

# **Proposed Procedures, Guidelines, and Standards for Dismissing Congregations**

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**In life and in death, we belong to God.  
Through the grace of our Lord Jesus Christ,  
the love of God,  
and the communion of the Holy Spirit,  
we trust in the one triune God, the Holy One of Israel,  
whom alone we worship and serve.**

**As requested, after study and meeting, we, the appointed Task Force of the Presbytery of the Mid-South, recommend the following process with particular procedures, guidelines and standards as they are judged to be in compliance with the constitution to be followed by a particular, Presbyterian Church in The United States of America “PC(USA)” congregation seeking to be dismissed, with or without their property, to another Reformed body.**

**The Presbytery of the Mid-South desires its particular churches to remain in trusting fellowship with each other under the jurisdiction of the presbytery. We endeavor to remain a fellowship of reformed congregations united in common faith in a Triune God and in the personhood of Jesus Christ.**

**We believe and affirm the church is characterized by pure preaching of the gospel in accordance with the apostolic witness of Scripture, right administration of the sacraments, and gentle church discipline, bound and loosed. We believe that our unity, purpose, and mission are in Jesus Christ and nowhere else, and that decisions affecting ownership of property are subordinate to, and should support our spiritual unity in Christ.**

**We believe and affirm that the Great Ends of the Church found in G-1.0200 of our Book of Order summarize the mission of our presbytery. We believe and affirm that whenever particular churches of this presbytery pursue the Great Ends of the Church they are in fact using their property to the glory of God and for the benefit of this presbytery, of the PC (USA) and of the Church Universal.**

**Borrowing language from the proposed Form of Government report,**

**We confess that the Church is the body of Christ, both in its corporate life and in the lives of its individual members.**

**We confess that the Church of Jesus Christ is the provisional demonstration of what God intends for all of humanity.**

**We confess that the Church is called to be a sign in and for the world of the new reality that God has made available to people in Jesus Christ.**

**We confess that the new reality revealed in Jesus Christ is the new humanity, a new creation, a new beginning for human life in the world:**

**We confess that**

**Sin is forgiven.**

**Reconciliation is accomplished.**

**The dividing walls of hostility are torn down.**

**We confess that the Church is called to give shape and substance to this truth.**

**We confess that the Church is further called to undertake this mission even at the risk of losing its life, trusting in God alone as the author and giver of life, sharing the gospel, and doing those deeds in the world that point beyond themselves to the new reality in Christ.**

**We lament that the Church, as it is known in the Presbytery of the Mid-South, is broken and fractured and mirrors the fractures and brokenness across the PC (USA).**

**We lament that the Church, as it is known in the Presbytery of the Mid-South, struggles with a spirit of mistrust, just as that mistrust is evident across the PC (USA).**

**We lament that the Church, as it is known in the Presbytery of the Mid-South, bears the burden of mistrust rooted in historical practices and despair as does the PC (USA) across its many congregations, presbyteries, and synods.**

**In the midst of the despair of division, and with the hope of reconciliation,**

**The Presbytery of the Mid-South recommends the following procedures, guidelines, and standards regarding particular congregations who elect to leave the PC (USA).**

**1. We believe and affirm that the particular churches of our presbytery can and should make their own decisions concerning how best to use their property to accomplish the Great Ends of the Church; and, except for the provisions of the Book of Order that commend oversight, we affirm that these procedures, guidelines, and standards are not to interfere with such use.**

**2. In pursuance of our obligations under chapter 8 of the Book of Order, the presbytery resolves and agrees that, as the party empowered to administer any valid and non-revoked trust, we generally will take no action in secular courts to enforce any general trust interest claimed by any higher governing body against any property, real or personal, held by any of its particular churches, whenever there is no outstanding legal indebtedness by the particular church to the presbytery. Legal indebtedness being defined where said church is indebted to the presbytery by loan, and where the presbytery is a surety or guarantor on any loan incurred by said church.**

3. We believe and affirm as a basic principle of our unity that chapter 8 of the Book of Order has not been, is not, and shall not be a basis for our unity or an opportunity for division among us. We affirm that Scripture urges us not to use secular courts to resolve our disputes (I Corinthians 6:1). We affirm that our PC (USA) Constitution states that the civil power of the state should not be used to enforce the provisions of a religious constitution (G-1.0301b). We affirm that our PC (USA) Constitution sets forth the principle that our collective organization as a worshipping community should not burden or infringe on existing property rights (Westminster Confession at 6.148). We affirm with the apostle Paul that “The very fact that you have lawsuits among you means you have been completely defeated already” (I Corinthians 6:7). We affirm the understanding of John Calvin, who did not regard civil suits as inherently wrong but could be rendered corrupt by abuse; that God’s purposes may be furthered by civil courts of justice, not in the pursuit of personal vindication but to safeguard the welfare of others (Institutes Of Religion Book IV: XX).

4. As a presbytery, we recognize that chapter 8 of the Book of Order provides that congregations may leave the PC (USA) in possession of their property (BOO G-8.0300; G-8.0400; G-8.0600. We affirm to each congregation their right to seek dismissal under chapters 8 and 15, and we ask all of our congregations to act with love, forbearance, dignity and discretion in pursuing this right (BOO G-8.0300; G-8.0400; G-8.0600; G-15.0203a; G-15.0203b). Specifically, we ask our congregations to defer litigation against the presbytery in secular courts in light of our recognition of their rights in this regard. In the Spirit of the Apostle Paul, we peacefully seek to first arbitrate any disagreements as brothers and sisters in Christ before seeking any civil remedies afforded by law in the states of Tennessee, Arkansas, and Missouri.

5. A particular church, at a congregational meeting called for the purpose, may request presbytery to dismiss such congregation with its property to any other denomination in correspondence with the Presbyterian Church (USA) (BOO G-15.0203a; G-15.0203b). Presbytery shall grant all such requests that pass by a two thirds (2/3) majority of those present and voting at a properly noticed congregational meeting. Congregational meetings to consider requests for dismissal shall take place not less than thirty (30) days nor more than one hundred twenty (120) days after notice of such a meeting is sent by certified mail to the stated clerk of the presbytery. The presbytery shall (i) have the right to counsel with the session at a meeting duly called and held for such purpose prior to the congregational meeting and (ii) have the right of the floor at the meeting called to vote upon the recommendation of the session for a period not to exceed thirty minutes. Recognizing that chapters 8 and 11 of the Book of Order provide that congregations may leave the PC (USA) in possession of their property (G-8.0300; G-8.0400; G-8.0600; G-11.0103i), we affirm that it is our policy to treat decisions of churches to seek dismissal as a pastoral and not a judicial or disciplinary matter. Excluding subparagraphs i and ii of this subscription, the presbytery may, if asked, counsel with pastors and congregations concerning these matters.

Those in the particular church who elect not to leave the PC (USA) will be attended to by the presbytery, which will minimally extend invitations to other PC (USA) congregations based on geographic location. The clerk of session and pastor(s) of the departing church will assist the presbytery to make contact with these said individuals by providing names, addresses, and telephone numbers. All parties are encouraged to demonstrate charity and forbearance during this process.

6. The presbytery meeting at which a church is dismissed from the PC (USA) will be held at a neutral location, preferably Pinecrest Camp and Conference Center, with the meeting not to exceed three hours, including a worship service of healing and wholeness.

7. So that the presbytery can plan for the economic consequences which may follow from a decision to withdraw from our fellowship, the presbytery hereby requests that when congregations which choose to leave the PC (USA)--that said congregations would voluntarily agree to: (i) continue to pay an amount equal to per capita on the year they chose to leave on a declining basis for five years (Year after leaving: 100% Year 2: 80% Year 3: 60% Year 4: 40% Year 5: 20%) and (ii) continue to pay an amount equal to what they gave to undesignated benevolence to the Presbytery on a declining basis for a period of five years (Year after leaving: 100% Year 2: 80% Year 3: 60% Year 4: 40% Year 5: 20%). However, the Presbytery's dismissal of such congregations under paragraph 5, above, shall not be contingent on said voluntary agreement.

8. Recognizing that chapters 8, 11, and 15 of the Book of Order provide that a presbytery may dismiss congregations from the PC(USA) and allow a congregation to retain ownership and possession of their property(BOO G-8.0300; G-8.0400; G-8.0600; G-11.0103i; G-15.0203a; G-15.0203b), we affirm that it is our policy not to take such action to remove a pastor or session as a result of a decision to withdraw or seek dismissal to another Reformed denomination during any period of time from the date the presbytery is informed, by whatever means, of this intent until the congregation has made its decision. If any action is taken by any person or committee of or in the employment of the presbytery, we hereby covenant and agree to seek discipline of that person in the courts of the PC (USA).

9. If a particular church has followed these procedures, guidelines and standards for dismissal, and then comes before the presbytery seeking to be dismissed with their property, then it is the recommendation of this task force that the title of said particular church, if it is not indebted to the presbytery, be granted to said church. In order to show Christian forbearance, the Presbytery of the Mid-South will not resist any particular church which has followed these procedures, guidelines and standards for dismissal, and which petitions the courts of the states of Tennessee, Arkansas, and Missouri for a declaratory judgment of title to their property. Provided the dismissed congregation has followed the procedures, guidelines and standards for dismissal, the Presbytery will resist claims made by higher governing bodies against said property disputes. The sessions, trustees, and other official representatives of each congregation, the presbytery moderator, stated clerk, and executive presbyter are all hereby and today empowered, authorized and

**directed to execute any deeds, conveyances or other documents necessary for the proper, convenient or appropriate execution of these procedures, guidelines, and standards**

**10. Any congregation that makes financial contributions to the presbytery subsequent to the adoption of these procedures, guidelines, and standards, then such action shall become a binding agreement between that congregation and the presbytery in states of Tennessee, Arkansas, and Missouri.**

**11. We hereby affirm that nothing contained within these procedures, guidelines and standards shall abrogate the authority and responsibility of presbytery under sections G-8.0401, G-8.0601, G-11.0103i, G-15.0203a, and G-15.0203b of the Book of Order; by these resolutions we affirm to our congregations that we are acting in the Spirit of Christ to undertake our responsibilities pursuant to the Book of Order.**

**With believers in every time and place,  
we rejoice that nothing in life or in death  
can separate us from the love of God in Christ Jesus our Lord.  
Glory be to the Father, and to the Son, and to the Holy Spirit. Amen.**

**12. These proposed procedures, guidelines, and standards for dismissing congregations to another Reformed body are humbly put forth by the Task Force of the Presbytery of the Mid-South created by the action of the Mediation Agreement reached with the Mediator of the Synod of Living Waters on May 1<sup>st</sup>, 2007 and approved by the Presbytery at its May 15<sup>th</sup>, 2007 stated meeting. The Task Force recommends approval as written by the presbytery of these procedures, guidelines and standards.**

**Steve Montgomery Anne Apple Steve Farese Greg Darden**