

Reconciliation and Dismissal Procedure

PROLOGUE

The vision of the Presbytery of New Covenant is to *Grow congregations that passionately engage their community to make disciples*. Our mission is to -

- *Confess Jesus Christ as Lord*
- *Connect one another in ministry*
- *Challenge one another for mission.*

The Presbytery of New Covenant seeks to facilitate worship, mission, and other shared ministries by engaging all of the 106 churches in our bounds to be united in carrying out our vision and mission. We believe The Mission of God as expressed in the Great Ends of the Church is greater than the PC (U.S.A.).

Recognizing that polity changes effected by the passage of Amendment 10A and the new Form of Government have caused some congregations to reconsider their connection with the PC (U.S.A.), the Presbytery has adopted a Procedure for Gracious Reconciliation and Dismissal. Nonetheless, a fundamental understanding from our Presbyterian heritage is one of connection rather than division. We believe that we discern the will of God more clearly in any particular time and place when we are in communion with each other than when we are separated. However, the Presbytery acknowledges that the particular forms of communion may shift over time, always reforming to better serve the mission of our Lord, Christ Jesus.

Ordination vows for all ordained persons include the following: “Will you seek to serve the people with energy, intelligence, imagination, and love?” To this end, we wish to remain open to imagining and considering a variety of options that may serve both our connection and our differences. Below is listed a sampling of potential options that congregations and the Presbytery could prayerfully consider to foster our unity. Some of these would require greater effort and agreement from other Councils of the church; some are more readily available. This necessarily incomplete listing is not intended to reflect recommendations of the Presbytery; rather it is intended to indicate the breadth of options open to us and to encourage expanded dialogue as we open ourselves to the guidance of the Holy Spirit.

OPTIONAL RESPONSES:

1. Dual committee/evangelical cluster – establish two Committees on Ministry and two Committees on Preparation for Ministry based on shared understanding of scripture, mission priorities and the Presbytery’s record in lay leader training, New Church Development and innovative mission projects. An alternative would be to lodge the responsibilities of COM and CPM in smaller affinity-based clusters.
2. Union congregations – PC (U.S.A.) congregations could unite with other Reformed Congregations (Cumberland, Evangelical Presbyterian Church, etc.) with the approval of both Councils (presbyteries) and, where polity requirements were in conflict, the Union agreement would indicate which polity to follow.

- 3 3. Union Presbyteries - PC (U.S.A.) presbyteries could unite with other Reformed Councils (Cumberland,
4 Evangelical Presbyterian Church, etc.) with the approval of Councils (presbyteries, synods and General
5 Assembly) and, where polity requirements were in conflict, the Union agreement would indicate which
6 polity to follow.
- 7 4. Gracious Reconciliation – see attached Gracious Reconciliation and Dismissal Procedure
- 8 5. Gracious Dismissal – see attached Gracious Reconciliation and Dismissal Procedure
- 9 6. Alternative Dismissal Process – see attached Alternative Process for dismissal to a Reformed Body
- 10 7. Non-geographic Presbytery – not in the power of Presbytery of New Covenant, but the presbytery could
11 establish a process to dismiss congregations to a non-geographic Presbytery and advocate for that option
12 with Office of General Assembly.

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16 Final Version
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Presbytery of New Covenant Gracious Reconciliation and Dismissal Procedure

The Presbytery of New Covenant is committed to pursuing reconciliation with pastors, sessions, and congregations who are considering dismissal from the denomination. Whether that reconciliation takes the form of dismissal, mutually accepted re-commitment to the Presbytery-congregational relationship, or something in-between, it is the will of this Presbytery to create a gracious context and process in which the will of God is sought for the life, ministry, and calling of the particular congregation. All congregations of this Presbytery are invited to commit to this broad understanding of reconciliation with a graciousness befitting those who claim Jesus as Lord.

The Presbytery and congregations will be continually guided by these three principles:

1. The Mission of God as expressed in the Great Ends of the Church is greater than the PC (U.S.A.). Therefore, we affirm that should Presbytery dismiss a congregation to another Reformed body, the unity of the one Church of Jesus Christ has not been diminished. (F-1.0302 and F-1.0304)
2. The exercise of “mutual forbearance” is of utmost importance in our process. Therefore, all will treat each other with respect regardless of theological and ecclesiological differences.
3. We will pray and work for fairness to all parties in our decisions.

It is the Presbytery’s belief that in adopting this Procedure congregations who faithfully follow it as a way of discerning if God would have them affiliate with another Reformed denomination are not engaged in schism and that therefore the Presbytery’s understanding is that G-4.0207 (Property of a Church in Schism) does not apply to congregations faithfully following this process.

If a session chooses not to follow this Gracious Reconciliation and Dismissal process or abandons these processes before completion, then the “Alternative Process for a Church Seeking Dismissal from the Presbyterian Church (U.S.A.)” will apply.

In all matters relating to this subject, discerning answers to the following three questions will be deemed paramount:

1. Is God leading this particular congregation to restore fellowship with the Presbyterian Church (U.S.A.), or to seek dismissal from the Presbyterian Church (U.S.A.)?
2. If God is leading this congregation toward restoration of fellowship with the Presbyterian Church (USA), how can that be accomplished in a way that honors Jesus Christ and strengthens both the congregation and the Presbytery?
3. If God is leading this congregation to seek dismissal from the Presbyterian Church (U.S.A.), how can that be accomplished in a way that honors Jesus Christ and strengthens both the congregation and the Presbytery?

The Presbytery asks that any session seeking or considering dismissal from the denomination to covenant with the Presbytery to enter into this defined process of mutual discernment through the formation of a Discernment Team from the Presbytery and the local congregation (see “Discernment Process” below). As described below, this process should take no less than six months and no more than two years. At the conclusion of the process, the Discernment Team will report and make recommendations to both the church and the Presbytery.

DISCERNMENT PROCEDURE

A session wishing to initiate this process shall put the matter to a vote. If at a duly noticed meeting with appropriate quorum, the session votes by two-thirds majority to initiate the discernment process, the Clerk of Session shall contact the Presbytery office and inform the Stated Clerk of this desire. The session shall then call a congregational meeting for the purpose of approving participation in the discernment process. At that meeting, the congregation shall vote to establish a quorum of 30% for any future meeting to vote on requesting dismissal from the PC (U.S.A.) If approved, the Stated Clerk of the Presbytery and the Clerk of Session (or their designated representative) will sign a Covenant Agreement (see below) and may then select member representatives for the Discernment Team.

The Discernment Team shall consist of four representatives from the church and four representatives from the Presbytery. The session of the congregation shall select the representatives from the church, one from the church staff, one from the session and two at large active members of the congregation. The General Council shall select two Ruling Elders and two Teaching Elders from the Presbytery. The Discernment Team shall covenant to meet together a minimum of five times.

First Meeting

The first meeting of the Discernment Team shall be convened by the Stated Clerk of the Presbytery (or the Clerk’s designated representative) to review this process and select a facilitator. The facilitator shall not be one of the eight members of the Discernment Team and shall have voice but not vote during the discernment process. The Discernment Team will engage in extended time of prayer and introductions. Following the first meeting, the Discernment Team will meet at least four more times. The expected content of the meetings is outlined below.

Second Meeting

The Discernment Team members will share their faith stories, their understanding of the spiritual and theological issues at stake between the congregation and the Presbyterian Church (U.S.A.), and pray for God’s guidance. This meeting will primarily be a listening and sharing session.

Third Meeting

The facilitator of the Discernment Team will guide a prayerful dialogue on foundational theological issues. The purpose of this discussion is to determine how much common theological and ecclesiastical ground exists between the congregation and the denomination.

Fourth Meeting

The Discernment Team will create a process of prayer and discernment to listen to the concerns, sensitivities and questions of congregation members.

Fifth Meeting

Upon completion of the listening process the Discernment Team will address the concerns, sensitivities and questions of congregation members.

Additional Meetings

The content of additional meetings will be determined mutually by members of the Discernment Team.

Upon completion of the above meetings and time committed to prayer, the Discernment Team will make a report with recommendations to the congregation in one or more “town hall” meetings.

If the session determines the congregation is still called by God to remain in covenant relationship with the Presbyterian Church (U.S.A.), both parties will work together to heal any broken relationships (see “Guidelines for Restoration of Fellowship and Recommitment to Presbytery-Congregational Relationship” below).

If the session votes to call a congregational meeting to recommend dismissal to another Reformed body, the session shall follow the “Procedure for Seeking Dismissal”. These policies and procedures shall take effect immediately upon approval by the Presbytery.¹

¹ NOTE: If a congregation or its leadership preemptively files suit in a civil court against the Presbytery, the Presbytery of New Covenant will answer and defend the suit. If suit is filed, the Presbytery of New Covenant also reserves the right to apply the Alternative Process for a Church Considering or Seeking Dismissal from the Presbyterian Church (U.S.A.). Likewise, if a congregation or its leadership abandons this Reconciliation and Dismissal Procedure before completion, the Alternative Process for a Church Seeking Dismissal from the Presbyterian Church (U.S.A.) will apply.

GUIDELINES FOR RESTORATION OF FELLOWSHIP AND RECOMMITMENT TO PRESBYTERY-CONGREGATIONAL RELATIONSHIP

If the Session or congregation determines that it is called into a continued or transformed relationship with the Presbytery of New Covenant, the Discernment Team will create and conduct a process for continuation/transformation of fellowship and reaffirmation to the Presbytery-congregational relationship. The following are presented as minimal guidelines for marking and sealing that reaffirmation:

1. The Discernment Team will assist the Session in writing a covenant of reaffirmation articulating the nature and specifics of the future relationship between the congregation, Presbytery and the PC (U.S.A.).
2. Conducting a public service of worship and reaffirmation to shared fellowship and ministry, with participation from Presbytery and congregation.
3. Sharing of story and testimony from members of the Discernment Team and congregation at the congregational and Presbytery level (and beyond, if appropriate).
4. Blessing and commissioning of any minority that leaves the local congregation (to the extent possible), in the hope of maintaining bonds of peace.

PROCEDURE FOR SEEKING DISMISSAL

Upon completion of the discernment process described in the “Commitment to Reconciliation,” a session and congregation desiring to enter into the process of seeking dismissal shall follow this procedure:

1. The session shall call for a meeting of the congregation. Advance notice for the meeting shall be by written letter to each member on the active roll of the congregation who is eligible to vote at the meeting, as well as through three Sunday worship announcements. The letter shall be mailed at least thirty (30) days in advance of the meeting date and shall include:
 - a. the motion from the session to be dismissed to a particular Reformed body
 - b. a written statement from the Discernment Team majority and minority (if applicable)
 - c. the amount the congregation shall contribute to the Presbytery (see item #5 below).
 Public announcements of the congregational meeting shall be made at all worship services between the date of the call and the actual congregational meeting. Representatives of the Presbytery (which may include members of the Discernment Team, General Council, Stated Clerk, General Presbyter, and Associate General Presbyters) shall also be invited to the meeting, with the right to address the body gathered.
2. Members eligible to vote at the congregational meeting shall be those listed on the roll of Active members of the church (G-1.0402) as of the date of the letter calling the congregational meeting. The quorum for the congregational meeting shall be the designated quorum of the congregation or 30%, whichever is higher.
3. All members present, as well as the representatives of Presbytery, shall have the right to speak. When the discussion is concluded, the vote shall be taken by written ballot. At least two-thirds of those present voting must vote in favor of requesting dismissal to another Reformed body in order for the proposal to pass.
4. If at least two-thirds of those voting request dismissal, the Presbytery shall agree to the dismissal, permitting the congregation to depart with all of its property intact.
5. Prior to a desired dismissal, the session of the congregation shall enter into a legal contract on behalf of the congregation to contribute to the Presbytery the greater of: the per member share of the current Presbytery budget² or the average of the congregation’s past three years’ Presbytery contributions. These contributions will be contributed on a declining scale over a five year period according to the following schedule:

Year one – 100%
Year two – 80%
Year three – 60%
Year four – 40%
Year five – 20%
Year six and beyond – 0%

² in 2011 the per member share of the presbytery budget was \$36.53

6. The Presbytery recognizes that “the church” in a particular area is not its building or financial assets, but the people of the congregation. When the required majority votes to join another Reformed body, and when a minority of at least 10% vote to remain in the PC (U.S.A.), a separate meeting shall be convened at a separate time to discern interest, if any, in starting a PC (U.S.A.) congregation. If 25 or more members of the active membership sign a letter expressing intent to begin another PC (U.S.A.) congregation, the New Church Development committee of Presbytery, or its agent, shall determine if the leadership, mission, and resources exist to organize a new church. If the NCD Committee or its agent makes that determination, an amount of money at least equal to the insured value of the property minus loans, multiplied by the percentage of its active membership signing a petition to organize a new church shall be made available for the new church development before dismissal of the majority with property.³
7. A congregation that is approved for dismissal may take its name with it.
8. In the event that any congregation’s request for dismissal is approved under the terms of this Procedure, the Presbytery shall, in conjunction with the congregation, hold a final worship service of commissioning, to celebrate our common life in Jesus Christ and to pray for the effectiveness and well-being of both the congregation and the Presbytery. Those departing the Presbyterian Church (U.S.A.) will be commissioned by the Presbytery to further their work for the kingdom as they go forward in ministry. The service will be jointly planned by members of Presbytery’s General Council and the session, and all congregations of the Presbytery of New Covenant shall be invited.
9. A congregation being dismissed shall be required to remove the Presbytery of New Covenant from any outstanding loan guarantees and to pay off any loans outstanding to any entity of the Presbyterian Church (U.S.A.).
10. A congregation being dismissed will be required to take a roll of its membership as of the official date of dismissal, to transfer the memberships of all those on the roll who request transfer to another congregation, and to file all reports required by the Presbytery for statistical record-keeping.
11. A congregation being dismissed will be required to work with the Presbyterian Board of Pensions to determine the effective date of the dismissal.
12. There are some practical considerations to be addressed, should a congregation be approved for dismissal. These are listed for information, and are not all-inclusive or binding for the purposes of this Procedure.
- a) The status of the minister(s) currently called by the congregation: whether they shall remain with the congregation and transfer their ministerial status to the new denomination, or whether they choose to remain within the PC (U.S.A.), and thus need to look toward seeking a new call.

³ The intent of this section is to help a minority of the congregation who wish to remain in the PC (U.S.A.) by undertaking and supporting the initiation of a new PC (U.S.A.) congregation. Given the commercial value of much church land is many times the value of the buildings, this minimum formula (which can be exceeded) gives members wishing to start a new PC (U.S.A.) congregation significant funds to do so and asks a departing congregation to make significant contribution without unrealistically burdening the departing congregation.

- b) The status of any insurance policies held by the congregation with instrumentalities of the PC (U.S.A.) may need to be changed.
- c) The corporate status of the congregation shall be revised to reflect its dismissal.
- d) The presbytery agrees to execute all documents necessary to effectuate the transfer of all assets or property pursuant to this procedure.

Approval and Amendment of this Procedure

This Procedure shall be effective after a preliminary reading/discussion of the Procedure at a Presbytery meeting and ratification by a majority of those voting at a subsequent Presbytery meeting. Amendments to the Procedure are in order at the Presbytery meeting where the vote takes place.

Subsequent to the adoption of this Procedure, it may only be amended or rescinded by the same procedure stated above: after a preliminary reading/discussion of the Procedure at a Presbytery meeting and ratification by a majority of those voting at a subsequent Presbytery meeting.

The Procedure in effect on the date of the covenant agreement between the session and the Presbytery shall remain in effect throughout the process for that particular congregation even if the Procedure is amended or rescinded by the Presbytery during the process.

Final Version

Covenant Agreement

In order to: promote the ongoing faithfulness of our members in the work of the Mission of God through Jesus Christ; exercise “mutual forbearance”; treat others with respect regardless of theological and ecclesiological differences; and work for fairness to all parties in our decisions, therefore, the General Council of the Presbytery of New Covenant and the congregation of the

_____ Church of

_____, Texas, covenant to follow the Gracious Reconciliation and Dismissal Procedure and abide by its terms as a way of discerning God’s will for the relationship between the congregation and the Presbytery of New Covenant.

Date _____

Final Version

Pastor

Moderator General Council- Presbytery of New Covenant

Clerk of Session

Stated Clerk – Presbytery of New Covenant

10 **THE PRESBYTERY OF NEW COVENANT**
 11 **ALTERNATIVE PROCEDURE**
 12 **FOR A CHURCH CONSIDERING OR SEEKING DISMISSAL**
 13 **FROM THE PRESBYTERIAN CHURCH (U.S.A.)**

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 16 The Presbytery of New Covenant has established a Gracious Reconciliation and Dismissal Procedure for
 17 member churches considering dismissal from the denomination and strongly encourages pastors, sessions and
 18 congregations to engage in the process outlined in that Procedure.

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 20 Recognizing that there may be churches that either choose to seek dismissal from the PC (U.S.A.) without
 21 covenanting to abide by the Gracious Reconciliation and Dismissal Procedure or that may choose to abandon
 22 that process before completing it while continuing to seek dismissal from the denomination, the Presbytery
 23 establishes this Alternative Procedure for Churches Seeking Dismissal from the PC (U.S.A.).

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 25 The intent of this Alternative Procedure is to provide guidelines for a gracious, decent, and orderly interaction
 26 between the Presbytery and churches seeking dismissal outside of the process defined in the Gracious
 27 Reconciliation and Dismissal Procedure.

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 29 **ALTERNATIVE PROCESS**

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 31 When the Presbytery is notified that a church has taken steps to request dismissal from the PC (U.S.A.) without
 32 complying with the Gracious Reconciliation and Dismissal Procedure or that a church that was proceeding
 33 under the Gracious Reconciliation and Dismissal Procedure fails to complete it but is requesting dismissal, then
 34 the Presbytery will respond by following these guidelines.

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 36 **A. ADMINISTRATIVE COMMISSION**

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 38 1. Pursuant to G-3.0109b(5), the Moderator of Presbytery shall nominate and the Presbytery shall elect, an
 39 Administrative Commission (“AC”). The primary task of the AC is to “attempt to inquire into and settle the
 40 difficulties” of the church in question. The authority of the AC will be specifically defined for the situation.
 41 Powers of the AC may include authorization for the AC to assume jurisdiction in whole or in part over the
 42 affairs of the church with the power to act in place of the session.
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 44 2. The Stated Clerk of Presbytery will conduct a training session for members of the AC to apprise them of the
 45 powers that are delegated to the AC, and the facts and circumstances that prompted the formation of the AC.
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 47 3. Powers granted to the AC by the Presbytery may include the authority for the AC:
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 49 a. to determine whether a schism exists within the congregation (*see Book of Order*, G-4.0207);
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 51 b. If schism exists, to determine if one of the factions of the church represents *the true church within*
 52 *the PC (U.S.A.)* (*see Book of Order*, G-4.0207);
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 54 c. to make recommendations to the Presbytery to dissolve pastoral relationships or to place pastors on
 55 administrative leave. When requisite authority is given by the Presbytery, the AC may dissolve pastoral
 56 relationships (*see Book of Order*, G-3.0109b);

d. to request records of the session (*see Book of Order*, G-3.0108b), “*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.*”;

e. to examine and copy whatever records of the church that may be relevant (*e.g.*, how money is held, title to property, title policies, surveys, insurance documents, financial statements and records, budgets, tax returns, bank and account statements, mortgages or other loan documents, corporate articles, bylaws, and charters – especially changes in any of these).

f. to assume original jurisdiction (in whole or in part) in any case in which it determines that the session is unable or unwilling to manage wisely the affairs of its church (*see Book of Order*, G-3.02 and G-3.0201);

g. to freeze the assets of the church and approve expenditures;

h. to secure the building, grounds and other property of the church for the use and benefit of the PC (U.S.A.);

i. to determine if and when a meeting of the congregation is appropriate for the purpose of voting to seek dismissal from the PC (U.S.A.);

j. to call that congregational meeting, and provide the moderator and clerk for that meeting and to report results of the congregational vote to the Presbytery;

k. to authorize oversight of the church, its ministry and its property by a group within the congregation that has been identified as “*the true church within the PC (U.S.A.)*” (G-4.0207);

l. to propose to the Presbytery any recommendation for the disposition of the property held by or for the church, and the assumption of the liabilities of the church, if there is no group within the congregation that has been identified as *the true church within the PC (U.S.A.)*, or if such group cannot or does not assume responsibility for the church, or its property or liabilities;

m. to consider the conformity with the PC (U.S.A.) (in matters of doctrines and order) of the proposed receiving body or denomination to which a congregation has, or may, request dismissal, and to propose to the Presbytery any recommendation regarding same for the Presbytery’s consideration and action.

n. to fulfill any other responsibilities as assigned by the Presbytery, or as may be necessary or appropriate in connection therewith or in connection with those set forth above.

B. CONGREGATIONAL MEETING

1. The AC shall keep the Presbytery informed of significant actions taken and shall make recommendations directly to the Presbytery for all actions that require the Presbytery’s approval.

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2. One of the powers of the AC is to determine when or if a meeting of the congregation is appropriate for the purpose of voting to seek dismissal from the PC (U.S.A.) to another Reformed denomination. Prior to any such vote, the leadership of the church shall furnish to the AC written verification that they will receive the church upon dismissal from the PC (U.S.A.). The Presbytery or AC may request any other written information about that denomination, such as doctrine, governance and permanence. The call for the congregational meeting shall be in accordance with the notice and quorum requirements of that congregation.
 3. A request for withdrawal shall be by two-thirds vote of the active membership of the congregation as recorded in the Annual Statistical Report for the immediately preceding year. By such vote the congregation must adopt a resolution requesting that the Presbytery dismiss the church to a specified Reformed denomination that is in correspondence with the General Assembly of the PC (U.S.A.) and is a member of ecumenical bodies in which the PC (U.S.A.) is also a member. The resolution shall specify whether dismissal is sought with all or part the church's property or without the church's property. If dismissal is sought with part of the property then the resolution shall specify the property to be retained.

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C. DISPOSITION OF CHURCH PROPERTY

1. Disposition of the property of the church shall be resolved in accordance with the provisions of G-4.0207 (Property of Congregation in Schism) and G-4.0208 (Exceptions) of the Book of Order.
2. A minority of the church congregation may choose to elect new church leadership and assume responsibility of the property subject to the jurisdiction of the AC or sell the property to the majority with the approval of the Presbytery (if required).
If the minority does not or cannot assume responsibility for the property within a reasonable period of time (as determined by the AC), then the AC may recommend that the Presbytery dismiss or dissolve the congregation, or dispose of the property, or take other appropriate action.
3. The AC may consider the following options for the disposition of the church property if there is no faction of the congregation that can or does assume responsibility for the church property as a continuing congregation of the PC (U.S.A.):
 - a. Sell, transfer, lease or otherwise dispose of the property to a third party;
 - b. Retain the property for a new church development, or hold, use and apply the property for another mission of the Presbytery;
 - c. Sell, lease or transfer the property to the membership of the dismissed congregation upon terms acceptable to the Presbytery on condition that the church is dismissed to another Reformed denomination.