

APPENDIX B

PRESBYTERY OF SACRAMENTO GUIDELINES FOR CHURCHES CONSIDERING SEEKING DISMISSAL FROM THE PRESBYTERIAN CHURCH (U.S.A.)

PREAMBLE

The Presbytery of Sacramento, hereafter Presbytery, affirms the basic principle that the Presbyterian Church (U.S.A.), hereafter (PC (U.S.A.)), strives to be a church modeled on the Body of Christ as described in 1st 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...” Unity in Christ is a hallmark of the church. Our unity is indeed in our Lord and Savior, Jesus Christ, the Cornerstone of the Church.

The Presbytery acknowledges that many faithful believers within the PC (U.S.A.) may experience a crisis of conscience that leads them to reassess their relationship with the denomination and even seek dismissal. Under these circumstances we are committed to working pastorally with any Minister of Word and Sacrament, Session or Congregation that contemplates or seeks dismissal from the PC (U.S.A.). In facilitating the process described herein, it is not our intent to take any preemptive coercive action against any Minister of the Word and Sacrament, Session or Congregation solely because they faithfully consider dismissal from the PC (U.S.A.)

Our ultimate goal is not to separate and should be reconciliation and continued relationship for all Congregations within the Presbytery. If, however, a Congregation chooses to seek dismissal from the PC (U.S.A.), the Presbytery is committed to providing a faithful and equitable process through which a Congregation may graciously be dismissed to another reformed denomination.

Actions of the General Assembly have focused attention on the responsibility of each governing body within the denomination to apply the constitution in its particular setting. The following process and guidelines are presented to accomplish this at our presbytery level and to provide leadership and guidance for our member Congregations.

This process is based on the use of two delegations from the Presbytery: 1) The Discernment Team and 2) The Negotiation Team.

A. The Discernment Team:

Appointment: When the Committee on Ministry, hereafter COM, becomes aware of or confirms that a Session is or may be seeking dismissal from the denomination, the COM may appoint a team of at least three (3) members to a Discernment Team. These people shall be chosen from a pool of people who have been specifically trained for this task.

Their task is to engage the Pastor(s), Session, and the Congregation in a time of prayer and conversation aimed at understanding the conflict, and identifying possible steps toward reconciliation. If requested by any of the parties involved, these discussions shall

APPENDIX B

PRESBYTERY OF SACRAMENTO GUIDELINES FOR CHURCHES CONSIDERING SEEKING DISMISSAL FROM THE PRESBYTERIAN CHURCH (U.S.A.)

include the issues involved in a Congregation wishing to be dismissed from the denomination.

Training: A pool of people, chosen by COM, shall be trained and appointments made from this pool. The team shall participate in a training program that shall include, but not be limited to, listening skills, interview skills, and skills in conflict resolution, discernment and reconciliation.

Function: The team shall offer the following assistance:

1. To participate in open discussions of issues with the intent of promoting peace and harmony. To first meet with Pastor(s), then the Session, and then with members of the Congregation, as appropriate, offering respect and sensitivity in the discernment process and encouraging openness to the guidance of the Holy Spirit.
2. To offer pastoral care, both to those members who believe themselves called to seek dismissal and those who believe themselves called to remain. The care may include meetings and/or written communication.
3. To keep all parties (Pastor(s), Session, COM, and Discernment Team members) informed, in writing, of issues and concerns discovered in the discussion.
4. To be present with voice during any interactions of the Congregation (including but not limited to, Congregational meetings, town hall meetings and gatherings of any nature) when the agenda of such interactions includes topics specifically related to moving toward dismissal from the PC (U.S.A.)

B. The Negotiation Team

When a particular Congregation votes to proceed toward seeking dismissal from the PC (U.S.A.), a Negotiation Team shall be appointed by the COM. The team shall include at least (1) Minister of the Word and Sacrament and (1) elder. Those selected shall be taken from a pool of individuals who have undergone specific training in mediation and negotiation skills, and have been pre-approved by Presbytery.

As an advocate for the PC (U.S.A.) and Presbytery, the Negotiation Team shall negotiate the Terms of Dismissal for Congregations and Ministers of the Word and Sacrament seeking dismissal from Presbytery and the PC (U.S.A.). Each negotiation shall be handled on a case-by-case basis and shall be specific to that particular Congregation. When requested by either Presbytery's or Congregation's Negotiation Team, a professional Christian-based mediator shall be employed to mediate the terms of dismissal. The cost of this mediator shall be split evenly between the Congregation seeking dismissal and Presbytery. This process shall seek to discern what is best both for the specific Congregation and for the mission of the PC (U.S.A.) in that geographical area including but not limited to New Church Development.

APPENDIX B

PRESBYTERY OF SACRAMENTO GUIDELINES FOR CHURCHES CONSIDERING SEEKING DISMISSAL FROM THE PRESBYTERIAN CHURCH (U.S.A.)

If, at any time a civil lawsuit is filed against Presbytery by the Congregation seeking dismissal, no further negotiations shall take place between Presbytery and the Congregation seeking dismissal. Should said civil lawsuit be thereafter dismissed or withdrawn, negotiations may proceed.

The Negotiation Team shall have the following authority:

1. To look at records that may be relevant to insure that after a Congregation has been dismissed, there is no legal or financial liability remaining with any element of the PC (U.S.A.). The types of issues and the documentation thereof that need to be resolved prior to dismissal are listed in Appendix A.
2. To be present with voice at all Congregational interactions (Congregational meetings, town hall meetings, and gatherings of any nature), when the agenda of such interactions includes considering dismissal from the PC (U.S.A.).
3. To be in communication with Pastor(s), Session, and Members of the Congregation.
4. To negotiate only with designated active members of the Congregation about all terms of the Congregation's dismissal to another entity. The items to be addressed may include, but not be limited to, distribution of property and other assets, settlement of outstanding loans, per capita and/or mission commitments, archiving of official records, the care of Congregational members who do not wish to leave the PC (U.S.A.), and the care of all pastoral staff who do not wish to be dismissed from the PC (U.S.A.).

Major issues to be considered by the Negotiation Team are as follows:

1. Ministers of Word and Sacrament who decide to stay in the PC (U.S.A.) but not with the departing Congregation, shall be provided a severance package that includes the following: Twelve (12) months total effective salary immediately paid in full to the pastor at the time of the church's dismissal and pension and medical benefits immediately paid in full to Presbytery at the time of dismissal.
2. Ministers of Word and Sacrament who request dismissal from the PC (U.S.A.) with the departing Congregation shall be dismissed to the receiving denomination upon request from the receiving denomination and when the transfer of the Congregation is complete.
3. Congregational members who wish to stay in the PC (U.S.A.) shall receive support and care. The amount of the resources to be provided shall be the subject of negotiation and shall involve issues such as, but not limited to: numbers wishing to stay, proximity of existing PC (U.S.A.) Congregations, and the need for pastoral leadership.

Time Frame:

APPENDIX B

PRESBYTERY OF SACRAMENTO GUIDELINES FOR CHURCHES CONSIDERING SEEKING DISMISSAL FROM THE PRESBYTERIAN CHURCH (U.S.A.)

It is expected that once a Congregation has voted to be dismissed from the denomination, the negotiation process would be completed as soon as possible.

The Negotiation Team shall keep a record of its progress and shall keep the Executive Presbyter, Stated Clerk, Moderator of Presbytery, Chair of Presbytery Council, Chair of COM, Pastor and Clerk of Session of the affected Congregation apprised of the stages, tenor and content of negotiations.

FINAL PROCEDURES

The terms of dismissal shall be subject to approval by the Congregation and Presbytery.

After all terms of the dismissal have been negotiated, the terms shall be put before the Congregation seeking dismissal for approval using a two (2) meeting process. The first (1st) Special Congregational Meeting, held with due notice, shall be for the purpose of explaining the terms of dismissal, discussion, and prayer. No vote shall be taken at this time. A quorum of the active members of the Congregation shall be present. (G7.0305)G-1.0501

The second (2nd) Special Congregational and Corporation Meeting, if a corporation meeting is needed, shall be held no sooner than two weeks after the first, again with due notice, for the purpose of discussion, prayer and voting on the dismissal and the terms of that dismissal. The quorum for a Congregational meeting seeking dismissal shall follow the guidelines as set forth in the Book of Order for quorum of the Congregation. The vote shall be taken by written ballot. A majority vote in favor shall be needed for approval.

After the Congregation has voted its approval, the request to be dismissed, including the terms of the dismissal shall be put before Presbytery. Members of the Congregation who are not commissioners may be allowed to speak to this request, both in the affirmative and negative. Following discussion and prayer, the vote shall be taken using a written ballot. A majority vote in favor shall be needed for approval both for dismissal of the Congregation and for the terms of that dismissal, including release of the property of the Congregation, if that is part of the negotiated terms.

If a Congregation is dismissed, a Service of Blessing affirming our connection as servants of Jesus Christ shall be held before the end of the Presbytery meeting.

The financial responsibility for any costs incurred in this process shall be part of the negotiated agreement.

If the two parties are unable to reach agreement, the issue shall be referred back to Presbytery.

These Guidelines shall go into effect on May 6, 2008 except for those churches already engaged with discernment and mediation teams.

APPENDIX A

APPENDIX B

PRESBYTERY OF SACRAMENTO GUIDELINES FOR CHURCHES CONSIDERING SEEKING DISMISSAL FROM THE PRESBYTERIAN CHURCH (U.S.A.)

Title Search of all properties pertaining to Congregation
Assessed value of property
501c (3) Corporation papers
Documentation relative to any loans on property
Documentation relative to any loans, debts, or encumbrances, (secured or unsecured)
wherein any element of the PC (U.S.A.) is named
Investments in the Presbytery Foundation
Investments, endowments, trusts
Current Board of Pension statements
Congregation Tax I.D. number
By-laws of Congregation
Insurance documents on all policies carried by local Congregation

Original Adopted	09/22/2007
Original Effective	01/01/2008
Revised and Effective	05/06/2008