

**The Presbytery of Mississippi**  
**Recommended Guidelines for Withdrawal of a Congregation from the PC(USA)**  
***Last Revised October 20,2011***

*Provisional until February, 2012 Presbytery meeting*

**A. BACKGROUND** This paper sets forth principles and procedures intended to help pastors, sessions, congregations, and presbytery representatives deal with requests for dismissal with a maximum of grace and a minimum of confusion. Naturally, the presbytery wants to retain all of its member congregations. However, in some cases, the desire to withdraw and join another denomination may be so deeply felt and widely held that the best thing is to honor the will of the congregation while fairly protecting the interests of all persons involved.

Strictly speaking, the Form of Government in the Constitution of the Presbyterian Church (U.S.A.) Part II (Book of Order) does not prescribe a procedure governing a congregation's request to leave the PC(USA) for another Reformed body. In each case, the interests of the presbytery, the congregation, those wishing to leave, and those wishing to remain part of the PC(USA) need to be treated fairly. Because each situation is unique, each petition for dismissal must be treated separately on a congregation by congregation basis, and each situation must be decided on its own merits. Therefore, this document should not be seen as mandatory, but as illustrative of the kinds of questions and procedures that may apply if and when this issue presents itself.

**B. PRINCIPLES THAT GUIDE THE PROCESS** There are some overarching Biblical principles and tenets of Reformed polity that should inform a session's deliberations, the decision-making process of the congregation, and the presbytery's role in these situations. Illustrative of these principles are the following:

1. Jesus Christ is Head of the Church. Therefore church discipline and the actions of congregations and councils should reflect Jesus' values and will as revealed in Holy Scripture.

2. Each particular congregation is a particular manifestation of one Church of Christ (F-3.0201).The connection is both spiritual and organic. Each particular congregation is formed by the Spirit of Christ and is the fruit of his Spirit. Each particular congregation is organically connected to and is inherently part of a larger spiritual body that transcends time and space. We are not a group of independent societies that are free to come and go at will. We are in a covenant relationship with each other and with Jesus Christ. The hand cannot unilaterally sever its relationship from the arm. It is true that the relationship can be severed, but this is traumatic, and the decision to break the relationship must rest with the body, not the hand. This is why a simply majority vote to leave will generally not be sufficient to sever the relationship.

3. In matters of controversy, a larger part of the Church (or a representation of it) should govern a smaller. Our system of councils in regular gradation reflects this understanding (F-3.0203).

4. The Book of Order contemplates that, in case of schism, the presbytery shall attempt to effect a reconciliation or a division into separate congregations within the PC(USA) (G-4.0207). This means the presbytery has the right and responsibility to assess the situation within the congregation. Accordingly, the presbytery needs to inquire and make an informed judgment as to the possibilities of reconciliation, what or who is preventing reconciliation, approximately how many people are determined to leave and how many wish to remain in the PC(USA), does the congregation understand what it is being asked to consider and have the implications of leaving the PC(USA) been fully and fairly explained, has the process been open and fair to all concerned. This assessment should be made via open forums and discussion. It is important that the process of discernment be conducted in a way that seeks the truth and is fair to all parties. Requests made by the congregation will not be considered valid unless the presbytery has first met with and received the cooperation of the session and any installed teaching elders and determined that the principles and procedures herein outlined will be fairly implemented.

5. The example of the apostles and of the primitive Church is authoritative in dealing with such matters. The Council at Jerusalem engaged in a process of discernment as it exercised leadership and oversight over the missionary activities of Paul and Barnabas. The role of testimony, prayer, discussion, deliberation, and collective discernment of the will of God were, and are, important. The process by which a congregation comes to decide that it is being called by God to seek dismissal and realignment should respect dissent and safeguard and provide sufficient time and opportunities so that the will of God can be received by the whole congregation. A rush to judgment is not consistent with Biblical principles or Reformed polity.

6. Article 13 of the Articles of Agreement between the Presbyterian Church in the United States and the United Presbyterian Church in the United States of America (see Book of Order at Appendix B-13) prescribes a detailed procedure for congregations seeking to be dismissed to other Reformed bodies. While Article 13 no longer applies, the concerns and safeguards for a fair process can serve as guidance for churches in our presbytery:

- The role of the session is to call the congregation together to discuss the issue.
- The presbytery is included in and participates in these discussions.
- Information meetings are held where no vote is taken. This fosters discernment.
- This process takes time (six months), so that judgments are not made in the heat of passion or rashly. People need time to think and talk and reflect and pray.
- Meetings are well publicized and attendance is encouraged.

- At least one-third of the congregation must be present to transact such business.
- People are given the opportunity to speak and respond.
- Voting is by secret ballot to minimize intimidation or peer pressure.
- A super-majority vote is required to leave (2/3<sup>rd</sup> of the church).
- If more than one-third of the members voting wish to stay with the denomination, then the organic connection should not be severed.
- Either side may appeal to the presbytery, and the presbytery's decision is final.

### **C. THE PROCESS WE PROPOSE TO FOLLOW:**

The following process incorporates these principles with the clear understanding that, in particular cases, exigencies may require modification and flexibility in the interest of fairness and practical wisdom.

1. The decision to withdraw from the PC(USA) is a traumatic one that can easily polarize a congregation. The presbytery is committed to working for reconciliation whenever practicable. When this is not feasible, the presbytery will endeavor to achieve an amicable separation to preserve the bonds of friendship and fellowship. This is not and need not be an adversarial process. It is a process designed to discern the will of God for this particular congregation at this time. The emphasis is on fairness and creating full opportunity to hear many points of view so that decisions of such high stakes are made carefully and after much prayer, discussion, and thoughtful deliberation.

2. The session of a congregation should notify the stated clerk that it intends to call a congregational meeting to consider and discuss the advantages and disadvantages of the membership as a body remaining in or withdrawing from the PC(USA). The stated clerk shall forward each such notice to the moderator of the Committee on Ministry, administrative presbyter, and the Cabinet of Presbytery.

3. The quorum and the requirements of calling the initial congregational meeting must conform to the requirements of the Book of Order for all congregational meetings (G-1.0501, 0502). The Committee on Ministry, Moderator, or Cabinet of Presbytery should appoint representatives to attend the meeting, and they will be allowed sufficient time to speak on behalf of the PC(USA). The initial called meeting of the congregation should take place at the church after 3:00 p.m. and not less than 20 days after such notice and should be set so that the presbytery has a fair opportunity to send representatives to participate in the meeting.

4. This policy statement should be distributed to the congregation one week before the meeting and may be read or summarized at the meeting by a representative of presbytery.

5. The sole business to be conducted at the initial congregational meeting, or any adjournment thereof, should be a discussion of the merits and demerits of staying or leaving. Representatives of the presbytery should be given opportunity and sufficient time to address the congregation and to respond to questions or comments. Fairness and transparency and upholding the right of every member to be heard are especially important.

6. After the initial congregational meeting, ordinarily three months should pass, and the presbytery should be consulted as to a date and time for a congregational consultation with the presbytery concerning whether the membership as a body should withdraw from the PC(USA). Written notice should be given by mail to all members at least 30 days prior to the time of the meeting, as well as announced from the pulpit of the church at regular church services on four successive Sundays immediately prior to the meeting. The minimum requirement for an accurate consultation should be one-third of the active confirmed members in good and regular standing. The meeting should take place after 5:00 p.m. in the church sanctuary to give the members of the presbytery committee and those traveling from other places sufficient time to attend.

7. The Committee on Ministry, Moderator, or Presbytery Cabinet will appoint a Committee on Congregational Consultation to conduct the meeting, which is technically a meeting of the committee, not a congregational meeting. The committee members should be allowed sufficient time to speak on behalf of the PC(USA). This meeting should be moderated by a member of the Committee on Ministry, the administrative presbyter, or the stated clerk of presbytery.

8. The consultation is limited to persons who are appointed by the presbytery and active members in good standing of the particular congregation. Others will not be heard or allowed to cast a ballot regarding the request for dismissal. After a full and fair discussion, in which every active member of the congregation present who wishes to speak (for up to five minutes) has had an opportunity to do so, a secret ballot of the congregation members will be taken on the categorical question: "Shall the membership of the \_\_\_\_\_ Presbyterian Church (U.S.A.) request dismissal as a body by the Presbytery of Mississippi to \_\_\_\_\_, another Reformed body?"

9. The ballots should be counted by two elders from the congregation and two representatives of the presbytery. Only ballots clearly legible should be counted. In case of ambiguity, the ballot should be counted as "No." Abstentions count as "No" votes. The ballots should be counted twice and the results should be announced at the meeting, and the results should be communicated in writing to the stated clerk of the presbytery.

10. Ordinarily, a request for dismissal requires affirmation by at least two-thirds of those present and participating. Following notice of such a request, the Moderator will follow the normal procedures for calling a meeting of presbytery, provided that there is not already scheduled a stated meeting of presbytery within 45 days of the

congregational request for dismissal. The Committee on Congregational Consultation shall report the results of its meeting with the congregation, and the presbytery shall determine whether the process for requesting dismissal was fair and represents the will of the congregation. If so, the congregation should be dismissed to another Reformed denomination, subject to any agreements that may be reached regarding the fair treatment of those members who do not wish to leave the denomination. If the presbytery determines that the request for dismissal was invalid, the request for dismissal should be denied, and the congregation shall remain a member of the PC(USA).

11. Within ten days of the meeting of the Committee on Congregational Consultation any person of the unsuccessful side may contest the regularity of the call for, or the conduct of, or the manner of the request made at the meeting by a written notice to the presbytery. The presbytery shall review the questions at issue and, if the contest is sustained, it should direct the calling of a new meeting of the Committee on Congregational Consultation.

a. If the contest is filed by those persons requesting dismissal from the PC(USA) and the contest is not sustained by the presbytery, such congregation shall continue to be a member church of the PC(USA).

b. If the contest is filed by those not requesting dismissal, and is not sustained by presbytery, such congregational members shall have the right to remain as members of the congregation or to be transferred to another congregation of the PC(USA).

c. Once the manner of the request is determined to be fair and regular, the decision of the presbytery shall stand and, ordinarily, no further action should be taken to reconsider the matter for at least 24 months.

12. In the event that at least 25% of the members of a congregation being dismissed do not request dismissal, the congregation being dismissed as a body to another Reformed body may be required not to use the same name in their new congregation that they previously used as a particular congregation of the PC(USA).

13. Teaching Elders (active and retired) in the PC(USA) will not be authorized to serve as a Temporary Supply to serve such particular congregational members that are dismissed as a body to another Reformed body and thereafter formed a congregation within that other Reformed body.

14. The presbytery will make every effort to provide those members who do not wish to leave the denomination continuing pastoral leadership in the case that their minister chooses to transfer his/her membership to another Reformed denomination. The presbytery will make every effort to reorganize the remaining members of the PC(USA) congregation for worship and service under the traditionally used congregational title, or transfer their membership to another Presbyterian/Reformed congregation that is in correspondence with the PC(USA).

## Rationale for the October 20, 2011 Revisions

1. According to Remedial Case 219-03 (formerly 218-18), *Robert Sundquist et al v. Heartland Presbytery*, it is not proper to use the language of “voting” in the context of a congregation’s requesting dismissal from the Presbyterian Church (U.S.A.):

Sundquist, et al. assert that a session has an ‘implicit’ or ‘implied right’ to call a congregational meeting to consider requesting dismissal to another denomination, but at oral argument to this Commission suggested that it was a ‘privilege,’ not a ‘right.’

Any such privilege exists only within a covenantal relationship between a church and the presbytery. On the contrary, G-7.0302 and G-7.0304 limit the business of congregational meetings and do not include the topic of seeking dismissal. In 2008, the 218th General Assembly adopted Item 04-20 (Minutes, 2008, p. 48), which refers to G-7.0304 and states, ‘Withdrawal from the Presbyterian Church (U.S.A.) is not a matter that can be considered at a congregational meeting.’

This does not mean that a congregation is prohibited from requesting dismissal. However, it is the presbytery (or its duly appointed administrative commission or its Committee on Ministry) that has the responsibility to consult with the members of a church about dismissal (G-11.0103i). The presbytery is required to afford all persons affected by a dismissal notice and an opportunity to be heard on the subject (G-9.0503b(2); Item 04-20). These consultations (which may be in the form of listening sessions, hearings or other consultations) are for the benefit of informing the presbytery as it considers a request for dismissal, but are not meetings at which any business of the congregation may be conducted (id.; see also *Gaba v. Presbytery of Eastern Virginia*, Minutes, 2003, p. 269, (The purpose of this provision is not merely matter of fairness or information gathering, but also exercise of pastoral oversight of churches by the presbytery to facilitate reconciliation.)).

The substance of the Presbytery of Mississippi’s policy does provide for proper notice and a fair hearing for all parties, but the language of “voting” at a “congregational meeting” needs to be recast in the form of a “request” made at a “consultation.”

2. The previous Form of Government in G-7.0304 included in the types of business that could be conducted at a congregational meeting “matters related to the permissive powers of a congregation.” This provided a bit of flexibility, allowing presbyteries to give congregations the permission to take a vote on requesting dismissal. In contrast, the new Form of Government removes this flexibility. In G-1.0503 it removes the mention of “permissive powers,” instead listing only 5 types of business that can be transacted at a congregational meeting. Voting to request dismissal to another reformed body is not one of the five. It is therefore appropriate to recast the presbytery’s suggested procedures in the form of a “request” rather than a formal “vote.”

3. G-3.0301 in the new form of government states that the presbytery has the responsibility and power to dismiss congregations “in consultation with their members.” Recasting the congregational meeting which votes to request dismissal as a meeting of a presbytery committee which then reports to the presbytery on a congregation’s request for dismissal observes the letter of the form of government while retaining the spirit of the presbytery’s guidelines.

4. Changes in nomenclature in the new Form of Government should be observed: “governing bodies” are now “councils,” “Ministers of the Word and Sacrament” are now “teaching elders,” and “churches” are now “congregations.” References to the Form of Government must also be changed.