

The Layman ONLINE

PARKER T. WILLIAMSON, Member) Permanent Judicial Commission
Presbytery of Western North Carolina) Synod of the Mid-Atlantic
) Presbyterian Church (U.S.A.)
Complainant)
)
v.)
)
The Presbytery of Western North Carolina)
Respondent)

I, Parker T. Williamson, complain to the Synod of the Mid-Atlantic against the Presbytery of Western North Carolina concerning irregularities in its procedures and actions, preceding and during its meeting at First Presbyterian Church, Asheville, N.C., on the 31st day of January, 2004. Said presbytery improperly declined to renew the validated ministry status of Parker T. Williamson in his ministry with the Presbyterian Lay Committee, a ministry that it had previously validated for 14 consecutive years. Further, contrary to his expressed wishes, said presbytery improperly moved Rev. Williamson from the active membership roll of presbytery to the roll of “members at large.”

- I. Complainant believes that the proceedings and actions were irregular in the following particulars:
- 1) The presbytery improperly sanctioned improprieties and procedural irregularities committed by its Task Force on Validated Ministry and its Committee on Ministry (COM) when it approved with emendation a recommendation from these entities that the presbytery knew or should have known resulted from procedures that violated due process in at least the following particulars:
 - a) The COM’s validated ministry task force received material from the Presbyterian Lay Committee that demonstrated the Presbyterian Lay Committee’s compliance with all of the criteria in G-11.0403, but the task force did not read and did not discuss or consider such material in its meetings.
 - b) The Executive Presbyter/Stated Clerk of the presbytery and the chairman of the validated ministry task force improperly concluded and publicly opined that the Presbyterian Lay Committee’s “Declaration of Conscience” alone was

grounds for recommending that Rev. Williamson's ministry with the Presbyterian Lay Committee not be validated. Thus, they incorrectly and unconstitutionally counseled and advised members of the task force, thereby misleading them to make their erroneous recommendation concerning the ministry of the Presbyterian Lay Committee.

- c) The Executive Presbyter/Stated Clerk received a certified letter from the chairman of the Presbyterian Lay Committee that was specifically addressed to the chairman and members of the validated ministry task force. The Executive Presbyter/Stated Clerk improperly opened said certified and specifically addressed letter and then failed or refused to deliver the letter to the chairman. He then failed or refused to mention the letter's existence or content to the task force during its subsequent meeting, thus delaying and prejudicing the task force's receipt of relevant and accurate information that could have corrected the erroneous opinions and improper influence specified in (b) above.
- d) The validated ministry task force delivered to the COM its improper, unsubstantiated, and deficient recommendation that Rev. Williamson's ministry with the Presbyterian Lay Committee not be validated because of "the character and conduct of its ministry." The task force improperly failed to specify any allegedly deficient character or conduct in its recommendation, thereby depriving Rev. Williamson due process notice of any alleged deficiency and any fair opportunity to respond thereto.
- e) The validated ministry task force failed or refused to deliver to the COM the Presbyterian Lay Committee's own description of its ministry's character and conduct vis-à-vis G-11.0403, thus further improperly prejudicing the COM and precluding a fair hearing before the COM.
- f) The COM conducted its discussions of the Presbyterian Lay Committee's ministry behind closed doors, without adequate, fair or balanced information concerning the Presbyterian Lay Committee, and it made no attempt to convey to the Presbyterian Lay Committee any specific concerns or questions that it may have had with its ministry.
- g) The COM failed to provide proper notice or issue an invitation for Rev. Williamson or representatives of the Presbyterian Lay Committee to meet with the COM. To the contrary, the Executive Presbyter/Stated Clerk had previously written a letter to the Presbyterian Lay Committee on April 23, 2003, stating that the COM "gratefully acknowledges the invitation of Reverend Williamson to tour the Lenoir facilities and meet with staff. We will call Reverend Williamson and schedule a time to act on his invitation." Seven months passed between the date of that letter and the COM closed-door meeting on December 9, 2003, during which it decided to recommend against validating Rev. Williamson's ministry. During that seven-month period, the

COM neither corresponded with the Presbyterian Lay Committee nor did it follow up on the Lay Committee's invitation to visit its staff and tour its facilities.

- h) Despite its receipt of a December 5, 2003, letter from Rev. Williamson and numerous additional communications, both public and private, urging the COM to specify any charges that it may have contemplated regarding the character and conduct of the Presbyterian Lay Committee's ministry, the COM failed to provide any such specification in its December 9, 2003 decision to recommend that the ministry not be validated.
 - i) On January 12, 2004, the COM adopted a four-page report to the presbytery, purporting to justify its recommendation that Rev. Williamson's ministry with the Presbyterian Lay Committee not be validated, but failed and refused to provide Rev. Williamson with access to the report until January 22, a mere nine days before the presbytery meeting. When Rev. Williamson asked the Executive Presbyter/Stated Clerk for a copy of the report on January 14, 2004, the date on which the Executive Presbyter/Stated Clerk affirmed that the report was in his possession, the Executive Presbyter/Stated Clerk denied his request, saying, "You'll get yours in the presbytery packet, just like everybody else." The COM and Executive Presbyter/Stated Clerk thus precluded Rev. Williamson and/or the Presbyterian Lay Committee from making any specific response to the four-page report, which could and should have been included in the presbytery packet mailed to all churches prior to the presbytery meeting.
- 2) Prior to January 31, 2004, the presbytery had not adopted written criteria for the validation of ministers within its bounds, although it was required to do so by G-11.0403. Thus its decision to declare "invalid" the ministry of Rev. Williamson with the Presbyterian Lay Committee was made improperly, without reference to or compliance with constitutionally required standards.
- 3) At the January 31, 2004 presbytery meeting, three members of the COM were introduced to the presbytery by the COM chairman as spokespersons for the COM, and they purported to represent the position of the COM. Said spokespersons made a series of specific, unsubstantiated and false statements, without provision of date or context or verification of source, impugning the character and conduct of the Presbyterian Lay Committee.
- (a) Neither Rev. Williamson nor the Presbyterian Lay Committee was notified in advance of said meeting of the nature or content of any of these new allegations.
 - (b) Such allegations were, in fact, only opinions of the speakers because they did not represent any decision made by the COM itself.

- (c) Having such allegations presented for the first time on the floor of the presbytery meeting rather than before the validated ministry task force or the COM, and without prior notice of the content or opportunity to prepare a detailed response to same, was an outrageous denial of due process and any fair opportunity for a full and fair consideration of any alleged deficiencies in the ministry of the Lay Committee and/or Rev. Williamson.
 - (d) Representatives of the Presbyterian Lay Committee and Rev. Williamson specifically objected to these new, previously undisclosed allegations and the consequent denial of due process and a fair hearing. Nevertheless, the presbytery proceeded to vote on recommendations from the improper report and false charges, thereby ratifying and approving the denial of due process inherent therein.
- 4) At the January 31, 2004 presbytery meeting, the presbytery improperly allowed and considered allegations that impugned the “character and conduct” of Rev. Williamson’s ministry with the Presbyterian Lay Committee by alleging offenses that were purported to have occurred during the fourteen years in which the presbytery had previously declared Rev. Williamson’s ministry valid, and by considering information/allegations previously considered and rejected by the General Assembly of the Presbyterian Church (USA). The presbytery is precluded and should be estopped from raising matters previously subsumed by prior validations.
 - 5) At the January 31, 2004 presbytery meeting, the presbytery, in violation of G-1.0307, acted as a law unto itself, in that it deprived Rev. Williamson of his ministerial status without employing prescribed constitutional procedures, which include the preferring of specific charges, a formal trial and a legal conviction, followed, if he should so elect, by appeal to higher ecclesiastical courts.
 - 6) At the January 31, 2004 presbytery meeting, the presbytery violated G-11.0407(b), by improperly and explicitly waiving the requirements of the *Book of Order* in conferring upon Rev. Williamson the status of “member at large,” a designation that he did not request and, in fact, publicly rejected when it was proposed.
 - 7) At the January 31, 2004 presbytery meeting, the presbytery revoked Rev. Williamson’s validated ministry, an action that constituted an improperly imposed punishment for his ministry’s “Declaration of Conscience.” Such punishment is in violation of explicit rulings by the General Assembly Permanent Judicial Commission, prohibiting punishment of ministers and sessions for exercising constitutionally protected rights.
 - 8) At the January 31, 2004 presbytery meeting, the presbytery violated the spirit of G-1.0400, G-4.0201, G-4.0301(a), G-4.0302, and related constitutional provisions describing the essential covenantal nature of relationships among Presbyterian governing bodies in at least these particulars:

- (a) The presbytery's Executive Presbyter/Stated Clerk, acting on behalf of the presbytery, refused publicly to acknowledge the advice and counsel of Presbyterians from various and sundry places across the Presbyterian Church (USA).
 - (b) Although thousands of letters, *many of them being official communications from sessions of the Presbyterian Church (USA)*, were addressed to "The Presbytery of Western North Carolina" and were delivered to the office of the presbytery for its conveyance to the Presbytery of Western North Carolina, the Executive Presbyter/Stated Clerk declined to include in his report to the presbytery any identification of said correspondents or summary of their communications.
 - (c) The presbytery improperly ratified and approved the action of its Executive Presbyter/Stated Clerk by refusing to hear a communication from one of its own sessions, challenging the stated clerk's censorship of communications to the presbytery.
- 9) At the January 31, 2004 presbytery meeting, the presbytery refused a request made by Rev. Williamson through its Coordinating Council that a court-certified reporter and videographer be present to provide an independent record of the presbytery's proceedings, and, on the motion of its Executive Presbyter/Stated Clerk, improperly barred all photographic and video-recording devices from the room except for the presbytery's own photographer and a tape recorder administered by the host church, whose minister was a party to the action against Rev. Williamson. When Williamson requested that recordings be made by an independent, court-certified reporter and videographer, he suggested that should there be a judicial challenge to presbytery's action, it would be highly inappropriate for the only record of that days' testimony to be made by parties at interest in the case.
- 10) At the January 31, 2004 presbytery meeting, the presbytery empowered its Executive Presbyter/Stated Clerk, a presbytery staff member who is supervised by the Executive Presbyter/Stated Clerk, and the former moderator to approve the minutes of the meeting. Thus, the sole responsibility for certifying the record was improperly delegated to only three persons, two of whom were principal parties at interest in the case.
- 11) At the January 31, 2004 presbytery meeting, the presbytery violated the spirit of G-14.0401, which states that "a call for service to a church or other work in the mission of the church ... is *"an act of the whole church carried out by the presbytery"* (emphasis added), by shutting out wider church access to its deliberations through independently produced recordings of its proceedings. When recommending this action, the Executive Presbyter/Stated Clerk issued what was, in effect, a declaration of independence from the connectional church, "I do not think that anybody but *this presbytery* needs to be concerned about what we do. This is *our* presbytery!"

- II. Complainant has the right to complain because he is a minister in good standing, who was enrolled as a member of the Presbytery of Western North Carolina on January 31, 2004.
- III. Complainant requests that the Synod of Mid-Atlantic grant the following relief:
- (1) Vacate the actions of the Presbytery of Western North Carolina in declining to renew the validation of Rev. Parker T. Williamson's ministry with the Presbyterian Lay Committee, and in arbitrarily declaring Rev. Williamson a minister at large of the presbytery;
 - (2) Order the Presbytery of Western North Carolina to continue its prior validation of the ministry of Rev. Parker T. Williamson, until the presbytery has fully complied with G-11.0403 by adopting specific criteria for validated ministries within the presbytery, and until it follows proper due process procedures in reconsidering such validation;
 - (3) Order the Presbytery of Western North Carolina to bar from consideration any specific allegations related to purported activities during the fourteen years in which Rev. Williamson's ministry was declared valid by the presbytery;
 - (4) Order the Presbytery of Western North Carolina to determine that the Presbyterian Lay Committee's "Declaration of Conscience" is protected under the Constitution of the Presbyterian Church (U.S.A.), and to bar from consideration any allegations against Rev. Williamson's ministry with the Presbyterian Lay Committee that are related to said "Declaration of Conscience."
 - (5) Order the Presbytery of Western North Carolina to establish criteria for its Committee on Ministry and other relevant committees or task forces that ensure due process in dealing with ministers and ministries in the presbytery, including but not limited to:
 - (a) ensuring strict adherence to the rules of evidence in dealing with allegations against a minister or ministry,
 - (b) providing that any allegations considered by any presbytery committee or task force be given to the minister in writing at least 14 days before any meetings of the committee or task force at which such allegations will be considered, and that the minister be invited to respond to said committee or task force before it determines its recommendation on the matter,
 - (c) ensuring the right of ministers and ministries under scrutiny to face their accusers and answer any allegations made by said accusers,
 - (d) permitting the minister to be represented by counsel if he so chooses,

- (e) allowing the minister to have persons of his own choosing make written or electronic record of any meeting of any body considering the issue of validation,
 - (f) ensuring that any meeting discussing the matter of a person's validated ministry be open to the public during all of its deliberations,
 - (g) providing that any communication sent to the presbytery prior to its meeting that contains recommendations opposing the validation or revalidation of one of its ministers shall be given to the minister 14 days in advance of the date at which the communication is to be mailed to the presbytery, and that a written response provided by the minister shall be included in said communication to the presbytery;
- (6) Order the Presbytery of Western North Carolina to establish criteria for the performance of its Presbytery Executive/Stated Clerk, requiring such person to:
- (a) deliver to elected leaders of the presbytery any and all correspondence that is addressed to them and received by the office of the presbytery, and
 - (b) include in any report to the presbytery during its stated meetings notice of the source and content of any and all communications that have been addressed to the presbytery and delivered to the office of the presbytery.

Date

Parker T. Williamson
Complainant

CERTIFICATION OF SERVICE OF COMPLAINT

I hereby certify that a copy of the above complaint was served upon the Presbytery of Western North Carolina by mailing it to J. William Taber, Stated Clerk, by certified mail, return receipt requested, on the fourth day of March, 2004.

Date

Parker T. Williamson
Complainant