

PROCESS FOR ADDRESSING CHURCHES WITHIN THE PRESBYTERY OF BOISE SEEKING TO WITHDRAW FROM THE PRESBYTERIAN CHURCH (U.S.A.)

The Presbytery of Boise 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 Boise has developed the following process for response to and reconciliation with congregations that may be considering withdrawing from the PC (U.S.A.). After prayerful consideration, Council has adopted this process, which also includes provisions to address regretful separation if reconciliation is not possible.

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 conflict with their ordination vow to be governed by our church’s polity and to abide by its discipline.

SECTION ONE -- PROCESS OUTLINE

This process is based on the use of three delegations from the presbytery: the **Response Team**, the **Review Team** and the **Administrative Commission**.

What follows in this Section One are general guidelines for these delegations, with emphasis being placed on the Response Team. Detailed duties and guidance for the other two delegations are found in later sections of this document.

A. 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 Presbytery Executive will offer a pastoral visit by a **Response Team**. Team members will be selected by the Presbytery Executive in consultation with the presbytery’s Chair of the Committee on Ministry, the Stated Clerk, the Chair of the Council and Moderator of Presbytery. 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 Council for conducting this continued dialogue. The team report and recommendations will be provided to the Council within three days of the initial visit. If this team effort leads to resolution of the situation, no further action is required and to God be the glory!

(If the visit is refused by the leadership of the congregation, an Administrative Commission will be nominated by the Moderator of the presbytery, in consultation with the Presbytery Executive, Stated Clerk and Chair of the Committee on Ministry, and elected by the presbytery as soon as possible, and this process skips to Section Three.)

B. In the event that the **Response Team**'s efforts are unsuccessful and steps toward separation from the denomination appear to be in process, the Council will appoint a **Review Team** to study and recommend appropriate action. It shall make a full report to the governing body that created it, and its recommendations shall require action by the governing body.

This team has constitutional authority as outlined in Section Two below and will conduct a thorough assessment of the situation in the congregation. Based on that assessment the team will make recommendations to Council, who will report to the presbytery as appropriate. The decision to appoint this team will be communicated to the congregation concerned immediately, by letter to every member, and the team will be appointed within 15 days of that notification. The team will complete its work within 30 days and submit a final report to Council within 15 days of that completion. The composition and details of the **Review Team** are found in Section Two below.

C. If at any time either the **Response Team** or **Review 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 Council, will immediately request that the Presbytery Executive, Stated Clerk and Chair of the Committee on Ministry of the presbytery nominate an **Administrative Commission (AC)** as soon as possible, to be elected by the presbytery at a special-called or stated meeting. [Ref: Book of Order, G-9.0902a, G-11.0103v, G-9.0501.a.]

D. Ultimately, 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, in consultation with the Presbytery Executive, Stated Clerk and Chair of the Committee on Ministry, will nominate and the presbytery will elect an **Administrative Commission**. The duties, delegations and authorities of the **AC** will be tailored to address the specific situation of the congregation. The composition and details of the **AC** are found in Section Three below.

SECTION TWO -- THE REVIEW TEAM A **Review Team** is appointed by Council when all efforts of the **Response Team** toward reconciliation seem to have stalemated.

A. PURPOSE AND AUTHORITIES: The **Review Team** is appointed to study the situation in the congregation, to gather facts, and to recommend appropriate action to the Council. The **Review Team** shall be given **certain constitutional authority**:

1. to request records of the session (G-12.0102n, G-12.0304, G-13.0103k,n)
2(G-9.0408) *"if a higher governing body learns at any time of any irregularity or delinquency by a lower governing body, it may require the governing body to produce any records and take appropriate action;"*
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 changes or modifications to articles of incorporation, bylaws, or deeds. **The presbytery is entitled to see such changes in legal documents (G-9.0408);**
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 [G- 9.0409a(4)];
 - b. the lawful injunctions of a higher governing body have been obeyed [G- 9.0409a(5)];

4. to give directives(G-9.0410)on behalf of the presbytery;
 - a. *“It is ordinarily sufficient for the higher governing body to record in its own proceedings, and in those under review, its approval, disapproval, or correction. If necessary, the higher governing body may direct the lower governing body to reconsider and correct an irregularity or cure a delinquency” (G-9.0410);*
 - b. 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 whether an **Administrative Commission** should be nominated and elected (G-9.0503).

B. COMPOSITION: 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/deacons.

C. COMMUNICATION: The Review Team shall keep all concerned parties informed.

1. Send a letter to **session** outlining task and process (wording should be measured, but firm).
2. Send a letter to **all members of congregation** outlining task and process (measured, non-threatening, explanatory).
3. The team shall have “one-on-one” conversation with the **pastor**.
4. Communicate often with **Council**.

D. DURATION OF WORK: It is expected that the **Review Team** will complete its work within sixty (60) days.

SECTION THREE-----THE ADMINISTRATIVE COMMISSION (AC)

A. DUTIES AND AUTHORITIES: When circumstances so require, the Moderator of the presbytery, in consultation with the Presbytery Executive, Stated Clerk and Chair of the Committee on Ministry, 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 primary task of the **AC** is to attempt to “settle the difficulties” (G-9.0503a(4)), and it is understood that the **AC** may be given authority to assume original jurisdiction of the session (G-11.0103s). The **AC** is to be guided by the presbytery-approved commission (i.e., charter) outlining specific duties and authorities for this particular situation. The **AC** shall keep the presbytery informed of actions taken, and shall make recommendations directly to presbytery for any actions that require presbytery approval.

B. COMPOSITION: When an **Administrative Commission** is required for this process, the Moderator of the presbytery, in consultation with the Presbytery Executive, Stated Clerk and Chair of the Committee on Ministry, shall nominate, to be elected by the presbytery, an **AC** of seven members and may include individuals with special skills, training or experience in mediation and negotiation. At least three members of the **AC**, so nominated and elected, 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 **AC** may be either a minister or elder [G-9.0504b(3)] (See also the following Subsection “F1”).

C. ELECTION: 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.

D. STAFF SUPPORT: The **Administrative Commission** shall be staffed by the Stated Clerk of the presbytery.

E. FINAL REPORT: The presbytery shall receive the final report of the **Administrative Commission**, act on any remaining recommendations, and dismiss the **AC** at the completion of its work.

F. GENERAL RULES: The following general rules apply to the selection and election of an **AC**:

1. An **AC** elected for this purpose shall not include these persons: the Stated Clerk, Presbytery Executive, Moderator, Moderator-elect, Chair of COM, or any member of the PJC.
2. The presbytery may delegate to the Council the authority to add, remove or replace members of an **AC** 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. The presbytery may delegate to Council authority to grant permission to an **AC** to contact outside authorities for temporary consultation with the **AC** on specific matters.
3. Quorum of AC shall be a majority of its elected and appointed members.
4. Powers of **AC** are determined by the presbytery, at the time of the election of the **AC**, or at a later date if deemed necessary by the body. After election, an **AC** 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 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 its 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.);
 - 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 the 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.).

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