

Central Florida Presbytery
Process for Pastoral Responsibility, Accountability and Gracious Witness to
Congregations At Times of Division, Dismissal or Dissolution (G-11.0103)

The 218th General Assembly of the Presbyterian Church took the following action in response to a Commissioner's Resolution:

The 218th General Assembly (2008) of the Presbyterian Church (U.S.A.)

1. Directs the Stated Clerk to send this resolution to the presbyteries, synods, and sessions, indicating the will of the assembly that presbyteries and synods develop and make available to lower governing bodies and local congregations a process that exercises the responsibility and power "to divide, dismiss, or dissolve churches in consultation with their members" (*Book of Order*, G-11.0103i) with consistency, pastoral responsibility, accountability, gracious witness, openness, and transparency

2. Believing that trying to exercise this responsibility and power through litigation is deadly to the cause of Christ, impacting the local church, other parts of the Body of Christ and ecumenical relationships, and our witness to Christ in the world around us, the General Assembly urges congregations considering leaving the denomination, presbyteries and synods to implement a process using the following principles:

- **Consistency:** The local authority delegated to presbyteries is guided and shaped by our shared faith, service, and witness to Jesus Christ.
- **Pastoral Responsibility:** The requirement in G-11.0103i to consult with the members of a church seeking dismissal highlights the presbytery's pastoral responsibility, which must not be submerged beneath other responsibilities.
- **Accountability:** For a governing body, accountability rightly dictates fiduciary and connectional concerns, raising general issues of property (G-8.0000) and specific issues of schism within a congregation (G-8.0600). But, full accountability also requires preeminent concern with "caring for the flock."
- **Gracious Witness:** It is our belief that Scripture and the Holy Spirit require a gracious witness from us rather than a harsh legalism.
- **Openness and Transparency:** Early, open communication and transparency about principles and process of dismissal necessarily serve truth, order, and goodness, and work against seeking civil litigation as a solution.

In response to this action, the Central Florida Presbytery has developed the following process for congregations, the Committee on Ministry and the presbytery at those times when congregations consider leaving the denomination. These items are not intended to describe a sequence of events, but to be the overall process for implementing in this presbytery the principles described above in accordance with G-8 and G-11.0103 of the *Book of Order of the Presbyterian Church (U.S.A.)*.

A: Biblical and Theological Principles
From Scripture, the Book of Order, and the Book of Confessions

1. Central Florida Presbytery affirms all Christians are called to unity in Christ through the church universal. While any denominational separation is tragic, when Christians of different denominational affiliation are respectful and cooperative, Christ is honored, the gospel is proclaimed, and God's Kingdom is manifested on earth.

The Church Universal consists of all persons in every nation, together with their children, who profess faith in Jesus Christ as Lord and Savior and commit themselves to live in fellowship under his rule. (G-4.0100)

We trust in God the Holy Spirit, everywhere the giver and renewer of life. The Spirit justifies us by grace through faith, sets us free to accept ourselves and to love God and neighbor, and binds us together with all believers, in the one body of Christ, the Church.

(A Brief Statement of Faith, lines=52-56)

The Second Helvetic Confession addressed dissensions and strife in the Church, stating: "We know, to be sure, that the apostle said: "God is not a God of confusion but of peace." (1 Cor. 14:33), and, "While there is jealousy and strife among you, are you not of the flesh?" Yet we cannot deny that God was in the apostolic Church and that it was a true Church, even though there were wrangling and dissensions in it. The apostle Paul reprimanded Peter, an apostle (Gal. 2:11 ff.), and Barnabas dissented from Paul. Great contention arose in the Church of Antioch between them that preached the one Christ, as Luke records in The Acts of the Apostles, Ch 15. And there have at all times been great contentions in the Church, and the most excellent teachers of the Church have differed among themselves about important matters without meanwhile the Church ceasing to be the Church to the glory of his name, to illustrate the truth, and in order that those who are in the right might be manifest (1 Cor. 11:19). The Second Helvetic Confession, Section 5:133, Book of Confessions.

2. All church property belongs to Christ, and should be used to advance God's Kingdom. Working together, local congregations and their respective presbyteries will seek to ensure that all property decisions will further the great ends of church.

All authority in heaven and on earth has been given to me. Therefore go and make disciples of all nations, baptizing them in the name of the Father and of the Son and of the Holy Spirit, and teaching them to obey all that I have commanded you. (Matthew 28:18b-20)

*Christ is the Head of the Church, which is his body.
Christ calls the Church into being, giving it all that is necessary for its mission to the world, for its building up, and for its service to God. (G-1.0100)*

The great ends of the church are the proclamation of the gospel for the salvation of humankind; the shelter, nurture, and spiritual fellowship of the children of God; the maintenance of divine worship; the preservation of the truth; the promotion of social righteousness, and the exhibition of the Kingdom of God to the world. (G-1.0200)

The Session is responsible for the mission and government of the particular church. (G-10.0102)

All property held by or for a particular church, a presbytery, a synod, the General Assembly, or the Presbyterian Church (U.S.A.), whether legal title is lodged in a corporation, a trustee or trustees, or an unincorporated association, and whether the property is used in programs of a particular church or of a more inclusive governing body or retained for the production of income, is held in trust nevertheless for the use and benefit of the Presbyterian Church (U.S.A.) (G-8.0201)

3. Denominational separation becomes a consideration when there is irreconcilable disagreement on issues essential to faith and life. In such tragic situations, the Presbyterian Church (U.S.A.) Book of Order allows presbyteries to dismiss congregations peaceably, with property and designates the presbyteries to determine the most faithful disposition of property

The notes of the true Kirk, therefore, we believe, confess and avow to be: first, the true preaching of the Word of God...secondly, the right administration of the sacraments of Christ Jesus...and lastly, ecclesiastical discipline uprightly ministered, as God's Word prescribes, whereby vice is repressed and virtue nourished. (The Scots Confession, XVIII)

Do you sincerely receive and adopt the essential tenets of the Reformed faith as expressed in the confessions of our church as authentic and reliable expositions of what Scripture leads us to believe and do, and will you be instructed and led by those confessions as you lead the people of God? (Book of Order 2007/2009: W.4.4003 Vow of Ordination)

Presbytery has the responsibility and power...to divide, dismiss, or dissolve churches in consultation with their members. (G-11.0103i)

4. In seasons of controversy, every effort should be made to promote peace, unity, and purity. Central Florida Presbytery affirms that Scripture, theology and polity urge forgiveness and reconciliation in ecclesiastical disputes.

"I therefore, the prisoner in the Lord, beg you to lead a life worthy of the calling to which you have been called, with all humility and gentleness, with patience, bearing with one another in love, making every effort to maintain the unity of the Spirit in the bond of peace. There is one body and one Spirit, just as you were called to one hope of your calling, one Lord, one faith, one baptism, one God and

Father of all, who is above all and through all and in all. (Eph. 4.1-6)

Do you promise to further the peace, unity, and purity of the church (Book of Order 2007/2009: W.4.4003 Vow of Ordination)

“My prayer is not for them alone. I pray also for those who will believe in me through their message, that all of them may be one, Father, just as you are in me and I am in you. May they also be in us so that the world may believe that you have sent me.” (John 17:20-21)

5. Congregations and the presbytery should strive to honor Christ in the way they relate to each other when having conversations about dismissal, division, or dissolution.
 - All parties shall maintain high standards of transparency, truthful speech, and mutual respect.
 - Pastors and elders serving congregations requesting dismissal shall act in accordance with their ordination vows and the Book of Order. The presbytery will not seek removal of church officers solely because they are advocating for dismissal.
 - Presbytery representatives will be brought into the early stages of the congregation’s conversation, and provided opportunities to communicate with the congregation’s members.
 - Appeals to civil courts should be the avenue of last resort.

Therefore each of you must put off falsehood and speak truthfully to his neighbor, for we are all members of one body. "In your anger do not sin": Do not let the sun go down while you are still angry, and do not give the devil a foothold...Do not let any unwholesome talk come out of your mouths, but only what is helpful for building others up according to their needs, that it may benefit those who listen. And do not grieve the Holy Spirit of God, with whom you were sealed for the day of redemption. Get rid of all bitterness, rage and anger, brawling and slander, along with every form of malice. Be kind and compassionate to one another, forgiving each other, just as in Christ God forgave you. (Ephesians 4:25-27, 29-32)

The very fact that you have lawsuits among you means you have been completely defeated already. Why not rather be wronged? Why not rather be cheated? (1 Corinthians 6:7)

"God alone is Lord of the conscience, and hath left it free from the doctrines and commandments of men which are in anything contrary to his Word, or beside it, in matters of faith or worship." Book of Order (2007/2009) G-1.0301(a), citing The Westminster Confession of Faith, 6.109, in The Book of Confessions. Footnote to G-6.0108b.

Very early in the history of the Presbyterian Church in the United States of America, even before the General Assembly was established, the plan of reunion of the Synod of New York and Philadelphia contained the following sentences:

“That when any matter is determined by a major vote, every member shall either actively concur with or passively submit to such determination; or if his conscience permit him to do neither, he shall, after sufficient liberty modestly to reason and remonstrate, peaceably withdraw from our communion without attempting to make any schism. Provided always that this shall be understood to extend only to such determination as the body shall judge indispensable in doctrine or Presbyterian government.” (Hist. Dig. (P) p. 1310) (Plan of Union of 1758, par. II.)

6. If a congregation is dismissed, Central Florida Presbytery shall be the advocate for members who seek to remain in a Presbyterian Church (U.S.A.) congregation, negotiating with the departing congregation an equitable provision for those members' pastoral care. Convinced that God's Providence can bring good even out of schism, our ultimate goal is honor the Lord by seeking to bless each other, even in separation.

You intended to harm me, but God intended it for good to accomplish what is now being done, the saving of many lives. (Genesis 50:20)

Be shepherds of God's flock that is under your care, serving as overseers—not because you must, but because you are willing, as God wants you to be. 1 Peter 5:2a

B. Policy and Procedure

1. Whenever members have questions about actions of the General Assembly, the session will invite commissioners to the previous General Assembly, the Stated Clerk and/or the Executive Presbyter to a session meeting and, where it is deemed helpful by the session, an information sharing meeting of the congregation, to discuss actions and deal with rumors and speculation that may be causing disunity and concern in the life of the congregation. In this way, the presbytery will be given opportunity to exercise its pastoral responsibility for the welfare of congregations and to promote open communication whenever issues of the larger church arise.
2. Whenever there is conversation in the session or congregation about leaving the denomination, the Committee on Ministry, the moderator of presbytery, the Executive Presbyter, and the Stated Clerk will be invited to meet with the session to discuss the distress that is leading to this conversation and to review the provisions of the **Book of Order** and this document with regard to dismissal.
3. Prior to any request regarding dismissal of a congregation from the denomination, a Resolution Team will be appointed by the moderator of presbytery to consult with the session and congregation. This team shall include but not be limited to members of the Committee on Ministry, the moderator, the Executive Presbyter, and the Stated Clerk to engage in a period of no less than three months of consultation including meetings with the session and meetings with the congregation. The purpose of these meetings will be to review the provisions of

the *Book of Order* and this document with regard to dismissal and to answer questions from members of the congregation regarding options for dismissal of the congregation, and for the membership of those members who wish to remain in the Presbyterian Church USA. In this way the session will provide the presbytery opportunity to exercise its responsibility as a partner with the session in pastoral care to members of the congregation in what may be a difficult time in its life. At these meetings every good faith effort will be made to effect reconciliation in accordance with the *Book of Order*. The resolution team will report its findings to the Committee on Ministry.

4. If the Resolution Team, in consultation with the session, determines that the congregation wishes to request presbytery for dismissal, the report to Committee on Ministry will include a request for permission to conduct a meeting of the congregation called and conducted by the presbytery so that the congregation can indicate by vote whether to request dismissal. Members of the Resolution team will be invited to be present to offer pastoral care and prayer for the congregation and its members following the vote and to carry out the presbytery's responsibility to ensure that all those persons affected by dismissal have an opportunity to be heard on the subject.
5. The congregational vote to request dismissal shall be by secret ballot. The quorum for such a meeting ordinarily shall be 50% of the members on the active roll. If the congregation votes to request dismissal by a vote of at least 2/3 of the congregation's members present and voting, and its leaders are willing to work in good faith toward a mutually-agreeable resolution, the Resolution Team shall work to facilitate an agreement regarding distribution of property between the group of members who wish to be dismissed and the group of members who wish to remain in the Presbyterian Church (U.S.A.). As a Presbytery, we recognize that Chapters 8 and 11 of the Book of Order provide that presbyteries may dismiss congregations from the Presbyterian Church (U.S.A.) in possession of their property by transfer to another Reformed denomination. When dismissing a church with its property, a presbytery is required to give proper consideration to the constitutional provision that all property is held in trust for the benefit of the Presbyterian Church (U.S.A.). The clerk of session and pastor(s) of the departing church will assist the presbytery to make contact with these members who wish to remain in a congregation of the Presbyterian Church (U.S.A.). All parties are encouraged to demonstrate charity and forbearance during this process. The presbytery will receive the congregation's request at its next meeting. The presbytery will vote on the request, considering the recommendations of the Resolution Team. The presbytery has responsibility to make its own independent decision in every case.
6. If there is schism in a congregation indicated by a request from members loyal to the Presbyterian Church (USA) to remain in the denomination and in possession of the property, and the Resolution Team determines that a congregation intends to separate from the PCUSA and its leaders are not willing to work in good faith toward a mutually-agreeable resolution, it shall recommend the formation of an

Administrative Commission empowered to take all appropriate and necessary action in the presbytery's stewardship of the congregation and its property. Central Florida Presbytery recognizes that courts in Florida have ruled that churches who leave the Presbyterian Church (USA) without the approval of presbytery cannot take their church property with them. [*Arthur A. Froelich et al v. Edward R. Rowley, Jr. et al*, 102 So. 2d 720 (Fla., 1958), *St. Johns Presbytery v. Central Presbyterian Church of St. Petersburg*, 102 So. 2d 714 (Fla., 1958), & *Mills v. Baldwin*, 377 So.2d 971 (Fla. 1979), reinstating decision at 362 So.2d 2 (Fla. 1978), cert. den. U.S. Supreme Court, 446 U.S. 983 (1980)].

7. According to an authoritative interpretation by the General Assembly (2008,14,15,546, Item 07-13) no congregation may be dismissed to independent or non-denominational status.