

A PRESBYTERY POLICY FOR CONGREGATIONS CONSIDERING LEAVING THE PC (USA)

Approved by Carlisle Presbytery – February 24, 2015

According to the guiding principles of the Presbytery of Carlisle our mission is “to support our congregations in the name of Jesus Christ.” Further, “the Presbytery of Carlisle is a service community which:

- supports congregations in addressing their needs and opportunities by increasing resources, information and training in mission and ministry.
- seeks to create dialogue in which congregations and presbytery actively talk to and listen to each other and respond to each other.
- promotes a relationship among congregations and the presbytery that is collegial and collaborative in ministry.”

We acknowledge, as did the author of Ecclesiastes, “There is a time for everything, and a season for every activity under heaven.” The ensuing list includes “a time to plant and a time to uproot ... a time to weep and a time to laugh ... a time to tear and a time to mend ... a time to be silent and a time to speak.”

Some see the Church described in Acts, Chapter 2 as the ideal to which we must aspire: “They devoted themselves to the apostles’ teaching and to the fellowship, to the breaking of bread and to prayer ... all the believers were together and had everything in common ... and the Lord added to their number daily those who were being saved.” However, the euphoria of this snapshot picture gave way to lying and pretenses (Acts 5, Ananias and Sapphira deceive their community); serious ruptures between two culturally different groups (Acts 6, the Hellenists murmur against the Jews); theological contention (Acts 15:5-11, the community debates whether circumcision was required of Gentiles); and disagreement (Acts 15:36-39, Paul and Barnabas part company.) The Acts 2 snapshot may be the ideal, but most church living is much less than ideal and reflects the range of emotions and behavior in the entire book of Acts.

There are no off-seasons in the church. All seasons are important and require leadership. No season, however, is more important than that one where emotions run high and connectional relationships are strained. It is just such a season in which the Presbyterian Church (U.S.A.) finds itself. The reasons are many and varied and the perceived solutions are equally numbered and diverse.

In recognition of this season, when our unity in Christ is being tested and our ability to work together in mission is being tried, we covenant with one another to “encourage one another and build each other up” (1 Thessalonians 5:11), and to respect and demonstrate love to one

another. Together we covenant to live together in the bonds of peace while we seek to discern and follow the will of God.

The Presbytery of Carlisle is committed to pursuing a ministry of reconciliation with pastors, sessions, and congregations who are seeking or considering dismissal from the denomination. Whether the outcome takes the form of dismissal or mutually accepted recommitment to the relationship between the congregation and the presbytery, it is the desire of the Presbytery of Carlisle to create a context and a process marked by prayer, grace and mutual forbearance as we open our hearts and minds to the power of the Holy Spirit working within the life, ministry, and calling of the particular congregation and the presbytery as a whole.

To seek God's will requires a significant investment of time and energy, study and prayer. The Presbytery of Carlisle is committed to this process and committed to following the principles suggested by the 218th General Assembly (2008): Consistency, Pastoral Responsibility, Accountability, Gracious Witness, Openness and Transparency.

The Presbytery requests that any Session or local congregation considering and/or seeking dismissal from the PCUSA will covenant with the Presbytery to enter into a defined process of mutual discernment, conversation, negotiation and resolution. This process is more fully described in the remainder of this document.

CONGREGATIONAL DISCERNMENT

A congregational based discernment process is led by the session. (See Appendix 1 – Suggestions for a Process of Discernment.) Session may invite Presbytery representatives to be involved this time. To request this involvement contact the Executive Presbyter or Stated Clerk.

During the process, the following questions are paramount:

- A.) Is God leading this particular congregation to seek dismissal from the Presbyterian Church (USA) or toward reaffirmation of connection within the PCUSA?
- B.) If God is leading this church to seek dismissal from the PCUSA, how can that be accomplished in a way that honors Jesus Christ and strengthens both the congregation and the Presbytery?
- C.) If God is leading this congregation toward affirming its connection with the PCUSA, how can that be accomplished in a way that honors Jesus Christ and strengthens both the congregation and the Presbytery?

PRESBYTERY INVOLVEMENT

When the leadership of the Presbytery becomes aware, either through formal congregational action or through informal conversation that a congregation is in serious disagreement with the

denomination, a Conversation Team will be sent to the congregation through the Executive Presbyter or Stated Clerk.

The purpose of the Conversation Team will be:

- A.) to review with the Session the discernment process already engaged, or to participate in a new one;
- B.) to engage the officers and/or the congregation as a whole in a time of prayer and conversation, aimed at understanding the issues, identifying steps that may be taken, including engagement with questions A, B, and C (above under Congregational Discernment), if they have not yet been addressed.
- C.) to share matters for consideration with respect to the implications for a congregation and its pastor(s) considering leaving the PCUSA.

NEGOTIATION AND RESOLUTION

Working in good faith toward a mutually agreeable resolution means that all parties involved:

- A.) are open and honest in all their dealings with each other;
- B.) will provide all requested relevant information and documents to each other on a timely basis;
- C.) will respect the conviction of the members, especially those holding differing viewpoints; and
- D.) will refrain from any unauthorized unilateral changes in the way their assets are held or managed.

The Conversation Team will work with officers and the congregation to define a resolution. A mutually agreeable resolution may result in reaffirming connection to the PCUSA. This resolution should be widely circulated to the congregation. Or a mutually agreeable resolution may result in a recommendation to the Presbytery that the congregation be dismissed to another Reformed denomination but it may not be released to independent status.

Church building and grounds generally mean more to the members of a congregation than simply an asset on the books. They represent a special place where members have experienced life-changing conversions of faith in Jesus Christ, experienced inspiring worship and witnessed and participated in baptism, marriages, funerals and memorial services. It is recognized that vacating a property in which the congregation has heavily invested, both spiritually and financially, would be a difficult sacrifice to make.

Church buildings also hold a special place in the presbytery as a whole. For well over two centuries this presbytery has planted new churches and aided fledging congregations by

encouraging members from existing churches to become part of these new adventures; it has given and loaned money to congregations young and old; it has worked diligently in fulfilling its role in the calling of pastors; and across the years has prayed with and for each and every church within its bounds as part of its common calling.

Bearing in mind the spiritual and financial investment of both members and the presbytery in each of our local churches, any resolution to dismiss a congregation shall take into account the particularities of the congregation's historical ties with the presbytery as it related to its property. A resolution for dismissal may include permission for a congregation to leave with its property. This is not an automatic right of the congregation, but rather is subject to negotiation.

All original rolls, registers, minutes and historical records remain the property of the PC (U.S.A.) (Book of Order- G-3.0107). This is not subject to negotiation or exception. (Book of Order- G-3.0107)

If the resolution recommends dismissal it shall:

A) specify the following information regarding the church seeking dismissal:

- i. the value of assets, (including physical plant, property, graveyards and church records)
- ii. all liabilities (including presbytery indebtedness, other indebtedness, outstanding commitments and pledges such as financial implications related to the presbytery i.e. shared and designated mission, and per capita)
- iii. the legal implications (including taxes, corporate status, insurance),
- iv. that all loans secured by the property, including any loans owed to the Presbyterian Church (U.S.A.) Investment and Loan Program, Inc. (PILP) and the Presbyterian Church (U.S.A.), A Corporation (the Church Loan Program) have been paid in full, with documentation confirming that the loan(s) have been satisfied. An indemnification and hold harmless clause must be provided by the lender(s) for any unsecured loans owed by the church. Such documents must be provided to the presbytery prior to a vote on dismissal.
- v. A history and accounting of any loans, grants and other items that Carlisle Presbytery has given to the particular church, including money used to fund the founding of the church.
- vi. the processes and procedures for the church to join another reformed denomination. (See Appendix 2 for details)

B.) be approved by written ballot at a duly called congregational meeting where representatives of the Presbytery were present and given permission to speak, and a majority of the members on the active roll were present and casting ballots. The outcome of the voting will be determined by a 2/3 majority of those casting ballots.

The results of the congregational vote in regard to leaving the denomination are provisional. The Presbytery is required to address the property rights of those in the congregation who wish to remain within the PCUSA. Even if the congregation votes in favor of the resolution to leave the denomination, a meeting, led by the Conversation Team, will be held with any members of the congregation who wish to remain in the PCUSA. The purpose of the meeting will be to discern with those who wish to remain their desire regarding their future, the church property, and other assets. Depending on the outcome of that meeting, negotiations between the conversation team and the session may need to be resumed. These negotiations may result in a congregational meeting to act on a revised resolution.

If the Conversation Team determines that a congregation will not work in good faith according to these guidelines, or that a mutually agreeable resolution cannot be reached, it will report its findings to the Coordinating Council. The Council will make a full report to the Presbytery on the work of the Conversation Team, including when deemed necessary a recommendation that an Administrative commission be formed (Book of Order G-3.0109b)

The Conversation Team will report the action of the congregation to the Coordinating Council. The Council will forward the action of the congregation to the Presbytery at a duly called meeting, along with the report of the Conversation Team and the Council's recommendation as to whether to approve the release of the congregation.

If the vote of the Presbytery favors dismissal, (a simple majority shall be required) the Presbytery shall hold a service of celebration of the Church's and Presbytery's unity in Christ, and the Church shall be dismissed to the Reformed Body agreed upon and stated in the Resolution.

APPENDIX 1

A process for discernment and congregational discussion

- A. The session after prayer and much discussion drafts and sends a letter to the membership outlining the issues.

- B. A workshop for all church leaders should be arranged for discussion and prayer regarding options, ramifications and consequences of each option and steps that would be needed.
- C. Several forums should be held so that all members would have an opportunity to hear, ask questions and engage in prayer together.
- D. A follow up letter including a survey may be desirable.
- E. Sessions for prayer and pastoral support should be provided.
- F. After a period of discernment the Session will decide on the next steps needed and inform the congregation of them.

APPENDIX 2 –

Practical Considerations for the Congregation

- A. Tax Status: A congregation which ceases to be a PCUSA congregation is no longer included in the PCUSA's "group revenue ruling" by which a Presbyterian congregation is granted 501(c) (3) non-profit tax-exempt status.

Such status is required not only for exemption from tax payments to state and federal authorities and the filing of certain tax forms, but is required also for real estate tax exemption, for U. S. Postal Service bulk mailing permits, for grant-making foundations, and for the receipt of many forms of grants and bequests. Gifts to a church which does not have valid tax-exempt status may not be claimed as charitable contributions. Legal and other services will be needed to secure new 501(c) (3) status.

- B. Corporate Status: A congregation which ceases to be a PCUSA congregation will need to revise its corporate status (which may require the filing of new articles of incorporation and bylaws).
- C. Insurance: Since many PCUSA congregations have property and liability insurance which is available only to PCUSA congregations, new insurance provisions will need to be made, and it is an unwise congregation which is uninsured for even a minute.

APPENDIX 3

Practical Considerations for the Minister

- A. G-2.0502 As the Lord has set aside through calling certain members to be teaching elders, so the church confirms that call through the action of the presbytery. The presbytery shall determine whether a particular work may be helpful to the church in mission and is a call to validated ministry requiring ordination as a teaching elder. In the performance of the ministry, the teaching elder shall be accountable to the presbytery.

Teaching elders have membership in the presbytery by action of the presbytery itself, and no pastoral relationship may be established, changed or dissolved without the approval of the presbytery.

- B. G-2.0509. When a teaching elder accepts or continues membership of any character in another denomination, except as provided in this Constitution, the presbytery shall record the fact and delete the teaching elder's name from the roll.
- C. A minister considering departure from the PCUSA is advised to consult, with the advice of counsel encouraged, the provisions of the Board of Pensions plan (which are available at <http://pensions.org/library/publications/rules.htm>) and to consult also with legal and tax professionals regarding the special tax issues which relate to clergypersons.]

Pension: A Presbyterian minister's pension benefits are "vested," and a member (or survivor of a member) of the Presbyterian Board of Pensions' plan has a non-forfeitable right to receive a retirement pension based on contributions and increases once pension credits are vested.

- D. Medical Insurance/Death-and-Disability: The Board of Pensions' major medical plan and death-and-disability provisions require active participation in the plan, and participation is not available to ministers who are not on the roll of a presbytery. A member may be eligible to purchase continuation of medical benefits for a limited duration. Life (death) insurance and disability insurance policies are available commercially at varying rates.
- E. Tax Issues: A Presbyterian minister is entitled to certain income-tax benefits and provisions due to his/her ecclesiastical status in the PCUSA. An "independent" minister may or may not be entitled to such benefits and provisions.
- F. Insurance: A minister no longer serving a PCUSA congregation or no longer on the role of the PCUSA should make arrangements for professional liability insurance coverage if continuing to engage in professional ministry.