

**PROCESS FOR ADDRESSING CHURCHES WITHIN
THE PRESBYTERY OF GIDDINGS-LOVEJOY
SEEKING SEPARATION FROM
THE PRESBYTERIAN CHURCH (U.S.A.)**

Reviewed by Executive Committee 9-12-2006

Reviewed by Council on 10-17-2006

Distributed for advice of Presbytery on 11-18-2006

Discussed at Presbytery on 2-10-2007

Revised version to Mission Council 4/17/07

2nd Revised version to Mission Council 7/24/07

INTRODUCTION

The Presbytery of Giddings-Lovejoy affirms the basic principle that the Presbyterian Church (U.S.A.) strives to be a church modeled on the body of Christ as described in 1 Corinthians 12 - a church made up of many different parts, all of which are "...necessary for its mission to the world, for its building up, and for its service to God..." (Book of Order, G-1.0100b). The presbytery further affirms that freedom of conscience with respect to the interpretation of Scripture is to be maintained, provided that pastors and church officers adhere to the essentials of the Reformed faith and polity as expressed in The Book of Confessions and the "Form of Government" (Book of Order, G-6.0108a).

In the history of our denomination there have been times of great turmoil and disagreement. Some of these disagreements have been so divisive and irreconcilable as to create schisms and separations in this part of the body of Christ. Our church polity provides broad guidance for managing relationships between and among our congregations. Drawing upon this guidance the Presbytery of Giddings-Lovejoy has developed the following process for response to and reconciliation with congregations that may be considering withdrawing from the PC(USA). After prayerful consideration, the presbytery has adopted this process to assist governing bodies facing this situation.

The church is the "provisional demonstration of what God intends for all of humanity (G 3.0200)" and therefore we commit our work to the path of faithful discernment. This cannot be found in isolation from our sisters and brothers in faith. Therefore, our process for discernment is mutual and progresses from dialog, through review, to action as required in our polity. We are further "called to be a sign in and for the world of the new reality which God has made available to people in Jesus Christ (G-3.0200a.). Therefore, we believe that it is only when we are working together that this new reality is to be found and we commit ourselves "to a new openness to the possibilities (G-3.0401c)" that can emerge when we do so. This should be our common purpose.

The goal of this presbytery will always be **reconciliation and continued relationship** for all congregations within the presbytery. The following process outlines the steps we will use as a presbytery to respond to situations where our congregations, or leaders within, find themselves in serious disagreement with the governance of the denomination.

PROCESS

This process is based on the use of three delegations from the presbytery: the **Dialogue Team**, the **Review Team** and the **Administrative Commission** with emphasis being placed on the Dialogue Team.

A. Dialogue Team

When the leadership of the presbytery becomes aware, either through formal congregational action or through informal contacts with church leaders or members, that a congregation is in serious disagreement with the governance of the denomination, the Executive Presbyter will offer a pastoral visit by a Dialogue Team.

Team members will be selected by the Executive Presbyter, the Moderator and the Moderator of Mission Council. The Executive Presbyter will be the team leader unless other circumstances intervene. The purpose of this team is to engage either the leaders of the congregation, or the congregation as a whole (as circumstances dictate), in a time of prayer and conversation aimed at understanding the conflict and identifying steps toward reconciliation. Team size will be dictated by the anticipated scope of effort, e.g. meeting with several small groups will require a bigger team than meeting with a session only.

If, during the initial visit, the team determines that progress can be made toward reconciliation through continued dialogue, the team will make recommendations to the Mission Council, or its Executive Committee when appropriate, for conducting this continued dialogue. The team report and recommendations will be provided in writing to the members of Mission Council within three days of the initial visit. The team's recommendations may include expanding the team to include persons with expertise to assist the team with its reconciliation efforts. If this team effort leads to resolution of the situation, no further action is required and to God be the glory!

If a visit by the Dialogue Team is refused by the leadership of the congregation, an Administrative Commission will be nominated by the Moderator of presbytery and elected by the presbytery as soon as possible, and the Administrative Commission process is initiated. If at any time the Dialogue Team determines that the move toward separation/withdrawal is the work of a special interest group and not representative of the congregation, the team, on notice to Mission Council, will immediately request that the Moderator of presbytery nominate an Administrative Commission, to be elected by the presbytery as soon as possible at a special-

called or stated meeting. [Ref: Book of Order, G-9.0902a, G-11.0103v, G-9.0501.a.]

In the event that the Dialogue Team's efforts at reconciliation are unsuccessful in resolving the situation and steps toward separation from the denomination appear to be in process, Mission Council, or its Executive Committee if necessary, will appoint a Review Team to study and recommend appropriate action. The appointment of a Review Team will not always mean the conclusion of attempts at dialogue.

B. Review Team

A Review Team is appointed by Mission Council, or its Executive Committee if necessary, when requested to do so by the Dialogue Team or when it seems otherwise appropriate to the Mission Council, or if necessary, its Executive Committee. The Review Team is appointed to study the situation in the congregation, to gather facts, and to recommend appropriate action to Mission Council. The decision to appoint a Review Team will be communicated to the church's pastor(s) and clerk of session immediately, to the congregation by letter to every member as soon as possible, and to the presbytery at its next special or stated meeting. The team will be constituted within 15 days of the decision to form the team. It will report to the Mission Council regularly and to presbytery as appropriate, and its recommendation concerning the appointment of an Administrative Commission shall require action by the governing body.

The Review Team shall have the following constitutional authority:

1. to request records of the session;
2. to look at whatever records may be relevant (i.e., how money is held, title to property, insurance documents, mortgages or other loan documents, corporate officers, corporate articles, bylaws, charters – especially changes in any of these). The Review Team will be careful to look for recent (subsequent to 1 January 2005) changes or modifications to articles of incorporation, bylaws, or deeds. The presbytery is entitled to see such changes in legal documents;
3. to determine, after reviewing the proceedings of the lower governing body or from any other information as may come to its attention, whether,
 - a. the proceedings have been faithful to the mission of the whole church;
 - b. the lawful injunctions of a higher governing body have been obeyed;
4. to give directives on behalf of the presbytery;
 - a. The type of directive will depend on the issues (examples: don't call a congregational meeting, don't transfer assets, don't encumber property, don't elect new officers, etc.);
5. to recommend to presbytery that an Administrative Commission be nominated and elected.

The Review Team shall consist of 3-7 members, balanced as evenly as may be practicable, given its number, between ministers of Word and Sacrament and elders. If it seems appropriate, the Review Team may include some or all of the members of the Dialogue Team. The Review Team shall be staffed by the Executive Presbyter for continued pastoral care support, and Stated Clerk of presbytery for ecclesiastical and polity support.

The Review Team shall keep all concerned parties informed. It shall send a letter to session outlining its task and process (wording should be measured, but firm). It shall send a letter to all members of the congregation outlining its task and process (measured, non-threatening, explanatory). The team shall have "one-on-one" conversations with the pastor(s). It shall communicate often with Mission Council.

It is expected that the Review Team will complete its work within sixty (60) days. The team shall submit a final report to Mission Council within 30 days of that completion.

If all avenues of reconciliation have been explored to no avail, and the findings of the Review Team so warrant, the Moderator of the presbytery will nominate and the presbytery will elect an Administrative Commission.

The pace at which this Process proceeds will be dictated by the events and conditions of each case. If the participants believe that progress toward reconciliation is occurring, the dialogue may continue and other steps postponed. However, if the Dialogue or Review Team, or the Mission Council (or its Executive Committee) believes it to be in the best interest of the Presbytery, any of these parties may recommend to the Moderator that an Administrative Committee be appointed immediately.

C. Administrative Commission

When circumstances so require, the Moderator of the presbytery shall nominate, and the presbytery elect an Administrative Commission to work with any congregation that has not been able to resolve issues using the first two phases of the above process. The duties, delegations and authorities of the Administrative Commission will be tailored to address the specific situation of the congregation.

The primary task of the Administrative Commission is to attempt to "settle the difficulties" (G-9.0503a(4)), and it is understood that the Administrative Commission may be given authority to assume original jurisdiction of the session (G-11.0103s). The Administrative Commission is guided by the presbytery-approved commission (i.e., charter) outlining specific duties and authorities for this particular situation. The Administrative Commission shall keep the presbytery informed of actions taken, and shall make recommendations directly to presbytery for any actions that require presbytery approval.

When an Administrative Commission is required, the Moderator of the presbytery shall nominate for election by presbytery an Administrative Commission of seven members. At least three members of the Administrative Commission shall be minister-members of the presbytery and at least three shall be elders from different churches in the presbytery and be representative of the presbytery as a whole; the seventh member of the

Administrative Commission may be either a minister or elder [G-9.0504b(3)]
The Administrative Commission shall be staffed by the Stated Clerk of the
presbytery.

The proposed membership and commission (i.e., charter) of this group
shall be reported to the presbytery in the form of a written motion for
approval and election.

The following general rules apply to the selection and election of an
Administrative Commission:

1. An Administrative Commission elected for this purpose shall
not include these persons: the Stated Clerk, Executive Presbyter,
Moderator, Moderator-elect, Chair of Committee on Ministry, or any
member of the Permanent Judicial Commission.

2. The presbytery may delegate to Mission Council the authority
to add, remove or replace members of an Administrative Commission
when it is apparent that some member(s) need relief or in order to
bring in persons with new skills or gifts to the process. Such a
replacement shall be reported to the presbytery at its next meeting.
The presbytery may delegate to Mission Council authority to grant
permission for an Administrative Commission to contact outside
authorities for temporary consultation with the Administrative
Commission on specific matters.

3. A quorum of the Administrative Commission shall be a
majority of its elected and appointed members, unless the presbytery
fixes the quorum at a higher number.

4. Powers of Administrative Commission are determined by the
presbytery, at the time of its election, or at a later date if deemed
necessary by the body. After election, an Administrative Commission
has the full authority of the presbytery to execute the limited powers
granted by the presbytery (G-9.0502). Those limited powers may
include, *inter alia*, the powers:

- a. to determine whether a schism exists within the congregation
(G-8.0601, G-11.0103);
- b. to determine which members represent the true church (G-
8.0601);
- c. to confront the advocates for schism;
- d. to make recommendations to the presbytery to dissolve pastoral
relationships, or when requisite authority is given by the
presbytery, to dissolve pastoral relationships, G-9.0503a(4);
- e. to assume original jurisdiction in any case it determines the
session is unable or unwilling to manage wisely the affairs of the
church (G-10.0102);
- f. to freeze the assets of the church (real and liquid);
- g. to secure the building, grounds and other property of the church
for the use and benefit of the Presbyterian Church (U.S.A.) –
former PC(US) congregations' property shall be treated as
authorized by Chapter 6 of the Form of Government of the
1982/83 *Book of Church Order* of the Presbyterian Church in the
United States;

- h. to determine if and when a meeting of the congregation is appropriate for the purpose of voting to withdraw from the Presbyterian Church (U.S.A.);
- i. to call that congregational meeting, and provide the moderator and clerk for that meeting;
- j. to report results of congregational vote to Mission Council;
- k. to authorize oversight of the church, its ministry and its property to a viable faction of the congregation that has been identified as the true church within the Presbyterian Church (U.S.A.);
- l. to propose to the presbytery the recommendation for the disposition of the property held by or for the church, and the assumption of the liabilities of the church, in the event there is no viable faction of the congregation that has been identified as the true church within the Presbyterian Church (U.S.A.).

The presbytery shall receive the final report of the Administrative Commission, act on any remaining recommendations, and dismiss the Administrative Commission at the completion of its work.

D. General Provisions

1. Team members

Every effort will be made to include on any Dialogue Team, Review Team and Administrative Commission, those persons whose skills, experience and temperament are well suited to this type of endeavor, giving due consideration to the spirituality, patience, strength and creativity called for by these assignments.

Prior to engaging with a congregation, a Dialogue Team, Review Team or Administrative Commission shall meet and receive such instruction and training as deemed necessary and helpful by the Mission Council, or its Executive Committee. Such instruction and training shall be presented by or arranged through the Staff of the Presbytery.

2. Outline of Process*

- Presbytery leadership becomes aware of congregation in serious disagreement with governance of denomination.
- Dialogue Team visit offered. (If Dialogue Team visit is refused, Administrative Commission is appointed immediately.)
- Dialogue Team meets with congregation leaders and/or congregation in attempt to understand conflict and seek reconciliation.
- If reconciliation efforts are unsuccessful, Review Team is appointed to study situation and recommend appropriate action to Mission Council. (Reconciliation efforts will continue, if possible.) This Team is to be constituted within 15 days of the decision to form the team.

- Review Team completes its work within 60 days and reports to Mission Council within 30 days thereafter.
- If reconciliation cannot be achieved, Moderator of Presbytery will nominate, and the Presbytery will elect an Administrative Commission to act as directed by the Presbytery.

* The only time limitations included in this process are those included in the Review Team's assignment. The time required for the efforts of the Dialogue Team and, if necessary, the Administrative Commission will be dictated by the specific situation.

3. Definitions

Administrative Commission - The Book of Order sets forth the authority and limitations of an Administrative Commission. (See G-9.0500) As used in this Process, any Administrative Commission shall have only that authority granted to it by the Presbytery, as authorized by the Book of Order. This definition shall neither expand nor limit the authority of an Administrative Commission beyond what is authorized by the Book of Order.

Dialogue Team - A Dialogue Team may be appointed by the Executive Presbyter, the Moderator of Presbytery and the Moderator of the Mission Council, when it is deemed appropriate. This Team will offer to engage with the leaders of a congregation and/or the congregation as a whole, in those cases where the congregation finds itself in serious disagreement with the governance of the denomination. The purpose of the team is to engage in a time of prayer and conversation with the congregation, aimed at understanding the conflict and identifying steps toward reconciliation.

Review Team – In the event that the Dialogue Team's efforts at reconciliation are unsuccessful, and steps toward separation from the denomination appear to be in process, Mission Council, or its Executive Committee will appoint a Review Team to study and recommend appropriate action. The efforts at reconciliation will continue, if possible. The Review Team shall review the situation, including a review of appropriate records, and other matters as set forth more fully in the Process document, and make a recommendation to the Presbytery concerning what, if any action should be taken.

Schism – A formal division in or separation from a church or religious body. (Webster's Collegiate Dictionary); or, a division into opposing groups because of a difference in belief or opinion, especially in a religious body (Oxford American Dictionary).

Special Interest Group – A Special Interest Group is a group of members of a congregation that does not appear to represent the will of the majority

of that congregation. If the Dialogue Team determines that the move toward separation is the work of such a group, as opposed to the will of the majority of the congregation, it will immediately request the appointment of an Administrative Commission to address that issue.

True church - In this Process, the "true church" refers to "the true church within the Presbyterian Church (USA)" as used in G-8.0601. Therefore, as used herein, the "true church" refers to that portion of a congregation that is identified as faithful to and desiring to remain affiliated with the Presbyterian Church (USA).