by the assembly.
- Each amendment has an item number, which is how the General Assembly tracked the business in both committee and in plenary. The entire record for each item is available in PC-Biz.
- Live links to the General Assembly item numbers are available throughout this document.
- Or, go to PC-Biz at [www.pc-biz.org](http://www.pc-biz.org), click Search, and enter the item number. Click on the item number to reach the summary.
- Presbyteries may use a consent agenda or omnibus motion to vote on amendments as long as each proposed amendment is identified separately. Each amendment has a tracking number of 22-A, 22-B, etc.
- The final item in this booklet deals with replacing the Rules of Discipline in the *Book of Order* with an entirely new section entitled Church Discipline. Please carefully note that any approved amendments to the Rules of Discipline proposed in other items will be superseded by the approval of the new Church Discipline section.
- Presbytery stated clerks are to report a tally of their votes to the Office of the General Assembly no later than **July 9, 2023, at 11:59 p.m. eastern time**. Votes on amendments should be entered through the Stated Clerk's portal. Each month an updated tally will be mailed to all stated clerks. In order to make changes and publish the 2023–2025 *Book of Order* in a timely manner, receipt of votes prior to this deadline would be appreciated.

Thank you for your time and careful attention as you prepare to vote on these proposed amendments.

J. Herbert Nelson II  
*Stated Clerk of the General Assembly*

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## 22-A — F-1.0302c

### THE CALLING OF THE CHURCH

#### F-1.0302c THE CATHOLICITY OF THE CHURCH (POL-16 1a)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

**Shall F-1.0302c in the Foundations of Presbyterian Polity be amended as follows?**  
(Deleted text is in ~~strike through~~; added text is in *italics*.)

**“F-1.0302 The Marks of the Church ...**

**c. The Catholicity of the Church ...**

**... Because the church is catholic, it strives everywhere to testify to Christ’s embrace of ~~men, women, and children~~ *all people* of all times, places, races, nations, ages, *abilities, genders, conditions, and stations in life.*”**

#### **Background and Rationale**

The current foundational statement (F-1.0403) already uses language inclusive of people with disabilities. This amendment seeks to use consistent language about disability throughout the foundational statements of the *Book of Order*. The PC(USA) resource “Well Chosen Words” (2010) states that using inclusive and expansive language is “one way to acknowledge and celebrate all people and bring recognition and a sense of belonging to people who have been historically marginalized in society and even in the church.” This amendment would reflect this overture by making all parts of the *Book of Order* consistent in their inclusion of people with disabilities. People with disabilities include 26% of the U.S. population (CDC, 2020), making it the largest minority group in America. People with disabilities represent an important part of our church, and they should be named in lists of people to be included. Research shows a significant gap in presence and full participation for people with disabilities into the life of the church (Ault, Collins, and Carter, 2013). The inclusion of people with disabilities in our polity shows our intention to be inclusive of this group. We identify as being “people of the word,” marking both our commitment to biblical scholarship and exegesis and the importance of the words that we use when preaching, teaching, and guiding our church’s polity. These small corrections reflect the value and importance that we put on the use of consistent inclusive language throughout our policies.

#### **Advice—From the Advisory Committee on the Constitution (ACC)**

The Advisory Committee on the Constitution advises the 225th General Assembly (2022) to approve POL-16. While the ACC has expressed its aversion to unnecessarily creating lists of requirements and rubrics, in this present situation the list affirms the mission of Christ’s church. Because a list is deemed to be exhaustive unless it states otherwise, an omission is regarded as exclusionary, not permissive. We believe the witness of scripture and the constitution testifies to the full inclusion of differently abled persons in the faith and governance of the church. A positive affirmation of this principle through constitutional amendment is consistent with this witness.

### **Comment—From the LGBTQIA+ Advocacy Task Force**

The LGBTQIA+ Advocacy Task Force proposes that F-1.0302c be further amended to include: (Deleted text is in ~~strike through~~; added text is in [brackets and *italics*].)

“Christ’s embrace of ~~men, women, and children~~ [*people*] of all times, places, races, nations, [*genders*], ages, abilities ...,” and that F-1.0404 be amended to include the reality of: “a community of ~~women and men~~ of all [*people of all genders*], ages, races, ethnicities, abilities ...”

These changes honor the vital presence and contribution of our trans and nonbinary siblings in faith and are in line with the rationale for the use of “inclusive and expansive language” at the heart of this overture.

### **Advice and Counsel—From the Advocacy Committee for Women’s Concerns (ACWC)**

ACWC recommends the 225th GA (2022) approve this item with amendments as follows: (Deleted text is in ~~strike through~~; added text is in [brackets and *italics*].)

“Because the church is catholic, it strives everywhere to testify to Christ’s embrace of ~~men, women, and children~~ [*all people*] of all times, places, races, nations, ages, abilities, [*genders*,] conditions, and stations in life.”

“... a new openness in its own membership, becoming in fact as well as in faith a community of ~~women and men~~ [*all people*] of all ages, races, ethnicities, abilities, [*genders*,] and worldly conditions, made one in Christ by the power of the Spirit, as a visible sign of the new humanity.

We are grateful to the Presbytery of Northeast New Jersey for lifting up abilities as a much needed inclusion into our *Book of Order*. We ask the General Assembly to move further into the use of inclusive language by using the verbiage “all people” instead of men, women, and children.

### **Advice and Counsel—From the Advisory Committee on Social Witness Policy (ACSWP)**

The Advisory Committee on Social Witness Policy (ACSWP) advises that the 225th General Assembly (2022) approve POL-16.

---

The Assembly Committee on Polity amended the overture language and then approved Item POL-16 1a, 27/2. The 225th General Assembly (2022) approved Item POL-16 1a, 381/13.

For the full report on POL-16, go to <https://www.pc-biz.org/#/committee/3000082/business>.

## 22-B — F-1.0404

### OPENNESS TO THE GUIDANCE OF THE HOLY SPIRIT

#### F-1.0404 OPENNESS (POL-16 1b)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

**Shall F-1.0404 in the Foundations of Presbyterian Polity be amended as follows?**

(Deleted text is in ~~strike through~~; added text is in *italics*.)

**“F-1.0404      Openness ...**

**... a new openness in its own membership, becoming in fact as well as in faith a community of ~~women and men~~ *all people* of all ages, races, ethnicities, abilities, genders, and worldly conditions, made one in Christ by the power of the Spirit, as a visible sign of the new humanity.”**

#### **Background and Rationale**

The current foundational statement (F-1.0403) already uses language inclusive of people with disabilities. This amendment seeks to use consistent language about disability throughout the foundational statements of the *Book of Order*. The PC(USA) resource “Well Chosen Words” (2010) states that using inclusive and expansive language is “one way to acknowledge and celebrate all people and bring recognition and a sense of belonging to people who have been historically marginalized in society and even in the church.” This amendment would reflect this overture by making all parts of the *Book of Order* consistent in their inclusion of people with disabilities. People with disabilities include 26% of the U.S. population (CDC, 2020), making it the largest minority group in America. People with disabilities represent an important part of our church and they should be named in lists of people to be included. Research shows a significant gap in presence and full participation for people with disabilities into the life of the church (Ault, Collins, and Carter, 2013). The inclusion of people with disabilities in our polity shows our intention to be inclusive of this group. We identify as being “people of the word,” marking both our commitment to biblical scholarship and exegesis and the importance of the words that we use when preaching, teaching, and guiding our church’s polity. These small corrections reflect the value and importance that we put on the use of consistent inclusive language throughout our policies.

#### **Advice—From the Advisory Committee on the Constitution (ACC)**

The Advisory Committee on the Constitution advises the 225th General Assembly (2022) to approve POL-16. While the ACC has expressed its aversion to unnecessarily creating lists of requirements and rubrics, in this present situation the list affirms the mission of Christ’s church. Because a list is deemed to be exhaustive unless it states otherwise, an omission is regarded as exclusionary, not permissive. We believe the witness of scripture and the constitution testifies to the full inclusion of differently abled persons in the faith and governance of the church. A positive affirmation of this principle through constitutional amendment is consistent with this witness.

### **Comment—From the LGBTQIA+ Advocacy Task Force**

The LGBTQIA+ Advocacy Task Force proposes that F-1.0302c be further amended to include: (Deleted text is in ~~strike through~~; added text is in [brackets and *italics*].)

“Christ’s embrace of ~~men, women, and children~~ [*people*] of all times, places, races, nations, [*genders*], ages, abilities ...,” and that F-1.0404 be amended to include the reality of: “a community of ~~women and men~~ of all [*people of all genders*], ages, races, ethnicities, abilities ...”

These changes honor the vital presence and contribution of our trans and nonbinary siblings in faith and are in line with the rationale for the use of “inclusive and expansive language” at the heart of this overture.

### **Advice and Counsel—From the Advocacy Committee for Women’s Concerns (ACWC)**

ACWC recommends the 225th GA (2022) approve this item with amendments as follows: (Deleted text is in ~~strike through~~; added text is in [brackets and *italics*].)

“Because the church is catholic, it strives everywhere to testify to Christ’s embrace of ~~men, women, and children~~ [*all people*] of all times, places, races, nations, ages, abilities, [*genders*,] conditions, and stations in life.”

“... a new openness in its own membership, becoming in fact as well as in faith a community of ~~women and men~~ [*all people*] of all ages, races, ethnicities, abilities, [*genders*,] and worldly conditions, made one in Christ by the power of the Spirit, as a visible sign of the new humanity.

We are grateful to the Presbytery of Northeast New Jersey for lifting up abilities as a much needed inclusion into our *Book of Order*. We ask the General Assembly to move further into the use of inclusive language by using the verbiage “all people” instead of men, women, and children.

### **Advice and Counsel—From the Advisory Committee on Social Witness Policy (ACSWP)**

The Advisory Committee on Social Witness Policy (ACSWP) advises that the 225th General Assembly (2022) approve POL-16.

---

The Assembly Committee on Polity amended the overture language and then approved Item POL-16 1b, 27/2. The 225th General Assembly (2022) approved Item POL-16 1b, 381/13.

For the full report on POL-16, go to <https://www.pc-biz.org/#/committee/3000082/business>.

## 22-C — G-1.0501

### MEETINGS OF THE CONGREGATION

#### G-1.0501 MEETINGS (ROD-06 2)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

**Shall a new G-1.0501 be inserted into the Form of Government and the current G-1.0501 and subsequent sections be renumbered accordingly, as follows?**

(Added text is in *italics*.)

**“G-1.0501     *Meetings***

*“Meetings shall be opened and closed with prayer. Unless the congregation shall designate another parliamentary authority in its bylaws, meetings shall be conducted in accordance with the most recent edition of Robert’s Rules of Order Newly Revised, except when it is in contradiction to this constitution.*

*“In accordance with the requirement of Robert’s Rules of Order Newly Revised, congregations and their committees may meet electronically at the discretion of their sessions, provided that the technology employed allows for all members present to hear and be heard simultaneously. This includes joining one or more persons electronically to an otherwise in-person meeting. Congregations should adopt special rules of order and standing rules to govern such meetings.*

**“G-1.0502     Annual and Special Meetings**

**The congregation shall hold an annual meeting ...”**

#### Background and Rationale

Rationale for Recommendation 3 (Note: No additional rationale was included for Recommendation 2.)

The Foundations of Presbyterian Polity states that in our church “decisions shall be reached in councils by vote, following opportunity for discussion and discernment, and a majority shall govern” (F-3.0205). At the core of our understanding of church governance is the notion that the Holy Spirit is present “where two of three are gathered” and guides us in discerning the will of God in our decision making.

The absence of constitutional language authorizing electronic meetings has proved problematic at all levels of the PC(USA) since the arrival of the COVID-19 pandemic, including in disciplinary processes. The proposed language would remedy that by authorizing electronic meetings in congregations and councils of the church, while still requiring that for proper discernment and decision making to occur, participants must be able to “hear and be heard simultaneously,” or as it is stated in our parliamentary authority, provide for the “opportunity for simultaneous aural communication” (RONR 12th ed. 9:31).

It is not the intent of these additions to require electronic meetings or to mandate any specific processes or procedures. Congregations and councils may make those determinations themselves.



Additionally, the proposed revision of the Rules of Discipline sometimes explicitly states that meeting face to face is preferable. But as we all learned in 2020 and 2021, sometimes that is simply not possible. These additions provide the authorization required by our parliamentary authority to use electronic meetings whenever a congregation, council, or entity of a council determines that it should do so, in accordance with whatever rules that congregation or council so adopts.

**Advice—From the Advisory Committee on the Constitution (ACC)**

The Advisory Committee on the Constitution advises the 225th General Assembly to approve ROD-06. The adoption of these amendments assumes the adoption of the proposed revision of the Rules of Discipline of the *Book of Order* (Part II of the Constitution) and references the language of those amendments.

The amendments proposed in Recommendation 2 and 3 regarding electronic meetings enshrines the option in the constitution; thus, congregations and councils of the church have the ecclesiastical authority to meet by electronic means.

---

The Assembly Committee on Rules of Discipline approved Item ROD-06 2, 24/1. The 225th General Assembly (2022) approved Item ROD-06 2, 378/1.

For the full report on ROD-06, go to <https://www.pc-biz.org/#/committee/3000083/business>.

## 22-D — G-1.0503

### MEETINGS OF THE CONGREGATION

#### G-1.0503 BUSINESS PROPER TO CONGREGATIONAL MEETINGS (ROD-06 1)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

**Shall G-1.0503 in the Form of Government be amended as follows?**

(Deleted text is in ~~strike through~~; added text is in *italics*.)

**“G-1.0503 Business Proper to Congregational Meetings**

**Business to be transacted at meetings of the congregation shall be limited to matters related to the following: ...**

**... f. approving a plan for the creation of a joint congregational witness, or amending or dissolving the joint congregational witness (G-5.05);**

***g. receiving a disciplinary decision against a member of the congregation as required by D-9.0102.”***

#### Background and Rationale

##### Rationale for Recommendation 1

Adoption of these amendments is assumed in the proposed revision, which references the language of the amendments.

The proposed revision of the Rules of Discipline, to become Church Discipline, includes a new requirement for decisions with a finding of guilt in disciplinary processes against church members to be reported to the congregation of membership. This is to ensure that such findings are known to the body of membership as part of the overall goal of the restoration of trust in the community. It is a parallel to the requirement that disciplinary decisions against ministers of the Word and Sacrament be read to the entire presbytery of membership (current D-11.0700, and proposed D-9.0102b).

This provision is referenced in both proposed D-9.0102a (dealing with disciplinary decisions of sessions) and proposed D-9.0102c (dealing with disciplinary decisions of presbyteries against members of congregations). It should be noted that this meeting is also required when an alternative resolution is adopted, because of the requirement that such a resolution must be transmitted “to the clerk of session or the stated clerk, who shall report it according to the provisions of D-9.0102.”

The amendment is necessary because business at congregational meetings is limited to those matters specifically listed in G-1.0503.

**Advice—From the Advisory Committee on the Constitution (ACC)**

The Advisory Committee on the Constitution advises the 225th General Assembly to approve ROD-06. The adoption of these amendments assumes the adoption of the proposed revision of the Rules of Discipline of the *Book of Order* (Part II of the Constitution) and references the language of those amendments.

The amendment proposed in Recommendation 1 will synchronize the Form of Government with the Rules of Discipline.

---

The Assembly Committee on Rules of Discipline approved Item ROD-06 1, 24/1. The 225th General Assembly (2022) approved Item ROD-06 1, 378/1.

For the full report on ROD-06, go to <https://www.pc-biz.org/#/committee/3000083/business>.

## 22-E — G-2.0503

### MINISTERS OF WORD AND SACRAMENT

#### G-2.0503 CATEGORIES OF MEMBERSHIP (POL-07)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

#### **Shall G-2.0503 in the Form of Government be amended as follows?**

(Deleted text is in ~~strike through~~; added text is in *italics*.)

#### **“G-2.0503      Categories of Membership**

**A minister of the Word and Sacrament is a member of a presbytery and shall be engaged in a ministry validated by that presbytery, a member-at-large as determined by the presbytery, or ~~honorably~~ retired. ...**

#### **... c.      ~~Honorably~~ Retired**

**Upon request of a member of presbytery, the presbytery may designate the member ~~honorably~~ retired ~~because of age or physical or mental disability.~~”**

#### **Background and Rationale**

The only designation of retirement for ministers of the Word and Sacrament allowed in the current *Book of Order* is “Honorably Retired.” That designation may be perfectly fitting for many Presbyterian ministers as they retire from active pastoral roles, but presbyteries sometimes face situations in which a minister’s service has been marked by difficulties and challenges that do not rise to the level of formal disciplinary charges and censure, but which are hardly worthy of the label “Honorable.”

An example of such a situation might be when a pastor has acted inappropriately but no disciplinary charges are brought because of the belief that the damage to a particular church or harmed person would be more devastating than just letting a pastor leave. Victims are then revictimized when that pastor is granted the status of “Honorably Retired.” Another factor might be that church members or others mistrust or do not understand the processes to bring charges. A third example is when a pastor commits boundary violations after honorably serving and leaving a congregation to move to other endeavors. There may also be situations that occurred during a pastor’s membership in a previous presbytery that could be unreported during a transfer process and only later come to light following retirement in a different presbytery.

So how do presbyteries today respond when ministers with service marked by difficulties or challenges on their records seek retirement? Some may maintain those ministers as members at-large or in other in-between statuses rather than offering retirement, to avoid characterizing the minister’s service as “Honorable.” Other presbyteries may go ahead and honorably retire ministers of all types, regardless of the quality and faithfulness of their service. In doing so, however, the term “Honorably” loses its meaning for anyone. Such a retirement may confuse or, as noted above, revictimize people who have been harmed by a troubled pastorate and who may feel that the presbytery is praising the pastor’s service despite the gravity of its problems.

The proposed amendment would maintain the “Retired” category but remove the mandatory designation of “Honorably” that now applies to all retirements. The new designation of “Retired” would be effective for retirements approved by presbyteries on or after the effective date of the amendment under G-6.04e of the *Book of Order*.

This proposed amendment would have no impact whatsoever on a minister of the Word and Sacrament’s access to Board of Pension retirement benefits. That Board of Pensions process is completely separate from a presbytery granting “Retired” status to a minister on its rolls.

#### **Advice—From the Advisory Committee on the Constitution (ACC)**

The Advisory Committee on the Constitution advises the 225th General Assembly (2020) that POL-07 presents issues. The item seeks to amend G-2.0503 and G-2.0503c by striking “honorably” before “retired” in the two places where it occurs, and by adding “or other factors satisfactory to the presbytery” to G-2.0503c.

The ACC finds that deleting “honorably” does not alter the substance of those provisions or affect other constitutional provisions.

The ACC advises the assembly, however, that a similar overture was considered by the 210th GA (1998). The overture was referred to the Office of the General Assembly, which presented an amended overture to the 211th GA (1999). That overture would have removed “honorably” but also included a new provision that would have allowed a presbytery to “designate a retired minister as an honorably retired minister if the presbytery is moved by affection and gratitude to do so.” The ACC did not raise any constitutional issues to the proposed amendment, which was subsequently approved by the 211th GA (1999), but then failed to receive the affirmative vote of a majority of the presbyteries.

The amendment as proposed, in addition to striking “honorably” adds “or other factors satisfactory to the presbytery.” The ACC is unaware of any factors other than those already listed in G-2.0503c that would appropriately lead to the retirement of a minister, and the rationale includes no discussion of the additional language. The ACC is concerned that there could be unintended consequences of this language and advises that if the assembly believes that the intent of this overture is appropriate, the additional words “or other factors satisfactory to the presbytery” be stricken.

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The Assembly Committee on Polity amended the overture language following advice from the ACC and then approved Item POL-07, 28/2. The 225th General Assembly (2022) approved Item POL-07, 270/128.

For the full report on POL-07, go to <https://www.pc-biz.org/#/committee/3000082/business>.

## 22-F — G-2.0505a(1)

### MINISTERS OF THE WORD AND SACRAMENT

#### G-2.0505a(1) TRANSFER OF MINISTERS OF OTHER DENOMINATIONS (POL-15)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

**Shall G-2.0505a(1) in the Form of Government be amended as follows?**

(Deleted text is in ~~strike through~~; added text is in *italics*.)

#### **“G-2.0505a(1) Transfer of Ministers of Other Denominations**

**“a. ...**

**“(1) In the case of ministers for immigrant fellowships and congregations, a presbytery may, if it determines that its strategy for mission with that group requires it, *and in consultation and partnership with that community*, recognize the ordination and receive as a member of presbytery a new immigrant minister who furnishes evidence of good standing in a denomination, ~~even though~~. *If at the time of enrollment that minister lacks the educational history required of candidates, and the presbytery should provide such educational opportunities as seem necessary and prudent for that minister’s successful ministry in the presbytery.*”**

#### **Background and Rationale**

Often immigrant fellowship members come from cultures that recognize a pastor as the leader of the church from their home country. These pastors many times have theological education from Presbyterian institutions in their home countries and have been ordained by their denomination, which may also be in partnership with the PC(USA). However, these pastors, new immigrants themselves, may face cultural and linguistic challenges in the United States. Therefore, taking and passing the ordination exams may be very difficult for them. Developing an educational and/or mentoring program for these pastors is paramount for their successful transition to the PC(USA).

#### **Advice—From the Advisory Committee on the Constitution (ACC)**

[Editor’s note: The Advisory Committee on the Constitution advised the 225th General Assembly (2022) that the overture presented constitutional issues. The ACC presented alternative language to produce the intent of allowing presbyteries to commission ruling elders to service in multiple situations. The committee amended the original overture following ACC advice, and the assembly approved the language. The following is edited advice from the ACC on the original overture.]

The ACC advises the 225th General Assembly that Item POL-15 presents the following issues that the assembly should consider. The item proposes that presbyteries should ordain immigrant ministers from other denominations and provide a means by which immigrant ministers may receive alternative

training and mentoring as their ordination in another denomination is recognized and they are enrolled as members of a presbytery.

**Comment—From the General Assembly Committee on Representation (GACOR)**

Our structure and polity often create barriers to ministry for the far-too-few areas of diversity within our denomination (for example, see item RGJ-07 *A Resolution Addressing the Lack of Installed Pastoral Leadership in People of Color Congregations in the PC(USA)*). If the PC(USA) is serious about its commitment to diversity, we must be more flexible in order to meet the needs of diverse communities. A more collaborative and individualized approach ensures credentialing does not become a gate-keeping method.

The General Assembly Committee on Representation was formed as a result of the 1983 reunion of the northern and southern streams to become what is now the PC(USA). The vision for GACOR was to address the need for relationships and vision around a better way to embody the diversity of the church. It is tasked with bringing attention and interpretation to representational access and norms around race, gender, sexual orientation, language, disability, theological diversity, and more (G-3.0103). GACOR's comments are designed to bring the richness and complexity of these intersecting realities into the conversation for the body of commissioners.

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The Assembly Committee on Polity amended the overture language and then approved Item POL-15, 28/0. The 225th General Assembly (2022) approved Item POL-15, 371/23.

For the full report on POL-15, go to <https://www.pc-biz.org/#/committee/3000082/business>.

## 22-G — G-2.0603

### PREPARATION FOR MINISTRY

#### G-2.0603 PURPOSE OF INQUIRY (HSB-05 2)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

#### **Shall G-2.0603 in the Form of Government be amended as follows?**

(Added text is in *italics*.)

#### **“G-2.0603 Purpose of Inquiry**

**“The purpose of the inquiry phase is to provide an opportunity for the church and those who believe themselves called to ordered ministry as ministers of the Word and Sacrament to explore that call together so that the presbytery can make an informed decision about the inquirer’s suitability for ordered ministry. *They shall provide a certificate of completion of boundary training, which includes the topic of sexual misconduct, and child sexual abuse prevention training with recertification at least every thirty-six months. The presbytery shall determine which trainings are approved to meet the criteria of these two requirements.*”**

#### **Background and Rationale**

Editor’s note: This proposed amendment originated as Recommendation 2 from the Survivors of Sexual Misconduct Task Force, with the following rationale:

Recommendations 1–5 and 8 are in response to the following referral: 2018 Referral: Item 11-09, A Resolution on Sexual Misconduct in the PC(USA). Recommendation 5. The Task Force will Undertake a Comprehensive Examination of Presbyterian Policy, Judicial Process and Rules of Discipline—from the Advocacy Committee for Women’s Concerns (*Minutes*, 2018, Part 1, p. 1024.)

Rationale for Recommendation 2: The FaithTrust Institute, which provides “Healthy Boundaries” training, and the national organization Darkness to Light, which provides the “Stewards of Children” child sexual abuse prevention training, have both discovered that regularly required training is the most effective way to prevent sexual misconduct and abuse in the church. One of the best ways to provide justice for those who have already been harmed is to require prevention training so that sexual misconduct doesn’t happen again. Therefore, the Survivors of Sexual Misconduct Task Force is recommending this constitutional change to require participation in boundary training and child sexual abuse prevention training as a part of a candidate’s preparation for ministry.

#### **Advice—From the Advisory Committee on the Constitution (ACC)**

The Advisory Committee on the Constitution advised that the 225th General Assembly (2022) disapprove the original Recommendation 2 of Item HSB-05. The committee amended the original recommendation 2 following the ACC advice.



### **Advice and Counsel—From the Advocacy Committee for Women’s Concerns (ACWC)**

The Advocacy Committee for Women’s Concerns commends and strongly concurs with Recommendation 2 regarding Boundary and Child Protection training for ministers of the Word and Sacrament and commissioned ruling elders. ACWC would highly recommend that deacons and ruling elders also be included in all trainings, as they are church-mandated reporters of abuse as well. All sexual abuse is, at the core, an abuse of power. That is why certain populations—such as children and youth, developmentally disabled adults, and immigrant night shift workers—are more vulnerable to abuse and are often the targets of sexual misconduct. Clergy sexual misconduct sends out ripple effects beyond individual victims to impact spouses and children, families and marriages, congregations, and presbyteries.

### **Advice and Counsel—From the Advisory Committee on Social Witness Policy (ACSWP)**

As a denomination, we affirm the need to care for individuals who are victim of sexual misconduct and the need to hold accountable those who commit sexual misconduct against others. However, we still fall short in identifying and addressing situations where sexual misconduct occurs. This item seeks to strengthen the church’s response to sexual misconduct and put procedures in place at all levels to prevent sexual misconduct from happening. ACSWP commends the work of the Survivors of Sexual Misconduct Task Force and wholeheartedly lifts up their work presented in this overture.

### **Comment—From the Office of the General Assembly (OGA)**

Regarding Recommendation 2, the Office of the General Assembly supports the importance of including boundary training during the preparation for ministry process.

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The Assembly Committee on Health Safety and Benefits amended the original Recommendation 2 by adding the amendment to G-2.0603 instead of G-2.0607e and deleted language about “good standing,” then approved Item HSB-05 2, 39/1. The 225th General Assembly (2022) approved Item HSB-05 2, 318/46.

For the full report on HSB-05, go to <https://www.pc-biz.org/#/committee/3000084/business>.

## 22-H — G-2.0605

### PREPARATION FOR MINISTRY

#### G-2.0605 OVERSIGHT (HSB-05 1)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

**Shall G-2.0605 in the Form of Government be amended as follows?**

(Added text is in *italics*.)

**“G-2.0605 Oversight**

**During the phases of inquiry and candidacy the individual continues to be an active member of his or her congregation and subject to the concern and discipline of the session. *However, during the time the individual is enrolled as an inquirer or candidate, the session shall report to the presbytery any matters of sexual misconduct. In matters relating to preparation for ministry, the individual is subject to the oversight of the presbytery within the context of their covenant relationship.*”**

#### **Background and Rationale**

This proposed amendment originated as Recommendation 1 from the Survivors of Sexual Misconduct Task Force, with the following rationale:

Recommendations 1–5 and 8 are in response to the following referral: 2018 Referral: Item 11-09, A Resolution on Sexual Misconduct in the PC(USA). Recommendation 5. The Task Force will Undertake a Comprehensive Examination of Presbyterian Policy, Judicial Process and Rules of Discipline—from the Advocacy Committee for Women’s Concerns (*Minutes*, 2018, Part 1, p. 1024.)

Rationale for Recommendation 1: Inquirers and candidates should be held accountable by the presbytery of care. There have been instances where an inquirer or candidate is accused of unethical behavior or even sexual misconduct, and a real conflict of interest exists through family and friends who serve on or influence their home church session. If inquirers and candidates are accountable to the presbytery for ensuring proper biblical and theological training, they should also be accountable to the presbytery for ensuring proper ethical behavior during their preparation for ministry as well.

#### **Advice—From the Advisory Committee on the Constitution (ACC)**

The Advisory Committee on the Constitution advised that the 225th General Assembly (2022) disapprove the original Recommendation 1 of Item HSB-05. The committee amended the original Recommendation 1 following the ACC advice.

#### **Advice and Counsel—From the Advocacy Committee for Women’s Concerns (ACWC)**

The Advocacy Committee for Women’s Concerns commends and strongly concurs with the recommendation. All sexual abuse is, at the core, an abuse of power. That is why certain populations—such as children and youth, developmentally disabled adults, and immigrant night shift workers—are more vulnerable to abuse and are often the targets of sexual misconduct. Clergy sexual misconduct sends

out ripple effects beyond individual victims to impact spouses and children, families and marriages, congregations, and presbyteries.

**Advice and Counsel—From the Advisory Committee on Social Witness Policy (ACSWP)**

As a denomination, we affirm the need to care for individuals who are victim of sexual misconduct and the need to hold accountable those who commit sexual misconduct against others. However, we still fall short in identifying and addressing situations where sexual misconduct occurs. This item seeks to strengthen the church’s response to sexual misconduct and put procedures in place at all levels to prevent sexual misconduct from happening. ACSWP commends the work of the Survivors of Sexual Misconduct Task Force and wholeheartedly lifts up their work presented in this overture.

**Comment—From the Office of the General Assembly (OGA)**

The committee amended recommendation 1 following OGA advice.

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The Assembly Committee on Health Safety and Benefits amended the original Recommendation 1 by removing “subject to the concern and discipline of the presbytery” and inserting “the session shall report,” then approved Item HSB-05 1, 33/5. The 225th General Assembly (2022) approved Item HSB-05 1, 324/46.

For the full report on HSB-05, go to <https://www.pc-biz.org/#/committee/3000084/business>.

## 22-I — G-2.0804

### CALL AND INSTALLATION

#### G-2.0804 TERMS OF CALL (HSB-06)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

#### **Shall G-2.0804 in the Form of Government be amended as follows?**

(Added text is in *italics*.)

#### **“G-2.0804 Terms of Call**

**The terms of call shall always meet or exceed any minimum requirement of the presbytery in effect when the call is made. The session shall review annually the minister’s terms of call and shall propose for congregational action (G-1.0501) such changes as the session deems appropriate, provided that they meet the presbytery’s minimum requirements. The call shall include *provision for a minimum of twelve weeks paid family medical leave and participation in the benefits plan of the Presbyterian Church (U.S.A.) including both pension and medical coverage, or any successor plan approved by the General Assembly.*”**

### **Background and Rationale**

This proposed amendment originated as a recommendation from the Family Leave Policy Task Force as Recommendation 1. The Family Leave Policy Task Force provided the following edited rationale in part:

Recommendation 2 approved by the General Assembly included a General Assembly policy definition of Family Leave as:

- Leave to accommodate the birth, foster placement, or adoption of a child.
- Leave to provide care to an ill or disabled family member.
- Leave to heal following a loss or tragic event.

In recent years the General Assembly has taken actions to encourage various councils of the church to honor the full humanity of its members and employees. The 221st General Assembly (2014) encouraged presbyteries and churches to create parental leave policies with the minimum of six weeks and 100% pay without using other forms of paid leave. The 222nd General Assembly (2016) also voted to encourage the six agencies of the General Assembly (Board of Pensions, Foundation, Office of the General Assembly, Presbyterian Investment and Loan Program, Inc., Presbyterian Mission Agency, and the Presbyterian Publishing Corporation) to improve their paid parental leave policies in accordance with the advice of the 221st General Assembly (2014). The 223rd General Assembly created a task force with a charge of determining the most effective method for ensuring a robust family leave policy throughout the PC(USA). Through its research and deliberations, the Family Leave Policy Task Force (FLPTF) has determined the most effective method of accomplishing this goal for called and installed ministers is through a constitutional mandate. The task force recommends that family leave be interpreted as a dimension of wholeness, one that responds to the need for time away from work. The task force believes there are theological, developmental, and societal justifications for committing to a denomination-wide family leave policy, and while this specific

recommendation provides for called and installed pastors, the task force would urge adoption of this same provision of care for all PC(USA) workers.

**Advice—From the Advisory Committee on the Constitution (ACC)**

This item proposed to introduce specific minimum terms of call within the Constitution of the Presbyterian Church (U.S.A.). This step creates constitutional problems, and we recommend disapproval of Item HSB-06. The language of Item HSB-06 introduces administrative-operational detail into the *Book of Order*. Councils have a responsibility and should be trusted to adopt policies appropriate to their circumstances that support and nurture their members, families and staff (see G3.0301c, for example). The choice of twelve weeks reflects the societal sensibilities of the present day toward fair employment practices. Likely changes in those sensibilities mean that G-2.0804, if amended in this fashion now, may well require further and repeated amendment in the years ahead. Such amendments are more appropriate in an operations manual than a constitutional document.

**Advice and Counsel—From the Advocacy Committee for Women’s Concerns (ACWC)**

The Advocacy Committee for Women’s Concerns recommends the approval of HSB-06. The PC(USA), as an employer from the national level down to the local congregation, has the opportunity to model just employment practices through family leave policies that encourage balance in life between work and family and are consistent with PC(USA) theology and policies on work and workers.

**Advice and Counsel—From the Advisory Committee on Social Witness Policy (ACSWP)**

The Advisory Committee on Social Witness Policy advises that the 225th General Assembly (2022) approve item HSB-06. As a denomination, we have affirmed the importance of supporting families. However, in practice, we have created a situation where the majority of our pastors have been left with no parental leave. Without a paid family leave policy, the PC(USA) forces parents to make a choice between proper healthcare for themselves and their children, and adequate income to provide for their families. It forces family members with sick parents or children to choose work over care, which is antithetical to our call to be compassionate to the ill and infirm. By approving this amendment, the PC(USA) can shape our polity in a way that shows the value we place on human life and relationship. Need to care for individuals who are victim of sexual misconduct and the need to hold accountable those who commit sexual misconduct against others. However, we still fall short in identifying and addressing situations where sexual misconduct occurs. This item seeks to strengthen the Church’s response to sexual misconduct and put procedures in place at all levels to prevent sexual misconduct from happening. ACSWP commends the work of the Survivors of Sexual Misconduct Task Force and wholeheartedly lifts up their work presented in this overture.

**Advice and Counsel—From the Racial Equity Advocacy Committee (REAC)**

The Racial Equity Advocacy Committee advises that the 225th General Assembly (2022) approve this item. The Racial Equity Advocacy Committee (REAC) supports the need to have appropriate time of leave for ministers.

**Comment—From the General Assembly Committee on Representation (GACOR)**

The General Assembly Committee on Representation (GACOR) acknowledges that the procedures of employment matter. Unfortunately, in the area of parental and family leave, the denominational instruction is not as clear. GACOR has continuously supported efforts to create an equitable family leave policy. Often councils and individual congregations do not have parental/family

leave policies in place and must do so if and when the case arises (putting the individual requesting the leave in a precarious position). This can result in decision-making that focuses on the financial cost of the leave rather than the care of the leader and family. The proposed amendment would provide the framework for individuals needing parental or family leave. Committees on representation at the presbytery and synod levels, or the committees tasked with such work, should serve as a resource to their councils concerning employment practices as stated in G-3.0103.

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The Assembly Committee on Health Safety and Benefits amended and approved Item HSB 06, 34/3. The 225th General Assembly (2022) amended and approved Item HSB 06, 346/33.

For the full report on HSB-06, go to <https://www.pc-biz.org/#/committee/3000084/business>.

## 22-J — G-2.1001

### COMMISSIONING RULING ELDERS TO PARTICULAR PASTORAL SERVICE

#### G-2.1001 FUNCTIONS (MC-08)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

#### Shall G-2.1001 in the Form of Government be amended as follows?

(Deleted text is in ~~strike through~~; added text is in *italics*.)

#### “G-2.1001 Functions

When the presbytery, in consultation with ~~the session~~ *one or more sessions* or other responsible committees, determines that its strategy for mission requires it, the presbytery may authorize a ruling elder to be commissioned to limited pastoral service as a *commissioned pastor also known as commissioned ruling elder* as assigned by the presbytery. A ruling elder so designated may be commissioned to serve ~~in a validated ministry~~ *one or more validated ministries* of the presbytery. Presbytery, in its commission, may authorize the ruling elder to moderate the session of the congregation *or congregations* to which he or she is commissioned, to administer the Sacraments, and to officiate at marriages where permitted by state law. This commission shall also specify the term of service, which shall not exceed three years but shall be renewable. The presbytery shall review the commission at least annually.”

#### Background and Rationale

[Editor’s note: This item was brought by Palo Duro Presbytery and concurred by four presbyteries and a synod. Palo Duro Presbytery presented the following edited background and rationale. For full text on the original overture, please see the PC-Biz link below.]

This overture originated in Palo Duro Presbytery, a presbytery in the PC(USA) covering 72 counties in northwest Texas and comprising 40 congregations. The use of commissioned pastors (CP) or commissioned ruling elders (CRE) in ministry has become more common and more needed, especially in geographically large presbyteries like Palo Duro. ... It would be beneficial in all situations if a presbytery could have CREs or CPs who are commissioned to more than one church, or even to a group of churches to be called on as needed. ... The exact language of G-2.1001 leaves room to conclude that a CRE or a CP is intended to authorize a commission only to a single congregation or mission. There remains conversation and controversy regarding what the *Book of Order* allows presbyteries to do regarding its commissioning of CREs or CPs to service in multiple settings.

#### Advice—From the Advisory Committee on the Constitution (ACC)

The Advisory Committee on the Constitution advised the 225th General Assembly (2022) that the overture presented constitutional issues. The ACC presented alternative language to produce the intent of allowing presbyteries to commission ruling elders to service in multiple situations. The committee amended the original overture following ACC advice, and the assembly approved the language. The following is edited advice from the ACC on the original overture:

The item seeks to amend G-2.1001 by striking language that references commission of elders to a single ministry and inserting language that explicitly authorizes commissioning to multiple ministries. The ACC notes first, that in 2014, the GA adopted an authoritative interpretation that states, in part, “a ruling elder commissioned for limited pastoral service is not authorized to perform any pastoral service outside of the commission of the presbytery, unless the presbytery gives its permission for any specific service ... .” If the assembly favors expanding the limits of commissioned pastoral service to include commissioning to multiple congregations, language similar to the overture’s proposed changes in the first three sentences of G-2.1001 are appropriate, with some recommended edits. [Editor’s note: The assembly adopted the language recommended by the ACC.]

### **Advice and Counsel—From the Racial Equity Advocacy Committee (REAC)**

The Racial Equity Advocacy Committee advises that the 225th General Assembly (2022) approve this item. The overture stresses the intention of F-1.0403, which states, “The unity of believers in Christ is reflected in the rich diversity of the Church’s membership. In Christ, by the power of the Spirit, God unites persons through baptism regardless of race, ethnicity, age, sex, disability, geography, or theological conviction. There is therefore no place in the life of the Church for discrimination against any person.”

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The Assembly Committee on Mid Councils amended the overture following language proposed by the ACC and then approved Item MC-08, 32/0. The 225th General Assembly (2022) approved Item MC-08, 399/9.

For the full report on MC-08, go to <https://www.pc-biz.org/#/committee/3000080/business>.



## 22-K — G-2.1002

### COMMISSIONING RULING ELDERS TO PARTICULAR PASTORAL SERVICE

#### G-2.1002 TRAINING, EXAMINING, AND COMMISSIONING (HSB-05 3)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

#### **Shall G-2.1002 in the Form of Government amended as follows?**

(Added text is in *italics*.)

#### **“G-2.1002 Training, Examining, and Commissioning**

**A ruling elder who seeks to serve under the terms of G-2.1001 shall receive such preparation and instruction as determined by the presbytery to be appropriate to the particular commission. *Such preparation shall include a certificate of completion of boundary training, which includes the topic of sexual misconduct, and child sexual abuse prevention training with recertification at least every thirty-six months. The presbytery shall determine which trainings are approved to meet the criteria of these two requirements.* The ruling elder shall be examined by the presbytery as to personal faith, motives for seeking the commission, and the areas of instruction determined by the presbytery. A ruling elder who has been commissioned and later ceases to serve in the specified ministry may continue to be listed as available to serve but is not authorized to perform the functions specified in G-2.1001 until commissioned again to a congregation or ministry by the presbytery.”**

#### **Background and Rationale**

This proposed amendment originated as Recommendation 3 from the Survivors of Sexual Misconduct Task Force, with the following rationale:

Recommendations 1–5 and 8 are in response to the following referral: 2018 Referral: Item 11-09, A Resolution on Sexual Misconduct in the PC(USA). Recommendation 5. The Task Force will Undertake a Comprehensive Examination of Presbyterian Policy, Judicial Process and Rules of Discipline—from the Advocacy Committee for Women’s Concerns (*Minutes*, 2018, Part 1, p. 1024.)

Rationale for Recommendation 3: The FaithTrust Institute, which provides “Healthy Boundaries” training, and the national organization Darkness to Light, which provides the “Stewards of Children” child sexual abuse prevention training, have both discovered that regularly required training is the most effective way to prevent sexual misconduct and abuse in the church. One of the best ways to provide justice for those who have already been harmed is to require prevention training so that sexual misconduct doesn’t happen again.

The task force concluded that the denomination needs to mandate boundary training and child protection training for commissioned ruling elders and that training needs to be updated every 36 months.

### **Advice—From the Advisory Committee on the Constitution (ACC)**

The Advisory Committee on the Constitution advised that the 225th General Assembly (2022) disapprove the original Recommendation 3 of Item HSB-05. The committee revised the original recommendation following the ACC advice.

### **Advice and Counsel—From the Advocacy Committee for Women’s Concerns (ACWC)**

The Advocacy Committee for Women’s Concerns commends and strongly concurs with Recommendation 3 regarding boundary and child protection training for ministers of the Word and Sacrament and commissioned ruling elders. ACWC would highly recommend that deacons and ruling elders also be included in all trainings, as they are church-mandated reporters of abuse as well. All sexual abuse is, at the core, an abuse of power. That is why certain populations—such as children and youth, developmentally disabled adults, and immigrant night shift workers—are more vulnerable to abuse and are often the targets of sexual misconduct. Clergy sexual misconduct sends out ripple effects beyond individual victims to impact spouses and children, families and marriages, congregations, and presbyteries.

### **Advice and Counsel—From the Advisory Committee on Social Witness Policy (ACSWP)**

As a denomination, we affirm the need to care for individuals who are victim of sexual misconduct and the need to hold accountable those who commit sexual misconduct against others. However, we still fall short in identifying and addressing situations where sexual misconduct occurs. This item seeks to strengthen the church’s response to sexual misconduct and put procedures in place at all levels to prevent sexual misconduct from happening. ACSWP commends the work of the Survivors of Sexual Misconduct Task Force and wholeheartedly lifts up their work presented in this overture.

### **Comment—From the Office of the General Assembly (OGA)**

Regarding Recommendation 3, the Office of the General Assembly supports the importance of including boundary training for commissioned ruling elders.

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The Assembly Committee on Health Safety and Benefits amended the original Recommendation 3 and then approved Item HSB-05 3, 39/1. The 225th General Assembly (2022) approved Item HSB-05 3, 358/13.

For the full report on HSB-05, go to <https://www.pc-biz.org/#/committee/3000084/business>.

## 22-L — G-2.1103

### CERTIFIED CHURCH SERVICE

#### G-2.1103 CHRISTIAN EDUCATORS (HSB-05 4)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

**Shall G-2.1103 in the Form of Government be amended as follows?**

(Added text is in *italics*.)

#### **“G-2.1103 Christian Educators**

##### **a. Skills and Training**

**Certified Christian educators are persons certified and called to service in the ministry of education in congregations and councils. They shall have skills and training in biblical interpretation, Reformed theology, worship and sacraments, human development, faith development, religious education theory and practice, and the polity, programs and mission of the Presbyterian Church (U.S.A.). *Certified Christian educators shall provide a certificate of completion of boundary training, which includes the topic of sexual misconduct, and child sexual abuse prevention training with recertification at least every thirty-six months. The presbytery shall determine which trainings are approved to meet these two requirements.***

##### **b. Presbytery Responsibility**

**The presbytery shall establish minimum requirements for compensation and benefits for Certified Christian educators and Certified Associate Christian educators and shall provide access to the area of the presbytery that oversees ministry (G-3.0307). During their term of serve in an educational ministry under the jurisdiction of the presbytery, Certified Christian Educators are entitled to the privilege of the floor with voice only at presbytery meetings, and in the case of Certified Christian Educators who are ruling elders, the privilege of voice and vote at all meetings. *Certified Christian educators and Certified Associate Christian educators shall provide to the presbytery in which they serve a certificate of completion of boundary training, which includes the topic of sexual misconduct, and child sexual abuse prevention training with recertification at least every thirty-six months. The presbytery shall determine which trainings are approved to meet these two requirements. Presbytery shall report a certificate of completion to the national certifying body for these two trainings.***

### **Background and Rationale**

The General Assembly included this comment:

“The committee encourages the Christian Educators Certification Committee to take up the oversight of the certified Christian educators in presbyteries and congregations, particularly the tracking of required trainings. Gaps in oversight are where it is difficult to ensure that vulnerable people are protected.”

This proposed amendment originated as Recommendation 4 from the Survivors of Sexual Misconduct Task Force, with the following rationale:

Recommendations 1–5 and 8 are in response to the following referral: 2018 Referral: Item 11-09, A Resolution on Sexual Misconduct in the PC(USA). Recommendation 5. The Task Force will Undertake a Comprehensive Examination of Presbyterian Policy, Judicial Process and Rules of Discipline—from the Advocacy Committee for Women’s Concerns (*Minutes*, 2018, Part 1, p. 1024.)

Rationale for Recommendation 4: The FaithTrust Institute, which provides “Healthy Boundaries” training, and the national organization Darkness to Light, which provides the “Stewards of Children” child sexual abuse prevention training, have both discovered that regularly required training is the most effective way to prevent sexual misconduct and abuse in the church. One of the best ways to provide justice for those who have already been harmed is to require prevention training so that sexual misconduct doesn’t happen again.

The task force concluded that the denomination needs to mandate boundary training and child protection training for certified Christian educators and certified associate Christian educators and that training needs to be updated every 36 months.

#### **Advice—From the Advisory Committee on the Constitution (ACC)**

The Advisory Committee on the Constitution advised the 225th General Assembly (2022) disapprove the original Recommendation 4 of Item HSB-05. The committee revised the original recommendation following the ACC advice.

#### **Advice and Counsel—From the Advocacy Committee for Women’s Concerns (ACWC)**

The Advocacy Committee for Women’s Concerns commends and strongly concurs with Recommendation 4 regarding boundary and child protection training for Certified educators. ACWC would highly recommend that deacons and ruling elders also be included in all trainings, as they are church-mandated reporters of abuse as well. All sexual abuse is, at the core an abuse of power. That is why certain populations—such as children and youth, developmentally disabled adults, and immigrant night shift workers—are more vulnerable to abuse and are often the targets of sexual misconduct. Clergy sexual misconduct sends out ripple effects beyond individual victims to impact spouses and children, families and marriages, congregations, and presbyteries.

#### **Advice and Counsel—From the Advisory Committee on Social Witness Policy (ACSWP)**

As a denomination, we affirm the need to care for individuals who are victim of sexual misconduct and the need to hold accountable those who commit sexual misconduct against others. However, we still fall short in identifying and addressing situations where sexual misconduct occurs. This item seeks to strengthen the church’s response to sexual misconduct and put procedures in place at all levels to prevent sexual misconduct from happening. ACSWP commends the work of the Survivors of Sexual Misconduct Task Force and wholeheartedly lifts up their work presented in this overture.

#### **Comment—From the Office of the General Assembly (OGA)**

Regarding Recommendation 4, the Office of the General Assembly, which oversees educator certification through the work of the Educator Certification Committee, the national certifying body, is

committed to this ministry which provides an intensive process of education for those serving in ministries of Christian education/formation.

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The Assembly Committee on Health Safety and Benefits amended the original Recommendation 4 and then approved Item HSB-05 4, 40/0. The 225th General Assembly (2022) approved Item HSB-05 4, 305/60.

For the full report on HSB-05, go to <https://www.pc-biz.org/#/committee/3000084/business>.

## 22-M — G-3.0104

### GENERAL PRINCIPLES OF COUNCILS

#### G-3.0104 OFFICERS (MC-05)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

**Shall G-3.0104 in the Form of Government be amended as follows?**

(Added text is in *italics*.)

**“G-3.0104      Officers**

**The pastor of a congregation shall be the moderator of the session of that congregation. In congregations where there are co-pastors, they shall both be considered moderators and have provisions for designating who presides at a particular meeting. If it is impractical for the pastor to moderate, he or she shall invite another minister of the Word and Sacrament who is a member of the presbytery, or a person authorized by the presbytery to serve as moderator. If there is no installed pastor, or if the installed pastor is unable to invite another moderator, the presbytery shall make provision for a moderator. *It is appropriate for councils to adopt procedures that may allow for electronic session meetings.*”**

#### Background and Rationale

[Editor’s note: This proposed amendment originated as an overture from the Presbytery of Southern Illinois to allow moderators to moderate from a remote location. The assembly committee amended it following ACC advice. The following rationale was for the original overture.]

In larger metropolitan areas when there is a need for substitute session moderator leadership, there are usually several pools of people from which to draw, such as the pool of retired ministers of the Word and Sacrament or ministers of the Word and Sacrament serving in Presbyterian congregations. The reality is different in presbyteries that have wide geography and very small congregations, many of which lack full-time pastoral leadership. ...We propose a modest change to the *Book of Order*, under which presbyteries would be allowed to establish their own procedures for expeditious one-time appointment of a ruling elder to moderate a session meeting or, alternatively, for the appointment of a minister of the Word and Sacrament to moderate the meeting electronically.

#### Advice—From the Advisory Committee on the Constitution (ACC)

This proposed amendment originated as an overture from the Presbytery of Southern Illinois to allow moderators to moderate from a remote location. The assembly committee amended following ACC advice. The following edited advice was for the original overture:

The ACC advises the 225th GA to disapprove MC-05 [as] ... the proposed language is redundant and unnecessary. ...The ACC finds that the Constitution allows councils to meet electronically, provided such meetings are authorized in a council’s bylaws or manual of administrative operations.

The Assembly Committee on Health Safety and Benefits amended and approved Item MC-05, 25/6. The 225th General Assembly (2022) amended and approved Item MC-05, 376/21.

For the full report on MC-05, go to <https://www.pc-biz.org/#/committee/3000080/business>.

## 22-N — G-3.0105

### GENERAL PRINCIPLES OF COUNCILS

#### G-3.0105 MEETINGS (ROD-06 3)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

**Shall G-3.0105 in the Form of Government be amended as follows?**

(Added text is in *italics*.)

**“G-3.0105 Meetings**

**“Meetings of councils shall be opened and closed with prayer. Meetings shall be conducted in accordance with the most recent edition of Robert’s Rules of Order Newly Revised, except when it is in contradiction to this Constitution. Councils may also make use of processes of discernment in their deliberations prior to a vote as agreed upon by the body.**

*“In accordance with the requirement of Robert’s Rules of Order Newly Revised, councils and their commissions and committees may meet electronically, provided that the technology employed allows for all members present to hear and be heard simultaneously. This includes joining one or more persons electronically to an otherwise in-person meeting. Councils should adopt special rules of order and standing rules to govern such meetings.”*

#### Background and Rationale

##### Rationale for Recommendation 3

The Foundations of Presbyterian Polity states that in our church, “decisions shall be reached in councils by vote, following opportunity for discussion and discernment, and a majority shall govern” (F-3.0205). At the core of our understanding of church governance is the notion that the Holy Spirit is present “where two of three are gathered,” and guides us in discerning the will of God in our decision making.

The absence of constitutional language authorizing electronic meetings has proved problematic at all levels of the Presbyterian Church (U.S.A.) since the arrival of the COVID-19 pandemic, including in disciplinary processes. The proposed language would remedy that by authorizing electronic meetings in congregations and councils of the church, while still requiring that for proper discernment and decision making to occur, participants must be able to “hear and be heard simultaneously,” or as it is stated in our parliamentary authority, provide for the “opportunity for simultaneous aural communication” (RONR 12th ed. 9:31).

It is not the intent of these additions to require electronic meetings or to mandate any specific processes or procedures. Congregations and councils may make those determinations themselves. Additionally, the proposed revision of the Rules of Discipline sometimes explicitly states that meeting face to face is preferable. But as we all learned in 2020 and 2021, sometimes that is simply not possible. These additions provide the authorization required by our parliamentary authority to utilize electronic



meetings whenever a congregation, council, or entity of a council, determines that it should do so, and in accordance with whatever rules that congregation or council so adopts.

**Advice—From the Advisory Committee on the Constitution (ACC)**

The Advisory Committee on the Constitution advises the 225th General Assembly to approve ROD-06. The adoption of these amendments assumes the adoption of the proposed revision of the Rules of Discipline of the Book of Order (Part II of the Constitution) and references the language of those amendments.

The amendments proposed in Recommendation 2 and 3 regarding electronic meetings enshrines the option in the Constitution; thus, congregations and councils of the church have the ecclesiastical authority to meet by electronic means.

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The Assembly Committee on Rules of Discipline approved Item ROD-06 3, 24/1. The 225th General Assembly (2022) approved Item ROD-06 3, 378/1.

For the full report on ROD-06, go to <https://www.pc-biz.org/#/committee/3000083/business>.

## 22-O — G-3.0106

### GENERAL PRINCIPLES OF COUNCILS

#### G-3.0106 ADMINISTRATION OF MISSION (HSB-05 9)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

**Shall G-3.0106 in the Form of Government be amended as follows?**

(Added text is in *italics*.)

**“G-3.0106 Administration of Mission**

**Mission determines the forms and structures needed for the church to do its work. Administration is the process by which a council implements its decisions. Administration enables the church to give effective witness in the world to God’s new creation in Jesus Christ and strengthens the church’s witness to the mission of the triune God.**

**Councils higher than the session may provide examples of policies and procedures that may be gathered into advisory handbooks. These examples illumine practices required by the Constitution but left to councils for specific implementation. Such handbooks may also offer information that enhances or secures the ministry of the particular council.**

**Each council shall develop a manual of administrative operations that will specify the form and guide the work of mission in that council.**

**All councils shall adopt and implement a sexual misconduct policy and a child and youth protection policy. *Each council’s policy shall include requirements for boundary training which includes the topic of sexual misconduct, and child sexual abuse prevention training for its members at least every thirty-six months.*”**

#### **Background and Rationale**

This proposed amendment originated as a recommendation from the GA Health Safety and Benefits Committee as Recommendation 9 attached to the Survivors of Sexual Misconduct Task Force recommendations. The HSB committee concluded that the denomination needs to mandate boundary training and child protection training for all members of councils including sessions of congregations, presbyteries, synods and the general assembly.

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The Assembly Committee on Health Safety and Benefits amended the original Recommendation 4 and then approved Item HSB-05 9, 36/2. The 225th General Assembly (2022) approved Item HSB-05 9, 351/24.

For the full report on HSB-05, go to <https://www.pc-biz.org/#/committee/3000084/business>.

## 22-P — G-3.0106

### GENERAL PRINCIPLES

#### G-3.0106 ADMINISTRATION OF MISSION (POL-10)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

**Shall the fourth paragraph of G-3.0106 in the Form of Government be amended as follows?**  
(Deleted text is in ~~strike through~~; added text is in *italics*.)

**“G-3.0106 Administration of Mission ...**

**... “All councils shall adopt and implement ~~a sexual misconduct policy and a child and youth protection policy~~ the following policies: a sexual misconduct policy, a harassment policy, a child and youth protection policy, and an antiracism policy.”**

#### **Background and Rationale**

From Selma to Montgomery, from Tuskegee to Tuscaloosa, from Auburn to Anniston, from the Black Belt to Birmingham, the Presbytery of Sheppards and Lapsley knows the pain of our racist history and the difficulty of changing behavior. We recognize the General Assembly’s call for “Facing Racism,” for study and action, and give thanks for the resource materials provided. Nevertheless, we see that councils have been slow to respond. Councils have adopted and enforced sexual misconduct policies and policies to protect vulnerable populations. Why have councils not been doing the work of “Facing Racism”? Why have councils responded differently? The responses regarding sexual misconduct and protecting vulnerable people have been directed by “shall,” while “Facing Racism” merely urges, makes available, encourages, and commends. This presbytery, whose very name reflects black and white, women and men, working together in mission for education and health care, calls upon the General Assembly to turn overcoming racism into a “shall” for all our councils.

#### **Advice—From the Advisory Committee on the Constitution (ACC)**

The Advisory Committee on the Constitution advises that the constitution is not intended to serve as a manual of operations. Generally, this would advocate against the creation of lists of requirements or rubrics on how to implement requirements.

#### **Advice and Counsel—From the Advisory Committee on Social Witness Policy (ACSWP)**

The Advisory Committee on Social Witness Policy (ACSWP) advises that the 225th General Assembly (2022) approve this item...The Presbytery of Sheppards and Lapsley and other concurring presbyteries are to be commended for their sincere desire to see the PC(USA) implementing the “Facing Racism” policy (2018, renewing a 1999 version). If this overture is passed, it is important that there are both personal and shared outcomes for any antiracism policy and training. Training in and of itself does not mandate tangible action beyond certification that a training is offered, was attended, and completed. In a church that is 89% white and largely suburban, the amendment we propose is meant to encourage mid councils to be both visionary and realistic about the kind of training required to dismantle white supremacy and transform us into the Beloved Community in our particular areas.

### **Advice and Counsel—From the Advocacy Committee for Women’s Concerns (ACWC)**

ACWC advises that the assembly approve this item. We concur with the Racial Equity Advocacy Committee and encourage the approval of including an antiracism policy with suggested language, but we also believe it should be included in a stand-alone manner separate from the mandate to have a sexual misconduct policy and a child and youth protection policy.

### **Advice and Counsel—From the Racial Equity Advocacy Committee (REAC)**

The Racial Equity Advocacy Committee advises that the 225th General Assembly (2022) approve this item ... Over the years, the *Book of Order* has been reduced in scope and specific content. Noticeably absent is language related to addressing systemic and structural racism. Previous efforts to address racism in the church and society are not enough. Though they have brought awareness, they have not yielded the desired results for people of color. Facing racism and overcoming racism are only steps to achieving God’s beloved community of eradicating racism. White supremacy and other racist attitudes undermine the work of the church. Therefore, REAC advises the inclusion of “All councils shall adopt and implement a dismantling structural and systemic racism policy and training” as a stand-alone requirement.

### **Comment—From the General Assembly Committee on Representation (GACOR)**

The General Assembly Committee on Representation believes that training in cultural proficiency, implicit bias, and antiracism are important at all levels of the denomination. The inclusion of such training in the *Book of Order* would ensure that members are equipped and aware of the implications of racism in their work. Training like this would be best if connected to the constitutional requirement of advocating for diversity in leadership and equipping the church.

With that affirmation, we also want to highlight the fact that mandatory stand-alone training around bias and privilege have been shown to actually reinforce bias when they are not accompanied by actual strategies for overcoming bias, structural commitment to undoing structural barriers to equity, etc. In other words, the “how” of a mandatory training matters just as much, if not more, as the “if”—without attention to this wider matrix of needs, including best-practices, required antiracism training risks becoming simply another box to check without any greater commitment to transformed interactions, norms and structures within our institutions and within the body of Christ.

The General Assembly Committee on Representation (GACOR) was formed as a result of the 1983 reunion of the northern and southern streams of what is now the PC(USA). The vision for GACOR was to address the need for relationships and vision of a better way to embody the diversity of the church together. It is tasked with bringing attention and interpretation to representational access and norms around race, gender, sexual orientation, language, disability, theological diversity, and more (G-3.0103). GACOR’s comments are designed to bring the richness and complexity of these intersecting realities into the conversation for the body of commissioners.

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The Assembly Committee on Polity amended the overture language and then approved Item POL-10, 25/3. The 225th General Assembly (2022) amended and approved Item POL-10, 372/31.

For the full report on POL-10, go to <https://www.pc-biz.org/#/committee/3000082/business>.

## 22-Q — G-3.0303c

### THE PRESBYTERY

#### G-3.0303c RELATIONS WITH SESSIONS (MC-03)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

**Shall G-3.0303c in the Form of Government be amended as follows?**

(Added text is in *italics*.)

**“G-3.0303      Relations with Sessions ...**

**“... c. establish minimum compensation standards, *including provisions for dissolution terms, for pastoral calls and for those serving in temporary pastoral service, Certified Christian Educators and Certified Associate Christian Educators within the presbytery;*”**

#### Background and Rationale

[Editor’s note: This rationale was prepared for the original overture, which was significantly amended by the assembly and may or may not apply to the proposed amendment above.]

In 1993, the General Assembly Permanent Judicial Commission ruled in the case Saurbaugh v. the Presbytery of Great Rivers that “the *Book of Order* does not give the presbyteries power to require congregations to pay compensation upon dissolution of pastoral relationships” (*Minutes*, 1994, Part I, p. 155, Remedial Case 206-13,11.094 attached). In subsequent years, the church has maintained that while a presbytery can have guidelines and policies concerning severance for ministers at the dissolution of a pastorate, the presbytery has no authority to enforce those policies. This overture seeks to remedy that omission in the *Book of Order* by making explicit the authority of presbyteries to create and enforce severance policies by linking that authority to the power to set minimum wages and approve calls.

The overture does not attempt to set a national severance policy but rather to clarify the presbytery’s relationship to both the session and the minister during times of transition.

#### Advice—From the Advisory Committee on the Constitution (ACC)

[Editor’s note: This advice was prepared for the original overture, which was significantly amended by the assembly.]

The ACC advises the 225th General Assembly (2022) to disapprove [original] MC-03. ...

The ACC finds that nothing in the proposed amendment would change the requirement that only agreed-upon [by the congregation approving terms or change to terms of call] terms of dissolution are enforceable ....

### **Advice and Counsel—From the Advisory Committee on Social Witness Policy (ACSWP)**

The Advisory Committee on Social Witness Policy (ACSWP) advises that the 225th General Assembly (2022) approve this item.

When a pastor and a church need to end their mutual relationship, there needs to be equity in severance. Sometimes a pastor leaves without a just severance, which creates unfair stress in a time of transition. Some pastors might receive a fair severance package, others might receive none. This overture calls for presbyteries to establish minimums to prevent both undue hardship and retaliation in the moments that lead to the termination of the relationship between pastor and church.

According to the 2009 “God’s Work in Women’s Hands: Just Compensation and Just Compensation,” the PC(USA) defines pay equity as seeking fairness in compensation. While the policy addresses gender discrimination in compensation, this call for equity should apply to severance packages regardless of gender. By requiring presbyteries to set minimum severance policies, the denomination can move toward a more equitable compensation in the church.

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The Assembly Committee on Mid Councils amended the overture language and then approved Item MC-03, 32/0. The 225th General Assembly (2022) approved Item MC-03, 386/18.

For the full report on MC-03, go to <https://www.pc-biz.org/#/committee/3000080/business>.

## 22-R — G-3.0401

### THE SYNOD

#### G-3.0401 COMPOSITION AND RESPONSIBILITIES (MC-06)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

**Shall G-3.0401 in the Form of Government be amended as follows?**

(Added text is in *italics*.)

#### **“G-3.0401      Composition and Responsibilities**

**“The synod is the intermediate council serving as a corporate expression of the church throughout its region. It shall consist of not fewer than three presbyteries within a specific geographic region.**

**“When a synod meets, it shall be composed of commissioners elected by the presbyteries. Each presbytery shall elect at least one ruling elder and one minister of the Word and Sacrament to serve as commissioners to synod. A synod shall determine a plan for the election of commissioners to the synod, as well as the method to fulfill the principles of participation and representation found in F-1.0403 and G-3.0103; both plans shall be subject to approval by a majority of the presbyteries in the synod. The commissioners from each presbytery shall be divided equally between ruling elders and ministers of the Word and Sacrament. *A synod may enroll, or provide by rule for the enrollment of, ministers of Word and Sacrament and ruling elders, in numbers as nearly equal as possible, during terms of elected service to the synod. Such enrollment may be used, among other purposes, for fulfilling the principles of participation and representation and may include representation from the synod’s racial ethnic active leadership.* Each person elected moderator or other officer shall be enrolled as a member of the synod until a successor is elected and installed.”**

#### **Background and Rationale**

[Editor’s note: This item came as an overture from Lake Huron Presbytery and received concurrence from four presbyteries and one synod. The edited rationale follows.]

The current language of G-3.0401 creates a problem in fulfilling the requirements both for the election of commissioners and the principles of participation and representation. Since synods “shall be composed of commissioners elected by presbyteries,” a synod may be prevented from “[hearing] the voices of peoples long silenced” (*Book of Confessions*, A Brief Statement of Faith, 11.4, Line 70) who might not be elected as commissioners. Since synods cannot compel the election of particular commissioners, important constituencies of synods—such as racial ethnic caucuses, immigrant communities, or mission networks—could be excluded from participation in the decisions of the synod. ... The proposed language permits synods to adopt rules, subject to the approval of a majority of their presbyteries, to extend voting privileges to additional persons in the synod for the purpose of participation and representation. ... The amendment ... would preserve the principle of governance by ruling elders and teaching elders (F-3.0202) by requiring that such additional members be balanced as nearly equally as

possible. It would also free synods to find ways to fulfill both the plan for election of commissioners and the plan for participation and representation according to their particular mission needs with creativity and integrity.

**Advice—From the Advisory Committee on the Constitution (ACC)**

The Advisory Committee on the Constitution advised the 225th General Assembly (2022) approve item MC-06 with amendment. The overture provides a path [that] synods may use in order to a) fulfill the principles of participation and representation found in F-1.0403 and G-3.0103, while b) retaining the principle of government by elders (F-3.0202) and c) protecting the rights of lower councils to choose those who represent them in higher councils. ... The overture seeks to allow synods to obtain other voting members. In this respect, the overture shares important parallels with part of G-3.0301: “A presbytery may enroll, or may provide by its own rule for the enrollment of, ruling elders during terms of elected service to the presbytery or its congregations.”

**Advice and Counsel—From the Racial Equity Advocacy Committee (REAC)**

The Racial Equity Advocacy Committee advises that the 225th General Assembly (2022) approve this item. The overture stresses the intention of F-1.0403, which states, “The unity of believers in Christ is reflected in the rich diversity of the Church’s membership. In Christ, by the power of the Spirit, God unites persons through baptism regardless of race, ethnicity, age, sex, disability, geography, or theological conviction. There is therefore no place in the life of the Church for discrimination against any person.”

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The Assembly Committee on Mid Councils amended the overture language following language proposed by the ACC and REAC and then approved Item MC-06, 30/2. The 225th General Assembly (2022) approved Item MC-06, 385/13.

For the full report on MC-06, go to <https://www.pc-biz.org/#/committee/3000080/business>.



## 22-S — G-4.0301

### CONFIDENCE AND PRIVILEGE

#### G-4.0301 TRUST AND CONFIDENTIALITY (ROD-07)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

#### **Shall G-4.0301 in the Form of Government be amended as follows?**

(Deleted text is in ~~strike through~~; added text is in *italics*.)

#### **“G-4.0301 Trust and Confidentiality**

**“In the exercise of pastoral care, ministers of the Word and Sacrament and ruling elders who have been commissioned by a presbytery to limited pastoral service (G-2.10) shall maintain a relationship of trust and confidentiality, and shall work to create communities of trust, accountability, and confidentiality while protecting the vulnerable. Confidentiality creates safe and sacred space for individuals to share concerns, questions, and/or burdens and seek spiritual guidance. Confidentiality should not be an excuse to hold secret the knowledge or risk of harm especially when related to the physical abuse, neglect, sexual abuse of a minor or an adult who lacks mental capacity. Ministers of the Word and Sacrament and commissioned ruling elders shall hold in confidence all information revealed to them in the course of providing care and all information relating to the exercise of such care: *except:***

**“When the person whose confidences are at issue gives express consent to reveal confidential information, then a minister of the Word and Sacrament or a *commissioned ruling elder* ~~commissioned pastor (also known as commissioned ruling elder)~~ may, but cannot be compelled to, reveal confidential information, *or when a* ~~A~~ minister of the Word and Sacrament or a *commissioned ruling elder* ~~commissioned pastor (also known as commissioned ruling elder)~~ may reveal confidential information when she or he reasonably believes that there is risk of imminent bodily harm to any person.”**

#### **Background and Rationale**

This recommendation is in response to the following referral: 2018 Referral: Item 11-09, A Resolution on Sexual Misconduct in the PC(USA). Recommendation 5. The Task Force Will ... Undertak[e] a Comprehensive Examination of Presbyterian Policy, Judicial Process, and Rules of Discipline—From the Advocacy Committee for Women’s Concerns (*Minutes*, 2018, Part I, p. 1024).

... Our privilege of confidentiality is not an invitation to sweep abuse under the rug to protect the institution or to protect perpetrators of misconduct. The scriptures are clear, our mandate to protect the vulnerable and the victimized is greater than our responsibility to those who hold power.

- God has taken his place in the divine council; in the midst of the gods he holds judgment: “How long will you judge unjustly and show partiality to the wicked? Give justice to the weak and the orphan; maintain the right of the lowly and the destitute. Rescue the weak and the needy; deliver them from the hand of the wicked.” (Ps. 82: 1–4)

- [Jesus says,] “If any of you put a stumbling-block before one of these little ones who believe in me, it would be better for you if a great millstone were fastened around your neck and you were drowned in the depth of the sea. Woe to the world because of stumbling-blocks! Occasions for stumbling are bound to come, but woe to the one by whom the stumbling-block comes! ... Take care that you do not despise one of these little ones. ...” (Mt. 18:6–7; 10)

In light of these biblical mandates, when talking about confidence and privilege, it is essential that we begin with protecting the vulnerable. ...Concerns about the need for confidence in pastoral care and to confess sin do not outweigh the need to protect those who have been victimized.

#### **Advice—From the Advisory Committee on the Constitution (ACC)**

[Editor’s note: The Advisory Committee on the Constitution advised the 225th General Assembly (2022) to disapprove the original Item ROD-07. The GA Rules of Discipline Committee recommended disapproval of the original recommendation following the ACC advice. The assembly significantly amended it with a substitute motion and approved the proposed amendment. The ACC gave oral advice to the General Assembly regarding the revised proposed amendment language, which does not significantly change the current constitutional requirement to keep in confidence all information revealed in the exercise of providing pastoral care, the permission to reveal confidential information when the person who revealed it gives express consent, and the ability to reveal confidential information if the person receiving the information reasonably believes that there is a risk of imminent bodily harm to any person.]

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The Assembly Committee on Rules of Discipline recommended disapproval of the original ROD-07, 19/5. The 225th General Assembly (2022) amended with a substitute motion and approved Item ROD-07, 325/65.

For the full report on ROD-07, go to <https://www.pc-biz.org/#/committee/3000083/business>.

## 22-T — W-3.0205

### GATHERING

#### W-3.0205 CONFESSION AND FORGIVENESS (TWE-05 1)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

#### **Shall W-3.0205 in the Directory for Worship amended as follows?**

(Added text is in *italics*.)

#### **“W-3.0205 Confession and Forgiveness ...**

**“... Other actions may follow—a song of praise, such as ‘Glory be to the Father’ or ‘Glory to God’; a summary of the law or call to faithfulness; *the sacrament of baptism*; and the sharing of peace as a sign of reconciliation in Christ.”**

#### **Background and Rationale**

The recommendations in TWE-05 are in response to the following referral: 2018 Referral: Item 14-02. On Amending Portions of the Directory for Worship. Recommendation 1.–10. The Assembly Referred Recommendations 1.–10. To the Presbyterian Mission Agency, Office of Theology and Worship—From the Presbytery of Santa Fe (*Minutes*, 2018, Part I, pp. 14, 17, 355–58 of the print copy, pp. 1198–1205 of the electronic copy). This amendment acknowledges the common practice of celebrating the sacrament of baptism early in the Service for the Lord’s Day while retaining the Reformed emphasis on baptism as a response to the Word.

#### **Advice—From the Advisory Committee on the Constitution (ACC)**

The Advisory Committee on the Constitution advises the 225th General Assembly (2022) to disapprove Recommendation 1 of Item TWE-05. Recommendation 1 seeks to amend W-3.0205, a section in the Directory for Worship that describes confession and forgiveness as an element of the worship service. The proposed language would articulate the possibility that the sacrament of baptism might be administered following confession and proclamation of forgiveness in the worship service.

Although the language of this recommendation is clear and consistent with its intent, the ACC finds that it is unnecessary. Reformed theology commonly links Word and Sacrament as in W-1.0106, but W-3.0307 already provides for the sacrament of baptism to ordinarily be in response to the Word. It does not require that the sacrament only be administered at that time in the service.

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The Assembly Committee on Theology, Worship, and Education approved Item TWE-05 1, 30/2. The 225th General Assembly (2022) approved Item TWE-05 1, 395/4.

For the full report on TWE-05, go to <https://www.pc-biz.org/#/committee/3000081/business>.

## 22-U — W-3.0409

### SACRAMENT

#### W-3.0409 THEOLOGY OF THE LORD'S SUPPER (TWE-05 2)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

**Shall W-3.0409 in the Directory of Worship be amended as follows?**

(Added text is in *italics*.)

**“W-3.0409     Theology of the Lord’s Supper ...**

**“... The opportunity to eat and drink with Christ is not a right bestowed upon the worthy, but a privilege given to the undeserving who come in faith, repentance, and love. All who come to the table are offered the bread and cup, regardless of their age or understanding. If some of those who come have not yet been baptized, an invitation, *when appropriate*, to baptismal preparation and Baptism should be graciously extended.”**

#### **Background and Rationale**

The recommendations in TWE-05 are in response to the following referral: 2018 Referral: Item 14-02. On Amending Portions of the Directory for Worship. Recommendation 1.–10. The Assembly Referred Recommendations 1.–10. To the Presbyterian Mission Agency, Office of Theology and Worship—From the Presbytery of Santa Fe (*Minutes*, 2018, Part I, pp. 14, 17, 355–58 of the print copy, pp. 1198–1205 of the electronic copy).

This amendment provides for gracious hospitality at the Lord’s Supper, emphasizes the theological connection between the sacraments, and underscores pastoral discretion in the invitation to baptism.

#### **Advice—From the Advisory Committee on the Constitution (ACC)**

The Advisory Committee on the Constitution advises the 225th General Assembly (2022) to disapprove Recommendation 2 of Item TWE-05. This recommendation seeks to amend W-3.0409 to emphasize pastoral discretion regarding an invitation to baptismal preparation when persons who have not previously been baptized participate in the sacrament of the Lord’s Supper. The ACC finds that the proposed change has the potential to weaken the link between baptism and the Lord’s Supper. The use of “should,” rather than the mandatory “shall,” already provides latitude for pastoral discretion in determining the appropriateness of an invitation to baptismal preparation.

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The Assembly Committee on Theology, Worship, and Education approved Item TWE-05 2, 30/2. The 225th General Assembly (2022) approved Item TWE-05 2, 395/4.

For the full report on TWE-05, go to <https://www.pc-biz.org/#/committee/3000081/business>.

## 22-V — W-3.0414

### SACRAMENT

#### W-3.0414 COMMUNION (TWE-05 4)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

**Shall the second paragraph of W-3.0414 in the Directory of Worship be amended as follows?**

(Deleted text is in ~~strike~~through; added text is in *italics*.)

**“W-3.0414    Communion ...**

**“... When all have received the bread and cup, the remaining elements are placed on the table. ~~The minister of Word and Sacrament then leads the people in prayer.~~ *A prayer follows, thanking God for the gift of the Sacrament and asking for grace to live and serve faithfully until the coming of Christ’s realm in fullness.*”**

#### **Background and Rationale**

The recommendations in TWE-05 are in response to the following referral: 2018 Referral: Item 14-02. On Amending Portions of the Directory for Worship. Recommendation 1.–10. The Assembly Referred Recommendations 1.–10. To the Presbyterian Mission Agency, Office of Theology and Worship—From the Presbytery of Santa Fe (*Minutes*, 2018, Part I, pp. 14, 17, 355–58 of the print copy, pp. 1198–1205 of the electronic copy).

This amendment provides for more flexibility in the prayer after communion, including the use of a unison congregational prayer.

#### **Advice—From the Advisory Committee on the Constitution (ACC)**

The Advisory Committee on the Constitution advises the 225th General Assembly (2022) to approve Recommendation 4 of Item TWE-05. Recommendation 4 in this overture would eliminate the requirement that the prayer after communion be led only by a minister of the Word and Sacrament or ruling elder authorized by the presbytery to administer communion. The ACC finds that the language of W-3.0414 is unnecessarily restrictive and amendment is advisable.

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The Assembly Committee on Theology, Worship, and Education approved Item TWE-05 4, 31/0. The 225th General Assembly (2022) then approved Item TWE-05 4, 395/4.

For the full report on TWE-05, go to <https://www.pc-biz.org/#/committee/3000081/business>.

## 22-W — W-4.0403

### ORDINATION, INSTALLATION, AND COMMISSIONING

#### W-4.0403 ORDER OF WORSHIP (TWE-06)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

**Shall W-4.0403 in the Directory of Worship be amended as follows?**

(Added text is in *italics*.)

#### **“W-4.0403     Order of Worship**

**“A service of ordination, installation, or commissioning focuses on Christ and the joy and responsibility of serving him through the mission and ministry of the church. Following the sermon, the moderator (or designee) of the appropriate council briefly states the nature of the ministry to which persons are being ordained, installed, or commissioned. Those who are being ordained, installed, or commissioned gather at the baptismal font. The moderator (or designee) asks them the constitutional questions (see W-4.0404). A ruling elder asks the corresponding questions of the congregation. When all questions have been answered in the affirmative, those to be ordained will kneel, if able, for the laying on of hands and the prayer of ordination. (The presbytery commission lays on hands at the ordination of minister of the Word and Sacrament; its moderator may invite other ministers of the Word and Sacrament and ruling elders to participate. Members of the session lay on hands at the ordination of ruling elders and deacons; the session may invite other ruling elders and ministers of the Word and Sacrament to participate. Because ordination only takes place once for each office, the laying on of hands is not repeated.) Those previously ordained will stand, if able, along with the congregation, for the prayer of installation. *Signs and symbols of blessing may be conferred on the newly installed or commissioned person.* After this, the moderator makes the declaration of ordination, installation, or commissioning. Members of the session or presbytery welcome the newly ordained, installed, or commissioned person(s). In the case of the installation of a minister of the Word and Sacrament, persons may be invited to charge the minister of the Word and Sacrament and congregation to faithfulness in ministry and mutuality in relationship. When a minister of the Word and Sacrament is ordained or installed, it is appropriate for that person to preside at the Lord’s Supper in the same service; she or he may also give the blessing at the conclusion of the service. When ruling elders or deacons are ordained or installed, it is appropriate for one or more of them to give the charge to the congregation at the conclusion of the service.”**

#### **Background and Rationale**

[Editor’s note: The TWE Committee amended the overture following the advice of the Advisory Committee on the Constitution and the Presbyterian Mission Agency. This edited background and rationale is for the original overture’s proposed amendment. For the full rationale and original overture, see the PC-Biz link below.]

The laying on of hands is not a sacrament but an act of diverse meanings as witnessed in scripture and the Reformed tradition. It is affirmed by the *Book of Order* and Directory for Worship as an act that is appropriate to various situations in the worship of life of Presbyterians, an act that conveys the “gracious action of God and communicate[s] our grateful response” (W-1.0303, see also W-2.0202, W-3.0407, W-4.0401–.0403, W-5.0204).

The Confession of 1967 includes these words in 9.39–9.40: “... In recognition of special gifts of the Spirit and for the ordering of its life as a community, the church calls, trains, and authorizes certain members for leadership and oversight. The persons qualified for these duties in accordance with the polity of the church are set apart by ordination or other appropriate act and thus made responsible for their special ministries. The church thus orders its life as an institution with a constitution, government, officers, finances, and administrative rules. These are instruments of mission, not ends in themselves. ...”

Ordination is an act of the institution, one of the ways we order our life for mission. Candidates are ordained to a particular service, a call, emphasizing the pragmatic, functional nature of ordained ministry. As the *Book of Order* says, “In baptism, each Christian is called to ministry in Christ’s name. God calls some persons from the midst of congregations to *fulfill particular functions*, so that the ministry of the whole people of God may flourish. ...” (W-4.0401, emphasis added). And, “... The gifts of the Spirit are for building up the Church. Every action in worship is to glorify God and contribute to the good of the people. Worshipers and worship leaders must avoid actions that only call attention to themselves and fail to serve the needs of the whole congregation. ...” (W-2.0202)

The proposed change to the Directory of Worship is from restrictive language to permissive language: the laying on of hands would not be required at installations as there may be occasions when, because of ecumenical considerations or a candidate’s preferences regarding physical contact, it would not be appropriate or edifying. In such a change we reaffirm Calvin’s own guide for worship practices: “But love will best judge what may hurt or edify; and if we let love be our guide, all will be safe” (*Institutes*, IV.x.30).

### **Advice—From the Advisory Committee on the Constitution (ACC)**

This advice applies to the original overture.

Should the 225th General Assembly (2022) desire to authorize some act of the congregation to signify its blessing upon the newly installed or commissioned person, the Advisory Committee on the Constitution advises that W-4.0403 be amended as follows (suggestions appear in ~~strike through~~ and *italics*): “... [Because ordination only takes place once for each office, the laying on of hands is not repeated.] ~~The moderator may invite the commission and all members of the congregation to participate in the laying on of hands for commissioning and blessing the newly installed minister of Word and Sacrament, ruling elders, or deacons.~~ Those previously ordained will stand, if able, along with the congregation, for the prayer of installation. [*Signs and symbols of blessing may be conferred on the newly installed or commissioned person.*] After this, the moderator makes the declaration of ordination, installation, or commissioning. Members of the session or presbytery welcome the newly ordained, installed, or commissioned person(s).” (The remainder of the paragraph remains unchanged.)

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The Assembly Committee on Theology, Worship, and Education amended and approved Item TWE-06, 27/3. The 225th General Assembly (2022) approved Item TWE-06, 371/23.

For the full report on TWE-06, go to <https://www.pc-biz.org/#/committee/3000081/business>.

## 22-X — W-5.0104

### WORSHIP AND PERSONAL LIFE

#### W-5.0104 HOUSEHOLD WORSHIP (TWE-05 5)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

**Shall W-5.0104 in the Directory of Worship be amended as follows?**

(Added text is in *italics*.)

#### **“W-5.0104 Household Worship**

**“We respond to God’s grace in the context of personal relationships, particularly when Christians who live together worship together. *Household worship is a central and important practice within the Reformed tradition, an important means of faith formation.* Opportunities for household or family worship include: sabbath-keeping and rhythms of daily prayer; Bible reading, study, or memorization; prayers before meals; singing hymns, psalms, and spiritual songs; and expressions of giving, sharing, and service to others. Congregations are encouraged to nurture and equip households and families for these practices.”**

#### **Background and Rationale**

The recommendations in TWE-05 are in response to the following referral: 2018 Referral: Item 14-02. On Amending Portions of the Directory for Worship. Recommendation 1.–10. The Assembly Referred Recommendations 1.–10. To the Presbyterian Mission Agency, Office of Theology and Worship—From the Presbytery of Santa Fe (*Minutes*, 2018, Part I, pp. 14, 17, 355–58 of the print copy, pp. 1198–1205 of the electronic copy).

This amendment asserts the importance of household worship in faith formation.

#### **Advice—From the Advisory Committee on the Constitution (ACC)**

The Advisory Committee on the Constitution advises the 225th General Assembly (2022) that this item does not present issues of polity. Recommendation 5 of Item TWE-05 would add a sentence emphasizing the role of household worship. If the 225th General Assembly (2022) believes that the intent of Item TWE-05 Recommendation 5 is appropriate, the ACC advises that the proposed language is clear and consistent with that intent.

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The Assembly Committee on Theology, Worship, and Education approved Item TWE-05 5, 31/0. The 225th General Assembly (2022) approved Item TWE-05 5, 395/4.

For the full report on TWE-05, go to <https://www.pc-biz.org/#/committee/3000081/business>.



## 22-Y — W-5.0104

### WORSHIP AND PERSONAL LIFE

#### W-5.0104 HOUSEHOLD WORSHIP (TWE-05 6)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

**Shall W-5.0104 in the Directory of Worship be amended to add a third paragraph as follows?** (Added text is in *italics*.)

**“W-5.0104 Household Worship ...**

*“... Prayers of thanks and blessing, and lament at the household table draw upon ancient Jewish practice and the examples of Jesus, his disciples, and the early Christian community. Mealt ime prayers provide opportunities to give thanks to God’s works of creation and redemption by which we are sustained for Christ’s service. We respond with heartfelt thanks and praise in the sharing of our daily bread.”*

#### **Background and Rationale**

The recommendations in TWE-05 are in response to the following referral: 2018 Referral: Item 14-02. On Amending Portions of the Directory for Worship. Recommendation 1.–10. The Assembly Referred Recommendations 1.–10. To the Presbyterian Mission Agency, Office of Theology and Worship—From the Presbytery of Santa Fe (*Minutes*, 2018, Part I, pp. 14, 17, 355–58 of the print copy, pp. 1198–1205 of the electronic copy).

This amendment stresses the significance of mealt ime prayers in household worship.

#### **Advice—From the Advisory Committee on the Constitution (ACC)**

The Advisory Committee on the Constitution advises the 225th General Assembly (2022) that this item does not present issues of polity. Recommendation 6 in TWE-05 would add a paragraph emphasizing the role of mealt ime prayers to the section on household worship. If the 225th General Assembly (2022) finds Recommendation 6 is appropriate, the ACC advises that the proposed language is clear and consistent with that intent.

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The Assembly Committee on Theology, Worship, and Education approved Item TWE-05 6, 30/1. The 225th General Assembly (2022) approved Item TWE-05 6, 395/4.

For the full report on TWE-05, go to <https://www.pc-biz.org/#/committee/3000081/business>.

## 22-Z — W-5.0201

### WORSHIP AND THE CHURCH'S MINISTRY WITHIN THE COMMUNITY OF FAITH

#### W-5.0201 THE CHURCH'S MINISTRY WITHIN THE COMMUNITY OF FAITH (TWE-05 9, 1 & 2)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

**1. Shall W-5.0201 in the Directory of Worship be amended as follows?** (Added text is in *italics*.)

#### **“W-5.0201     The Church’s Ministry within the Community of Faith**

**“God calls the Church in the name of Jesus Christ to mutual love, *discipleship*, and service. Jesus’ ministry and the church’s worship are deeply connected; indeed, worship is ministry. The church’s ministry springs from its worship, where God builds up the body of Christ through the gifts of the Holy Spirit. The church’s ministry flows back into worship as we bring to God the celebrations and concerns of the community of faith.**

**“Within the church, we seek to love and serve one another through the rhythm of daily prayer, the ministries of Christian education and pastoral care, the activities of councils of the church, and other gatherings of believers. The church’s ministries are shaped and nourished by the Word and Sacraments, and are to be carried out in the spirit of *faithful discipleship and constant prayer (F-1.0301; F-1.0302a; F-1.0303; F-1.0403).*”**

**2. Shall W-5.0301 in the Directory of Worship be amended as follows?** (Added text is in *italics*.)

#### **“W-5.0301     The Church’s Mission in the World**

**“God sends the Church in the power of the Holy Spirit to join the mission of Jesus Christ in service to the world. Jesus’ mission and the church’s worship are deeply connected; indeed, worship is mission. The church’s mission springs from its worship, where we glimpse the reality and the promise of God’s eternal realm. The church’s mission flows back into worship as we bring to God the joy and suffering of the world.**

**“Through its mission in the world, the church seeks to bear witness to God’s reign through the proclamation of the gospel, acts of compassion, work for justice and peace, and the care of creation. The church’s mission is shaped and nourished by the Word and Sacraments, and represents the living out of our prayer for the world (*F-1.01; F-1.0303; F-1.0304.*)”**

## **Background and Rationale**

The recommendations in TWE-05 are in response to the following referral: 2018 Referral: Item 14-02. On Amending Portions of the Directory for Worship. Recommendation 1.–10. The Assembly Referred Recommendations 1.–10. To the Presbyterian Mission Agency, Office of Theology and Worship—From the Presbytery of Santa Fe (*Minutes*, 2018, Part I, pp. 14, 17, 355–58 of the print copy, pp. 1198–1205 of the electronic copy).

This amendment contributes an emphasis on communal discipleship within the church’s practice of ministry and mission.

## **Advice—From the Advisory Committee on the Constitution (ACC)**

The Advisory Committee on the Constitution advises the 225th General Assembly (2022) to approve the amendment to W-5.0201 and disapprove the [original] amendment to W-5.0301. Recommendation 9 in this item would introduce the concept of discipleship in various places in paragraphs describing a) the church’s ministry within the community of faith (W-5.0201) and b) the church’s mission in the world (W-5.0301). The ACC finds that sections W-5.0201 and W-5.0301 should be seen as complementary, not contradictory or mutually exclusive. It is unnecessary to amend W-5.0301 to incorporate discipleship as this is sufficiently addressed by the proposed amendment to W-5.0201.

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The Assembly Committee on Theology, Worship, and Education amended and approved Item TWE-05 9 1 & 2, 32/0. The 225th General Assembly (2022) approved Item TWE-05 9 1 & 2, 395/4.

For the full report on TWE-05, go to <https://www.pc-biz.org/#/committee/3000081/business>.

## 22-AA — W-5.0204

### WORSHIP AND THE CHURCH'S MINISTRY WITHIN THE COMMUNITY OF FAITH

#### W-5.0204 PASTORAL CARE (TWE-05 7)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

**Shall the third paragraph of W-5.0204 in the Directory of Worship be amended as follows?** (Deleted text is in ~~strike through~~; added text is in *italics*.)

#### **“W-5.0204 Pastoral Care ...**

**“... All members are called to take part in the ministry of pastoral care, visiting the sick, supporting the weak, and comforting those who mourn. Ruling elders, deacons, and ministers of the Word and Sacrament have particular responsibility for the exercise of pastoral care within the community of faith. Those with special gifts and appropriate training may be called to *the particular specialized pastoral care ministries of pastoral counseling, or chaplaincy*. In certain circumstances, persons may need to be referred to other qualified and credentialed professionals to receive appropriate counseling and care.”**

#### **Background and Rationale**

The recommendations in TWE-05 are in response to the following referral: 2018 Referral: Item 14-02. On Amending Portions of the Directory for Worship. Recommendation 1.–10. The Assembly Referred Recommendations 1.–10. To the Presbyterian Mission Agency, Office of Theology and Worship—From the Presbytery of Santa Fe (*Minutes*, 2018, Part I, pp. 14, 17, 355–58 of the print copy, pp. 1198–1205 of the electronic copy).

This amendment includes spiritual direction among the examples of specialized ministries of pastoral care while seeking to avoid the appearance of an exhaustive list.

#### **Advice—From the Advisory Committee on the Constitution (ACC)**

The Advisory Committee on the Constitution advises the 225th General Assembly (2022) that Recommendation 7 of Item TWE-05 presents issues that the assembly should consider. This recommendation would add “spiritual direction” to the already named ministries of pastoral care. It has added “particular specialized” and “such as” so that the list created by the addition of “spiritual direction” would not be presumed to be exhaustive. However, the addition of more language is counter to recent constitutional changes that give various councils parameters and responsibility to define their own practices. Decisions about appropriate validated ministries are properly left to the individual presbyteries. In addition, the creation of a list invites more items to be added to it.

The ACC finds that if the assembly believes it is appropriate to expand the understanding of pastoral care ministries, it can be better accomplished, while addressing the issues presented above, by striking “the ministries of pastoral counseling or chaplaincy” in W-5.0204 and inserting “particular specialized pastoral care ministries” so that it would read “Those with special gifts and appropriate

training may be called to ~~the ministries of pastoral counseling or chaplaincy~~ [*particular specialized pastoral care ministries*].”

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The Assembly Committee on Theology, Worship, and Education amended and approved Item TWE-05 7, 32/0. The 225th General Assembly (2022) approved Item TWE-05 7, 395/4.

For the full report on TWE-05, go to <https://www.pc-biz.org/#/committee/3000081/business>.

## 22-BB — W-5.0204

### WORSHIP AND THE CHURCH'S MINISTRY WITHIN THE COMMUNITY OF FAITH

#### W-5.0204 PASTORAL CARE (TWE-05 8)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

**Shall the fourth paragraph of W-5.0204 in the Directory of Worship be amended as follows?** (Deleted text is in ~~strike through~~; added text is in *italics*.)

#### **“W-5.0204 Pastoral Care...**

**“Services of wholeness and healing are one way of enacting the church’s ministry of pastoral care. The central element in these services is prayer, calling upon God’s saving grace or giving thanks for healing received, *in life and in death, in body, mind, or spirit*. A service of wholeness includes the proclamation of the Word, focusing on the promise of *peace and abundant life in Christ*. Prayer may be enacted through the laying on of hands and anointing with oil, provided that these actions are carefully introduced and interpreted: healing ~~always~~ *in its many forms* comes as a gift from God, not as a product *an accomplishment* of human prayer. The Lord’s Supper is a fitting way to seal the promise of wholeness proclaimed in the Word. Services of wholeness are to be authorized by the session and are under the direction of the minister of Word and Sacrament, but may involve leadership from ruling elders, deacons, and others with gifts for prayer. They may take place on a regular basis, as an occasional event, or as a part of the Service for the Lord’s Day.”**

#### **Background and Rationale**

The recommendations in TWE-05 are in response to the following referral: 2018 Referral: Item 14-02. On Amending Portions of the Directory for Worship. Recommendation 1.–10. The Assembly Referred Recommendations 1.–10. To the Presbyterian Mission Agency, Office of Theology and Worship—From the Presbytery of Santa Fe (*Minutes*, 2018, Part I, pp. 14, 17, 355–58 of the print copy, pp. 1198–1205 of the electronic copy).

This amendment offers theological and pastoral perspective on the nature of healing and wholeness: that healing happens in a variety of ways and wholeness is not necessarily synonymous with physical recovery.

#### **Advice—From the Advisory Committee on the Constitution (ACC)**

The Advisory Committee on the Constitution advises the 225th General Assembly (2022) to approve Recommendation 8 of Item TWE-05. This recommendation would amend the paragraph describing services of wholeness and healing. The ACC finds that the first proposed amendment, the insertion of the words “in life and in death, in body, mind, or spirit;” the deletion of “abundant” and insertion of “ultimate well-being through” are unnecessary stylistic changes that do not present issues of polity. The ACC finds that a) deletion of the word “always” and insertion of “in its many forms” and b)

deletion of “a product” and insertion of “not an accomplishment of human prayer” are helpful clarifications.

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The Assembly Committee on Theology, Worship, and Education approved Item TWE-05 8, 31/0. The 225th General Assembly (2022) approved Item TWE-05 8, 395/4.

For the full report on TWE-05, go to <https://www.pc-biz.org/#/committee/3000081/business>.

## 22-CC — D-3.0106

### JURISDICTION IN JUDICIAL PROCESS

#### D-3.0106 WHEN JURISDICTION ENDS (ROD-05)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

**Shall D-3.0106 in the current Rules of Discipline be amended as follows?**

(Deleted text is in ~~strike through~~; added text is in *italics*.)

**“D-3.0106     ~~When Jurisdiction Ends~~ *Upon Renunciation of Jurisdiction***

~~Jurisdiction in the~~ ***The judicial process ends does not end when a person in an ordered ministry or a member renounces the jurisdiction of the church. Should the accused in a disciplinary case renounce the jurisdiction of the church as provided in G-2.0407 or G-2.0509, the clerk or stated clerk shall report to the council both the renunciation and the status of the matter at that time, including the name of the accused, and the date and fact of renunciation during an investigation or trial, and the charges filed. The judicial process shall then proceed per the Rules of Discipline.”***

#### Background and Rationale

[Editor’s note: The assembly approved the above proposed amendment to the current Rules of Discipline in the event that the Rules of Discipline will not be replaced by Church Discipline. If Church Discipline is approved by majority vote of presbyteries, it will replace the entire current Rules of Discipline including any amendments to the current Rules of Discipline. The assembly amended D-7.0302e(2) in the proposed Church Discipline to address the underlying concerns (rather than the exact text) of this proposed amendment.]

The stated purposes of the Rules of Discipline are “to honor God by making clear the significance of membership in the body of Christ; to preserve the purity of the church by nourishing the individual within the life of the believing community; to achieve justice and compassion for all participants involved; to correct or restrain wrongdoing in order to bring members to repentance and restoration; to uphold the dignity of those who have been harmed by disciplinary offenses; to restore the unity of the church by removing the causes of discord and division; and to secure the just, speedy, and economical determination of proceedings” (D-1.0101).

Currently in D-3.0106 an accused person may choose to walk away from church nourishment, correction, and restoration by renouncing the jurisdiction of the church. That choice is the individual’s to make. The church cannot and should not prevent that choice. The church should document and report when that choice is made.

However, also currently in D-3.0106, when an accused person renounces the jurisdiction of the church, the accused individual(s) receives the power to deny the wider church full access to promised justice, dignity, and a just, speedy, and economical determination of disciplinary proceedings.



Under the current Rules of Discipline, when the accused renounces jurisdiction, the judicial process ends. Investigating committees stop. ...

This overture seeks to give investigating committees, permanent judicial commissions, and councils the ability to proceed through the remainder of the judicial process, per the Rules of Discipline, while honoring obligations to the accused. The accused would be informed through every step of the continued process and would be invited to participate. All communication to the accused would still be required. Those who renounce jurisdiction would retain the option to fully participate, to observe but remain silent, or to not participate at all. They may choose to send an advocate to represent them in their absence.

However, the amendments recommended in this overture allow the church and the councils to also honor our obligations to the accusers or those in the wider church who may have suffered harm. ...

With this simple overture, councils will be allowed and encouraged to respect and honor all people in and beyond the church, even if one person chooses to break oaths and walk away.

#### **Advice—From the Advisory Committee on the Constitution (ACC)**

The Advisory Committee on the Constitution advises the 225th General Assembly to disapprove Item ROD-05. ROD-03 requests the amendment of the current Rules of Discipline. The proposed Church Discipline revision is before the same assembly which would, if approved, replace the current Rules of Discipline section of the *Book of Order*. Should the General Assembly affirmatively adopt Church Discipline as proposed by the Rules of Discipline Task Force, the Advisory Committee on the Constitution would recommend to the General Assembly that this overture be answered by the Assembly's action on Church Discipline.

Should the General Assembly not adopt Church Discipline as proposed by the Rules of Discipline Task Force, the Advisory Committee on the Constitution advises the General Assembly that ROD-05 should be disapproved.

The advice given by the Advisory Committee on the Constitution to the 211th General Assembly (1999) Assembly when faced with a similar overture stated:

At the time of renunciation of the accused, the church has no further authority over the accused, nor is the accused any longer accountable to the church (D-10.0102, which defines the parties to a disciplinary case and D-11.0301). Further, continuation of discipline after renunciation of membership could result in liability in the secular courts. The 202nd General Assembly (1990) in response to a request for constitutional interpretation unanimously adopted the following interpretation of renunciation in relation to a disciplinary trial: "The trial would cease immediately should the person renounce the jurisdiction of the church" (*Minutes*, 1990, Part I, p. 239, paragraph 21.129). ...

The disciplinary process is not intended nor designed to discipline people who are not members of the PC(USA). An individual who has renounced the jurisdiction of the church has forsaken the Christian fellowship of the PC(USA) and, further, has given up office in the church, including ordination. The ultimate punishment of the church is exclusion from Christian fellowship. It is difficult to rationalize continuation of a process in a case in which the member has already passed ultimate judgment upon himself or herself. The overture is not clear about how completion of the trial in such a circumstance is redemptive for the church or for the victim.

This advice remains sound. Foundational to our church discipline is that the disciplinary process is undertaken against an individual who has consented by joining a congregation or by ordination to ordered ministry to submit to that jurisdiction. Once that consent has been removed by renunciation of jurisdiction, the councils of the church cannot compel an individual to participate in judicial proceedings or to accept any censure imposed.

**Advice and Counsel—From the Advocacy Committee for Women's Concerns (ACWC)**

The Advocacy Committee for Women’s Concerns recommends that the 225th General Assembly (2022) approve ROD-05. As the creators of 222nd General Assembly (2016)-approved resolution 05-09, to Ensure Adoption and Implementation of Child/Youth Protection Policies and Resources in the PC(USA) and 223rd General Assembly (2018)-approved resolution 11-09 on Sexual Misconduct in the PC(USA), the ACWC has long been on the forefront of advocating for policy changes that will prevent sexual abuse within the PC(USA).

ACWC is in strong support of amendment D-3.0106, which prevents pastor abusers from walking away from the impact of that abuse by renouncing jurisdiction.

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The Assembly Committee on Rules of Discipline amended and approved Item ROD-05, 14/9. The 225th General Assembly (2022) approved Item ROD-05, 334/50.

For the full report on ROD-05, go to <https://www.pc-biz.org/#/committee/3000083/business>.

## 22-DD — D-10.0302

### COMMUNICATE DETERMINATION

#### D-10.0302 IF CHARGES ARE TO BE FILED (ROD-04 3)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

#### **Shall D-10.0302 in the current Rules of Discipline be amended as follows?**

(Deleted text is in ~~strike through~~; added text is in *italics*.)

#### **“D-10.0302 If Charges Are to Be Filed**

**“If the investigating committee has decided to file charges, it shall promptly inform the accused in writing of the charges it will make, including a summary of the facts it expects to prove at trial to support those charges. It shall ask the accused if ~~that person~~*they* wish ~~es-to~~ plead guilty to the charges to avoid full trial and indicate the censure it will recommend to the session or permanent judicial commission.”**

#### **Background and Rationale**

[Editor’s Note: The assembly approved the above proposed amendments to the current Rules of Discipline in the event that the Rules of Discipline will not be replaced by Church Discipline. If Church Discipline is approved by majority vote of presbyteries, it will replace the entire current Rules of Discipline including any amendments to the current Rules of Discipline.]

Accusations are extremely easy to make, whether made by an individual or by a person doing so on behalf of another. When the credibility of those accusations has been substantiated, the Constitution clearly and unambiguously states that an investigative committee “shall promptly inform the accused” if charges are to be made. However, it is silent about the accused’s right to be notified when no charges are to be filed, even though written notice of this outcome is provided to the accuser. When individuals in positions of trust have gone through the protracted ordeal of being forced to defend themselves against charges and accusations that can neither be substantiated by objective facts and/or are deemed to be completely untrue, equity requires they be expeditiously notified of this conclusion as well. This omission constitutes a procedural error and undermines the justice process.

The Constitution’s current language also conveys an impression of bias and partiality, in that it describes one member (the “accused”) by way of labeling but uses supportive and affirming language to describe the other (“the person who submitted the written statement”). Labeling one and not the other is harmful because, consciously or subliminally, it fosters a presumption of guilt on the accused and freedom from guilt on the person making the accusation. Reframing the Constitution’s language removes these false assumptions and more faithfully takes into consideration the purpose of church discipline (D-1.01011).

The additional word revisions would, respectively, promote language consistency throughout the document and provide grammatical clarity.

### **Advice—From the Advisory Committee on the Constitution (ACC)**

The Advisory Committee on the Constitution advises the 225th General Assembly to disapprove ROD-04.

ROD-03 requests the amendment of the current Rules of Discipline. The proposed Church Discipline revision is before the same assembly which would, if approved, replace the current Rules of Discipline section of the *Book of Order*. Should the General Assembly affirmatively adopt Church Discipline as proposed by the Rules of Discipline Task Force, the ACC would recommend that this overture be answered by the assembly's action on Church Discipline (ROD-03).

Should the General Assembly not adopt Church Discipline as proposed by the Rules of Discipline Task Force, the ACC advises the General Assembly as follows:

The overture proposes three changes to the current Rules of Discipline. Recommendation 3 would amend Section 10.0302 by deleting the phrase, "if that person wishes" to "if he or she wishes." Should the General Assembly change "the accused" to "the person accused," such a change makes grammatical sense but the General Assembly should consider whether gender binary language is necessary. Should the General Assembly not amend as recommended in Recommendation 2, the change in Recommendation 3 would not be necessary.

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The Assembly Committee on Rules of Discipline amended and approved Item ROD-04 3, 18/4. The 225th General Assembly (2022) approved Item ROD-04 3, 326/19.

For the full report on ROD-04, go to <https://www.pc-biz.org/#/committee/3000083/business>.

## 22-EE — D-10.0303

### COMMUNICATE DETERMINATION

#### D-10.0303 PETITION FOR REVIEW (ROD-04 1)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

**Shall the first paragraph of D-10.0303 in the current Rules of Discipline be amended as follows?**

(Deleted text is in ~~strike~~through; added text is in *italics*.)

#### **“D-10.0303    Petition for Review**

**“If no charges are filed, the investigating committee shall file a written report of that fact alone with the clerk of session or stated clerk of the presbytery, and notify ~~the person who submitted the written statement~~, *in writing, both the person who has been accused and the person making the accusation.*”**

#### **Background and Rationale**

[Editor’s note: The assembly approved these proposed amendments to the current Rules of Discipline in the event that the Rules of Discipline will not be replaced by Church Discipline. If Church Discipline is approved by majority vote of presbyteries, it will replace the entire current Rules of Discipline, including any amendments to the current Rules of Discipline.]

Accusations are extremely easy to make, whether made by an individual or by a person doing so on behalf of another. When the credibility of those accusations has been substantiated, the Constitution clearly and unambiguously states that an investigative committee “shall promptly inform the accused” if charges are to be made. However, it is silent about the accused’s right to be notified when no charges are to be filed, even though written notice of this outcome is provided to the accuser. When individuals in positions of trust have gone through the protracted ordeal of being forced to defend themselves against charges and accusations that can neither be substantiated by objective facts and/or are deemed to be completely untrue, equity requires they be expeditiously notified of this conclusion as well. This omission constitutes a procedural error and undermines the justice process.

The Constitution’s current language also conveys an impression of bias and partiality, in that it describes one member (the “accused”) by way of labeling but uses supportive and affirming language to describe the other (“the person who submitted the written statement”). Labeling one and not the other is harmful because, consciously or subliminally, it fosters a presumption of guilt on the accused and freedom from guilt on the person making the accusation. Reframing the Constitution’s language removes these false assumptions and more faithfully takes into consideration the purpose of church discipline (D-1.01011).

The additional word revisions would, respectively, promote language consistency throughout the document and provide grammatical clarity.

### **Advice—From the Advisory Committee on the Constitution (ACC)**

The Advisory Committee on the Constitution advises the 225th General Assembly to disapprove ROD-04.

ROD-03 requests the amendment of the current Rules of Discipline. The proposed Church Discipline revision is before the same assembly which would, if approved, replace the current Rules of Discipline section of the *Book of Order*. Should the General Assembly affirmatively adopt Church Discipline as proposed by the Rules of Discipline Task Force, the ACC would recommend that this overture be answered by the assembly's action on Church Discipline (ROD-03).

Should the General Assembly not adopt Church Discipline as proposed by the Rules of Discipline Task Force, the ACC advises the General Assembly as follows:

The overture proposes three changes to the current Rules of Discipline.

The Advisory Committee on the Constitution recommends to the 225th General Assembly that Recommendation 1 be approved. Recommendation 1 changes the requirement that, if no charges are filed, the clerk or stated clerk notifies in writing both the person who has been accused and the person making the accusation. Equity requires that both parties be advised of the investigating committee's decision not to file charges and is an appropriate change to the Rules of Discipline.

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The Assembly Committee on Rules of Discipline amended and approved Item ROD-04 1, 18/4. The 225th General Assembly (2022) approved Item ROD-04 1, 326/19.

For the full report on ROD-04, go to <https://www.pc-biz.org/#/committee/3000083/business>.

## 22-FF — AMENDING “THE ACCUSED”

### AMENDING THE USE OF “THE ACCUSED” IN THE CURRENT RULES OF DISCIPLINE (ROD-04 2)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

**Further, that all other sections referring to “the accused” in the current Rules of Discipline be modified to read *the person accused*.**

#### Background and Rationale

[Editor’s note: The assembly approved the above proposed amendments to the current Rules of Discipline in the event that the Rules of Discipline are not be replaced by Church Discipline. If Church Discipline is approved by a majority vote of presbyteries, it will replace the entire current Rules of Discipline, including any amendments to the current Rules of Discipline.]

Accusations are extremely easy to make, whether made by an individual or by a person doing so on behalf of another. When the credibility of those accusations has been substantiated, the Constitution clearly and unambiguously states that an investigative committee “shall promptly inform the accused” if charges are to be made. However, it is silent about the accused’s right to be notified when no charges are to be filed, even though written notice of this outcome is provided to the accuser. When individuals in positions of trust have gone through the protracted ordeal of being forced to defend themselves against charges and accusations that can neither be substantiated by objective facts and/or are deemed to be completely untrue, equity requires they be expeditiously notified of this conclusion as well. This omission constitutes a procedural error and undermines the justice process.

The Constitution’s current language also conveys an impression of bias and partiality, in that it describes one member (the “accused”) by way of labeling but uses supportive and affirming language to describe the other (“the person who submitted the written statement”). Labeling one and not the other is harmful because, consciously or subliminally, it fosters a presumption of guilt on the accused and freedom from guilt on the person making the accusation. Reframing the Constitution’s language removes these false assumptions and more faithfully takes into consideration the purpose of church discipline (D-1.01011).

The additional word revisions would, respectively, promote language consistency throughout the document and provide grammatical clarity.

#### Advice—From the Advisory Committee on the Constitution (ACC)

The Advisory Committee on the Constitution advises the 225th General Assembly to disapprove ROD-04.

ROD-03 requests the amendment of the current Rules of Discipline. The proposed Church Discipline revision is before the same assembly which would, if approved, replace the current Rules of Discipline section of the *Book of Order*. Should the General Assembly affirmatively adopt Church Discipline as proposed by the Rules of Discipline Task Force, the ACC would recommend that this overture be answered by the assembly’s action on Church Discipline (ROD-03).

Should the General Assembly not adopt Church Discipline as proposed by the Rules of Discipline Task Force, the Advisory Committee on the Constitution advises the General Assembly as follows:

The overture proposes three changes to the current Rules of Discipline.

The Advisory Committee on the Constitution recommends to the 225th General Assembly that Recommendation 2 presents issues that should be considered.

Recommendation 2 would amend “the accused” to “the person accused,” in order to neutralize what appears to be bias against one who is accused of an offense as opposed to the person who submits the written statement. However, the identification of “the person who submits the written statement,” is appropriate within the context of the Rules of Discipline in that a person may be filing a statement from their own personal knowledge; or, may be filing a written statement based upon their knowledge of information from any source that an offense has occurred (See D-10.0101(b)). The term “the accused” accurately reflects the position one is in when an accusation has been made. It should also be noted that within the Rules of Discipline, being accused of an offense does not imply in any way that the person is guilty of the offense. Should the General Assembly believe that this language should be adopted, there is no constitutional impediment in making such a change.

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The Assembly Committee on Rules of Discipline amended and approved Item ROD-04 2, 18/4. The 225th General Assembly (2022) approved Item ROD-04 2, 326/19.

For the full report on ROD-04, go to <https://www.pc-biz.org/#/committee/3000083/business>.



## 22-GG — CHURCH DISCIPLINE SECTION

### REPLACING THE CURRENT “RULES OF DISCIPLINE” WITH A NEW “CHURCH DISCIPLINE” SECTION (ROD-03)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

**Shall the current Rules of Discipline be replaced with Church Discipline as follows?**

#### CHURCH DISCIPLINE

##### CHAPTER I

##### PRINCIPLES OF CHURCH DISCIPLINE

##### PREAMBLE

#### D-1.01 Power Vested in Christ’s Church

The power that Jesus Christ has vested in his Church, a power manifested in the exercise of church discipline, is one for building up the body of Christ, not for destroying it, for redeeming, not for punishing. It should be exercised as a dispensation of mercy and not of wrath, so that the great ends of the Church may be achieved, that all children of God may be presented faultless in the day of Christ.

#### D-1.02 Church Discipline Defined

##### *D-1.0201 Church Discipline Defined*

Church discipline is the church's exercise of authority given by Christ, both to guide, control, and nurture its members, and for the correction and restraint of wrongdoing. The church's judicial process does not exist as a substitute for the secular judicial system, but to do what the secular judicial system cannot do. The Constitution of the Presbyterian Church (U.S.A.) is infused with principles and standards to which all active members of congregations and ministers of the Word and Sacrament voluntarily submit.

##### *D-1.0202 Limits of Church Discipline*

Church discipline alone is not adequate to mediate intrinsic differences of theology, polity, policy, power, or trust. Broader issues of conflict are also addressed by constitutional amendment, mediation, administrative review, and administrative commissions. Church discipline through the judicial process shall be used when individuals or councils of the church are unable to bring about settlement of issues or when such settlement would be unwise, unjust, or ineffective, and have determined after prayerful deliberation that judicial process is necessary to ensure that individuals or councils are held accountable for their actions or inactions.

#### D-1.03 Purpose of Church Discipline

*D-1.0301 Purpose of Church Discipline*

Thus, the purpose of church discipline is:

- To honor God by making clear the significance of membership in the body of Christ;
- To preserve the purity of the church by nourishing the individual within the life of the believing community;
- To pursue and reveal the truth;
- To achieve justice and compassion for all participants involved;
- To correct or restrain wrongdoing in order to bring members to repentance and restoration;
- To uphold the dignity of those who have been harmed by offenses;
- To restore the unity of the church by removing the causes of discord and division; and
- To secure the just, speedy, and economical determination of proceedings.

*D-1.0302 Due Process*

In all respects, participants are to be accorded procedural safeguards and due process consistent with these Principles of Church Discipline.

**D-1.04 Conciliate and Mediate**

The traditional biblical obligation to conciliate, mediate, and adjust differences without strife is not diminished by church discipline. Although these rules describe the way in which judicial process within the church shall be conducted, it is not their intent or purpose to encourage judicial process or to make it more expensive or difficult. Those contemplating the use of judicial process shall recall the biblical duty to “come to terms quickly with your accuser while you are on the way to court . . .” (Matthew 5:25). They shall attempt prayerfully and seriously to bring about an adjustment or settlement of the issue asserted and avoid formal proceedings under judicial process unless after prayerful deliberation, it is determined to be necessary to preserve the peace, unity, and purity, or accomplish the purposes of the church. Nor shall this duty to consider other forms of resolution end upon the commencement of judicial process.

**CHAPTER II**

**JUDICIAL PROCESS DEFINED**

**D-2.01 Judicial Process**

*D-2.0101 Processes of Accountability*

Church discipline in the Presbyterian Church (U.S.A.) is accomplished through judicial processes of accountability. Accountability of councils is accomplished through remedial process. Accountability of individuals is accomplished through disciplinary process.

*D-2.0102 Councils of the Church*

The councils of the church are sessions, presbyteries, synods, and the General Assembly. Sessions conduct trials of church members in disciplinary processes. Presbyteries, synods, and the General Assembly conduct trials and appeals of both remedial and disciplinary processes through permanent judicial commissions.

## **D-2.02 Remedial Process**

### *D-2.0201 Accountability of Councils*

Remediation is the process by which councils are held accountable to the church, to their members, and to each other. Through remediation, actions or omissions contrary to the Constitution by a lower council or an entity of the General Assembly may be corrected by a higher council.

### *D-2.0202 Irregularities and Delinquencies*

As defined in D-4.0201, actions contrary to the Constitution of the Presbyterian Church (U.S.A.) are known as “irregularities,” while omissions contrary to the Constitution of the Presbyterian Church (U.S.A.) are known as “delinquencies.”

## **D-2.03 Disciplinary Process**

### *D-2.0301 Accountability of Individuals*

Disciplinary process is the process by which active members of congregations and ministers of the Word and Sacrament are held accountable to the church and to each other, and may be censured for an offense for the purpose of restoring the wholeness of the body of Christ.

### *D-2.0302 Definition of an Offense*

An offense as defined in D-7.0103 is any act or omission by a member of a congregation or a minister of the Word and Sacrament that is contrary to the Scriptures or the Constitution of the Presbyterian Church (U.S.A.).

## **D-2.04 Standards and Process**

Standards and procedures used in judicial processes are those contained in the Constitution of the Presbyterian Church (U.S.A.).

## **CHAPTER III**

### **PERMANENT JUDICIAL COMMISSIONS**

## **D-3.01 Election**

### *D-3.0101 Composition*

The General Assembly, each synod or set of cooperating synods, and each presbytery shall elect a permanent judicial commission from the ministers of the Word and Sacrament and ruling elders subject to its jurisdiction. Each permanent judicial commission shall be composed of ministers of the Word and Sacrament and ruling elders in numbers as nearly equal as possible, nominated in accordance with the principles for the election of a nominating entity required by G-3.0111 and in conformity to the church’s commitment to unity in diversity (F-1.0403). When the permanent judicial commission consists of an odd number of members, the additional member may be either a minister of the Word and Sacrament or a ruling elder.

a. The General Assembly commission shall be composed of one member from each of its constituent synods.

b. Synod commissions shall be composed of no fewer than eleven members distributed equally, insofar as possible, among the constituent presbyteries. In those synods with fewer than eleven presbyteries, each presbytery shall have at least one member. When a set of two or more synods form a shared permanent judicial commission, the commission shall be composed of no fewer than twelve members, with each synod in the set electing members proportional to the number of the presbyteries in each synod, insofar as possible. The cooperating synods shall designate between them one stated clerk to process the cases filed with the shared permanent judicial commission.

c. Presbytery commissions shall be composed of no fewer than seven members, with no more than one of its ruling elder members from any one of its constituent congregations.

#### *D-3.0102 Reviewers and Effect on Quorum*

The moderator of the permanent judicial commission shall designate a special committee of three persons to review any petition for review of the procedures of the investigating committee while the investigation in a disciplinary case is in process (D-7.11), to review any petition for review of the decision not to file charges (D-7.1402), and to determine the need for administrative leave (D-7.0902). The special committee shall be composed of at least one current member of the permanent judicial commission, and may include up to two former members of the permanent judicial commission from the list of former commissioners required by D-3.0602b. The members of the special committee shall not take part in any subsequent trial. When a case proceeds to trial after a review, the quorum of the permanent judicial commission shall be a majority of its members who did not participate in the review, but in no case shall a quorum be fewer than five members (D-3.0602). A session shall refer any petition for review to the presbytery stated clerk, who shall follow this process for the creation of a special committee.

### **D-3.02 Service**

#### *D-3.0201 Classes and Terms*

Permanent judicial commissions shall be arranged in three classes of six years each, with each class as equal as possible in size and with one class completing its term every two years.

#### *D-3.0202 Vacancies*

Vacancies on permanent judicial commissions shall be addressed as follows:

a. A vacancy on any permanent judicial commission due to resignation, death, or any other cause may be filled by the electing council, which may elect a person to fill the unexpired term at any future meeting.

b. In each even-numbered year, the General Assembly shall elect members for the next class of the General Assembly Permanent Judicial Commission and fill any vacancies then occurring. Such members' terms of office will begin with the dissolution of the General Assembly at which they are elected.

### *D-3.0203 Eligibility*

Eligibility for service on a permanent judicial commission is subject to the following additional conditions:

- a. In filling vacancies for unexpired terms, a member who has served more than half a term is considered to have served a full term, and is ineligible for immediate re-election.
- b. No person who has served on a permanent judicial commission for a full term shall be eligible for reelection until two years have elapsed after the expired six-year term. No person shall serve on more than one permanent judicial commission at the same time. No person who is a member of any other entity elected by the General Assembly shall serve on the permanent judicial commission of the General Assembly until that person shall have resigned such membership. The moderator, stated clerk, or any member of the staff of a council or the staff of any of its entities shall not serve on its permanent judicial commission.
- c. Continuing membership on a presbytery permanent judicial commission is dependent on membership in a congregation of the presbytery or in the presbytery.
- d. Continuing membership on a synod permanent judicial commission is contingent on membership in a congregation or presbytery of the synod and in the case of synods with a shared permanent judicial commission (G-3.0404), in accordance with the rules of representation agreed upon by the cooperating synods.
- e. Continuing membership on the General Assembly permanent judicial commission shall end when that member transfers membership to a church or presbytery outside the synod from which nominated.

### **D-3.03 Commission Expenses**

All necessary expenses of a permanent judicial commission shall be paid by the electing council or councils. A set of cooperating synods shall pay the necessary expenses of its shared permanent judicial commission equally; however, each synod in such a set shall pay the necessary expenses for processing a particular judicial case arising within its bounds.

### **D-3.04 Officers**

Each permanent judicial commission shall meet and elect from its members a moderator and a clerk, according to its rules or the rules of the council or councils electing its members. A permanent judicial commission may also provide by rule for additional officers.

### **D-3.05 Powers**

In the cases transmitted to it, the permanent judicial commission shall have only the powers prescribed by the Constitution of the Presbyterian Church (U.S.A.), and shall conduct its proceedings accordingly.

### **D-3.06 Meetings**

#### *D-3.0601 Times and Places*

The meetings of the permanent judicial commission shall be held at such times and places as the electing council or councils shall direct, or, if no directions are given, at such times and places as the commission shall determine.

*D-3.0602 Quorum*

The quorum of a permanent judicial commission shall be a majority of its members, except that the quorum of a presbytery commission for a disciplinary case shall be a majority of the membership other than those currently serving members assigned responsibilities under D-3.0102. In no instance shall the quorum be fewer than five members. The quorum of a session for judicial process shall be the moderator of the session and a majority of the ruling elder members.

**a. Who Shall Not Participate**

When a church is a party to a case, members of a permanent judicial commission who are members of that church or persons in permanent or temporary pastoral relationships with that church shall not participate in the case in any way. When a council is a party to a case, members of that council or of churches within that council shall not participate in the case in any way. Members designated under D-3.0102 shall not otherwise participate in the case.

**b. Roster of Former Members**

The stated clerk shall keep a current roster of those members of the permanent judicial commission whose terms have expired within the past six years. The names shall be arranged alphabetically within classes beginning with the most recent class. The stated clerk shall report the roster annually to the council or councils.

**c. Ensuring a Quorum**

Whenever a permanent judicial commission is required to meet for a hearing or trial, the stated clerk shall recruit a sufficient number of additional members by rotation from the roster of former members to ensure that a quorum will not be lost during the course of the proceeding. Councils may provide by rule for the method of rotation to incorporate the principles of participation and representation in accordance with G-3.0111 and F-1.0403.

**d. Inability to Reach a Quorum**

If, through absence, disqualification, or recusal, a sufficient number of members of a permanent judicial commission is not present to constitute a quorum, the permanent judicial commission shall recess until such time as a quorum can be ensured as stated above.

**e. Participant Expenses**

If a permanent judicial commission is unable to try a case for lack of a quorum, the council in whose geographic boundary the case arose shall reimburse the expenses reasonably incurred by those persons required to be present.

**CHAPTER IV**

**REMEDATION**

## **D-4.01 Remedial Process**

### ***D-4.0101 Purpose***

The purpose of remediation is to further the peace, unity, and purity of the church by ensuring that the Constitution of the Presbyterian Church (U.S.A.) is upheld, and that disputes regarding its requirements are addressed in a manner that is both fair and just to all concerned.

### ***D-4.0102 Limitations of Judicial Process***

While a remedial complaint may be filed *by* individuals, it can never be filed *against* individuals. Nor may a remedial complaint be filed against a congregation or a committee or commission of a council below the General Assembly. A session is responsible for correcting constitutional errors or omissions by its congregation in accordance with G-3.0201. As explained below, complaints may only be filed against sessions, presbyteries, synods, and entities of the General Assembly, and only by one or more individuals or councils of the church who have standing to complain.

### ***D-4.0103 Deadlines and Filings***

#### **a. Deadlines**

In determining whether or not a document is timely filed, the day following the event giving rise to the time limit begins the count as day one (for example, the day following the date on which a council action is taken, or on which a party receives a decision). All seven days of every week are included in the count, including holidays, and the document shall be deemed timely filed if it is received by the person or persons to whom it is required to be sent on or before the final day of the count. When the final date of the count falls on a weekend or holiday, the document shall be deemed timely filed if it is received on the next business day after the final day of the count.

#### **b. Methods of Filing**

Any document required to be filed may be sent or delivered by United States Postal Service certified mail, return receipt requested; commercial courier, with delivery receipt requested; personal delivery; or electronically when so permitted in these rules.

## **D-4.02 Filing a Complaint**

### ***D-4.0201 Initiation***

Remedial process is initiated by the filing of a complaint with the stated clerk of the council having jurisdiction. A complaint shall allege one or more specific irregularities or delinquencies of a council.

a. A decision or action contrary to the Constitution of the Presbyterian Church (U.S.A.) is known as an irregularity.

b. The omission or failure to act on a constitutional requirement is known as a delinquency.

### ***D-4.0202 Stated Clerk Responsibility***

The stated clerk shall immediately transmit copies of the complaint to the party against whom the complaint is filed and to the officers of the council's permanent judicial commission. If a different clerk has been designated to process judicial cases for a shared judicial commission, the stated clerk having jurisdiction shall immediately transmit the complaint to that clerk.

*D-4.0203 Parties*

The parties in a case of remedial process are known as the complainant or complainants (the person or persons who file the complaint) and the respondent(s) (the council(s) complained against).

*D-4.0204 Committees of Counsel*

**a. Composition**

When a council or an entity of the General Assembly becomes either a complainant or a respondent, it shall designate no more than three persons to be a committee of counsel. This committee shall represent that complainant or respondent in the case until final decision is reached in the highest council to which the case is appealed. All members of a committee of counsel shall be members of the Presbyterian Church (U.S.A.).

**b. Provide by Rule**

A council or an entity of the General Assembly may provide by rule for the appointment of a committee of counsel. The membership of the committee of counsel, as well as any changes to its composition that may occur, shall be promptly reported to the stated clerk of the council having jurisdiction, who will notify the other party and the permanent judicial commission.

**c. Who Shall Not Serve**

Clerks of session or stated clerks shall not serve on a committee of counsel for the council they serve. Employees of the council hearing a case or of a higher council that would have jurisdiction in any appellate proceeding shall also not serve on a committee of counsel.

*D-4.0205 Time Limits*

In regard to filing a complaint in a remedial case, the following time limits apply:

**a.** In the case of an alleged irregularity, if a stay of enforcement is also sought, (as described below in section 4.04), then a complaint of an alleged irregularity shall be filed no later than thirty (30) days after the council's action being complained against (or in the case of an appeal, from the date on which the appealing party was notified of the decision of the permanent judicial commission). If no stay of enforcement is being requested, then a complaint of an alleged irregularity shall be filed no later than ninety (90) days after the council's action.

**b.** In the case of an alleged delinquency, a complaint shall be filed no later than ninety (90) days after the failure or refusal of the council to cure the alleged delinquency at its next meeting, provided that a written request to do so has been made prior to said meeting.

*D-4.0206 Standing and Jurisdiction in Remedial Cases*



**Standing to file a complaint and jurisdiction to deal with a complaint are as follows:**

- a. Councils may file complaints against any other council of the same level, to the council immediately higher than the council complained against and to whose jurisdiction the latter council is subject.**
- b. Members of a congregation may file complaints against their session, to the presbytery.**
- c. Ruling elder commissioners to a presbytery may file complaints to the synod alleging irregularities or delinquencies that occurred during presbytery meetings at which they were present and enrolled.**
- d. Minister members of a presbytery and ruling elders elected by and enrolled with the presbytery for terms of service in accordance with G-3.0301 may file complaints against the presbytery to the synod regardless of whether or not they were in attendance when the alleged irregularity or delinquency occurred.**
- e. Sessions may file complaints against their presbytery, to their synod.**
- f. Commissioners to a synod may file complaints to the General Assembly alleging irregularities or delinquencies that occurred during synod meetings at which they were present and enrolled.**
- g. Ministers and ruling elders elected by and enrolled with the synod for terms of service in accordance with G-3.0401 may file complaints against the synod to the General Assembly regardless of whether or not they were in attendance when the alleged irregularity or delinquency occurred.**
- h. Presbyteries may file complaints against their synod, to the General Assembly.**
- i. Sessions, presbyteries, and synods may file complaints against entities of the General Assembly, to the General Assembly.**
- j. When the council of jurisdiction as defined in this section fails to act in a particular remedial case for a period of sixty days after the filing of a complaint or thirty days after the filing of a complaint with a request for a stay of enforcement, the next higher council, at the written request of any party, may assume jurisdiction in the case. It may then either return jurisdiction to the lower council with specific instructions on how to proceed, or it may retain jurisdiction and conclude the matter itself.**

***D-4.0207 Effects of Jurisdiction***

**Jurisdiction in remedial process has the following particular effects:**

- a. Each council shall recognize and enforce the judgments, decisions, and orders of higher councils which have jurisdiction over them under the provisions of the Constitution of the Presbyterian Church (U.S.A.).**
- b. Decisions of the permanent judicial commissions of synods and presbyteries are binding on the parties to the particular cases in which the decisions are rendered unless overturned**

on appeal. No synod or presbytery permanent judicial commission is able to make its decisions binding beyond the parties to the particular case by simply declaring it to be so.

c. Only the General Assembly Permanent Judicial Commission has the power to render decisions that are authoritative interpretations binding on the entire church (G-13.0103r).

#### **D-4.03 Contents of a Complaint**

##### *D-4.0301 Items to be Included*

Items to be included in a complaint are as follows:

- a. The name of the complainant(s) and the name of the respondent(s).
- b. The particular irregularity including the date, place, and circumstances thereof; or the particular delinquency including the dates of the written request to cure the delinquency and of the next meeting at which the respondent(s) failed to do so.
- c. The reasons for complaint of the irregularity or delinquency.
- d. A statement of facts demonstrating that the complainant(s) may file the complaint in accordance with D-4.0206 above.
- e. The remedy or correction requested (called “relief”), which must be within the authority of the council receiving the complaint to grant.

##### *D-4.0302 Method of Filing*

The complaint shall be sent or delivered by United States Postal Service certified mail, return receipt requested; commercial courier, with delivery receipt requested; or personal delivery in accordance with D-4.0103b. The complainant(s) shall then file with the stated clerk a receipt signed by the addressee or an affidavit of personal service. At the written agreement of both parties, all further communication may be handled electronically.

#### **D-4.04 Request for a Stay of Enforcement**

##### *D-4.0401 Requesting a Stay of Enforcement*

A stay of enforcement is a written instruction from the permanent judicial commission having jurisdiction that orders suspension of a decision or an action until a complaint (or appeal) is finally determined. Any such request for a stay of enforcement shall be filed along with the complaint (or notice of appeal) as described above. The request must be made in one of the following forms:

- a. A request signed by one-third of the members recorded as present when the decision or action was taken by the council,
- b. A request signed by one-third of the members of the permanent judicial commission that decided a remedial case that is being appealed, or

c. A request signed by a complainant or appellant requesting that at least three members of the permanent judicial commission having jurisdiction to hear the complaint or appeal sign the stay of enforcement.

#### **D-4.05 Preliminary Ruling**

##### *D-4.0501 Examination of Papers*

The complaint (or appeal for purposes of processing a request for a stay of enforcement on appeal) shall be promptly transmitted by the stated clerk along with the request for a stay of enforcement, if one has been received, to the permanent judicial commission moderator and clerk for their preliminary determination as to the following questions:

a. For the complaint, whether:

- (1) The council has jurisdiction,
- (2) One or more of the complainants has standing to file the case,
- (3) The complaint was timely filed,
- (4) The complaint alleges facts that if proved true would constitute an irregularity or delinquency, and

(5) The complaint states a claim upon which relief can be granted. Permanent judicial commissions may, but shall not be required, to proceed to trial when they determine that the relief requested cannot be granted but that there is potential relief, declaratory or otherwise, that could potentially be granted. Relief that a council may not grant includes but is not limited to:

- i. Relief that is not within the authority of the council to grant,
- ii. Monetary awards other than those that require councils to honor existing contracts,
- iii. Relief that has been rendered moot,
- iv. Relief that is contrary to the Constitution of the Presbyterian Church (U.S.A.).

b. For the request for a stay of enforcement if made under D-4.0401a or b, whether the request is complete and timely filed.

##### *D-4.0502 Preliminary Ruling*

A preliminary ruling is a decision by the moderator and clerk of a permanent judicial commission either to accept a case for trial or to dismiss the case because one or more of the five questions in D-4.0501a is answered in the negative.

a. If a request for a stay of enforcement is made under D-4.0401a or b, a stay of enforcement may be entered immediately by the moderator and clerk if they determine that the request is complete and timely and the preliminary issues are met for the complaint or appeal.

b. In their consideration of the preliminary questions in D-4.0501a, the officers shall assume the truth of the facts alleged.

c. Within ten (10) days after their receipt of the complaint, the officers shall report their determinations to the stated clerk of the council in a preliminary ruling. The stated clerk shall immediately distribute the preliminary ruling to the parties, and to the members of the permanent judicial commission along with the complaint (or appeal, for purposes of processing a request for a stay of enforcement on appeal) and the request for a stay of enforcement, if one has been received.

#### **D-4.06 Processing a Request for a Stay of Enforcement If Made Under D-4.0401c.**

##### *D-4.0601 Consideration of Request*

If a request for a stay of enforcement is made under D-4.0401c, a stay of enforcement may be entered by three members of the permanent judicial commission that will hear the case within ten (10) days of receiving the request, the complaint (or in an appeal, of the notice of appeal), and the preliminary ruling. Each permanent judicial commission member affirming the request shall include a summary of the specific council action(s) or decision(s) being stayed, and a statement that in their judgment:

a. Substantial harm will occur if the action or decision is not stayed, and

b. Probable grounds exist for finding the decision or action erroneous.

##### *D-4.0602 Determination and Filings*

In determining whether to grant a stay of enforcement, the following applies:

a. The statements of members of the permanent judicial commission shall be filed with the stated clerk of the council that has jurisdiction to hear the case.

b. If the stated clerk receives three or more statements from members of the permanent judicial commission, the stay shall be granted, and the stated clerk shall send a copy of the stay of enforcement to the parties and to the permanent judicial commission members.

c. The stay of enforcement shall be effective until the permanent judicial commission having jurisdiction has decided the case, except as hereafter provided.

d. If a stay of enforcement is not granted, the stated clerk shall so notify the parties and the permanent judicial commission members.

#### **D-4.07 Response and Next Actions**

##### *D-4.0701 If the Preliminary Ruling Accepts the Case*

If the officers initially accept the case, the respondent council(s) shall prepare and file its answer as described in D-4.0703 below. When the answer has been received, the officers shall review the answer and may either affirm their preliminary ruling as filed or modify it in light of the new information received. The affirmed or modified preliminary ruling shall then be filed with the stated clerk who shall distribute it to the parties and the permanent judicial commission members, and the answer shall also be distributed to the permanent judicial commission.

a. If the preliminary ruling to accept the case is affirmed, the respondent(s) or a member of the permanent judicial commission may challenge the determination within fifteen (15) days of receiving the notification, in which case the matter proceeds as described in D-4.0704 below.

b. If the modified preliminary ruling dismisses the case, then the case proceeds as described in D-4.0702 below.

*D-4.0702 If the Initial or Modified Preliminary Ruling Dismisses the Case*

In dealing with a preliminary ruling that dismisses the case, the following applies:

a. Within fifteen (15) days of notification that the officers have dismissed the case, one or more of the complainants or a member of the permanent judicial commission may file a challenge to the dismissal, in which case the respondent(s), if it has not already done so, shall prepare and file its answer as described in D-4.0703 below, which shall be distributed to the permanent judicial commission, and the challenge shall be processed in accordance with D-4.0704 below.

b. If no challenge is received within fifteen (15) days, the case is dismissed and any stay of enforcement is lifted.

*D-4.0703 Answer to Complaint*

The committee of counsel of the respondent(s) shall file with the stated clerk of the higher council a concise answer within thirty (30) days of its notification of either acceptance of the case by the officers of the permanent judicial commission or receipt of a challenge to the officers' dismissal of the case. The answer shall admit those facts alleged in the complaint that are true, deny those that are not true or are mistakenly stated, and present other facts that may explain the situation identified as an irregularity or delinquency.

a. The answer may also raise any issues related to the determinations contained in D-4.0501a and may include a motion to dismiss the complaint.

b. If a stay of enforcement has been entered, the respondent(s)'s answer may also challenge the stay of enforcement, in which case the matter shall proceed as described in D-4.0704.

c. The stated clerk shall distribute the answer to the complainant(s) and to the permanent judicial commission.

*D-4.0704 Challenge to Preliminary Ruling and Stay of Enforcement*

If a preliminary ruling or a stay of enforcement is challenged under the provisions of this chapter, opportunity shall be provided to present evidence and argument on the determination(s) in question, or on the stay of enforcement. The parties shall be invited to submit briefs, and may agree to allow the permanent judicial commission to decide the matter on the basis of those briefs in place

of a hearing. The permanent judicial commission shall then enter a final ruling on the matter either dismissing the case or accepting it for trial, and either affirming or lifting the stay of enforcement, if one has been entered.

## CHAPTER V

### TRIAL IN A REMEDIAL CASE

#### D-5.01 Pretrial Procedures

##### *D-5.0101 Duties of Respondent Stated Clerk*

In pretrial procedures, the duties of the respondent stated clerk are as follows:

a. Within forty-five (45) days after the receipt of a complaint, the clerk of session or stated clerk of the respondent council(s) shall submit in writing to the parties a list of all of the papers and other materials pertaining to the case.

b. Within thirty (30) days thereafter, the complainant may request in writing that the respondent clerk file additional minutes or papers pertaining to the case. Questions as to the relevance or reasonableness of requests shall be decided by the officers of the permanent judicial commission or their designees.

c. Upon notification by the stated clerk of the higher council of jurisdiction that the case has been accepted, the clerk of session or stated clerk of the respondent council(s) shall transmit to the stated clerk of the higher council without delay the minutes and papers pertaining to the case, along with the list of the record.

##### *D-5.0102 Record of the Case*

When the minutes and papers have been filed with the stated clerk of the higher council, the stated clerk shall organize and transmit them to the parties and to the permanent judicial commission and give notice to the parties of an estimated date for trial.

##### *D-5.0103 Additional Filings*

The permanent judicial commission may require the parties to file statements, also known as briefs, outlining the evidence to be offered at trial and the theories of the parties' respective claims and defenses.

##### *D-5.0104 Pretrial Conference*

At any time after a case is received by a permanent judicial commission, the commission may provide for the parties or their counsel, if any, to explore settlement possibilities; or, in a pretrial conference, to seek agreement on a statement of facts and disputed issues, to exchange documents and other evidence, and to take other action which might reasonably and impartially narrow the dispute and expedite its resolution. The moderator and clerk of the permanent judicial commission, or their designees, shall set a date, time and place for the pretrial conference, and conduct it on the commission's behalf.

#### D-5.02 Conduct of Trial

The trial of a remedial case shall be conducted by a permanent judicial commission. The trial shall be conducted formally with full decorum in a neutral place suitable to the occasion. Except for the provision of electronically received testimony contained in D-5.04 trials should be held in person. When necessary, and at the sole discretion of the permanent judicial commission, trials may be held electronically in accordance with G-3.0105 and provided that the technology employed allows witnesses and parties as well as members of the permanent judicial commission to be seen and heard clearly.

### **D-5.03 Citations and Testimony**

#### *D-5.0301 Citation of Parties and Witnesses*

Citations to appear at trial for parties or such witnesses as either party may request shall be signed by the moderator or clerk of the permanent judicial commission and served by the stated clerk of the council. Witnesses may be either fact witnesses or expert witnesses (see D-5.0703b). Fact witnesses in remedial process should have firsthand knowledge.

#### *D-5.0302 Who May Be Cited*

Only members of the Presbyterian Church (U.S.A.) may be cited to appear. Persons who are not members of the Presbyterian Church (U.S.A.) and expert witnesses (regardless of their denominational membership) may only be requested to appear.

#### *D-5.0303 Witnesses from Another Council*

When it is necessary to summon witnesses who are under the jurisdiction of another council of the church, the clerk or stated clerk of the other council shall, on the application of the permanent judicial commission trying the case, through the stated clerk of its council, issue a citation to the witnesses to appear at the place of trial and give evidence as may be required.

#### *D-5.0304 Expenses*

Any witness shall be entitled to receive from the party calling the witness reimbursement of actual expenses incurred in attendance at the trial.

#### *D-5.0305 Service of Citation*

A citation shall be delivered in accordance with D-4.0103b, or by electronic delivery acknowledged by the recipient within seven (7) days. The moderator or clerk of the permanent judicial commission trying the case shall keep a record of the date of service or delivery. If a party or a witness who is a member of the Presbyterian Church (U.S.A.) fails to obey a citation to appear or having appeared, refuses without good cause to testify, and after warning continues to refuse, the party or witness shall be considered guilty of disobedience and contempt, and for such offense may be subject to disciplinary action by the person's council of jurisdiction.

### **D-5.04 Electronically Received Testimony**

Witnesses may be granted permission by the permanent judicial commission to appear electronically if unable to attend a trial that is held in person, in accordance with the provisions of G-3.0105 and D-5.02.

## **D-5.05 Procedures in Trial**

### ***D-5.0501 Counsel***

Each of the parties in a remedial case shall be entitled to appear and may be represented by counsel. Counsel need not be a paid representative or an attorney. Counsel shall be a member of the Presbyterian Church (U.S.A.). No member of a permanent judicial commission shall appear as counsel before that commission while a member.

### ***D-5.0502 Circulation of Materials and Communication***

With regard to materials pertaining to the case and communication regarding the case, the following rules apply:

a. Any materials pertaining to the case shall be filed with the stated clerk of the council hearing the case. Parties to a remedial case, their counsel, or any other person shall not circulate or cause to be circulated directly to the members of the permanent judicial commission any written, printed, electronic, or visual materials of any kind upon any matter pertaining to the case before its final disposition. Notwithstanding this prohibition, the permanent judicial commission may request, or grant leave to file, additional materials.

b. Parties or their counsel shall not communicate with members of the permanent judicial commission regarding any matter related to the case unless the other party and their counsel, if any, are included.

### ***D-5.0503 Control of Conduct of Trial***

The moderator of the permanent judicial commission shall have full authority and power to control the conduct of the trial and of all parties, witnesses, counsel, and the public, including removal of them, to the end that proper dignity and decorum shall be maintained. Rulings of the moderator related to control of the trial are subject to appeal to the full commission by any member of the commission, which shall decide the question by majority vote.

### ***D-5.0504 Procedural Questions***

Questions as to procedure or the admissibility of evidence arising in the course of a trial shall be decided by the moderator after the parties have had an opportunity to be heard. A party or a member of the permanent judicial commission may appeal from the decision of the moderator to the commission, which shall decide the question by majority vote.

### ***D-5.0505 Absences***

Members of a permanent judicial commission must be present in person at trials. The absence of any member of the permanent judicial commission after a trial has commenced shall be recorded. That member shall not thereafter participate in that case.

### ***D-5.0506 Loss of Quorum***

Loss of a quorum shall result in a mistrial and the case shall be tried again from the beginning at a time and place to be determined by the permanent judicial commission.



## **D-5.06 Trial**

### *D-5.0601 Announcement by the Moderator*

The trial of a remedial case shall be opened with prayer, after which the moderator shall read aloud the preamble to Church Discipline (D-1), shall announce that the council is about to proceed to trial, and shall enjoin the members to recollect and regard their high character as judges of a council of the Church of Jesus Christ and the solemn duties they are about to undertake.

### *D-5.0602 Objections of Parties*

The parties or their counsel may object and be heard on the organization and jurisdiction of the permanent judicial commission.

a. A member of a permanent judicial commission is disqualified if the member has a material interest in the outcome of the case, is related by family relationship to any party, has been active for or against any party, or is a member of a church or council which is a party.

b. Any member of a permanent judicial commission may be challenged by any party for conflict of interest, and the validity of the challenge shall be determined by a majority vote of the remaining members of the permanent judicial commission.

### *D-5.0603 Preliminary Determinations and Objections*

The permanent judicial commission shall place all preliminary determinations and any objections on the record and shall decide all such matters by majority vote. Any objections to the preliminary determinations and any other objections affecting the order or regularity of the proceedings shall also be made part of the record and shall be decided by majority vote. A final decision on the merits of the complaint is not permissible until the permanent judicial commission has heard the evidence and arguments of the parties, unless the parties have agreed in writing or at a pretrial conference on certain stipulated facts or about issues on which there is no dispute, and waive their right to present additional evidence at a trial, and are willing to have the dispute settled on the basis of their briefs and written submissions.

### *D-5.0604 Amendment of Complaint*

The complainant shall be permitted to amend the complaint at the time of the trial, provided that the amendment does not change the substance of the complaint or prejudice the respondent(s).

### *D-5.0605 Opening Statements*

The parties shall be given an opportunity to make opening statements.

## **D-5.07 Evidence**

### *D-5.0701 Definition*

The complainant and respondent(s) shall be accorded the opportunity to present evidence on their behalf. Evidence, in addition to oral testimony of witnesses, may include records, writings,

material objects, or other items presented to prove the existence or nonexistence of a fact. Evidence must be relevant to be received. No distinction should be made between direct and circumstantial evidence as to the degree of proof required.

*D-5.0702 Records as Evidence*

Written records of a council or permanent judicial commission and authenticated records of testimony are admissible as evidence.

a. The authenticated written records of a council or permanent judicial commission shall be admissible in evidence in any proceeding.

b. An authenticated record or transcript of testimony taken by a council or permanent judicial commission shall be admissible in any proceeding in another council.

*D-5.0703 Witnesses*

With regard to witnesses, the following applies:

a. Any party may challenge whether a witness may testify, and the moderator of the permanent judicial commission shall determine the competence of the witness. The ruling of the moderator may be appealed by any party or a member of the permanent judicial commission and decided by majority vote of the permanent judicial commission.

b. Each witness called to testify must be competent to testify. To be received by the permanent judicial commission, any testimony from any witness must be relevant and must have a proper foundation. An expert opinion or other testimony may be offered by any witness upon adequate proof of the qualifications of the witness as an expert in the field of such testimony and that such opinion or other testimony will assist the resolution of the case.

c. No counsel for a party involved may be compelled to testify about any confidential matter, nor may any such counsel testify concerning any matter without the express permission of the party they represent.

d. Credibility means the degree of belief that may be given to the testimony of a witness. In determining the credibility of a witness, the permanent judicial commission may consider any matter that bears upon the accuracy of the testimony or the truthfulness of the witness.

*D-5.0704 Testimony*

Receiving the testimony of witnesses shall proceed as follows:

a. At the direction of the moderator or on the request of either party, no fact witness shall be present during the examination of another witness. This shall not limit the right of any party, counsel, or witness previously designated to offer only expert testimony, to be present.

b. Witnesses shall be examined first by the party producing them, and then they may be cross-examined by the opposing party. The moderator may permit additional questions from the parties (including both re-examination, followed by re-cross-examination) if so requested. Thereafter, any member of the permanent judicial commission may ask additional questions.

c. Prior to giving testimony, a witness shall make an oath by answering the following question in the affirmative: “Do you solemnly swear that the evidence you will give in this matter shall be the truth, the whole truth, and nothing but the truth, so help you God?”

d. If a witness objects to making an oath, the witness shall answer the following question in the affirmative: “Do you solemnly affirm that you will declare the truth, the whole truth, and nothing but the truth in the matter in which you are called to testify?”

e. The testimony of each witness shall be accurately and fully recorded by a qualified reporter or other means that can be accurately transcribed, including digital voice recording.

f. Witnesses may appear electronically if unable to attend the trial in person, in accordance with the provisions of D-5.04.

g. A member of the permanent judicial commission before which the case is pending may testify, but thereafter shall not otherwise participate in the case.

#### **D-5.08 Final Statements**

The parties shall be given an opportunity to make final statements, the complainant having the right of opening and closing the argument, after which the trial shall be closed with prayer.

#### **D-5.09 Decision**

##### *D-5.0901 Deliberation*

The following considerations apply in deliberations:

a. At the close of the trial, the permanent judicial commission shall then meet privately to deliberate. All persons not members of the commission shall be excluded.

b. No complaint in a remedial case shall be sustained unless it has been proved by a preponderance of the evidence. Preponderance means such evidence as, when weighed with that opposed to it, has more convincing force and the greater probability of truth. After careful deliberation the permanent judicial commission shall vote by counted vote on each alleged irregularity or delinquency accepted for trial and record the vote in its minutes. A majority vote is required to sustain each irregularity or delinquency.

##### *D-5.0902 Decision*

Decisions of permanent judicial commissions are reached and communicated as follows:

a. The permanent judicial commission shall then decide the case. If the complaint is sustained either in whole or in part, the commission shall order such action as is appropriate.

b. The questions presented for decision shall be fully debated and voted upon while all participating permanent judicial commission members are present. A written outline of a decision shall be prepared and adopted while in session. A written decision shall be reviewed by all participating members of the permanent judicial commission, which may take place either while

the participating permanent judicial commission members are present or by meeting within ten (10) days of the close of the trial, either in person, or electronically in accordance with G-3.0105.

c. The decision shall become the final decision of the permanent judicial commission when a copy of the written decision is signed by the moderator and clerk of the permanent judicial commission. A copy of the written decision shall immediately be delivered to the parties in accordance with D-4.0103b, or electronically, if agreed upon in advance by the parties.

d. Within thirty (30) days of the conclusion of the trial, the decision shall be filed with the stated clerk of the council that appointed the permanent judicial commission.

e. The moderator or clerk of the permanent judicial commission shall disseminate the decision as the permanent judicial commission may direct.

#### *D-5.0903 Effect of Decision*

Decisions of the permanent judicial commissions of presbyteries and synods are binding on the parties to the particular cases in which the decisions are rendered unless overturned on appeal. No decision of a permanent judicial commission of a presbytery or synod is binding beyond the parties to the particular case.

#### *D-5.0904 New Evidence*

New evidence can be considered either prior to an appeal or following the filing of an appeal.

a. Prior to filing a notice of appeal, but without extending the time for appeal, any party against whom an order or decision has been entered may apply for a new trial on the basis of newly discovered evidence. The permanent judicial commission – when it is satisfied that such evidence could reasonably have resulted in a different decision and that in the exercise of reasonable diligence it could not have been produced at the time of trial – may grant such application. An appeal filed while such an application is pending shall be held in abeyance until such time as the permanent judicial commission that conducted the trial has made its determination. The higher council shall be notified of the determination by the stated clerk of the lower council.

b. If, subsequent to the filing by any party of a notice of appeal, new evidence is discovered which in the exercise of reasonable diligence could not have been discovered prior to the filing of the notice of appeal, the permanent judicial commission receiving the appeal may remand the case for a new trial, in which case the appeal shall be stayed until the permanent judicial commission that conducted the trial reports its decision in the new trial.

c. The application for admission of newly discovered evidence shall be made to the permanent judicial commission with copies to the other party. That application shall be accompanied by a summary of the evidence. The permanent judicial commission shall conduct a hearing on the application for admission of newly discovered evidence not less than thirty (30) days after the application.

#### *D-5.0905 Appeal*

Rules of appeal are found in D-6. The following applies to time limits and standing to file an appeal:

a. For each party, the time for filing an appeal shall run from the date the decision is delivered to, or refused by, that party.

b. An appeal may be initiated only by one or more of the original parties.

#### **D-5.10 Record of Proceedings**

##### *D-5.1001 Duties of the Clerk of the Permanent Judicial Commission*

The clerk of the permanent judicial commission shall do the following:

a. Arrange in advance for the accurate verbatim recording of all testimony and oral proceedings (which may be accomplished through a digital voice recording);

b. Identify and maintain all exhibits offered in evidence (noting whether or not they were accepted as evidence) and keep a list of all exhibits;

c. Record minutes of the proceedings, which shall include any actions or orders of the permanent judicial commission relating to the case with the vote on each;

d. Prepare the record of the case, which shall consist of:

(1) The complaint and the answer;

(2) All minutes and papers filed in the case;

(3) A certified transcript, if requested;

(4) All properly marked exhibits, records, documents, and other papers;

(5) The written decision; and

(6) Any actions or orders of the permanent judicial commission relating to the case with the vote on each.

e. Within thirty (30) days after the decision becomes final, certify and transmit the record of the case to the stated clerk of the electing council, who shall preserve it for at least five years, and in accordance with the policy of the council for the preservation of records;

f. Upon the request, and at the expense of any requesting party, the clerk shall cause to be prepared, as promptly as circumstances permit, a true and complete transcript of all the testimony and oral proceedings during the course of the trial. When the person making the transcript has certified it to be true and complete, a copy shall be delivered to each party requesting one upon satisfactory arrangement for payment, and one additional copy shall be made for inclusion in the record to be sent forward upon any appeal pursuant to D-6.0802.

##### *D-5.1002 Additions to the Record*

No person may supplement or add to the record in a case except for good cause as determined by the moderator and clerk of the permanent judicial commission responsible for

conducting the trial. No request to supplement the record shall be considered until received in writing by the stated clerk of the council conducting the trial, who shall transmit it to the moderator and clerk of the permanent judicial commission. A copy of the request shall be delivered to all parties and every party shall have ten (10) days to respond in writing.

*D-5.1003 Duty of the Stated Clerk*

If the council is meeting when the decision is received from the clerk of the permanent judicial commission, the stated clerk shall report the decision immediately and enter the full decision upon the minutes of the council. If the council is not meeting, the stated clerk shall report the decision to the council at its first stated or adjourned meeting or at a meeting called to hear the decision, whichever comes first, and enter the full decision upon the minutes of the council.

## CHAPTER VI

### REMEDIAL APPEALS

#### D-6.01 Filing an Appeal

*D-6.0101 Definition*

An appeal of a remedial case is the transfer to the next higher council of a case in which a decision has been rendered in a lower council, for the purpose of obtaining a review of the proceedings and a decision to correct, modify, set aside, or reverse the decision.

*D-6.0102 Initiation of Appeal*

Only the parties to an original complaint (one or more of the complainants or the respondent(s)) may appeal a ruling of a permanent judicial commission.

a. The ruling must be the permanent judicial commission's final order disposing of the complaint, whether that order is a dismissal in accordance with D-4.0702b, or a written decision in accordance with D-5.09.

b. The parties in a remedial appeal are the appellant or appellants, and the appellee or appellees.

#### D-6.02 Notice of Appeal

*D-6.0201 Notice Filed*

A written notice of appeal shall be filed with the stated clerk of the next higher council within forty-five (45) days after a copy of the final order was received by the appealing party. The written notice may be delivered by means of electronic communication, provided that the stated clerk certifies receipt of the notice, which may also be communicated electronically. If filing the notice electronically, care should be taken to deliver the notice in a manner that can clearly demonstrate timely filing. By written agreement of the parties, all additional filings may be electronic. The appealing party shall provide a copy of the written notice of appeal to the stated clerk of the council whose permanent judicial commission issued the ruling, as well as to the stated clerk of the council that would hear the appeal, who shall distribute the notice to the other party or parties.

***D-6.0202 Items to be Included***

The items to be included in a notice of appeal are as follows:

- a. The name of the party filing the appeal (the appellant or appellants) and their counsel, if any;
- b. The name of the other party (the appellee or appellees) and their counsel, if any;
- c. The council from whose decision the appeal is taken;
- d. A copy of the ruling;
- e. A statement and description of the errors alleged to have been made in the ruling that are the grounds for the appeal. The grounds for which an appeal may be filed are:
  - (1) Irregularity in the proceedings;
  - (2) Refusing a party reasonable opportunity to be heard or to obtain or present evidence;
  - (3) Receiving improper, or declining to receive proper, evidence or testimony;
  - (4) Hastening to a decision before the evidence or testimony is fully received;
  - (5) Manifestation of prejudice in the conduct of the case;
  - (6) Injustice in the process or decision; and
  - (7) Error in constitutional interpretation.
- f. A certification that a copy of the notice of appeal is being sent as required by D-6.0201 to the stated clerk of the council from whose decision the appeal is taken, which may be in the form of an electronic communication if agreed upon in advance by the parties.

**D-6.03 Duty of Stated Clerk**

Upon receipt of the written notice of appeal, the stated clerk of the council that will hear the appeal shall transmit it to the officers of that council's permanent judicial commission and the other party.

**D-6.04 Effect of Appeal**

***D-6.0401 If No Stay of Enforcement***

The filing of a notice of appeal shall not suspend any action of a council taken to implement the ruling being appealed unless a stay of enforcement was obtained with the original complaint, or one is obtained as described in the next paragraph, in which case the implementation of the ruling being appealed is stayed until the appeal is finally disposed of.

#### *D-6.0402 Seeking Stay of Enforcement*

If no stay of enforcement was in place when the ruling being appealed was rendered, one may be requested by means of a request filed along with the notice of appeal in any of the methods described in D-4.04, and processed as described in D-4.05 or D-4.06.

#### **D-6.05 Withdrawal of Appeal**

The parties in a remedial appeal are encouraged to seek resolution of their differences in a manner acceptable to all parties and consistent with the Constitution of the Presbyterian Church (U.S.A.). If at any time in the appeal process the parties to a remedial appeal jointly file with the stated clerk of the council hearing the appeal a petition for the withdrawal of the appeal, the stated clerk shall inform the members of the permanent judicial commission that the appeal has been withdrawn, which shall end the judicial process unless within seven (7) days any member of the permanent judicial commission challenges the withdrawal. If the withdrawal is so challenged, a majority of the commission at a duly constituted meeting may conclude that the withdrawal would defeat the ends of justice or conflict with the Constitution of the Presbyterian Church (U.S.A.) and deny the request.

#### **D-6.06 Preliminary Process**

##### *D-6.0601 Examination of Notice of Appeal*

Upon receiving the notice of appeal, the moderator and clerk of the permanent judicial commission of the council that will hear the appeal shall promptly examine the notice of appeal to determine whether:

- a. The council has jurisdiction;
- b. The appellant has standing to file the appeal;
- c. The appeal was timely and properly filed; and
- d. The appeal states and describes one or more of the grounds for appeal listed in D-6.0201d.

##### *D-6.0602 Preliminary Ruling*

The officers of the permanent judicial commission shall report their determinations to the parties and to the members of the commission in a preliminary ruling.

##### *D-6.0603 Challenge to Preliminary Ruling*

Within thirty (30) days after their receipt of the preliminary ruling, the parties and members of the permanent judicial commission may challenge the determination, in which case opportunity shall be provided for the parties to present evidence and argument on the determination(s) in question. A hearing may be requested either by a party or by a member of the permanent judicial commission for the purpose of hearing the challenge, or if all parties agree, the matter may be decided by the permanent judicial commission on the basis of documents submitted by the parties. If a hearing is requested, it should be held at least thirty (30) days prior to the hearing on the appeal, unless the officers of the permanent judicial commission determine that the



circumstances, including expenditures of time and resources, warrant disposition of the challenge immediately prior to the hearing on the appeal. If the permanent judicial commission determines the answer to any of the four preliminary questions has been answered in the negative, the commission shall dismiss the appeal.

*D-6.0604 When No Challenge is Received*

When there are no challenges to the determination in the preliminary ruling, the following shall apply:

a. If no challenge is made to the determinations of the officers that one or more of the requirements in D-6.0701 are answered in the negative, the case shall be dismissed without further action or order of the permanent judicial commission.

b. If no challenge is made to the determinations of the officers that all of the points in D-6.0601 are answered in the affirmative, the stated clerk of the council shall schedule a hearing at a time acceptable to the parties and at which a quorum of the permanent judicial commission can be present.

*D-6.0701 List of Papers*

Within forty-five (45) days after receipt of a notice of appeal, the stated clerk of the lower council shall list in writing to the parties all of the papers and other materials that would constitute the record of the case (see D-5.1001d & e). Within fifteen (15) days thereafter, either party may challenge the completeness or accuracy of the record as listed by the stated clerk. The stated clerk may, but is not required, to amend the list at the request of a party; however, any such challenge shall be added to the record when it is filed.

*D-6.0702 Filing of Record on Appeal*

Upon notice by the stated clerk of the council whose permanent judicial commission will hear the appeal that the case has been accepted, the stated clerk of the council from which the appeal is taken shall compile and file the record of the case with the stated clerk of the higher council, who shall distribute it to the members of the permanent judicial commission.

*D-6.0703 Correction of the Record*

If anything material to either party is omitted from the record by error or accident, or is misstated therein, the omission or misstatement may be corrected. The parties may stipulate to the correction, or the stated clerk of the lower council may certify and transmit a supplemental record, or the permanent judicial commission of the higher council may direct that the omission or misstatement be corrected. All other questions as to the form and content of the record shall be presented to the permanent judicial commission of the higher council, which shall be decided by majority vote at a duly constituted meeting at least forty-five (45) days prior to the hearing on the appeal, which may be held electronically in accordance with G-3.0105.

**D-6.08 Briefs**

*D-6.0801 Filing of Appellant Brief*

Within thirty (30) days after the date of receiving the record on appeal, the appellant shall file with the stated clerk of the higher council a written brief containing specifications of the errors alleged in the notice of appeal and arguments, reasons, and citations of authorities in support of the appellant's contentions. Copies of the brief shall be distributed by the stated clerk to the members of the permanent judicial commission and to the other party.

*D-6.0802 Failure of Appellant to File Brief*

Failure of the appellant to file a brief within the timeline allowed, without good cause, shall be deemed by the permanent judicial commission as an abandonment of the appeal.

*D-6.0803 Filing of Appellee Brief*

When an appellant files a brief, the appellee can respond as follows:

a. Within thirty (30) days of the receipt of the appellant's brief, the appellee shall file with the stated clerk of the council whose permanent judicial commission will hear the appeal a brief in response to the appellant's brief.

b. In its brief, an appellee may raise additional issues related to the decision being appealed. Copies of the brief shall be distributed by the stated clerk to the members of the permanent judicial commission and to the other party.

*D-6.0804 Failure of Appellee to File Brief*

Failure of the appellee to file a brief within the time allowed, without good cause, shall constitute waiver of the rights to file a brief, to appear, and to be heard.

*D-6.0805 Appellant Supplemental Brief*

If additional issues are raised by the appellee, then the appellant may file within thirty (30) days a supplemental brief in response to those issues, in the same manner as its original brief was filed. Copies of the supplemental brief shall be distributed by the stated clerk to the members of the permanent judicial commission and to the other party or parties.

**D-6.09 Extensions**

For good cause shown, the stated clerk of the higher council may extend any of the time limits contained in D-6.07 or D-6.08 for a reasonable period.

**D-6.10 Transmittal of Record and Briefs**

Upon receipt of the record and the briefs, or upon the expiration of the time for filing them, the stated clerk of the council hearing the appeal shall transmit the record and briefs to the clerk of the permanent judicial commission.

**D-6.11 Prehearing Conference**

At any time after an appeal has been received by a permanent judicial commission, the commission may determine or may provide by rule for the parties or their counsel, if any, in a prehearing conference, to seek agreement on any of the disputed issues in the appeal, and to take

other action which might reasonably and impartially narrow the dispute and expedite its resolution. Such conference may also result in a settlement agreement including a request for withdrawal of the appeal, which is then processed in accordance with D-6.05.

The moderator or clerk of the permanent judicial commission shall notify the parties of the date when they may appear in person or by counsel before the permanent judicial commission to present the appeal. Failure of a party to appear in person or by counsel shall constitute a waiver of participation in the hearing of the appeal. At the hearing, the permanent judicial commission shall give opportunity to be heard on the grounds of the appeal to those parties who have not waived that right. The appellant has the right of opening and closing the argument.

#### **D-6.13 Decision of the Permanent Judicial Commission**

##### *D-6.1301 Standard of Review*

Factual determinations by the permanent judicial commission that tried the case shall be accorded a presumption of correctness in appeals. Factual determinations are not to be disturbed unless they are plainly wrong, without supporting evidence, or manifestly unjust. Determinations related to the correct interpretation and application of provisions of the Constitution of the Presbyterian Church (U.S.A.) are not accorded the same presumption of correctness.

##### *D-6.1302 Voting Procedure*

After the hearing and after private deliberation, the permanent judicial commission shall vote separately on each specification of error alleged. The vote, which shall be by counted vote, shall be on the question, "Shall the specification of error be sustained?" The minutes shall record the vote on each specification of error. A majority vote sustains each specification of error.

##### *D-6.1303 Decision*

The decision of the permanent judicial commission shall include the determination of errors specified, and state the remedy as provided in D-6.0101. The permanent judicial commission may prepare its decision in a manner that will dispose of all substantive questions without redundancy. It should include an explanation of its determinations.

- a. Decisions of permanent judicial commissions other than the General Assembly's Permanent Judicial Commission are binding only on the parties to the case.
- b. If none of the specifications of error is sustained, and no other error is found, the decision of the lower council shall be affirmed.
- c. If one or more errors are found, the permanent judicial commission may conclude that despite the errors found, the decision of the lower council is affirmed. Alternatively, it may reverse the decision of the lower council either completely or in part, and if reversed in part, it may determine whether the decision of the lower council shall be modified or set aside, or the case remanded for a new trial.
- d. The questions presented for decision shall be fully debated and voted upon while all participating permanent judicial commission members are present. A written outline of a decision shall be prepared while in session. A written decision shall be reviewed by all participating members of the panel, which may take place either while the participating commission members

are present or by meeting within ten (10) days either in person, or electronically in accordance with G-3.0105.

e. The decision shall become the final decision when a copy of the written decision is signed by the moderator and clerk of the permanent judicial commission. A copy of the decision shall immediately be delivered to the parties to the case in accordance with D-4.0103b, or electronic communication if agreed upon in advance by the parties.

## CHAPTER VII

### DISCIPLINARY PROCESS

#### D-7.01 Disciplinary Process

##### *D-7.0101 Purpose*

The disciplinary process provides for the accountability of individuals to the church. When it is alleged that trust is broken by an individual, it is important to restore that trust within the community of faith. Church discipline is not punishment; rather, it is the exercise of authority given by Christ, both to guide, control, and nurture the church's members and for the correction and restraint of wrongdoing. The purpose of the discipline is to honor God by making clear the significance of membership in the body of Christ, to achieve justice and compassion for all participants involved, to correct or restrain wrongdoing in order to bring members to repentance and restoration where possible, to restore peace and unity in the body of Christ, and to secure the just, speedy, and economical determination of proceedings.

##### *D-7.0102 Initiation*

The disciplinary process begins when a written statement alleging that an active member of a congregation or a minister of the Word and Sacrament of the Presbyterian Church (U.S.A.) has committed an offense is submitted to the clerk of session or stated clerk of the presbytery having jurisdiction over the member. If, after investigation by an investigating committee and trial by a session or permanent judicial commission, the offense is proved true, the person found guilty is subject to censure by the Presbyterian Church (U.S.A.).

##### *D-7.0103 Definition of an Offense*

An offense is any act or omission by a member of a congregation or a minister of the Word and Sacrament that is contrary to the Scriptures or the Constitution of the Presbyterian Church (U.S.A.). The mere act of participating in decisions ultimately made by a committee, a commission, or by a council is not an offense.

##### *D-7.0104 Deadlines and Filings*

The method of determining filing deadlines and methods of filing are as follows:

#### a. Deadlines

In determining whether or not a document is timely filed, the day following the event giving rise to the time limit begins the count as day one (for example, the day following the date of the first meeting of an investigating committee, or on which a party receives a decision). All seven days of

every week are included in the count, including holidays, and the document shall be deemed timely filed if it is received by the person or persons to whom it is required to be sent on or before the final day of the count. When the final date of the count falls on a weekend or holiday, the document shall be deemed timely filed if it is received on the next business day after the final day of the count.

**b. Methods of Filing**

Any document required to be filed may be sent or delivered by United States Postal Service certified mail, return receipt requested; commercial courier, with delivery receipt requested; personal delivery; or electronically when so permitted in these rules.

**D-7.02 Filing an Allegation**

*D-7.0201 Allegation*

For filing an allegation in a disciplinary matter, the following applies:

**a. Time Limit**

No written allegation shall be filed later than five years from the time the alleged offense was discovered except in cases of sexual abuse of another person as defined in D-7.0901, in which case the five-year time limit shall not apply. There is also no time limit to file an allegation that a person who knew or reasonably should have known of the reasonable risk of sexual abuse of another as defined in D-7.0901 failed to take reasonable steps to minimize the risk.

**b. Who May File**

Any member of the Presbyterian Church (U.S.A.) may file a written allegation against a member of a congregation of the Presbyterian Church (U.S.A) or a minister of the Word and Sacrament. Anyone who is not a member of the Presbyterian Church (U.S.A.) may request that a member file a written allegation on their behalf.

**c. Contents of Allegation**

The allegation shall include:

- (1) A written statement of the alleged offense or offenses; and
- (2) Facts which, if proved true, would likely result in censure.

**d. Submitting an Allegation**

An allegation shall be submitted in writing to the clerk of session or stated clerk of the council with jurisdiction over the individual who is accused.

(1) If the allegation is against a member of a congregation not serving as a commissioned pastor at the time of the alleged offense, the allegation shall be sent to the clerk of session with jurisdiction over the accused member.

(2) If the allegation is against a minister member of a presbytery or a commissioned pastor in a validated ministry at the time of the alleged offense, the allegation

shall be sent to the stated clerk of the presbytery with jurisdiction over the accused member of the presbytery or commissioned pastor.

**e. Members Receiving Allegations from Any Source**

Members of the Presbyterian Church (U.S.A.) who receive an allegation from any source against a member of the Presbyterian Church (U.S.A.) should file a written allegation with the clerk of session or stated clerk of the council with jurisdiction over the individual who is accused. Clerks of session and stated clerks who receive a written statement of offense from a non-member of the Presbyterian Church (U.S.A.) that contains sufficient information to allow an investigation and to suggest that an offense has been committed, should file a written allegation on behalf of the non-member. In this case they shall not be considered to be disqualified from continuing to serve in their role as the clerk of session or stated clerk. Councils may provide by rule for who shall fulfill the role of the “accuser” in such cases.

**f. Self-Accusation**

A member of the Presbyterian Church (U.S.A.) may self-accuse by filing an allegation with the clerk of session or stated clerk of the council with jurisdiction over the individual member.

*D-7.0202 Initiating a Request for Vindication*

A member of the Presbyterian Church (U.S.A.) who feels injured by a rumor or gossip which is from an unidentified source or is from a source not accountable to the Presbyterian Church (U.S.A.) may request an investigation for the purpose of vindication. Requests for vindication should not be used for matters that can be resolved by filing an allegation.

a. A member requesting vindication shall submit a written statement of the rumor or gossip to the clerk or stated clerk of the council with jurisdiction over the member.

b. The council shall appoint an investigating committee in accordance with its rule as defined in D-7.0501a.

c. The investigating committee shall conduct an inquiry to ascertain the facts and circumstances and shall:

(1) Report its determinations in writing to the council within one year of its first meeting. The council will include the written report in its minutes and that will conclude the matter,

(2) File charges as described in D-7.15 with the session or permanent judicial commission against the individual who initiated the investigation if the investigating committee finds that a comparison and consideration of all the evidence compels an abiding conviction that the material facts necessary to prove the charge are true that the individual has committed an offense contrary to Scripture or the Constitution of the Presbyterian Church (U.S.A.), or

(3) Determine that one or more other individuals who are members of the Presbyterian Church (U.S.A.) may have committed an offense, and file one or more written allegations against those individuals with appropriate clerks of session or stated clerks.

### **D-7.03 Jurisdiction**

#### ***D-7.0301 Primary Jurisdiction***

Each council is responsible for the discipline of its members and has primary jurisdiction over any allegation against one of its members including any trial, except as provided in D-7.0201d(2).

#### ***D-7.0302 Exceptions to Primary Jurisdiction***

Exceptions to Primary Jurisdiction as described in D-7.0301 are as follows:

- a. Ruling elders commissioned to service by presbyteries are accountable as provided in D-7.0201.
- b. When ministers of the Word and Sacrament are engaged in work or reside within the geographic bounds of a presbytery other than the presbytery of membership, the presbytery of membership may request the presbytery within whose bounds the member works to investigate any allegation and file a report of the investigation with the stated clerk of the presbytery of membership and cooperate with the presbytery of membership in any disciplinary inquiry, alternative resolution, or trial. If the councils involved appoint a joint investigating committee, the expenses of that committee shall be shared. Jurisdiction for trial remains with the council of membership.
- c. If an allegation involves events that originated within a council other than the council with jurisdiction over the individual who is accused, the clerk of session or stated clerk of the council of jurisdiction shall report to the clerk of session or stated clerk of the other council or councils if charges are filed, and of the outcome of any trial.
- d. If the council of jurisdiction fails to act in a particular case for a period of sixty (60) days after the filing of charges in a disciplinary case, the next higher council, on the request of any party, may assume jurisdiction in the case. It may either issue specific instructions to the lower council as to its disposition or conclude the matter itself.
- e. Jurisdiction in a disciplinary process ends when a church member or a minister of the Word and Sacrament against whom an allegation has been filed renounces the jurisdiction of the Presbyterian Church (U.S.A.) in accordance with G-2.0407 or G-2.0509. In this case, the clerk of session or stated clerk of the presbytery shall report to the council both the renunciation and the status of the matter at that time, including the name of the accused, the date and fact of renunciation during an investigation or trial, and the charges, if filed. If no charges have been filed, the report shall include the nature of the alleged offense.
  - (1) A person alleged to have been harmed may make the request for a pastoral inquiry in accordance with G-3.0109b(6) at any time to the clerk of session or stated clerk, and it shall be brought to the council for consideration. In the interest of continuity, the council by its rules may appoint members of a former investigating committee to the membership of any subsequent committee or commission appointed to make inquiry into the matter.
  - (2) If an accused has died or is no longer under the jurisdiction of the Presbyterian Church (U.S.A.), the investigating or prosecuting committee shall ask the

accuser, and if reasonably possible, those alleged to have been harmed, if they request the council to continue a pastoral inquiry under the provision in G-3.0109b(6) or to undertake a separate pastoral inquiry for other offense(s). If they choose to make that request, or if the investigating or prosecuting committee deems it necessary, the investigating or prosecuting committee shall communicate it to the clerk of session or stated clerk, who shall bring the matter before the council for consideration. Any information collected in the course of such a pastoral inquiry shall be retained by the council and shall be made available as evidence if at some point the circumstances related to D-7.1501c apply.

f. A minister of the Word and Sacrament transferred from one presbytery to another presbytery shall be subject to the jurisdiction of the first until received by the second. A minister of the Word and Sacrament transferred by the presbytery to another denomination shall be subject to the jurisdiction of the presbytery until received by the new denomination.

g. When a congregation is dissolved, the presbytery shall determine any case of discipline begun by the session and not concluded.

#### **D-7.04 Reference**

##### *D-7.0401 Definition of Reference*

A reference in a disciplinary process is a written request, made by a session or a permanent judicial commission of a presbytery or synod to the permanent judicial commission of the next higher council to assume jurisdiction of the case, for:

- a. Investigation of an alleged offense and all subsequent proceedings (D-7.05 and following),
- b. Proceedings subsequent to the filing of charges (D-7.15 and following), or
- c. A hearing on the appeal of a disciplinary case from a lower council.

##### *D-7.0402 Duty of Lower Council*

With its written request for reference to a higher council, the lower council shall specify its reasons for the request and transmit the entire record of proceedings in the case and shall take no further action thereon, unless the higher council's permanent judicial commission returns the matter as provided in D-7.0404b. If the reference is accepted, all proceedings, including the trial or hearing on appeal, shall thereafter be held in the higher council.

##### *D-7.0403 Duty of Higher Council*

Upon receipt of a request for reference, the stated clerk of the higher council shall transmit the request to the permanent judicial commission for a decision whether or not to accept the case.

##### *D-7.0404 Action on Request*

In taking action on a request for reference, a permanent judicial commission may take either of the following actions:



a. If the permanent judicial commission decides to accept the reference, it shall instruct the stated clerk to proceed with the appointment of an investigating committee, if needed. The permanent judicial commission shall conduct the trial or hearing on appeal.

b. The higher council's permanent judicial commission may decline to accept the case for reference and return it to the lower council, stating its reasons. The session or permanent judicial commission of the lower council shall conduct the investigation, trial, or hearing on appeal and proceed to a decision.

c. While a request for reference is pending, and until the higher council acts to accept or decline to accept the reference for the case, any pending deadlines or periods of time for action by a council, a party, or an investigating committee shall be suspended.

#### **D-7.05 Investigation**

##### *D-7.0501 Referral to Investigating Committee*

When a clerk of session or the stated clerk of a presbytery receives an allegation, without undertaking further inquiry, that clerk shall then report to the council only that an offense has been alleged without naming the accused or the nature of the alleged offense and refer the statement of allegation promptly to an investigating committee, which shall conduct an inquiry as defined below. The clerk of session or stated clerk shall also inform the accuser of the disciplinary process and their rights and responsibilities in the process.

a. Sessions may and councils above the session shall provide by rule for the appointment of an investigating committee.

b. If a session is notified of the receipt of an allegation, it shall determine whether to proceed with an investigation or request a reference to the presbytery (D-7.04).

c. When an allegation is received by a clerk of session or a stated clerk other than the one of the council having jurisdiction over the member, it shall be the duty of the clerk of that session or the stated clerk of that presbytery to submit the written statement of allegation to the clerk of session or the stated clerk of the presbytery having jurisdiction over the member. The involved councils shall proceed in accordance with D-7.0301c.

##### *D-7.0502 Transfer of Membership*

A session shall not grant a transfer of membership to a member, nor shall a presbytery grant transfer of membership to a minister of the Word and Sacrament, while an inquiry or charges are pending. The reasons for not granting transfer of membership may be communicated by the clerk of session or the stated clerk of the presbytery to the appropriate persons.

#### **D-7.06 Membership of the Investigating Committee**

An investigating committee shall have no more than five but no fewer than three members, and may include members from another council. Sessions shall not appoint elders currently on the session to an investigating committee. All members of an investigating committee shall be members of the Presbyterian Church (U.S.A.).

#### **D-7.07 Expenses of the Investigating Committee**

The expenses of an investigating committee shall be paid by the council which designates it. In cases where the investigation is shared in accordance with D-7.0301c, expenses shall be shared.

#### **D-7.08 Assisting Roles**

The following persons may assist in the disciplinary process as described in this section.

##### *D-7.0801 Counsel*

Where counsel is referred to in this section, counsel need not be a paid representative or an attorney. Counsel shall be a member of the Presbyterian Church (U.S.A.). No member of a permanent judicial commission shall appear as counsel before that commission while a member of that commission.

##### *D-7.0802 Advocate*

The role of advocate is to provide support, consultation, and pastoral care for the accuser, those alleged to be harmed, or those accused. Advocates need not be members of the Presbyterian Church (U.S.A.).

##### *D-7.0803 Mediator*

Mediators, if utilized, should be persons known for calm, wise counsel, qualification of diverse cultural competence, and need not be attorneys or certified mediators. Mediators need not be members of the Presbyterian Church (U.S.A.); however, they should be familiar with Section D of the *Book of Order*. Presbyteries may identify in advance potential mediators. Any fees for mediation shall be negotiated in advance and paid for by the council of jurisdiction.

#### **D-7.09 Allegations of Sexual Abuse**

##### *D-7.0901 Definition*

Sexual abuse is any offense involving sexual conduct in relation to any person under the age of eighteen years or anyone without the capacity to consent, or any person when the conduct includes force, threat, coercion, intimidation, or misuse of ordered ministry or position. Sexual abuse is contrary to the Scriptures and the Constitution of the Presbyterian Church (U.S.A.), and is therefore always an offense for the purpose of discipline.

##### *D-7.0902 Administrative Leave*

In dealing with an allegation against a minister of the Word and Sacrament, the following considerations regarding administrative leave or other restrictions apply:

a. When an allegation of sexual abuse as defined in D-7.0901 has been received against a minister of the Word and Sacrament, the stated clerk receiving the allegation shall immediately communicate the allegation to the three members designated in accordance with D-3.0102.

b. Regardless of the employment status of the minister of the Word and Sacrament, the members designated in accordance with D-3.0102, shall determine as quickly as possible, after reviewing the written allegations and providing the accused the opportunity to be heard, whether

the risk to a congregation and/or to other potential victims of abuse requires administrative leave or other restrictions upon the minister's service, when considered in light of the nature and probable truth of the allegations. Such administrative leave or restrictions will continue until either the matter is resolved in one of the ways prescribed in the disciplinary process or until the leave or restrictions are altered or removed by the members of the commission.

*D-7.0903 Effect of Administrative Leave*

While administrative leave is in effect, the minister of the Word and Sacrament shall not perform any pastoral, administrative, educational, or supervisory duties, and shall not officiate at any functions such as the administration of Sacraments, funerals, or weddings. The effect of administrative leave for a minister of the Word and Sacrament in a validated ministry beyond the jurisdiction of the Presbyterian Church (U.S.A.) is the suspension of the validation of the ministry until the matter is resolved, which shall be communicated to the employer by the stated clerk of the presbytery.

*D-7.0904 If Leave is Not Required*

If the members of the permanent judicial commission designated in accordance with D-3.0102 determine that no administrative leave or restriction is required, the investigating committee appointed to investigate the allegations shall be free at any point in its investigation to present additional evidence to the designated members supporting the imposition of administrative leave or other restrictions.

*D-7.0905 Presbytery Policies on Administrative Leave*

Nothing in this section shall preclude a presbytery from establishing its own rules for administrative leave or other restrictions on a minister's service.

**D-7.10 Rights and Responsibilities of the Persons in a Disciplinary Process**

*D-7.1001 Rights of the Accuser*

The investigating committee shall inform the person submitting the allegation of the following rights:

- a. The right to be treated with fairness and respect.
- b. The right to be accompanied by an advocate whenever asked to meet with the investigating committee, the prosecuting committee, and the session or permanent judicial commission. The role of the advocate is to provide support and pastoral care. The advocate shall not be permitted to address the committees, session or permanent judicial commission on behalf of the accuser.
- c. If charges are filed, the right to reasonable and timely notice of, and to be present at, all public proceedings related to the charges, unless the prosecuting committee determines that testimony by the accuser would be materially affected if they heard other testimony at trial.

*D-7.1002 Rights of Those Alleged to Have Been Harmed*

When it is possible to do so while also maintaining appropriate confidentiality, the investigating committee shall notify individuals named in the allegation who are alleged to have been harmed by the offense of the following rights:

- a. The right to be treated with fairness and respect.
- b. The right to be accompanied by an advocate whenever asked to meet with the investigating committee, the prosecuting committee, and the session or permanent judicial commission. The role of the advocate is to provide support and pastoral care. The advocate shall not be permitted to address the committees, session or permanent judicial commission on behalf of those alleged to have been harmed.
- c. If charges are filed, the right to reasonable and timely notice of, and to be present at, all public proceedings related to the charges, unless the prosecuting committee determines that testimony by those alleged to have been harmed would be materially affected if they heard other testimony at trial.

#### *D-7.1003 Rights of the Accused*

At the beginning of each and every conference with an investigating committee, the prosecuting committee, and the session or permanent judicial commission, the person against whom an allegation has been made shall be informed by the investigating committee of the following rights:

- a. The right to remain silent throughout the entire disciplinary process,
- b. The right to be treated with fairness and respect.
- c. During the investigation, the right to be represented by counsel at their own expense and to be accompanied by an advocate. The role of the advocate is to provide support and pastoral care. The advocate, if not also counsel, shall not be permitted to address the committee, session, or permanent judicial commission.
- d. If charges are later filed, the right to reasonable and timely notice of, and to be present at, all public proceedings related to the charges, to be represented by counsel (D-7.0104), and to have counsel appointed if unable to afford counsel.

#### *D-7.1004 Responsibilities of All Participants*

All participants in an investigation have the responsibility to work cooperatively in the investigation. This includes, but is not limited to, the preservation of records which may be pertinent, and maintaining appropriate confidentiality throughout the process (see D-7.1003).

### **D-7.11 Investigating Process**

#### *D-7.1101 Preliminary Review*

The investigating committee shall hold its first meeting within sixty days of its appointment to review the allegation and determine whether it alleges any facts that, if true, constitute an offense, as defined in D-7.0103.

a. If no offense is alleged, the investigating committee shall report this fact to the clerk of session or stated clerk of the council and shall end its inquiry.

b. If the investigating committee determines that the allegation repeats allegations previously made against the accused, it shall report to the clerk of the council that it will not file charges unless the allegation contains new information warranting investigation or is the subject of an investigation that has not been concluded, and shall end its inquiry.

c. The clerk shall communicate the decision not to move to an investigation to the person who filed the allegation and to the person against whom the allegation was filed.

d. Within thirty (30) days of receipt of the report, the person who submitted the allegation may petition the session or permanent judicial commission for a review of the decision of the investigating committee not to file charges (D-7.1402).

#### *D-7.1102 Notification to Participants*

If the investigating committee determines that an offense as defined in D-7.0103 is alleged, the investigating committee shall, as quickly as it is practical,

a. Notify the accused in writing of:

(1) The date of the investigating committee's first meeting, which begins the one-year timeline for filing charges (D-7.1501);

(2) The reason for the investigation, including a copy of the statement of alleged offense, excluding the name of the accuser at the discretion of the investigating committee;

(3) The confidentiality of the investigating process; and

(4) The rights and responsibilities of the accused defined in D-7.1003 and D-7.1004.

b. Notify the person making the allegation in writing of:

(1) The date of the investigating committee's first meeting which begins the one-year timeline for filing charges (D-7.1501);

(2) The confidentiality of the investigating process;

(3) The rights and responsibilities of the accuser and of those alleged to have been harmed, if known, as defined in D-7.1001, D-7.1002, and D-7.1004; and

(4) The investigating committee's commitment to keep the person making the allegation informed as the investigation proceeds including, whenever possible, if charges will be filed.

#### *D-7.1103 Conduct of Investigation*

The investigating committee shall make a thorough inquiry into the facts and circumstances of the alleged offense. The investigation is presumed to be confidential. Information is shared only

on a need to know basis as determined by the investigating committee in consultation with the clerk or stated clerk of the council. In the event that information is shared, it shall be stated that the accused is presumed innocent. The investigating committee shall keep the clerk or stated clerk of the council informed of its progress in the process.

The investigating committee shall:

- a. Examine all relevant papers, documents, and records available to it;
- b. Ascertain all available witnesses who have knowledge of the alleged offense and inquire of them;
- c. Determine, in accordance with G-3.0102 and D-7.0103, whether there are reasonable grounds to believe that an offense was committed by the accused;
- d. Decide whether the offense alleged can be proved so that the comparison and consideration of all the evidence compels an abiding conviction that the material facts necessary to prove the charge are true.
- e. Report to the council having jurisdiction over the accused, or in the case of a joint investigation, report to both councils, only whether or not the investigating committee will file charges;
- f. If charges are to be filed, prepare them in accordance with the procedures described in D-7.1503 and designate one or more of its members to prosecute the case; and
- g. Determine if alternate resolution to a trial on the charges should be pursued (see D-7.16).

*D- 7.1104 Request for Reference*

If within sixty (60) days of its first meeting the investigating committee determines that it is unable for any reason to conduct a thorough and fair investigation, it may ask the council to request a reference in accordance with D-7.04.

**D-7.12 Review of Investigating Procedures**

At any time during the course of the investigation, the person against whom an allegation has been made may petition the session or permanent judicial commission to review procedures of the investigating committee.

*D-7.1201 Subject of Review*

The subject of such a petition for review shall be limited to whether the committee has followed the procedures required by D-7.1003, whether the committee has followed a proper trail of evidence, whether the evidence being considered is properly in the hands of the investigating committee, and whether the committee has examined relevant evidence proposed by the accused.

*D-7.1202 Conduct of Review*

The review shall be conducted by the three members designated in accordance with D-3.0102. The review may include a hearing at the discretion of the three designated members at which the investigating committee and the accused may appear. The review shall be completed within forty-five (45) days of the filing of the petition, and the decisions shall be communicated to the investigating committee, the accused, the moderator and the clerk of the permanent judicial commission, and the clerk of the council.

#### **D-7.13 Investigating Committee Conclusion**

The investigating committee may determine:

- Not to file charges (D-7.14),
- To file charges and proceed to trial (D-7.15), or
- To file charges together with an alternative resolution (D-7.16).

#### **D-7.14 If Charges Are Not Filed**

##### *D-7.1401 Written Report*

If no charges are filed, the investigating committee shall file a written report of that fact alone with the clerk of session or stated clerk of the presbytery. The clerk of session or stated clerk of the presbytery shall notify the person who submitted the allegation and the accused that charges will not be filed.

##### *D-7.1402 Review of Decision*

Review of a decision not to file charges shall proceed as follows:

- a. Within thirty (30) days of receipt of the report, the person who submitted the allegation may petition the session or permanent judicial commission to review the decision of the investigating committee not to file charges.
- b. The petition shall allege those instances in which the investigating committee has not fulfilled the duties specified in D-7.10.
- c. The investigating committee shall submit a written response to the facts alleged in the petition within thirty (30) days.
- d. The members of the permanent judicial commission designated in accordance with D-3.0102 shall consider the petition and the response, giving attention to the duties specified in D-7.10 and to the question of whether the purposes of the disciplinary process will be preserved by the decision of the investigating committee not to file charges. The decision of the designated members of the permanent judicial commission upon the petition and response shall be rendered within ninety (90) days.
- e. If the designated members sustain the petition, a new investigating committee shall be appointed by the session or presbytery. The new investigating committee shall have until the original deadline or until six (6) months from its first meeting, whichever is later, to determine whether to file charges.

f. If the designated members do not sustain the petition, or if a second investigating committee determines not to file charges, the disciplinary process is concluded. The investigating committee's records shall be preserved in accordance with session or presbytery policy for a minimum of ten years.

#### **D-7.15 If Charges Are Filed**

##### *D-7.1501 Time Limits for Filing Charges*

Once a written allegation has been submitted, no charges shall be filed later than one year from the date of the investigating committee's first meeting, except as noted below.

a. In those instances where secular proceedings against the accused pertinent to the subject of the investigation have commenced, the investigating committee may request of its session or permanent judicial commission and may receive an extension of its time for filing charges of up to six months from the conclusion of any investigation or resulting trial undertaken by the civil authorities. The clerk of session or stated clerk of the council shall maintain contact with civil authorities to determine when such secular proceedings have concluded.

b. For instances of sexual abuse of another person as defined in D-7.0901 the five-year time limit for filing an allegation shall not apply. There is also no time limit for alleging that a person who knew or reasonably should have known of the reasonable risk of sexual abuse of another as defined in D-7.0901 failed to take reasonable steps to minimize the risk. Charges in these instances may be brought regardless of the date on which an offense is alleged to have occurred.

c. When a former minister of the Word and Sacrament or a former active member of a congregation again becomes an active member of a congregation (G-1.0402) or a member of a presbytery (G-2.0502, G-2.0503) after having renounced jurisdiction while in the disciplinary process, allegations shall be brought forward again. The process would then begin anew with the one-year time limit in effect. The time limit begins on the date when the stated clerk or clerk of session becomes aware that the renounced member has rejoined the Presbyterian Church (U.S.A.). If charges had been filed at the time of renunciation, the prosecuting committee shall have at least six months to proceed forward before trial. If a new prosecuting committee must be formed, it shall have at least nine months to proceed forward before trial. The accused shall not serve in an ordered ministry of the church while an investigation or trial is pending.

##### *D-7.1502 Duties of the Investigating Committee*

If the investigating committee decides to file charges, it shall:

- a. Inform the accused in writing that charges will be filed, and list each charge separately;
- b. Include a summary of the facts it expects to prove at trial to support the charges; and
- c. Designate one or more of its members to serve as the prosecuting committee. The prosecuting committee shall prosecute the case and represent the church during any appeals. The prosecuting committee may include additional members at the council's discretion.



### ***D-7.1503 Charges***

**Each charge shall state only one offense.**

**a. An offense is any act or omission by a member of a congregation or a minister of the Word and Sacrament that is contrary to the Scriptures or the Constitution of the Presbyterian Church (U.S.A.) as defined in D-7.0103.**

**b. Each charge shall state the specific provision or provisions of Scripture and/or the Constitution that have been violated.**

**c. Each charge shall be numbered, and state (as far as possible) the time, place and circumstances of the commission of the offense. Multiple occurrences of the same offense may be consolidated in one charge.**

**d. Each charge shall be accompanied by a summary of the facts expected to be proved at trial.**

**e. The investigating committee shall file the charges with the clerk of session or the stated clerk of the presbytery.**

**(1) If the charges are filed with the clerk of session, upon its receipt, the clerk shall present the charges to the session at its next meeting and determine whether it will try the case or request a reference to the presbytery (D-7.04).**

**(2) If the charges are filed with the stated clerk of the presbytery, the stated clerk shall immediately forward the charges to the permanent judicial commission.**

### **D-7.16 Alternative Resolution**

#### ***D-7.1601 Initiation of Alternative Resolution***

**If it deems appropriate, the investigating committee may initiate alternative resolution after the investigation has been completed and the charges have been drafted, but before the charges have been filed.**

**The investigating committee shall report any agreement for alternative resolution to the session or permanent judicial commission for its approval together with the charges to be filed. The outcome of any alternative resolution shall be a signed agreement between the accused and the investigating committee, to be filed together with the charges with the session or the permanent judicial commission. Terms of an alternative resolution shall be agreed upon and submitted within the one-year time limit for filing charges, except as provided in D-7.1603 for Restorative Justice. By mutual agreement the investigating committee and the accused may petition the permanent judicial commission for an extension of the deadline to file charges of up to 60 days while efforts at alternative resolution are being pursued.**

**Should efforts at alternative resolution fail, or the agreement is not accepted by the session or permanent judicial commission, no statements, written or oral, made at or in connection with this process, shall be admissible in evidence at a subsequent investigation or trial.**

**Any fees for mediation or for facilitating restorative justice processes shall be negotiated in advance and paid for by the council of jurisdiction.**

***D-7.1602 Forms of Alternative Resolution***

**Alternative resolution may take one of three forms: restorative justice, mediation, or other negotiated agreements.**

***D-7.1603 Restorative Justice***

**At the discretion of the investigating committee, in those instances where the accused will plead guilty and take responsibility for harm done, and those alleged to have been harmed are willing to find outcomes that repair damage and address the reasons for the offense, the investigating committee may initiate a process of restorative justice to bring closure to the persons involved and restoration to the community of faith.**

**When a process of restorative justice is initiated, an investigating committee may request of its session or permanent judicial commission one or more extensions of time to file charges to determine if justice for all can be achieved within a reasonable period.**

**a. The Purpose of Restorative Justice**

**(1) Restorative justice is a process by which both those alleged to have committed an offense and those alleged to have been harmed seek to restore the wholeness of the Body of Christ. Restorative justice may be employed prior to trial, or as part of a process of healing after an accused has been found guilty, when the guilty party has had time to accept responsibility and those harmed have had time for personal healing. Should restorative justice not be employed as an alternative resolution prior to trial, the council shall be open to the process at any time if those harmed request and are willing to engage the process.**

**(2) Restorative justice is not primarily about forgiveness or reconciliation. There should be no pressure on those harmed to forgive or be reconciled. The decision to forgive or be reconciled must be made by the participants at their own initiative.**

**b. The Practice of Restorative Justice**

**Restorative justice is guided by four basic questions:**

- Who has been harmed?**
- What needs do they have?**
- Who shares the responsibility to address the needs, to repair the harm, and to restore relationships?**
- What is needed to restore wholeness to the community?**

**The process should be facilitated by a person trained in restorative justice, and shall respect the needs and roles of each participant, including:**

(1) Those who have been harmed, who have a need for real information through facilitated direct or indirect contact with offenders; the opportunity for truth-telling by sharing their stories; empowerment by having a voice in the process of justice; support for personal healing from trauma; and vindication through acts of symbolic restitution, which may include a public statement of apology by the offender and/or from the community.

(2) Offenders, who have a need for accountability that focuses on the harm done, encourages compassion, and transforms shame; support for personal healing from trauma, addictions, or other issues that may have contributed to the harmful actions; the development of personal capabilities and boundaries; encouragement and support for restoration to the community; and when necessary, temporary or permanent restrictions or removal to prevent future offenses.

(3) Communities, who have a need to attend to the harm and trauma experienced; to employ resources and opportunities to rebuild communal accountability and trust; to honor their obligation to care for their members including those harmed and offenders; to have reasonable assurance that offenders will not offend again; and to take preventative measures to protect others in the future.

#### *D-7.1604 Mediation*

In those instances where the accused will plead guilty and takes responsibility for harm done, but a process of restorative justice is not possible or appropriate, the investigating committee may initiate an alternative resolution process of mediation in the hope of achieving justice and compassion for all involved and repentance and restoration to the accused. It shall also take into consideration the broken trust in the larger community of faith, and the time and energy that will be necessary for its trust to be restored. Mediators and facilitators utilized in this process should be persons known for calm, wise counsel, and need not be attorneys or certified mediators. Anyone serving as a mediator or facilitator must be familiar with Section D of the *Book of Order*. Where harm has been done to another person, presbyteries should utilize persons who have specialized training and skills. Any mediated agreement shall include a specification of charges to which the accused will plead guilty, together with a recommendation for censure.

#### *D-7.1605 Other Negotiated Agreements*

When the interests of justice demand it, an investigating committee may submit a negotiated agreement as part of an alternative resolution. All such agreements shall include a specification of charges to which the accused will plead guilty, together with a recommendation for censure. Prior to entering into any negotiation with the accused or counsel for the accused, the investigating committee shall consult with the accuser and those alleged to have been harmed, if known, regarding reasons for a negotiated agreement. Ordinarily, negotiated agreements should not be used to resolve allegations of sexual abuse.

#### *D-7.1606 Session or Permanent Judicial Commission Action*

Upon receipt of a signed alternative resolution, the session or permanent judicial commission shall convene to:

a. Receive the agreement and the charges together with a statement of the investigating committee's rationale for adoption of the agreement;

- b. Vote to approve it by at least two-thirds of the members eligible to vote (D-3.0602);
- c. Make a record of its proceedings according to the provisions of D-8.1201d, including the name of the accused, the substance of the charge(s), and censure if any; and
- d. Transmit its decision to the clerk of session or the stated clerk, who shall report it according to the provisions of D-9.0102.
- e. If the session or permanent judicial commission does not approve the alternative resolution agreement by a two-thirds vote, the investigating committee may seek another alternative resolution to present to the session or the permanent judicial commission within the one-year deadline, or
- f. If an alternative resolution agreement is not reached, the investigating committee shall designate a prosecuting committee and the matter shall proceed on the charges filed.

## CHAPTER VIII

### TRIAL IN A DISCIPLINARY CASE

#### D-8.01 Pretrial Procedures

##### *D-8.0101 Parties*

All disciplinary cases shall be filed and prosecuted by a council through a prosecuting committee in the name of the Presbyterian Church (U.S.A.). The prosecuting committee is the representative of the church and, as such, has all of the rights of the appropriate council in the case. The only parties in a disciplinary case are the prosecuting committee and the accused.

##### *D-8.0102 Circulation of Materials and Communication*

With regard to materials pertaining to the case and communication regarding the case, the following rules apply:

a. Any materials pertaining to the case shall be filed with the clerk of session or stated clerk of the presbytery hearing the case. Parties to a disciplinary case or their counsel or any other person shall not circulate or cause to be circulated directly to the members of the session or permanent judicial commission any written, printed, electronic, or visual materials of any kind upon any matter pertaining to the case before its final disposition. Notwithstanding this prohibition, the session or permanent judicial commission may request, or grant leave to file, additional materials.

b. Parties or their counsel shall not communicate with members of the session or permanent judicial commission regarding any matter related to the case unless the other party and their counsel, if any, are included.

##### *D-8.0103 Pretrial Conference*

A pretrial conference shall be scheduled, which may be held electronically in accordance with G-3.0105.

a. The session or permanent judicial commission which is to try the case shall hold a pretrial conference no later than forty-five (45) days after confirmation of the receipt of the charge(s). The moderator and clerk of the session, or their designees, or the moderator and clerk of the permanent judicial commission, or their designees, shall set a date, time and place for the pretrial conference, and conduct it on the session's or commission's behalf.

b. The clerk of session or the stated clerk shall notify the accused, the counsel for the accused, if any, and the prosecuting committee of the date, time and place of the pretrial conference and request their presence.

c. The accused is expected to attend the pretrial conference. If the accused is unable or unwilling to attend, the pretrial conference shall proceed regardless of the accused's absence.

d. At the pretrial conference, the moderator or the moderator's designee shall:

(1) Read aloud the Preamble to Church Discipline (D1);

(2) Inform the accused of the right to counsel and the right to remain silent throughout the process;

(3) If the accused is unable to afford counsel, the session or permanent judicial commission shall review the financial records of the accused, and if it determines that financial need exists, shall appoint counsel for the accused. Fees, if any, for this representation at the expense of the council shall be agreed upon in writing.

(4) Read the charges to the accused, and;

i. Determine with the accused and the prosecuting committee those charges that are not in dispute and discuss alternatives to a full trial;

ii. Hear any challenges to the appropriateness of charges, make recommendations to dismiss some of the charges, consolidate the charges, or permit amendments to the charges. The moderator and clerk of the session, or their designees, or the moderator and clerk of the permanent judicial commission, or their designees, shall refer all disputes of fact to the trial.

iii. Ask the accused to plead guilty or not guilty to each charge for the record.

(5) Furnish the accused with a description of the records and documents that may be offered to support each charge, and a list of witnesses then known and their relevance to the matter at trial; and

(6) Review any reports of petitions for review conducted in accordance with D-7.10.

(7) The session or permanent judicial commission may consult with the parties and their counsel on any other pending or anticipated pretrial motion or matter that will need to be addressed before the commencement of the trial. The session or permanent judicial commission should establish deadlines and a trial date accordingly.

All actions taken at the pretrial conference are preliminary and shall be referred to the session or permanent judicial commission for approval at trial.

*D-8.0104 Between the Pretrial Conference and the Trial*

In regard to actions to be taken between a pretrial conference and a trial, the following applies:

a. The moderator of the session or permanent judicial commission shall schedule a trial, to be held no sooner than sixty (60) days following the pretrial conference. If the accused pleads guilty to all charges, no trial shall be held and a censure hearing shall be held no sooner than thirty (30) days following the pretrial conference.

b. At least forty-five (45) days in advance of the trial, the prosecuting committee shall provide the clerk of session or clerk of the permanent judicial commission and the other party with their list of witnesses and an outline of the evidence to be presented at trial. The accused shall provide the clerk of session or clerk of the permanent judicial commission and the other party with a preliminary list of witnesses. Parties or their representatives shall not contact the other party's witnesses prior to the trial.

c. At any time, the session or permanent judicial commission shall be open to alternative resolution between the parties and at its sole discretion may continue the trial to allow for an alternative resolution process as described in D-7.16.

**D-8.02 Conduct of Trial**

*D-8.0201 Trial of a Disciplinary Case*

The trial of a disciplinary case shall be conducted by a session or permanent judicial commission of a presbytery.

a. The trial shall be conducted formally with full decorum in a neutral place suitable to the occasion.

b. Except for the provision of electronically received testimony contained in D-8.04, trials should be held in person. When necessary, and at the sole discretion of the session or permanent judicial commission, trials may be held electronically in accordance with G-3.0105 and provided that the technology employed allows witnesses and parties as well as members of the session or permanent judicial commission to be seen and heard clearly.

c. The accused in a disciplinary case is presumed to be innocent unless a determination of guilt is rendered by two-thirds of the session or permanent judicial commission eligible to vote (see D-3.0602).

**D-8.03 Citations and Testimony**

*D-8.0301 Citations*

Citations to appear at trial for parties or such witnesses as either party may request shall be signed by the moderator or clerk of the session or the permanent judicial commission and served by the clerk of the council. Witnesses may be either fact witnesses or expert witnesses (see D-8.0704b).

*D-8.0302 Who May Be Cited*

Only members of the Presbyterian Church (U.S.A.) may be cited to appear. Persons who are not members of the Presbyterian Church (U.S.A.) and expert witnesses (regardless of their denominational membership) can only be requested to attend.

*D-8.0303 Witnesses from Another Council*

When it is necessary to summon witnesses who are under the jurisdiction of another council of the church, the clerk or stated clerk of the other council shall, on the application of the session or permanent judicial commission trying the case, through the clerk of the council, issue a citation to the witnesses to appear at the place of trial and give evidence as may be required.

*D-8.0304 Expenses*

Any witness shall be entitled to receive from the party calling the witness reimbursement of actual expenses incurred in attendance at the trial.

*D-8.0305 Service of Citation*

A citation shall be delivered in accordance with D-7.0104b, or by electronic delivery acknowledged by the recipient within seven (7) days. The moderator or clerk of the session or permanent judicial commission trying the case shall keep a record of the fact and date of service or delivery. If a party or a witness who is compelled to attend (D-8.0302) fails to obey a citation to appear or having appeared, refuses without good cause to testify, and after warning continues to refuse, the party or witness shall be considered guilty of disobedience and contempt, and for such offense may be subject to disciplinary action by their council of jurisdiction.

**D-8.04 Electronically Received Testimony**

Witnesses may be granted permission by the session or permanent judicial commission to appear electronically if unable to attend a trial that is held in person, in accordance with the provisions of G-3.0105 and D-8.02.

**D-8.05 Procedures in Trial**

*D-8.0501 Counsel*

Each of the parties in a disciplinary case shall be entitled to appear and may be represented by counsel. Counsel need not be a paid representative or an attorney. Counsel shall be a member of the Presbyterian Church (U.S.A.). No member of a permanent judicial commission shall appear as counsel before that commission while a member.

*D-8.0502 Control of Conduct of Trial*

The moderator of the session or permanent judicial commission shall have full authority and power to control the conduct of the trial and of all parties, witnesses, counsel, and the public, including removal of them, to the end that proper dignity and decorum shall be maintained. Rulings of the moderator related to control of the trial are subject to appeal to the full

session or permanent judicial commission by any member of the session or permanent judicial commission, which shall decide the question by majority vote.

*D-8.0503 Procedural Questions*

Questions as to procedure or the admissibility of evidence arising in the course of a trial shall be decided by the moderator after the parties have had an opportunity to be heard. A party or a member of the session or permanent judicial commission may appeal from the decision of the moderator to the body, which shall decide the question by majority vote.

*D-8.0504 Absences*

Members of a session or permanent judicial commission must be present in person at trials. The absence of any member of the session or permanent judicial commission after a trial has commenced shall be recorded. That person shall not thereafter participate in deliberation and decision in the trial.

*D-8.0505 Closed Proceedings*

The proceedings shall ordinarily be conducted in open session; however, at the request of any party, or on its own initiative, the session or permanent judicial commission may determine at any stage of the proceedings, by a vote of two thirds of the members present, to exclude persons other than the parties and their counsel.

*D-8.0506 Loss of Quorum*

Loss of a quorum shall result in a mistrial and the case shall be tried again from the beginning at a time and place to be determined by the session or permanent judicial commission.

**D-8.06 Trial**

*D-8.0601 Announcement by the Moderator*

The trial of a disciplinary case shall be opened with prayer, after which the moderator shall read aloud the Preamble to Church Discipline (D-1), shall announce that the council is about to proceed to trial, and shall enjoin the members to recollect and regard their high character as judges of a council of the Church of Jesus Christ and the solemn duties they are about to undertake.

*D-8.0602 Objections of Parties*

The parties or their counsel may object and be heard on the organization and jurisdiction of the session or permanent judicial commission.

a. A member of a session or permanent judicial commission is disqualified if the member is personally interested in the outcome of the case, is related by family relationship to any party, or has served as counsel for or against any party.

b. Any member of a session or permanent judicial commission may be challenged by any party for conflict of interest, and the validity of the challenge shall be determined by majority vote of the remaining members of the session or permanent judicial commission



*D-8.0603 Preliminary Determinations and Objections*

The session or permanent judicial commission shall place all preliminary determinations and any objections on the record and shall decide all such matters by majority vote. Any objections to the preliminary determinations and any other objections affecting the order or regularity of the proceedings shall also be made part of the record and shall be decided by majority vote. A final decision is not permissible until the session or permanent judicial commission has heard the evidence and closing arguments.

*D-8.0604 Plea*

The accused shall be called upon to plead “guilty” or “not guilty” to each charge. The plea shall be entered on the record. If the accused declines to answer or pleads “not guilty,” a plea of “not guilty” shall be entered on the record and the trial shall proceed. If the accused pleads “guilty” to all charges, the council shall proceed in accordance with D-8.0903 unless the parties request an opportunity to seek an alternative resolution in accordance with D-7.16.

*D-8.0605 Opening Statements*

The parties shall be given an opportunity to make opening statements, beginning with the prosecuting committee.

**D-8.07 Evidence**

*D-8.0701 Definition*

The parties shall be accorded the opportunity to present evidence on their behalf. Evidence, in addition to oral testimony of witnesses, may include records, writings, material objects, or other items. Evidence must be relevant to be received, and may include evidence that lays a foundation for the admissibility of other evidence. Relevant evidence is evidence that tends to prove or disprove a fact necessary to determine the outcome of a case. Laying a foundation means presenting preliminary evidence to show the authenticity and relevance of the evidence proposed. Evidence of authenticity goes to show the item is what the proponent claims it is. No distinction should be made between direct and circumstantial evidence as to the degree of proof required.

*D-8.0702 Records as Evidence*

Written records of a council or permanent judicial commission and authenticated records of testimony are admissible as evidence.

a. The authenticated written records of a council or permanent judicial commission shall be admissible in evidence in any proceeding.

b. An authenticated record or transcript of testimony taken by a council or permanent judicial commission shall be admissible in any proceeding in another council.

*D-8.0703 Hearsay Evidence*

Hearsay is a statement made outside the presence of the session or permanent judicial commission hearing the case, whether written or oral, and which is offered to prove the truth of whatever it asserts. Because of the limitations of a council’s authority to compel witnesses to testify

in a disciplinary process, as well as the limitations of resources in investigations, hearsay evidence is allowed. The session or permanent judicial commission shall determine the credibility or weight of hearsay evidence.

*D-8.0704 Witnesses*

With regard to witnesses, the following applies:

a. Any party may challenge whether a witness may testify, and the moderator of the session or permanent judicial commission shall determine the competence of the witness. The ruling of the moderator may be appealed by any party or a member of the session or permanent judicial commission and decided by majority vote of the session or permanent judicial commission.

b. Each witness called to testify must be competent to testify. To be received by the session or permanent judicial commission, any testimony from any witness must be relevant. An expert opinion or other testimony may be offered by any witness upon adequate proof of the qualifications of the witness as an expert in the field of such testimony and that such opinion or other testimony will assist the resolution of the case.

c. No counsel for a party involved may be compelled to testify about any confidential matter, nor may any such counsel testify concerning any matter without the express permission of the party they represent.

d. A person duly appointed by a council to provide counseling services for persons within the jurisdiction of the council shall not testify before a session or permanent judicial commission, except that the restriction may be waived by the person about whom the testimony is sought.

e. Credibility means the degree of belief that may be given to the testimony of a witness. In determining the credibility of a witness, the session or permanent judicial commission may consider any matter that bears upon the accuracy of the testimony or the truthfulness of the witness.

f. A married person, otherwise competent to testify, may be a witness for or against the spouse, but shall not be compelled to testify against the other.

g. The session or permanent judicial commission may recognize other privileges including, but not limited to therapist-patient, doctor-patient, pastor-penitent, and attorney-client privileges as a basis for not compelling the testimony of a witness.

*D-8.0705 Testimony*

Receiving the testimony of witnesses shall proceed as follows:

a. At the direction of the moderator or on the request of either party, no fact witness shall be present during the examination of another witness. This shall not limit the right of any party, counsel, or witness previously designated to offer only expert testimony to be present.

b. Witnesses shall be examined first by the party producing them, and then they may be cross-examined by the opposing party. The moderator may permit additional questions from the parties (including both re-examination, followed by re-cross-examination) if so requested.

Thereafter, any member of the session or permanent judicial commission may ask additional questions.

c. Prior to giving testimony, a witness shall make an oath by answering the following question in the affirmative: “Do you solemnly swear that the evidence you will give in this matter shall be the truth, the whole truth, and nothing but the truth, so help you God?”

d. If a witness objects to making an oath, the witness shall answer the following question in the affirmative: “Do you solemnly affirm that you will declare the truth, the whole truth, and nothing but the truth in the matter in which you are called to testify?”

e. The testimony of each witness shall be accurately and fully recorded by a qualified reporter or other means that can be accurately transcribed, including digital voice recording.

f. Witnesses may appear electronically if unable to attend the trial in person, in accordance with the provisions of D-8.04.

g. A member of the session or permanent judicial commission before which the case is pending may testify, but thereafter shall not otherwise participate in the case.

#### **D-8.08 Final Statements**

The parties shall be given an opportunity to make final statements, the prosecuting committee having the right of opening and closing the argument, after which the trial shall be closed with prayer.

#### **D-8.09 Decision**

##### *D-8.0901 Deliberation*

The session or permanent judicial commission shall then meet privately to deliberate. All persons not members of the session or permanent judicial commission shall be excluded.

##### *D-8.0902 Decision on Guilt*

Decisions in disciplinary cases are reached and communicated as follows:

a. After careful deliberation, the session or permanent judicial commission shall vote on each charge separately and record the vote in its minutes. Members of the session or permanent judicial commission may find that the accused is guilty when a comparison and consideration of all the evidence compels an abiding conviction that the material facts necessary to prove the charge are true. No decision of guilt may be found on a charge unless at least two-thirds of the members of the session or permanent judicial commission eligible to vote agree on the judgment (see D-3.0602).

b. A written decision stating the judgment on each charge shall be prepared while in session. It shall become the final decision when signed by the moderator and clerk of the session or the permanent judicial commission.

c. When a session or permanent judicial commission has arrived at a decision, the moderator shall, in open meeting, announce the verdict for each charge separately.

*D-8.0903 Decision on Degree of Censure*

If the accused is found guilty or after a guilty plea, the session or permanent judicial commission shall hear evidence within thirty (30) days of the decision as to the extent of the injury suffered, mitigation, rehabilitation, and redemption. This evidence may be offered by either party, or the original accuser or that person's representative. Each person who was directly harmed by the offense may submit a victim impact statement, which shall become part of the record. The statement shall not be subject to cross-examination. The accused may offer a plan to address the harm done and to seek reconciliation with the victim(s) and the church. The session or permanent judicial commission shall then meet privately to determine the degree of censure to be imposed. Following such determination and in an open meeting, the moderator of the session or permanent judicial commission shall then pronounce the censure.

**D-8.10 Filing and Notification of Parties**

*D-8.1001 Filed Promptly*

The decision shall be filed promptly with the clerk or stated clerk of the council.

*D-8.1002 Notification of Parties*

Notification of a decision shall be as follows:

a. The clerk of session or clerk of the permanent judicial commission shall deliver a copy of the decision to the parties in accordance with D-7.0104b, or by electronic communication if agreed upon in advance by the parties.

b. The moderator or clerk of the session or permanent judicial commission shall disseminate the decision as the session or permanent judicial commission may direct.

**D-8.11 New Evidence Received**

*D-8.1101 Prior to the Filing of a Notice of Appeal*

Prior to filing a notice of appeal, but without extending the time for appeal, the person found guilty may apply for a new trial on the ground of newly discovered evidence. The permanent judicial commission – when satisfied that such evidence could reasonably have resulted in a different decision and that in the exercise of reasonable diligence it could not have been produced at the time of trial – may grant such application. A notice of appeal filed while such an application is pending shall be held in abeyance until such time as the session or permanent judicial commission that conducted the trial has made its determination. The higher council shall be notified of the determination by the clerk of session or stated clerk of the lower council.

*D-8.1102 Subsequent to the Filing of a Notice of Appeal*

If, subsequent to the filing by a person found guilty of a notice of appeal, new evidence is discovered by the person found guilty which in the exercise of reasonable diligence could not have been discovered prior to the filing of the notice of appeal, the permanent judicial commission receiving the appeal may, in its discretion, remand the case for a new trial, in which case the appeal shall be stayed until the session or permanent judicial commission that conducted the trial reports its decision in the new trial. The application for admission of newly discovered evidence shall be

made to the permanent judicial commission at least thirty (30) days prior to the hearing with copies to the other party. That application shall be accompanied by a summary of the evidence.

#### **D-8.12 Record of Proceedings**

##### *D-8.1201 Duty of Clerk*

The clerk of session or the clerk of the permanent judicial commission shall do the following:

- a. Arrange in advance for the accurate verbatim recording of all testimony and oral proceedings. This may be accomplished through a digital voice recording.
- b. Identify and maintain all exhibits offered in evidence (noting whether or not they were accepted as evidence) and keep a list of all exhibits.
- c. Record minutes of the proceedings, which shall include any actions or orders of the session or permanent judicial commission relating to the case with the vote thereon.
- d. Prepare the record of the case, which shall consist of:
  - (1) The charges;
  - (2) A record of the plea entered by the accused on each charge;
  - (3) A certified transcript, if requested;
  - (4) All properly marked exhibits, records, documents, and other papers;
  - (5) The written decision, including the verdict for each charge and the degree of censure, if any, to be imposed by the council; and
  - (6) Any actions or orders of the session or permanent judicial commission relating to the case, with the vote on each.
- e. The clerk of session shall preserve the record of the case for at least ten (10) years, and in accordance with the policy of the council for the preservation of records. The clerk of the permanent judicial commission shall, within thirty (30) days after the decision becomes final, certify and transmit the record of the case to the stated clerk of the electing presbytery, who shall preserve it for at least ten (10) years, and in accordance with the policy of the council for the preservation of records.
- f. Upon the request, and at the expense of any requesting party, the clerk of the session or the clerk of the permanent judicial commission shall cause a true and complete transcript be prepared of all the testimony and oral proceedings during the course of the trial. A copy of this transcript, when certified by the person making the same to be true and complete, shall be delivered to each party. One additional copy shall be made for inclusion in the record to be sent forward upon any appeal pursuant to D-10.0602.

##### *D-8.1202 Additions to the Record*

No person may supplement or add to the record in a case except for good cause as determined by the moderator and clerk of the session or of the permanent judicial commission responsible for conducting the trial. No request to supplement the record shall be considered until received in writing by the clerk of session or the stated clerk of council that conducted the trial, who shall transmit it to the moderator of the session or moderator and clerk of the permanent judicial commission. A copy of the request shall be delivered to all parties and every party shall have ten (10) days to respond in writing.

#### **D-8.13 Enforcement**

When a session or presbytery has completed the trial and found the accused guilty and the decision has been pronounced in accordance with the censure imposed in the following chapter, the session or presbytery shall proceed to enforce the decision regardless of an appeal, including supervision of any rehabilitation required in the censure, unless there has been a full or partial stay of enforcement.

### **CHAPTER IX**

#### **CENSURE AND RESTORATION IN A DISCIPLINARY CASE**

#### **D-9.01 Censure**

##### *D-9.0101 Degrees of Censure*

The degrees of church censure are rebuke, rebuke with supervised rehabilitation, temporary exclusion from exercise of ordered ministry (for deacons, ruling elders, and ministers of the Word and Sacrament) or membership rights (for non-ordained church members), and removal from ordered ministry or membership. Whatever the censure is, it is never given with malice and vindictiveness but in Christian love to offer correction in error and restoration of the community. A censure is about the accountability of an individual to the church and should not include names of persons who have been harmed.

##### *D-9.0102 Reporting of Decision and Censure*

Public oral reports of decisions and censure in disciplinary cases shall be as follows:

a. When a censure is imposed on a church member, a congregational meeting shall be called by the session in accordance with G-1.0503g for the purpose of receiving the decision and censure. The verbal report to the congregation may contain only a summary of the decision and censure, but shall contain a statement of the nature of the offense, the name of the person being censured, and the censure. The summary shall be recorded in the minutes of the congregational meeting.

b. When a presbytery imposes a censure, if the council is meeting when the decision and censure are received from the clerk of the permanent judicial commission, the stated clerk shall report the decision and censure immediately and enter the full decision upon the minutes of the council. If the council is not meeting, the stated clerk shall report the decision to the council at its first stated or adjourned meeting or at a meeting called to hear the decision, whichever comes first, and enter the full decision upon the minutes of the council. The verbal report to the council may contain only a summary of the decision and censure, but shall contain a statement of the nature of

the offense, the name of the person being censured, and the censure. If the censure is imposed on a church member, the provision of D-9.0102c shall also be followed.

c. If the censure imposed by a presbytery was on a church member, rather than a minister of the Word and Sacrament, either because the member was a commissioned pastor at the time the offense was committed or because a higher council assumed jurisdiction under either D-7.0301d or D-7.0401, once the decision and censure have been reported in accordance with D-9.0102b, the decision and censure shall be distributed to the clerk of session of the church of membership. The clerk of session shall report the decision at the first stated or adjourned meeting of the session or at a meeting called to hear the decision, whichever comes first, and enter the full decision upon the minutes of the session. The verbal report to the session may contain only a summary of the decision and censure, but shall contain a statement of the nature of the offense, the name of the person being censured, and the censure. The session shall call a congregational meeting in accordance with G-1.0503g and report the decision as described in D-9.0102a above.

#### *D-9.0103 Rebuke*

Rebuke is the lowest degree of censure for an offense and is completed when pronounced. It consists of setting forth publicly the character of the offense, together with reproof, which shall be pronounced in the following or like form:

“Whereas, you, (Name) \_\_\_\_\_, have been found guilty of the offense(s) of \_\_\_\_\_ (here insert a summary of the offense), and by such offense(s) you have acted contrary to the Scriptures and/or the Constitution of the Presbyterian Church (U.S.A.); now, therefore, the Session or the Permanent Judicial Commission of the Presbytery of \_\_\_\_\_, in the name and authority of the Presbyterian Church (U.S.A.), expresses its condemnation of this offense, and rebukes you. This rebuke is given not with malice or vindictiveness but in Christian love to offer you correction in error and restoration that you may be more watchful and avoid such offense in the future. We urge you to use diligently the means of grace to the end that you may be more obedient to our Lord Jesus Christ.”

This formal rebuke shall be followed by intercessory prayer to Almighty God.

#### *D-9.0104 Rebuke with Supervised Rehabilitation*

Rebuke with supervised rehabilitation is the next to lowest degree of censure. It consists of setting forth the character of the offense, together with reproof and mandating a period of supervised rehabilitation imposed by the session or permanent judicial commission as described at item b. of this section.

a. **Communicate Goals** – The session or permanent judicial commission shall formally communicate to the supervising entity and the person censured the goals of the rehabilitation and the specific authority conferred on the supervisor(s).

b. **Supervised Rehabilitation** – An outline of the rehabilitation program shall include a clear statement of how progress will be evaluated and how it will be determined when and if the supervised rehabilitation has been satisfactorily completed.

c. **Voluntary Acts of Repentance** – The rehabilitation program may include a voluntary act or acts of repentance by the person censured on their own initiative. Such acts may include, for example, public acknowledgement of guilt, community service, or symbolic or monetary restoration

of what was lost or expended by the person who was harmed. No session or permanent judicial commission may require or recommend any voluntary act of repentance, but may, in extraordinary circumstances, forbid such act.

d. **Censure Pronouncement** – This censure shall be pronounced in the following or like form:

“Whereas, you, (Name) \_\_\_\_\_, have been found guilty of the offense(s) of \_\_\_\_\_, and by such offense(s) you have acted contrary to the Scriptures and/or the Constitution of the Presbyterian Church (U.S.A.); now, therefore, the Session or the Permanent Judicial Commission of the Presbytery of \_\_\_\_\_, in the name and authority of the Presbyterian Church (U.S.A.), expresses its condemnation of this offense, rebukes you, and orders you to complete a program of supervised rehabilitation supervised by \_\_\_\_\_ as described below: \_\_\_\_\_. This rebuke is given not with malice or vindictiveness but in Christian love to offer you correction in error and the possibility of full community restoration. You are enjoined to be more watchful and avoid such offense in the future. We urge you to use diligently the means of grace to the end that you may be more obedient to our Lord Jesus Christ.”

This formal rebuke shall be followed by intercessory prayer to Almighty God.

*D-9.0105 Temporary Exclusion*

Temporary exclusion is a higher degree of censure for a more aggravated offense and shall be for a period defined by completion of supervised rehabilitation imposed by the session or the permanent judicial commission, which may include a minimum defined period of time. Temporary exclusion is from the exercise of ordered ministry for ordained members, and from membership rights for non-ordained members. During temporary exclusion membership may not be transferred.

a. **Communicate Goals** – The session or permanent judicial commission shall formally communicate to the supervising entity and the person censured the goals of the rehabilitation and the specific authority conferred on the supervisor(s).

b. **Supervised Rehabilitation** – An outline of the rehabilitation program shall include a clear statement of how progress will be evaluated and how it will be determined when and if the supervised rehabilitation has been satisfactorily completed.

c. **Voluntary Acts of Repentance** – The rehabilitation program may include a voluntary act or acts of repentance by the person censured on their own initiative. Such acts may include, for example, public acknowledgment of guilt, community service, or symbolic or monetary restoration of what was lost or expended by the person who was harmed. No session or permanent judicial commission may require or recommend any voluntary act of repentance, but may, in extraordinary circumstances, forbid such act.

d. **Effects of Temporary Exclusion from the Exercise of Ordered Ministry** – During the period of temporary exclusion from ordered ministry, the person under this exclusion shall refrain from the exercise of any function of ordered ministry. While under this exclusion, the person remains a member of their congregation or presbytery, but may not participate or vote in meetings of any council of the church, hold office, or serve on committees or commissions, except that the member may be present and may speak on matters related to that member. The person under this



exclusion shall not preach, teach, administer Sacraments, preside at other services of worship, or moderate sessions.

e. **Effects of Temporary Exclusion from Membership Rights** – During the period of temporary exclusion from membership rights of non-ordained church members, the person under this exclusion may continue to participate in the worship and life of the congregation of membership, but shall refrain from participating and voting in meetings of the congregation and from serving on committees, or holding any office or position of leadership in the congregation or in any council of the church.

f. **Effect of Temporary Exclusion of a Pastor** – If a minister of the Word and Sacrament serving in a pastoral relationship in a congregation (G-2.0504) is temporarily excluded from the exercise of ordered ministry, the presbytery may, if no appeal from the case is pending, declare the pastoral relationship dissolved.

g. **Notice of Temporary Exclusion** – When the censure of temporary exclusion has been pronounced with respect to a minister of the Word and Sacrament, the stated clerk of the presbytery shall immediately send the information of the action taken to the Stated Clerk of the General Assembly, who shall make a quarterly report of all such information to every presbytery of the church.

h. **Termination of Censure of Temporary Exclusion** – A person under the censure of temporary exclusion shall apply in writing to the council, through the clerk of session or stated clerk, for restoration upon the completion of the supervised rehabilitation pronounced. The council that imposed the censure may approve the restoration when the council is fully satisfied that the supervised rehabilitation pronounced has been successfully completed. The censure may include a time limit for the completion of all terms, after which, if the terms have not been met, the council may, at its discretion, grant an extension for a specified time or make the temporary exclusion permanent.

i. **Early Restoration** – A person under the censure of temporary exclusion from the exercise of ordered ministry or from membership may apply in writing to the council that imposed the censure (through its clerk) to be restored prior to any minimum period of time included in the censure. The council may approve such a restoration when it is fully satisfied that the action is justified.

j. **Censure Pronouncement** – This censure shall be pronounced in the following or like form:

“Whereas, you, (Name) \_\_\_\_\_, have been found guilty of the offense(s) of \_\_\_\_\_ (here insert the offense), and by such offense(s) you have acted contrary to the Scriptures and/or the Constitution of the Presbyterian Church (U.S.A.); now, therefore, the Session or the Permanent Judicial Commission of the Presbytery of \_\_\_\_\_, in the name and by the authority of the Presbyterian Church (U.S.A.), does now declare you temporarily excluded from \_\_\_\_\_ for a period of at least \_\_\_\_\_, and until completion of the following rehabilitation program supervised by \_\_\_\_\_, as described below: \_\_\_\_\_. This exclusion is given not with malice or vindictiveness but in Christian love to offer you correction in error and the possibility of full community restoration.”

This formal declaration shall be followed by intercessory prayer to Almighty God.

*D-9.0106 Removal from Ordered Ministry and/or Membership*

Removal from ordered ministry and/or membership is the highest degree of censure. Removal from ordered ministry is the censure by which the ordination and election of the person found guilty are set aside, and the person is removed from all ordered ministries without removal from membership. Removal from membership is the censure by which the membership of the person found guilty is terminated, the person is removed from all rolls, and the person's ordination and election to all ordered ministries are set aside.

a. **Consequences of Removal from Ordered Ministry** – If a minister of the Word and Sacrament is removed from ordered ministry without removal from membership, the presbytery shall transfer the minister's membership to a Christian congregation of the minister's choice with the approval of the session or governing body of that congregation. If the minister is serving in a pastoral relationship in a congregation (G-2.0504), the pastoral relationship is automatically dissolved by the censure.

b. **Notice of Removal** – When the censure of removal has been pronounced with respect to a minister of the Word and Sacrament, the stated clerk of that presbytery shall immediately send the information of the action taken to the Stated Clerk of the General Assembly, who shall make a quarterly report of all such information to every presbytery of the church.

c. **Censure Pronouncement** – This censure shall be pronounced in the following or like form:

“Whereas, you, (Name) \_\_\_\_\_, have been found guilty of the offense(s) of \_\_\_\_\_ (here insert the offense), and by such offense(s) you have acted contrary to the Scriptures and/or the Constitution of the Presbyterian Church (U.S.A.); now, therefore, the Session or the Permanent Judicial Commission of the Presbytery of \_\_\_\_\_, acting in the name and under the authority of the Presbyterian Church (U.S.A.), does hereby set aside and remove you from \_\_\_\_\_ (here state whether removal is from all ordered ministries and elected offices or from membership). This removal is given not with malice or vindictiveness but in Christian love to offer you correction in error and to restore the unity of the church by removing from it the discord and division the offense(s) have caused.”

This formal declaration shall be followed by intercessory prayer to Almighty God.

**D-9.02 Restoration**

*D-9.0201 Restoration to Membership or Ordered Ministry*

A person under the censure of removal from ordered ministry or from membership may be restored by the council imposing the censure when the council is fully satisfied that the action is justified. The person makes a reaffirmation of faith for restoration of membership and/or is again ordained for restoration to ordered ministry.

*D-9.0202 Restoration to Membership*

The restoration to membership shall be announced by the moderator in a meeting of the council in the following or like form:

“Whereas, you, (Name) \_\_\_\_\_, have manifested such repentance as satisfies the church, the Presbytery (or Session) of \_\_\_\_\_ does now restore you to full membership in the church by this act of reaffirmation.”

a. Thereafter, the act of reaffirmation shall take place and the name of the person shall be restored to the appropriate roll or a certificate of membership shall be issued to a Christian church of that person's choice.

b. If the member is also to be restored to an ordered ministry, the procedure prescribed in Restoration to Ordered Ministry (D-9.0203) shall be followed.

*D-9.0203 Restoration to Ordered Ministry*

The restoration to ordered ministry shall be announced by the moderator in the following or like form:

“Whereas, you, (Name) \_\_\_\_\_, have manifested such repentance as satisfies the church, the Presbytery of \_\_\_\_\_ (or Session of this church) does now restore you to the ordered ministry of \_\_\_\_\_ and authorize you to perform the functions of that ministry in accordance with the Constitution of this church by this act of ordination.”

Thereafter, a full service of ordination shall take place in accordance with W-4.04 and the individual's name shall be restored to the appropriate roll.

## CHAPTER X

### DISCIPLINARY APPEALS

#### D-10.01 Filing an Appeal

*D-10.0101 Definition*

An appeal of a disciplinary case is the transfer to the next higher council of a case in which a decision has been rendered in a lower council, for the purpose of obtaining a review of the proceedings and decision in order to correct, modify, set aside, or reverse the decision.

*D-10.0102 Initiation of Appeal*

The time for filing an appeal shall begin from the date the decision is delivered to, or refused by, the person found guilty.

- a. Only the person found guilty of an offense may initiate the first level of appeal.
- b. Once the first appeal has been decided, either party may initiate the next level of appeal.

*D-10.0103 Parties*

The parties in a disciplinary appeal are the person found guilty and the Presbyterian Church (U.S.A.) through the prosecuting committee of the council that issued the censure.

#### **D-10.02 Notice of Appeal**

##### *D-10.0201 Notice Filed*

A written notice of appeal shall be filed with the stated clerk of the next higher council within forty-five (45) days after a copy of the final order was received by the appealing party. The written notice may be delivered by means of electronic communication, provided that the stated clerk certifies receipt of the notice, which may also be communicated electronically. If filing the notice electronically, care should be taken to deliver the notice in a manner that can clearly demonstrate timely filing. By written agreement of the parties, all additional filings may be electronic. The appealing party shall provide a copy of the written notice of appeal to the clerk of session or stated clerk of the council that issued the ruling, as well as to the stated clerk of the council that would hear the appeal, who shall distribute the notice to the other party or parties.

##### *D-10.0202 Items to be Included*

Items to be included in a notice of disciplinary appeal are as follows:

- a. The name of the party filing the appeal (the appellant) and their counsel, if any;
- b. The name of the other party (the appellee) and their counsel, if any;
- c. The council from whose decision the appeal is taken;
- d. A copy of the ruling; and
- e. A statement and description of the errors alleged to have been made in the ruling that are the grounds for appeal. The grounds for which an appeal may be filed are:
  - (1) Irregularity in the proceedings,
  - (2) Refusing a party reasonable opportunity to be heard or to obtain or present evidence,
  - (3) Receiving improper, or declining to receive proper evidence or testimony,
  - (4) Hastening to a decision before the evidence or testimony is fully received,
  - (5) Manifestation of prejudice in the conduct of the case,
  - (6) Injustice in the process or decision,
  - (7) Error in constitutional interpretation, and
  - (8) Undue severity of censure.
- f. A certification that a copy of the notice of appeal has been sent as required by D-10.0201 to the clerk of session or stated clerk of the council from whose decision the appeal is taken.

This certification may be in the form of an electronic communication if agreed upon in advance by the parties.

#### **D-10.03 Duty of Stated Clerk**

Upon receipt of the written notice of appeal, the stated clerk of the council that will hear the appeal shall transmit it to the officers of that council's permanent judicial commission and the other party. The notice of appeal, if properly and timely filed, shall suspend further proceedings by lower councils, until the appeal is finally decided, except that any censure may be enforced.

#### **D-10.04 Withdrawal of Appeal**

The parties in a disciplinary appeal are encouraged to seek resolution of their differences in a manner acceptable to all parties and consistent with the Constitution of the Presbyterian Church (U.S.A.). If at any time in the appeal process the parties to a disciplinary appeal jointly file with the stated clerk of the council hearing the appeal a petition for the withdrawal of the appeal, the stated clerk shall inform the members of the permanent judicial commission that the appeal has been withdrawn, which shall end the judicial process unless within seven (7) days any member of the permanent judicial commission challenges the withdrawal. If the withdrawal is so challenged, a majority of the commission at a duly constituted meeting may conclude that the withdrawal would defeat the ends of justice or conflict with the Constitution of the Presbyterian Church (U.S.A) and deny the request.

#### **D-10.05 Preliminary Process**

##### *D-10.0501 Examination of Notice of Appeal*

Upon receiving the notice of appeal, the moderator and clerk of the permanent judicial commission of the council that will hear the appeal shall promptly examine the notice of appeal to determine whether:

- a. The council has jurisdiction,
- b. The appellant has standing to file the appeal,
- c. The appeal was timely and properly filed, and
- d. The appeal states and describes one or more of the grounds for appeal listed in D-10.0202e.

##### *D-10.0502 Preliminary Ruling*

The officers of the permanent judicial commission shall report their determination to the parties and to the members of the commission in a preliminary ruling.

##### *D-10.0503 Challenge to Preliminary Ruling*

Within thirty (30) days after their receipt of the preliminary ruling, the parties and members of the permanent judicial commission may challenge the determination, in which case opportunity shall be provided for the parties to present evidence and argument on the determination(s) in question. A hearing may be requested by either party for the purpose of

hearing the challenge, or if the parties agree, the matter may be decided by the permanent judicial commission on the basis of documents submitted by the parties. If a hearing is requested, it should be held at least thirty (30) days prior to the hearing on the appeal, unless the officers of the permanent judicial commission determine that the circumstances, including expenditures of time and resources, warrant disposition of the challenge immediately prior to the hearing on the appeal. If the permanent judicial commission determines the answer to any of the four preliminary questions has been answered in the negative, the commission shall dismiss the appeal.

*D-10.0504 When No Challenge is Received*

When there are no challenges to the determination in the preliminary ruling, the following shall apply:

a. If no challenge is made to the preliminary ruling of the officers that one or more points in D-10.0501 are answered in the negative, the case shall be dismissed without further action or order of the permanent judicial commission.

b. If no challenge is made to the preliminary ruling of the officers that all of the points in D-10.0501 are answered in the affirmative, the stated clerk of the council shall schedule a hearing at a time acceptable to the parties and at which a quorum of the permanent judicial commission can be present.

**D-10.06 Record of the Case**

*D-10.0601 List of Papers*

Within forty-five (45) days after receipt of a notice of appeal, the clerk of session or stated clerk of the lower council shall list in writing to the parties all of the papers and other materials that would constitute the record of the case (see D-8.1201d & e). Within fifteen (15) days thereafter, either party may challenge the completeness or accuracy of the record as listed by the clerk of session or stated clerk. The clerk of session or stated clerk may, but is not required, to amend the list at the request of a party; however, any such challenge shall be added to the record when it is filed.

*D-10.0602 Filing of Record on Appeal*

Upon notice by the stated clerk of the council whose permanent judicial commission will hear the appeal that the case has been accepted, the clerk of session or stated clerk of the council from whose ruling the appeal is taken shall compile and file the record of the case with the stated clerk of the higher council, who shall distribute it to the members of the permanent judicial commission.

*D-10.0603 Correction of the Record*

If anything material to either party is omitted from the record by error or accident, or is misstated therein, the omission or misstatement may be corrected. The parties may stipulate to the correction, or the clerk of session or stated clerk of the lower council may certify and transmit a supplemental record, or the permanent judicial commission of the higher council may direct that the omission or misstatement be corrected. All other questions as to the form and content of the record shall be presented to the permanent judicial commission of the higher council, which shall

be decided by majority vote at a duly constituted meeting at least forty-five (45) days prior to the hearing on the appeal, which may be held electronically in accordance with G-3.0105.

#### **D-10.07 Briefs**

##### ***D-10.0701 Filing of Appellant Brief***

Within thirty (30) days after the date of receiving the record on appeal, the appellant shall file with the stated clerk of the higher council a written brief containing specifications of the errors alleged in the notice of appeal and arguments, reasons, and citations of authorities in support of the appellant's contentions. Copies of the brief shall be distributed by the stated clerk to the members of the permanent judicial commission and to the opposing party.

##### ***D-10.0702 Failure of Appellant to File Brief***

Failure of the appellant to file a brief within the timeline allowed, without good cause, shall be deemed by the permanent judicial commission as an abandonment of the appeal.

##### ***D-10.0703 Filing of Appellee Brief***

Within thirty (30) days of the receipt of the appellant's brief, the appellee shall file with the stated clerk of the council whose permanent judicial commission will hear the appeal a brief in response to the appellant's brief. Copies of the brief shall be distributed by the stated clerk to the members of the commission and to the opposing party.

##### ***D-10.0704 Failure of Appellee to File Brief***

Failure of the appellee to file a brief within the time allowed, without good cause, shall constitute waiver of the rights to file a brief, to appear, and to be heard.

##### ***D-10.0705 Filing of Appellant Reply Brief***

Within fifteen (15) days of receipt of the appellee's brief, the appellant may file a reply brief limited to the issues raised in the appellee's brief. Copies of the brief shall be distributed by the stated clerk to the members of the permanent judicial commission and to the other party.

#### **D-10.08 Extensions**

For good cause shown, the stated clerk of the higher council may extend any of the time limits contained in D-10.06 or D-10.07 for a reasonable period.

#### **D-10.09 Transmittal of Record and Briefs**

Upon receipt of the record and the briefs, or upon the expiration of the time for filing them, the stated clerk of the higher council shall transmit the record and briefs to the clerk of the permanent judicial commission.

#### **D-10.10 Prehearing Conference**

At any time after an appeal has been received by a permanent judicial commission, the commission may provide for the parties and their counsel, if any, for the opportunity in a

prehearing conference to seek agreement on any of the disputed issues in the appeal and to take other action which might reasonably and impartially narrow the dispute and expedite its resolution.

#### **D-10.11 Hearing of Appeal**

The moderator or clerk of the permanent judicial commission shall notify the parties of the date when they may appear in person or by counsel before the permanent judicial commission. Failure of a party to appear in person or by counsel shall constitute a waiver of participation in the hearing of the appeal. At the hearing, the permanent judicial commission shall give opportunity to be heard on the grounds of the appeal to those parties who have not waived that right. The appellant has the right of opening and closing the argument.

#### **D-10.12 Decision of the Permanent Judicial Commission**

##### *D-10.1201 Standard of Review*

Factual determinations by the session or permanent judicial commission that tried the case shall be accorded a presumption of correctness in appeals. Factual determinations are not to be disturbed unless they are plainly wrong, without supporting evidence, or manifestly unjust. Determinations related to the correct interpretation and application of provisions of the Constitution of the Presbyterian Church (U.S.A.) are not accorded the same presumption of correctness.

##### *D-10.1202 Voting Procedure*

After the hearing and after deliberation, the permanent judicial commission shall vote separately on each specification of error alleged. The vote, which shall be by counted vote, shall be on the question, "Shall the specification of error be sustained?" The minutes shall record the vote on each specification of error. A majority vote sustains each specification of error.

##### *D-10.1203 Decision*

The decision of the permanent judicial commission shall include the determination of errors specified, and state the remedy as provided in D-10.0101. The permanent judicial commission may prepare its decision in a manner that will dispose of all substantive questions without redundancy. It should include an explanation of its determinations.

a. Decisions of permanent judicial commissions other than the General Assembly's Permanent Judicial Commission are binding only on the parties to the case.

b. If none of the specifications of error is sustained, and no other error is found, the decision of the lower council shall be affirmed.

c. If one or more errors are found, the permanent judicial commission may conclude that despite the errors found, the decision of the lower council is affirmed. Alternatively, it may reverse the decision of the lower council either completely or in part, and if reversed in part, it may determine whether the decision of the lower council shall be modified or set aside, or the case remanded for a new trial.



d. The questions presented for decision shall be fully debated and voted upon while all participating permanent judicial commission members are present. A written outline of a decision shall be prepared while in session. A written decision shall be reviewed by all participating members of the panel, which may take place either while the participating permanent judicial commission members are present or by meeting within ten (10) days either in person, or electronically in accordance with G-3.0105.

e. The decision shall become the final decision when a copy of the written decision is signed by the moderator and clerk of the permanent judicial commission. A copy of the decision shall immediately be delivered to the parties to the case in accordance with D-7.0104b, or electronic communication if agreed upon in advance by the parties.

*D-10.1204 Effect of Reversal on Appeal in Disciplinary Case*

**If the permanent judicial commission reverses all determinations of guilt, it becomes an acquittal and the person is automatically restored to ordered ministry or membership in the church. This declaration shall be made in the lower council and recorded in the minutes of the lower council with jurisdiction over the person found guilty.”**

### **Background and Rationale**

The Presbytery of Chicago sent an overture to the 223rd General Assembly (2018) to revise the Rules of Discipline to make them more accessible to the church, to preserve and enhance the accountability of councils and individuals to the church, to expand the role of mediation and alternate dispute resolution, and to provide flexibility in crafting censures and remedies, particularly in the light of recent learnings in ethical and social development and experiments by the secular legal system with alternative sentencing. The Rules of Discipline Task Force was appointed by the General Assembly moderators in 2017 to bring the revision to the 224th General Assembly for consideration.

The task force presents a revision which responds to its charge in the following ways:

1. To make this portion of the *Book of Order* more accessible to the church, the revision:
  - a. Divides it into three major sections. Section I contains the Preamble, a chapter on judicial process and a chapter on the composition and function of permanent judicial commissions. The second section describes remedial process start to finish. The third section describes disciplinary process start to finish.
  - b. Brings into the Constitution of the Presbyterian Church (U.S.A.) authoritative interpretations which are frequently used in deciding judicial cases and are currently available only in the annotated version of the *Book of Order*.
  - c. Changes the name of the section to Church Discipline to emphasize that this process is for the internal discipline of the Presbyterian Church (U.S.A.), its members and councils.
  - d. Restructures the Preamble to begin with the theological grounding of church discipline, to clarify that it is for the internal discipline of the church. The purposes of church discipline are set apart with bullet points. They are the same purposes listed in the current rules but set apart to make them easier to find and identify.

e. Clearly defines the steps in each process, responsibilities of those involved, and time limits.

f. Allows for the use of electronic communication not available the last time the Rules of Discipline were revised in 1996, thus creating potential savings of cost and time for the church.

2. To preserve and enhance the accountability of councils and individuals this revision:

a. Is ordered to make it easier to understand and follow.

b. Preserves rules that have guided the church for generations.

c. Stresses that Church Discipline is based on Scripture and the Constitution of the Presbyterian Church (U.S.A.), not on secular standards of jurisprudence.

d. Defines rules and process in language accessible to members not well-versed in church discipline, and as far as possible removes language also used in secular judicial process to prevent confusion.

e. Emphasizes repeatedly that those engaged in this process, those who file complaints, those who bring allegations, those who seek vindication, those accused, and those who act as counsel for any of the first groups must be Presbyterian. Mediators and facilitators and those who act as advocates need not be Presbyterian but do need to be familiar with Church Discipline of the Presbyterian Church (U.S.A.). Presbyterians can file allegations on behalf of persons who are not Presbyterian.

f. Moves the rules on vindication into the section on discipline. Those seeking vindication seek to be vindicated from rumor and gossip by persons unknown or outside the jurisdiction of the church. If in the process, members of the Presbyterian Church (U.S.A.) are identified against whom allegations should be filed, the section specifically spells out the provisions for filing those allegations.

g. Calls attention to provisions in the Form of Government for pastoral response when disciplinary cases are ended by death or renunciation of jurisdiction by the accused.

h. Provides for the nomination of permanent judicial commissions broadly representative of the makeup of a council and for the inclusion of former members of permanent judicial commissions with attention to the principles of full participation and inclusion to make up a quorum in trying cases.

3. To expand the role of mediation and alternate dispute resolution, the revision:

a. Adds an alternative resolution based on principles of restorative justice and spells out what is involved in that process.

b. Provides for three forms of alternative resolution: Restorative Justice, Mediation, and Other Negotiated Agreements. The more appropriate of the first two forms is provided for those instances when an accused agrees to plead guilty to charges and seeks to make restitution. The third is only for those instances when it is necessary to negotiate a plea before charges and a guilty plea can be filed. Sessions and presbytery permanent judicial commissions can take the

three into account when determining degree of censure.

c. Defines mediators as persons known for calm, wise counsel who need not be certified. This opens the possibility of mediation in areas where certified mediators are not available.

4. To provide flexibility in crafting censures and remedies, the revision:

a. Adds language to remind the guilty and the session or presbytery that censure in church discipline is given not with malice or vindictiveness but in Christian love to offer correction in error and restoration or in the case of removal from office or membership to restore the unity of the church by removing from it the discord and division the offense(s) have caused.

b. Spells out specific remedies appropriate to each degree of censure.

#### **Advice—From the Advisory Committee on the Constitution (ACC)**

The Advisory Committee on the Constitution advises the 225th General Assembly (2022) to approve ROD-03 with amendment.

The Advisory Committee on the Constitution makes the following preliminary observations:

1. As it considers this document, the Assembly is reminded that in this *Book of Order*:

a. SHALL and IS TO BE/ARE TO BE signify practice that is mandated,

b. SHOULD signifies practice that is strongly recommended,

c. IS APPROPRIATE signifies practice that is commended as suitable,

d. MAY signifies practice that is permissible but not required.

e. ADVISORY HANDBOOK signifies a handbook produced by agencies of the General Assembly to guide synods and presbyteries in procedures related to the oversight of ministry. Such handbooks suggest procedures that are commended, but not required.

... The Advisory Committee on the Constitution advises the 225th General Assembly (2022) as follows concerning item ROD-03. Silence regarding any particular provision may be interpreted, in this instance, as the Advisory Committee on the Constitution's advising the assembly to approve the provision without amendment.

#### **D-3.0201 Classes and Terms**

The Advisory Committee on the Constitution advises this provision presents issues:

“Permanent judicial commissions shall be arranged in three classes of six years each, with each class as equal as possible in size and with one class completing its term every two years” is substantially different than the current Rules of Discipline requirement that “no more than one half of the members to be in one class.”

The Advisory Committee on the Constitution questions whether a provision for transition is necessary.

#### Chapter 4, Opening Paragraph (and following)

The Advisory Committee on the Constitution advises that the paragraph be approved with amendment as follows:

Strike the word “file” (and its conjugations) throughout Chapter 4 and replace it with the word “submit” (and its conjugations).

“File” raises the question of timeliness, as it may mean either the date on which a document was submitted or the date on which the document was received. “Submit” clarifies that timeliness is defined by the date on which the parties sent a document. It further removes potential unpredictability from the work of delivery services.

#### D-4.0703

The Advisory Committee on the Constitution advises approving this provision with amendment:

“The committee of counsel of the respondent shall file with [submit to] the stated clerk of the higher council...”

The idea of a committee of counsel has not yet been introduced in the document. In all other places in Chapter 4, the respondent is the one acting. Any actions by a committee of counsel still are understood as the actions of the respondent itself.

#### Chapter 5

#### D-5.0101b

The Advisory Committee on the Constitution advises approving this provision with amendment: “... the complainant may request in writing that the respondent clerk file [submit] additional minutes ...” See advice at Chapter 4, opening paragraph.

#### D-5.0101c

The Advisory Committee on the Constitution advises approving this provision with amendment: “... the clerk or session or stated clerk of the respondent council shall transmit [submit] to the stated clerk of the higher council ...”

See advice at Chapter 4, opening paragraph.

#### D-5.0102

The Advisory Committee on the Constitution advises approving this provision with amendment: “When the minutes and papers [included in D-5.0101a and D-5.0101b] have been filed with [submitted to] the stated clerk ...”

Adding a reference to the provisions defining the minutes and papers will limit the opportunity for misunderstanding. Regarding the proposed change from “filed with” to “submitted to,” see advice under the opening paragraph of Chapter 4.

## Chapter 7

### D-7.0104a

The Advisory Committee on the Constitution advises approving this provision with amendment: “All seven days of every week are included in the count, including holidays, and the document shall be deemed timely filed if it is received by [submitted to] the person or persons to whom it is required to be sent on or before the final day of the count. When the final date of the count falls on a weekend or holiday, the document shall be deemed timely filed if it is received [submitted] on the next business day after the final day of the count.”

See advice under the opening paragraph of Chapter 4.

## Chapter 8

### D-8.0104b

The Advisory Committee on the Constitution advises approving this provision with amendment: “At least thirty (30) [forty-five (45)] days in advance of the trial, the prosecuting committee shall provide the clerk of session or clerk of the permanent judicial commission and the other party with their list of witnesses and an outline of the evidence to be presented at trial. The accused shall provide the clerk of session or clerk of the permanent judicial commission and the other party with a preliminary list of witnesses. Parties or their representatives shall not contact the other party’s witnesses prior to the trial. [A party may petition the session or permanent judicial commission, for good cause shown, to restrict or deny permission to contact a particular witness prior to trial.]”

... The stricture against contacting the other side’s witnesses is a fundamental denial of due process to the accused. There is no limitation on who a party may add to a witness list, and any party could list so many names that the other side cannot prepare for trial in any meaningful way.

## Chapter 10

### D-10.03

The Advisory Committee on the Constitution advises approving this provision with amendment:

“The notice of appeal, if properly and timely filed [submitted], shall suspend further proceedings by lower councils, except any censure shall continue until the appeal is finally decided [until the appeal is finally decided, except that any censure may be enforced].”

Regarding “filed” vs. “submitted,” see advice at Chapter 4, opening paragraph.

### **Advice and Counsel—From the Advocacy Committee for Women’s Concerns (ACWC)**

The Advocacy Committee for Women’s Concerns/Racial Equity Advocacy Committee advises that the General Assembly should approve ROD-03.

As the creators of 222nd General Assembly (2016) approved resolution 05-09, to Ensure Adoption and Implementation of Child/Youth Protection Policies and Resources in the PC(USA) and 223rd General Assembly (2018) approved resolution 11-09 on Sexual Misconduct in the PC(USA), the Advocacy Committee for Women's Concerns has long been on the forefront of advocating for policy changes that will prevent sexual abuse within the PC(USA).

ACWC concurs that the current Rules of Discipline section should be deleted and that the recommended Church Discipline section be inserted in its place. ACWC is particularly appreciative that the Rules of Discipline Task Force worked cooperatively with ACWC for input on these important policy changes. It is of utmost importance that the 224th General Assembly (2020) approve these policies that protect the vulnerable.

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The Assembly Committee on Rules of Discipline amended and approved Item ROD-03, 24/0. The 225th General Assembly (2022) approved Item ROD-03, 354/9.

For the full report on ROD-03, go to <https://www.pc-biz.org/#/committee/3000083/business>.

## 22-A — F-1.0302c

## THE CALLING OF THE CHURCH

F-1.0302c THE CATHOLICITY OF THE CHURCH (POL-16 1a)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

**Shall F-1.0302c in the Foundations of Presbyterian Polity be amended as follows?**  
(Deleted text is in ~~strike through~~; added text is in *italics*.)

**“F-1.0302 The Marks of the Church ...**

**c. The Catholicity of the Church ...**

**... Because the church is catholic, it strives everywhere to testify to Christ’s embrace of ~~men, women, and children~~ *all people* of all times, places, races, nations, ages, *abilities, genders, conditions, and stations in life.*”**

**Background and Rationale**

The current foundational statement (F-1.0403) already uses language inclusive of people with disabilities. This amendment seeks to use consistent language about disability throughout the foundational statements of the *Book of Order*. The PC(USA) resource “Well Chosen Words” (2010) states that using inclusive and expansive language is “one way to acknowledge and celebrate all people and bring recognition and a sense of belonging to people who have been historically marginalized in society and even in the church.” This amendment would reflect this overture by making all parts of the *Book of Order* consistent in their inclusion of people with disabilities. People with disabilities include 26% of the U.S. population (CDC, 2020), making it the largest minority group in America. People with disabilities represent an important part of our church, and they should be named in lists of people to be included. Research shows a significant gap in presence and full participation for people with disabilities into the life of the church (Ault, Collins, and Carter, 2013). The inclusion of people with disabilities in our polity shows our intention to be inclusive of this group. We identify as being “people of the word,” marking both our commitment to biblical scholarship and exegesis and the importance of the words that we use when preaching, teaching, and guiding our church’s polity. These small corrections reflect the value and importance that we put on the use of consistent inclusive language throughout our policies.

**Advice—From the Advisory Committee on the Constitution (ACC)**

The Advisory Committee on the Constitution advises the 225th General Assembly (2022) to approve POL-16. While the ACC has expressed its aversion to unnecessarily creating lists of requirements and rubrics, in this present situation the list affirms the mission of Christ’s church. Because a list is deemed to be exhaustive unless it states otherwise, an omission is regarded as exclusionary, not permissive. We believe the witness of scripture and the constitution testifies to the full inclusion of differently abled persons in the faith and governance of the church. A positive affirmation of this principle through constitutional amendment is consistent with this witness.

### **Comment—From the LGBTQIA+ Advocacy Task Force**

The LGBTQIA+ Advocacy Task Force proposes that F-1.0302c be further amended to include: (Deleted text is in ~~strike through~~; added text is in [brackets and *italics*].)

“Christ’s embrace of ~~men, women, and children~~ [*people*] of all times, places, races, nations, [*genders*], ages, abilities ...,” and that F-1.0404 be amended to include the reality of: “a community of ~~women and men~~ of all [*people of all genders*], ages, races, ethnicities, abilities ...”

These changes honor the vital presence and contribution of our trans and nonbinary siblings in faith and are in line with the rationale for the use of “inclusive and expansive language” at the heart of this overture.

### **Advice and Counsel—From the Advocacy Committee for Women’s Concerns (ACWC)**

ACWC recommends the 225th GA (2022) approve this item with amendments as follows: (Deleted text is in ~~strike through~~; added text is in [brackets and *italics*].)

“Because the church is catholic, it strives everywhere to testify to Christ’s embrace of ~~men, women, and children~~ [*all people*] of all times, places, races, nations, ages, abilities, [*genders*,] conditions, and stations in life.”

“... a new openness in its own membership, becoming in fact as well as in faith a community of ~~women and men~~ [*all people*] of all ages, races, ethnicities, abilities, [*genders*,] and worldly conditions, made one in Christ by the power of the Spirit, as a visible sign of the new humanity.

We are grateful to the Presbytery of Northeast New Jersey for lifting up abilities as a much needed inclusion into our *Book of Order*. We ask the General Assembly to move further into the use of inclusive language by using the verbiage “all people” instead of men, women, and children.

### **Advice and Counsel—From the Advisory Committee on Social Witness Policy (ACSWP)**

The Advisory Committee on Social Witness Policy (ACSWP) advises that the 225th General Assembly (2022) approve POL-16.

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The Assembly Committee on Polity amended the overture language and then approved Item POL-16 1a, 27/2. The 225th General Assembly (2022) approved Item POL-16 1a, 381/13.

For the full report on POL-16, go to <https://www.pc-biz.org/#/committee/3000082/business>.



## 22-B — F-1.0404

### OPENNESS TO THE GUIDANCE OF THE HOLY SPIRIT

#### F-1.0404 OPENNESS (POL-16 1b)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

**Shall F-1.0404 in the Foundations of Presbyterian Polity be amended as follows?**

(Deleted text is in ~~strike through~~; added text is in *italics*.)

**“F-1.0404      Openness ...**

**... a new openness in its own membership, becoming in fact as well as in faith a community of ~~women and men~~ *all people* of all ages, races, ethnicities, abilities, genders, and worldly conditions, made one in Christ by the power of the Spirit, as a visible sign of the new humanity.”**

#### Background and Rationale

The current foundational statement (F-1.0403) already uses language inclusive of people with disabilities. This amendment seeks to use consistent language about disability throughout the foundational statements of the *Book of Order*. The PC(USA) resource “Well Chosen Words” (2010) states that using inclusive and expansive language is “one way to acknowledge and celebrate all people and bring recognition and a sense of belonging to people who have been historically marginalized in society and even in the church.” This amendment would reflect this overture by making all parts of the *Book of Order* consistent in their inclusion of people with disabilities. People with disabilities include 26% of the U.S. population (CDC, 2020), making it the largest minority group in America. People with disabilities represent an important part of our church and they should be named in lists of people to be included. Research shows a significant gap in presence and full participation for people with disabilities into the life of the church (Ault, Collins, and Carter, 2013). The inclusion of people with disabilities in our polity shows our intention to be inclusive of this group. We identify as being “people of the word,” marking both our commitment to biblical scholarship and exegesis and the importance of the words that we use when preaching, teaching, and guiding our church’s polity. These small corrections reflect the value and importance that we put on the use of consistent inclusive language throughout our policies.

#### Advice—From the Advisory Committee on the Constitution (ACC)

The Advisory Committee on the Constitution advises the 225th General Assembly (2022) to approve POL-16. While the ACC has expressed its aversion to unnecessarily creating lists of requirements and rubrics, in this present situation the list affirms the mission of Christ’s church. Because a list is deemed to be exhaustive unless it states otherwise, an omission is regarded as exclusionary, not permissive. We believe the witness of scripture and the constitution testifies to the full inclusion of differently abled persons in the faith and governance of the church. A positive affirmation of this principle through constitutional amendment is consistent with this witness.

### **Comment—From the LGBTQIA+ Advocacy Task Force**

The LGBTQIA+ Advocacy Task Force proposes that F-1.0302c be further amended to include: (Deleted text is in ~~strike through~~; added text is in [brackets and *italics*].)

“Christ’s embrace of ~~men, women, and children~~ [*people*] of all times, places, races, nations, [*genders*], ages, abilities ...,” and that F-1.0404 be amended to include the reality of: “a community of ~~women and men~~ of all [*people of all genders*], ages, races, ethnicities, abilities ...”

These changes honor the vital presence and contribution of our trans and nonbinary siblings in faith and are in line with the rationale for the use of “inclusive and expansive language” at the heart of this overture.

### **Advice and Counsel—From the Advocacy Committee for Women’s Concerns (ACWC)**

ACWC recommends the 225th GA (2022) approve this item with amendments as follows: (Deleted text is in ~~strike through~~; added text is in [brackets and *italics*].)

“Because the church is catholic, it strives everywhere to testify to Christ’s embrace of ~~men, women, and children~~ [*all people*] of all times, places, races, nations, ages, abilities, [*genders*,] conditions, and stations in life.”

“... a new openness in its own membership, becoming in fact as well as in faith a community of ~~women and men~~ [*all people*] of all ages, races, ethnicities, abilities, [*genders*,] and worldly conditions, made one in Christ by the power of the Spirit, as a visible sign of the new humanity.

We are grateful to the Presbytery of Northeast New Jersey for lifting up abilities as a much needed inclusion into our *Book of Order*. We ask the General Assembly to move further into the use of inclusive language by using the verbiage “all people” instead of men, women, and children.

### **Advice and Counsel—From the Advisory Committee on Social Witness Policy (ACSWP)**

The Advisory Committee on Social Witness Policy (ACSWP) advises that the 225th General Assembly (2022) approve POL-16.

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The Assembly Committee on Polity amended the overture language and then approved Item POL-16 1b, 27/2. The 225th General Assembly (2022) approved Item POL-16 1b, 381/13.

For the full report on POL-16, go to <https://www.pc-biz.org/#/committee/3000082/business>.

## 22-E — G-2.0503

### MINISTERS OF WORD AND SACRAMENT

#### G-2.0503 CATEGORIES OF MEMBERSHIP (POL-07)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

**Shall G-2.0503 in the Form of Government be amended as follows?**

(Deleted text is in ~~strike through~~; added text is in *italics*.)

**“G-2.0503      Categories of Membership**

**A minister of the Word and Sacrament is a member of a presbytery and shall be engaged in a ministry validated by that presbytery, a member-at-large as determined by the presbytery, or ~~honorably~~ retired. ...**

**... c.      ~~Honorably~~ Retired**

**Upon request of a member of presbytery, the presbytery may designate the member ~~honorably~~ retired ~~because of age or physical or mental disability.~~”**

#### **Background and Rationale**

The only designation of retirement for ministers of the Word and Sacrament allowed in the current *Book of Order* is “Honorably Retired.” That designation may be perfectly fitting for many Presbyterian ministers as they retire from active pastoral roles, but presbyteries sometimes face situations in which a minister’s service has been marked by difficulties and challenges that do not rise to the level of formal disciplinary charges and censure, but which are hardly worthy of the label “Honorable.”

An example of such a situation might be when a pastor has acted inappropriately but no disciplinary charges are brought because of the belief that the damage to a particular church or harmed person would be more devastating than just letting a pastor leave. Victims are then revictimized when that pastor is granted the status of “Honorably Retired.” Another factor might be that church members or others mistrust or do not understand the processes to bring charges. A third example is when a pastor commits boundary violations after honorably serving and leaving a congregation to move to other endeavors. There may also be situations that occurred during a pastor’s membership in a previous presbytery that could be unreported during a transfer process and only later come to light following retirement in a different presbytery.

So how do presbyteries today respond when ministers with service marked by difficulties or challenges on their records seek retirement? Some may maintain those ministers as members at-large or in other in-between statuses rather than offering retirement, to avoid characterizing the minister’s service as “Honorable.” Other presbyteries may go ahead and honorably retire ministers of all types, regardless of the quality and faithfulness of their service. In doing so, however, the term “Honorably” loses its meaning for anyone. Such a retirement may confuse or, as noted above, revictimize people who have been harmed by a troubled pastorate and who may feel that the presbytery is praising the pastor’s service despite the gravity of its problems.

The proposed amendment would maintain the “Retired” category but remove the mandatory designation of “Honorably” that now applies to all retirements. The new designation of “Retired” would be effective for retirements approved by presbyteries on or after the effective date of the amendment under G-6.04e of the *Book of Order*.

This proposed amendment would have no impact whatsoever on a minister of the Word and Sacrament’s access to Board of Pension retirement benefits. That Board of Pensions process is completely separate from a presbytery granting “Retired” status to a minister on its rolls.

#### **Advice—From the Advisory Committee on the Constitution (ACC)**

The Advisory Committee on the Constitution advises the 225th General Assembly (2020) that POL-07 presents issues. The item seeks to amend G-2.0503 and G-2.0503c by striking “honorably” before “retired” in the two places where it occurs, and by adding “or other factors satisfactory to the presbytery” to G-2.0503c.

The ACC finds that deleting “honorably” does not alter the substance of those provisions or affect other constitutional provisions.

The ACC advises the assembly, however, that a similar overture was considered by the 210th GA (1998). The overture was referred to the Office of the General Assembly, which presented an amended overture to the 211th GA (1999). That overture would have removed “honorably” but also included a new provision that would have allowed a presbytery to “designate a retired minister as an honorably retired minister if the presbytery is moved by affection and gratitude to do so.” The ACC did not raise any constitutional issues to the proposed amendment, which was subsequently approved by the 211th GA (1999), but then failed to receive the affirmative vote of a majority of the presbyteries.

The amendment as proposed, in addition to striking “honorably” adds “or other factors satisfactory to the presbytery.” The ACC is unaware of any factors other than those already listed in G-2.0503c that would appropriately lead to the retirement of a minister, and the rationale includes no discussion of the additional language. The ACC is concerned that there could be unintended consequences of this language and advises that if the assembly believes that the intent of this overture is appropriate, the additional words “or other factors satisfactory to the presbytery” be stricken.

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The Assembly Committee on Polity amended the overture language following advice from the ACC and then approved Item POL-07, 28/2. The 225th General Assembly (2022) approved Item POL-07, 270/128.

For the full report on POL-07, go to <https://www.pc-biz.org/#/committee/3000082/business>.

## 22-F — G-2.0505a(1)

### MINISTERS OF THE WORD AND SACRAMENT

#### G-2.0505a(1) TRANSFER OF MINISTERS OF OTHER DENOMINATIONS (POL-15)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

**Shall G-2.0505a(1) in the Form of Government be amended as follows?**

(Deleted text is in ~~strike through~~; added text is in *italics*.)

#### **“G-2.0505a(1) Transfer of Ministers of Other Denominations**

**“a. ...**

**“(1) In the case of ministers for immigrant fellowships and congregations, a presbytery may, if it determines that its strategy for mission with that group requires it, *and in consultation and partnership with that community*, recognize the ordination and receive as a member of presbytery a new immigrant minister who furnishes evidence of good standing in a denomination, ~~even though~~. *If at the time of enrollment that minister lacks the educational history required of candidates, and the presbytery should provide such educational opportunities as seem necessary and prudent for that minister’s successful ministry in the presbytery.*”**

#### **Background and Rationale**

Often immigrant fellowship members come from cultures that recognize a pastor as the leader of the church from their home country. These pastors many times have theological education from Presbyterian institutions in their home countries and have been ordained by their denomination, which may also be in partnership with the PC(USA). However, these pastors, new immigrants themselves, may face cultural and linguistic challenges in the United States. Therefore, taking and passing the ordination exams may be very difficult for them. Developing an educational and/or mentoring program for these pastors is paramount for their successful transition to the PC(USA).

#### **Advice—From the Advisory Committee on the Constitution (ACC)**

[Editor’s note: The Advisory Committee on the Constitution advised the 225th General Assembly (2022) that the overture presented constitutional issues. The ACC presented alternative language to produce the intent of allowing presbyteries to commission ruling elders to service in multiple situations. The committee amended the original overture following ACC advice, and the assembly approved the language. The following is edited advice from the ACC on the original overture.]

The ACC advises the 225th General Assembly that Item POL-15 presents the following issues that the assembly should consider. The item proposes that presbyteries should ordain immigrant ministers from other denominations and provide a means by which immigrant ministers may receive alternative

training and mentoring as their ordination in another denomination is recognized and they are enrolled as members of a presbytery.

**Comment—From the General Assembly Committee on Representation (GACOR)**

Our structure and polity often create barriers to ministry for the far-too-few areas of diversity within our denomination (for example, see item RGJ-07 *A Resolution Addressing the Lack of Installed Pastoral Leadership in People of Color Congregations in the PC(USA)*). If the PC(USA) is serious about its commitment to diversity, we must be more flexible in order to meet the needs of diverse communities. A more collaborative and individualized approach ensures credentialing does not become a gate-keeping method.

The General Assembly Committee on Representation was formed as a result of the 1983 reunion of the northern and southern streams to become what is now the PC(USA). The vision for GACOR was to address the need for relationships and vision around a better way to embody the diversity of the church. It is tasked with bringing attention and interpretation to representational access and norms around race, gender, sexual orientation, language, disability, theological diversity, and more (G-3.0103). GACOR's comments are designed to bring the richness and complexity of these intersecting realities into the conversation for the body of commissioners.

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The Assembly Committee on Polity amended the overture language and then approved Item POL-15, 28/0. The 225th General Assembly (2022) approved Item POL-15, 371/23.

For the full report on POL-15, go to <https://www.pc-biz.org/#/committee/3000082/business>.

## 22-G — G-2.0603

### PREPARATION FOR MINISTRY

#### G-2.0603 PURPOSE OF INQUIRY (HSB-05 2)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

#### **Shall G-2.0603 in the Form of Government be amended as follows?**

(Added text is in *italics*.)

#### **“G-2.0603 Purpose of Inquiry**

**“The purpose of the inquiry phase is to provide an opportunity for the church and those who believe themselves called to ordered ministry as ministers of the Word and Sacrament to explore that call together so that the presbytery can make an informed decision about the inquirer’s suitability for ordered ministry. *They shall provide a certificate of completion of boundary training, which includes the topic of sexual misconduct, and child sexual abuse prevention training with recertification at least every thirty-six months. The presbytery shall determine which trainings are approved to meet the criteria of these two requirements.*”**

#### **Background and Rationale**

Editor’s note: This proposed amendment originated as Recommendation 2 from the Survivors of Sexual Misconduct Task Force, with the following rationale:

Recommendations 1–5 and 8 are in response to the following referral: 2018 Referral: Item 11-09, A Resolution on Sexual Misconduct in the PC(USA). Recommendation 5. The Task Force will Undertake a Comprehensive Examination of Presbyterian Policy, Judicial Process and Rules of Discipline—from the Advocacy Committee for Women’s Concerns (*Minutes*, 2018, Part 1, p. 1024.)

Rationale for Recommendation 2: The FaithTrust Institute, which provides “Healthy Boundaries” training, and the national organization Darkness to Light, which provides the “Stewards of Children” child sexual abuse prevention training, have both discovered that regularly required training is the most effective way to prevent sexual misconduct and abuse in the church. One of the best ways to provide justice for those who have already been harmed is to require prevention training so that sexual misconduct doesn’t happen again. Therefore, the Survivors of Sexual Misconduct Task Force is recommending this constitutional change to require participation in boundary training and child sexual abuse prevention training as a part of a candidate’s preparation for ministry.

#### **Advice—From the Advisory Committee on the Constitution (ACC)**

The Advisory Committee on the Constitution advised that the 225th General Assembly (2022) disapprove the original Recommendation 2 of Item HSB-05. The committee amended the original recommendation 2 following the ACC advice.

### **Advice and Counsel—From the Advocacy Committee for Women’s Concerns (ACWC)**

The Advocacy Committee for Women’s Concerns commends and strongly concurs with Recommendation 2 regarding Boundary and Child Protection training for ministers of the Word and Sacrament and commissioned ruling elders. ACWC would highly recommend that deacons and ruling elders also be included in all trainings, as they are church-mandated reporters of abuse as well. All sexual abuse is, at the core, an abuse of power. That is why certain populations—such as children and youth, developmentally disabled adults, and immigrant night shift workers—are more vulnerable to abuse and are often the targets of sexual misconduct. Clergy sexual misconduct sends out ripple effects beyond individual victims to impact spouses and children, families and marriages, congregations, and presbyteries.

### **Advice and Counsel—From the Advisory Committee on Social Witness Policy (ACSWP)**

As a denomination, we affirm the need to care for individuals who are victim of sexual misconduct and the need to hold accountable those who commit sexual misconduct against others. However, we still fall short in identifying and addressing situations where sexual misconduct occurs. This item seeks to strengthen the church’s response to sexual misconduct and put procedures in place at all levels to prevent sexual misconduct from happening. ACSWP commends the work of the Survivors of Sexual Misconduct Task Force and wholeheartedly lifts up their work presented in this overture.

### **Comment—From the Office of the General Assembly (OGA)**

Regarding Recommendation 2, the Office of the General Assembly supports the importance of including boundary training during the preparation for ministry process.

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The Assembly Committee on Health Safety and Benefits amended the original Recommendation 2 by adding the amendment to G-2.0603 instead of G-2.0607e and deleted language about “good standing,” then approved Item HSB-05 2, 39/1. The 225th General Assembly (2022) approved Item HSB-05 2, 318/46.

For the full report on HSB-05, go to <https://www.pc-biz.org/#/committee/3000084/business>.



## 22-H — G-2.0605

### PREPARATION FOR MINISTRY

#### G-2.0605 OVERSIGHT (HSB-05 1)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

**Shall G-2.0605 in the Form of Government be amended as follows?**

(Added text is in *italics*.)

**“G-2.0605 Oversight**

**During the phases of inquiry and candidacy the individual continues to be an active member of his or her congregation and subject to the concern and discipline of the session. *However, during the time the individual is enrolled as an inquirer or candidate, the session shall report to the presbytery any matters of sexual misconduct. In matters relating to preparation for ministry, the individual is subject to the oversight of the presbytery within the context of their covenant relationship.*”**

#### **Background and Rationale**

This proposed amendment originated as Recommendation 1 from the Survivors of Sexual Misconduct Task Force, with the following rationale:

Recommendations 1–5 and 8 are in response to the following referral: 2018 Referral: Item 11-09, A Resolution on Sexual Misconduct in the PC(USA). Recommendation 5. The Task Force will Undertake a Comprehensive Examination of Presbyterian Policy, Judicial Process and Rules of Discipline—from the Advocacy Committee for Women’s Concerns (*Minutes*, 2018, Part 1, p. 1024.)

Rationale for Recommendation 1: Inquirers and candidates should be held accountable by the presbytery of care. There have been instances where an inquirer or candidate is accused of unethical behavior or even sexual misconduct, and a real conflict of interest exists through family and friends who serve on or influence their home church session. If inquirers and candidates are accountable to the presbytery for ensuring proper biblical and theological training, they should also be accountable to the presbytery for ensuring proper ethical behavior during their preparation for ministry as well.

#### **Advice—From the Advisory Committee on the Constitution (ACC)**

The Advisory Committee on the Constitution advised that the 225th General Assembly (2022) disapprove the original Recommendation 1 of Item HSB-05. The committee amended the original Recommendation 1 following the ACC advice.

#### **Advice and Counsel—From the Advocacy Committee for Women’s Concerns (ACWC)**

The Advocacy Committee for Women’s Concerns commends and strongly concurs with the recommendation. All sexual abuse is, at the core, an abuse of power. That is why certain populations—such as children and youth, developmentally disabled adults, and immigrant night shift workers—are more vulnerable to abuse and are often the targets of sexual misconduct. Clergy sexual misconduct sends

out ripple effects beyond individual victims to impact spouses and children, families and marriages, congregations, and presbyteries.

**Advice and Counsel—From the Advisory Committee on Social Witness Policy (ACSWP)**

As a denomination, we affirm the need to care for individuals who are victim of sexual misconduct and the need to hold accountable those who commit sexual misconduct against others. However, we still fall short in identifying and addressing situations where sexual misconduct occurs. This item seeks to strengthen the church’s response to sexual misconduct and put procedures in place at all levels to prevent sexual misconduct from happening. ACSWP commends the work of the Survivors of Sexual Misconduct Task Force and wholeheartedly lifts up their work presented in this overture.

**Comment—From the Office of the General Assembly (OGA)**

The committee amended recommendation 1 following OGA advice.

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The Assembly Committee on Health Safety and Benefits amended the original Recommendation 1 by removing “subject to the concern and discipline of the presbytery” and inserting “the session shall report,” then approved Item HSB-05 1, 33/5. The 225th General Assembly (2022) approved Item HSB-05 1, 324/46.

For the full report on HSB-05, go to <https://www.pc-biz.org/#/committee/3000084/business>.

## 22-J — G-2.1001

### COMMISSIONING RULING ELDERS TO PARTICULAR PASTORAL SERVICE

#### G-2.1001 FUNCTIONS (MC-08)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

#### **Shall G-2.1001 in the Form of Government be amended as follows?**

(Deleted text is in ~~strike through~~; added text is in *italics*.)

#### **“G-2.1001      Functions**

**When the presbytery, in consultation with ~~the session~~ *one or more sessions* or other responsible committees, determines that its strategy for mission requires it, the presbytery may authorize a ruling elder to be commissioned to limited pastoral service as a *commissioned pastor also known as commissioned ruling elder* as assigned by the presbytery. A ruling elder so designated may be commissioned to serve ~~in a validated ministry~~ *one or more validated ministries* of the presbytery. Presbytery, in its commission, may authorize the ruling elder to moderate the session of the congregation *or congregations* to which he or she is commissioned, to administer the Sacraments, and to officiate at marriages where permitted by state law. This commission shall also specify the term of service, which shall not exceed three years but shall be renewable. The presbytery shall review the commission at least annually.”**

#### **Background and Rationale**

[Editor’s note: This item was brought by Palo Duro Presbytery and concurred by four presbyteries and a synod. Palo Duro Presbytery presented the following edited background and rationale. For full text on the original overture, please see the PC-Biz link below.]

This overture originated in Palo Duro Presbytery, a presbytery in the PC(USA) covering 72 counties in northwest Texas and comprising 40 congregations. The use of commissioned pastors (CP) or commissioned ruling elders (CRE) in ministry has become more common and more needed, especially in geographically large presbyteries like Palo Duro. ... It would be beneficial in all situations if a presbytery could have CREs or CPs who are commissioned to more than one church, or even to a group of churches to be called on as needed. ... The exact language of G-2.1001 leaves room to conclude that a CRE or a CP is intended to authorize a commission only to a single congregation or mission. There remains conversation and controversy regarding what the *Book of Order* allows presbyteries to do regarding its commissioning of CREs or CPs to service in multiple settings.

#### **Advice—From the Advisory Committee on the Constitution (ACC)**

The Advisory Committee on the Constitution advised the 225th General Assembly (2022) that the overture presented constitutional issues. The ACC presented alternative language to produce the intent of allowing presbyteries to commission ruling elders to service in multiple situations. The committee amended the original overture following ACC advice, and the assembly approved the language. The following is edited advice from the ACC on the original overture:

The item seeks to amend G-2.1001 by striking language that references commission of elders to a single ministry and inserting language that explicitly authorizes commissioning to multiple ministries. The ACC notes first, that in 2014, the GA adopted an authoritative interpretation that states, in part, “a ruling elder commissioned for limited pastoral service is not authorized to perform any pastoral service outside of the commission of the presbytery, unless the presbytery gives its permission for any specific service ... .” If the assembly favors expanding the limits of commissioned pastoral service to include commissioning to multiple congregations, language similar to the overture’s proposed changes in the first three sentences of G-2.1001 are appropriate, with some recommended edits. [Editor’s note: The assembly adopted the language recommended by the ACC.]

### **Advice and Counsel—From the Racial Equity Advocacy Committee (REAC)**

The Racial Equity Advocacy Committee advises that the 225th General Assembly (2022) approve this item. The overture stresses the intention of F-1.0403, which states, “The unity of believers in Christ is reflected in the rich diversity of the Church’s membership. In Christ, by the power of the Spirit, God unites persons through baptism regardless of race, ethnicity, age, sex, disability, geography, or theological conviction. There is therefore no place in the life of the Church for discrimination against any person.”

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The Assembly Committee on Mid Councils amended the overture following language proposed by the ACC and then approved Item MC-08, 32/0. The 225th General Assembly (2022) approved Item MC-08, 399/9.

For the full report on MC-08, go to <https://www.pc-biz.org/#/committee/3000080/business>.

## 22-K — G-2.1002

### COMMISSIONING RULING ELDERS TO PARTICULAR PASTORAL SERVICE

#### G-2.1002 TRAINING, EXAMINING, AND COMMISSIONING (HSB-05 3)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

#### **Shall G-2.1002 in the Form of Government amended as follows?**

(Added text is in *italics*.)

#### **“G-2.1002 Training, Examining, and Commissioning**

**A ruling elder who seeks to serve under the terms of G-2.1001 shall receive such preparation and instruction as determined by the presbytery to be appropriate to the particular commission. *Such preparation shall include a certificate of completion of boundary training, which includes the topic of sexual misconduct, and child sexual abuse prevention training with recertification at least every thirty-six months. The presbytery shall determine which trainings are approved to meet the criteria of these two requirements.* The ruling elder shall be examined by the presbytery as to personal faith, motives for seeking the commission, and the areas of instruction determined by the presbytery. A ruling elder who has been commissioned and later ceases to serve in the specified ministry may continue to be listed as available to serve but is not authorized to perform the functions specified in G-2.1001 until commissioned again to a congregation or ministry by the presbytery.”**

#### **Background and Rationale**

This proposed amendment originated as Recommendation 3 from the Survivors of Sexual Misconduct Task Force, with the following rationale:

Recommendations 1–5 and 8 are in response to the following referral: 2018 Referral: Item 11-09, A Resolution on Sexual Misconduct in the PC(USA). Recommendation 5. The Task Force will Undertake a Comprehensive Examination of Presbyterian Policy, Judicial Process and Rules of Discipline—from the Advocacy Committee for Women’s Concerns (*Minutes*, 2018, Part 1, p. 1024.)

Rationale for Recommendation 3: The FaithTrust Institute, which provides “Healthy Boundaries” training, and the national organization Darkness to Light, which provides the “Stewards of Children” child sexual abuse prevention training, have both discovered that regularly required training is the most effective way to prevent sexual misconduct and abuse in the church. One of the best ways to provide justice for those who have already been harmed is to require prevention training so that sexual misconduct doesn’t happen again.

The task force concluded that the denomination needs to mandate boundary training and child protection training for commissioned ruling elders and that training needs to be updated every 36 months.

### **Advice—From the Advisory Committee on the Constitution (ACC)**

The Advisory Committee on the Constitution advised that the 225th General Assembly (2022) disapprove the original Recommendation 3 of Item HSB-05. The committee revised the original recommendation following the ACC advice.

### **Advice and Counsel—From the Advocacy Committee for Women’s Concerns (ACWC)**

The Advocacy Committee for Women’s Concerns commends and strongly concurs with Recommendation 3 regarding boundary and child protection training for ministers of the Word and Sacrament and commissioned ruling elders. ACWC would highly recommend that deacons and ruling elders also be included in all trainings, as they are church-mandated reporters of abuse as well. All sexual abuse is, at the core, an abuse of power. That is why certain populations—such as children and youth, developmentally disabled adults, and immigrant night shift workers—are more vulnerable to abuse and are often the targets of sexual misconduct. Clergy sexual misconduct sends out ripple effects beyond individual victims to impact spouses and children, families and marriages, congregations, and presbyteries.

### **Advice and Counsel—From the Advisory Committee on Social Witness Policy (ACSWP)**

As a denomination, we affirm the need to care for individuals who are victim of sexual misconduct and the need to hold accountable those who commit sexual misconduct against others. However, we still fall short in identifying and addressing situations where sexual misconduct occurs. This item seeks to strengthen the church’s response to sexual misconduct and put procedures in place at all levels to prevent sexual misconduct from happening. ACSWP commends the work of the Survivors of Sexual Misconduct Task Force and wholeheartedly lifts up their work presented in this overture.

### **Comment—From the Office of the General Assembly (OGA)**

Regarding Recommendation 3, the Office of the General Assembly supports the importance of including boundary training for commissioned ruling elders.

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The Assembly Committee on Health Safety and Benefits amended the original Recommendation 3 and then approved Item HSB-05 3, 39/1. The 225th General Assembly (2022) approved Item HSB-05 3, 358/13.

For the full report on HSB-05, go to <https://www.pc-biz.org/#/committee/3000084/business>.

## 22-L — G-2.1103

### CERTIFIED CHURCH SERVICE

#### G-2.1103 CHRISTIAN EDUCATORS (HSB-05 4)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

**Shall G-2.1103 in the Form of Government be amended as follows?**

(Added text is in *italics*.)

**“G-2.1103 Christian Educators**

**a. Skills and Training**

**Certified Christian educators are persons certified and called to service in the ministry of education in congregations and councils. They shall have skills and training in biblical interpretation, Reformed theology, worship and sacraments, human development, faith development, religious education theory and practice, and the polity, programs and mission of the Presbyterian Church (U.S.A.). *Certified Christian educators shall provide a certificate of completion of boundary training, which includes the topic of sexual misconduct, and child sexual abuse prevention training with recertification at least every thirty-six months. The presbytery shall determine which trainings are approved to meet these two requirements.***

**b. Presbytery Responsibility**

**The presbytery shall establish minimum requirements for compensation and benefits for Certified Christian educators and Certified Associate Christian educators and shall provide access to the area of the presbytery that oversees ministry (G-3.0307). During their term of serve in an educational ministry under the jurisdiction of the presbytery, Certified Christian Educators are entitled to the privilege of the floor with voice only at presbytery meetings, and in the case of Certified Christian Educators who are ruling elders, the privilege of voice and vote at all meetings. *Certified Christian educators and Certified Associate Christian educators shall provide to the presbytery in which they serve a certificate of completion of boundary training, which includes the topic of sexual misconduct, and child sexual abuse prevention training with recertification at least every thirty-six months. The presbytery shall determine which trainings are approved to meet these two requirements. Presbytery shall report a certificate of completion to the national certifying body for these two trainings.*”**

#### **Background and Rationale**

The General Assembly included this comment:

“The committee encourages the Christian Educators Certification Committee to take up the oversight of the certified Christian educators in presbyteries and congregations, particularly the tracking of required trainings. Gaps in oversight are where it is difficult to ensure that vulnerable people are protected.”

This proposed amendment originated as Recommendation 4 from the Survivors of Sexual Misconduct Task Force, with the following rationale:

Recommendations 1–5 and 8 are in response to the following referral: 2018 Referral: Item 11-09, A Resolution on Sexual Misconduct in the PC(USA). Recommendation 5. The Task Force will Undertake a Comprehensive Examination of Presbyterian Policy, Judicial Process and Rules of Discipline—from the Advocacy Committee for Women’s Concerns (*Minutes*, 2018, Part 1, p. 1024.)

Rationale for Recommendation 4: The FaithTrust Institute, which provides “Healthy Boundaries” training, and the national organization Darkness to Light, which provides the “Stewards of Children” child sexual abuse prevention training, have both discovered that regularly required training is the most effective way to prevent sexual misconduct and abuse in the church. One of the best ways to provide justice for those who have already been harmed is to require prevention training so that sexual misconduct doesn’t happen again.

The task force concluded that the denomination needs to mandate boundary training and child protection training for certified Christian educators and certified associate Christian educators and that training needs to be updated every 36 months.

#### **Advice—From the Advisory Committee on the Constitution (ACC)**

The Advisory Committee on the Constitution advised the 225th General Assembly (2022) disapprove the original Recommendation 4 of Item HSB-05. The committee revised the original recommendation following the ACC advice.

#### **Advice and Counsel—From the Advocacy Committee for Women’s Concerns (ACWC)**

The Advocacy Committee for Women’s Concerns commends and strongly concurs with Recommendation 4 regarding boundary and child protection training for Certified educators. ACWC would highly recommend that deacons and ruling elders also be included in all trainings, as they are church-mandated reporters of abuse as well. All sexual abuse is, at the core an abuse of power. That is why certain populations—such as children and youth, developmentally disabled adults, and immigrant night shift workers—are more vulnerable to abuse and are often the targets of sexual misconduct. Clergy sexual misconduct sends out ripple effects beyond individual victims to impact spouses and children, families and marriages, congregations, and presbyteries.

#### **Advice and Counsel—From the Advisory Committee on Social Witness Policy (ACSWP)**

As a denomination, we affirm the need to care for individuals who are victim of sexual misconduct and the need to hold accountable those who commit sexual misconduct against others. However, we still fall short in identifying and addressing situations where sexual misconduct occurs. This item seeks to strengthen the church’s response to sexual misconduct and put procedures in place at all levels to prevent sexual misconduct from happening. ACSWP commends the work of the Survivors of Sexual Misconduct Task Force and wholeheartedly lifts up their work presented in this overture.

#### **Comment—From the Office of the General Assembly (OGA)**

Regarding Recommendation 4, the Office of the General Assembly, which oversees educator certification through the work of the Educator Certification Committee, the national certifying body, is



committed to this ministry which provides an intensive process of education for those serving in ministries of Christian education/formation.

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The Assembly Committee on Health Safety and Benefits amended the original Recommendation 4 and then approved Item HSB-05 4, 40/0. The 225th General Assembly (2022) approved Item HSB-05 4, 305/60.

For the full report on HSB-05, go to <https://www.pc-biz.org/#/committee/3000084/business>.

## 22-M — G-3.0104

### GENERAL PRINCIPLES OF COUNCILS

#### G-3.0104 OFFICERS (MC-05)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

**Shall G-3.0104 in the Form of Government be amended as follows?**

(Added text is in *italics*.)

#### **“G-3.0104      Officers**

**The pastor of a congregation shall be the moderator of the session of that congregation. In congregations where there are co-pastors, they shall both be considered moderators and have provisions for designating who presides at a particular meeting. If it is impractical for the pastor to moderate, he or she shall invite another minister of the Word and Sacrament who is a member of the presbytery, or a person authorized by the presbytery to serve as moderator. If there is no installed pastor, or if the installed pastor is unable to invite another moderator, the presbytery shall make provision for a moderator. *It is appropriate for councils to adopt procedures that may allow for electronic session meetings.*”**

#### **Background and Rationale**

[Editor’s note: This proposed amendment originated as an overture from the Presbytery of Southern Illinois to allow moderators to moderate from a remote location. The assembly committee amended it following ACC advice. The following rationale was for the original overture.]

In larger metropolitan areas when there is a need for substitute session moderator leadership, there are usually several pools of people from which to draw, such as the pool of retired ministers of the Word and Sacrament or ministers of the Word and Sacrament serving in Presbyterian congregations. The reality is different in presbyteries that have wide geography and very small congregations, many of which lack full-time pastoral leadership. ...We propose a modest change to the *Book of Order*, under which presbyteries would be allowed to establish their own procedures for expeditious one-time appointment of a ruling elder to moderate a session meeting or, alternatively, for the appointment of a minister of the Word and Sacrament to moderate the meeting electronically.

#### **Advice—From the Advisory Committee on the Constitution (ACC)**

This proposed amendment originated as an overture from the Presbytery of Southern Illinois to allow moderators to moderate from a remote location. The assembly committee amended following ACC advice. The following edited advice was for the original overture:

The ACC advises the 225th GA to disapprove MC-05 [as] ... the proposed language is redundant and unnecessary. ...The ACC finds that the Constitution allows councils to meet electronically, provided such meetings are authorized in a council’s bylaws or manual of administrative operations.

The Assembly Committee on Health Safety and Benefits amended and approved Item MC-05, 25/6. The 225th General Assembly (2022) amended and approved Item MC-05, 376/21.

For the full report on MC-05, go to <https://www.pc-biz.org/#/committee/3000080/business>.

## 22-P — G-3.0106

### GENERAL PRINCIPLES

#### G-3.0106 ADMINISTRATION OF MISSION (POL-10)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

**Shall the fourth paragraph of G-3.0106 in the Form of Government be amended as follows?**  
(Deleted text is in ~~strike through~~; added text is in *italics*.)

**“G-3.0106 Administration of Mission ...**

**... “All councils shall adopt and implement ~~a sexual misconduct policy and a child and youth protection policy~~ the following policies: a sexual misconduct policy, a harassment policy, a child and youth protection policy, and an antiracism policy.”**

#### **Background and Rationale**

From Selma to Montgomery, from Tuskegee to Tuscaloosa, from Auburn to Anniston, from the Black Belt to Birmingham, the Presbytery of Sheppards and Lapsley knows the pain of our racist history and the difficulty of changing behavior. We recognize the General Assembly’s call for “Facing Racism,” for study and action, and give thanks for the resource materials provided. Nevertheless, we see that councils have been slow to respond. Councils have adopted and enforced sexual misconduct policies and policies to protect vulnerable populations. Why have councils not been doing the work of “Facing Racism”? Why have councils responded differently? The responses regarding sexual misconduct and protecting vulnerable people have been directed by “shall,” while “Facing Racism” merely urges, makes available, encourages, and commends. This presbytery, whose very name reflects black and white, women and men, working together in mission for education and health care, calls upon the General Assembly to turn overcoming racism into a “shall” for all our councils.

#### **Advice—From the Advisory Committee on the Constitution (ACC)**

The Advisory Committee on the Constitution advises that the constitution is not intended to serve as a manual of operations. Generally, this would advocate against the creation of lists of requirements or rubrics on how to implement requirements.

#### **Advice and Counsel—From the Advisory Committee on Social Witness Policy (ACSWP)**

The Advisory Committee on Social Witness Policy (ACSWP) advises that the 225th General Assembly (2022) approve this item...The Presbytery of Sheppards and Lapsley and other concurring presbyteries are to be commended for their sincere desire to see the PC(USA) implementing the “Facing Racism” policy (2018, renewing a 1999 version). If this overture is passed, it is important that there are both personal and shared outcomes for any antiracism policy and training. Training in and of itself does not mandate tangible action beyond certification that a training is offered, was attended, and completed. In a church that is 89% white and largely suburban, the amendment we propose is meant to encourage mid councils to be both visionary and realistic about the kind of training required to dismantle white supremacy and transform us into the Beloved Community in our particular areas.

### **Advice and Counsel—From the Advocacy Committee for Women’s Concerns (ACWC)**

ACWC advises that the assembly approve this item. We concur with the Racial Equity Advocacy Committee and encourage the approval of including an antiracism policy with suggested language, but we also believe it should be included in a stand-alone manner separate from the mandate to have a sexual misconduct policy and a child and youth protection policy.

### **Advice and Counsel—From the Racial Equity Advocacy Committee (REAC)**

The Racial Equity Advocacy Committee advises that the 225th General Assembly (2022) approve this item ... Over the years, the *Book of Order* has been reduced in scope and specific content. Noticeably absent is language related to addressing systemic and structural racism. Previous efforts to address racism in the church and society are not enough. Though they have brought awareness, they have not yielded the desired results for people of color. Facing racism and overcoming racism are only steps to achieving God’s beloved community of eradicating racism. White supremacy and other racist attitudes undermine the work of the church. Therefore, REAC advises the inclusion of “All councils shall adopt and implement a dismantling structural and systemic racism policy and training” as a stand-alone requirement.

### **Comment—From the General Assembly Committee on Representation (GACOR)**

The General Assembly Committee on Representation believes that training in cultural proficiency, implicit bias, and antiracism are important at all levels of the denomination. The inclusion of such training in the *Book of Order* would ensure that members are equipped and aware of the implications of racism in their work. Training like this would be best if connected to the constitutional requirement of advocating for diversity in leadership and equipping the church.

With that affirmation, we also want to highlight the fact that mandatory stand-alone training around bias and privilege have been shown to actually reinforce bias when they are not accompanied by actual strategies for overcoming bias, structural commitment to undoing structural barriers to equity, etc. In other words, the “how” of a mandatory training matters just as much, if not more, as the “if”—without attention to this wider matrix of needs, including best-practices, required antiracism training risks becoming simply another box to check without any greater commitment to transformed interactions, norms and structures within our institutions and within the body of Christ.

The General Assembly Committee on Representation (GACOR) was formed as a result of the 1983 reunion of the northern and southern streams of what is now the PC(USA). The vision for GACOR was to address the need for relationships and vision of a better way to embody the diversity of the church together. It is tasked with bringing attention and interpretation to representational access and norms around race, gender, sexual orientation, language, disability, theological diversity, and more (G-3.0103). GACOR’s comments are designed to bring the richness and complexity of these intersecting realities into the conversation for the body of commissioners.

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The Assembly Committee on Polity amended the overture language and then approved Item POL-10, 25/3. The 225th General Assembly (2022) amended and approved Item POL-10, 372/31.

For the full report on POL-10, go to <https://www.pc-biz.org/#/committee/3000082/business>.

## 22-Q — G-3.0303c

### THE PRESBYTERY

#### G-3.0303c RELATIONS WITH SESSIONS (MC-03)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

**Shall G-3.0303c in the Form of Government be amended as follows?**

(Added text is in *italics*.)

**“G-3.0303      Relations with Sessions ...**

**“... c. establish minimum compensation standards, *including provisions for dissolution terms, for pastoral calls and for those serving in temporary pastoral service, Certified Christian Educators and Certified Associate Christian Educators within the presbytery;*”**

#### Background and Rationale

[Editor’s note: This rationale was prepared for the original overture, which was significantly amended by the assembly and may or may not apply to the proposed amendment above.]

In 1993, the General Assembly Permanent Judicial Commission ruled in the case Saurbaugh v. the Presbytery of Great Rivers that “the *Book of Order* does not give the presbyteries power to require congregations to pay compensation upon dissolution of pastoral relationships” (*Minutes*, 1994, Part I, p. 155, Remedial Case 206-13,11.094 attached). In subsequent years, the church has maintained that while a presbytery can have guidelines and policies concerning severance for ministers at the dissolution of a pastorate, the presbytery has no authority to enforce those policies. This overture seeks to remedy that omission in the *Book of Order* by making explicit the authority of presbyteries to create and enforce severance policies by linking that authority to the power to set minimum wages and approve calls.

The overture does not attempt to set a national severance policy but rather to clarify the presbytery’s relationship to both the session and the minister during times of transition.

#### Advice—From the Advisory Committee on the Constitution (ACC)

[Editor’s note: This advice was prepared for the original overture, which was significantly amended by the assembly.]

The ACC advises the 225th General Assembly (2022) to disapprove [original] MC-03. ...

The ACC finds that nothing in the proposed amendment would change the requirement that only agreed-upon [by the congregation approving terms or change to terms of call] terms of dissolution are enforceable ....

### **Advice and Counsel—From the Advisory Committee on Social Witness Policy (ACSWP)**

The Advisory Committee on Social Witness Policy (ACSWP) advises that the 225th General Assembly (2022) approve this item.

When a pastor and a church need to end their mutual relationship, there needs to be equity in severance. Sometimes a pastor leaves without a just severance, which creates unfair stress in a time of transition. Some pastors might receive a fair severance package, others might receive none. This overture calls for presbyteries to establish minimums to prevent both undue hardship and retaliation in the moments that lead to the termination of the relationship between pastor and church.

According to the 2009 “God’s Work in Women’s Hands: Just Compensation and Just Compensation,” the PC(USA) defines pay equity as seeking fairness in compensation. While the policy addresses gender discrimination in compensation, this call for equity should apply to severance packages regardless of gender. By requiring presbyteries to set minimum severance policies, the denomination can move toward a more equitable compensation in the church.

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The Assembly Committee on Mid Councils amended the overture language and then approved Item MC-03, 32/0. The 225th General Assembly (2022) approved Item MC-03, 386/18.

For the full report on MC-03, go to <https://www.pc-biz.org/#/committee/3000080/business>.

## 22-R — G-3.0401

### THE SYNOD

#### G-3.0401 COMPOSITION AND RESPONSIBILITIES (MC-06)

The 225th General Assembly (2022) directed the Stated Clerk to send the following proposed amendment to the presbyteries for their affirmative or negative votes:

**Shall G-3.0401 in the Form of Government be amended as follows?**

(Added text is in *italics*.)

#### **“G-3.0401      Composition and Responsibilities**

**“The synod is the intermediate council serving as a corporate expression of the church throughout its region. It shall consist of not fewer than three presbyteries within a specific geographic region.**

**“When a synod meets, it shall be composed of commissioners elected by the presbyteries. Each presbytery shall elect at least one ruling elder and one minister of the Word and Sacrament to serve as commissioners to synod. A synod shall determine a plan for the election of commissioners to the synod, as well as the method to fulfill the principles of participation and representation found in F-1.0403 and G-3.0103; both plans shall be subject to approval by a majority of the presbyteries in the synod. The commissioners from each presbytery shall be divided equally between ruling elders and ministers of the Word and Sacrament. *A synod may enroll, or provide by rule for the enrollment of, ministers of Word and Sacrament and ruling elders, in numbers as nearly equal as possible, during terms of elected service to the synod. Such enrollment may be used, among other purposes, for fulfilling the principles of participation and representation and may include representation from the synod’s racial ethnic active leadership.* Each person elected moderator or other officer shall be enrolled as a member of the synod until a successor is elected and installed.”**

#### **Background and Rationale**

[Editor’s note: This item came as an overture from Lake Huron Presbytery and received concurrence from four presbyteries and one synod. The edited rationale follows.]

The current language of G-3.0401 creates a problem in fulfilling the requirements both for the election of commissioners and the principles of participation and representation. Since synods “shall be composed of commissioners elected by presbyteries,” a synod may be prevented from “[hearing] the voices of peoples long silenced” (*Book of Confessions*, A Brief Statement of Faith, 11.4, Line 70) who might not be elected as commissioners. Since synods cannot compel the election of particular commissioners, important constituencies of synods—such as racial ethnic caucuses, immigrant communities, or mission networks—could be excluded from participation in the decisions of the synod. ... The proposed language permits synods to adopt rules, subject to the approval of a majority of their presbyteries, to extend voting privileges to additional persons in the synod for the purpose of participation and representation. ... The amendment ... would preserve the principle of governance by ruling elders and teaching elders (F-3.0202) by requiring that such additional members be balanced as nearly equally as



possible. It would also free synods to find ways to fulfill both the plan for election of commissioners and the plan for participation and representation according to their particular mission needs with creativity and integrity.

#### **Advice—From the Advisory Committee on the Constitution (ACC)**

The Advisory Committee on the Constitution advised the 225th General Assembly (2022) approve item MC-06 with amendment. The overture provides a path [that] synods may use in order to a) fulfill the principles of participation and representation found in F-1.0403 and G-3.0103, while b) retaining the principle of government by elders (F-3.0202) and c) protecting the rights of lower councils to choose those who represent them in higher councils. ... The overture seeks to allow synods to obtain other voting members. In this respect, the overture shares important parallels with part of G-3.0301: “A presbytery may enroll, or may provide by its own rule for the enrollment of, ruling elders during terms of elected service to the presbytery or its congregations.”

#### **Advice and Counsel—From the Racial Equity Advocacy Committee (REAC)**

The Racial Equity Advocacy Committee advises that the 225th General Assembly (2022) approve this item. The overture stresses the intention of F-1.0403, which states, “The unity of believers in Christ is reflected in the rich diversity of the Church’s membership. In Christ, by the power of the Spirit, God unites persons through baptism regardless of race, ethnicity, age, sex, disability, geography, or theological conviction. There is therefore no place in the life of the Church for discrimination against any person.”

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The Assembly Committee on Mid Councils amended the overture language following language proposed by the ACC and REAC and then approved Item MC-06, 30/2. The 225th General Assembly (2022) approved Item MC-06, 385/13.

For the full report on MC-06, go to <https://www.pc-biz.org/#/committee/3000080/business>.

Littlefield Administrative Commission Report  
February 25, 2023  
Final Report

The Littlefield Administrative Commission was formed at the February Meeting of Presbytery, consisting of

- a. Trustee Ken Hollowell
- b. Elder Wendy Back
- c. Rev. Tim Marvel
- d. Rev. Kenneth Kaibel, chairperson

We learned that the Littlefield congregation had already voted to dissolve in January of 2022. They had previously vacated their building due to the discovery of black mold. They chose not to merge with another congregation because that would burden their new congregation with the building.

Before they voted to dissolve, they paid their ongoing bills through June of 2022 and paid staff-members a severance pay equaling their salaries through August of 2022. With the money left, a non-profit agency was started as the "Littlefield Action 4 Social Justice" to continue their commitment to the mission projects they had started.

Since there was no active session, the AC assumed Original Jurisdiction as instructed by the Presbytery of Detroit at the May 2022 meeting.

We met with members and friends of the church on May 22, 2022 at the Cherry Hill Presbyterian Church and heard their concerns over the dissolution of the congregation. We encouraged them to transfer to other Presbyterian Churches and offered our assistance.

On September 27, 2022, the Presbytery of Detroit dissolved the congregation at the AC's recommendation.

The AC has completed the following projects:

We secured the building to prevent vandalism.

We kept the trash picked up and snow removed and continued the grass mowing service through the summer.

Thinking the building would likely be demolished, we authorized Care Village Outreach to retrieve tables, chairs, doors, etc. to use for building churches in Africa.

We listed the building for sale through MiRealSource, and, with Trustee approval, It sold for \$400,000.

All ongoing contracts have been paid and cancelled and the corporation dissolved.

The ministry and mission of the Littlefield congregation was celebrated at the November meeting of presbytery.

We forwarded the session and membership records to the Presbyterian Historical Society.

Today, believing our assigned task to be successfully completed, we make the following motions:

**MOTION:** The Littlefield AC moves that \$100,000 of the proceeds of the sale of the Littlefield Presbyterian Church Building will be paid to Littlefield Action 4 Social Justice, a non-profit organization for promoting peace and social justice.

**MOTION:** The Littlefield AC moves that \$100,000 of the proceeds of the sale of the Littlefield Presbyterian Church Building be administered by Presbytery's Congregational Development and Transformation Committee "to equip congregations and their leadership to live into the new thing that God is doing there with Resources that include grants and learning opportunities." We encourage the Committee to consider using these funds, according to the desires of the former members of Littlefield, to support activities such as a music ministry or a special mission project for smaller congregations that could not support the activity themselves."

**MOTION:** The Littlefield AC moves that \$50,000 of the proceeds of the sale of the Littlefield Presbyterian Church Building be administered by the session of the Cherry Hill Presbyterian Church. We encourage the session to consult with the former members of Littlefield PC who have joined that congregation in deciding the appropriate use for this money.

**MOTION:** The Littlefield AC moves that any remaining funds for the proceeds of the sale of the Littlefield Presbyterian Church Building after all applicable debts are satisfied, be administered by Presbytery's New Church Development Committee. It seemed fitting to us that, from the grievous loss of one beloved congregation of the Presbytery, seeds for a new congregation might be planted.

**MOTION:** The Littlefield AC moves that the Littlefield Administrative Commission be dissolved as of today's date, February 25, 2023.

Kenneth Kaibel (TE),  
Chairperson

**St. John's Presbyterian Church Administrative Commission Report to the Presbytery of Detroit  
February 2023**

The members of the Administrative Commission for St. John's Presbyterian Church continue to work collaboratively with St. John's Elders, Deacons, and members. In January 2023, new church officers elected in late 2022 took their seats on the Session and the Board of Deacons, and those individuals have assumed greater autonomy as the AC works to transition out and hand back responsibilities for the church to its duly elected officers. Once the outstanding accounting and financial reports are completed and the new and returning church officers have completed their training, it is the hope of the Administrative Commission to complete its work. We are heartened by the energy and enthusiasm of Commissioned Ruling Elder Caleb Jones and the new slate of church officers and pray that St. John's continues its outreach initiatives with Bunche Elementary School and the Hunger and Garden Ministries, while continuing to seek tenants for the spaces the church has available, in order to offset the expense of the large building for this small yet mighty congregation. Challenges remain to the long term financial sustainability of the congregation at its present location, but nothing is impossible with God.

Respectfully submitted,

Joshua Archey, CRE

Clerk of the Administrative Commission for St. John's Presbyterian Church

On Behalf of the members of the Administrative Commission:

Rev. Lindsey Anderson, Love Rising Lutheran Church

Commissioned Ruling Elder Joshua Archey, Crossroads Presbyterian Church

Rev. Laura Kelsey, 1<sup>st</sup> Presbyterian Pontiac

Ruling Elder Rosy Latimore, 1<sup>st</sup> Presbyterian Birmingham

Ruling Elder Tim Ngare, Calvary Presbyterian Church

Rev. Paul Stunkel, Honorably Retired

**Final Actions from the Administrative Commission for  
Covenant Presbyterian Church  
February 25, 2023**

The Administrative Commission for Covenant Presbyterian Church reports that all final actions associated with the dissolution of Covenant Presbyterian Church have been completed. All bank accounts have been closed, and final outstanding debts have been paid. A committee has been created with Trustees and Committee on Ministry to develop procedures for managing the Covenant Presbyterian Church Legacy Grant.

Therefore, the Administrative Commission for Covenant Presbyterian Church moves its dissolution.

Stefanie Lewis, Clerk

February 14, 2023

To: Presbytery of Detroit

From: AC Camp Westminster, Westminster Church of Detroit

On behalf of the Administration Commission following is a summary of the activities to date:

1. Integration of the camp into the operation of Westminster Church of Detroit continues in the following areas: governance, HR policies and finance.
2. Camp registration is underway for the summer of 2023.

**Milford AC Report: February 8, 2022**

**Members:**

Mark Dunny  
Dana Stonerook

Alexander Haines  
Marjorie Wilhelmi

Debbie Lennis

**Actions to date:**

1. Recommended to the Session of Milford Presbyterian Church that they hire Beth Buelow, a certified coach and trained mediator and facilitator, to assist in a three-month process designed to promote congregational learning, healing, and restoration. This process will include listening sessions, a retreat and a discernment process.

The session adopted this recommendation to being in the immediate future.

2. Bryan Smith, who has been moderating our AC, has been called to the position of Interim Pastor at MPC. As such, he has stepped down from the AC. We elected Dana Stonerook to be our moderator in his stead.
3. We are currently in the process of reviewing the Manual of Operations, By-Laws and other congregational policies.
4. We have no motions to bring before Presbytery at this time.

Respectfully submitted,

Marjorie Wilhelmi  
Parish Associate, Kirk in the Hills

February 2023

PAPER F-8

# The Synod of the Covenant

Presbyterian Church (U.S.A.)

## 2023 Upcoming Synod Programs and Ministry

- 3/1 10:00 – 11:30 by zoom: Preaching Workshop **“Preaching about Racism in an Era of CRT Bans”** with Rev. Carolyn Helsel, PhD, of Austin Seminary
- 3/9, 3/16, and 3/23 1:00 – 2:00 by zoom: **The Church and Mental Health** webinar (Science for the Church)
- 4/5 No Preaching Workshop due to Holy Week
- 4/20, 4/27, and 5/4 10:00 – 11:30 by zoom: **Pathways to Belonging: Overcoming Clergy Loneliness** webinar (LeaderWise)
- 4/25-26/23 1:00 – 3:30 pm by zoom: **Boundaries Training** (LeaderWise)
  - Also offered by zoom 10/2-3/23 6:00 – 8:30 pm and 11/7-8/23, 1:00 – 3:30 pm
- 5/10/23 10:00 am – 12:30 pm by Zoom: **The Leader’s Table** Webinar (The Missional Network)
- 9/11 and 9/14/23 6:00 – 8:30 by Zoom: **Child Sexual Abuse Protection Training** (LeaderWise)
- 9/13, 9/27, 10/11, 10/25/23 10:00 – 11:30 am by Zoom: **The Leader’s Table** Cohort meetings
- **Anti Racism Training** Pending for Fall 2023

For more information contact Synod Executive Chip Hardwick at [chip@synodofthecovenant.org](mailto:chip@synodofthecovenant.org) or 309-530-4578.

*We’re the Synod of the Covenant.*

*In our Synod, we’ll try anything to equip and support leaders for God’s emerging, creative future.*



PRESS RELEASE

--- For Immediate Distribution ---

11/23/22

# The Synod of the Covenant

Presbyterian Church (U.S.A.)



## The Synod of the Covenant Announces Matthew 25 Grant Winners

The Synod of the Covenant is delighted to announce that it has awarded \$48,000 in grants to eighteen congregations and ministries in seven presbyteries. These awards range from \$1,000 to \$5000.

The focus of the grants is to support ministries to build congregational vitality, dismantle structural racism, and/or eradicate systemic poverty. These goals stem from the denomination's Matthew 25 movement. Of thirty-two grant applications, eighteen were awarded.

Here are the grant awardees for the 2022:

### **Cincinnati Presbytery**

*Crescent Springs Presbyterian Church*

\$2,500 for the Elementary School Weekend Meal Program

*Immanuel Presbyterian Church*

\$2,000 for Buddy Bags

*Joint Northern and Crescent Springs Presbyterian Churches*

\$1,000 for the Joint Youth Group Program

*Pleasant Run Presbyterian Church*

\$1,000 for the Non-Food Pantry

### **Detroit Presbytery**

*First Presbyterian Church of Pontiac*

\$5,000 for the Emergency Food Pantry



# The Synod of the Covenant

Presbyterian Church (U.S.A.)

## **Lake Michigan Presbytery**

*First Presbyterian Church of Cadillac*

\$1,700 for Fleet Feet for Lincoln

*First Presbyterian Church of Lansing*

\$1,000 for the Justice League of Greater Lansing Michigan

## **Maumee Valley Presbytery**

*First Presbyterian Church of Defiance*

\$5,000 for Tools for School

*First Presbyterian Church of Tiffin*

\$1,000 for the Non-Food Pantry

*Hanmi Presbyterian Church*

\$2,500 for Meals for College Students

## **Miami Valley Presbytery**

*First Presbyterian Church Fairborn*

\$2,000 for the Church Outside Project

*Trinity Presbyterian Church*

\$4,800 for the Saturday Breakfast

## **Scioto Valley Presbytery**

*Various Congregations in Scioto Valley*

\$2,000 for Capital City Helping Hands

*First Presbyterian Church of Logan*

\$3,000 for the Vegetable Garden



# The Synod of the Covenant

Presbyterian Church (U.S.A.)

## **Scioto Valley Presbytery** (continued)

*First Presbyterian Church of Waverly*

\$2,500 for the Drivers Education Project

## **Presbytery of the Western Reserve**

*North Presbyterian Church*

\$4,000 New Administrative Staff

*St. Marks Presbyterian Church*

\$2,000 Technology

## **Various Presbyteries**

*Synod of the Covenant Korean Presbyterian Churches*

\$5,000 Pastor's Retreat

These grants, as well as the Higher Education Scholarships previously announced, are funded in part by per capita payments from the almost 700 Presbyterian Church (USA) congregations and more than 100,000 members, mostly in the states of Ohio and Michigan, throughout the Synod of the Covenant.

The Grants Committee includes Lisa Allgood (Cincinnati Presbytery), Betty Angelini (Eastminster Presbytery), Amy Duiker (Miami Valley Presbytery), Jackie Humphries (Detroit Presbytery), Skip Jackson (Scioto Valley Presbytery), Matt Meinke (Maumee Valley Presbytery), and Georgia McCall (Lake Huron Presbytery). In this Thanksgiving season, the committee is grateful for all who applied for these grants:

*“In this Thanksgiving season, we are thankful for you. Peace and love with faith to you from God the Father and the Lord Jesus Christ. God’s grace to all of you who love our Lord Jesus Christ with love that never ends” (Ephesians 6:23-24).*

TO: Rev. Marianne Grano  
Stated Clerk  
Presbytery of Detroit

FR: Presbytery of Detroit Investigating Committee

RE: Disciplinary Complaint dated May 21, 2022

Date: February 20, 2023

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An Investigating Committee of the Presbytery of Detroit has completed its work regarding a disciplinary complaint which was received by the Stated Clerk of Detroit Presbytery on May 21, 2022. The Investigating Committee has determined, in accordance with G-3.0102 and D-2.0203b, that there are no probable grounds or cause to believe an offense was committed by the accused. All parties were informed of the decision. This matter is closed.

Elder Doug Fryer, Moderator  
Rev. Julie Madden  
Elder Loretta Stanton

**Presbytery of Detroit  
Report of the Coordinating Cabinet  
February 25, 2023**

The Coordinating Cabinet recommends that Presbytery:

1. Amend the Bylaws in Article I (Identity and Authority), Section 3 (Membership and Composition) by inserting “Synod Commissioner,” after “Ministry Team,” and before “Commissioned Ruling Elder”. The Section would then read: “In addition to the teaching elder members and ruling elder commissioners prescribed in the Book of Order, each ruling elder who is elected an officer of the Presbytery or Corporation or chairperson of a standing committee, Planning and Visioning Team, Ministry Team, Synod Commissioner, Commissioned Ruling Elders currently serving in a validated ministry, and Certified Christian Educators (who are also ruling elders) currently serving as a Certified Christian Educator in a congregation of the Presbytery, shall be enrolled as a member of the Presbytery for their term of office. Past moderators, Certified Christian Educators (who are not ruling elders) and Associate Christian Educators currently serving in a congregation of the Presbytery, shall have voice in all Presbytery meetings.”

Rationale: Synod Commissioners serve as ongoing liaisons between the Presbytery and the Synod. They are in a position to speak to each from the perspective of the other. Synod Commissioners who are teaching elders already have voice and vote at Presbytery meetings. This amendment would allow Synod Commissioners who are ruling elders to participate in the same way.

2. Amend the Bylaws in Article IV (Officers), Section 3 (Terms and Elections), Subsection b (Stated Clerk, Interim Stated Clerk, Treasurer and Assistant Treasurer) by striking out “the Presbytery Operations Ministry Team” and inserting “a committee of no less than three people representing the diversity of the Presbytery”. The Subsection would then read, “The Stated Clerk, the Treasurer and the Assistant Treasurer shall serve for three years or until a successor is installed. The elections shall be conducted as follows: The Coordinating Cabinet shall nominate one candidate, upon recommendation a committee of no less than three people representing the diversity of the Presbytery, which shall have conducted an open search; nominations from the floor shall not be in order; the Presbytery shall vote by ballot on the question, ‘Shall this person be elected to this Office?’”

Rationale: While the Presbytery Operations Ministry Team has traditionally invited other persons to join it in the search for a Stated Clerk or Treasurer, this amendment would allow the Coordinating Cabinet to select a committee designed specifically for each search with the diversity, knowledge, and perspective required at the time the search is being conducted.

3. Approve the terms of call for called staff in Paper G-1.
4. Approve the Treasurer’s job description in Paper G-1.
5. Approve the Stated Clerk’s job description in Paper G-1.

The following motions come to Presbytery from committees and teams after consultation with Cabinet:

1. From Social Justice: approve the Ranney-Balch grant distribution (Paper G-4)
2. From Planning and Visioning: approve the following extra commitment opportunities (ECOs):
3. From Planning and Visioning: The line item Presbytery Response Team (PRT) under Committee on Ministry be moved to be a separate stand-alone budget item. The line item is in the amount of \$1,000.00. The rationale is that the PRT reports directly to Presbytery and some of its responsibilities take it outside of those of COM.

The Coordinating Cabinet reports the following for the information of Presbytery:

1. Cabinet determined to hold a separate meeting on February 20, 2023 to consider communications received from the Anti-Racism Team, the Associate Executive Presbyter, Multicultural Ministries, and the communication sent out by the Moderator and Vice Moderator, along with any other letters received relating to staff matters and racism concerns.
2. Cabinet referred a Bylaws motion regarding changing the Bylaws to eliminate a requirement of an Executive Presbyter back to Bylaws for further review.
3. Cabinet met with members of the Synod Administrative Commission and shared concerns with the AC.

## Report from the Operations Ministry Team

Your Operations Team met twice in January and once in February prior to this report.

- We got to know each other, discussed the importance of the team being a safe space for all discussion, the confidential nature of some human resource issues, and that the goal is to only bring recommendations to Presbytery that the entire team supports.
- We discussed the current Terms of Call for the Associate Executive Presbyter and Stated Clerk as they exist pursuant to the budget approved by the Presbytery in November 2022 and brought those to Coordinating Cabinet for approval by the Presbytery at the February 2023 meeting.
- We discussed the current job descriptions for Treasurer and Stated Clerk, and how to proceed with the search.
- We discussed the suggestion from the AC that they provide candidates for temporary stated clerk so that the job description can be evaluated and modified.
- We discussed the motion from the floor of Presbytery regarding paying bonuses to the AEP, Office Manager and Business Manager.
- We discussed a request from a staff member for additional back pay to be provided for 2022 due to extra work caused by the vacancy at the Executive Presbyter position.

### **Stated Clerk and Treasurer Positions:**

The Presbytery of Detroit is made up of different types of staff members. In our current structure, The Executive Presbyter, the Associate Executive Presbyter, and the Stated Clerk are called and installed positions.

The Stated Clerk is distinguished from other called and installed positions, however, in that per the Book of Order, they are elected for a three-year period. Our current clerk, Marianne Grano, was elected in March 2020 and her current term ends on March 31, 2020. Marianne has indicated that she will not be running for another term. We are thankful for Marianne's dedicated service to the Presbytery of Detroit and wish her the best as she moves forward in her career. We look forward to celebrating Marianne's tenure as Stated Clerk soon.

Operations, Strategic Planning, and Marianne have had conversation about the current job description for Stated Clerk, which is currently a half-time job. It has become clear that the duties set forth in the job description cannot be accomplished in a 20-hour work week. In addition, there continues to be a Synod Administrative Commission looking into the function of the Presbytery. The Administrative Commission has recommended that the Synod provide candidates for a temporary Stated Clerk to the Operations Committee to speak with and present to the Presbytery. This would be a contract position for a specific period which would allow for the current Stated Clerk job description to be reevaluated, rewritten, and voted on by the Presbytery before we conduct the search to find a called Stated Clerk. As a contract position, it would be presented to coordinating cabinet and Presbytery, but the candidate would not be elected to the position.

Another position on presbytery staff that is elected is the Treasurer. This position is also elected for a three-year term and us up for reelection. This is a volunteer position. The job description will not change for this position, and a candidate will be presented to Presbytery for election. The current Treasurer, Mike Gaubatz, has graciously agreed to continue serving the Presbytery until the search is complete, and a candidate is elected to the position. We are very grateful for his service.

## 2023 TERMS OF CALL

### Terms of Call:

The Terms of Call based on the approved 2023 budget are as follows:

### Associate Executive Presbyter

<b>Effective Salary:</b>	<b>\$ 69,583.00*</b>	Includes housing allowance and cash salary
	\$ 30,000.00	Housing
	\$ 39,583.00	Salary

- *This includes the 6% increase voted on at the November 2022 Presbytery Meeting*

### Non-Salary Benefits:

SECA/FICA:	\$ 5,322.00
Medical Insurance (29%):	\$ 20,173.00
Pension (8.5%):	\$ 5,913.00
Death & Disability (1.5%):	\$ 1,043.00
Medical Reimbursement:	\$ 2,660.00
Travel Reimbursement:	\$ 5,000.00
Professional Expenses:	\$ 4,000.00
Continuing Education:	\$ 3,000.00

**Total Benefits (Non- Salary) Expense** **\$ 47,111.00**

**TOTAL COMPENSATION: \$ 116,674.00**

### Stated Clerk

<b>Effective Salary:</b>	<b>\$ 36,841.00**</b>	Includes housing allowance and cash salary
	\$ 36,841.00	Housing

25 hours per week

*\*\* This is the same rate of pay as for 2022*



Non-Salary Benefits:

SECA / FICA:	\$ 2,818.00
Medical Insurance (29%):	\$ 11,000.00
Pension (8.5%):	\$ 3,131.00
Death & Disability (1.5%):	\$ 553.00
Medical Reimbursement:	\$ 518.00
Travel Reimbursement:	\$ 1,400.00
Professional Expenses:	\$ 1,400.00
Continuing Education:	\$ 1,000.00

**Total Benefits (Non-Salary) Expenses: \$ 21,820.00**

**TOTAL COMPENSATION: \$58,661.00**

**We Recommend that the Terms of Call be approved by Presbytery.**

**Motion from the floor of Presbytery to pay a bonus of \$5,000 to AEP Charon Barconey, \$2,000 to Office Manager Tanya Kudla, and \$2,000 to Business Manager Sarah Leight:**

After discussion and debate we find:

- That this motion does not take into account any additional work by Stated Clerk Marianne Grano or Hunger Coordinator Unah Ngare.
- We recommend no bonus be paid to the Office Manager and Business Manager as their hours were increased to account for additional work.
- That the cost of giving a \$5,000 bonus to a called position is not \$5,000, but \$7,332.
- We Recommend that a bonus of \$8,000 be paid to AEP Charon Barconey with thanks for the additional work she has taken on since the departure of the AP and then the TGP. The cost to the Presbytery of this bonus is \$11,732
- Funding for this bonus will come from the line item set aside for the TGP/EP/Head of Staff pending approval from Planning & Visioning.
- This was considered a compromise between the recommended bonus suggested by Presbytery and the request for back pay.

**We recommended that no bonus be paid to Office Manager Tanya Kudla and Business Manager Sarah Leight, and that an \$8,000. Bonus be paid to AEP Charon Barconey. This was rejected by coordinating cabinet, and we were instructed to negotiate with Charon Barconey.**

**Request from Staff member regarding back pay:**

- We received a written request for \$16,250 in back pay for 2022.
- We requested an opportunity to ask questions.
- We received a written rationale.
- We discussed the initial request and written rationale and determined more information and discussion with the staff member was necessary to make an informed decision.
- We discussed the request with the staff member.

- We recommend that no additional compensation for the 2022 fiscal year be paid, but instead a bonus be paid in recognition of additional work done in the absence of and EP or TGP.

Respectfully Submitted,

Suzanne Lewand, Chair of Operations

Operations Team Members:

Rev. Patricia Jacobs, Kevin Smith, Rev. Kevin Johnson, Dennis Delezinne

**PRESBYTERY OF DETROIT**  
17575 Hubbell, Detroit, MI 48235

**POSITION DESCRIPTION**

**TITLE:** Treasurer

**Purpose:** To serve as Treasurer of the Corporation and provide oversight and review of the financial condition of the Presbytery. This position is roughly 4-8 hours per week.

**Accountability:** The Treasurer is accountable to the Presbytery in consultation with the General Presbyter\*, Trustees and the Presbytery Operations Team to ensure appropriate reporting of the financial condition of the Presbytery. An annual review is performed by Operations. The Treasurer shall be an ex-officio member of the Coordinating Cabinet.

*\*Currently, there is no General Presbyter in place, and the future structure of the Presbytery is being discussed, so accountability will be with the Trustees and Operations Ministry Team (1.24.23)*

**Responsibilities:** In consultation with the General Presbyter and Accounting Manager, coordinate the disbursement of all funds. Additionally,

1. Serve as Treasurer to the Corporation, Presbytery of Detroit, Inc.
2. Attend Presbytery meetings.
3. Review all request for cash disbursements and serve a signer for check disbursements.
4. Attend Trustee meetings and serve as a member of Trustee committees as assigned by Trustees.
5. Review of all accounting.
6. Report on the following to:

**Presbytery**

a. Provide standardized financial reports reflecting comparison data including YTD to previous years' income/revenue. Explain large variances.

Other financial reports as warranted by change.

b. Report on investment income to budget as needed

c. Report on the audit of the Presbytery of Detroit on an annual basis and move its adoption by the Presbytery.

- d. Educate congregations on Book of Order financial/accounting requirements.
- e. Educate congregations on accounting standards and requirements (GAAP) as they change as they pertain to their financial statements and review requirements (in consultation with external auditor).

#### **Trustees**

- a. Report on Fund 100 income/revenue YTD. Comparison YTD to previous YTD. Explain large variances.
- b. Report on POD consolidated balance sheet on a quarterly basis. Explain large variances.
- c. Report on Committee/Work Group expense variances to budget.
- d. Serve ex-officio on the Investment and Audit workgroups.
- e. Assist Trustee President on New Trustee training.
- f. Notify Trustees on changes in accounting standards and requirements (GAAP) as they pertain to financial statements and audit requirements (in consultation with external auditor).

**Term and Election:** The Treasurer is elected by Presbytery for a three-year term upon the nomination of the Operations Committee. There is no limit to the number of consecutive terms the Treasurer may serve if re-elected.

**Remuneration:** The Treasurer position is volunteer.

## **PRESBYTERY OF DETROIT POSITION DESCRIPTION**

**TITLE:** Stated Clerk

**PURPOSE:**

The Stated Clerk shall provide service to the Presbytery in accordance with the Book of Order responsibilities for that office.

**ACCOUNTABILITY:**

The Stated Clerk is accountable to the Presbytery for his/her interpretation of the constitution and rulings. The Stated Clerk is accountable to the Presbytery through the Executive Presbyter\* and Operations Ministry Team for the timely performance of his/her duties.

*\*At this time, there is no Executive Presbyter in place, so accountability will be through the Operations Ministry Team (1.24.23)*

**RESPONSIBILITIES:**

The responsibilities include but are not limited to the following:

1. Those defined by the Book of Order and by the actions of Presbytery.
2. Serve as recorder for the meetings of the Coordinating Cabinet, Trustees, and other committees as requested. This includes preparation of Presbytery assembly dockets, mailings, and all meeting arrangements (location, on-site arrangements, delivery of materials, etc.).
3. Interpret or cause to have interpreted points of Ecclesiastical Law as requested by members, committees, sessions and churches of Presbytery.
4. Maintain all official records, minutes and rolls of the Presbytery as required by the Book of Order.
5. Prepare and submit all official communications to the media and reports of the Presbytery to the Synod of the Covenant and the General Assembly. Relate to the appropriate unit(s) of the Synod of the Covenant and of General Assembly in the fulfillment of his/her work.
6. Serve as staff resource for the reading of Session minutes and the Permanent Judicial Commission.

**RELATIONSHIPS:**

The Stated Clerk shall work in a team relationship with all other members of Presbytery staff. With respect to timely performance of responsibilities, the Executive Presbyter \*\* is the supervisor of the work of the Stated Clerk.

*\*\*At this time, there is no Executive Presbyter in place, and the future structure of the Presbytery is being discussed. The Operations Ministry Team will serve to monitor timely performance of duties.(1.24.23)*

**EVALUATION:**

There is an ongoing performance review and evaluation conducted by the Executive Presbyter\*\*\*, approved by Operations Ministry Team and reported to Coordinating Cabinet. An annual compensation review will be conducted and any recommended changes reported to Coordinating Cabinet.

*\*\*\* At this time, there is no Executive Presbyter in place, and the future structure of the Presbytery is being discussed. The Operations Ministry Team will conduct performance reviews which shall be reported to Coordinating Cabinet. (1.24.23)*

**TERM:**

The Stated Clerk is elected by the Presbytery for a three year term.

August 18, 2003    April 8, 2013

# Ministry Spotlight at the Presbytery of Detroit

Let the Mission Interpretation Ministry Team know what you are doing! We want to support and help you advertise!! Submissions will be considered for a spotlight on the Presbytery Calendar and Website.

\* Required

1. Title of the event: \*

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2. Date of Event \*

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*Example: January 7, 2019*

3. Church or Organization Sponsoring Event \*

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4. Description of Event (200 Words Max)

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5. Is the a yearly, regular, or ongoing event? \*

*Mark only one oval.*

Yes

No

6. If this event has happened for more than one year, how long has this event happened?

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7. If this is a regular or ongoing event, please describe.

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8. Contact Person Name \*

---

9. Contact Email \*

---

10. Contact Phone Number \*

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11. Website, signup, or ticket URL \*

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12. Are you interested in writing an article for the Presbytery of Detroit about this event -- its history, the inspiration for it, its impact on the community, or the impact on the congregation -- to be posted on the POD website and social media?

*Mark only one oval.*

Yes

No

Maybe

13. Photo or Graphic

Files submitted:

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Google Forms

## 2023 Ranney Balch Grant Recommendations

The Ranney-Balch Fund, on behalf of the Ranney Balch Grant Team under the Social Justice Ministry Team, move the following distributions for approval by Social Justice Ministry Team. The recommendation is in process to be approved by the Trustees and Planning and Visioning Ministry Team. The motion to distribute funds is set to be on the February Presbytery docket.

We received thirteen grant applications and had \$57,777 distribute. After prayerful deliberation and utilization of application rubrics previously established, we recommend the following distribution of Ranney-Balch funds:

The Recommendations are as follows:

Broadstreet Presbyterian Church - Detroit	\$5,000
Crossroads Presbyterian Church – Commerce Twp	\$1,500
Faith Community Presbyterian Church – Novi	\$2,500
Grosse Pointe Woods Presbyterian Church	\$5,888
Jefferson Avenue Presbyterian Church – Detroit	\$5,000
Park United Presbyterian Church – Highland Park	\$5,000
First Presbyterian Church – Pontiac	\$10,000
St. John’s Presbyterian Church – Detroit	\$5,000
Starr Presbyterian Church – Royal Oak (Welcome Inn/Home)	\$5,000
Village of Warren Glen – Warren	\$5,000
Westminster Church of Detroit	\$5,889
White Lake Presbyterian Church – White Lake	<u>\$2,000</u>
<b>Total to be Disbursed</b>	<b>\$57,777</b>

The Social Justice Ministry Team was encouraged by the numerous very worthy ministries that applied for funds. Thank you for this opportunity to be of service to the Presbytery and to the Kingdom.

### The 2023 Ranney Balch Grant Proposed Awardees are as follows:

**Broadstreet – Detroit: Community Transformation Taskforce** provide activities and projects that address spiritual, mental and physical health of a worshipping community that extends to the surrounding urban residential community. These funds will be used to continue two important programs at Broadstreet: the Urban Garden and their Toiletry Pantry. These initiative along with their Music Ministry and the New Family Night Out program are designed to encourage healthy interactions for inter-generational families in the community.

**Crossroads – Crossroads Club (Commerce Twp.):** ‘Crossroads Club’ is designed for young adults aged 18-26 and/or older individuals with special needs (autism spectrum disorder or other

mental, physical, and emotional challenges) who are in or are recent alumni of Walled Lake Schools' Adult Transitions Program or other similar school programs. The purpose of this ministry is to provide a monthly opportunity during the school year of social and emotional growth by offering the young adults hands-on activities and fellowship opportunities while providing their parent/guardian caregiver an afternoon of needed respite. Parent Forums are held periodically on topics of interest to parents/guardians, with presenters addressing financial concerns, estate planning, life skills, therapeutic or community resources.

**Faith Community – Hunger and Outreach Ministries (Novi):** As a part of the original church charter of Faith Community, 20% of the church's income goes to mission funding. Sometimes this is very difficult. To continue the strong mission focus of Faith Community Church, these funds will help Faith continue their physical, monetary and hands-on support with Novi Emergency Food Pantry, Fort Street Open Door, Bethel AME Food Pantry (Detroit), Crossroads of MI Soup Kitchen (Detroit), Faith Communities Coalition on Foster Care, and the Novi Public Schools Elementary Weekend Meal Program.

**Grosse Pointe Woods – Project Empower:** Project Empower is designed for middle and high school students. It's purpose is to give students the necessary resources and information to lead their community and to succeed in society. It covers different topics such as creating communication, professionalism, civic engagement, financial literacy and college preparation. Project Empower also brings in successful motivational speakers who have similar backgrounds and experiences to provide insight on their failures and triumphs. The main goal of this program is to create youth leaders who can motivate their peers and leads them by example, making them stronger and more effective.

**Jefferson Ave. – Tutoring Tree Enrichment Program (Detroit):** Jefferson Avenue seeks to restart the Tutoring Tree Enrichment Program. Since 1985 and until the Pandemic, Tutoring Tree offered an enrichment session every week in the arts and physical education to help fill the gap created by cuts and eliminations of programs in the schools. These grant dollars will cover enrichment programs, one week of Creative Arts Camp and family events.

**Park United – Food Pantry and Outreach Program (Highland Park):** The Park United Outreach Center has continued to meet the community's needs as they have evolved through the pandemic. These funds will be used for the food pantry and to provide a summer camp program for inner-city children.

**Pontiac-First Emergency Food Pantry:** The Emergency Food Pantry, located at First Presbyterian Church-Pontiac provides access to a variety of non-perishable food items, limited fresh produce, baked goods, and dairy, and personal hygiene products on the 3<sup>rd</sup> Wednesday of each month. The Pantry is currently service about 175 food insecure families and 60 other food insecure individuals each time it is open. The Pantry was open weekly from 2020-2022 but has transitioned to monthly operation in 2023. The Pantry served about twice the number of folks on February 15, 2023, compared to the average of the four times open in February 2022.

**St. John's Garden/Community Space (Detroit):** The purpose of the Garden/Community Space at St. John's Presbyterian Church is to provide a freely available setting within the Elmwood Park

Neighborhood of Detroit where residents can boldly gather to identify, plan, and implement solutions to the detrimental effect of the lack of access to nutritious food has on health, welfare, and spiritual wellbeing of residents of this impoverished, urban community. In fellowship, neighbors will: 1) strategize plans for the use of the garden space at St. John's; 2) learn to plant crops according to season and ecosystem; 3) contribute to an overall healthy diet through the consumption of fresh fruits and vegetables which they have grown; 4) attend educational sessions on nutrition and health fairs to combat the onset of chronic disease and ameliorate its debilitating effects; 5) participate in outdoor activities aimed at achieving daily exercise recommendations; 6) develop good stewardship of God's creation and value for the earth; and 7) enhance trust in the faith community, believing in God as an agent of positive change.

**Starr – Welcome Inn/ Welcome Home (Royal Oak):** The integration of the existing Welcome Inn program with the new Welcome Home program is in part the result of Starr Presbyterian Church's desire to take tangible steps in eliminating/reducing homelessness in Oakland County by going above and beyond the current essential practice of providing emergency shelter in the winter months. This was a requirement that Starr insisted upon when it re-engaged with South Oakland Citizens for the Homeless (SOCH) in 2019, bringing the Welcome Inn winter day shelter back into Starr. The partnership between Starr and SOCH is strategic in that it will ensure maximum access to available funding sources as these programs continue to develop. This partnership also ensures ongoing access to a physical facility that is open to adaptive use for this purpose. SOCH will retain operational responsibility for both programs. This funding will support some of the incremental steps needed on a journey to make Starr a "Center of Community" in supporting assistance to the homeless in South Oakland County.

**Village of Warren Glen – Inclusive Intergenerational Program (Warren):** These funds will support intergenerational activities among older adults with very low incomes and young adults with disabilities from the Warren Consolidated School District. These dollars will provide the necessary resources needed to host monthly activities older adults and young adults can do together, such as painting, photography and cooking. The monthly activities make up the Inclusive Integrational program started by the First Presbyterian Church of Warren. This program provides a safe and welcoming place all participants to learn and grow together. They will share a meal, participate in an activity, and fellowship with one another, creating lasting friendships.

**Westminster – Camperships (Detroit):** Westminster Church has the unique capacity to provide faith formation opportunities within the church building and at their outdoor ministry location, Camp Westminster. This grant will help fund a transformative week of outdoor ministry to be accessible to low-income children and youth from the local Detroit community. Our partnerships help to make this week away a trusted activity for local children and youth.

**White Lake – Food for Friends Food Pantry (White Lake):** Food for Friends is a food pantry in White Lake Presbyterian Church, serving the local area. This pantry is open to residents in need of supplemental food. It serves the communities of White Lake, Highland, Commerce and Wixom. In the communities that are served, an average of 4.4% of the population live under the poverty line. They exist unseen among their more well-off neighbors. They often are not even recognized as being in need. While their urban neighbors are first in mind when potential donors think of who to support in their poverty and hunger, those being served by this food pantry have needs

that often go unknown and unmet. These are the silent victims of poverty Food for Friends hope to help.

## February 2023 New Church Development Report

At its January 4, 2023 meeting the New Church Development Committee voted to rescind existing outdated and inaccurate language under Items NCD-1 and NCD-2 from the current policy/procedure manual.

Wanda Moon, Co-Moderator, NCD

The full text to be rescinded is:

### ~~NEW CHURCH DEVELOPMENT~~

#### ~~NCD-1. GUIDELINES FOR DISSOLUTION OF A CHURCH~~

For use by: ~~—The Administrative Commission  
Presbytery Committees, Teams, Cabinets and Trustees  
Local Church Session and Trustees  
The Congregation of a local church~~

~~*Just as the presbytery has the authority to dissolve churches or to dismiss churches to another denomination. (G-11.0103i). Just as the presbytery consults with members at the time of organizing, merging, and forming a federated or a union church, such a consultation takes place at the time of dissolution or dismissal. (G-15.0203a,b; G-16.0201w; G-16.0401q)*~~

~~*In the Presbyterian Church (U.S.A.), property is held in trust by the particular church on behalf of the denomination. When a particular church is dissolved, the real and personal property is held, used, or transferred as directed by the presbytery. (G-8.0401)*~~

~~*Just as the compelling question at the time of organizing a church is, “How can Christ’s mission be carried out most effectively?”, the same question is asked at the time of dissolution. Again, it is appropriate for the presbytery to celebrate the mission carried out by that church and the people whose lives were positively enriched during its years of service.*~~

~~The Companion to the Constitution, 1999, p.33~~

~~There shall be a meeting of the Session and Trustees of the church with the Presbytery Church Strategy Committee and Trustees prior to any action for dissolution of the church, in order to go over this policy. (Significant parts of this policy are taken from the section on Dissolution of a Particular Church from the old publication “Presbyterian Law for Presbytery and Synod”, Chapter V, Paragraph 10, page 73-74.)~~

- ~~1. —The power to dissolve a particular church is specified among the powers listed in Form of Government, (G-11.0103i). The two constitutional provisions cited below, provide for~~

~~such dissolved and extinct churches.~~

- ~~a. — Grounds for the dissolution. These grounds are intimated in the following clause in the Constitution: the church has become “extinct by reason of the dispersal of its members, the abandonment of its work, or other cause.” G-8.0401~~
- ~~b. — Such information may be brought to the attention of presbytery in any one of various ways: (1) by report of a member or members of the session (or former session); (2) by petition of some of those whose names are on the roll of the particular church; (3) by report of the committee on session records that (a) no records have been presented by the church, or (b) such records as are presented indicate that the church is not functioning properly; (4) by report of the committee on ministerial relations that the church has abandoned its work as an organized group; (5) by report of the committee on strategy or some other committee that, in the opinion of the committee, a church should be dissolved. In whatever form the information or request may come to presbytery, the general council or special administrative commission should be directed to make inquiry into all the circumstances and recommend reorganization or dissolution. If dissolution is decided, two matters of constitutional duty are prescribed. (See Dig., pp. A380 if.)~~
- ~~c. — Records and members. When a church is dissolved, the presbytery of jurisdiction shall take possession of its records, have jurisdiction over its members, and grant them~~

~~certificates of transfer to other churches. G-10.0302b.(2). Care should be taken concerning members removed from the bounds of the dissolved church and those resident members who may have become inactive. The presbytery shall a/so determine any ease-of discipline begun by the session and not concluded. (D-10.0105.) Discipline here has the broad meaning of the term, making it the duty of presbytery to attempt to transfer all members of the dissolved church who can be located. Such responsibility should be placed upon the stated clerk in consultation with the general council or upon a special commission or committee appointed for the purpose, and reporting to presbytery upon completion of the task, ordinarily within two years of the dissolution of the church.~~

- ~~d. Real and personal property. "Whenever a particular church is formally dissolved by the presbytery, or has become extinct by reason of the dispersal of its members, the abandonment of its work, or other cause, such property as it may have shall be held, used, and applied for such uses, purposes, and trusts as the presbytery may direct, limit, and appoint, or such property may be sold or disposed of as the presbytery may direct, in conformity with the Constitution of the Presbyterian Church (U.S.A.)." G-8.0401. This provision of the Constitution needs little elaboration. The corporation of presbytery, whatever its form may be, should carry out the instructions of the presbytery. If the property or properties are sold, the proceeds of such sale should be treated as capital assets: held by the presbytery to be used for rotary loans to particular churches for property improvement or church building aid; or reserved as endowment funds, the income from which may be used as grants to struggling churches, mission work, etc., as the presbytery may direct. The assets of church organizations, as well as the corporate holdings of the particular church, are included in the responsibilities of the presbytery. The corporation of the particular church should be terminated to complete the action of dissolution.~~
- 2) ~~Procedure on dissolution. It is important that presbytery follow a procedure that is deliberate and fair. This involves fulfilling three conditions. These are, investigation of the facts, an opportunity of the church or its representatives to be heard, and a fair and open hearing by the presbytery. In fulfilling these conditions, five steps are suggested:~~
- ~~a) Preliminary investigation of the facts by the presbytery or a committee or commission of the presbytery appointed for the purpose.~~
  - ~~b) Report to the presbytery on the investigation, if done by a committee or commission, with a recommendation as to whether or not the presbytery should consider the possible dissolution of the church.~~
  - ~~c) If on hearing the report the presbytery decides to consider the possibility of or advisability of dissolution of the church, then notice of the time and place that presbytery will conduct a hearing should be given to all parties in interest to allow them an opportunity to be heard before the presbytery. It would seem that such notice, as to the church, could be given to the clerk of session and the pastor, if any. The time and place of the hearing should be reasonably convenient to the interested church and the presbytery. The notice should contain a statement that the church and interested persons shall appear at the time and place stated and show cause, if any they have, why the presbytery should not dissolve the church.~~
  - ~~d) Presbytery should hold a hearing at the time and place given in the notice and, with an open mind, consider all the evidence, testimony, and arguments pro and con.~~
  - ~~e) At the end of the hearing, presbytery should take such action, as it deems proper. If the~~



presbytery decides to dissolve the church, it should include in its order (a) that all property of the church be turned over, transferred and conveyed to the trustees of the presbytery pursuant to the provisions of “Whenever a particular church is formally dissolved by the presbytery, or has become extinct by reason of the dispersal of its members, the abandonment of its work, or other cause, such property as it may have shall be held, used, and applied for such uses, purposes, and trusts as the presbytery may direct, limit, and appoint, or such property may be sold or disposed of as the presbytery may direct, in conformity with the Constitution of the Presbyterian Church (U.S.A.)” G-8.0401 of the Form of Government; (b) authorize and direct the moderator or the stated clerk of the presbytery or both, to take any civil action necessary to effectuate the order of the presbytery; (c) declare that the church has become extinct; (d) provide for the preservation of the records of the church, and the care of and dismissal of the church members to some other church; and (e) provide for such other matters that may be involved in the dissolution of the church.

It should be remembered that the order or judgment of the presbytery does not *ipso facto* transfer legal title in property to the trustees of the presbytery. It may be necessary to have the legal title to property transferred by one of two methods: First, by proper officials of the church corporation voluntarily conveying the legal title in property to the trustees of the presbytery; or, second, by legal procedure in which (a) the church corporation is dissolved according to state law and, in the process, the property is ordered to be transferred to the trustees of the presbytery, or (b) the church corporation is ordered in a civil action to transfer the property as directed by the presbytery. In any case, where the legal title is not voluntarily transferred to the presbytery, the laws of the state must be consulted on procedure.

- f) — After the congregation votes to dissolve, another meeting shall be held with the Session, Trustees and the Administrative Commission appointed by the Presbytery over the church, to go over these guidelines carefully so that all know and understand the process and the options and limitations open to the church. At this meeting the following shall be clarified:
  - i) — There shall be a clear understanding of what “title to Presbytery means”, (Session and Trustees are stewards and Presbytery holds residual title.)
  - ii) — An account of investments, property and any limitations on use shall be given to the Administrative Commission.
  - iii) — A current list of church members, their addresses and phone numbers shall be given to the Administrative Commission; any changes made in the list shall be conveyed to the Administrative Commission.
  - iv) — A copy of the budget, which was approved by the session for church’s current year and covering the period to the final dissolution, shall be placed in the hands of the Administrative Commission. An understanding shall be reached that no funds beyond the line items in the budget can be expended without permission of the Administrative Commission.
- g) — Pastors whose churches are within the parish area of particular members of the church being dissolved, shall be asked to call on these members prior to the date of dissolution to invite them to their churches so the members can have a ministry and an opportunity to continue their ministry within the Presbytery. Special concern shall be given to persons in nursing facilities and shut ins, and any member of the dissolved church shall be invited

- to join at least one Presbyterian Church regardless of residence address. This shall be coordinated by the Moderator of the dissolving church.
- h) ~~A copy of any history of the church shall be obtained (or duplicated) to place in the archives of the Presbytery.~~
  - i) ~~Wherever possible, the will of the members of the church shall be considered in the disposal of any memorials, remembering paragraph #1, page #1. All items to be removed from the church shall be removed before listing for sale with a real estate broker.~~
  - j) ~~At least one active elder from the church shall be a member of the Administrative Commission to dissolve the church.~~
  - k) ~~During a meeting of the Presbytery, there shall be a celebration of witness of the church, coordinated and scheduled by the New Church Development/Redevelopment Team, the Administrative Commission and the Planning and Visioning Team through Coordinating Cabinet. If the church so desires, the last worship service in the church shall be a celebration of its witness, with the Presbytery assisting in any way it can as invited by the Session.~~
  - l) ~~Any action relative to funds or property on the part of the church shall be properly moved, seconded and approved by the majority of the Session or Trustees (as the situation would require), and supported by the Administrative Commission. The Administrative Commission shall be most considerate in conveying to the Presbytery any desires by the Session and/or Trustees (Congregation or Corporation) pertaining to the use or disposal of any of the funds or property of the church.~~
  - m) ~~The Administrative Commission of the Presbytery shall empower to intervene, and if necessary replace the Session when properties and /or funds are being disposed of without the approval of the Presbytery or its duly authorized Commission—the Administrative commission appointed for that church. The Administrative commission shall have authority to seek restitution for any property improperly disposed of, if necessary.~~
  - n) ~~The Presbytery shall receive all books of the trustee and all Session Records (Minutes and Registers), all cancelled checks and paid bills, with a list of any outstanding obligations, and all bankbooks, checkbooks or other financial records after all bills of the church have been paid and all pledges are fulfilled. In addition, the Presbytery shall receive the following:~~
    - ~~Insurance Policies;~~
    - ~~Titles, deeds, abstracts of all property;~~
    - ~~Government reports if any;~~
    - ~~Employee records;~~
    - ~~Statements of position regarding outstanding obligations, with full disclosure;~~
    - ~~Notice of any suits pending, or claims likely to result from suit;~~
    - ~~Authority to list property for sale and show property before final dissolution;~~
    - ~~Authority of the Administrative Commission to countermand budget if not proper (viz. self-serving, such as a bonus to the minister);~~
    - ~~Adequate notice of intention to dissolve.~~
  - o) ~~Listing of property for sale shall be by the Trustees, subject to approval by the New Church Development/Redevelopment Team and Presbytery. Sale of property by the Trustees shall be subject to approval by Presbytery.~~
  - p) ~~Net proceeds of sale of building and land shall be added to the New Church~~

~~Development/Redevelopment Fund of Presbytery after payment of all expenses and carrying charges, as well as commissions incurred from time of dissolution to sale. The Trustees shall oversee the investments of these funds. The New Church Development/Redevelopment Team shall designate dispersal of the funds, with approval of Presbytery.~~

- q) ~~Any other assets, of a local church, at the time of dissolution, shall become the property of the Presbytery of Detroit and, except as otherwise designated, shall be added to the Unrestricted Endowment Fund of Presbytery.~~
- r) ~~Every effort shall be exercised to complete disposal of property at the time of the final service of local congregation.~~

## **~~NCD-2. POLICY FOR NEW CHURCH DEVELOPMENTS~~**

### **~~New Church Development Vision and Strategic Plan~~**

~~Presbytery of Detroit~~

~~December 2007~~

~~Prepared by~~

~~Philip J. Reed, Brenda Jarvis, Mickey Blair~~

#### **~~Our Call~~**

~~We believe God is calling the Presbytery of Detroit to grow in faith, membership, and impact.~~

- ~~• We believe God is calling our Presbytery to grow in faith by presenting us with a significant challenge—to reverse the current downward trends of membership loss and re-establish the PCUSA as a vibrant missionary body sharing the good news of Jesus Christ in word and deed.~~
- ~~• We believe God is calling our Presbytery to grow in membership by reaching more and more people currently not connected to a Presbyterian church and inviting them to faith in Jesus Christ and service in his name.~~
- ~~• We believe God is calling our Presbytery to grow in impact as we re-position ourselves as a moral and visionary leader in shaping our community and culture as “the salt of the earth” and “the light of the world.” These are tough economic times within our Presbytery. Unemployment, declining real estate values, corporate downsizing, increasing foreclosure all add up to poor economy. With it comes despair and hopelessness. Because of our faith in God, however, we believe in the people of Detroit and Southeast Michigan. We believe God is calling us to encourage the spiritual revitalization in this area.~~

~~In order to fulfill God's call, we envision launching 4 new Presbyterian congregations within the bounds of the Presbytery of Detroit in the next 36 months.~~

- ~~1. **Detroit Downtown (Woodward Corridor)**~~
- ~~2. **Dexter/Chelsea**~~
- ~~3. **Hartland**~~
- ~~4. **Oxford**~~

#### **This plan is unique**

~~**This plan is unique is that we are proposing a unified effort of the entire to launch these congregations. Most Presbyterian New Church Developments are isolated efforts that do not take full advantage of all Presbytery resources and they suffer because of it. We propose are intentional and**~~

~~consorted effort of the Presbytery, giving all Pastors and congregations opportunity to invest in and rally behind this major project. In addition, there are major economies as we pull resources together.~~

- ~~• We envision one general fund to launch all 4 new church developments.~~
- ~~• We envision sharing of support staff and other administrative functions for a time.~~
- ~~• We envision a common fund raising effort from a variety of sources.~~
- ~~• And we envision a coming together within our Presbytery that will generate excitement, enthusiasm and commitment.~~

### Typical Reactions to the Proposal of New Church Development

(Please see Tim Keller's article in Appendix A.)

~~1. We already have plenty of Presbyterian congregations and other mainline churches that have lots and lots of room for all the new people who have come to the area. Let's get them filled before we go off starting new ones.~~

Response: This concern assumes that existing congregations reach new people as well as new congregations. This is not typically the case.<sup>1</sup> But to reach new generations and people groups will require *both* renewed older churches and lots of new churches.

~~2. Every church in this community used to be more full than it is now. A new church here will just take people from churches already hurting and weaken everyone.~~

Response: This concern assumes that new church developments will only reach current active churchgoers or will only tap into the market of existing congregations. But new churches do far better at reaching those who are not currently connected to any church, especially younger adults.<sup>2</sup>

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<sup>1</sup>Tim Keller, Why Plant Churches; "Dozens of denominational studies have confirmed that the average new church gains most of its new members (60-80%) from the ranks of people who are not attending any worshipping body, while churches over 10-15 years of age gain 80-90% of new members by transfer from other congregations. This means that the average new congregation will bring 6-8 times more new people into the life of the Body of Christ than an older congregation of the same size.

So though established congregations provide many things that newer churches often cannot, older churches in general will never be able to match the effectiveness of new bodies in new reaching people. Why would this be? As a congregation ages, powerful internal institutional pressures lead it to allocate most of its resources and energy toward the concerns of its members and constituents, rather than toward those outside its walls. This is natural and to a great degree desirable. Older congregations therefore have a stability and steadiness that many people thrive on and need.

However, new congregations, in general, are forced to focus on the needs of its non-members, simply in order to get off the ground. So many of its leaders have come very recently from the ranks of the un-churched, that the congregation is far more sensitive to the concerns of the non-believer. Thus a congregation filled with people fresh from the ranks of the un-churched will have the power to invite and attract many more non-believers into the events and life of the church than will the members of the typical established body."

<sup>2</sup>Ibid. Younger adults have always been disproportionately found in newer congregations. Long established congregations develop traditions (such as time of worship, length of service, emotional responsiveness, sermon topics, leadership style, emotional atmosphere, and thousands of other tiny customs and mores), which reflect the sensibilities of long-time leaders from the older generations who have the influence and money to control the church life

3. ~~Let's help churches that are struggling first. A new church doesn't help the ones we have that are just keeping their nose above water. We need better churches, not more churches.~~

~~Response: This concern assumes that new church development will discourage existing congregations. There may be some prospect that this might happen, but it is not necessarily so. It is very difficult to turnaround a congregation that is in decline. It is not correct to assume that a declining congregation will be able to reach new people as and new people groups as they move into the area. New church development may revitalize existing congregations by becoming the Research and Development for the Presbytery, testing new ideas for communication, new models for discipleship, new way to reach out and make them available to the entire Presbytery.~~

4. ~~Been there, done that in this Presbytery. We tried new church development four times in the past ten years in this Presbytery and it has not worked well, plus we had some spectacular failures. All that money and time wasted.~~

~~Response: No, not wasted because we learned extremely valuable lessons. We learned what does not work. We learned that what does not work is an isolated, unsupported effort of the Presbytery. We learned that what does not work in pastoral leadership that has not been assessed specifically for New Church Development. We learned that what does not work is poor communication and a general lack of awareness in Presbytery of what is happening in New Church Developments. We failed because we had the wrong leadership in place and we did not support the effort of the people gathered. But just because we failed, it does not mean we should give up on New Church Development within the Presbytery of Detroit! Let's not waste what we've learned the hard way.~~

### Time to Act!

**Let us redefine the Presbytery of Detroit's understanding of successful New Church Development success. We define failure as doing nothing and success as trying new models with renewed energy for New Church Development. We realize that all our New Church Developments may not develop into large thriving congregations. But we know we won't have any new congregations unless we try**

### The Plan

3 primary target areas within 24 months, an additional 1 within 36 months, and 3 more for the next 72 months.

Within 24 months:

Downtown Detroit—Woodward Corridor

Far West Suburbs—Dexter/Chelsea with a satellite in Hartland

Within 36 months

Far Northern Developing Suburbs—Oxford

Downriver

Within 72 months

Canton  
Milford  
Detroit

### Launch Models: How it might work

1. ~~Presbytery initiated Parachute Drop—One Pastor, one area, and go to it! Highest risk, longest start up.~~
2. ~~Jet Landing—One Pastor, plus leadership team.~~
3. ~~Cruise Ship Launch—One Pastor, Leadership Team, plus missionaries from other congregations. Lowest risk, fastest start up.~~

We believe each of these models will work in the Presbytery of Detroit.

### Tentative Timeframes

1. ~~Downtown Detroit
  - ~~Plan Landing in the First Quarter 2008~~
  - ~~Pastor begins several bible studies in the area with an “emerging target.” 25 to 40-year old—working professionals~~
  - ~~Continue to develop core team~~
  - ~~Define vision and mission~~
  - ~~Public launch Advent 2008 to January 2009~~
  -~~
2. ~~Dexter/Chelsea
  - ~~Cruise ship in the fall 2008~~
  - ~~Saline, Westminister in Ann Arbor, and others contribute missionaries~~
  - ~~Pastor begin bible studies in the spring 2008~~
  - ~~Define vision and mission~~
  - ~~Public launch Christmas 2008~~~~
3. ~~Hartland Satellite
  - ~~Parachute drop in the spring of 2008~~
  - ~~Pastor begins several bible studies in the area focused on suburban, family target.~~
  - ~~Develop a core team~~
  - ~~Define vision and mission~~
  - ~~Public launch spring 2009~~~~
4. ~~Oxford
  - ~~Parachute drop in the spring 2008~~
  - ~~Pastor begin several bible studies~~
  - ~~Develop core team~~
  - ~~Define vision and mission~~
  - ~~Public launch spring 2009~~~~

### Cost

(Detailed spreadsheets in Appendix B)

### 7 Sources of Income/3-Year Timeframe

- 10 Partner Churches  
5,000 each year
- Member Support  
50,000
- POD Budget Support  
380,000
- Feasibility Grant  
10,000 POD  
10,000 Synod
- Special Gifts  
150,000 Congregations  
150,000 Individuals
- POD Capital Support  
100,000
- NCD Grants  
450,000

Total = \$1,450,000 over 3 years

### Presbytery Support and Leadership is Key!

- A unified effort of POD
- Properly assessed pastoral leadership who recognize the value of PCUSA New Church Development coaching and recognize the fund-raising will be a major part of their responsibilities as Organizing Pastor!
- There are 3 Pastors within POD who believed they are called to New Church Development. 2 have already been assessed by PCUSA and are ready to begin.
  1. Brenda Jarvis (already assessed by PCUSA)—Downtown Detroit
  2. Philip Reed (already assessed by PCUSA)—Dexter/Chelsea and Hartland satellite
  3. Mickey Blair (pending assessment)—Oxford

### Action Step 1

(See Chuck Dennison, *Connectional Church Development: A Presbytery Handbook for Creating New Churches* available at <https://www.pcusa.org/newchurch/pdf/ncdhandbook.pdf>.)

Establish POD Church Development Team

### Action Step 2

(See PCUSA Guidelines for Starting a New Church Development in Appendix C)

Encourage Brenda, Phil and Mickey to refine their specific vision for new church development within target areas. Have them to “Write the vision and make it plain on tablets so that a runner may read it.” (Habakkuk 2:2) These vision statements must include the following:

- Statement of Vision
- Statement of Mission
- Description of Target Community

Demographic Information  
Religious Picture of Target Community  
Statement of Your Call to These People  
Launch Plan  
Networking Plan  
Ministry Plan  
Timetable that will include key tasks each  
month  
Tentative Budget  
Funding Plan  
Presbytery Oversight Plan

#### Additional Steps

- ~~Seek advice and support of other pastors in the target area and similar church types~~
- ~~Authorize NCD Pastor to create a steering committee~~
- ~~Authorize NCD Pastor to begin work~~

#### Jesus Calls Us to New Church Development

~~“Go therefore and make disciples of all nations, baptizing them in the name of the Father and of the Son and of the Holy Spirit and teaching them to obey all that I have commanded you.” (Matthew 28:28)~~

~~Baptism means incorporation into a worshipping community of faith. Teaching means an on-going relationship to a community of faith. Jesus calls us not to just make disciples but to also ground them in communities of his followers, the church.~~

#### Jesus Calls Us to New Church Development

- ~~The best way to reach new people!~~
- ~~The best way to reach people we are least effective in reaching now—20s and 30s~~
- ~~The best way to strengthen and encourage existing congregations~~
- ~~The best way to bring new ideas to Presbytery.~~
- ~~The best way to surface new and creative leaders in Presbytery.~~
- ~~The best way for us to do what Jesus asks us to do, “Go, therefore . . .”~~

#### **2/3rds of God is “Go!”**

#### Let's Act Now!

(Note: Appendices are found in the minutes of Presbytery for February 26, 2008.)

*Amended by replacement 2/26/08*

[End]



Committee on Preparation for Ministry Report to Presbytery February 25, 2023

- CPM removed CRET MariJo Hockley from the roll of Trainees.
- CPM sustained the Annual Consultation for Candidate Kate Mackie (St. Paul's, Livonia).
- CPM examined Candidate Kate Mackie and granted Final Assessment.
- Members of CPM met with members of COM to discuss matters of mutual concern.
- Winter Ordination Exams were administered written and graded; CPM had no candidates taking the exams this cycle.
- CPM sent a letter to Inquirers, Candidates and CRETs regarding the Exegesis Exam choice.
- CPM presents Inquirer Lon Kuehn (Starr, Royal Oak) to be examined by Presbytery for Candidacy. Biography and Statement of Faith attached.
- CPM presents Inquirer Robyn Hudgins (First, Warren) to be examined by Presbytery for examination for Candidacy. Biography and Statement of Faith attached.

Respectfully Submitted

Jim Faile, chair CPM

My name is Lon Kuehn and I currently live in Berkley, MI with my 94-year-old father Fred and a Cocker Spaniel named Anna Bates Kuehn (named after the character from the television show “Downton Abbey”, being a shy rescue from a family that had kept her living in their basement). I was born and bred in the southeast Michigan area, also living for times in Grand Blanc Township, Clinton Township, and Shelby Township. I moved back to my family home when my mother’s health began to fail, passing away in 2016, and remained there as a companion for my aging father.

I have worked retail management for over 35 years, since receiving my undergraduate degree from Oakland University in Economics. I have been exploring my calling since my early college days, knowing that God had a purpose for me, but that I was being prepared for future service. I’ve described this preparation as being kept on the bench, not really “Salvation Army” yet, rather “Salvation Army Reserve.” I had been a long-time church member with Kensington Church in Troy, MI, serving on the “Discovery Team” guiding prospective new members through Christian Education and the basic theologies of why Christians believe what we believe. But I began to feel that the church had grown too rapidly, with multiple campuses being planted, and it became difficult to truly connect with many members. I believe that the Holy Spirit led me to Starr Presbyterian to receive and accept my calling to ministry with the support of the church family God had specifically chosen for me.

In 2016, I became a member of Starr Presbyterian Church in Royal Oak, MI. I felt I had found my true church home in just a few visits, quickly becoming active in the church, and was asked to serve as an Elder at the end of that first year. I began a Starr Movie Night, hosting faith-based films and having discussions afterward. I’ve also planned and put on two “Church Revivals” hosted during the summer with an evening of food, worship, and a message held on the front lawn of the church so the public could see what was happening at our church and we even had a few neighbors walk up and join the events for the evening.

I had several conversations with my pastor, Rev. Marianne Grano, about attending seminary, being a little nervous having graduated college 33 years earlier, and being in my mid-50’s, but realizing that God does not care about the age of those he calls, he equips those he calls to service.

I accepted my calling in 2019 and began my studies at Moody Theological Seminary in Plymouth, MI. I wanted to take in person seminary classes, but remain in the area for my aging father, and I believe God was guiding me to Moody. I knew that I would need to take my Presbyterian coursework at another seminary, and Moody was encouraging my ordination path by being willing to work with me, transferring those credits towards my MDiv, being requirements for ordination. I am taking the additional required online classes needed at the University of Dubuque Theological Seminary.

I am confident in my calling by God to be ordained as a Minister of Word and Sacrament in the PC(USA). I believe that God has delayed my calling to equip me in my years of management as head of staff, to better understand how to interact with people from a variety of life experiences and to effectively guide and manage the operations of the church to which I am called. I am called to be a servant leader in pastoral ministry, and I devote my life in service to the Lord Jesus Christ.

I have been active with the presbytery, serving as Pulpit Supply for several churches during the past two years, and have recently completed a 16-week Field Internship with First Presbyterian Church of Pontiac focusing on Church Administration and Missions guided by Rev. Laura Kelsey.

I believe in one Triune God: God the Creator, Jesus the Savior, and the Holy Spirit the Sustainer. They have always been united and in perfect loving relationship with one another, and they always will be. God's perfect love wished to share the love the Trinity has with others, and God spoke into being the creation of everything out of nothing in a divine act.

I believe God created humankind in the image of the Trinity, male and female they were created. Humans were created to glorify and enjoy God forever, but all have sinned and fallen short of the glory of God, and the relationship between God and humanity was broken. No works performed by humans could repair that relationship and we fall short in God's standards.

I believe that out of the love for creation, Jesus Christ, God's only Son was sent in human form by way of miraculous birth into the world. Fully God and fully human. Jesus gathered twelve disciples to teach and prepare to carry his message to the world. While on earth Jesus taught about the Kingdom of God, performed miracles, cast out demons, and fulfilled prophetic scriptures concerning the Messiah. Jesus was condemned to die on a cross, he was crucified, and was buried. On the third day, he rose from the dead in a full resurrection of his earthly body. Jesus's death and resurrection was the atoning sacrifice for sin. Through Jesus's gift, his selfless act of mercy, humans can be reconciled and again be in perfect relationship with God. After appearing to many in resurrected form, Jesus instructed his disciples to go and make disciples of all nations, baptizing them in the name of the Father and of the Son and of the Holy Spirit, and to teach what he had commanded them. Jesus promised he would send the Holy Spirit, the Sustainer, to them. Jesus then ascended bodily into heaven.

I believe the Holy Spirit was sent on the day of Pentecost and is indwelt in all Christian believers to guide them. She works through humanity to spread the Gospel message and brings God's light into the world. The Holy Spirit connects the believers together into the Body of Christ, the church.

I believe that the disciples, through the power of the Holy Spirit sent on Pentecost, established the church, with Jesus Christ as its head, which would grow to become the holy catholic church. The church is universal and eternal. Through the Holy Spirit the church ministers two Holy Sacraments: Baptism and Communion. These are the only two sacraments and are the visible holy signs and seals commanded by God and instituted by Jesus Christ, so that by their use God may make us understand more clearly the promise of the gospel and put God's seal on that promise. Through the Sacraments, God seals believers in redemption, renews our identity as the people of God, and marks us for service.

I believe that the Sacrament of Baptism is an act of God's grace, for the forgiveness of sin, and that we are claimed by the Holy Spirit in preparation to join the Body of Christ.

I believe the Sacrament of Communion is our opportunity to reflect on Jesus's sacrifice on our behalf, and we are united with Christ in Spirit through his command, "This do in remembrance of me." Through Communion, we receive the sustaining presence of Christ, remember God's covenant promise, and pledge our obedience anew.

**Setting the stage:** My name is Robyn Elizabeth Hudgins. I was born in Atlanta, Georgia and brought up in the Southern Baptist tradition by Jim and Annette Hudgins who were married fifty-nine years at death (both in 2020). I am the oldest child and have two brothers. I am the proud mother to my son Daniel, along with two dogs, Nora and Co-co and Loon, our cat. I graduated from Plymouth-Canton H.S. and went on to receive my bachelor's degree from Madonna University graduating with Highest Honors. By day, I work at a law firm fulltime as a litigation paralegal and at night I attend class at Central Baptist Theological Seminary as of 2019. I will graduate in the fall of 2023 with my MDIV. My son and I have been members of First Presbyterian Church of Warren since 2015 (Rev. Julie Delezenne), where I have served as an elder and led the mission committee. Currently, I am fulfilling my CPM field education requirements at Fort Street Presbyterian Church under the direction and care of Rev. Sarah Logemann and Rev. Garrett Mostowski. While at Fort Street I have had the opportunity to serve and establish relationships with those who have food insecurities or other challenges. Many have been joining us for bible study and continue to teach me what it means to care for another or stand up and help when no one else seems to be paying attention. They men and women my greatest teachers of what it means to do God's work.

**Sense of Call:** My Christian faith is not to be lived in isolation but to be a light to the world, so that others may see and give glory to God the Father in Heaven. I feel called to be used by God as a light to those who have been kept in darkness and bring joy to those who feel trapped in hopelessness. I am a person who participates and celebrates in the recovery program of Alcoholics Anonymous. My past, and the experiences I have thus far in life, is where I feel God will use me to carry the message of hope to the man and women who still suffer the bondage of self.

Christ is the church's hope (F-1.0204) and I feel called to share this joyous reality of the grace of God with others. I am blessed to be gifted with a sense of humor and also with a heart of compassion. Together, these gifts will both be used to bring glory and honor to God's name. I want folks to enjoy and look forward to coming to church whether if that is to sing, give praise, or to feel closer to our Lord and Savior, Jesus the Christ. Father Richard Rohr has said that it is easy to surrender when you know that absolutely nothing but Love and Mercy is on the other side. That is how I want the church to be seen in the community where I reside showing and demonstrating that God loves us in spite of ourselves. I believe and want to be a witness to a church where all should find love and mercy and for that I am responsible as a proud Presbyterian member.

## Statement of Faith

I believe in God the Father, Jesus Christ the Son, and the Holy Spirit. Three distinct persons in one essence. I believe that in spite of our sinful nature God was merciful sending God's only son to die on the cross to save us from our sins. With arms wide open Jesus Christ took my sins and yours to the cross declaring 'it is finished'. Jesus transferred my transgressions onto himself making that which is his by nature to become mine through grace. God gave his Son to reconcile my life. I humbly accept this gift and am grateful for God's love and all that has been done through the Son. I am never farther than God's grace can reach.

Jesus Christ, both Son of God and Son of Man, is head of the church and is present in both Spirit and revealed through the Holy Scriptures. The Holy Scriptures are divinely inspired and contain the story of God's faithfulness to a fallen humanity culminating in the life, death, and resurrection of Jesus the Christ. Christ called the church into being and sent the church out into the world to bear witness to God's grace available to all. I believe the church is to be an event to be shared not an establishment to warehouse ideas; God is love therefore God is relational. Our Christian faith is not to be lived in isolation but to be a light to the world, so that others may see and give glory to God the Father in Heaven.

The Holy Spirit is a guide in my life and a voice to all believers. The Holy Spirit empowers us to live as God wants us to live. By faith, we receive the Holy Spirit's presence within us, encouraging believers in their spiritual growth. The Holy Spirit instructs, guides, leads, and creates in us love, joy, peace, and serenity.

Baptism and the Lords Supper are the two holy sacraments that should be celebrated with the community of faith. I believe baptism is the sign and seal of our incorporation into Jesus Christ, a sign of God's covenant. I believe the Lords Supper is another sign of God's love and grace, a privilege given to the undeserving who come in faith.

I believe God is Sovereign over all things, creator and ruler. I believe that God does what God is-LOVE. And because God loves us deeply, I believe that God not only weeps with us but also is a God of compassion and will be there to dry our tears. God is always present even when we don't feel it. I believe I have been saved by this loving and all powerful God and all I have to do is accept this truth and fall into the loving arms of my Savior. I have been saved by grace and grace alone. *For by grace (unmerited, undeserved favor) we are saved through faith; and that not of ourselves; it is the gift of God: Not of works, lest any person should boast* (Ephesians 2:8-9).

February 25, 2023  
Minutes for Presbytery

### **RECOMMENDATIONS TO PRESYTERY**

The Committee on Ministry Recommends that the Presbytery:

#### ***Calls/Contracts***

#### ***Called and Installed Positions (Including Designated Pastor)***

1. **By Motion**, approve Solo Pastor/Head of Staff call between **Rev. Greg Larsen and St. Thomas Community Presbyterian Church**, effective January 4, 2023.

Total Effective Salary: \$77,700.00

Total Benefits: UCC Pension - \$18,966.00, Medical, Dental, Vision - \$4,920.00, SSI Allowance – \$5,994.00, Short and Long term Disability - \$2816.00, Presbyterian Polity Course – \$400.00.

Reimbursed Expenses: Continuing Education - \$1,550, Profession Expenses - \$1,050

Total Cost to Church: \$113,346.05

4 Weeks Vacation, including 2 Sundays

2 Weeks Continuing Education, including 2 Sundays

Church to pay for and allow Pastor to attend Pastors in Transition program.

Church will share in cost for clergy coaching in first year.

2. **By Motion**, approve Designated Pastor call between **Rev. Dr. Richard Lapehn and Orchard Lake Community Church, Presbyterian**, effective January 22, 2023.

Total Effective Salary: \$85,000.00

Total Benefits: BoP dues - \$33,150.00, SSI - \$6502.50, Dental/Vision - \$1767.00

Reimbursed Expenses: Medical deductible - \$960.00, Continuing Education - \$1,500.00, Professional Expenses - \$3,500.00, Other Benefits (Retirement Saving Matching Contribution) - \$1,500.00

Total Cost to Church: \$133,879.50

4 Weeks Vacation, including 4 Sundays

2 Weeks Continuing Education, including 2 Sundays

Church to pay for allow Pastor to attend Pastors in Transition program.

Church will share in cost of clergy coaching in first year.

#### ***Supply/Interim/CRE/Parish Associate***

1. **By Motion**, approve the Part Time Commissioned Ruling Elder Contract between **CRE Caleb Jones and St. John's Presbyterian Church**, effective January 1, 2023. 25 hours

Total Effective Salary: \$25,000.00

Total Benefits: \$5,942,.00

Reimbursed Expenses: Study Allowance - \$1,000.00, Professional Expenses - \$1,058.00

Other Expenses: Pastors in Transition program, \$150.00

Total Cost to Church: \$33,150.00

4 Weeks Vacation, including 4 Sundays

2 Weeks Continuing Education, including 2 Sundays  
Church to pay for and allow Pastor to attend Pastors in Transition program.

2. **By Motion**, approve the Part Time Stated Supply Contract between **Rev. Charles Sadler II and Starr Presbyterian Church**, effective January 1, 2023. 12 hours.  
Total Effective Salary: \$20,700.00  
Total Benefits: \$1,583.65  
Reimbursed Expenses: Study Allowance - \$500.00, Professional Expenses - \$845.65  
Total Cost to Church: \$23,629.20  
4 Weeks Vacation including 4 Sundays  
2 Weeks Continuing Education including 2 Sundays  
Church to pay for allow Pastor to attend Pastors in Transition Program.
3. **By Motion**, approve the Part Time Stated Supply Contract between **Rev. Keith Cornfield and Calvary Presbyterian Church, Ann Arbor**, effective January 1, 2023. 28 hours  
Total Effective Salary: \$49,849.00  
Total Benefits: \$3,813.00  
Reimbursed Expenses: Professional Expenses - \$2,210.00  
Total Cost to Church: \$55,872.00  
5 Weeks Vacation including 4 Sundays  
2 Weeks Continuing Education including 2 Sundays  
Church to pay for and allow Pastor to attend Pastors in Transition Program.
4. **By Motion**, approve the Part Time Commissioned Ruling Elder Contract between **CRE Pamela Hutchens and Auburn Hills Presbyterian Church**, effective January 1, 2023. 10 hours  
Total Effective Salary: \$20,440.00  
Total Cost to Church: \$20,440.00  
4 Weeks Vacation including 4 Sundays  
2 Weeks Continuing Education including 2 Sundays
5. **By Motion**, approve the Part Time Interim Pastor Contract between **The Rev. Dr. Roxie Davis and First Presbyterian Church, Port Huron**, effective January 1, 2023. 19 hours  
Total Effective Salary: \$31,413.00  
Reimbursable Expenses: Medical Deductible - \$2,000.00, Study Allowance - \$2,000.00,  
Professional Expense - \$2,000.00  
Total Cost to Church: \$37,413.00  
6 Weeks Vacation including 6 Sundays  
2 Weeks Continuing Education including 2 Sundays  
Church to pay for and allow Pastor to attend Pastors in Transition Program.
6. **By Motion**, approve the Commissioned Ruling Elder Contract between **CRE Deborah Lennis and White Lake Presbyterian Church**, effective October 1, 2022. 40 hours  
Total Effective Salary: \$49,600.00  
Reimbursed Expenses: Study Allowance - \$1,550.00, Professional Expense - \$1050.00  
Total Cost to Church: \$52,200.00  
4 Weeks Vacation including 2 Sundays  
2 Weeks Study Leave including 2 Sundays  
Church to pay for and allow Pastor to attend Pastors in Transition Program.

7. **By Motion**, approve the Interim Pastor Contract between **Rev. Karen Stunkel and Westminster Church of Detroit**, effective January 1, 2023. 40 hours
  - Total Effective Salary: \$65,000.00
  - Total Benefits: BoP Medical, \$18,850.00, BoP Pension, \$5,525.00, Bop Death/Disability, \$650.00  
BoP Temporary Disability, \$325.00
  - Reimbursed Expenses: Medical Deductible - \$950.00, Study Allowance - \$1,200.00, Professional Expense - \$4,975.00
  - Total Cost to Church: \$97,475.00
  - 4 Weeks Vacation including 2 Sundays
  - 2 Weeks Study Leave including 2 Sundays
  - 1 Family Sunday
  
8. **By Motion**, approve the Quarter-Time Stated Supply Contract between **Rev. Dr. Kenneth Kaibel and Belleville Presbyterian Church**, effective January 11, 2023.
  - Total Effective Salary: \$12,400.00
  - Total Benefits: \$6,000.00
  - Reimbursable Expenses: Study Leave and book allowance - \$1,000.00, Visitation and Transportation expense - \$1,600.00, Miscellaneous expense - \$2,000.00
  - Total Cost to Church: \$23,080.00
  - 5 Weeks vacation including 5 Sundays
  - 2 Weeks Continuing Education including 2 Sundays.
  - Church to pay for and allow Pastor to attend Pastors in Transition Program.
  
9. **By Motion**, approve the Interim Pastor Contract between **Rev. Bryan Smith and Milford Presbyterian Church**, effective February 1, 2023. 40 hours
  - Total Effective Salary: \$102,800.00
  - Total Benefits: BoP Pension, \$8738.00, BoP Death/Disability, \$1,028.00, BoP Temporary Disability - \$514,00, BoP Retirement Savings - \$6,000.00, BoP Optional Dental/Vision – \$1,078.00
  - Reimbursed Expenses: Medical Deductible - \$1,200.00, Study Allowance - \$2,400.00, Professional Expenses - \$1,200.00
  - Total Cost to Church: \$124,958.00
  - 4 Weeks Vacation including 24Sundays
  - 2 Weeks Continuing Education including 2 Sundays
  
10. **By Motion**, approve the Interim Pastor Contract between **Rev. Dr. Timothy Beal and Jefferson Ave. Presbyterian Church**, effective February 12, 2023. 40 hours
  - Effective Salary: \$100,000.00
  - Benefits: SSI Reimbursement \$7,6500.00
  - Reimbursed Expenses: Medical Deductible - \$1,000.00, Study Allowance - \$1,500.00, Professional Expense - \$2,500.00
  - Total Terms of Call: \$112,650.00
  - Other Expenses to Church: Post-Retirement Dues to BoP - \$12,000.00, Moving Expense – Up to \$13,000.00
  - Total Cost to Church: \$137,650.00
  - 4 Weeks Vacation including 4 Sundays



2 Weeks Continuing Education including 2 Sundays  
Church to pay for and allow Pastor to attend Pastors in Transition Program.

11. **By Motion**, approve the Part Time Stated Supply Contract between **Rev. Linda Anderson and First Presbyterian Church** of South Lyon, effective February 17, 2023. 20 hours

Effective Salary: \$38,607.00

Reimbursed Expenses: Professional Expense - \$775.00

Total Cost to Church: \$39,382.00

4 Weeks Vacation including 4 Sundays

2 Weeks Continuing Education including 2 Sundays

Church to pay for and allow Pastor to attend Pastors in Transition Program.

12. **By Motion**, approve the Parish Associate Covenant between **Rev. Dr. Keith Provost and Kirk in the Hills Presbyterian Church**, effective October 1, 2022. 10 hours per month.

Compensation will be to reimburse for:

Travel and Professional expenses - \$1,000.00

Preaching single - \$150.00

Two - \$200.00

Three - \$250.00

If opportunity for study leave should arise, the Parish Associate will be allowed up to \$1,250.00.

13. **By Motion**, approve the Parish Associate Covenant between **Rev. Marjorie Wilhelmi and Kirk in the Hills Presbyterian Church**, effective October 1, 2022. 10 hours per month.

Compensation will be to reimburse for:

Travel and Professional expenses - \$1,000.00

Teaching - \$100.00 per class session

Preaching single - \$150.00

Two - \$200.00

Three - \$250.00

If opportunity for study leave should arise, the Parish Associate will be allowed up to \$1,250.00.

14. **By Motion**, approve the extension of Parish Associate Contracts between Rev. Julie Madden and Rev. Ted Thode and First Presbyterian Church Birmingham, until a new Pastor is called.

### ***Dissolutions***

1. **By motion**, approve the dissolution agreement between First Presbyterian Church Birmingham and Rev. Bethany Peerbolte, and transfer upon request from the Presbytery of Denver, effective Nov. 30, 2023. Terms of dissolution: \$8,963.53 - payment of salary/housing/vacation/HRA/Medical & Pension/Professional Expense difference.

### ***Transfers***

1. **By motion**, approve requesting transfer of credentials for Rev. TC Anderson from the Presbytery of Chicago.
2. **By motion**, approve the transfer of Rev. Eddie Jusino to the New Castle Presbytery.
3. **By motion**, approve the transfer of Rev. Bethany Peerbolte to the Denver Presbytery.
4. **By motion**, accept the transfer of Rev. Nathan Achterhof from the Lackawanna Presbytery.

## ***INFORMATION FOR THE PRESBYTERY***

### ***The Committee on Ministry:***

1. **Approved** forming a task force to work with congregations in conflict, not limited to COM.
2. **Approved** adding Rev. Susan Mozena to the Pulpit Supply List.
3. **Approved** adding Candidate for Ministry Lon Kuehn, (member of Starr Presbyterian) to Pulpit Supply List.
4. **Approved** appointing Rev. Beth Delaney Moderator for Milford Presbyterian Church for November and December 2022.
5. **Approved** change to First Presbyterian Church Birmingham MIF to 2-5 years experience.
6. **Approved** adding Rev. Eddie Jusino to the Pulpit Supply List.
7. **Approved** Milford Presbyterian Church Ministry Information Form.
8. **Approved** Jefferson Ave. Presbyterian Church Interim Position Description.
9. **Approved** request by Rev. Al Timm to labor inside the bounds of the Presbytery of Detroit to teach a course at Ecumenical Theological Seminary via zoom.
10. **Approved** appointing Rev. Neeta Nichols Moderator for First Presbyterian Church Birmingham, beginning March 1, 2023.
11. **Approved** appointing Rev. David Downton Moderator for Calvary Presbyterian Church Ann Arbor, effective February 1, 2023.
12. **Approved** Position Description for Parish Associate at First Presbyterian Church Northville.
13. **Approved** Transitional Team Proposal
14. **Approved** Rev. Bryan Smith taking Interim Training Week One.
15. **Approved** payment of Clergy Coaching Funds in the amounts of \$300.00 (\$100/3 session) and \$233.00 for a new to the Presbytery Pastor per ToC contract.